
Appeal Decision

Site visit made on 20 May 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2024

Appeal Ref: APP/X3540/D/23/3323618

Old School House, Chillesford, Suffolk, IP12 3PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mrs Karen Everett against the decision of East Suffolk Council.
 - The application Ref is DC/23/0252/FUL.
 - The development proposed is retrospective application to erect a wooden fence along front perimeter of property. The fence is six feet high.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development has already been completed. The appeal scheme has therefore been assessed on a retrospective basis.
3. An update to the National Planning Policy Framework (the Framework) has been published dated 19 December 2023 but there are no material changes relevant to the substance of the appeal.

Main Issues

4. The main issues are:
 - The effect of the development on the character and appearance of the surrounding area including its location within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB); and
 - The effect of the development on highway safety.

Reasons

Character and appearance

5. The appeal site accommodates a large, detached dwelling known as Old School House located along Long Row. The surrounding context is residential although the site has a very rural setting and is located within the AONB. The property is set back from the main road with two existing drives accessed from Long Row. The plot is wide which results in a lengthy frontage along the main road.
6. A boundary treatment consisting of a close boarded timber fence which is 6 foot tall has been erected along the length of the front elevation and abuts the highway which is very visible within the street scene. Trees and vegetation sit behind the boundary fence extending to a height above the fence and there is some shrubbery to the front mainly comprising that of a very low-level.

7. At my site visit, I observed the properties nearby where the front boundary treatments tend to be either low fences or hedging, trees and shrubs. Such low height enclosures and soft landscaping to the front creates a pleasing sense of openness and spaciousness within the street scene which contributes positively to the character and appearance of the area and its overall rural setting. It is noted that there are other examples of close boarded fencing along Long Row although they are generally modest in size and scale or are sufficiently set back from the road and screened by hedging, trees, and shrubs such as that located directly opposite the appeal site. This helps to reduce and soften their presence and impact within the street scene.
8. The development however results in a lengthy boundary treatment close to the main road which by virtue of its overall siting, design, height, and excessive length is visually prominent and incongruous in comparison to other boundary treatments in the area. As a result, it erodes the positive character of the street scene created by the softly landscaped frontages in this rural setting. I have had due regard to the appellants' photographs of other fencing in the area, although I do not know the planning history of these. They also do not form part of this specific street scene which the appeal site relates. To this end, there was no evidence at the time of my site visit of any developments directly comparable to the appeal before me. Nonetheless, they would not justify development which would be harmful to the overall character and appearance of the area.
9. I appreciate that the existing vegetation helps to screen some of the fence. However, the fence is still highly visible for its greater part, and I am not convinced that the current level of screening would exist all year around where the fence would be more noticeable in the autumn/winter months when the existing vegetation would be dormant. Due to the lack of space between the fence and the road, planting is not an option to lessen the visual impact of the fence and I am not sufficiently convinced that other means of landscaping as suggested such as climbing plants would sufficiently minimise the visual impact of the fence particularly all year around. The suggested change of colour/treatment would also not sufficiently overcome the identified harm as the fence is still of a size and scale in a prominent position which appears visually discordant in the street scene whilst detracting from the sense of openness/spaciousness.
10. For the above reasons, I conclude that the development unacceptably harms the character and appearance of the surrounding area including its location within the AONB. It is therefore contrary to Policies SCLP10.4 and SCLP11.1 of the Suffolk Coastal Local Plan, 2020 which together, amongst other matters, relates to design quality requiring proposals to respond to local context.

Highway safety

11. The location of the boundary treatment abutting the highway and overall height and length means that visibility when exiting the drive from both vehicular accesses is restricted. Based on the evidence before me which lacks information in relation to visibility coupled with my own observations onsite, I cannot conclude with certainty that the fence does not have an unacceptable impact on highway safety.
12. I am aware that ongoing discussions are taking place with Suffolk Highways and the appellant is happy to make changes to the fence to comply with the

splay regulations although details of this are limited for me to consider this matter further. I have determined the appeal based on the scheme before me whereby such highway matters have not been sufficiently overcome.

13. I note the history of the site including vegetation overspill onto the road although this would not weigh in favour of the appeal as fencing is very different to that of planting which can be cut/pruned, and its overall growth can change during the year as set out. The fence is however a tall, solid boundary abutting the highway which impacts visibility which is likely to lead to conditions prejudicial to highway safety.
14. Accordingly, I conclude that the development has an unacceptable impact on highway safety and thus is contrary to paragraphs 114 b) and 115 of the Framework which together, amongst other matters, seek to ensure safe and suitable access can be achieved.

Other Matters

15. I have taken account of the appellants' desire to make the property more private and give protection from the road. I have also had regard to the comments relating to its location within the boundary of the appellants' property and the lack of objection from a number of consultees. However, these considerations do not outweigh the harm identified or alter my findings on the above main issues. A lack of objection does not mean that the development is not harmful.

Conclusion

16. The development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict. I therefore conclude that the appeal should be dismissed.

N Teasdale

INSPECTOR