



Appeal Decision

Site visit made on 24 November 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13th December 2022

Appeal Ref: APP/Y3615/D/22/3306194

15 Shepherds Hill, Guildford, GU2 9RY

- 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 Ms Sally Dean against the decision of Guildford Borough Council.
 - The application Ref 22/P/00708, dated 29 March 2022, was refused by notice dated 20 July 2022.
 - The development is the erection of a boundary fence.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary fence at 15 Shepherds Hill, Guildford, GU2 9RY in accordance with the terms of the application Ref 22/P/00708, dated 29 March 2022, subject to the conditions set out in the attached Schedule to this decision.

Procedural matter

2. The fence subject of the appeal has already been erected and the appellant, in effect, wishes to retain it. I shall proceed on this basis.

Main issue

3. The main issue is the effect of the development on the character and appearance of its surroundings.

Reasons

4. The appeal property is a semi-detached dwelling set within a large residential estate. The pair is sited at the base of a triangle formed by the two branches of the highway that runs alongside them on either side. The timber fence is supported by concrete post and has been erected mainly along the flank highway frontage of the appeal property, but also along short stretches around the corners of the plot. A pedestrian access door has been inserted in the fence, coinciding with the main door of the house which is sited in the side elevation.
5. I fully understand the need for a form of enclosure since otherwise, given the shape of the plot and its orientation, the dwelling and its garden would enjoy little or no privacy or security. I understand that the boundary was hedged in the past.

6. The Council is concerned that the length of fence erected in what it considers to be a prominent position is such as to render it unduly dominant and incongruous, failing to respect the character of the surrounding area. The Council acknowledges that some timber fencing exists '*in sight of the appeal property*', albeit none is as sizeable as that subject of appeal.
7. I explored more of the surrounding area and found a wide variety of means of enclosure throughout the estate, including significant stretches of timber fencing of different types. I could not therefore reasonably conclude that the fence erected was uncharacteristic of the area.
8. I noted too that the fence was comprised of good quality materials, and that trees have been newly planted within the garden border inside the fence at the western end. Foliage can already be seen above the hedge and in time, as they grow, the trees will assist in softening the impact caused by the newness of the fence. I consider that a similar level of tree planting within the garden of an appropriate species would assist in a like manner towards the eastern part of the site. This mitigation could be achieved by condition.
9. On balance I conclude that, with appropriate mitigation, the retention of the fence would not harm the local street scene to the extent that permission should be withheld. Accordingly, no conflict arises with those provisions of policy D1 of the Guildford Borough Local Plan 2015 - 2034 saved policy G5 of the Guildford Borough Local Plan 2003 directed to ensuring that development reflects and reinforces the identity and character of an area.

Conditions

10. Since the development has taken place, the Council does not consider that any conditions are necessary, should permission be granted. However, for the reasons set out above, and in the interests of visual amenity, I shall impose conditions directed to the provision of additional planting designed to assist in acceptably mitigating the effects of the fence.

Other matters

11. All other matters referred to in the representations have been taken into consideration, including the references to the National Planning Policy Framework, but no other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1). Within 6 weeks of the date of this permission a scheme of planting, including a written specification of all plants/trees to be used, shall be submitted to the local planning authority for its approval, to be obtained in writing.
- 2). All planting in the approved scheme shall be carried out in the first planting season following the approval; and any plants which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.