



Appeal Decision

Site visit made on 30 May 2023

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/Q0505/D/22/3310215

2A Ashwood, Downhams Lane, Cambridge, Cambridgeshire CB4 1XT

- 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 Phil Eade against the decision of Cambridge City Council.
 - The application Ref 22/03436/HFUL, dated 28 July 2022, was refused by notice dated 7 October 2022.
 - The development proposed is replace existing boundary 3 foot high fencing with 6 foot high hit & miss fencing. Increase vehicle access visibility splay.
-

This decision is issued in accordance with section 56(2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 6 June 2023.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Phil Eade against the decision of Cambridge City Council. This application is the subject of a separate decision.

Main Issues

3. The main issues in this appeal are the effects of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a modern semi-detached dwelling located in a residential area. Within the area are a mix of front boundary treatments. Low timber fences and hedges provide a sense of openness and allow views of dwelling frontages and gardens which contribute visual interest, while sections of taller hedges and occasional trees add greenery to the street scene.
5. The proposed fence would be constructed from high-quality 'hit and miss' panels which would allow glimpsed views between slats. However, the overall effect of the fence would be to obscure views of the front of the dwelling from the street and reduce the generally open character of the area.
6. An existing low timber fence spans the front boundaries of the appeal property and adjoining dwelling. The proposed fence would be twice the height of, and thus appear significantly taller than the adjoining dwelling's front fence. Due to its height, the proposed fence would appear visually dominant in the street scene.

7. Opposite the appeal site is a section of tall timber fence along the side boundary of 215 Milton Road. Likewise, the side and rear garden of the appeal property is surrounded by a tall timber fence. Therefore, whilst some tall fences are visible within the street scene, these serve to enclose rear gardens where there is a greater expectation of privacy and are not present at front boundaries. Therefore, due to its height and appearance, the proposed fence would appear out of keeping with the area's front boundary treatments which contribute to the spacious, suburban character of the area.
8. For these reasons, the proposal would harm the character and appearance of the area. The proposal would conflict with Policies 55 and 56 of the Cambridge Local Plan 2018 which together require that development proposals are informed by local characteristics, including through its form and materials, responds positively to its context, and improves public realm.

Other Matters

9. A previous application¹ which included erection of a 1.8m perimeter fence was refused by the Council solely on grounds of harm to highway safety. The delegated report for that application concluded the proposal as a whole would not cause a detrimental impact upon the character and appearance of the area. Following the Council's refusal, the appellant sought professional advice to revise the scheme and overcome the issues of conflict with highway safety. The Council's findings in respect of the previous scheme do not outweigh my conclusion that the appeal proposal would harm the character and appearance of the area and would thus conflict with the development plan. However, I have considered matters of consistency in the Council's decision-making in the separate costs decision.
10. The appellant suggests the proposal would provide greater privacy, particularly into the kitchen in the front of the dwelling. The appeal property is set back from the pedestrian footway by a front garden and driveway. The siting of the appeal property is therefore typical for a residential area and the evidence before me does not suggest the occupants of the appeal property experience an inadequate standard of privacy.
11. The appellant indicates they have been a victim of crime through the theft of electric bikes from the shed in the front garden. It is not clear what additional security the fence would provide, nor why improved security could not be achieved by alternative measures without harm to the character and appearance of the area, and thus security concerns do not outweigh the harm I have identified above.

Conclusion

12. For the reasons given above, having assessed the case against the development plan taken as a whole and having had regard to all other relevant material considerations, I conclude the appeal should be dismissed.

E Dade

INSPECTOR

¹ LPA reference: 21/02826/HFUL