

Appeal Decision

Site visit made on 14 March 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25.03.2024

Appeal Ref: APP/P2114/W/23/3329597

39 Clarence Road, Wroxall, Ventnor PO38 3BY

- 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 J Gustar against the decision of the Isle of Wight Council.
 - The application, Ref. 23/00948/FUL, dated 23 May 2023 was refused by notice dated 24 July 2023.
 - The development proposed is described as 'the retention of timber fencing to front of property'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is for the retention of the timber fencing, but as 'retention' is not technically classified as 'development' I have dealt with the appeal as being against a refusal of retrospective permission for its erection.

Main Issue

3. The main issue is the effect of the fencing on the character and appearance of the host dwelling and the Clarence Road street scene.

Reasons

4. I saw on my visit that this part of Clarence Road is a through road in Wroxall that has linear residential development on both sides. The appeal property is at a slight bend on the western side of the road, and although the dwellings on the this side are varied in size, type and design, there are common denominators in the form of a relatively shallow front building line and a low frontage stone or brick wall to the pavement.
 5. These features effectively give the street scene on the west side an open character whereby the boundaries and front gardens are read with the dwellings as making a positive contribution to the character and appearance of the area. In addition to the photographs submitted as evidence, Google street view imagery dated March 2021 also shows that the low stone wall, the two front lawns and the large bushes of the appeal dwelling were at that time particularly effective in complementing the front elevation of No. 39 and showing the building as a handsome Victorian property in a pleasant setting.
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6. From entering the front garden I am aware that the erection of the 2m high or thereabouts close-boarded timber fencing has given the appellant privacy that was previously absent and I recognise that this can reasonably be regarded as improvement to the living conditions at the dwelling. However, in my view the featureless and utilitarian appearance of the fence; its considerable frontage length; the return along both sides, and the resulting enclosure of the front garden combine to significantly diminish the quality of the character and appearance of both the dwelling as perceived in the street scene and a significant stretch of the road from which No. 39 is visible.
7. The grounds of appeal have drawn my attention to other examples of fencing in the area. The visual impact varies and I acknowledge that they do illustrate the variety of boundary treatments in the area. However, the examples at a Clarence Road property 114m to the south and at the St John's Road / Station Road junction appear to me to be especially unfortunate. And combined with the fact that the majority of front gardens to either side of No. 39 remain open, I consider that it would be inappropriate to regard them as precedents for the appeal proposal.
8. As in my assessment the erection of the boundary fencing is demonstrably harmful to the character and appearance of the host dwelling and the Clarence Road street scene, it follows that there is a clear conflict with Policy DM2 of Island Plan Core Strategy 2012 and with Government policy in Section 12: 'Achieving Well-Designed and Beautiful Places' (as revised December 2023).
9. For the above reasons the appeal fails.

Martin Andrews

INSPECTOR