



Appeal Decision

Site visit made on 5 May 2022

by Jonathan Manning BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th May 2022

Appeal Ref: APP/N1730/D/22/3295380

Bracken, Waverley Avenue, Fleet, GU51 4NN

- 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 A Mitchell against the decision of Hart District Council.
 - The application Ref 21/02584/HOU, dated 4 October 2021, was refused by notice dated 6 January 2022.
 - The development proposed is erection of a pair of matching, double vehicular entrance gates to the existing twin access points serving the detached residential dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a pair of matching, double vehicular entrance gates to the existing twin access points serving the detached residential dwelling at Bracken, Waverley Avenue, Fleet, GU51 4NN, in accordance with the terms of the application, Ref 21/02584/HOU, dated 4 October 2021, subject to the following planning conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be undertaken in accordance with the following approved plans: WSD/557-100 Rev A Location Plan and Block Plan; WSD/557-101 Rev A Site Layout; WSD/557-102 Entrance Gates and fencing details; and WSD/557-103 Street Scene.

Main Issue

2. The main issue of the appeal is whether the proposal would preserve or enhance the character or appearance of the North Fleet Conservation Area.

Reasons

3. The appeal site is located on the eastern side of Waverley Avenue and accommodates a detached two storey dwelling. The site is located within the North Fleet Conservation Area (the CA). The host property is relatively well screened by the existing boundary treatment which

consists of established hedging. There are twin accesses and a gravelled driveway for off-street parking to the front of the property.

4. The appeal site falls within Character Area 8 'The Stockton Estate - Avenue Road, Stockton Avenue, Pines Road and Waverley Avenue' as set out in the CA appraisal. Key features of the area include the positive impact of mature trees and shrubbery and grass verges that support the rural features in Waverley Avenue.
5. It was clear from my site visit that Waverley Avenue has a largely sylvan character. Whilst there are many examples of timber 5 bar field gates in use along Waverley Avenue, I would not say that they are almost exclusively used, as suggested by the Council. As pointed out by the appellant and as observed on my site visit, there are various other styles of gates within Waverley Avenue. These include some examples of large timber and metal gates. Further, there are examples of red brick boundary walls, which are urbanising features.
6. Whilst the proposed timber gates would be relatively large, they would be set back from the road and the swan neck sloping design at the top will still allow views of the host property behind and reduces the overall bulk of the gates. Given this and the variation that currently exists in this part of the CA, I consider that the proposed gates would preserve the character and appearance of the CA.
7. The proposal also includes the use of 1 metre high chain link fencing. I saw that there are already many examples of this in close proximity to the appeal site, including the neighbouring property. The neighbouring property, as an example, illustrates how boundary hedges can grow through the chain link fence to maintain a sylvan character. Given the existing mature hedges along the front boundary of the appeal site, I consider that it would not take long for this to occur as proposed by the appellant. Consequently, I consider the use of chain link fencing to be appropriate in this case.
8. Fleet Town Council has set out that the CA appraisal at Paragraph 7.2, 'Maintaining existing buildings and their plots', bullet points 2 and 3, note: The need to preserve and protect existing front boundaries and ensure that new works do not detract from the sylvan character of the conservation area; and the protection of front gardens, including resistance to the creation of parking areas are important issues for the area. Firstly, I am mindful that Section 7 covers the CA as a whole and is not solely aimed at Character Area 8. Indeed, the only negative features/issues for Character Area 8 are: the use of timber fencing in various places, not always appropriately detailed; and some tree management required. The proposal would not affect either of these issues.
9. Secondly, the parking area at the front of the property is already well established, as are many other examples in Waverley Avenue, which contributes to its overall character and appearance and for the reasons

set out above, the new works do not detract from the sylvan character of this part of the CA.

10. In conclusion and given the above, the scheme complies with Policies GEN1, NBE8 and NBE9 of the Hart District Council Local Plan, April 2020 and the National Planning Policy Framework, 2021. I also consider that the proposal accords with the CA appraisal and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, and although not referred to in the reason for refusal, I consider that the scheme complies with Policies 10 and 16 of the Fleet Neighbourhood Plan, 2019.

Conclusion and Planning Conditions

11. For the reasons given above, I conclude that the appeal succeeds. As a result, there is a need to consider what planning conditions are necessary. As well as the normal timescale condition (1), a condition (2) is necessary to ensure that the scheme is undertaken in accordance with the approved drawings to ensure certainty.
12. The Council had in their questionnaire requested a condition be imposed that would ensure that the materials used in the construction of the external surfaces of the proposal would match those used in the existing building. However, no alterations are proposed to the host dwelling itself and I consider the condition requiring the development to be undertaken in accordance with the approved plans to be sufficient in this regard. I have therefore not imposed such a condition.

Jonathan Manning

INSPECTOR