



Appeal Decision

Site visit made on 17 January 2024

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th January 2024

Appeal Ref: APP/B1740/D/23/3325893

10 Hemming Close, Totton, Hampshire SO40 9DG

- 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 Rebecca Farmery against the decision of New Forest District Council.
 - The application Ref 23/10245, dated 3 March 2023, was refused by notice dated 22 May 2023.
 - The development proposed is described as: To remove 15ft high x 6ft wide conifer bushes (that are dead/untidy) and replace with garden wall (white rendered) with anthracite grey railings at front of property to match house.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Forming a corner plot fronting Hemming Close and Lackford Avenue, the appeal site is a reasonably prominent feature in public views. There are some examples of relatively high fences and walls in the surrounding area, such as at the adjoining property and some corner plots, including the five that my attention has been drawn to, all of which I observed on my site visit. However, the majority of properties in the surrounding area have low-level brick walls fronting the highway, with taller planting providing screening as required, as was the case at the site prior to the works having begun. The few examples of higher fences and walls do not therefore change the surrounding area's distinctive open character and consistent appearance, which the low boundary walls and planting positively contribute to.
4. The proposed rendered wall with anthracite metal railings/fencing on top would abut the highway and be 1.5 to 2 metres high. Its height, position and materials mean that it would read as a prominent, dominating and incongruous feature. Rather than respecting or contributing positively to the locality's visual quality, it that would erode the area's open, consistent nature. The plot's position, the presence of taller boundary treatments at some other corner plots and the proposed materials matching the house do not lead me to a different conclusion. In coming to this view, I have also taken into account the submitted examples of walls and fences; that the hedge on the site is larger than the proposed wall and fence; that neighbours have commented on how

much better and lighter the Close looks since some of the bushes have been removed; and that the hedge is said to be unsightly and cannot be cut back because it is dead in the middle.

5. For the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area. I therefore find that it conflicts with Policies ENV3 and ENV4 of the Local Plan 2016-2036, Part One: Planning Strategy. Amongst other aspects, these seek high-quality development that contribute positively to distinctive local character.

Other matters

6. A number of alternatives have been put to me, such as changing the proposed boundary treatment to a low wall with fence on top or a 6 foot high fence/rendered wall. Although the appellant also suggested such changes to the Council, the planning application was determined based on the drawings submitted with the appeal. I have done the same. Should the appellant wish to pursue a different scheme, then the appropriate course of action would be to pursue this outside of the appeal process.
7. It has been put to me that people would have direct access to the shed, garden and back of the house without the development. However, the evidence before me indicates that the existing fence already prevents direct access to the shed and side/back garden whilst the submitted drawings do not show that the development would make the front garden space and rear of the property inaccessible. Although the proposed development would provide privacy, planting can also provide a similar level of privacy, as was the case before the hedge was partially removed and as per other properties in the locality.

Conclusion

8. I have found that the proposed development would harm the character and appearance of the surrounding area. The evidence before me and the conflict I have identified with the above policies leads me to conclude that the proposed development conflicts with the development plan as a whole. There are no material considerations which carry sufficient weight to warrant a decision otherwise than in accordance with it. The appeal is therefore dismissed.

T Gethin BA (Hons), MSc, MRTPI

INSPECTOR