



Appeal Decision

Site visit made on 3 September 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 18th September 2019

Appeal Ref: APP/J2373/D/19/3231561

31 Shaftesbury Avenue, Blackpool FY2 9QH

- 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 David Palmer against the decision of Blackpool Borough Council.
 - The application Ref 19/0135, dated 28 February 2019, was refused by notice dated 30 May 2019.
 - The development proposed is described as "front of corner property currently has 3/4 fencing and 1/4 hedges. Existing hedges are currently 185cm x tall and the current fences are 183cm tall which upon receiving planning permission will continue so the house is fully surrounded by fences and all hedges will be removed."
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. No 31 is a 2 storey end of terrace dwelling at the junction of Shaftesbury Avenue and Warbreck Drive. The existing boundary treatment comprises a dwarf wall and privet hedgerow to Warbreck Drive. The hedge has been replaced with fencing along the Shaftesbury Avenue boundary. It is in a densely developed residential area, laid out in a regular pattern with groupings of properties of similar ages and styles. Properties are set back from the street with predominantly open front gardens behind low walls. Hedgerows and shrubs are a characteristic feature of front gardens and boundaries. The repeating arrangement of similar properties and boundary treatments results in a consistent and harmonious character and appearance to the area.
4. The proposed fence panels between brick pillars on top of the existing dwarf wall would be an uncharacteristic form of development in the area. It would not relate well to the frontages of nearby properties, including those on the opposing corners of the road junction which are either open or are enclosed by hedgerows. Consequently, it would be a discordant feature that would be out of keeping with the prevailing character of the area.
5. No 31 has a long frontage spanning the corners of 2 streets and it can be seen in its entirety from locations around the road junction. As a result, there would

be a cumulative visual impact of the proposal in combination with the existing boundary fence. By virtue of the prominent location, its design, height and excessive combined length, the proposal would be visually obtrusive and incongruous in the street scene. It would not make a positive contribution to local character and distinctiveness.

6. My attention has been drawn to properties elsewhere in the area where frontages have been enclosed by fencing. Full details of those schemes are not before me and I cannot therefore be certain that they benefit from planning permission or that they are otherwise comparable to the appeal scheme. In any case, they do not provide a visual context for the proposal and they are not a justification for the proposed development.
7. Therefore, the proposed development would result in harm to the character and appearance of the area. It would conflict with the development plan, including Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 Adopted June 2006 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 Adopted January 2016. These require, among other things, that development should not be visually intrusive and it should be appropriate in the context of its surroundings and well designed to enhance the character and appearance of the area. It would also conflict with the aims of paragraph 127 of the National Planning Policy Framework, which requires development to be visually attractive, sympathetic to local character and to maintain a strong sense of place.

Other Matters

8. While I acknowledge the appellant's desire to secure the front garden to reduce the risk of burglary and to provide peace of mind, the proposal would nevertheless be harmful to the character and appearance of the area. Moreover, there is little before me to demonstrate that there are no alternative proposals that could deliver substantially the same benefits without conflict with the development plan.
9. I note the suggestion that neighbouring occupiers agree that the proposal would enhance the property. However, I am not aware of any third party representations either supporting or objecting to the proposals. The support of neighbouring occupiers would not in any case outweigh the harm to the character and appearance of the area.
10. At the time of my visit, the privet hedge was not obstructing pedestrians using the footway nor was it interfering with visibility for road users. In any case, even if the hedgerow was causing a nuisance, there is nothing before me to demonstrate that it could not be appropriately managed to prevent it overhanging the footway.

Conclusion

11. For the above reasons, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR