
Appeal Decision

Site visit made on 23 December 2024

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 January 2025

Appeal Ref: APP/N4205/D/24/3350217

Hillcrest, Princess Road, Lostock, Bolton BL6 4DS

- 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 Anupam Das against the decision of Bolton Council.
 - The application Ref is 18032/24.
 - The development proposed is for the erection of a fence to the front of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have considered the changes and as they are not material to the proposal, further comments were not sought by the parties. I have, however, determined the appeal having regard to the revised Framework.
3. The description of development on the application form is long and goes beyond describing the appeal proposal itself. I have, therefore, utilised part of the description of development from the decision notice in my above heading as this more succinctly describes the proposal.
4. At the time of my visit, the development had already been undertaken. The submitted existing and proposed plans do not illustrate the elevational form of the proposal. For clarity, I have considered the appeal based on the submitted details, including the site photo and my observations of the development at the time of my site visit.

Main Issue

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

Reasons

6. The appeal site is situated in a predominantly residential area that contains a mix of dwellings of varying designs. They are set back from the road behind front garden and parking areas, which are enclosed by differing boundary treatments, although along Princess Road, boundaries that are wholly or partly formed of hedges and other planting predominate. I was able to see some taller fencing along the road, but this was on a return boundary, where a side boundary to a property was adjacent to a highway. Nonetheless, the presence of planting along

frontages, and within garden areas, contributes to the spacious, verdant character of the area.

7. The timber fence is around 2m in height and extends across most of the site's frontage to Princess Road. The height of this fence at the front of the property, as well as its solid form, results in it being visually conspicuous in an area that is defined by its spacious, verdant characteristics. Painting the fence green would not overcome its harmful visual effects as it would still stand in contrast to the softer, more naturalistic boundary treatment of other properties. Although the appeal property is on a quiet private road, which is not a thorough route, the fence is clearly seen from vantage points along Princess Road, where it detracts from the character and appearance of the area.
8. Reference has been made to regenerative planting which is said would rapidly reach the height of the new fence. Although the fence is set back which allows for such planting of shrubs and trees, I have not been provided with further details of the planting, and whether it would provide an effective screen for the development subject of this appeal.
9. I therefore conclude that the development has an unacceptable adverse impact on the character and appearance of the area. As such, it conflicts with Policy OA4 of the Council's Core Strategy and Policy JP-P1 of the Places for Everyone Joint Development Plan, which seek, amongst other matters, development that respects the character and identity of a locality in terms of design, siting, size, scale and materials. It would also be contrary to the House Extensions Supplementary Planning Document (2012) which seeks boundary features that are sensitively and attractively designed.

Other Matters

10. I note the development was undertaken following the removal of the unsafe conifers and in response to instances of crime. The appeal property already has an existing mesh fence of a similar height to the timber proposal which has been referred to by the main parties. It is not clear what additional safety or security benefits the proposal provides, but in any event, these matters would not outweigh the harm that I have identified in relation to the character and appearance of the area.
11. My attention has been drawn to various forms of boundary treatment that can be found in the wider area. Some of these relate to properties on Chorley New Road, which is a longer, busier classified road than the road the appeal site is on, where there is greater variety in the type of boundary treatments. Other examples referenced are situated along Princess Road, but where the boundary treatment in these examples are of differing designs, as they include those which comprise of fences combined with walls. Furthermore, I am not aware of the full circumstances of these referenced boundary treatments in terms of when and what context they were granted planning permission. I am required to assess the proposal on its own merits having regard to its siting, scale and external appearance. Having done so in this case, I have found the proposal to be unacceptable for the reasons set out.
12. I have taken into account that there are no objections to the proposal, as well as the previously overgrown nature of the front boundary treatment which prevented views of the house; these matters do not however alter my conclusion on the main issue.

Conclusion

13. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR