



Appeal Decision

Site visit made on 20 February 2023

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 7th March 2023

Appeal Ref: APP/P1133/D/22/3308136

16 Avenue Road, Kingskerswell, Newton Abbot, Devon TQ12 5BD

- 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 Paul Milkins against the decision of Teignbridge District Council.
 - The application Ref: 22/01035/HOU dated 25 May 2022, was refused by notice dated 30 August 2022.
 - The development is erection of boundary fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development included additional information relating to the reasons for the erection of a fence. Whilst I have taken these details into account in my assessment, they are not necessary to be recorded in the header above.
3. The application form confirms that the boundary fence has been erected and it was in place at the time of my site visit. I shall therefore consider this appeal as one made for retrospective planning permission for development undertaken, namely the erection of a boundary fence.

Main Issue

4. The main issue in this appeal is the effect of the boundary fence on the street scene.

Reasons

5. The appeal property is an attached house on the eastern side of Avenue Road, with a shared driveway on the southern side leading to a parking area/ garage serving the appeal property and the immediate neighbour. Because of the layout of the house, most of the garden area is to the front and to the side. In the predominantly residential vicinity, there are a variety of boundary treatments to front gardens although the majority include relatively low walls or fences, some with additional hedging and planting and planted front gardens. There are a small number of examples of taller fences in the wider vicinity but some of these are softened with additional planting.
6. The local street scene is therefore varied in appearance, but with generally relatively open frontages, with low boundary walls and fences, punctuated with

taller planting. The fence as erected stands out as a harsh and unrelieved element in the street scene. Whilst I have noted that the hedge it replaced was taller, the fence is solid and jarring in terms of its material and appearance. It is visually over dominant and intrusive to the detriment of the street scene. In a number of places where there are fences, their appearance has been softened with additional planting to provide a more verdant appearance which is more in keeping with the residential street scene. No such proposal has been included and I am not persuaded on the basis of the evidence before me that there would be scope to include for such planting in this case because of the position of the fence in relation to the street frontage.

7. I therefore conclude that the fence, as erected, does harm the street scene. This conflicts with Policies S1, S2 and WE8 of the Teignbridge Local Plan and the National Planning Policy Framework, and in particular Section 12, all of which amongst other things seek a high quality design which respects the local context.
8. I have sympathy with the Appellant's reasons for replacing the existing hedge and seeking to ensure privacy within his garden area, but I am not persuaded that these reasons overcome the harm I have found. I have also taken into account the other fences to which my attention has been drawn but they do not persuade me to a different conclusion given the harm I have concluded in the particular circumstances of this case.
9. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR