



Appeal Decision

Site visit made on 1 March 2022

by J Wilson BA (Hons) BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 9th March 2022

Appeal Ref: APP/V1260/D/21/3288462

7 Tangmere Close, CHRISTCHURCH, BH23 4LZ

- 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 Andrew Swinbourne against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 8/21/0732/HOU, dated 21 July 2021, was refused by notice dated 15 September 2021.
 - The development proposed is to move the existing fence at the rear of 7 Tangmere Close, out to the legal boundary with De Havilland Way, with plantings against the fence to add to the road aesthetics.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The area to which this appeal relates is part of a strategic landscaping strip along De Havilland Way. Here, rear garden boundaries are set back from the pavement edge and the public footpath is located between these landscaped areas and the roadside verge.
4. The ground cover planting has, in places, suffered from lack of maintenance, indeed I noted that some of the planting which exceeded the height of the appellants' existing boundary fence has been removed since the photographs submitted with the appeal were taken. Nonetheless, the visual impact of the planted areas combined with the effect of the mature trees along this part of De Havilland Way softens the edge of the road/footway. These characteristics contribute to a pleasant and open character and give a verdant appearance to this locality.
5. The introduction of a 1.8m high boarded fence with concrete posts immediately adjacent to the edge of the footway would compromise the provision of this landscaping and extent of its projection from the fences of the adjoining properties. would represent an incremental erosion of its function and purpose. Moreover, the presence of the fencing at right angles to the pavement, two metres at one side and a little over four metres at the other, would be visually prominent and incongruent features which would be emphasised when

approaching along the footpath from either direction. If repeated along the length of the road, the visual impact would be particularly harmful.

6. The appellant proposes a wild flower border and climbing shrubs in the remaining strip of space between the fence and the pavement edge, the details of which could be negotiated. Whilst planting details could be secured via a planning condition the fence, as shown on the submitted plans is so close to the carriageway edge that it would not afford the opportunity for any meaningful planting to be established such that sufficient screening to overcome the visual impact of the proposal could be created. As such, in the context of the strategic landscaping along De Havilland Way the harsh appearance of a timber fence would be visually harmful.
7. Consequently, the proposal would conflict with Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (2014); to Saved Policy H12 of the Borough of Christchurch Local Plan (2001) and to the provisions of the National Planning Policy Framework. These policies, amongst other things, seek to ensure that landscaping features which are part of the character of the area are not lost and that development where it does occur is both locally distinctive and of high quality.
8. In reaching this conclusion I have taken into account the references to timber fencing in locations elsewhere along this distributor road including at 28 Stirling Way, though the context of the cited examples appears different than in this scheme. Other examples where planning permission has been granted for fencing pre-date the current Local Plan and I cannot be sure that the policy context was the same. In any event I have to reach a conclusion on the basis of the circumstances as they apply to this site and the comparisons do not alter my conclusion in relation to the main issue

Other Matters

9. I note that the appellant highlights that this area of land has been neglected in the past and has been used for the dumping of rubbish by people walking past the site having been to the beach. Whilst I sympathise with this frustration it is not a factor which would outweigh the harm which I have identified above.
10. The appellant points out that cars are regularly parked along De Havilland Way. He considers these to be an unsympathetic and incongruous element to the street scene. At the time of my visit, I saw parked cars however their impact is generally a temporary one and they do not represent the permanent impact which this appeal scheme would. Consequently, this does not alter my conclusion.

Conclusion

11. For the above reasons and having regard to all other matters raised the appeal is dismissed.

J Wilson

INSPECTOR