
Appeal Decision

Site visit made on 22 February 2022

by Philip Mileham BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 MARCH 2022

Appeal Ref: APP/X3540/D/21/3287303

8, Lowry Way, Lowestoft, NR32 4LW

- 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 Paige Sutton against the decision of East Suffolk Council.
 - The application Ref DC/21/3858/FUL, dated 12 August 2021, was refused by notice dated 8 October 2021.
 - The development proposed is to relocate fence to the boundary of our property and in line with the front of the house. Fence will be 1.8m high.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is a detached two storey dwelling which is located on the corner of Lowry Way and Turner Close, Lowestoft. The area comprises of a mix of detached and semi-detached dwellings which characterised by, amongst other things, front gardens without hard boundary walls or fencing, which gives the area an open feel.
4. The existing side boundary of the property is comprised of an approximately 1.8 metre high hedge which borders the footpath of Turner Close along the length of the appeal property's rear garden. The proposal would result in an approximately 1.8 metre high close board fence being placed along the side boundary of the host property for around 20 metres in length. The proposed fence would extend to align with the front elevation of the host dwelling, and due to its height and length, it would appear in stark contrast to the open frontages of properties in the street scene, resulting in a greater sense of enclosure due to the absence of any similar boundary treatments in the area.
5. The area is characterised by dwellings predominantly open frontages which makes a positive contribution to the open character of the area. Although there is a fence between the appeal dwelling and the neighbouring dwelling, I did not observe any other examples of boundary fences adjacent footpaths in the immediate vicinity of the appeal site. As such, the proposed fence would strongly contrast with the current verdant boundary of the property, jarring with the open character of the area. The proposed fencing would result in a dominant feature on what is a prominent corner position within this part of the

estate. As such, I consider it would appear as an incongruous feature in the street scene.

6. The appellant has drawn my attention to a number of other examples of boundary fences in nearby streets. Whilst I do not have full details of the permissions that allowed for these examples, Gainsborough Drive, Reynolds Walk, Reubens Walk and Vermeer Close all have a less open character than that experienced in this part of Lowry Way and Turner Close. As such, these examples are sufficiently different and do not to alter my findings in respect of harm I have found in respect of the appeal proposal.
7. In light of the above, I conclude that the proposed development would harm the character and appearance of the area. As such, it would fail to accord with Policy WLP8.29 of the adopted Waveney Local Plan (2019) (WLP) which states, amongst other things, that development proposals will be expected to demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness.
8. The proposal would also fail to accord with paragraph 130 of the National Planning Policy Framework (NPPF) which seeks to ensure, amongst other things, that developments are sympathetic to local character and history, including the surrounding built environment.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

Philip Mileham

INSPECTOR