The Planning Inspectorate

Appeal Decision

Site visit made on 23 July 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2019

Appeal Ref: APP/U4610/W/19/3224897
71 & 71A Chandos Street, Coventry CV2 5HT

- 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 Khojesta Qodrat against the decision of Coventry City Council.
- The application Ref FUL/2017/2140, dated 19 August 2017, was refused by notice dated 10 December 2018.
- The development proposed is application for installing timber fence along the front and side of 71 & 71A Chandos Street Coventry.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form refers to the proposal as "retrospective application for installing timber fence along the front and side of 71 & 71A Chandos Street Coventy". Section 55 of the Town & Country Planning Act 1990 (as amended) defines "development" as including "the making of any material change in the use of any building or other land". I have not therefore used the term "retrospective" in the banner heading above as it is not an act of development.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is an end terraced dwelling, with frontages onto Chandos Street and Clements Street. The area is residential in nature, dominated by terraced properties with small front amenity areas.

5. The close boarded fencing is of wooden construction and has been erected on top of an existing brick boundary wall. It has a total height of approximately 1.8m.

6. The statement of the appellant advises that it has been erected in order to stop littering and anti-social behaviour.

7. The fencing has an incongruous appearance within the locality, as the few properties that have front boundary treatments are generally low boundary walling. The impact is exacerbated by the weathered look of the wooden

fencing, although this could be dealt with by a condition to introduce some form of staining/painting to the fencing were it to be visually acceptable.

8. However, I find that the height of the fencing, in a prominent corner location, is harmful to the character and appearance of the area. The overall height could be reduced in order to meet permitted development regulations, but from the evidence in front of me, it appears that the appellant has not been prepared to amend the scheme.

9. I understand the concerns of the appellant in relation to anti-social behaviour and fly-tipping / littering, nonetheless the fence as erected is contrary to Policy DE1 of the Coventry City Council Local Plan (2017), which amongst other matters, states that development proposals should respect and enhance their surroundings, positively contribute to the local identity and character of an area and respond to the physical context of the site.

Conclusion

10. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR