

Appeal Decision

Site visit made on 1 February 2024

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16.02.2024

Appeal Ref: APP/P0119/D/23/3333473

41 Robel Avenue, Frampton Cotterell, BS36 2BY

- 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 Martin Whyte against the decision of South Gloucestershire Council.
 - The application Ref P23/02384/HH, dated 15 August 2023, was refused by notice dated 23 October 2023.
 - The development is the erection of 1.92m high garden fence and gate to increase privacy of residential curtilage.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the development on the character and appearance of the area.
 3. The property is within a mature residential area, with bungalows and houses set back from the road. I saw there are predominately hedgerows and low fences or walls along boundaries that front the highway. These boundary treatments are important in providing a leafy and open character to the area.
 4. The development has been partly implemented. The fence along the Western Avenue frontage does not respect this character due to its position and height. It is very visible in the area due to the corner position, leading to long views along Western Avenue and Robel Avenue. The position, length and height of the fence encloses these views and reduces the sense of openness at an important corner site in the residential area.
 5. Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP1 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017 (PSPP) seek to ensure, amongst other matters, that all development is informed by and respects the character of a site and its context. Policy PSP38 of the PSPP further states that development in residential curtilages must respect boundary treatments and landscaping of the surrounding area. The fence does not satisfy these requirements, and so is contrary to the development plan.
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6. I acknowledge the appellant's desire to improve privacy and security. However, I must balance this against other matters and, as noted, the Council's adopted development plan requires all development to respond to the character of the area, in the wider public interest. In my view the harm to the area, and consequential conflict with the Plan, outweighs the personal circumstances of the appellant. The appeal is therefore dismissed.

C J Leigh

INSPECTOR