



Appeal Decision

Site visit made on 30 November 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/P0430/D/20/3254334

15 Stratford Drive, Aylesbury HP21 8PL

- 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 Harry Gehnich against the decision of Buckinghamshire County Council.
 - The application Ref 20/01179/APP, dated 3 April 2020, was refused by notice dated 9 June 2020.
 - The development proposed is erection of fence.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a fence at 15 Stratford Drive, Aylesbury HP21 8PL in accordance with the application 20/01179/APP, dated 3 April 2020, subject to the following condition:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.

Procedural Matter

2. I have taken the description of development from the Council's decision notice. It adequately and simply describes it instead of the much longer and detailed description given on the application form.

Main Issue

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

Reasons

4. The appeal site is a two storey dwelling located on the corner of Stratford Drive and Miles End and forms part of a relatively modern housing estate. The site, along Miles End, is bounded by a timber fence set back from the pavement with a narrow strip of grass extending along the site.
5. On corner plots there are both examples of fencing and walls set against the pavement and areas of planting between boundary treatments and the pavement. The estate has a feeling of openness mainly derived from the set back of houses from the road, open frontages and structural planting.

6. I acknowledge that the proposed development would enclose a grassed area. However, given its narrow width and relatively short length it does not make a significant contribution to the open character of the estate. Whilst it would create a harder edge the proposed fence would not be unduly conspicuous or undermine the character of the area when taking into account the limited contribution the grassed area makes to the estate and as the height and appearance of the fence would not be uncommon. Moreover, I note the proposed development would replace an existing fence and there are examples of boundary treatments sitting at the back of pavement in the area. As such, the proposed fence would not unduly harm the character and appearance of the area.
7. There is no substantive evidence to indicate that the proposed development would result in a precedent for other similar developments.
8. I conclude that the proposed development would accord with Policy GP35 of the Aylesbury Vale District Local Plan (2004) which, amongst other things, requires new development to respect and complement the physical characteristics of the site and surroundings. It would also accord with emerging Vale of Aylesbury Local Plan Policy BE2 which, amongst other things, requires new development to respect and complement local distinctiveness and vernacular.

Conditions

9. I have considered the imposition of conditions in accordance with the National Planning Policy Framework and Planning Practice Guidance. I have imposed the standard time limit condition in the interests of precision.
10. I note the Council have suggested a condition requiring matching materials. However, as the proposal is for a timber fence it would not strictly match the materials of the dwelling. In any event sufficient detail has been provided as part of the application therefore it is not necessary to impose the condition.

Conclusion

11. For the reasons set out above the appeal succeeds.

B Thandi

INSPECTOR