



Appeal Decision

Site visit made on 26 September 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10.10.2023

Appeal Ref: APP/V1260/W/23/3321328

156 King John Avenue, Poole, BH11 9TE

- 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 and Mrs D Todd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/22/01743/F, dated 13 December 2022, was refused by notice dated 7 February 2023.
 - The development proposed was described as '*erection of 1.8m tapering to 1.2m high CB timber fencing along King John Avenue and replacement of 1.8m high unstable brick wall to 1.8m high CB timber fencing side boundary along public footpath*'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made retrospectively and at the time of my visit I saw that the close-boarded timber fence had been erected.

Main Issue

3. The main issue is the effect of the fence on the character and appearance of the area.

Reasons

4. The appeal property is a detached dwelling within a residential estate development comprising broadly similar type properties and opposite a small neighbourhood shopping area and car park. Houses to the south side of King John Avenue, including the appeal property, are recessed behind reasonably deep frontages and with a fairly consistent forward building line.
5. A 1.8m close-boarded timber fence has been erected along the side return boundary of the appeal site facing a pedestrian walkway and which wraps around the front boundary, extending partly in front of the neighbouring property at No 158 where it tapers down in height to 1.2m and encloses a shared driveway for both properties at this point. It is understood the fence replaced a similar height brick wall that originally ran along the side rear garden boundary of the appeal property and a high hedge which enclosed the remainder.

6. I saw during my visit that front garden boundaries along the back edge of the pavement to the south side of King John Avenue are either open plan, marked by verdant hedgerows of various heights, or else have low solid brick or fence enclosures. In some cases, they are a mix of both. To the opposite side, the neighbourhood centre and car park is bounded by low vegetation fronting King John Avenue. As such, I found through the combination of the dwellings' recessed positions and the nature of the front boundaries, the suburban character of the street scene in the vicinity of the appeal site was significantly and pleasingly tempered.
7. In contrast, the boundary fence, particularly where it runs along the King John Avenue frontage, stands out as an atypical and harsh means of enclosure. I share the Council's view that, by reason of its height and solid form, it appears as a jarring intrusion within the street scene and out of context in its setting. The appellants have directed me to some examples in the area of other fences of similar heights, but I saw none in the locality of the appeal site that were comparable in terms of context, setting or visual impact. By failing to reflect the locally spacious and verdant pattern of development, the fence does not display the design standard that is required by Policy PP27 of the Poole Local Plan 2018. For this same reason I find conflict with the National Planning Policy Framework's objectives for achieving well-designed places.
8. I have noted the Highway Authority's support for the development based on the removal of any potential for the previous vegetation to encroach onto the footway. However, vegetation to front boundaries adjacent to the footways is a common feature that contributes significantly to the distinctive character of the area. The maintenance of a hedgerow at a single site is not justification in my opinion for the harm that has been caused. Neither is the degree of support for the development that has been expressed by some interested parties.
9. I have considered the appellants' suggestion of securing a darker colour for the fence by condition, however I am not persuaded that this would soften its appearance to any significant degree.

Conclusion

10. For the reasons given, I find the fence to be harmful to the character and appearance of the area. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR