



Appeal Decision

Site visit made on 25 April 2024

by K Mansell BA (Hons) MPhil TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30.05.2024

Appeal Ref: APP/B2002/D/24/3339486

214 Sandringham Road, Cleethorpes DN35 9AD

- 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 Andrew Critten against the decision of North East Lincolnshire Council.
 - The application Ref DM/1174/23/FUL, dated 4 December 2023, was refused by notice dated 26 January 2024.
 - The development proposed is described as '2m high wooden fence concrete posts'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 20 December 2023, the Government published an updated revised version of the National Planning Policy Framework (the Framework). In relation to the main issue in this appeal, Government policy has not materially changed. Therefore, I have not sought the parties' comment upon it, but neither party has been prejudiced by my having regard to it.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. Sandringham Road forms part of a well-established residential estate largely constructed by the local authority in the 1950s. It is characterised by dwellings of a consistent style that follow a uniform building line. Houses are set back from the road behind a garden or driveway and delineated from the street by either a fence, wall or hedgerow. Whilst not of an entirely uniform height, these front boundaries are generally modest in scale, in the region of 1 metre or less. The repeating arrangement of similar properties and boundary treatments results in a reasonably consistent character and appearance to the area.
5. No 214 is situated on a corner, fronting Sandringham Road with Newstead Road to its flank elevation. With the exception of a front pedestrian gate, a pair of double gates on the side boundary, and a small section of fence on the corner to repair damage by a vehicle, the existing boundary to No 214 comprises a privet hedgerow. It is grown to approximately 2 metres in height, enclosing the front, side

and rear garden from the street. The appeal scheme would replace the majority of the hedgerow with a 2-metre timber fence.

6. The fence would run along the entire side boundary to Newstead Road and part of the frontage to Sandringham Road. Even if part of the hedgerow to the front of the house would be retained, and Newstead Road is a more secondary frontage, the fence would nonetheless extend for a significant length. Combined with its consistent height, and particularly as a consequence of the property's corner location, the fence would be prominent and visually obtrusive within the street scene, and it would not make a positive contribution to local character as a result.
7. It would also be at odds with the typically lower fences and walls that I observed to the boundaries of other dwellings within the immediate vicinity. Standing at the appeal property, I saw no other examples of timber fences to the same height and length as the appeal scheme. The fence to the house situated on the opposite corner to the appeal property at No 212 does increase in height along part of its frontage to Newstead Road. However, it is not of a constant height and this variation makes it less prominent. I did also observe that some boundary hedges along both Sandringham Road and Newstead Road are taller, including that to the appeal property. However, these offer a natural means of enclosing a house. They are less stark than a solid fence and contribute to the landscaping of the area. Within this context, the proposed boundary fence as a result of its length and consistent height, would appear incongruous.
8. The appellant has drawn my attention to several specific examples of taller fences or brick walls in the vicinity, as well as more generally within the wider area, including Grimsby. I recognise that in some of the local instances, these boundary treatments are reasonably tall, for at least a part of the perimeter of the dwellings. However, full details of these schemes are not before me, and I cannot be certain that they benefit from planning permission. Moreover, within the immediate locality of the appeal property, none of these examples are directly visible from it and, therefore, they do not provide a visual context for the proposal. Consequently, they are not a justification for it. Similarly, even if newer housing estates incorporate 2-metre boundary walls into their original design, this is not comparable to the context of the appeal scheme, being a post-War housing development and, in any event, I must assess the proposal on its individual merits.
9. I therefore conclude that the fence would be harmful to the character and appearance of the area, and it would conflict with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). Amongst other matters, these policies seek to ensure that development proposals have sufficient regard to the character of the area in which they are sited, including in respect of any visual intrusion, and deliver a high standard of design, having regard to a site's context. It would also conflict with guidance at Section 12 of the Framework, which generally promotes the importance of good design.

Other Matters

10. I recognise that being a corner property, the side and rear garden to No 214 would be visible without some form of screening. I also understand the appellant's desire for a private garden. However, that is presently provided by the existing hedgerow, which, from my observations on site, appeared to be substantial and well-maintained, notwithstanding concerns about the effect of the Council's weed control

measures on the adjacent footway. I appreciate that this has, in part, been damaged by the intrusion of a vehicle, but I have no substantive evidence before me to indicate that a fence would prove more resistant to a vehicle than the existing hedgerow. Furthermore, planning decisions are taken in the public interest and unfortunately, these personal circumstances do not, in my view, outweigh the harm to the character and appearance of the area that I have identified previously.

Conclusion

11. The appeal proposal would conflict with the development plan as a whole, and there are no material considerations that would indicate a decision otherwise would be appropriate. For the reasons given above, I therefore conclude that the appeal should be dismissed.

K Mansell

INSPECTOR