



Appeal Decision

Site visit made on 22 December 2023

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2024.

Appeal Ref: APP/V0510/D/23/3327875

1A Jenyns Close, Bottisham, Cambridgeshire CB25 9DS.

- 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 Miss Nicola Early against the decision of East Cambridgeshire District Council.
 - The application 23/00522/FUL, dated 30 April 2023, was refused by notice dated 5 July 2023.
 - The development proposed is replacement of existing wall and hedge with a 2m high fence.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the period since the appeal was submitted the Government has published a revised version of the National Planning Policy Framework. None of the changes are relevant to this appeal but I have used the paragraph referencing from the new Framework in my decision below.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and surroundings on Lode Road.

Reasons

4. The appeal property sits on the north side of Jenyns Close and is a modern detached property constructed in buff brick and tile. It is a corner plot with frontage to Jenyns Close and Lode Road. The boundaries to Jenyns Close and Lode Road are formed by evergreen hedging and on the Lode Road frontage there is a dwarf red brick wall comprising 5-6 courses and coping stones.
5. Frontage treatment on Lode Road is a mixture of low brick walling, hedging, shrubs and trees which establishes a green character to the street scene. The houses to the north of the appeal site for some distance all have a similar pattern of frontage boundary treatment to the appeal site comprising low brick boundary walls and brick piers facing Lode Road.
6. I have been referred to other properties in the area with timber fencing which the appellant considers justifies the appeal proposal. However, from my observations on site, the fence at No 52 Lode Road is not comparable as it is in a less prominent position away from the Lode Road frontage and a different construction to that proposed on the appeal site. I acknowledge that there is another example of a timber fence to the north on the west side of Lode Road but this close boarded

fence only serves to demonstrate the adverse impact of this sort of structure on the character of Lode road. It is not a reason to justify similar fences elsewhere. I will therefore determine the appeal proposal on its own merits.

7. The removal of the current boundary treatment on the Lode Road frontage and its replacement with 2 metre high timber fencing would result in the loss of part of the established green character of Lode Road in an extremely prominent position. In views both ways along Lode Road the timber fence, regardless of any potential colour treatment, would appear as a hard, dominant and intrusive feature in the streetscape in a similar way to the frontage fencing further north on the west side of Lode Road.
8. It has been put to me that the change is necessitated by the condition of the brick wall and the hedging which is now leaning. From my observations on site whilst there is some erosion to the face of the brickwork it did not appear to affect the structural integrity of the dwarf wall. Moreover, whilst I accept the hedge is leaning closest to the southern corner of the plot I am not persuaded that this could not be resolved and no evidence has been presented to suggest otherwise.
9. The Framework at paragraph 131 sets the creation of high quality buildings and places as fundamental to what the planning and development process should achieve. At paragraph 135 planning decisions should ensure, amongst other things, that development would add to the overall quality of the area, be visually attractive, and be sympathetic to local character and in these respects the proposal fails. Policy ENV1 of the *East Cambridgeshire Local Plan* (ECLP) reflects the Framework in requiring development to have a complementary relationship with existing development in terms of a number of design factors including edge treatments. Policy ENV2 goes on to require all development to be designed to a high quality enhancing and complementing local distinctiveness and public amenity by relating well to existing features and that design which fails to have regard to local context should be refused. For the above reasons i.e. the frontage positioning, height, prominence, design and proposed materials the fence would have an unacceptable impact on the established character and appearance of Lode Road.

Other Matters

10. I understand the appellant's wish to have a secure boundary and privacy to the garden area. However, the existing boundary treatment already achieves this and as stated paragraph 135c in section 12 of the Framework requires that development should be sympathetic to local character including the landscape setting.
11. It has been put to me that there have been no neighbour objections to the proposal but as the proposal principally affects the street scene on Lode Road rather than neighbouring properties this is not unusual. The absence of neighbour objection does not automatically make the proposal acceptable in terms of the impact on the public realm.

Conclusion

12. In reaching my decision I have had regard to the matters before me but for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR