



Appeal Decision

Site visit made on 27 January 2020 by A J Sutton BA Hons DipTP DMS MRTPI

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2020

Appeal Ref: APP/Q4625/D/19/3240866

29 Barcheston Road, Knowle, Solihull, B93 9JS

- 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 Mark Irvine against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/01415/MINFHO, dated 22 May 2019, was refused by notice dated 21 August 2019.
 - The development proposed is described as 'Erect fence to replace existing wall.'
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Decision

1. The appeal is allowed, and planning permission is granted to erect fence to replace existing wall at 29 Barcheston Road, Knowle, Solihull, B93 9JS in accordance with the terms of application Ref PL/2019/01415/MINFHO, dated 22 May 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan TQRQM19104152042115;
Site Plan TQRQM19104153330796; and
Proposed Elevations – Side and Front.
 - 3) All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the erection of the fence, and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for Recommendation

4. The appeal property is a detached dwelling in a relatively modern suburban residential estate. The property comprises a corner plot on Barcheston Road; the road forms a central thread which winds through the estate with a number of cul-de-sac offshoots. Whilst properties are similar in scale and plot size, the development pattern is irregular. Mature and well-maintained soft landscaping at the boundaries of many properties contribute positively to the attractive suburban area.
5. The appeal property has a corner position, with its front elevation and pleasing landscaped front boundary forming a positive feature in the street. Although the estate benefits from a sense of openness, there is no uniformed pattern of open spaces evident either near the appeal property or in the wider area. The openness is predominantly achieved by the grain of development and mature planting. Whilst some open green spaces are clearly an important aspect of the area's character, such as those observed at road junctions, the green space at the appeal site, at the curve of the road, is less significant and appears more verge like rather than a distinct open space.
6. The fence would be set back from the front building line and screened by existing landscaping and as such the appearance of this prominent part of the property would not be harmed.
7. Whilst the front boundary is dominant in the street scene, the side boundary of the appeal property makes a less notable contribution to the character of the area. A reasonable offset between the proposed fence/landscaping and footpath would be retained on this less prominent side boundary. As such the development would not substantially alter the character of the area when viewed in the context of the closer-knit grain of development at the rear of the appeal property, to which it more closely relates. Furthermore, the development would result in a similar pattern of development to the boundary of No 23 situated at the opposite end of the row of dwellings.
8. A replacement panelled fence devoid of planting would indeed be a stark and adverse addition to the street scene. Most side boundaries observed in the area, which comprise a mix of walls and fences similar to the height of that proposed, are softened by mature shrubs which enhance the character of the area. Although the existing mature shrubs to the side of the appeal property would be lost or screened by the fence, the appellant has submitted a planting scheme, which I consider necessary to soften the effect of the development at the side. Furthermore, the use of trellis at the top of the fence would break the solid form and soften its appearance in the street scene.
9. In summary, the proposal would not result in the loss of a significant open green space, nor would the proposed height and design of the development be out of character with its setting.
10. It is concluded therefore, the proposal would not constitute an incongruous feature in the street scene and would not harm the character and appearance of the area and as such would not be contrary to Policy 15 of the Solihull Local

Plan 2013 and House Extension Guidelines Supplementary Planning Development 2010 which require development to achieve good quality design and conserve and enhance local character, distinctiveness and streetscape quality, ensuring scale and landscape of development respects the surrounding environment and taking particular care when proposing side garden wall/fences on corner plots in order to avoid over prominence within the street scene.

Conditions

11. In addition to the statutory requirement to impose a time-limit within which the development authorised must be started, a condition requiring the development to be undertaken in accordance with approved plans is required for certainty. A condition requiring the implementation of the landscaping scheme is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion and Recommendation

12. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and concur that the appeal should be allowed.

Zoe Raygen

INSPECTOR