



Appeal Decision

Site visit made on 16 April 2024

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 MAY 2024

Appeal Ref: APP/E2530/D/23/3334832

38 Corby Road, Swayfield, Lincolnshire NG33 4LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Mills against the decision of South Kesteven District Council.
 - The application Ref is S23/1526.
 - The development proposed is alterations to boundary treatment / means of enclosure.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to boundary treatment / means of enclosure at 38 Corby Road, Swayfield, Lincolnshire NG33 4LQ in accordance with the terms of the application, Ref S23/1526, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: PL/A1/701 *Site Plans*; and PL/A1/702 *Proposals*.
 - 2) Within three months of the date of this permission, the boundary fence as depicted on drawing ref PL/A1/702, shall be reduced in height in accordance with the submitted details.
 - 3) All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the date of this permission; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Preliminary Matters

2. At time of my site visit, a timber fence of similar appearance to the appeal proposal spanned the site's boundaries with the High Street and Corby Road. The proposal differs from the current sited fence insofar as the section facing Corby Road would be reduced in height and would provide additional planting. The planning history for the site indicates the fence has been sited without planning permission, and therefore I have determined the proposal on the basis of the submitted plans.
3. The appellant is of the view that the section of fence at the boundary to the High Street is permitted development. However, the site boundary encompasses no 38's plot, and the extent of the fence is demarcated on the plans. In my decision, I have therefore considered the fence as a whole.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site comprises a detached bungalow within a corner plot at the junction of Corby Road and High Street. Whilst there are agricultural buildings to the north and a bowling green to the south, the surrounding area mainly comprises modern detached houses and bungalows in spacious plots.
6. No 38 is sited perpendicular to Corby Road with its rear elevation oriented toward the High Street. The front of the dwelling is accessed from Corby Road, and land between no 38's rear elevation and the High Street forms the dwelling's back garden. The siting of no 38 therefore differs from surrounding dwellings which typically face Corby Road or High Street, with their rear gardens situated away from the highway.
7. Corby Road has a pedestrian footway on one side and is narrow and rural in character. There are a mix of boundary treatments to dwelling frontages. Mature hedges provide the main boundary treatment along site frontages to the High Street and contribute a verdant, green character to the area.
8. The submitted plans propose no alterations to the section of fence which has been sited at the boundary with the High Street without consent. Therefore, during my site visit I was able to observe the appearance of the boundary treatment, as proposed.
9. This section of the fence sits behind a wide, grassed highway verge and a hedge along the site boundary. Whilst the hedges appear to have been recently planted, some specimens exceed the height of the fence. The top section of the fence is visible through gaps in the foliage, with the lower section obscured by foliage. The hedge appears to be thriving and therefore would be expected to conceal the fence from view from the High Street in the short to medium term, and thus would maintain the green character of the street scene.
10. On the approach to the site from the west, views of the proposed section of fence along the boundary to Corby Road would be generally limited to the area close to the site's frontage. However, this section of fence would be visible looking east along Corby Road from the junction with the High Street.
11. The proposed fence along Corby Road would comprise a 1m tall solid timber section with a 0.6m trellis atop. The overall height of the fence would be lower than nearby hedgerow boundary treatments, and therefore would not appear visually dominant within this context.
12. The trellis section would be visually permeable and would minimise the perceived bulk of the top section of the proposed boundary treatment and would not appear out of keeping within the area's residential character.
13. The proposal also includes planting of hedging along Corby Road, in addition to existing shrubs. The height and density of vegetation would serve to screen the solid timber section of fence, particularly in views from the road junction.
14. Whilst the use of vegetation to mask the visual effects of development would not be appropriate in all circumstances, boundary planting is a characteristic of

the street scene in the area. Establishing a hedgerow along the site boundary would provide a continuation of the existing mature hedge which runs along the frontage of the adjacent bowling green. This would reinforce local distinctiveness and assimilate the proposed fence into the street scene.

15. For the reasons set out above, I conclude the proposal would not harm the character and appearance of the area.
16. The proposal would therefore comply with Policy DE1 which requires proposals make a positive contribution to local distinctiveness and character, reinforce local identity, and provide well designed soft landscaping, without adverse impact on the street scene. In addition, the proposal would satisfy paragraph 135 of the National Planning Policy Framework which requires proposals be sympathetic to local character, built environment and landscape setting.

Conditions

17. In the interests of certainty, I have attached a condition specifying the approved plans. Since the proposal has been implemented in part, I have not applied a condition relating to standard time limit of the planning permission granted. However, to address the existing unauthorised fence in the short term, I have attached the condition suggested by the appellant requiring the alterations to the fence be implemented within three months of the decision.
18. To maintain the character and appearance of the area, and to ensure the visual effects of the planting do not diminish over time, I have attached a condition to secure the implementation and future maintenance of the boundary planting.

Conclusion

19. For the reasons given above, having regard to the development plan taken as a whole and all other relevant material considerations, I conclude the appeal should be allowed.

E Dade

INSPECTOR