



Appeal Decision

Site visit made on 14 July 2023

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2023

Appeal Ref: APP/D3640/D/23/3319502

10 Overdale Rise, Frimley, Camberley, Surrey GU16 8TX

- 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 R Briggs against the decision of Surrey Heath Borough Council.
 - The application Ref 22/1323/FFU, dated 19 December 2022, was refused by notice dated 15 February 2023.
 - The development proposed is 'Retrospective application for installation of 1.8 metre high fence'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended following submission of the application. The previous description included removal of a 2.6m hedge' which is not an act of development subject to planning control in these circumstances. As such, I have utilised the amended description.
3. The appeal scheme seeks retrospective permission and I was able to view the development in situ during my site visit.

Main Issues

4. The main issue for this appeal is the effect of the proposal on the character and appearance of the surrounding area and the effect of the proposal on highway safety.

Reasons

Character and appearance

5. The appeal site is a detached dwelling situated at the end of Overdale Rise, a no-through road. The property fronts the 'T' shaped end of the street and is set back much further than the adjacent properties in the street. Its boundaries follow the line of the pavement and its shared boundary with the adjacent dwelling projects a to a point at the road. As such, the boundaries of the site are extensive in contrast to other properties along the street.
6. Whilst the street has a somewhat open appearance, there is a prevalence of close boarded and panel fencing along flank boundaries which are an established feature of the street scene. Moreover, the appeal site was

previously enclosed by a mature hedge and the entire 'T' shaped end of the road is either close-boarded or panel fenced, albeit it is not prominent due to overgrown vegetation and weathering.

7. Due to its siting, shape, extent and newly constructed appearance, the fence appears stark and obtrusive in the street scene. However, it is not out of keeping with the established character of the street and its obtrusiveness would erode with time, as has that of the other nearby fences.
8. For these reasons, the appeal scheme is in accordance with policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CS and DMPD), adopted 2012, which seeks high quality design which respects local character, amongst other things.

Highway Safety

9. The fence immediately abuts the public highway. Whilst it is a 'dead-end' street, vehicles use the 'T' end for manoeuvring, and pedestrians use the pavement to access the paths and alleyways leading away from Overdale Rise.
10. The fence prevents any visibility of passing pedestrians or vehicular traffic from within the site. The double-gates are large and outward opening, meaning that they project over the pavement and the road when open. Although any traffic would be slow-moving due to the 'dead-end', the gates and fence combined nonetheless cause a hazard in respect of both their operation and vehicles egressing the site without visibility of nearby traffic.
11. The appeal site frontage is at its shallowest closest to the gates and it is this frontage which is used for vehicular parking within the site. Therefore, I am not satisfied that the harm to highway safety could be overcome by a condition requiring the gates to be inward opening. In any case, the fence also contributes to the harm to highway safety as set out above.
12. As such, the appeal scheme has an unacceptable adverse impact on highway safety, contrary to policy DM11 of the CS and DMPD, which seeks, amongst other things, the safe and efficient flow of traffic movement.

Conclusions

13. For the reasons stated above, I find that the appeal scheme is contrary to the relevant policies of the Development Plan. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR