
Appeal Decision

Site visit made on 22 September 2020

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th September 2020

Appeal Ref: APP/R0660/D/20/3254278
13 Lime Close, Sandbach CW11 1BZ

- 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 Wareham against the decision of Cheshire East Council.
 - The application Ref 20/1677C, dated 31 January 2020, was refused by notice dated 28 May 2020.
 - The development proposed is described as remove oversized/partially dead conifers and fit new smaller fence.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a semi-detached dormer bungalow positioned on a corner plot within an established residential cul-de-sac. The appeal fence has already been erected and directly fronts Lime Close.
4. In this area, the dwellings are set well back from Lime Close and in the main the boundary treatments are confined to approximately knee height walls, some of which include garden vegetation behind. There is an overall sense of spaciousness in this street and any frontage and/or boundary landscaping provides a soft and pleasing edge to the plots contributing positively and distinctively to the otherwise built up environment.
5. I have no doubt that the previous conifer hedge was higher than the proposed fence: indeed, the appellants photographs show that to be the case. In that sense, the boundary fronting Lime Close was previously more enclosed than other boundaries in the street. Nevertheless, the use of some landscaping on corner plot boundaries is not an uncommon feature in the immediate area, including Lime Close.
6. In the context of the above, and owing to a combination of the height, long length and light colour of the fence, it is seen as a hard, harsh and dominant addition to the street-scene. It detracts significantly from the prevailing more open and verdant character and appearance of Lime Close when considered as

a whole. Whilst there may be some fences to the plots elsewhere on this housing estate, I was not able to see any that were as long or prominent. In any event, the existence of fencing elsewhere does not justify the harm that has been caused by the appeal fence to the character and appearance of Lime Close.

7. I acknowledge that vehicle visibility may have improved in relative terms as a result of the erection of the fence. Nonetheless, such improved visibility could be achieved by planting and maintaining some form of hedge on the site. The appellant has commented that as the conifer hedge has been removed, there is no longer "*slippery moss*" on the pavement and hence a hazard has been removed. That may be the case, but with a well maintained hedge or a more sympathetic form of boundary treatment, the pavement need not be unacceptably mossy or slippery. I do accept that if the fence were to be removed, it would mean that the garden was more exposed. Whilst that may be the case, I consider that there may be opportunities to opt for a more sympathetic form of boundary treatment in the form of, say, a hedge, which could be semi-mature and/or quick growing, thereby addressing possible exposure issues.
8. I find that the proposal has had a significantly adverse impact on the character and appearance of the area. It does not therefore accord with the design requirements of policies SE1, SD1, SD2 of the Cheshire East Local Plan Strategy 2017; policy H2 of the Sandbach Neighbourhood Development Plan 2010-2030 and paragraph 127 of the National Planning Policy Framework which states that decisions should ensure that developments "*function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development*". The appellant contends that there is a lot of support for the fence in the local area. I have not been provided with any specific letters of support, but, in any event, I have determined this appeal on its individual merits and concluded that unacceptable harm has been caused.

Conclusion

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

D Hartley

INSPECTOR