



Appeal Decision

Site visit made on 5 October 2020 by Ben Phillips BSc MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 5 November 2020

Appeal Ref: APP/V3120/D/20/3249475

25 Livery Close, Abingdon, Oxfordshire, OX14 3XX

- 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 Miss J Woolford against the decision of the Vale of White Horse District Council.
 - The application Ref P19/V2335/HH, dated 23 September 2019, was refused by notice dated 17 January 2020.
 - The development proposed is described as a Retrospective application for the erection of a timber close-boarded fence (with reference to VE19/386)
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Decision

1. The appeal is dismissed.

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.

Procedural Matters

3. The description of development set out above is taken from Part E of the appeal form and the Council's decision notice, in the interest of clarity.

Main Issues

4. The main issues in this case are the effect of the fence on:
 - the character and appearance of the surrounding area; and
 - highway safety.

Reasons for Recommendation

Character and appearance

5. Livery Close is a pleasant and suburban cul de sac, made up mostly of consistent two storey semi-detached or detached dwellings, set back from the road with off street parking. Many of the properties are divided into smaller units, such as the appeal site, which comprises the front left unit of the building. The front garden areas are largely open to the street with mature landscaping which serves to visually soften the built form.

6. The tall close boarded fence encloses the entire front garden of the host property and given its location at the end of the cul de sac is prominent and highly visible. It is significantly at odds with the front boundary treatment of nearby properties in the Close.
7. I acknowledge that there are other close boarded fences visible in the vicinity, however these are side or rear boundary fences, and none have the stark and conspicuous visual impact of the appeal fence. There is an example of a frontage fencing to a dwelling perpendicular to Hadland Road, however this clearly detracts from the street scene and is not a positive example. The visual impact of the appeal fence is substantially greater than the examples of hedging and planting fronting Livery Close elsewhere and as seems to be shown in submitted photographs was previously the case for the appeal site, which, whilst overgrown, provided a verdant softening of the street scene.
8. As such, it is concluded that the fence is harmful to the character and appearance of the surrounding area, in conflict with Core Policy 37 of the adopted Local Plan 2031 Part 1 Strategic Sites and Policies (2016) (LP), which, in accordance with the provisions of the National Planning Policy Framework, seeks to ensure that development is of a high quality design that responds positively to the site and its surroundings. There is also conflict with the guidance set out in the Council's Supplementary Planning Document Design Guide (2015) (SPD) which sets out that 'Close-boarded or panel fencing is not an appropriate boundary treatment for prominent locations, such as street frontages'.

Highway Safety

9. Livery Close is a quiet residential cul de sac and the appeal site is located at its northern end. There is a vehicular access to both sides of the host property which leads to a parking area for use by nearby occupiers. However, given the location of the appeal site at the end of the Close, vehicle and pedestrian movements are likely to be limited. Furthermore, vehicles using the cul de sac within the vicinity of the appeal site will likely to be moving at slow speeds, either accessing the parking areas or turning within the road. Although the fence restricts visibility at the accesses, I find that given the above, it is unlikely that its presence results in conflict between road users and pedestrians within the vicinity of the site.
10. In light of the above, given the siting and scale of the fencing, I find that it presents no unacceptable risk to highway safety. There is therefore no conflict with the highway safety objectives of LP Core Policy 37, which are repeated in Development Policy 16 of the Local Plan 2031 Part 2 Detailed Policies and Additional Sites (2019). Moreover, a safe and suitable access is provided in accordance with the National Planning Policy Framework 2019.

Other Matters

11. The personal and medical circumstances of the appellant's family members are noted. I have no doubt that the proposal is of benefit to the appellant in this respect in providing a safe space and this does carry some weight, however, this does not outweigh the harm that I have identified to the character and appearance of the surrounding area.

12. It is noted that the planning application attracted some letters of support. However, these are neutral factors in my assessment of the proposal.

Conclusion

13. For the reasons given, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR