



Appeal Decision

Site Visit made on 7 June 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Thursday, 17 June 2021

Appeal Ref: APP/Z2830/D/21/3268569

2 Pippin Close, Cogenhoe, NN7 1NF

- 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 Nicky Clayden against the decision of South Northamptonshire District Council.
 - The application Ref: S/2020/1726/FUL, dated 24 September 2020, was refused by notice dated 19 November 2020.
 - The development proposed is to take down existing fence to side boundary and replace with 1800mm high close boarded fence.
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Decision

1. The appeal is allowed and planning permission is granted to take down the existing fence to side boundary and replace with 1800mm high close boarded fence at 2 Pippin Close, Cogenhoe, NN7 1NF in accordance with the terms of the application, Ref: S/2020/1726/FUL, dated 24 September 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2020-188-01.
 - 3) All planting of low level shrubs shown on the approved plan shall be carried out in the first planting and seeding seasons following the completion of the development; and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Preliminary Matters

2. On the 1 April 2021 South Northamptonshire District Council ceased to exist and became part of the unitary authority known as West Northamptonshire Council. The development plan for the merged local authority remains in place until such a time as it is revoked or replaced. It is therefore necessary for me to determine this appeal with reference to policies set out in the plan produced by the now dissolved South Northamptonshire District Council.

Main Issue

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

Reasons

4. The appeal site consists of a single storey dwelling set within a corner plot at the junction of Pippin Close with Victoria Road. The host dwelling is orientated with a frontage facing towards Pippin Close whilst its large side garden shares a boundary with Victoria Road. Dwellings within the area generally have modest sized open front gardens together with space for parking. Typically, they comprise well-maintained lawns together with soft landscaping. This gives the area a pleasant, open and spacious character.
5. The appeal scheme would replace the existing fence with a similar close boarded timber fence. However, its' height would be approximately double that of the existing fence. As a result, it would appear more prominent within the streetscene. Nevertheless, the front garden area of the host dwelling would remain unenclosed and the open and spacious character of the surrounding area would be largely preserved.
6. Whilst the use of timber fencing is not prevalent within the locality, I noted that a number of dwellings positioned on corner plots, including Nos 21 and 23 Orchard Way and 27 Victoria Road generally include substantial boundary treatments along their side boundaries adjacent to the back edge of the footway. The proposed enclosure of an area of side garden with a substantial boundary treatment would be broadly similar to other corner plot dwellings. Furthermore, the presence of mature vegetation within the highway verge together with additional planting would soften the effect of the appeal scheme.
7. Overall, the proposal would preserve the character and appearance of the surrounding area. It would accord with Policy SS2 of the South Northamptonshire Part 2 Local Plan (2020) insofar as it seeks to integrate new development with its surroundings and preserve the distinctive local character of the area.

Other Matters

8. I am mindful that a similar scheme has been previously refused by the Council. The Council's consistent manner is acknowledged, however, I have determined this appeal on its individual planning merits and based on my observations at the time of the site visit.
9. I have had regard to the comments of third parties, a number of which refer to matters of character and appearance which I have addressed above. In addition, concerns are raised regarding the obstruction of visibility whilst using the turning head. However, I note that the Highway Authority were consulted and raised no objection to the proposal on the grounds of highway safety. I see no reason to take a different view.

Conditions

10. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. As a result, I have amended some of them for consistency or clarity. In addition to the standard implementation condition it is necessary in the interests of clarity to define the plan which the scheme should accord to. A condition concerning planting is necessary in the interests of character and appearance of the area.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed subject to the conditions.

E Brownless

INSPECTOR