
Appeal Decision

Site visit made on 23 May 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2023

Appeal Ref: APP/F2415/W/22/3313013

57 Richardson Close, Broughton Astley LE9 6NU

- 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 Ryan Ashton against the decision of Harborough District Council.
 - The application Ref 22/00967/FUL, dated 28 April 2022, was refused by notice dated 24 June 2022.
 - The development is the retention of existing boundary fence enclosing extended residential curtilage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has already taken place. During my site visit I observed that the erected fence matches the fence shown on the submitted plans. I have considered the appeal on that basis.
3. I have taken the description of development from the Council's decision notice as it is more concise. I have however taken full account of that described on the application form.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

Character and appearance

5. The appeal site comprises a two storey, detached property, located on a prominent corner plot, sited within a predominately residential area. Boundary treatments in the area largely comprise hedges and walls, with some timber fencing. There are pockets of open space, of varying sizes, within the wider estate and, together with trees and deep grassed verges, give the area an open, spacious and verdant feel. The spaciousness of the area is further reinforced through the siting of properties set back from the road, with largely open frontages. The vegetation, open spaces and property layouts contribute to the character and appearance of the area.
6. I understand that a hedge previously ran along the side and rear boundaries of no. 57. A photo of the site, prior to the removal of the hedge and erection of

the fence, has been submitted as part of this appeal. Based on the information before me, the hedge would have contributed to the character of the area.

7. In contrast, the significant length of fence along the side and rear boundaries of no. 57, together with its height and design, results in a stark, dominant feature in a prominent location. This is at odds with the prevailing character of the area.
8. The position of the fence encloses what the Council consider an incidental area of open space. This area visually contributed to the open, spacious and verdant character and appearance of the area. The enclosure this area with a hard boundary, in a prominent location, erodes its visual function, which is at odds with the prevailing character of the area.
9. It has been brought to my attention that there are other fences within the area and I observed a number during my site visit. I have limited information before me relating to the history of these other fences and what boundary treatments, if any, they replaced. I note that the Council have stated one of these fences is unauthorised. Notwithstanding this, the fences are not directly comparable, due to their location, design and prominence.
10. I understand the appellant is willing to grow climbers up the fence to improve its aesthetic and plant more trees and bushes to improve biodiversity and habitat range. No further details regarding any such planting have been submitted and, in any event, it would not address the harm I have identified.
11. For the reasons above, the development results in harm to the character and appearance of the area. This is contrary to Policy GD8 of the Harborough Local Plan 2019, paragraph 3.9 of the Broughton Astley Neighbourhood Plan 2014 and the achieving well designed places objectives of the National Planning Policy Framework. Collectively, these policies seek to ensure development achieves a high standard of design and respects the local character and distinctiveness of the settlement concerned, accommodates and sustains green and other public space and is sympathetic to local character.

Other Matters

12. I understand ownership of the strip of land along the side of no. 57 is now within in the appellants ownership. Furthermore, I note that the Highway Authority have confirmed the land to the rear of the site is private land, not adopted highway. Notwithstanding, land ownership is a civil matter and therefore has no bearing on my assessment.
13. Although the appellant contends the fence would overcome maintenance and safety issues associated with the hedge, I have little evidence to demonstrate such safety issues. I therefore afford this matter limited weight, and so is not sufficient to outweigh the harm I have identified.

Conclusion

14. For the above reasons, the appeal proposal would conflict with the development plan as a whole. There are no material considerations that indicate I should conclude other than in accordance with it. Consequently, the appeal is dismissed.

S Pearce INSPECTOR