



Appeal Decision

Site visit made on 18 October 2023

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 02.11.2023

Appeal Ref: APP/L2440/D/23/3328228

9 Manor Road Extension, Oadby, Leicestershire LE2 4FG

- 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 Varinder Deol against the decision of Oadby and Wigston Borough Council.
 - The application Ref 23/00133/FUL, dated 30 March 2023, was refused by notice dated 2 June 2023.
 - The development proposed is installation of front and side boundary walls, gates and railings and extension of existing drop kerb.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the determination of the application, the council amended the description of development. I have used the description from the decision notice as it is more accurate.
3. I note from the officer's report that during the application, the appellant submitted further 'alternative' plans for informal consideration. As these plans were not subject to formal submission and consultation, I have not taken account of them and have determined this appeal on the basis of the original plans submitted with the application.

Reasons

4. The main issue is the effect of the proposals on the character and appearance of the area.
5. Manor Road Extension is a tree-lined residential street with a strong suburban character. It is generally made up of detached two storey houses set in their own plots, with front gardens and driveways set behind a footway and verge. Front boundaries are generally made up of hedgerow, fences, low walls, railings or no formal boundary at all.
6. The appeal proposals would result in the replacement of the existing low wall and replacement with new walls and railings, gate pillars and electric gates with a sliding mechanism.
7. Policies 6 (High Quality Design and Materials) and 44 (Landscape and Character) of the Oadby and Wigston Local Plan (2019) (LP) both seek to

secure development which respects and reflects the prevailing quality and character and appearance of the area within which it sits. This includes the use of similar materials and design.

8. The Residential Development Supplementary Planning Document (2019) (SPD) seeks new development that would have a positive relationship with its surroundings. Importantly, it also states that *'fences and walls can have many functions'* and that the use of them abutting the highway should *'be restricted to 1m high unless the wall/fence is set back from the boundary by a metre and a landscape screen or hedge is grown in front of it. Railings may be permitted along the boundary provided a landscaping scheme of the same or greater height is allowed to grow through them'*.
9. The appellant has raised a number of examples of other properties in the same street that have had electric gates and gate pillars that appear to be higher than the 1m limit set out in the SPD. However, I agree with the council that the considerable hedgerows that also feature on these properties softens the railings and pillars significantly. The appellant also highlights a property at Half Moon Crescent, however, that is a different street. Notwithstanding this, I have determined this appeal on its own merits.
10. As a result, I consider the proposals would not accord with policies 6 or 44 of the LP, nor the relevant parts of the SPD.

Other Matters

11. I note that the appellant has cited 'several break-ins in the Oadby area' as being a reason for the appeal proposals being necessary. Whilst this may be the case, I have not been provided with any evidence to support this claim.
12. I have also considered whether a planning condition could deal with the potential for a 'screen of vegetation' to be planted. However, for the same reason the appellant cannot accommodate the boundary with a setback of 1m, I agree with the council that this would not then leave enough space to grow and maintain sufficient hedgerow.

Conclusions

13. For the reasons given and having considered all matters raised, I conclude that the appeal is dismissed.

Sian Griffiths

INSPECTOR