The Planning Inspectorate

Appeal Decision

Site visit made on 27 January 2020

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th February 2020.

Appeal Ref: APP/C1760/W/19/3237469
1 Manor Close, Shipton Bellinger SP9 7UH

- 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 Samantha Heaton against the decision of Test Valley Borough Council.
- The application Ref 19/01391/FULLN, dated 2 June 2019, was refused by notice dated 1 August 2019.
- The development proposed is the change of use of land to residential garden and erection of a 1.07 metre high close board fence to the side of the property.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of land to residential garden and erection of a 1.07 metre high close board fence to the side of the property at 1 Manor Close, Shipton Bellinger SP9 7UH in accordance with the terms of the application, Ref 19/01391/FULLN, dated 2 June 2019 and the plans submitted with it.

Procedural matters

2. The name of the appellant as stated on the application form was Samantha Wedd. I understand that following marriage, her name has changed to Samantha Heaton, as stated on the appeal form. I have, therefore, referred to the appellant's name as stated on the appeal form in my heading, above.

3. The description of development on the application form proposed a change of use, but did not indicate the use for which permission was sought. A proposed residential garden use has now been clarified and, having sought the views of the parties in respect of an amended description of development, this is now specified in my heading and formal decision.

4. The development to which this appeal relates has already been carried out. Based on my observations at the site visit, the fence that has been erected at the site appears to accord with that shown on the submitted plans. I have, therefore, considered the appeal on the basis of the submitted plans.

Main Issue

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

Reasons

6. No.1 Manor Close is an end terrace property on a corner plot at the entrance to Manor Close, facing High Street. Plans for the original development of the

dwellings show the appeal site, which lies between the side of No.1 and the Manor Close estate road, as being open, separate to the private garden provision, and planted with trees. This land, subject to the appeal, has now been enclosed by fencing and there are no trees present. Recent photographic evidence from the Council indicates that prior to its enclosure, there were no significant mature trees at the site, although some more ornamental style planting did exist.

7. On the opposite side of High Street, the church and many of the dwellings are set back from the road edge giving the area a spacious character and appearance. On the site side of High Street are a number of older properties, interspersed with modern cul-de-sac style development, of which Manor Close is one.

8. The Manor Close dwellings fronting High Street are set back behind a wide grass verge, incorporating parking provision. No.15, on the opposite side of the junction, is side on to High Street, facing Manor Close, but the wide verge continues along its High Street boundary. Along with the general spaciousness of High Street, this creates an open character and verdant appearance to this part of High Street and the entrance to Manor Close.

9. No.15's frontage, facing Manor Close, is also set behind a deep grass verge that would have given a degree a symmetry in the open spaces around the junction when seen alongside the land to the side of No.1, prior to its enclosure. However, beyond the site, the close becomes more enclosed with various boundary fences, including in front gardens. Therefore, I find the wide frontage and verges to High Street make a far greater contribution to the open character of the area than the land to the side of No.1.

10. Manor Close is relatively short and it is possible to see from High Street to mature planting at its far end. The low height of the fence, subject to the appeal, means that it is still possible to see over it to the green backdrop of the close. The same can be said of views looking down the close towards High Street, where the other fences within the front gardens also mean that the fence is not intrusive or incompatible. The site, therefore, retains its open appearance and continues to contribute to the spacious character of the area. Therefore, whether or not the area was originally intended to give relief to the built form, the enclosure is not oppressive in the street scene.

11. The change of use to residential garden could result in the introduction of domestic paraphernalia onto the land. However, whilst the fence may not be high enough to screen all such items, and one could look over the fence at close range, it would likely obscure the majority of general household garden items in the most prominent views from High Street.

12. A Laurel hedge has been planted at the site. Whilst its location inside the fence may not screen the fence from public views, it would contribute to the verdant appearance of the area, and go some way towards mitigating the loss of the previous planting at the site. Nevertheless, acceptability of the development is not dependent upon its existence. The hedge could grow and reduce some of the openness, but some views would remain up the close alongside it and the main open frontage to High Street would not be affected.

13. I, therefore, find that the development does not harm the character and appearance of the area. Accordingly, there is no conflict with those aims of

Policies E1 and E2 of the Test Valley Borough Revised Local Plan DPD 2016 which seek to ensure that development is of a high quality in terms of design and local distinctiveness, integrating, respecting and complementing the character of the area, and not having a detrimental impact on the appearance of the immediate area and its landscape.

14. For the reasons given above I conclude that the appeal should be allowed.

M Bale

INSPECTOR