

Appeal Decision

Site visit made on 21 September 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/W1525/D/23/3322559

55 Kings Road, Chelmsford, Essex CM1 4HR

- 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 Miss Jade Williams against the decision of Chelmsford City Council.
 - The application Ref 23/00339/FUL, dated 24 February 2023, was refused by notice dated 2 May 2023.
 - The development proposed is 6ft fencing to the front of property boundary fencing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the boundary fence has been erected, I have dealt with the appeal on the basis that it involves an application for retrospective planning permission.
3. The original description of development is provided in a more succinct form in the appeal form. Therefore, the above description reflects the amended description shown on the appeal form.

Main Issue

4. The main issue is the effect of the fence that has been erected on the character and appearance of the street scene.

Reasons

5. The appeal property is a two storey semi-detached dwelling located on a corner plot facing the junction of Kings Road with Corporation Road. No 55 is set on a generous plot with relatively large rear and front gardens. Neighbouring dwellings are largely semi-detached properties, with flats and a school on opposite sides of the road junction.
 6. Policy DM23 of the Chelmsford Local Plan (2020), concerning high quality and inclusive design, states that planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to, amongst other matters, boundary treatments.
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7. From the photographs provided, the curved front boundary was previously enclosed by a low level post and wire fence, allowing views of the front garden. This was in keeping with the characteristic boundary treatments to the majority of residential properties in the surrounding area, in the form of low level hedges or timber fencing.
8. The fence that has been erected to the front boundary comprises some 18 metres of 1.8 metre high close-boarded timber fencing with concrete posts and gravel boards. This type of boundary treatment is typically found to rear garden boundaries and its uncharacteristic effects in this location are apparent both in its own right and by comparison with the different boundary treatments to the front of properties in the surrounding area.
9. Due to the prominent corner position of No 55 the fence is highly visible within the street scene, from which views it is an incongruous and dominant feature to the front of the appeal property. As such, it detracts from the street scene and contrasts unfavourably with the surrounding properties, contrary to the requirements of Policy DM23.
10. I acknowledge the appellant's concerns about security, but these are not sufficient to overcome the harm found above. In particular, other properties have retained low level front boundaries and the appeal property benefits from a relatively large enclosed rear garden.
11. Therefore, for these reasons, I conclude that the fence has an unacceptably harmful effect on the character and appearance of the street scene. Consequently, it is contrary to Policy DM23 of the Chelmsford Local Plan, described above. It is also contrary to the National Planning Policy Framework, which advocates good design.

Conclusion

12. For the reasons given it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR