

Appeal Decision

Site visit made on 17 November 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2022

Appeal Ref: APP/X3540/D/22/3307187

21 Mill View Close, Woodbridge, Suffolk IP12 4HR

- 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 Liam Whyte against the decision of East Suffolk Council.
 - The application Ref DC/22/1385/FUL, dated 6 April 2022, was refused by notice dated 6 July 2022.
 - The development proposed is removal of 10ft hedge and erection of 6ft fence to side of property and removal of 10ft hedge and erection of 6ft fence on top of retaining garden wall to rear of property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The sections of fence that form the appeal proposal have been erected and, therefore, I have dealt with the appeal on the basis that it involves an application for retrospective permission.

Main Issue

3. The main issue is the effect of the fences that have been erected on the character and appearance of the appeal site and the surrounding area.

Reasons

4. The appeal property is a detached bungalow in a residential cul-de-sac of similar properties and some two storey dwellings.
 5. Policy SCLP11.1 of the East Suffolk (Suffolk Coastal) Local Plan (2020), concerning design quality, says that development proposals will be permitted where they respond to local context, including that the overall scale and character should clearly demonstrate consideration of the development as a whole in relation to its surroundings.
 6. Mill View Close has an open and verdant character and appearance, which is apparent from the well-planted front gardens, semi-mature trees and the general lack of frontage boundary treatments. There are no other visible examples of close-boarded fences within the street. The fences that have been
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erected at the appeal property comprise two separate sections to the eastern boundaries, one of which is erected on top of an existing retaining boundary wall, and a shorter section to the north.

7. The fences are not readily visible from the main part of the road, but are highly prominent from the public realm behind and to the side of No 21, and from the dwellings surrounding the appeal property. Due to their height, solidity and overall presence the sections of fence appear as stark and prominent features in views from the surrounding area. This is particularly apparent by contrast to the characteristic open and more verdant appearance of other properties within the street scene.
8. I acknowledge that the fences are to the side and rear parts of the garden and, as the appellant contends, there are many examples of similar forms of enclosure to the rear of properties in Mill View Close. However, these are not visible within the same street scene as the fences at the appeal property and are more characteristic features in separate views to the rear. The easternmost section of fence does include a planting strip to the front, with some young hedging plants in place. However, no such planting opportunities exist to the other parts of the fence and therefore the harmful visual effects of the fence as a whole will not readily be mitigated.
9. I acknowledge that fencing to the northern boundary between the two new lengths of fencing to the eastern boundaries was installed previously for security reasons. However, this does not alter the findings with regard to the overall effects of the additional fencing that has been erected. I have also had regard to the representation from an interested party in support of the proposal, but this does raise any additional or different matters to those already addressed under the main issue.
10. Therefore, for these reasons, I conclude that the existing fences have an unacceptably harmful effect on the character and appearance of the appeal site and the surrounding area. As such, the proposal is contrary to Policy SCLP11.1 of the East Suffolk (Suffolk Coastal) Local Plan, as described above. It is also contrary to the National Planning Policy Framework, which promotes good design.

Conclusion

11. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR