
Appeal Decision

Site visit made on 22 January 2020

by T A Wheeler BSc (Hons) T&RP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/B2002/D/19/3238156

89 Scartho Road, Grimsby, North East Lincolnshire, England DN33 2AE

- 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 Mabrouk Shtewi against the decision of North East Lincolnshire Council.
 - The application Ref DM/0495/19/FULA, dated 28 May 2019, was refused by notice dated 16 July 2019.
 - The development proposed is timber fence to front boundary.
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Decision

1. The appeal is allowed and planning permission is granted for a timber fence to front boundary at 89 Scartho Road, Grimsby, North East Lincolnshire DN33 2AE in accordance with the terms of the application, Ref DM/0495/19/FULA dated 28 May 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - 1:1250 scale Location Plan
 - Block Plan, 1:500 scale; Original Front Elevation; Original Ground Floor Plan; Proposed Front Elevation; Proposed Ground Floor Plan; Proposed Side Elevations – GW/MS/SR/1
 - 2) Within one month from the date of this permission, details of the stain finish for the fence shall be submitted to and approved in writing by the Local Planning Authority. Within two months of the final fence panel being installed, the fence is to be finished as approved and retained thereafter.

Procedural Matter

2. The erection of the fence has commenced but at the time of my site visit work had been suspended. The main fence posts had been erected, most of the cross rails fitted, and a short section of the timber boarding attached.

Main Issue

3. This is the effect on the proposed fence on the character and appearance of the area.

Reasons

4. The appeal property is a substantial 2 storey house located at the corner of Scartho Road and Homefield Avenue, approximately 2km from the centre of Grimsby. Scartho Road – the A1243 – is wide and a busy arterial route. The area of which the property forms part is residential in character although close to the Diana Princess of Wales Hospital, and a short distance from the property a petrol filling station. There are many mature trees along the road which contribute to the quality of the environment.
5. The approximately 1.9m high timber fence which has been part completed is situated along the front boundary of the site at the rear of the pavement and is therefore highly visible from Scartho Road itself. There is a range of boundary treatments along this section of the road, some properties retain hedgerows, some have a low brick walls and railings, and a small number have boarded timber fencing similar to that proposed at no 89.
6. In visual terms it is arguable that those properties with less screening to the front boundary, thereby permitting views of front gardens, make a greater contribution to the residential ambience of the area. However, the appeal proposal affects one small section of the overall street scene and its impact on the overall character and appearance of the area is accordingly limited. That effect would be mitigated if the timber is stained, as is the case with some of the other sections of fencing elsewhere on the road. The visual effect would also, to a degree, be mitigated by the retention of the hedge along the boundary with Homefield Road.

Conclusion

7. I therefor conclude that the proposal does not harm the character and appearance of the area, and conforms with Policy 5 of the North East Lincolnshire Local Plan¹, which amongst other things requires that development should not cause visual intrusion, and the National Planning Policy Framework which aims to promote development which is high quality, visually attractive and sympathetic to local character.

Other Matter

8. An interested party has commented that the fence is too high and affects visibility when exiting from Homefield Road into the main carriageway. However, on my site visit it was apparent that due to the width of footway the presence of the fence has no effect on driver visibility. Furthermore, the Council Highways Department has raised no objection to the proposal.

¹ Adopted 2018

Conditions

9. Since the work has already commenced I do not attach a time limit condition. A condition specifying the approved plans is necessary to provides certainty.
10. In accordance with my comment regarding the benefit of staining of the fence an appropriate colour to match the setting, I attach a condition requiring that this be completed within two months of completion of the work, and that details of the stain finish are to first be agreed with of the local planning authority.

Conclusions

11. For the reasons given above and having considered I conclude that the appeal should be allowed.

Tim Wheeler

INSPECTOR