



Appeal Decision

Site visit made on 19 October 2020 by Ben Phillips BSc MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 11 November 2020

Appeal Ref: APP/T0355/W/20/3255793

2 Merton Close, Maidenhead, Berkshire SL6 3HH

- 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 Danny Garrard against the decision of the Royal Borough of Windsor and Maidenhead Council.
 - The application Ref 19/03626, dated 20 December 2019, was refused by notice dated 14 February 2020.
 - The development proposed is described as proposed fence line on Lambourne Drive, Maidenhead adjacent to 2 Merton Close and the demolition of the existing boundary wall (change of use of the land from open amenity space to residential garden).
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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.

Main Issue

3. The main issues in this case is the effect of the change of use of open space and fence on the character and appearance of the surrounding area.

Reasons for Recommendation

4. Merton Close is a pleasant short suburban cul de sac extending off Lambourne Drive. Both roads are made up mostly of consistent two storey semi-detached dwellings, set back from the road with off street parking. The set back from the highway and the generally consistent open amenity space on the corner of each road provide a pleasant, open, spacious character. There is also a consistent boundary treatment to the open corner spaces evident along Lambourne Way, comprising of yellow bricked walls which provide high-quality boundary treatment which contribute positively to the street scene.
5. Whilst only projecting 1.5m into the open space on the eastern side corner of Merton Close and Lambourne Drive, the extending of the private garden space and location of the new side boundary would sit prominently forward of the building line along the north side of Lambourne Way. It would incongruously encroach into the open space contrary to the established pattern of development.

6. This would be exacerbated visually by the proposed 1.8m high close boarded timber fence, which would be out of keeping with the established high-quality brick wall boundary treatment to the open verges along Lambourne Way.
7. There are visible examples of timber fencing in the vicinity, as set out by the appellant, however none are as prominently sited along the main thoroughfare – Lambourne Way, as the proposed fence. As such, none are directly comparable in their visual impact. An example given at No 2 Ribstone Road¹ also includes the enclosure of a small strip of verge land. This development by virtue of the projection and materials used clearly detracts from the street scene and I consider that such unsatisfactory development does not provide justification for further harm to the street scene. In addition, each application and appeal must be considered on its individual merits, and this is the approach that I have taken in my consideration of this case.
8. It is acknowledged that the current brick boundary wall may be of poor condition. However, this does not justify its replacement with a cheaper, lesser quality form of boundary treatment. Soft landscaping in front of the fence line would not entirely obscure it from view and would further reduce the visible open space. I also acknowledge that the application attracted no objections. This does not however alter my conclusion on the matter. The ownership of the parcel of land in question is not relevant to its use.
9. In light of the foregoing, I conclude that the proposed change of use of open space and fence would detract from the character and appearance of the surrounding area, in conflict with Policy DG1 of The Royal Borough of Windsor and Maidenhead Local Plan (2003), which seeks to ensure that new buildings should be compatible with the established street façade having regard to the scale, height and building lines of adjacent properties, with sympathetic use of materials. There would also be conflict with the National Planning Policy Framework, which at paragraph 127, requires developments, among other matters to be sympathetic to local character.

Conclusion

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

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

11. 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

¹ Application reference 19/00977.