



Appeal Decision

Site visit made on 24 October 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06.11.2023

Appeal Ref: APP/U4610/D/23/3324924 5 Oakford Drive, Coventry, CV5 7PP

- 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 Ronald Dixon against the decision of Coventry City Council.
 - The application Ref PL/2022/0000209/HHA, dated 16 December 2022, was refused by notice dated 20 April 2023.
 - The development proposed is the removal of wooden fence and replacement with brick wall.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of wooden fence and replacement with brick wall at 5 Oakford Drive, Coventry, CV5 7PP in accordance with the terms of the application, Ref PL/2022/0000209/HHA, dated 16 December 2022, 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: Site Location Plan_V5, Existing Block Plan_V5, Proposed Block Plan_V5, Elevations and Section_V5, Plans_V5, and Elevations and Section_V5 (Proposed).
 - 3) The materials to be used in the construction of the external surfaces of the brick retaining wall hereby permitted shall match those used in the existing building at 5 Oakford Drive.

Main Issue

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

Reasons

3. The appeal property is a detached house occupying a corner plot on a short limb of Oakford Drive that runs east to west and where it turns through 90 degrees to terminate in a cul-de-sac in both directions. The side boundary of the appeal site runs along the pavement to the southern cul-de-sac. The side gable to No 5 is set back from the pavement with the plot's rear garden fence projecting from the rear corner of the building and aligned with the dwelling's side elevation. The intervening space between the pavement and the site's

enclosure comprises a landscaped verge within the appellant's ownership and measuring approximately 2.1m wide. The proposal would see the 1.7m high close-boarded fence realigned by stepping out towards the pavement by 1.4m in line with the dwelling's rear elevation and extending for a length of 6.6m where it would kick back at a right-angle to connect with an existing splayed fence to the rear of the site and which is adjacent to the side boundary of 7 Oakford Drive. The new fence would be supported above a new, low retaining wall measuring 300mm in height.

4. Oakford Drive is part of a wider residential estate development with a verdant and spacious feel. This is derived from a combination of factors including the dwellings' open plan and largely soft landscaped frontages, pockets of roadside grass verges and the sweeping alignments of the roads. In my assessment, the area's success comes from the absence of any significant regimentation or obvious consistency to the development pattern where houses follow no specific building lines and the planting varies from place to place in terms of size, arrangement, and type.
5. The proposal would narrow the landscaped strip to the side of No 5 in part. However, the existing planting to the side gable of the property and which merges with the plot's open plan frontage would remain and seen to be appreciated along with the greensward on this corner when looking south from Oakford Drive towards the appeal site. When looking north towards the site, planting in front of the existing splayed rear fence would also be visually dominant. There would be some loss of planting to the side rear garden boundary, where the alignment of the fence would change. But a strip measuring 700mm wide would remain. In my view this would be adequate to maintain a soft edge between the pavement and garden enclosure, and one that would be in-keeping with the ad-hoc arrangement of buildings and landscaping in the area. Furthermore, the fence and low wall would be entirely residential in scale and form, and reflective of others enclosing the rear gardens of corner plots elsewhere in the estate, particular examples being at the entrance to High Beech with boundary fence enclosures directly adjacent to the back edges of the pavements on both sides. Given their form and function, these did not appear to me as being out of place within the residential context of their setting.
6. Overall, I am satisfied that the proposed realignment of the fence over a new retaining wall would not be harmful to the character or appearance of the area. Accordingly, I find no conflict with Policy DE1 of the Coventry Local Plan 2017 which requires new development to respect and contribute towards the local identity and character of the area. For the same reason I find no conflict with the National Planning Policy Framework's objectives for achieving well-designed places.

Conditions

7. A condition specifying the relevant plans is necessary in order to provide certainty. A condition requiring the external materials used to match those on the existing building, as suggested by the Council, is reasonable as far as it would relate to the brickwork for the new wall, which is necessary in the interests of maintaining the character and appearance of the area. The Council has not suggested any further conditions in the event of the appeal succeeding.

Conclusion

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

John D Allan

INSPECTOR