
Appeal Decision

Site visit made on 12 June 2019

by K Winnard LL.B (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 14th August 2019

Appeal Ref: APP/G2815/D/19/3226888

2 Harrington Road Irthlingborough Northamptonshire NN9 5GP

- 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 Morris against the decision of East Northamptonshire District Council.
 - The application Ref 18/01796/FUL, dated 10 September 2018, was refused by notice dated 28 January 2019.
 - The development is described as new fencing to side elevation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I noted on my site visit that the fence has already been erected. The application is accordingly retrospective and I have determined it on this basis.

Main Issue

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

Reasons

4. The appeal property is located on a prominent corner plot at the junction of Finedon Road and Harrington Road, which is the primary access road to a substantial relatively modern housing development. The development is characterised by properties bounded by predominantly high screen walls in matching brickwork or black iron railings. This boundary treatment enhances the street scene and gives the estate a balanced attractive character. There are no other examples of high closed boarded fencing in similar circumstances to that found at the appeal property.
5. The appeal property itself has a high brick wall matching the house screening the rear garden from the road. The wooden fence as built extends from and in line with this wall, but the closed boarded design and materials are a stark contrast with the existing brickwork of both the wall of the appeal property and the other boundary walls in the immediate area. As such it is an incongruous feature and at odds with the prevailing character of the immediate streetscene.

Whilst the fence is a continuation of the screening at the appeal property, it nonetheless is a prominent feature at the entrance to the housing development and visible on entering and leaving the estate.

6. I appreciate that the fence is intended to enclose a planted strip and to enable privacy for the occupiers of the appeal property allowing them to insert a side door into the gable of the appeal property. However these are not matters which alter my decision given that other forms of screening which would be less harmful than the current development, are available to the appellant.
7. I note that the fence is acceptable in relation to highways issues and that no other concerns have been raised by the Council in relation to the amenity of the occupiers of neighbouring properties. However, the absence of harm in these respects does not weigh in favour of the appeal scheme as now proposed.
8. I therefore conclude that the development would result in unacceptable harm to the character and appearance of the area. As such, the development is contrary to Policy 8(d) of the North Northamptonshire Joint Core Strategy 2011-2031 (Adopted 2016) which requires development, amongst other matters, to create a distinctive local character by responding to the site's immediate and wider context and local character. In addition, it would also conflict with the National Planning Policy Framework which encourages good design and seeks to promote development sympathetic to local character.

Other Matters

9. I note the appellant considers that the Council should not have overturned the professional advice of its officers, who I note, recommended the scheme for approval. However the matter is one which is a question of judgment for Council members, who are entitled to take a different view to that of their officers so long as a case can be made for a contrary view.

Conclusion

10. For the reasons given, I hereby dismiss the appeal.

K Winnard

INSPECTOR