



Appeal Decision

Site visit made on 10 March 2022

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17TH March 2022

Appeal Ref: APP/Y3615/D/21/3288667

Syderstone, 147 East Lane, West Horsley, Leatherhead, Surrey, KT24 6NY

- 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 & Mrs E Mitchinson against the decision of Guildford Borough Council.
 - The application Ref 21/P/01236, dated 2 June 2021, was refused by notice dated 21 September 2021.
 - The development proposed is described as installation of fence along boundary of property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character of the area.

Reasons

3. The appeal site is located at the northern end of the built-up area of West Horsley, which borders onto woodland and pasture land. This part of the built-up area is characterised by large family dwellings which have generous sized, mature landscaped gardens. The vast majority of dwellings along this stretch of East Lane and Ockham Road North have hedges, shrubs and trees along their front boundaries. This landscaping together with the well wooded setting of the locality makes a significant contribution to the sylvan and semi-rural character and appearance of the area.
4. There are a few exceptions to this which include low walls and a post and rail fence, which either have planting behind them or provide views of mature planting within the gardens. There are also a number of close boarded fences in the immediate area. This includes 150 East Lane (No.150) and Cheriton, which are situated opposite and alongside Syderstone. Both properties have low fences that front onto Ockham Road North and No.150 also has a taller fence, which fronts onto part of the boundary with East Lane. These fences have hedges immediately to the rear of them and the fence at Cheriton sits behind a shallow verge. Individually and collectively these fences have a suburbanising impact on the street scene, although the impact is materially greater with the taller fence, which is more prominent due to its height, solid appearance and the sense of enclosure it creates.

5. The appeal property occupies a prominent position within the street scene, adjacent to the junction of East Lane and Ockham Road North and opposite the path through the wide verge and cluster of mature trees on the other side of Ockham Road North. Recently a tall vertical boarded timber fence has been erected at the appeal site along the boundaries with both roads. Along East Lane the fence adjoins the back edge of the pavement and along Ockham Road North the fence is set behind a verge where there are two mature trees, some low scrub and a public bench. Due to its combined length, height and prominence the fence is visually stark and urban.
6. With the proposal this fence would be replaced with a 1.5 metre high fence, with Laurel hedging planted to the rear of it. This planting has already taken place.
7. Policy G5 of the Guildford Borough Local Plan 2003 (LP) and policy D1 of the Guildford Borough Local Plan: Strategy and Sites (2019) (LPSS), require new development to achieve high quality design. It should respond to the distinctive local landscape character and integrate into the existing landscape.
8. Policy WH2 of the West Horsley Neighbourhood Plan 2016-2033 (NP) states that building plots will have low boundary structures including low walls or hedges rather than timber close-boarded fencing.
9. The Council's Residential Extensions and Alterations Supplementary Planning Document 2018 (SPD) advises occupiers to look at existing local boundary treatments when considering what type and style of boundary treatment would be appropriate for their property. In rural areas where hedges, trees and soft landscaping is a key boundary feature, it should be retained.
10. Paragraph 130 of the National Planning Policy Framework (the Framework) states that development should be of a high standard of design that takes the opportunities available for improving the character and quality of an area and the way it functions.
11. It is noted that the Council has also referred to policy H8 of the LP. However, as that policy relates to the extension of dwellings in urban areas it is not applicable to the proposed boundary fencing.
12. Due to its lower height the proposed fence would cause less harm than the existing fence. However, even with the proposed planting to the rear, as a result of its combined length, height and siting the proposed fence, which would be highly prominent, would have an urbanising and solid enclosing impact on the street scene. Its siting opposite the fencing around parts of No.150 would simply exacerbate the harm that would be caused, resulting in a visually hard entrance to East Lane. For these reasons the proposed fence would materially and unacceptably harm the character and appearance of the surrounding area.
13. In particular, due to its siting along the back edge of the pavement the proposed fencing along East Lane and in the vicinity of the public bench close to the road junction, the proposed fence would have a visually hard and urbanising impact on the street scene.
14. Conversely, along the Ockham Road North frontage, beyond the public bench, the proposed fence would be set back from the pavement behind a small verge and would be partially screened by the mature scrub and trees. This would

soften its appearance and its impact on the character and appearance of the street scene. Also, it is noted that there used to be a fence along this boundary that was similar in height to the proposed fence. For these reasons I find that the impact of this section of the proposed fence on the character and appearance of the area would, in itself, be modest.

15. The appellant has referred to a number of other tall timber fences in the locality. They have blended into the street scene with varying degrees of success, depending on their prominence, height, position in relation to the back edge of the pavement and level and nature of the planting to the rear of them. Rather than set a precedent they serve to reinforce the need to assess each proposal on its individual merits and in accordance with the prevailing planning policies.
16. I acknowledge that a one metre high boundary fence could be erected under Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, the low fences in the locality are not as prominent and do not share the same hard and enclosing characteristics of the taller fences. As such, their impact on the sylvan and semi-rural character and appearance of the locality is materially less.
17. Finally, I have taken into account the security, safety and privacy benefits that would result from the proposal. In this instance I find that these benefits would fail to outweigh the harm that would be caused to the character and appearance of the area by the proposal. This harm is not something that could be satisfactorily dealt with by condition.
18. I conclude that the proposed fence would unacceptably harm the character and appearance of the host dwelling and the area. Accordingly, the proposal would conflict with LP Policy G5, LPSS Policy D1, NP Policy WH2, the SPD and paragraph 130 of the Framework.

Elizabeth Lawrence

INSPECTOR