



Appeal Decision

Site visit made on 10 March 2020

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 March 2020

Appeal Ref: APP/U3935/W/20/3244824

2 Percheron Close, Ramleaze, Swindon SN5 5RF

- 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 Ms Agnieszka Antosz against the decision of Swindon Borough Council.
 - The application Ref S/19/1370/LZWI, dated 12 September 2019, was refused by notice dated 22 November 2019.
 - The development proposed is change of use of public open space to residential garden and erection of a 1.8m high boundary fence.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The description of development in the banner heading above is taken from the Council's decision notice as this more accurately describes the nature of the proposals than that included within the original application form.

Main Issue

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

Reasons

4. The appeal site is located on the west side of Percheron Close within a late 20th century suburban housing estate on the outskirts of Swindon. The appeal concerns a small, triangular-shaped parcel of land adjacent to Number 2 Percheron Close (No. 2) that is somewhat overgrown and bordered by shrubs.
5. The relationship of buildings to the street, the rhythm of the buildings, and the overall consistency in building ages, design and materials combine to create a cohesive suburban environment. Dwellings tend to be set back behind short front gardens bounded by hedgerows, with high red brick walls rising from the back of pavements marking plot boundaries, especially at street corners. These boundary treatments add to the quality and consistency of the local area and therefore contribute positively to its character and appearance.
6. The Council has agreed to sell the appeal site to the appellant, as garden land associated with No. 2. Though slightly overgrown and perhaps poorly

maintained by the Council, the land currently contributes a degree of softness and greenery that is not harmfully out of place.

7. The proposal is to enclose the area with a 1.8m high timber fence. I appreciate that a planted boarded on its own may not provide suitable privacy for a piece of garden land. However, a timber fence would be a prominent feature in the vicinity and fail to respect the predominant boundary treatments, hedgerows or brick walls that underpin the area's cohesive appearance. Whilst a fence may have the same height and enclosing characteristics as a brick wall, the materials are not comparable; fundamentally, timber fencing would fail to replicate the permanence, solidity, shade and quality of matching brick.
8. The Council's suggestions of a wall set back behind shrub planting are not before me to consider. However, on my visit to the area, I did not see any examples of where such a boundary treatment exists. I have taken account of the existence of timber fences in the vicinity, but those I observed only serve to illustrate that timber fencing addressing the pavement edge and corner sites fails to respect the quality of the public realm. None of the examples given, therefore, provide useful justification for allowing harmful development.
9. Even if the proposals would go some way to resolve issues of overgrown hedges and tidying the site, the introduction of a timber boundary fence would fail to respect the local context and its character. Whilst reasonably localised in its extent, the proposals would have a harmful impact on the character and appearance of the appeal site and wider area. Conflict therefore arises with Policy DE1 of the Swindon Borough Local Plan 2026 (2015), insofar as it requires high standards of design for all types of development.

Conclusion

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

H Porter

INSEPECTOR