



Appeal Decision

Site visit made on 19 December 2024

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 January 2025

Appeal Ref: APP/V1260/D/24/3348853

40 Swanmore Road, Bournemouth, BH7 6PD

- 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 Mr Michael King against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2024-22626-C.
 - The development proposed is the erection of boundary fencing to rear and side.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of boundary fencing to rear and side at 40 Swanmore Road, Bournemouth, BH7 6PD in accordance with the terms of the application, Ref 7-2024-22626-C.

Procedural Matters

2. The planning application was made retrospectively. At the time of my visit I saw that the works were complete.
3. The application form contained a lengthy description of the proposal. I have used the distilled words given by the Council in their description of the development in the banner heading above and in my formal decision. This accurately describes the proposal.
4. The works undertaken differ in some respects to the plans which accompanied the application. I have assessed the appeal based upon what has actually been built.

Main Issues

5. The main issues are the effects of the development upon the character and appearance of the area, and upon the living conditions at 53 Warnford Road, with particular regard to visual impact.

Reasons

6. The appeal property is a two-storey dwelling that occupies a corner plot, with a side, return boundary facing north-east towards Warnford Road, set within a wider residential neighbourhood. The works subject to this appeal comprise the installation of horizontal batons in a 'hit and miss' slatted arrangement above the height of two stretches of original boundary fencing. The first is above an original approximate 2m high close boarded fence set on gravel boards along the boundary to the back edge of the pavement to Warnford Road. The second is to a length of

similar fencing to the rear boundary of the appeal property and which is shared with part of the side boundary to 53 Warnford Road.

Character and Appearance

7. Properties fronting Warnford Road have fairly open frontages with boundaries to the back edges of the footpaths to both sides generally marked by low brick walls, fences, hedges, or a combination of such. However, that is not exclusively the case within the area, particularly for corner properties where rear gardens are often bound by a mix of far taller enclosures, understandably so for reasons of privacy and security. I saw for myself how these arrangements often bookend the lengths of roads in the locality where they intersect with others, and how they vary from soft and verdant hedgerow and vegetation, to those with more harsh, solid fence panels, or again, a combination of both. They all contribute to the area's mixed appearance.
8. According to a figure provided by the Council, the slatted fence measures approximately 0.6m high, raising the total height of the enclosure above the pavement along the Warnford Road frontage to around 2.9m. Whilst tall, I did not perceive the fence overall to be overly oppressive or dominant along the adjoining public footpath. Neither did it strike me as obviously out of step with the height or appearance of other means of enclosure for some other similar corner properties locally.
9. Contrary to some suggestions, I found the new fencing to be well constructed and reasonably well-integrated with the existing, appearing merely as an alternative form of trellis atop a fence panel, which is not unusual in a residential setting and, as I note from submissions made, was an arrangement to part of the original fencing along the shared boundary with No 53. Furthermore, I saw parts of both lengths of fence, including when looking south-east along Warnford Road across the frontage of No 53, to be set against the backdrop of taller individual outbuildings within the curtilage of the appeal property.
10. Whilst somewhat unique in form, my perception overall is that the development undertaken is neither overtly out of character locally, nor visually unappealing or harmful to the appearance of the street scene. As a side/rear boundary there would be no conflict with para 3.9 of the Council's *Residential Extensions - A Design Guide for Householders* adopted in 2008, which deals with front boundaries and talks specifically about the importance of a property's frontage within a street scene, which is unaffected in this case.

Living Conditions

11. The altered fence to the rear boundary of the appeal site runs along part of the side boundary to No 53 for the length of the dwelling's side elevation and up to the back edge of the pavement along Warnford Road. There is a reasonably wide pedestrian access route leading to the rear garden at the side of No 53 adjacent to the boundary. The property's main entrance door is positioned on the front elevation nearest to the appeal site.
12. The increased height of the fence is obviously visible from the curtilage of No 53, both from the side of the dwelling and from its frontage. Given the position of the front facing ground-floor windows at No 53, the fence would only be seen in the outlook at an oblique angle of sight and from distance. Moreover, for reasons

amplified above, I do not consider its appearance or height to be overly dominant or visually harmful in the wider context, including when seen within the front garden setting of No 53.

13. I have been presented with no substantive evidence to demonstrate that any window or glazed door opening to the ground floor, side elevation of No 53 has been affected in any significant way by the increased height of the rear garden fence to No 40.
14. Due to the orientation of the properties relative to each other, the south-west facing rear garden to No 53, the termination point of the fence, and the space to the side of No 53, I am not persuaded that the works undertaken have had any impact of significance upon levels of daylight, sunlight, or any other natural light to this neighbouring property. Neither have I been presented with any substantial evidence to support such an assertion.

Conclusion

15. For the reasons given, I find the works to be neither harmful to the character or appearance of the area, nor to the living conditions at 53 Warnford Road. There is therefore no conflict with Policy CS41 of the Bournemouth Local Plan Core Strategy 2012 as far as it requires development to display a quality of design that respects the site and surroundings and the amenity of occupants. Accordingly, the appeal is allowed.
16. As the development has taken place, there is no need to impose any conditions.

John D Allan

INSPECTOR