



Appeal Decision

Site visit made on 11 February 2020

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 20th March 2020.

Appeal Ref: APP/V1260/D/19/3241313
16 Carbery Gardens, Bournemouth BH6 3LS

- 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 and Mrs Gayton against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2019-16346-B, dated 15 July 2019, was refused by notice dated 1 October 2019.
 - The development proposed is erection of new 1.8m high fence (retrospective).
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property, 16 Carbery Gardens, is a residential dwelling which occupies a substantial corner plot at the junction of Carbery Gardens and Carbery Avenue. The fence, which is the subject of this appeal, had been constructed and was in-situ at the time of my site visit. The submitted plans appear to reflect the development which has been constructed.
4. The fence is an approximately 1.8m high close boarded timber fence which encloses what appears to be the primary garden area serving No 16. The garden area is to the side of No 16 and has boundaries with both Carbery Gardens and Carbery Avenue.
5. Carbery Avenue is a wide, tree lined road with grass verges separating the pavement from the road. Whilst Carbery Gardens is narrower, it still benefits from a variety of planting and greenery. Both Carbery Gardens and Carbery Avenue are characterised by properties which are set back from the road behind front garden or parking areas. Boundary treatments are generally low and allow views through to the properties beyond. Many boundary treatments are constructed of brick, stone or render which is softened by greenery and planting. These elements combine to create a sense of openness and a verdant and spacious character and appearance.
6. The fence is a substantial length and is of a significant height when viewed from the road. The development appears as a hard, solid feature within the street scene,

lacking the permeability which typifies nearby boundary treatments. Moreover, the materials are not consistent with others in the vicinity and lead to the fence appearing as a visually jarring feature which fails to sympathise with the green and open character of the area. The prominent position of the site within the street scene exacerbates the harm I have identified. Consequently, the fence appears as an incongruous addition which is out of keeping with the prevailing character and appearance of the area.

7. For these reasons, the fence is highly intrusive within the street scene and causes harm to the character and appearance of the area. As such, the development is in conflict with the aims of policy CS41 of the Bournemouth Local Plan: Core Strategy, 2012 which, amongst other things, seeks to ensure that all developments are well designed and respect the site and its surroundings.
8. The fence also fails to accord with the guidance contained within the Residential extensions: A design guide for householders, 2008 (DG). The DG states that front boundary treatments can be as important to the character of the street as the building itself and advises that the location of a property in the street and the common style of boundary treatment in the area must be considered when making an application for planning permission. The DG specifically states that if an area has low brick boundary walls then a wooden fence may not be appropriate.
9. The development also falls short of the expectations of The National Planning Policy Framework which promotes high standards of design and states that developments should be visually attractive and sympathetic to the character of the area.

Other Matters

10. I note that the fence has been constructed using high quality materials and professionally installed. I also acknowledge that due to ground levels on site the fence appears significantly lower in height when viewed from within the garden area of No 16. These factors, however, do not adequately mitigate the harm I have set out above.
11. I recognise the appellants' need to secure their property and garden and to create a safe area of private amenity space. However, in my view, these aims could be secured through an alternative, and less harmful, means of enclosure.
12. Whilst the appellants' make reference to the existence of a number of other examples which could be considered similar, each case must be determined on its individual merits and the circumstances in each case are likely to be different. For instance, one example my attention was drawn to appears to have a lesser length of fencing which is slightly lower than that at No 16 and softened significantly by a mature hedge. This fence, therefore, is less prominent and assimilates with its surroundings.
13. I have given careful regard to all of the above considerations. However, none are sufficient to dissuade me from the conclusions I have reached that the proposal would cause harm to the character and appearance of the area.

Conclusion

For the reasons given above I dismiss the appeal.

L J O'Brien
INSPECTOR