



Appeal Decision

Site visit made on 11 June 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2024

Appeal Ref: APP/K3605/W/23/3316568

45 Molesworth Road, Cobham, Surrey KT11 1BA

- 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 Miss Tamalyn Casten against the decision of Elmbridge Borough Council.
 - The application Ref is 2022/2721.
 - The development is a boundary fence and gate.
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Decision

1. The appeal is allowed and planning permission is granted for a boundary fence and gate at 45 Molesworth Road, Cobham, Surrey KT11 1BA in accordance with the terms of the application, Ref 2022/2721, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawings: Location Plan, Site Plan, Ground Floor Plan, Front Elevation and Side Elevation.
 - 2) The external surfaces of the development hereby permitted shall be constructed in the materials detailed within the application form.

Preliminary Matters

2. The application was submitted retrospectively, and I saw during my site visit that the development had been fully constructed. I have therefore considered the appeal on a retrospective basis.
3. I have taken the description of the development from the Council's decision notice as this is a more accurate representation of the development detailed within the submitted plans.

Main Issue

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

Reasons

5. The appeal site is occupied by a mid-terrace, maisonette style dwelling at ground floor level. It is located within a residential setting. The property includes an L-shaped front garden, facing the cul-de-sac section of Molesworth Road. The development subject of this appeal is a grey close-board boundary fence around this front garden, along with a gate, up to a maximum height of 1.8288 metres.

6. Other properties within the host terrace also have boundary fences around their front gardens in a variety of styles and heights. Whilst the Council contend that the appeal development is taller than other fences within the streetscene, I noted during my site visit that there were other fences at a similar height and with a similar design along with smaller picket style fencing. Whilst these taller fences may or may not have been granted planning permission, they still form part of the character and appearance of the area. Therefore, the appeal development does not appear out of character or incongruous within this setting.
7. The solid, close-board style of fence erected does create a larger façade than a smaller, more open style picket fence. However, the use of a trellis, varying heights and interwoven greenery ensure that it has a relatively pleasant appearance, in keeping with the residential surrounds. Furthermore, the width of the fence is limited and therefore its presence does not result in an overly prominent addition to the streetscene.
8. For the reasons above, I find that the development is not harmful to the character and appearance of the surrounding area and therefore complies with Policies CS10 and CS17 of the Elmbridge Core Strategy (2011) and Policy DM2 of the Elmbridge Local Plan: Development Management Plan (2015). These policies collectively seek to ensure that all new development integrates with and enhances local character with particular regard to appearance, height and prevailing pattern of built development, providing a clear distinction between public and private spaces.
9. The development also accords with the general design objectives of the Design and Character Supplementary Planning Document (2012), the National Planning Policy Framework and the National Design Guide.

Conditions

10. I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. Furthermore, a condition has been included requiring the use of materials to accord with those detailed in the submitted application form, to ensure an appropriate appearance for the development.

Conclusion

11. For the reasons set out above, the appeal is allowed.

E Grierson

INSPECTOR