



Appeal Decision

Site visit made on 12 September 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2023

Appeal Ref: APP/D1780/D/23/3320348

90 Wadhurst Gardens, Southampton SO19 9QR

- 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 Julie Liepa against the decision of Southampton City Council.
 - The application Ref 22/01512/FUL, dated 2 November 2022, was refused by notice dated 1 March 2023.
 - The development proposed is replacement of 1.2 metre fence to 2 metre fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has not submitted scaled drawings showing the proposed fence. The description of the development on the application form confirms that the proposed fence would be 2 metres tall, and it has been described in the appellant's appeal statement as consisting of concrete posts and plinths with ship lap timber. It would include a 6 foot wooden gate. In the interests of clarity, I shall determine the appeal on the basis of these details.

Main Issue

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

Reasons

4. 90 Wadhurst Gardens is a flat within a block located in a residential suburb of Southampton. The block of flats is on the end of a row of four attached blocks. The flat has its own garden to the front, which is currently surrounded by a 1.2 metre high fence that is in a state of disrepair.
5. The built environment of the wider area is predominantly made up of a similar style of blocks of flats with a similar layout of gardens around the individual blocks. The gardens serving these properties have boundaries of varying types. There is a noticeable proliferation of high timber fences in the local area. Although I have limited details on the planning context of other fences, it is clear that the widespread use of high timber fences on the residential estate forms a part of the character and appearance of the local area.
6. Adjacent to the appeal site is a shop. This has a storage compound that is next to the garden of the appeal site, separated by a footpath. The compound is surrounded by tall metal palisade fencing that is prominent in the foreground of the appeal site when standing on Tickleford Drive.

7. Taking into account the surrounding visual context of high timber fences on the estate, including at the neighbouring residential property, and the presence of prominent palisade fencing close to the appeal site, I consider that an increase in height of timber fencing around the garden of 90 Wadhurst Gardens would not be out of keeping with the boundary treatments of the local area.
8. However, the majority of high timber fences in the immediate surroundings of the appeal site appear to be lower than 2 metres in height and they have been constructed without concrete posts and plinths. The combination of the height of the proposed fence and bulky elements like concrete posts and plinths, which do not weather in the same way as timber, would result in development that is more visually dominating and bulky than its residential surroundings. There would be a negative impact on visual amenity.
9. For these reasons, the proposed height and construction materials of the proposed fence, as described, would result in material harm to the character and appearance of the area. Consequently, the proposal would conflict with Policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan (Revised 2015) and Policy CS13 of the Local Development Framework Core Strategy Development Plan Document Amended Version incorporating the Core Strategy Partial Review March 2015, which collectively seek, in part, to avoid harm to the visual amenity, character and appearance of an area through the use of appropriate scale, massing, design and materials. Additionally, the proposal would conflict with the National Planning Policy Framework (the Framework), which seeks, amongst other things, for development to be sympathetic to local character.

Other Matters

10. The appellant has explained that the increase in height of the boundary treatment around the garden is needed to contain their dog and it would help prevent litter that gets deposited in the garden. Additionally, it is stated that it would create a more secure environment at the property. They also contend that it would improve their outlook and reduce noise disturbance. I acknowledge these benefits to the appellant, but I have not been provided with substantive evidence that a less harmful form of development could be provided that would also achieve the same benefits.

Conclusion

11. For the above reasons, and having regard to all other matters raised, the proposed height and construction materials of the proposed development would result in material harm to the character and appearance of the area. The proposal therefore conflicts with the adopted development plan, when taken as a whole, and the Framework. Accordingly, I conclude that the appeal should be dismissed.

K Reeves
INSPECTOR