



Appeal Decision

Site visit made on 4 October 2022 by Andreea Spataru BA (Hons) MA

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2022

Appeal Ref: APP/N2535/D/22/3302701

10 High Street, Scotter, Lincolnshire, Gainsborough DN21 3TW

- 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 M Boden against the decision of West Lindsey District Council.
 - The application Ref 144482, dated 23 February 2022, was refused by notice dated 19 April 2022.
 - The development proposed is described as "retrospective application for timber fence to part of northern boundary at Bramley House".
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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.

Preliminary Matter

3. The appeal development is retrospective, as the fence has already been installed. I have dealt with the appeal on this basis.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site relates to a detached dwelling located within a predominantly residential area. The dwelling is set back from the road and has most of its amenity space adjacent to the street.
 6. Whilst there is some variety in terms of boundary treatments within the area, the street scene has a generally open and verdant character as most of the properties have either low boundary treatments or hedgerows/vegetation. This open aspect makes a positive contribution to the character and appearance of the area.
 7. The development includes the erection of an approximately 2 metre high close boarded timber fence to the north of the property. The fence extends along a significant part of the northern boundary of the appeal site, albeit that there is
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a gap in the fence to allow access for vehicles. The submitted plans and photographs show that a hedge higher than the fence would be retained to the rear. However, at the time of my site visit, the hedge was not visible within the street scene.

8. Given its location on the road frontage, the fence has a prominent position within the street scene. Due to its height and materials, the fence has a harsh appearance, and it appears in stark contrast with the open and verdant character of the street scene. Even if the hedge were to be higher than the fence, as indicated on the plans, it would not be sufficient to soften the appearance of the fence, due to the combination of its height, materials, and significant projection along the highway.
9. Notwithstanding the scale of the nearby dwellings, this does not justify the hard appearance of the development within the street scene. Accordingly, the fence appears as an incongruous feature that is detrimental to the character and appearance of the area.
10. I acknowledge the examples provided by the appellant regarding the other high close boarded wooden fences, which appear to be serving as side/rear boundary treatments. However, I do not find these fences directly comparable, as that at No 4 High Street is set behind a wider grass verge than the appeal development and there are trees in front of it. The fence at No 72 Sands Lane, which was referred to by the appellants in the appeal statement as No 7 High Street, is located at the far end of the street, at the junction of High Street with Sands Lane, thus the site context is different. Nevertheless, whilst the fences are part of the street scene, they do not define its general character. In any event, I have considered the development on its own merits and the site-specific circumstances.
11. Given that most of the appeal dwelling's amenity space is adjacent to the highway, I understand the appellants' desire to have a private and secure garden screened by a boundary treatment such as the one that is already in place. However, it is possible that the appellants' needs could be met by a boundary treatment which would be more sympathetic to its local context.
12. I have taken into account the conditions suggested by the appellants, which include that the fence could be painted in a colour agreed by the Council, and a landscaping plan to be implemented to the front of the fence. However, a different colour would not be sufficient to make the fence blend within the street scene. Furthermore, given the lack of details before me, I cannot be certain that a landscaping scheme to the front of the fence would mitigate the harmful impact of the development.
13. Accordingly, I conclude that due to a combination of its siting, height and materials, the fence is detrimental to the character and appearance of the area. Therefore, the development is contrary to Policies LP17 and LP26 of the Central Lincolnshire Local Plan 2017, and Policy D5 of the Scotter Neighbourhood Development Plan 2017-2036, which collectively require, amongst other things, that developments recognise and reinforce the distinctive local character in relation to scale, mass, form, density, character, landscape setting and materials, and require well designed boundary treatments.

Other matters

14. I note that there has been a letter of support and that there were no objections from third parties, including from Scotter Parish Council. However, these are neutral matters rather than ones that carry positive weight in favour of the development.
15. Paragraph 10 of the National Planning Policy Framework states that at the heart of the Framework is a presumption in favour of sustainable development. A high standard of visual amenity is a key element of sustainability as set out in paragraph 130 (a & c). In this case, given that the development is harmful to the character and appearance of the area, it does not constitute the sustainable development that the Framework seeks to achieve. In addition, the private benefits of the appellants do not outweigh the harm I have identified.

Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Sarah Housden

INSPECTOR