



Appeal Decision

Site visit made on 13 August 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 30TH August 2024

Appeal Ref: APP/L2630/W/24/3340760

Meadow Cottage, Hardley Road, Chedgrave, Norwich, NR14 6BS

- 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 Erin Whiley against the decision of South Norfolk District Council.
 - The application Ref is 2023/2052.
 - The development proposed is retrospective application for 4 x greenhouse 1 x shed, 1 x field shelter and boundary fencing.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application form described the proposal as 'Retrospective application for boundary fencing and garden outbuildings and new garden outbuildings. The council changed this to the description set out in the heading above. I have adopted this as it more fully describes the proposed development

Main Issue

3. There is no objection by the council to the developments covered by the appeal application, other than the fencing. Therefore, the main issue in this case is the effect of the timber hit and miss fencing upon the character and appearance of the area.

Reasons

4. The dwelling is a one-and-a-half storey house within a large plot. There are a number of buildings on the site, which effect the character of the land and the setting of the house. Most of these are existing buildings that do not require planning permission. In addition there are a group of buildings in the north-east corner of the site erected recently that do require planning permission.
5. The boundary fencing, subject of the appeal, runs along the Hardley Road frontage of the site to the north, and part way down the boundary of the site with Common Loke to the east. Hardley Road is an adopted C class road, and is on a bus route. Common Loke is an unadopted track and public right of way. The surroundings are generally attractive agricultural countryside.
6. The impact of the fence, for those familiar with the area, is heightened by the removal of significant vegetation and hedgerows along the boundaries.

However, I am satisfied from the evidence provided by the appellant that these features were in a poor state, and that there was little alternative to their removal.

7. The height of the fence along the highway, at more than 1m, means that it requires planning permission. However, there is no adverse impact on visibility at the access and the fence is acceptable in terms of highway safety. The council has indicated that, if the fence were set back into the site so that planting could take place along the outside face, the impact on the landscape would be sufficiently minimised, whilst the level of security and privacy would be maintained.
8. I am sympathetic to the reasons for the erection of the fence and its nature as explained by the appellant. The appellant asked that I take time to read the representations: naturally I have done that in full. The facts presented are of great importance to the appellant, but do not override the harm that I conclude has occurred to the character and appearance of the area. The scale and form of the fencing, its height and appearance in its present form, is so much at odds with the attractive countryside.
9. I believe that a satisfactory solution could be found, that would achieve the security, privacy etc, sought, that would retain the attractive character and appearance of the area. Bearing in mind the indication of the acceptability of a scheme along the lines referred to in paragraph 7 above, I have considered a time limited permission to allow for a suitable scheme to be agreed. However, I consider that this would only be practical following a discussion and agreement as to the details and the timescale, and that I cannot undertake. Nevertheless, that does not prevent the discussion taking place between the appellant and the council, following my decision.
10. My conclusion, having taken into account all the matters raised, is that the fence in its present form is unacceptable because of the harm it brings to the character and appearance of the area, and that this is not outweighed by the personal circumstances and security needs of the appellant. For these reasons the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR