
Appeal Decision

Site visit made on 26 February 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 April 2020

Appeal Ref: APP/L3815/D/19/3242530

Ferndale, 133 Birdham Road, Appledram PO20 7DY

- 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 Bradbury against the decision of Chichester District Council.
 - The application Ref AP/19/00740/DOM, dated 11 March 2019, was refused by notice dated 12 September 2019.
 - The development proposed is erection of 6ft feather board fencing and gates with additional trees to keep dogs from running into busy road. Additional trees to be planted subsequent to the shrubbery already planted to break up the feather board fascia requested by Council.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my visit I saw that the fencing has been erected. Access gates are also in place, of a similar height to the fencing, comprising two feather board fencing panels. The drawing titled 'Charltons Gates and Fencing', the appellant's statement of case, and the planning officer report, confirm that permission is sought for solid oak gates, approximately 2.159 metres high, rather than for the existing gates, which the appellant states are temporary. I am therefore considering this appeal part retrospectively, in respect of the fencing, and on the basis of the proposed solid oak gates.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. The appeal site lies outside the designated settlement boundary, within a ribbon of residential properties on one side of Birdham Road. There is undeveloped countryside on the opposite side of the road, which is separated from the road by hedging and trees. The residential site frontages are generally open and soft-landscaped, reflecting their rural location, fronting onto fields, and include low brick walls, hedging and shrubs. Many properties, including the appeal site, are set back behind deep grass verges, and these are a particular feature within the immediate vicinity of the appeal site.

5. The site frontage is visually prominent within the street scene. The tall close boarded fence and gates run for a considerable distance, extending across the whole width of the site. Given its height, length and prominence, the frontage treatment forms a large, obtrusive and incongruous feature in the street scene. It gives the site a closed-in and hard front boundary, which is at odds with, and harmful to, the prevailing open and soft-landscaped character of the residential frontages in this part of the road.
6. I acknowledge the intention to replace the existing gates with bespoke solid oak gates made from sustainable wood. However, whilst of an improved design, these gates would be solid and of a height greater than the existing gates. As such, notwithstanding that the Highways Authority has raised no objection in respect of highway safety, the proposed gates would not overcome the harm to the character and appearance of the area that I have identified.
7. During my site inspection, I observed that some soft landscaping has been planted in front of the fence. However, this is young and recently established, and does not currently provide effective screening to the fence. In addition, the appellant proposes tree planting in front of the site to screen the visual impact on the fencing, and states that an application has been made in respect of the Council's tree planting scheme.
8. I am not persuaded that additional mature shrub or tree planting in front of the site would overcome the harm that I have identified. The proposed planting lies outside the appeal site, so there is no assurance of its long-term retention and growth, and I have not been provided with any evidence that the Council has approved tree planting in this location as part of any tree planting initiative. Notwithstanding this, I find that such planting would not be appropriate, since it would erode the open nature of this part of the road, which owes much to the existing group of deep grass verges.
9. The appellant has drawn my attention to other examples of feather board fencing within the vicinity of the appeal site. I find that these are not directly comparable with the appeal scheme in terms of the fencing details, and siting in relation to landscape screening. In particular, the adjacent fencing at No.131 is of a lower height, incorporates a more open upper trellis section, and retains an open area for vehicular access. Notwithstanding this, the Council has confirmed that the other examples referred to by the appellant do not benefit from planning permission. I find that their existence does not justify further harm.
10. For the above reasons, I therefore conclude that the development harms the character and appearance of the area and conflicts with Policies 33, 45 and 48 of the Chichester Local Plan: Key Policies 2014 – 2029 (2015). These policies, amongst other things, seek to ensure that new development in the countryside meets the highest standards of design, including siting, scale, height, materials and detailed design, and that it respects, and where possible enhances, the character of the surrounding area and site. For similar reasons, the proposal would also be contrary to Policies of the Framework which seek to secure high quality design as set out in Chapter 12.

Other Matters

11. I have had regard to the appellant's reason for seeking the appeal proposal in respect of the health, welfare and safety of the appellant's children and dogs

and road users. However, the appeal scheme is not the only means of ensuring that the appellant's children and dogs are contained within the site. Therefore, this matter does not outweigh the harm I have identified in respect of the main issue.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR