



Appeal Decision

Site visit made on 21 November 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07.12.2023

Appeal Ref: APP/N1730/D/23/3329728

18 Squarefield Gardens, Hook, Hampshire, RG27 9QH

- 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 Richard Pickard against the decision of Hart District Council.
 - The application Ref 23/00874/HOU, dated 13 April 2023, was refused by notice dated 30 June 2023.
 - The development proposed is to replace 1.9m high fence to rear boundary with a 3m high fence.
-

Decision

1. The appeal is allowed and planning permission is granted to replace 1.9m high fence to rear boundary with a 3m high fence at 18 Squarefield Gardens, Hook, Hampshire, RG27 9QH in accordance with the terms of the application, Ref 23/00874/HOU, dated 13 April 2023, 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: Location Plan 1:1250 @ A4, Site Plan 1:500 @ A4, Elevation Drawing 1: Current Fence, and Elevation Drawing 2: Proposed Fence.

Procedural Matter

2. I have used the description given by the Council on their decision notice. This is an accurate but far more succinct description compared with that which was given on the application form.

Main Issue

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

Reasons

4. The appeal property is a detached dwelling at the end of a row of similar dwellings within a residential cul-de-sac development. Its rear garden boundary is marked by a 1.9m high close boarded fence. Beyond this is a vegetated strip, with informal planting comprising low level scrub and taller mature trees, adjacent to a footpath along the A30 London Road close to a

roundabout junction. On the opposite side of the A30 is a new, recently constructed supermarket and car park.

5. The proposal would see the boundary fence raised by just over 1m to a height of 3m. The appellant has argued that the additional height is required to shield sight of the orange glow from the supermarket's internally illuminated named logo, which stands proud of its roof some approximately 108m away from the appeal property's rear elevation, according to a figure provided by the Council. I saw during my daytime visit the signage was clearly visible above the existing fence line, and through vegetation beyond, in the outlook from the property and from its rear garden.
6. The Council argues that the fence is in a prominent position. I disagree. It is set behind vegetation, and merges with it in an inconspicuous manner. The fence, along with similar height fences to other neighbouring properties, can be seen from the footpath along the London Road, but only in the background as a fragmented form, in a recessed position, and not as a feature that stands proud or well-defined within the street scene.
7. Although the height of the proposed fence would go beyond that normally associated with a domestic enclosure, as with the existing it would retain a recessed position, merging with the foreground vegetation, regardless of seasonal changes, and well below the height of the tallest foliage. It would stand neither proud nor well-defined within the street scene. As such, I find that its scale would not appear discordant or obtrusive within its immediate setting, or when seen in the wider context of its surroundings. Consequently, there would be no harm to the character or appearance of the area and no conflict with Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032, Saved Policy GEN1 of Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006, or with Policy HK12 of the Hook Neighbourhood Plan 2018-2032 as far as they all deal with the quality of design and their requirements for development to respect local character.

Conditions

8. A condition specifying the relevant plans is necessary in order to provide certainty. The Council has suggested a condition that would require the materials to be used in the construction of the external surfaces of the development to match those used in the existing building. However, the proposal is clearly for a new fence with the materials explicitly stated on the application form and accompanying drawings. No such condition is necessary.

Conclusion

9. For the reasons given, I find that there would be no harm to the character or appearance of the area. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR