
Appeal Decision

Site visit made on 11 August 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 September 2020

Appeal Ref: APP/B1740/W/20/3252498

The Old Cottage, Chapel Lane, Bransgore, Christchurch, Dorset BH23 8BN

- 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 Graham Beehag against the decision of New Forest District Council.
 - The application Ref 19/11509, dated 25 June 2019, was refused by notice dated 6 February 2020.
 - The development proposed is erection of wooden panelled fence to boundary.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The fence has been erected and therefore I am considering this appeal retrospectively.
3. On 6 July 2020, since the refusal of the planning application and the submission of the current appeal, the Council adopted the *Local Plan 2016-2036 Part 1: Planning Strategy* (Local Plan). The Council has confirmed that Policy CS2 of the *Core Strategy for the New Forest District Outside the National Park (2009)* (Core Strategy) has been superseded by Local Plan Policy ENV3. This policy is consistent with the approach of the replaced Core Strategy policy. Accordingly, I have determined the appeal having regard to the recently adopted Local Plan policies.

Main Issue

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

Reasons

5. The appeal property is located in a prominent position at the junction of Chapel Lane and West Road within Bransgore village. The site is occupied by a detached 2-storey thatched cottage, which fronts onto the street, behind a brick walled and hedged frontage. It is an attractive building which makes a positive contribution to the street scene. The Council considers it to be a non-designated heritage asset on account of its local importance and historic value as part of the early fabric of the village. The fence, the subject of the appeal forms a continuation of the site frontage, enclosing the side garden of the dwelling, having replaced a former brick wall.

6. This part of the village is characterised by narrow, unlit lanes, of which large parts have no pavements. The locality has a soft-landscaped, semi-rural character. Road edges are dominated by grass verges, hedging and trees. Native hedgerows are a dominant feature of residential frontages, punctuated with brick walls. Timber fencing, whilst present in the locality, tends to be more discreetly positioned in relation to the highway and screened by soft landscaping and does not feature as a prevalent form of hard frontage boundary treatment.
7. The tall close boarded fence, positioned above a concrete gravel board, has introduced a more urban type of frontage treatment to the appeal site. It runs for a considerable length along the site frontage, opposite the approach to Chapel Lane from West Road, and appears as a striking and visually prominent feature within the street. It is sited in a slightly elevated position in relation to the street, within close proximity to the edge of the highway, and, apart from the narrow highway verge, lacks frontage planting to soften its visual impact. Due to its height, length, position and design, the fence forms a large, visually obtrusive and incongruous feature in the street scene, which is at odds with the prevailing sylvan character of the area.
8. I acknowledge that the appeal scheme incorporates amendments to the previously refused application, Ref 19/10587, through the proposed planting of *Pyracantha* hedging in front of the fence. However, this species would be at odds with the native planting characteristic of the locality. Furthermore, I have no cogent evidence before me that the narrow grass verge between the fence and the road is of sufficient depth to accommodate hedge planting that would grow to provide effective screening and would survive in perpetuity. On the basis of the information before me, therefore, I am not satisfied that this would address my concerns in respect of the impact of the fence on the street scene.
9. The appellant refers to other 2m and higher wooden fences within the locality of the appeal site, stating that most do not have planning permission, so that the Council's refusal of the appeal scheme is unfair. The appellant has not provided any specific details of these sites or their planning history, and as such, I am not aware of the particular circumstances relating to them. In any event, I have considered the appeal proposal on its individual planning merits, and within the context of the character and appearance of the appeal site and the immediate locality. The existence of other fencing in the area does not justify the harm that I have found for the reasons set out above.
10. Due to its proximity to the Old Cottage, the fence forms part of the building's immediate surroundings as viewed from the public realm. As such, for the above reasons, I find that the development detracts from the setting of the building. I afford some weight to this in my decision, in accordance with Paragraph 197 of the *National Planning Policy Framework 2019* (the Framework), noting that the Council considers this building to be a non-designated heritage asset. This weight is limited, given that the building is not statutorily listed, and there is no evidence before me that it has been locally listed by the Council.
11. For the above reasons, I therefore conclude that the development harms the character and appearance of the area and conflicts with Local Plan Policy ENV3, which amongst other things, seeks to ensure that new development contributes positively to local distinctiveness and creates streets and spaces which are

sympathetic to the environment and their context in terms of layout, landscape, scale, height and appearance. 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

12. I understand that the brick wall which the fence replaced collapsed on two occasions, hence the appellant's concern in respect of the safety of passing pedestrians and drivers. However, whilst this matter is unfortunate, it does not mean that the fence is an acceptable solution. I also appreciate that the fence provides privacy to the garden, and that it has support from a number of neighbours, but these matters do not outweigh the harm that I have identified in respect of the main issue.
13. The appellant refers to positive pre-application advice received from the Council. I have not been provided with specific details and, in any case, I am not bound by the advice given by the Council prior to the submission of the planning application and it does not alter or outweigh my conclusion on the main issue.

Conclusion

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

S Leonard

INSPECTOR