
Appeal Decision

Site visit made on 15 September 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th October 2022

Appeal Ref: APP/Q3630/D/22/3303696

6 Coombe Drive, Addlestone KT15 1DB

- 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 and Mrs F and R Mudzingwa against the decision of Runnymede Borough Council.
 - The application Ref RU.22/0262, dated 17 February 2022, was refused by notice dated 9 June 2022.
 - The development proposed is to remove the existing boundary fencing and low level wall to the side boundary of the host address and replace it with new modern 1.8 metre high decorative fencing panels and posts.
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Decision

1. The appeal is allowed and planning permission is granted to remove the existing boundary fencing and low level wall to the side boundary of the host address and replace it with new modern 1.8 metre high decorative fencing panels and posts in accordance with the terms of the application Ref RU.22/0262, dated 17 February 2022, subject to the following conditions:
 - 1) The development hereby permitted shall not be carried out other than in accordance with the following approved plans: Existing and Proposed 'Side - A' Elevations 001 Rev B (dated January 2022), Block Plan - Proposed (dated March 2022), Block Plan - Existing (dated March 2022) and Location Plan (dated Jan 2022).
 - 2) Within 3 months of the date of this decision, the height of the fencing shall be reduced to the height shown on approved plan 001 Rev B.

Preliminary matters

2. The appeal application was made retrospectively and I saw the new fence in place at the time of my site visit - with the minor variation that an extra line of horizontal boarding not shown on the submitted plans has been added to the top of some of the fencing. The appeal fence replaced a previous enclosure made up of a dwarf wall with a timber fence on top.
3. The appellant submits that much of the appeal fence is permitted development under Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. As the fence is a full

replacement for the previous wall/fence it does not, however, appear to be an improvement or alteration of the previously existing enclosure as permitted by Part 2 Class A. In the absence of any Lawful Development Certificate to show that parts of the appeal fence are permitted development, I assess this application on the basis that a specific planning permission is required and is sought. As the previous enclosure is gone and planning permission would be required for its restoration, I do not consider the previous fence to form a fall-back position for this appeal.

4. A lower level fence of the same design has also been installed around the front boundary of the site. That front fence is not part of the appeal proposal. I understand that it was the subject of a separate planning application which has been withdrawn.

Main issue

5. The main issue is the effect of the proposed fence on the character and appearance of this part of Coombe Drive.

Reasons

6. Coombe Drive is a suburban residential street of mainly detached chalet bungalows, set back from the street in gardens and with open, landscaped frontages. Where back gardens are adjacent to the street, these are normally enclosed with high timber fencing. No 6 sits on a corner plot with its back garden next to a short cul-de-sac leg of the street. As well as replacing the previous, slightly taller boundary enclosure, the appeal fence also extends across a rear, dropped kerb access to the site, fully enclosing the back garden. The new fence is unusual in that its posts and horizontal boarding are a recycled dark grey material, with a central section of interwoven artificial grass panels.
7. Policy EE1 of the Runnymede Local Plan 2030 (LP) expects developments to be of a high quality and inclusive design which responds to the local context and creates attractive places. The policy also recognises the National Planning Policy Framework's design policy, which states that appropriate innovation should not be discouraged. The Council's *Runnymede Design* Supplementary Document (SPD) more specifically advises that where the boundary of a property is clearly visible within the street scene, a certain quality of boundary treatment will be expected and close boarded fences will not be acceptable.
8. As a starting point, I acknowledge the need for a head height enclosure here, to provide privacy for No 6's back garden. The appeal fence is highly visible next to the street, but is not in a particularly prominent position due to its location on a cul-de-sac section. The previously existing timber fence was not of high quality and would have been discouraged by the SPD.
9. In contrast, the dark grey panels of the replacement fence are of good quality and appearance. The slightly reduced height of the appeal proposal is also helpful in limiting visual impact. The artificial grass panels are of more questionable quality and there is no clear design reasoning behind them. Nevertheless, they are not dominant visually and do add some interest and variation. The overall effect is of a quirky addition to the street scene.

10. Although the materials are not in character with other enclosures in the area, I find the proposed fence to be an appropriate and good quality alternative solution for the provision of privacy in No 6's back garden. I conclude that it would not harm the character or the appearance of this part of Coombe Drive. It therefore accords with the aims of LP policy EE1, the SPD and the Framework to achieve high quality design, as discussed above.
11. I have taken account of the other points raised by local objectors. The comments about highway safety appear to relate to the lower section of fence at the front, which might affect views for drivers exiting No 6's drive. The appeal fence does not significantly interfere with road users' sight lines so has no material effect on highway safety. There is also a suggestion that the fence might sit within the public highway. I have no information in front of me to confirm this point, which would be a matter for the local highway authority. I note that there are still trees in No 6's garden. The Council advises that no protected trees have been removed. Finally, any future proposals for similar fences would need to be assessed on their own merits, as I have done in this case.
12. As the fence has already been installed, the standard condition requiring a start within 3 years is not necessary. I impose a condition specifying the relevant plans to provide certainty. I also include a condition requiring the structure to be lowered to the height and design shown on the approved plans within a specified time frame, to protect the character and appearance of the local area.
13. For the reasons set out above, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR