



Appeal Decision

Site visit made on 19 October 2020 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2020

Appeal Ref: APP/R1845/D/20/3256873

20 Kent Close, Kidderminster, DY10 1NS

- 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 J Powell against the decision of Wyre Forest District Council.
 - The application ref 20/0399/HOU, dated 28 May 2020, was refused by notice dated 10 July 2020.
 - The development proposed is a fence retrospective.
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Decision

1. The appeal is allowed and planning permission is granted for a fence at 20 Kent Close, Kidderminster, DY10 1NS in accordance with the terms of application ref: 20/0399/HOU, dated 28 May 2020, and the plans submitted with it.

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.

Preliminary Matter

3. The fence that is the subject of this appeal has already been constructed. I have dealt with the appeal on that basis.

Main Issue

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

Reasons for the Recommendation

5. The appeal site comprises a link-detached dwelling on the corner of Kent Close and Hoo Road, and is within a residential area. Planning permission was granted in 2018¹ for the change of use of a strip of amenity land adjacent to the appeal property to be included within the domestic curtilage. A condition was included with this permission that removed permitted development rights for, amongst other things, fences or other methods of enclosure of this area of land. Permission is now sought for a 1m high close-boarded timber fence adjacent to the northern and eastern boundaries of this land.

¹ Planning application ref. 18/0695/FULL

6. In the surrounding area boundary treatments are a mix of low-level walls or fences and landscaping. This mix of styles contributes to the varied appearance and spacious character of the area. The presence of higher fencing set back from the highway is also apparent in the street scene. While the fence that is the subject of this appeal has a greater length than other nearby fences, the fence is 1m in height which is similar to the height of the existing walls and fences in the area. In addition, the close-boarded design of the fence matches other fences nearby, including the adjoining boundary fence between the appeal property and 2 Forester Way, and the fence at 8 Kent Close. Consequently, it is not a dominant feature but rather, reflects the appearance of the area.
7. I note the Council's view that the fence has a rough sawn appearance although it seems to me that this will weather in time. I also acknowledge that planting would have had a softer appearance than the fence. However, the appellant has planted shrubs along the length of the fence adjacent to the pavement which visually soften the appearance of the fence and contribute to the soft landscaping in the street.
8. For the reasons given above, the proposal does not harm the appearance or character of the area. Accordingly, it accords with the Policy SAL.UP7 of the Site Allocations and Policies Local Plan (adopted July 2013) and Policy CP11 of the Core Strategy (2006-2026) (adopted December 2010) which requires development to have a high quality design that, amongst other things, integrates well with the street scene and has regard to the materials found in the locality.
9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed and planning permission granted.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed and planning permission is granted.

S Ashworth

INSPECTOR