The Planning Inspectorate

Appeal Decision

Site visit made on 12 July 2022 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2022

Appeal Ref: APP/D4635/D/22/3297161
46 Abbeyfield Road, Wolverhampton WV10 8TH

- 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 Daniel Evans against the decision of Wolverhampton City Council.
- The application Ref 22/00195/FUL, dated 23 February 2022, was refused by notice dated 8 April 2022.
- The development proposed is relocation of timber rear garden boundary fence.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. I visited No 44 Abbeyfield Road to appraise the impact of the proposed development on the occupant's living conditions.

Main Issue

4. The effect of the proposed fencing upon the character and appearance of the street scene.

Reasons for the Recommendation

5. There are several junctions off Abbeyfield Road and there are a mix of houses that face the junctions and those that face Abbeyfield Road. Those that address the junctions have rear gardens that extend along Abbeyfield Road. The boundary treatment for these rear gardens varies with a mix of hedgerows, trees and timber fences. Where timber fencing has been erected it is typically set back from pavement behind a landscaped buffer. The existing boundary fence at No 46 is consistent with this and this set back helps to maintain the open outlook along Abbeyfield Road, especially around the junctions. The open frontages of the dwellings that address Abbeyfield Road also contributes towards this spacious street scene.

6. The timber fencing that has been installed along Abbeyfield Road typically has curved panel tops and this limits the height and utilitarian appearance of the fence panels. Concrete pillars and bases are not uncommon, and these do not

detract from the appearance of this decorative fencing. Whilst there is fencing built up against the pavement, fencing set back behind a landscaped verge is more common.

7. Based on the plans submitted with this appeal, the fencing would be erected close to the edge of the pavement without a landscaped buffer, other than the far end of the fence which would be angled to allow for a visibility splay. Whilst the boundary treatments vary along the road, the siting of the fencing without a landscaped buffer in this location, close to a relatively sharp bend, would appear jarring and would enclose the outlook along this section of the road. While replacement fencing would look tidier than the existing fencing at No 46, the design and siting of the proposal would appear to be inconsistent with the predominantly softer form of boundary treatments on Abbeyfield Road.

8. This would subsequently harm the open and spacious outlook along the road which in turn would harm the character and appearance of the street scene. Therefore, the proposal would conflict with Policy ENV3 of the Black Country Core Strategy (adopted 2011) as well as Policies D4, D7, D8, D9 and H6 of the Wolverhampton Unity Development Plan (adopted 2006). These policies seek to ensure that development proposals should respect those elements that contribute to the quality of the surrounding environment as well as making a positive contribution to the appearance of an area by means of appropriate massing and orientation. These policies also expect proposals to take account of the detailing including all building elements such as walls, fences and external works and the way in which these details are designed and articulated will affect the visual interest, character and quality of a development.

Other Matters

9. The proposal would provide a more secure garden than the existing fencing. Nevertheless, there is no substantive evidence that the fencing as proposed would be the only means to achieve this benefit.

Conclusion and Recommendation

10. The proposal would conflict with local policies in respect of character and appearance and there are no material considerations that indicate that the appeal should be determined other than in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree with the recommendation and shall dismiss the appeal.

L McKay

INSPECTOR