



Appeal Decision

Site visit made on 23 November 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/U1620/D/21/3279657

11 Hadow Way, Quedgeley, Gloucester GL2 4YJ

- 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 Melissa Hazard against the decision of Gloucester City Council.
 - The application Ref 20/00551/FUL, dated 6 April 2020, was refused by notice dated 7 May 2021.
 - The development proposed is retrospective relocation of boundary fence and retention of 1.8 metre high fence.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of the development from the Council's decision notice. It adequately and simply describes the proposed development instead of the longer and detailed description given on the application form.
3. The fence has been constructed and the appeal is therefore being assessed retrospectively.

Main Issues

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

Reasons

5. The site is a corner plot located on the junction of Hadow Way and Barrow Close (a cul-de-sac). The site is located in a predominantly residential suburban area characterised by similarly designed dwellings set back from the highway.
6. Hadow Way is characterised by dwellings of a similar design, with both detached and terraced dwellings. Dwellings on Hadow Way largely have open frontages and where there are boundary treatments these utilise landscaping and hedgerows or low walls/fences, which creates a soft open character.
7. The front and side boundaries of the appeal site are clearly visible from the surrounding footways and roads. The development introduces a tall fence for much of the length of the access to Barrow Close. Given the height, length and prominence of the fence, it creates a large, obtrusive and incongruous feature

in the street scene which is at odds with the aforementioned soft open character.

8. Consequently, I find the development would be in conflict with the relevant elements of Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) and Policy BE.19 of the Gloucester Local Plan (2002) which seek, amongst other things, to ensure that all new development respects the character of the site and its surroundings and does not harm the visual amenity of the locality. The appeal scheme would also be contrary to paragraph 130 of the Framework that seeks good design sympathetic to the local character.

Other Matters

9. The appellant has also noted the benefits of the scheme in terms of hedgerow encroachment, safety and privacy, a larger playing area for children, time spent improving the garden to the benefit of the locality and that an area where litter was dropped has been removed. I also note that information received from the Land Registry did not advise of the requirement for planning permission.
10. I recognise the points raised and understand the appellant's rationale for the development. Nevertheless, those are essentially personal benefits, and my decision focusses on the public acceptability of the scheme. Moreover, there is no robust evidence before me indicating that the particular scheme before me is the sole means of achieving such benefits. The benefits of the scheme do not therefore outweigh the harm arising.

Conclusion

11. For the above reasons, there are no relevant material considerations, including the approach of the Framework, that would indicate a decision otherwise in accordance with the development plan. It is for this reason that the appeal should be dismissed.

Tamsin Law

INSPECTOR