



Appeal Decision

Site visit made on 8 December 2021

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th January 2022

Appeal Ref: APP/D1265/D/21/3285008

19 Carey Road, Wareham, BH20 4AX

- 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 Stuart Upton against the decision of Dorset Council.
 - The application Ref 6/2021/0067, dated 8 February 2021, was refused by notice dated 30 July 2021.
 - The application sought removal of hedge and installation of wooden fence at 19 Carey Road along its boundary with Carey Road and Walls View Road (retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Whilst I have adopted the description of development as set out in the application form, I concur with the Council's findings in their Delegated Report that the removal of the hedge, which has already occurred, would not have required planning permission. I have determined the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. Policy D of the Purbeck Local Plan Part 1 (2012) (PLP) seeks to ensure that the design of new development positively integrates with its surroundings, is of a high quality and is sustainable. The Purbeck District Design Guide Supplementary Planning Document (2014) (Design SPD) expands on this and in relation to boundary treatments, paragraphs 23 and 24 states that where there is a need to distinguish between private and public spaces within developments this can be achieved by the use of fencing, hedges and gates, but that long sections of high close boarded fencing adjacent to public areas should be avoided "as these provide lifeless frontages prone to vandalism".
5. Further guidance is provided in the Purbeck Townscape Character Appraisal Supplementary Planning Document (2012) (Townscape SPD). Within the North Wareham part of this SPD the appeal site is shown as forming part of the 'Bungalow development' character area (type). Section 04.10 of this SPD states that, amongst other characteristics, this area comprises single storey bungalows and that its 'Landscape' is formed by front boundaries and gardens

- that generally comprise low brick walls and gate piers, often backed by low hedges, small trees or shrubs.
6. The appeal site is located on the corner of Carey Road with Walls View Road. It comprises a single storey bungalow with gardens to the front and side. Other than the two-storey parade of shops to the west of the appeal site, the properties on the southern side of Carey Road, to the west and east of the appeal site, comprise similar single storey bungalows. They form part of a large estate of bungalows that extends south of Carey Road, which collectively form the 'Bungalow development' character area in the Townscape SPD.
 7. The appeal proposal is for a two metre high boundary fence extending along the majority of the frontage of the appeal site to Carey Road and its return frontage to Walls View Road. The proposed fencing has already been installed and therefore retrospective planning permission is sought for its retention. The proposed fence replaced a privet hedge, images of which are included in the Council's Delegated Report.
 8. As I observed on site, the Townscape SPD provides an accurate assessment of the character of the estate that includes the appeal site, and the other properties on the southern side of Carey Road and on the roads to the south, particularly in terms of the treatment of their front boundaries and gardens. The latter comprise predominantly low brick walls backed by low hedging, small trees or shrubs, interspersed with individual driveways leading to off street parking. Whilst, in some cases, the boundary hedging is high, the softer and more natural appearance of this hedging integrates well with the backdrop of other trees and landscaping within the estate, and adds positively to the character and appearance of the area.
 9. Within the above context, the scale, height, design and length of the proposed fence is in my view excessive and visually intrusive. It results in a hard and lifeless frontage to the appeal site, on what is a very prominent corner location. As I observed on my site visit, the parade of shops to the west of the appeal site is busy and as you approach the appeal site from either direction on Carey Road the proposed fence visually dominates the streetscene and harmfully detracts from the low scale bungalows and relatively open streetscene that are important and positive features of the 'Bungalow development' character area.
 10. Whilst I appreciate that the proposed fence would provide security and privacy to the garden areas of the appeal site, those considerations are not sufficient in themselves to outweigh the significant harm that that I have identified above, including the unsympathetic design and visually intrusive impact of the proposed fencing.
 11. Reference has also been made to the boundary fencing on the northern side of Carey Road, but no details have been provided of the planning background to this fencing or whether these features formed part of the original design of that development. Moreover, as the Townscape SPD states, the properties on the northern side of Carey Road form part of the 'Council estate development' character area. The latter is, therefore, within a separate character area, which is physically separated by Carey Road so that it does not, visually or functionally, read or appear as part of the 'Bungalow development' character area that includes the appeal site. As a consequence, neither these examples or the example of fencing referred to on Walls View Road or the Bournemouth

enforcement case also referred to are comparable to the appeal proposal and do not affect, therefore, my overall findings.

12. For the above reasons, I find that the appeal proposal would result in significant harm to the character and appearance of the area contrary to policy D of the PLP and the relevant guidance in the Design SPD and Townscape SPD. The appeal proposal would also, for the same reasons, be contrary to paragraphs 130 and 134 of the National Planning Policy Framework (July 2021) (Framework). The latter, consistent with the design policies in the development plan, seek to ensure that new development is sympathetic to local character, including the surrounding built environment and landscape setting, and requires development that is not well designed to be refused especially where it fails to reflect local design policies taking into account supplementary planning documents on local design guidance.

Conclusion

13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all proposals for development to be determined in accordance with the development plan unless material considerations indicate otherwise. As I have found above, the appeal proposal would be in conflict with the relevant policies of the PLP, adopted SPD's and the Framework, and there are no material considerations that justify making a decision other than in accordance with the development plan.
14. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR