



Appeal Decision

Site visit made on 4 March 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2024

Appeal Ref: APP/D1835/D/23/3336188
128 Columbia Drive, Worcester, WR2 4XQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant retrospective planning permission.
 - The appeal is made by Mr Michael Adair against the decision of Worcester City Council.
 - The application Ref 23/00805/HP, dated 2 October 2023, was refused by notice dated 27 November 2023.
 - The development proposed is the re-location and extension of the existing fence to the site boundary to enclose rear garden.
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Decision

1. The appeal is dismissed.

Procedure

2. The retrospective nature of this appeal does not affect the manner in which the planning issues have been considered.

Planning Issues

3. The main issue is the effect of the disputed fence on the character and appearance of the street scene of Columbia Drive and of No 128 itself.
4. It is also appropriate to take into account the effect on the amenity of nearby homes with respect to their outlook and on the safety of pedestrians using the footway, as well as the personal circumstances of Mr Adair and his family.

Reasons

5. The street scene of Columbia Drive is characterised by largely open-plan house frontages, in compliance with a local covenant, albeit the covenant is not itself a planning consideration material to this appeal.
6. Nevertheless, there are several examples of existing approved boundary fences along the Drive. At Nos 124a, 130, 138 and 140 there are tall side fences enclosing rear parts of those properties. In each case, the fences are either set back from the edge of the footway with an intervening planting strip or are softened in appearance by weathering or an applied finish, or both. Overall, they avoid undue dominance and appear integrated within the prevailing mature and visually harmonious streetscape.
7. In contrast, the disputed 1.8m solid fence at No128, standing hard against the back of the footway, appears as a stark, incongruous and alien feature. I do not consider that any amount of weathering or applied finish, to subdue its visual impact, would be sufficient to make it acceptable due to its prominent

- location. As a result, the fence is significantly harmful to the character and appearance of the Columbia Drive street scene.
8. For this reason, the fence is in unacceptable conflict with the relevant Policy SWDP21 of the adopted Development Plan, which is consistent with national policy and supported by the adopted Supplementary Design Guide, in particular its paragraph 8.3.32 on boundary treatment. This, alone, warrants dismissal of the appeal.
 9. Moreover, the fence appears even to dominate the bungalow at No128, adding weight to the case against its retention as built.
 10. In addition, regarding amenity, the fence appears to me to be detrimental to the outlook from dwellings opposite on Albert Close, further supporting dismissal.
 11. I do not agree with the suggestion by the Council that the fence is so oppressive to passing pedestrians that it causes a 'tunnelling effect', given the reasonably adequate width of the footway at this point. Nor do I see any serious risk to driver visibility and road safety, given the urban surroundings and relatively low traffic volumes and speeds.
 12. Finally, with respect to the personal circumstances of the current residents, the stated reason for the extended fence is to provide a secure boundary to the side and rear of the property, and allow the owners to use and enjoy their home and garden fully. That is certainly a material planning consideration but, on a balance of judgement, it does not outweigh the substantive planning objections I have identified.
 13. For these reasons I conclude that this appeal should be dismissed.

B J Sims

INSPECTOR