



Appeal Decision

Site visit made on 1 April 2019

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2019

Appeal Ref: APP/R3650/D/19/3221411

4 Oregano Lane, Godalming, GU7 1UJ

- 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 Mr William Walsh against the decision of Waverley Borough Council
 - The application Ref WA/2018/1821, dated 6 June 2018, was refused by notice dated 14 December 2018.
 - The development is a trellis on top of existing fence to create a height of 2.4m to screen property.
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Decision

1. The appeal is allowed and planning permission is granted for a trellis on top of existing fence to create a height of 2.4m to screen property at 4 Oregano Lane, Godalming, GU7 1UJ in accordance with the terms of the application, Ref WA/2018/1821, dated 6 June 2018, and the plans submitted with it.

Preliminary Matters

2. As the development has already taken place, I have slightly changed the description to reflect this by removing reference to 'erection of'.
3. The application form referred to a height of 2.2m and while it is indicated that the description has not been changed the appeal form and decision notice indicate a height of 2.4m which corresponds with the details shown on the plans comprising a 1.8m panel fence and 600mm of trellis. Accordingly, I have used the height of 2.4m in the description.

Main Issues

4. The main issues are, firstly, whether the proposal would constitute inappropriate development in the Green Belt, secondly, its effect on the character and appearance of the area and, thirdly, its effect on the living conditions of the occupiers of No 12 Bay Close by virtue of loss of outlook.

Reasons

Green Belt

5. Paragraph 145 of the National Planning Policy Framework ('the Framework') states that the construction of new buildings in the Green Belt is inappropriate, subject to a number of exceptions. One such exception is the extension or alteration of a building provided that it does not result in disproportionate

additions over and above the size of the original building. The term 'building' in planning refers to any structure or erection and it therefore includes fences or gates.

6. The provision of the trellis increases the height of the boundary to 2.4m. The Council suggest that the original fence was 1.8m, whereas the appellant explains that the eastern boundary was 2m. I did notice on site that there was some variation to boundary heights. The front boundary, which is unchanged, and the continued boundary to Milford Hospital has a small element of trellis which increases the height to 2m, elsewhere fencing is without trellising. Notwithstanding this I find that an increase in height of between 0.4m and 0.6m, which at most would be a third of the height of the existing fence, in my view would not be a disproportionate addition. Therefore, the development would not constitute inappropriate development in the Green Belt and accordingly, there would be no conflict with policy RE2 of the Waverley Borough Local Plan Part 1 (2018) (LP Part 1) or paragraph 145 of the Framework.

Character and Appearance

7. 4 Oregano Lane comprises a semi detached dwelling. Like others within the estate, it has tall and narrow proportions and while frontages are open rear gardens are enclosed by fencing. The property's garden which is located to the side and rear shares a boundary with properties fronting Bay Close to the rear, and the hospital site to the side. Within the hospital site and close to the shared boundary a container has been placed which has a height slightly above that of the erected trellis.
8. The estate is relatively new and landscaping will take time to establish. Accordingly, inter-visibility between plots is currently at its peak. Throughout the development I observed trellis and other structures to hold planting above close boarded fencing. This included structures with a total height of approximately 2m comprising a small element of trellis above the fence, as per the front boundary of No 4, and taller examples referred to by the appellant.
9. The extended fence to the side and rear is of a form and material which matches the existing. It is sited along internal boundaries with other gardens, and any views from the street are severely limited. The front boundary which has a direct relationship to the street is to remain unaltered. Whilst having been erected to screen the container, which only covers a portion of the side boundary, the extent of the trellis along the entire length of the side and rear boundaries provides uniformity to the boundary treatment.
10. As such, I find that the increased height of the boundary over the 2m which can normally be erected around gardens, does not appear out of keeping nor is it adversely detrimental to the visual amenity of the area. Thus, the development accords with LP Part 1 policy TD1 which requires development to be of a high quality and respond to local character, and saved policies D1 and D4 of Waverley Borough Local Plan, 2002, (Local Plan) which have similar objectives.

Living Conditions

11. The boundary is approximately 10m from the neighbouring properties to the rear in Bay Close. The lattice structure of the trellis allows light through but

provides an element of screening for all properties along the shared boundary. The Council's policies do not set out any separation distances or heights in terms of achieving a neighbourly relationship. The proximity of the fence to habitable rooms in 12 Bay Close is unchanged, and that level of separation was deemed to provide an appropriate outlook and residential amenity for the occupiers. I do not find the addition of the more open form of the trellis would have any significant overbearing effect or reduce the outlook to be detrimental to the occupiers living conditions. Furthermore the trellis has been in place for a while, and whilst not a direct indication of acceptability it is noted that the proposal received no objection from the occupiers of 12 Bay Close, or other neighbours, and with whom the appellant indicates they have been in correspondence with.

12. Overall, I do not find conflict with saved policies D1 or D4 of the Local Plan or policy TD1 of LP Part 1 which seeks to protect visual character and general amenity, and require high-quality design.

Conclusion

13. For the reasons set out above I conclude that the appeal should be allowed, and planning permission granted. As the development has already been undertaken no conditions are necessary.

G Ellis

INSPECTOR