
Appeal Decision

Site visit made on 18 January 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 FEBRUARY 2022

Appeal Ref: APP/M2840/D/21/3283878

1 Saxon Way, Raunds NN9 6PE

- 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 Boleslaw Wozniak against the decision of North Northamptonshire Council.
 - The application Ref NE/21/00539/FUL, dated 23 March 2021, was refused by notice dated 3 September 2021.
 - The development proposed is the erection of a fence.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a fence at 1 Saxon Way, Raunds NN9 6PE in accordance with the terms of the application, Ref NE/21/00539/FUL, dated 23 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Block Plan; CA1216/001 Rev A and CA1216/002 Rev A.

Procedural Matter

2. The description of development refers to moving a fence. However, for reasons of clarity the development would be the erection of a fence.

Main Issue

3. It is considered that the main issue is the effect of the proposed development on the character and appearance of the streetscene.

Reasons

4. The appeal property is a corner plot located within a primarily residential area and is situated at the junction of Saxon Way and Mountbatten Way. The proposed development includes the erection of a 2 metre high fence to the rear of an existing 1 metre high hedge which delineates the boundary between the property and the footway along Mountbatten Way. The hedge currently encloses an area of semi-private amenity space located to the side of the property which is separated from the rear garden by an existing wall.

5. The streetscene along Mountbatten Way is varied comprising a mix of front and side elevations of dwellings facing the road together with boundary features comprising hedges, walls and fences of varying heights. These boundary features enclose both private and semi-private amenity spaces. At some of the corner plots the side boundaries are sited close to the footways and, as such, there is not the type of open character and appearance along the streetscene which the Council claim.
6. There would be a change in the character and streetscene associated with the erection of the proposed fence and the enclosure of the semi-private open space located to the side of the property. However, because of the context of other means of enclosure sited adjacent to the footways along Mountbatten Way the degree of change would not be so significant so as to cause unacceptable harm to the character and appearance of the streetscene.
7. Further, the retention of the existing hedge would assist with assimilating the proposed fence into the varied streetscene. By reason of being sited no further forward than the property's front elevation, there would be no material harm to the streetscene along Saxon Way caused by the appeal scheme.
8. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the streetscene and, as such, it would not conflict with Policy 8d(i) of the North Northamptonshire Joint Core Strategy and Policy R2(a & b) of the Raunds Neighbourhood Plan. Amongst other matters, these policies require development to respond to the site's immediate and wider context and seek the preservation and enhancement of the locally distinctive built environment.

Other Matters

9. Reference has been made by a number of residents and the Parish Council to the potential for the proposed fence to obstruct visibility for vehicles and pedestrians, including children attending the near-by school. However, the Council has not objected to the proposed development on highway safety grounds and, based upon the observations made during the site visit, there are no reasons to reach a different assessment.

Conditions

10. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. For reasons of clarity and certainty, a condition is required to ensure that the appeal scheme is constructed in accordance with the submitted drawings. Accordingly and for the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR