



Appeal Decision

Site visit made on 5 January 2021

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/M2325/W/20/3259474

1 Highgate Close, Newton with Clifton, Preston PR4 3RP

- 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 Mrs Claire Porter against the decision of Fylde Borough Council.
 - The application Ref 19/0825, dated 9 October 2019, was refused by notice dated 3 July 2020.
 - The development proposed was originally described as 'erection of a close boarded fence around the perimeter of the garden on two sides at a height of 1.6m and painted forest green'.
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Decision

1. The appeal is allowed and planning permission is granted for an erection of a close boarded fence around the perimeter of the garden on two sides at a height of 1.6m and painted forest green at 1 Highgate Close, Newton with Clifton, Preston PR4 3RP in accordance with the terms of the application, Ref 19/0825, dated 9 October 2019.

Procedural Matter

2. The description of development in the planning application form, decision notice and appeal form differ slightly. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application. I note the small discrepancy between the Council's and the appellant's description of the height of the fence subject of this appeal. However, the fence is in situ therefore, I am considering the appeal retrospectively and have assessed the development on this basis.

Main Issue

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

Reasons

4. The appeal property is a detached dwelling located within a residential area. It is positioned on a corner plot at the entrance to a small cul-de-sac. There are a variety of boundary treatments within the area including open plan frontages, low boundary walls, fencing and hedges.
5. Although the fence encloses the property from the streetscene from Bryning Lane and the entrance into the cul-de-sac, views are possible over the top with the upper portions of the ground floor windows clearly visible. Moreover, the natural material, position set back slightly from the footway edge and presence

- of several maturing trees behind the fence softens its presence in the street scene. As such, although a reasonable length, it does not appear oppressive in scale.
6. From within the cul-de-sac, the property has a wide driveway allowing views of most of the dwelling's frontage and maintaining a spaciousness to that part of the cul-de-sac.
 7. The low number of high fences or walls in the streetscene does contribute to a positive open environment generally within the area. However, several other corner properties in this residential area have fences along the boundaries with footways. I do not have any details of the circumstances surrounding other fences. However, given the variety generally of boundary treatments and my findings above, the fence, subject of this appeal, does not appear an incongruous feature in this particular location.
 8. The Council refer to an appeal decision for a fence which was recently dismissed at a corner property. Whilst I do not have the full details of that case, this was in a different part of the Borough and I have assessed this application on its own merits having regard to the particular characteristics of the appeal site and its surrounding residential area.
 9. I therefore conclude that the development does not harm the character and appearance of the area. The development therefore accords with the requirements of Policy GD7 of the Fylde Local Plan (2018) and the National Planning Policy Framework. These stipulate, amongst other things, that development will be expected to be of a high standard of design, taking account of the character and appearance of the local area
 10. The Council highlight that there is no compelling justification for the development. However, given my findings on the main issue I do not consider the other matters in support of the fence to be determinative in this case.
 11. The Council has not requested that any planning conditions be imposed and as the development is retrospective, I do not consider that any conditions are necessary in this instance.
 12. For the above reasons and having regard to all matters raised the appeal is allowed.

Robert Walker

INSPECTOR