



Appeal Decision

Site visit made on 14 December 2021

by Oliver Marigold BSc, DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st December 2021

Appeal Ref: APP/N1160/D/21/3283870
305 Southway Drive, Plymouth, PL6 6QN

- 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 Miss Hannah Pomfret against the decision of Plymouth City Council.
 - The application Ref 21/01242/FUL, dated 2 July 2021, was refused by notice dated 22 September 2021.
 - The development proposed is the removal of 8ft high and 5ft wide hedges which were encroaching onto the public pathway and replaced with 2m high wooden featheredge fencing around part of the garden perimeter with a 1m wooden fence in front of the house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit, a fence had been erected similar to that proposed. Notwithstanding this, I have determined the appeal on the basis of the drawings submitted with the planning application.

Main Issue

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

Reasons

4. Southway Drive hereabouts has dwellings set back from the road, orientated with their sides facing the highway and their fronts facing onto pedestrian pathways. This arrangement provides a green frontage to the road and gives the built-up area an open appearance.
5. The appeal fence is located on the corner of the highway and a pedestrian pathway. It also adjoins a grassed open area. The fence is sited well forward of the side elevation of the host dwelling, hard on the back edge of the pavement and opposite a roundabout. Its position therefore means it is particularly prominent from the road and sensitive in the street scene.
6. The Council considers the 1m high fencing to the front of the house to be acceptable. Given its position and low height, I agree. In respect of the taller fencing however, its height, prominent location and close boarded design means it forms a hard, dominant and incongruous feature in the street scene.

7. I have considered whether painting or staining the fence a different colour, as suggested by the appellant, would make its appearance acceptable. Even then because of its height the harm to the street scene would remain, so the harm identified would not be overcome.
8. As a result, the fence unacceptably harms the character and appearance of this part of Southway Drive. As such, it is contrary to Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019), the Joint Local Plan Supplementary Planning Document (2020) (SPD) and paragraph 130 of the National Planning Policy Framework, all of which require development proposals to reflect the character of the existing street scene, to improve the quality of the built environment and be visually attractive.

Other Matters

9. I understand that the previous hedge attracted rubbish and encroached onto and darkened the path. I am told this caused a hazard to pedestrians, including vulnerable users and people using the bus stop. Even so, a lower fence would provide the same benefits without causing the harm I have found.
10. I recognise that the fencing does not obstruct visibility for vehicles, and that it has a sturdier featheredge design rather than using fence panels. I also appreciate that it provides privacy and security to the appellant's property. These matters do not however outweigh the effect on the street scene.
11. The appellant has drawn my attention to other boundary treatments in the local area, which I viewed on site, including the fence opposite at number 281 Southway Drive. I do not have the full planning history of these fences before me and in any case their height and position differ from the appeal fence and therefore I cannot draw a direct comparison with the proposal before me. In any event, I have considered the appeal development on its own merits.

Conclusion

12. For the above reasons, having considered the development plan as a whole and all other relevant considerations, the appeal is dismissed.

Oliver Marigold

INSPECTOR