

Appeal Decision

Site visit made on 16 February 2021

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2021

Appeal Ref: APP/V4250/D/20/3264281

5 Tenbury Drive, Ashton-in-Makerfield, Wigan WN4 9QU

- 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 Kellie Sumner against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/20/89538/HHRET, dated 9 July 2020, was refused by notice dated 9 September 2020.
 - The development proposed is described as 'retention of concrete based panel, concrete post and close boarded timber panel boundary fence measuring two metres in height and abutting inside edge of public footpath. Fence runs along side boundary and rear boundary of curtilage of existing residential property.'
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a bungalow set on a corner plot. The immediate area is characterised by a mix of detached bungalows and two-storey semi-detached dwellings. Houses are set back in their plots with generally open and landscaped areas fronting the street. While there are some low boundary walls and foliage, the area has retained a generally open and verdant character.
4. The appeal site occupies a prominent position on Tenbury Drive. Due to its height, length and solid composition, the fence subject to the appeal is a large and intrusive feature in the street scene, which is exacerbated by this prominent location. This has introduced a harsh and discordant feature which is not in keeping with the open character of the area.
5. My attention is drawn to other fences in the wider area. I have limited information on these such as whether they were granted planning permission. No.7 has a fence of similar height and appearance. However, this is set back from the road and the lawned area to the side abutting the footpath remains open. While I did observe other boundary treatments marked on the plan submitted by the appellant, these appeared to be of some age and their locations have different characteristics in terms of their openness. As such I do not consider these comparable to the development before me. Moreover, it

does not follow that a further incongruous design should be encouraged. Each development is considered on its own individual merits.

6. To conclude on the main issue, the fence causes significant harm to the character and appearance of the local area. It is therefore contrary to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy Development Plan Document. These seek to ensure, amongst other things, that development is integrated effectively with its surroundings and helps to create attractive places. The fence is also contrary to the design aims of the National Planning Policy Framework which explain, amongst other things, that design should be sympathetic to local character.

Other Matters

7. I acknowledge that the fence provides increased security and privacy for the occupiers. However, this would be of a private benefit. Moreover, I am not advised of any particular issues pertaining to a need for increased security for which the development would be but one possible solution in any event. Some local residents have offered support for the development and the Highways Officer has not objected, but this does not absolve me as the decision maker from conducting an assessment of its merits in planning terms. Accordingly, I ascribe limited weight to these matters.

Conclusion

8. The development causes harm to the character and appearance of the area for the reasons set out. This results in conflicts with the development plan. I attach substantial weight to this harm. It is for these reasons that the appeal is dismissed.

C McDonagh

INSPECTOR