



Appeal Decision

Site Visit made on 29 June 2021

by Mr James Blackwell LLB (Hons)

an Inspector appointed by the Secretary of State

Decision date: 8th July 2021

Appeal Ref: APP/B1740/D/21/3273945

30 Barrs Wood Road, New Milton BH25 5HS

- 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 Stewart Pearce against the decision of New Forest District Council.
 - The application Ref 20/11391, dated 17 December 2020, was refused by notice dated 16 February 2021.
 - The development proposed is described as "to take down hedges and erect a new closeboard fence in natural wood to the same height of the hedge, work carried out professionally".
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit the development proposed has already been carried out. All references to the development in this decision therefore refer to development which has been carried out.
3. I note the appellant's comment regarding the missing plan included at Appendix A of their grounds of appeal, which shows the position of the fence on the boundary of the property. I am satisfied that my consideration of this plan would not prejudice any interested parties and therefore it has been taken into account in the determination of this appeal.

Main Issue

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

Reasons

5. The application site is a detached bungalow located on Barrs Wood Road, which is a quiet residential cul-de-sac off Brook Avenue North. The appeal property sits towards the end of the cul-de-sac, just before the turning circle. It has a wide frontage and benefits from a large front garden which wraps around both sides of the property. The curtilage of the appeal dwelling is also separated from the road by an area of grass verge.
6. Neighbouring properties along the road are mostly detached, and much like the appeal dwelling, they are separated from the road by sizeable front gardens. Whilst front boundary treatments are mixed along the road, they are predominantly made up of low boundary walls and/or hedgerows of varying

heights. This gives the cul-de sac a strong verdant quality, which is consistent with the character assessment of this area as set out in the New Milton Local Distinctiveness Supplementary Planning Document 2010 (SPD). The SPD defines the character of this area by reference to *"its green and tranquil atmosphere, where houses face the street and private gardens provide the green backdrop"*.

7. The fence, which has an average height of approximately 1.8m, runs along the entire front boundary of the property, where it then meets a footpath which connects the end of Barrs Wood Road with Ferndale Road to the north-east. As per the plans provided, the fence measures approximately 41.5m in length, which includes its two entrance gates. Due to its height and length, the fence appears very prominent in the street scene, as the appeal property and its garden are almost entirely obscured from view.
8. Given that the fence fully obscures the garden to the appeal property from view, it no longer provides any contribution to the *"green backdrop"* which characterises the area. Without any hedgerow or other green infrastructure to soften its impact, the fence therefore detracts from the verdant quality of the road. The fence is mainly composed of untreated timber, which also exacerbates its visual impact, as this contrasts starkly with the prevailing character of other boundary treatments along the road. As already highlighted, these are primarily made up of hedgerow and/or low boundary walls which offer garden views along the road, both of which contribute to the *"green backdrop"* referred to above, which is a defining characteristic of the area.
9. I acknowledge the examples that the appellant has provided of other tall timber fences in the immediate vicinity of the appeal site, including those at the very end of the cul-de-sac. However, these fences also block their host gardens from view and jar with the greener boundary treatments which generally typify the road. As such, they do not make a positive contribution to the character of the area. The Council has also indicated that these fences are not necessarily authorised, so I am mindful that they should not be relied on as precedent to justify the development in this instance. Moreover, allowing the appeal would create a legitimate precedent which could lead to the introduction of similar boundary treatments along the road, which would exacerbate the level of harm which has already been caused by the existing tall timber fences in the area.
10. For the reasons set out above, the development harms the character and appearance of the area. The development therefore conflicts with Policy ENV3 of the New Forest District Council Local Plan 2016 – 2036, Part one: Planning Strategy 2020 and the design guidelines of the SPD. Together, these seek to protect local distinctiveness by ensuring that development enhances a sense of place through quality street design, which is attractive, visually appealing and sympathetic to its environment.

Other Matters

11. In terms of the appellant's comments regarding privacy, the appeal property is located at the end of a quiet cul-de-sac, so passing traffic is not significant. Such concerns would therefore not justify the visual harm that has been caused by the erection of the fence in this instance.

12. The appellant has raised the possibility of planting a hedge, shrubs or trees along the area of grass verge in front of the fence to mitigate against the visual impact of the fence. The grass verge is owned by the Highways Authority, and as the appellant has highlighted, a licence would be needed from the Highways Authority before any such planting could be carried out (or else the land would need to be purchased from the Highways Authority). There is no evidence before me to suggest that a licence application has been made, and there is no indication as to whether such an application would be successful in any event. As such, I attribute very limited weight to the proposed planting mitigation.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

James Blackwell

INSPECTOR