



Appeal Decision

Site visit made on 18 August 2023

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 19th September 2023

Appeal Ref: APP/N1730/D/23/3323442

13 Robins Grove Crescent, Yateley, GU46 6PS

- 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 Mrs Janet Holding against the decision of Hart District Council.
 - The application Ref 22/02812/HOU, dated 18 November 2022, was refused by notice dated 13 March 2023.
 - The development proposed is retention of outbuilding and trellis above existing gate and fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note in the officer's report that the rear garden has been extended beyond the original boundary to take in some amenity land which ran along the side of the dwelling. A change of use of this land does not form part of this appeal and I have therefore not considered it.
3. During the site visit, the appellant pointed out that a broadband pole was planned adjacent to the appeal property. I asked whether this information had been supplied with the appeal documents, the appellant confirmed that it had not.
4. In order to ensure I was in possession of all facts prior to the determination of this appeal, I requested that the council supply relevant information on the proposed pole, including confirmation that it was to be sited adjacent to the appeal property. The council provided their response to my request, by e-mail on 25 August 2023.
5. The council's response explains that an application for the installation of fixed line broadband electronic communications (10m wooden pole) adjacent to 14 Robins Grove Crescent had been made, but at the time of the request, the application had not been determined by the council. The council made it clear that the proposed pole would not impact or be situated adjacent to the boundary fencing at the appeal site of 13 Robins Grove Crescent. I have therefore determined this appeal on the basis of the decision notice and the case made by the appellant.

Reasons

6. The main issue is the effect of the proposals on the character and appearance of the area.
7. Robins Grove Crescent is a modern development of mainly terraced, two storey dwellings.
8. The dwellings within the street are generally separated by a mix of low fences to the front, with side and rear garden fences being of approx. 1.8m in height and of timber construction.
9. No13 is an end of terrace house where its side boundary faces the street. Both the fence and the lean-to outbuilding (which is attached to the single storey garage) have already been constructed.
10. Saved Policy GEN1 (General Policy for Development) of the Hart District Local Plan (Replacement) 1996-2006 (2002) seeks (amongst other things) to support development that aligns with established character and design.
11. Policy NBE9 (Design) of the Hart Local Plan (Strategy and Sites) 2016-2032 (2020) seeks development that aligns with local character through (amongst other things) the design, height and prominence of the proposed development.
12. The appellant has described the additional timber structure above the existing timber fence as 'trellis'. I do not agree that this structure constitutes trellis and instead agree with the council that it is a substantial timber structure which adds significant mass of the existing fence such that it extends to approx. 2.4m in height. This appears highly visible and incongruous within the street scene.
13. I could also see that in terms of the lean-to outbuilding, the appellant has attempted to use an external facing material that echoes the existing white cladding to the front elevation of the host dwelling. Overall, given its diminutive size and subservient design, I do not consider that the outbuilding is, on its own, harmful to the character and appearance of the area.
14. Whilst I do not find any harm to character and appearance in relation to the outbuilding, I consider that the retention of the fence would result in harm to the character and appearance of area, contrary to Guiding Principles PC1, PC2 and PC4 of the Western Urban Area Character (WUAC) SPD (2012); Policy DM9 of the DP and principles 10.3, 10.4 and 10.5 of the SPD.

Conclusions

15. Given my differing conclusions on the outbuilding and the fence, I have considered whether a split decision would be appropriate in this case. However, as I am not convinced that the two parts are severable (whether physically or functionally), I do not consider a split decision would be possible.
16. For the reasons given and having considered all matters raised, I conclude that the appeal is dismissed.

Sian Griffiths

INSPECTOR