



Appeal Decision

Site visit made on 21 July 2020

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2020

Appeal Ref: APP/D0121/D/20/3249927

1 Lisle Road, Weston-Super-Mare BS22 7UA

- 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 Gemma Hearne against the decision of North Somerset Council.
 - The application Ref 19/P/2657/FUH, dated 25 October 2019, was refused by notice dated 7 January 2020.
 - The development proposed is the erection of a wooden fence in front of property that will not exceed 1 metre in height.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The description of the development on the application form also includes a statement of various reasons for the proposal. Whilst I have had regard to these matters, I have confined the description in my above heading to the act of development involved.
3. The fence has already been constructed.

Main Issue

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

Reasons

5. Lisle Road is part of a larger housing area that has a suburban character. Dwellings are often set back from the highway edge and front gardens are generally open to the highway. This gives an open and spacious appearance. The appeal site is in a prominent location at a junction, where a bend in Lisle Road places the front elevation in clear view when approaching.
6. Whilst the appellant may have received some positive comments from neighbours, the fence appears incongruous in the street scene. Although low, it is a solid, enclosing feature that undermines the openness and spaciousness of the surroundings. It, therefore, harms the character and appearance of the area.
7. I understand the appellant's desire to make the garden space safe for children. However, I saw that there is also an enclosed rear garden so I attach limited weight to this. I also appreciate that a fence could deter vandalism and theft,

but there is no substantive evidence of a significant security problem that must be addressed through measures such as the fence.

8. I do not doubt that the fence would prevent antisocial behaviour such as litter dropping and dog fouling at the appeal site. However, whilst I have some sympathy with the appellant's desire to prevent this, the fence would result in a largely private benefit in that regard. It does not outweigh the wider public harm to the character and appearance of the area that I have identified.
9. I note that the appellant was informed that planning permission was not required for the fence. However, this has little to do with the planning merits of the case, upon which my decision must turn.
10. The harm that I have identified brings the development into conflict with those parts of Policies CS12 of the North Somerset Core Strategy 2017, and policies DM32 and DM38 of the North Somerset Sites and Policies Plan Part 1 2016 that seek to ensure development demonstrates sensitivity to the existing local character of an area, respects the characteristics of the site and its surroundings and does not harm the street scene. For the reasons given, material considerations do not indicate otherwise that permission should be granted contrary to the development plan.
11. I, therefore, conclude that the appeal should be dismissed.

M Bale

INSPECTOR