
Appeal Decision

Site visit made on 29 March 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2022

Appeal Ref: APP/V0510/D/21/3287959

90 Dunstan Street, Ely CB6 3AQ

- 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 Lucy Jex against the decision of East Cambridgeshire District Council.
 - The application Ref 21/01016/FUL, dated 6 July 2021, was refused by notice dated 21 September 2021.
 - The development is the erection of a 1.8m wooden close boarded fence to inside of existing 0.5m brick boundary wall.
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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 and appearance of the area.

Reasons

Character and appearance

3. The application is for retrospective permission for a 1.8 m high close boarded fence along the boundary of the curtilage of No 90 Dunstan Street. No 90, a bungalow, has an unusual long rectangular garden to one side, extending to the corner of West Fen Road. The 1.8 m fence thus runs the length of the long Dunstan Street frontage, immediately behind a low wall, before turning the corner to run along the shorter West End Road frontage of the property.
4. Whilst there are a variety of boundary treatments in this well-established residential area, and the appellant draws attention to a number of tall close boarded fences, most frontage boundaries including those opposite the site consist of hedges or low brick walls, sometimes low walls with hedges behind and sometimes hedges with fences behind.
5. In this case the 1.8 m fence runs immediately behind the low wall along Dunstan Street which itself runs along the back edge of the footway. This leaves no space for a hedge or any vegetation in front to soften its visual impact. Similarly, the fence along West Fen Road runs immediately behind the grass verge and although some planting has been put in place here there is negligible non-highway land for it to have a significant mitigating effect.

6. Because No 90 occupies a prominent corner plot with the tall 1.8 m close boarded fence running along two boundaries, joining at a road junction, with no significant landscaping along either frontage, the fence as erected is particularly intrusive in the street scene. Whilst there are other unscreened fences in the area, such as that separating Nos 102-104 West Fen Road, this does not justify a further erosion of a relatively verdant neighbourhood.
7. For these reasons the fence as erected causes significant harm to the character and appearance of the area in conflict with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. These require the edge treatment of proposals to be complementary to existing development and seek to secure high quality design which has regard to local context.

Conclusion

8. It is appreciated that the fence provides a private and safe environment for the residents of the property when using the garden as supported by Chapter 8 of the National Planning Policy Framework. It is also recognised that the property is in the unusual position of having no private rear garden. However, these factors do not outweigh the harm to the character and appearance of the street scene and the resulting conflict with the development plan.
9. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR