



Appeal Decision

Site visit made on 29 November 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 11th December 2017

Appeal Ref: APP/K2610/W/17/3179196

Aldersbrook, Woodbastwick Road, Blofield, Norwich NR13 4QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Stephen Hall against the decision of Broadland District Council.
 - The application Ref 20170023, dated 10 August 2016, was approved on 9 March 2017 and planning permission was granted subject to conditions.
 - The development permitted is a New Dwelling & Garage (Reserved Matters following Outline Planning Permission 20161388).
 - The condition in dispute is No 5 which states that: *Notwithstanding the details indicated on the amended drawings the existing unauthorised front boundary fence (fronting Frances Lane) is not approved. Within 8 weeks from the Approval of the Reserved Matters hereby permitted, details of a revised form of boundary treatment along the length of the Frances Lane site frontage and a timetable for completion shall be submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.*
 - The reason given for the condition is: *In the interests of enhancing the visual character of the area in accordance with Policies GC1, GC4 of the Development Management DPD (2015) and Policy ENV2 of the Blofield Parish Neighbourhood Plan.*
-

Decision

1. The appeal is allowed and the planning permission Ref 20170023 for New Dwelling & Garage (Reserved Matters following Outline Planning Permission 20161388) at Aldersbrook, Woodbastwick Road, Blofield, Norwich NR13 4QH granted on 9 March 2017 by Broadland District Council, is varied by deleting condition 5. All other conditions, so far as they are still relevant and have not been formally discharged, remain imposed.

Main Issue

2. The main issue is whether the condition is reasonable and necessary in the interests of the character and appearance of the area.

Reasons

3. The condition in dispute sets out that a scheme for what would effectively be a revised boundary treatment for the appeal site be agreed. This, evidently, was imposed as the Council had reservations about the visual effect of a high sided close boarded fence to the Francis Lane (front) facing boundary. The fence has been erected to the front boundary and comprises vertically laid timber panels atop concrete kick boards and linked by matching concrete posts. The fence

that has been erected continues for the length of the front boundary which then becomes the side boundary of Aldersbrook, a detached single storey dwelling that faces Woodbastwick Road to the east. The fence terminates at the point where the side boundary of Aldersbrook meets Woodbastwick Road. The approved plans show the use of such a boundary treatment to all four boundaries of the roughly square plot containing the approved detached dwelling.

4. In essence, I have no objections to the use of close boarded timber fencing to the Francis Lane boundary. The lane is a narrow track of single carriageway width and whilst it is defined by some low level verge planting, boundary hedging and trees towards its western end, it is equally identified by similar high sided close boarded timber fencing. The timber fence to the appeal site is not therefore alien in this context. The lane has something of an enclosed feel and this is as relevant to natural as it is built features, especially since a number of private rear gardens that face Reve Crescent to the south back onto the lane.
5. For these reasons, and when the fence is viewed in context, the condition imposed does not seem to achieve a reasonable objective. In effect, the character and appearance of the area is not unduly compromised by its being. The proposed development would, with the fence included, still satisfy the requirements of Policy 2 of the JCS¹ and Policy GC4 of the Local Plan² which, amongst other things and along with section 7 of the Framework³, seek to ensure high quality and contextually appropriate design and appearance to new development. Thus I allow the removal of condition 5.
6. The Blofield Neighbourhood Plan (NP) has been brought to my attention. The plan is also referred to by the Council in their overall consideration of the scheme, the erection of the dwelling mainly. Residents have raised policies which consider good quality and contextually appropriate design and appearance to new development as well as opportunities for the development of soft edges to sites with trees and hedgerows are raised. I can see that this approach would have the effect of maintaining a rural village character. However, the policies read to me as ensuring appropriate protection is given to trees of high amenity value and whilst they are implicit in suggesting that hard boundary treatments be discouraged, their overall use is not explicitly ruled out. There does not appear therefore to be sufficiently strong evidence before me, when taking into account the NP, to dissuade me from the conclusion I have reached which has regard to the appeal site's immediate context.

Other Matters

7. As I have set out in paragraph 1 of this decision, the appeal is allowed and condition 5 is hereby removed. As a point of clarity, and as far as I understand the approved plans, this has the effect of allowing the erected fence to remain to the front boundary as it is shown on the plans approved by the above referenced planning permission. As far as I can see however, this extends to the fence which has been erected to the appeal site's front boundary only and may not have the same effect for the length of fence that continues east from

¹ Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (as amended 2014)

² Broadland District Council Development Management Development Plan Document 2015

³ The National Planning Policy Framework 2012

the appeal site's eastern boundary, to where Francis Lane meets Woodbastwick Road.

8. I acknowledge that the use of a high sided boundary treatment to what would be the vehicle access facing boundary of the appeal site may have an impinging effect on visibility for existing vehicles. I note that the Highways Authority did not object to the proposed development, the approved plans for which make clear reference to a high sided close boarded timber fence to the Francis Lane boundary. This lack of objection aside, the lane is a lightly trafficked cul de sac and is access to only five dwellings including the appeal scheme. I don't consider therefore that the reduced visibility by virtue of the boundary treatment would, in this case, amount to harm to highway safety.

Conclusion

9. It is for the reasons I have set out above, whilst having regard to all other matters raised, that the appeal is allowed in the circumstances that I have set out.

John Morrison

INSPECTOR