



Appeal Decision

Site visit made on 6 June 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2023

Appeal Ref: APP/D1265/D/22/3310256

15 Golf Links Road, Ferndown, Dorset BH22 8BT

- 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 Mark Smith against the decision of Dorset Council.
 - The application Ref P/HOU/2022/04710, dated 29 July 2022, was refused by notice dated 20 October 2022.
 - The development is 1.8m high close board fencing across the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for 1.8m high close board fencing across the front of the property at 15 Golf Links Road, Ferndown, Dorset BH22 8BT in accordance with the terms of the application, Ref P/HOU/2022/04710, dated 29 July 2022 and the plans submitted with it.

Preliminary Matters

2. I have made a minor change to the description of development to ensure that it only describes the development for which planning permission is sought.
3. I observed on my site visit that the development appears to have been completed in accordance with the approved plans. I have therefore determined the appeal on the basis that retrospective permission is sought for the development which has already been implemented.

Main Issue

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

Reasons

5. The appeal site is located in a residential area that is predominantly characterised by large, detached properties that are set back from the road. The area contains a significant number of mature trees and other vegetation that gives it a verdant appearance. Within the immediate vicinity, there are a variety of different roadside boundary treatments, including hedgerows, fences and walls.
6. The Special Character Areas Supplementary Planning Guidance No. 27, October 2005 (the SPG), identifies that the appeal site is located within a Special Character Area known as the New Road Area. The development criteria within the SPG include a requirement that existing boundary hedging should be maintained, and that any new boundary treatments should ensure that hedging predominates.

7. The development that is the subject of this appeal is a wooden fence and so it fails to conform with the precise detail set out in the SPG. Nevertheless, the overarching purpose of that aspect of the SPG guidance is to protect the existing verdant character of the area. In particular, the SPG notes that the mature trees in this location provide a 'distinctive sylvan character'.
8. In this instance, the fence is relatively large and it is in a prominent location on a long straight road. It is therefore highly visible. However, there are several mature trees immediately next to the fence that are of a considerable size, both in terms of their height and spread. Their attractive appearance adds greatly to the character of the area. When viewing the fence, either from close range or at a distance, it is very much seen within the context of the trees around it. In effect the trees, with their low hanging branches, form part of the boundary treatment, and therefore visually, they provide the appearance of a well vegetated boundary. Consequently, in this instance, the fence does not dominate the street scene or appear visually harsh, and the verdant character of the immediate area is maintained. Some of the trees next to the fence are protected by a Tree Preservation Order (TPO). This provides greater certainty that they will not be removed in future.
9. There are numerous examples of boundary fences near to the appeal site, some of which are of a similar height and length to the development before me. The fence therefore does not appear out of keeping within the street scene, or incongruous with its surroundings. Over time, as the wooden fence naturally weathers, its appearance will soften further. The appellant has set out that they may wish to paint the fence in future. In my view, doing so would not diminish local character or distinctiveness.
10. As a result, I conclude that the development does not harm the character and appearance of the surrounding area. It is therefore in conformity with Policy HE2 of the Christchurch and East Dorset Local Plan, Part 1 - Core Strategy, adopted April 2014, which seeks to ensure that development is of a high-quality design that responds to local distinctiveness. The development also conforms with the general thrust of the guidance within the SPG by maintaining the existing verdant character of the area. Finally, there is no conflict with paragraph 130 of the National Planning Policy Framework which, among other things, requires new development to be sympathetic to local character.

Other Matters

11. The appeal site is located in an area that is subject to a group TPO. As noted above, there are several protected trees immediately next to the fence. The Council is satisfied that the development has not caused harm to the trees, and I have no reason to disagree with that position.

Conditions

12. Given that the development has already been completed in accordance with the submitted plans, conditions to identify the relevant timescales and plans are not necessary.

Conclusion

13. The proposed development is in accordance with the development plan when considered as a whole. Having had regard to all matters raised, I conclude that the appeal should be allowed.

C Butcher

INSPECTOR