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## Appeal Decision

Site visit made on 13 June 2023

**by Sarah Colebourne MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 03 July 2023**

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**Appeal Ref: APP/F2415/D/23/3319891**

**670 Uppingham Road, Thurnby, Leicestershire, LE7 9RN**

- 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 Sarah Ansari against the decision of Harborough District Council.
  - The application Ref 23/00078/FUL, dated 12 January 2023, was refused by notice dated 9 March 2023.
  - The development proposed is described as 'retrospective planning permission for erection of fence at the junction of 670 Uppingham Road and Anthony Drive'.
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### Decision

1. The appeal is dismissed insofar as it relates to the corner boundary fence.
2. The appeal is allowed insofar as it relates to the side boundary fence only and planning permission is granted for the erection of a side boundary fence at 670 Uppingham Road, Thurnby, Leicestershire, LE7 9RN in accordance with the terms of the application, Ref 23/00078/FUL, dated 12 January 2023 subject to the following condition:-
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plan insofar as it relates to the side boundary fence only: PL670 A100.

### Reasons

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the appeal site and the street scene. The development plan includes policy GD8 of the Harborough Local Plan 2011-2031 (adopted 2019) which requires that development is of a high standard of design that respects and enhances local character. The National Planning Policy Framework also seeks to encourage high quality design.
4. The appeal site is located within a residential area on a slip road which is set back from the busy Uppingham Road behind trees and a hedge. It is one of several detached dwellings on this slip road which have modest front gardens which have been mostly paved to provide parking, leaving little space for soft landscaping. Most of those have a short length of a low front wall and a vehicular access on their front boundary, often with a low wall or fence along the side boundary of the front garden.
5. The appeal dwelling is one of two corner properties with a prominent corner boundary facing the junction and a side boundary onto Anthony Drive. The

corner boundary of the other dwelling, at no 672, is a low brick wall with a hedge behind which makes a positive contribution in the street scene, adding both some solidity and some welcome greenery.

6. The proposal, which has already been erected, comprises two fences. A close boarded timber fence of some 1.6m in height has replaced a previous wall along the 8m section of the corner boundary. It adjoins a similar, existing fence which has been in place for many years.
7. However, given the prominent siting and length of the new corner boundary, a fence is not appropriate here because it does not have the solidity of a wall and appears insubstantial. Furthermore, it provides no opportunity for enhancement of the street scene with planting behind. Whilst it is a continuation of the existing fence, that has little merit and, in any case, is in a less prominent position on the side boundary with Anthony Road which is a side street. I have noted that the site provides parking for three vehicles and that a wall and planting would reduce some of the area available for parking. However, I am not persuaded that the private requirement for a third parking space outweighs the wider, public harm that is caused by this fence.
8. I conclude then that the proposed corner boundary fence is unacceptable in terms of its siting, materials and height. It does not enhance the appeal site or the street scene and significantly harms their character and appearance. As such, it is contrary to policy GD8 and also fails to accord with the Framework.
9. The proposal also includes a similar fence of 1.2m in height along the side boundary with the adjacent property, no 668. As the height of the proposed side boundary fence with no 668 is not excessively higher than other side boundary fences in the street and is not unduly dominant in the street scene, I find it acceptable and shall issue a split decision to allow that part of the proposal. The fence has already been erected and only a condition requiring compliance with the plans is necessary.

## **Conclusion**

10. For the reasons given above, I conclude that the proposed corner boundary fence is contrary to the development plan and there are no material considerations that would outweigh this. The appeal should be dismissed insofar as it relates to that fence.
11. I conclude, for the reasons given, that the proposed side boundary fence accords with the development plan and there are no material considerations that would outweigh this. The appeal should be allowed insofar as it relates to that fence only.

*Sarah Colebourne*

Inspector