



Appeal Decision

Site visit made on 31 August 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/E2001/D/21/3275013

1 Scrubwood Lane, Molescroft, HU17 7BA

- 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 Alyson Calvert against the decision of East Riding of Yorkshire Council.
 - The application Ref 21/00374/PLF, dated 1 February 2021, was refused by notice dated 13 April 2021.
 - The development proposed is the erection of 1.6m and 1.9m high fence to front and side.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The fence that is the subject of the original application has already been constructed, although the decision was based on amended plans with the part of the fence to the front of the property at a lower height. I have dealt with the appeal on the basis of the submitted drawings.

Main Issues

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

Reasons for the Recommendation

5. Scrubwood Lane is a suburban residential street. The appeal site comprises a detached bungalow on a prominent corner plot on the junction of Scrubwood Lane with Woodhall Way, a main route through the residential area. The properties in the immediate area are set back from the street with front gardens and driveways. Most of the front boundaries have low walls or fences, or hedges of varying heights. Overall, the street has an open, green and pleasant appearance and character.
 6. The proposal would see the current 1.9m fence remain along the side boundary with a 1.6m fence along the front boundary up to the existing metal gates.
-

Fences are not uncommon in the street scene, and the fence has been painted dark green in order to reduce its visual impact. However, Policy ENV1 of the East Riding Local Plan Strategy Document (2016) (SD) requires well designed developments that respects the character and appearance of the area and for boundary treatments to have an appropriate scale, height and material. In this case the height and extent of the fence fail to retain the open appearance and character of the street and, as a result, the fence is an obtrusive feature in the street scene. This is exacerbated by the prominent location of the fence at the junction with Woodhall Way.

7. The appellant has referred to other fences nearby and suggests that their existence should weigh in favour of the development in this appeal. It is not clear if planning permission was granted for the majority of these fences. It appears that permission was granted in 2002 for a two metre fence at Oak Tree Drive but local and national planning policies have changed since that time , and therefore I am not persuaded that the context surrounding these fences is comparable to the appeal before me. Nevertheless, these fences are not in such prominent locations and as such have less of an effect on the character and appearance of the area.
8. I also note the presence of hedging which is common for front boundary treatments, at various heights throughout the surrounding area. Whilst the hedges may reduce the open plan character to a degree they provide a soft landscaped edge and a sense of greenery which contributes to the character of the area. In contrast, the proposal in this instance would introduce a hard edge, directly adjacent to the pavement which creates a harsh and comparatively sterile environment.
9. For these reasons, the proposed fence would cause significant harm to the character and appearance of the area and as such would conflict with Policy ENV1 of the SD.

Other Matters

10. I accept that the fence provides security to the property and makes it harder for litter to be thrown onto the appeal site. I have sympathy with these concerns and have taken them into account. However, there is no reason why these issues could be resolved by other forms of boundary treatment, including landscaping, which would not have such a harmful impact on the character and appearance of the area as the fence. Consequently, these matters do not outweigh the harm that has been identified.
11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR