
Appeal Decision

Site visit made on 11 July 2017

by Elaine Benson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 August 2017

Appeal Ref: APP/U4610/D/17/3177047
10 South Avenue, Coventry CV2 4DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Pangli against the decision of Coventry City Council.
 - The application Ref HH/2017/0159, dated 18 January 2017, was refused by notice dated 15 March 2017.
 - The development proposed is described as 'retention of front fence and gates'.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of front fence and gates at 10 South Avenue, Coventry CV2 4DR, in accordance with the terms of the application, Ref HH/2017/0159, dated 18 January 2017.

Main Issues

2. The front fence and gates have already been erected. The main issues in this appeal are their effect on the street scene and whether they preserve or enhance the character or appearance of the Stoke Park Conservation Area (CA).

Reasons

3. The appeal property (No 10) is a 1970s detached house with an extended, two-storey 1930s coach house annex which stands in the CA. The house is set back considerably from the highway. The red brick gable end of the coach house fronts onto the road and its main elevation faces onto the front garden area. The house is on the south side of South Avenue where buildings are laid out in an irregular fashion and comprise dwellings of different ages and styles. The Council indicate that the dwellings along this section of the road have frontages to both South Avenue and Binley Road. In my judgement, the character of the area immediately around No 10 which comprises what appear to be garages, other outbuildings and fencing is one more typically found at the rear of residential properties.
4. The use of timber fencing along frontages is found on a number of properties in the area, including the immediate neighbour to No 10, and appears to be long-standing. The appellant has pointed to other examples of such boundary treatments. However, these are more distant from the appeal site and have less relevance to this appeal. The appellant has also provided convincing evidence, including photographs associated with previous applications and a letter from a neighbouring occupier, that the appeal fencing replaced fencing

that was there previously, notwithstanding that one of the photographs shows the fencing as curved at the entrance to the house and in this regard it differs in design from the appeal proposal. Within this context I conclude that the fencing at No 10 does not appear out of keeping.

5. The set of gates and railings is wide and of an ornate design. In its particular location, which is not representative of the Victorian character of the majority of the CA, I consider that the appearance of the metalwork is acceptable.
6. The Council would like to see boundary hedging used in this location. Undoubtedly a hedge would have a more attractive appearance than the fencing and would be more in keeping with the character of the wider conservation area. However, I am required to determine the proposal that was submitted. Furthermore I find that planting a hedge could potentially compromise the health of the mature ash and cherry trees which are close to the boundary, as the appellant suggests. I consider that the retention of the fencing and gates is acceptable in this instance and would avoid the need for further boundary works which might harm the health of the trees.
7. There are comments that the proposals included the loss of a landscaped front garden to hardstanding. However, I understand from the evidence that this was carried out under 'permitted development rights'.
8. I conclude that the proposal has not resulted in the introduction of an unsympathetic and incongruous feature into the street scene. The fencing and gates do not disrupt the rhythm of development and do not detract from the unique character and quality of the area. The development has not harmed the street scene and preserves the character and appearance of the CA. For these reasons there is no conflict with Policies H4, BE2 and BE9 of the Coventry Development Plan 2001. The proposal is not counter to the guidance within the Council's Supplementary Planning Guidelines which was prepared in accordance with Policy BE2. These policies and guidance are consistent with the design guidance within the National Planning Policy Framework.
9. Accordingly the appeal is allowed. As the fence and gates have already been erected there is no need for any conditions.

Elaine Benson

INSPECTOR