



Appeal Decision

Site visit made on 13 December 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2023

Appeal Ref: APP/D1265/D/22/3308334

39 Howarth Road, Wimborne, BH21 2FG

- 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. P Watkins against the decision of Dorset Council.
 - The application Ref. P/HOU/2022/01756, dated 7 April 2022, was refused by notice dated 20 July 2022.
 - The development proposed is retain lattice wooden trellis and bamboo privacy screening, fixed to and above existing wooden fence in rear garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the amended description of development as set out in the decision notice as this more accurately describes the proposal.
3. In section E of the Appeal Form, repeated in the Grounds of Appeal, the Appellant refers to the intention to remove the bamboo privacy screening and only retain the lattice wooden trellis below it. No revised plan has been submitted to show this and it is not generally the purpose of an appeal to evolve the details of a development for which planning permission is sought. Even so, as I observed on site, the bamboo privacy screening has already been removed. As a consequence, I am satisfied that this change has not prejudiced any party and have determined the appeal on the basis that planning permission is now only sought for the retention of the lattice wooden trellis.

Main Issues

4. The main issues are the effect of the proposed development on: (a) the character and appearance of the surrounding area; and (b) the living conditions of neighbouring occupiers.

Reasons

Character and appearance

5. The appeal site is located on the northern side of Howarth Road and comprises a two storey property that forms part of a small, linked terrace of properties within a large modern estate. The host property has a small garden at the rear. The surrounding properties comprise a mixture of detached, semi-detached and similar small terraces, as well as flats, with some variations in

- their design. Whilst the properties within the estate are tightly knit, the overall design, layout and detailing of the development is in my view of a high quality.
6. The appeal proposal involves the retention of the lattice wooden trellis fixed to and above the existing close boarded fence within the rear garden of the host property. As I confirmed earlier, a bamboo privacy screen that had also been erected above the proposed trellis has since been removed by the Appellant and no longer forms part of appeal proposal. As the wooden trellis is already in place, planning permission is sought retrospectively for its retention.
 7. Even though the bamboo privacy screen has been removed, the siting, height and extent of proposed trellis remains in my view excessive. The proposed trellis extends well above the original 1.8 metre close boarded boundary fence, which I understand was a detail that formed part of the original planning permission for this housing development. As I also observed on site, the proposed trellis results in an awkward juxtaposition with the original close boarded fence and is visually prominent as a result of its height, length, green colouring and white frame, and has not weathered well.
 8. The proposed trellis represents an unsympathetic addition to the host property and to this part of the estate, detracting from the overall positive appearance and quality of the surrounding built environment. Whilst the proposed trellis is sited at the rear of the appeal site, where it abuts the rear gardens of adjoining properties and a shared alleyway, it is still visible in glimpsed views from public vantage points on Bankes Road (to the north), as well as being highly visible to those properties that back onto the rear of the appeal site. From all these vantage points, the proposed trellis appears prominent and out of keeping with the high quality of the estate's layout and design, of which the boundary treatments form an important and integral part of.
 9. These findings are supported by the analysis set out in the Council's Delegated Report (DR) which, under the heading '*Relevant Planning History*', states that the permitted development rights, that would have enabled different boundary treatment to be erected other than that approved, were removed from the planning permission for the estate "*To ensure the satisfactory appearance of the areas as a whole*". The DR continues by confirming that the approved treatment was for a 1.8 metre high close boarded fence.
 10. The Appellant has referred to the presence of other trellis fencing within the estate, but my attention has not been drawn to any specific examples and on my site visit I did not observe any comparable fencing within this part of the development. Whilst I also appreciate that the proposed trellis could provide added security and privacy and I sympathise with the Appellant's personal circumstances, these considerations are not sufficient to outweigh the harm that I have identified.
 11. Accordingly, I find that the proposed timber trellis would result in harm to the character and appearance of the surrounding area contrary to policy HE2 of the Christchurch & East Dorset Local Plan Part 1 – Core Strategy (April 2014) (CS) and paragraph 130 of the National Planning Policy Framework (July 2021) (Framework). These policies seek, amongst other requirements, to ensure that new development is compatible with or improves its surroundings in terms of, for example, scale, height and visual impact; that it adds to the overall quality of the area; and is sympathetic to local character and the surrounding built environment.

Living conditions – neighbours

12. From the evidence submitted by interested parties, including photographs and my observations on site, it is clear that the proposed trellis is highly visible from neighbouring properties, in particular 44 Bankes Road and 6 & 8 Fletcher Way. The gardens to these properties, as is the case on the appeal site, are short, with a limited amount of usable amenity space. Whilst the approved 1.8 metre close boarded boundary fencing to all these gardens primarily reflects the need to secure an acceptable appearance to the development, it also secures in my view an appropriate level of security and privacy for residents.
13. Even with the removal of the bamboo privacy screen the proposed trellis continues to have an adverse impact on the living conditions of neighbouring occupiers. The latter arises from its visual impact and overbearing impact on the outlook from the rear amenity areas of neighbouring properties. As I confirmed earlier, whilst I appreciate that the proposed trellis could provide added security and privacy and I sympathise with the Appellants personal circumstances, these and the other considerations referred to are not sufficient to outweigh the harm I have identified.
14. I note that interested parties have raised concerns over the height, extent and impact of the hedging/trees located within the rear garden to the appeal site, behind the boundary fencing. However, that is not part of the appeal proposal that is before me and I am not therefore in a position to comment further on this. I also note that the Council, in their DR, state that the hedge/trees were not considered as in their view they do not involve development.
15. Accordingly, I find that the proposed lattice wooden trellis fencing would result in significant harm to the living conditions of the occupiers of the neighbouring properties contrary to the aims of policy HE2 of the CS and paragraph 130 f) of the Framework. These policies seek, amongst other requirements, to ensure that new development secures a high standard of amenity for existing and future users.

Conclusions

16. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR