
Appeal Decision

Site visit made on 30 April 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17TH May 2024

Appeal Ref: APP/J1860/D/24/3338761

Elm Lodge, The Common, Abberley, Worcestershire WR6 6AY

- 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 and Mrs Tassell against the decision of Malvern Hills District Council.
 - The application Ref M/23/00672/HP, dated 6 April 2023, was refused by notice dated 22 December 2023.
 - The development is the erection of a new 2.4 metre high close board fence along the boundary with A443 Stockton Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On my site visit I observed that a fence has been installed along the boundary of the appeal site with the A443.
3. The appellants have indicated that, if I am minded to dismiss the appeal on the basis of the originally submitted plans, they would be willing to paint the fence green and plant a native species hedgerow to the front of it. However, a detailed scheme showing how this landscaping would be secured has not been submitted and also the Council has not commented on this approach. Therefore, it would be inappropriate for me to formally consider these proposed revisions to the scheme.

Main Issue

4. The main issue is the effect of the fence on the rural character and appearance of the area.

Reasons

5. Taken together, Policies SWDP21 and SWDP25 of the South Worcestershire Development Plan (2016) (SWDP) and Policies AYB5 and ABY9 of the Abberley Neighbourhood Development Plan 2020-2030 (2021) (ANDP) require sensitive boundary treatments which maintain or enhance local distinctiveness.
6. The South Worcestershire Design Guide Supplementary Planning Document (2018) (SPD) recommends against expanses of close-board fencing bordering on the public realm. It advises in respect of boundary treatments, 'Materials should always complement the character of the property and the neighbourhood' (Paragraph 8.3.32).

7. The appeal site is located in the rural village of Abberley. The appeal relates to a close board wooden fence on the boundary of the appellants' home with the A443, the main road through the village. Other properties in the village include hedges, brick walls, low level picket fences or wooden stock fencing along their boundaries with this highway. These all sit comfortably within the rural setting. By contrast, due to its design and length, the close board fence appears stark and overly prominent in the street scene. As such the appeal scheme is at odds with, and unacceptably harmful to, the rural character and appearance of the area.
8. In conclusion, the fence unacceptably harms the rural character and appearance of this main route through the village. It therefore conflicts with Policies SWDP21 and SWDP25 of the SWDP, Policies AYB5 and ABY9 of the ANDP, the SPD and the National Planning Policy Framework.

Other Matters

9. In reaching my decision, I have considered all matters raised by the appellants in support of the appeal scheme. I recognise that a fence is required for security and privacy. However, I consider that this could be addressed in a more sympathetic manner.
10. The original boundary hedge was removed to accommodate visibility splays and a new footway as part of the adjacent housing development. I acknowledge that an original fence was removed as it was revealed to be in a poor condition following the removal of the hedge. I also note that the appellants had informal discussions regarding the provision of a fence with representatives of the Highways Department. However, I attribute limited weight to these matters. They would not outweigh, or justify, the harm I have identified.

Conclusion

11. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR