



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/D1265/D/23/3323600

1 Ashley Drive West, Ashley Heath, Dorset, BH24 2JW

- 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 David Plummer against the decision of Dorset Council.
 - The application Ref P/HOU/2023/01753, dated 4 April 2023, was refused by notice dated 1 June 2023.
 - The development proposed is the installation of 1.8m sound proofing fence along rear garden boundary adjacent to Woolsbridge Road.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of 1.8m sound proofing fence along rear garden boundary adjacent to Woolsbridge Road at 1 Ashley Drive West, Ashley Heath, Dorset, BH24 2JW in accordance with the terms of the application, Ref P/HOU/2023/01753, dated 4 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan dated 04 April 2023, Proposed Boundary Fence Sketch 002 and Block Plan 04-04-23.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a detached dwelling occupying a fairly large corner plot, fronting Ashley Drive West with a side return boundary onto Woolsbridge Road. The area is low-density residential in character, comprising mostly detached homes of mixed ages and appearances on reasonably large plots.
4. The street scene along Woolsbridge Road, and the immediately wider area, is largely verdant. This is derived from a combination of mature vegetation to many properties' boundaries along the back edges of the pavements but also from the dominant presence of trees' canopies overarched the road, many contained within the garden plots, including at the appeal site where a group Tree Preservation Order (SL/18 dated September 1983) protects the mix of mature and prominent trees within the rear garden of No 1.

5. However, the enclosures along the back edges of the pavements are not exclusively green. There are numerous examples evidenced by the appellant with a series of photographs, and which I saw for myself during my visit, of hard boundary fence enclosures of various heights and styles along Woolsbridge Road and the immediate surrounding area, including some comparable in height and length to the appeal proposal. These form part of the street scene and combine with the vegetation in other places to create a strong sense of enclosure to the back edges of the pavements along Woolsbridge Road, which is mixed in form and scale, yet residential in nature, regardless of any particular frontages' treatment.
6. The proposal would replace an existing dilapidated fence enclosure along the rear garden side boundary of the appeal site comprising a mix of low mesh and picket fencing, interwoven with tall and untended vegetation, with a solid 1.8m high close boarded fence with concrete posts.
7. There would be an undeniable change from a verdant to a hard boundary enclosure at this point along Woolsbridge Road that would be openly perceived in the street scene. However, the proposed fence would be domestic in scale and form, reflecting a typical rear garden boundary, with an obvious transition back to a verdant enclosure at the point adjacent to the side elevation of No 1 along the side boundary to the property's frontage. Furthermore, the fence would be no more enclosing along the back edge of the pavement than the existing hedge; there would be no loss of openness. It would merely change the nature of the boundary to an alternative form, and one that, significantly, would not be alien. In addition, the protected trees within the garden of No 1 would remain, along with the contribution they make to the wider verdant characteristics of the area.
8. In light of these considerations, I am satisfied that the change would not significantly impact the character or appearance of the area. As such, there would be no conflict with Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014), which requires development to be compatible with its surroundings. For the same reason I find no conflict with any policies of the National Planning Policy Framework, as was revised in September 2023.

Conditions

9. A condition specifying the relevant plans is necessary as this provides certainty. The Council has suggested a condition specifying the external materials to be used for the fencing. However, these factors are explicitly part of the proposed development and are clearly set out on the plans. Such a condition would not therefore be necessary.

Conclusion

10. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR