



Appeal Decision

Site visit made on 1 April 2025

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal Ref: APP/D1780/W/24/3354701

St Andrews Methodist Church, South East Road, Southampton SO19 8LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Hopscotch Day Nursery Group Ltd against the decision of Southampton City Council.
 - The application Ref 24/00888/DIS sought approval of details pursuant to condition No 3 (v) of a planning permission Ref 23/01632/FUL, granted on 13 May 2024.
 - The application was refused by notice dated 21 October 2024.
 - The development proposed is change of use of church and church hall (Use Class F1(f)) to nursery (Use Class E(f)) with erection of fencing and boundary treatment and partial replacement of roof covering.
 - The details for which approval is sought are details of boundary treatments.
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Decision

1. The appeal is allowed and the boundary treatment details submitted pursuant to condition No 3 (v) attached to planning permission Ref 23/01632/FUL granted on 13 May 2024 in accordance with the application Ref 24/00888/DIS and the plans submitted with it are approved.

Preliminary Matters

2. Condition 3 of the planning permission required that, prior to the permitted use of the building, a scheme of landscaping, lighting and means of enclosure should be implemented in accordance with details that had first been submitted to and approved in writing by the Council. The evidence indicates that these details have been approved, except for any proposed boundary treatment, under sub-section (v) of the condition. The application was for approval of this remaining matter. The drawings submitted with the appeal show details of the other matters that have already been approved, but my consideration is limited to the details of the proposed boundary treatment.

Main Issue

3. The main issue is the effect that the proposed boundary treatment would have on the character and appearance of the area.

Reasons

4. The appeal site lies on the corner of Butts Road and South East Road, and has long frontages to both. The Council's reason for refusal, however, only relates to the impact of the proposed fence on the Butts Road boundary. On either side of

the site, Butts Road is long, straight, and lined largely by two-storey housing. The buildings are aligned parallel to the road and set back from the pavement behind short front gardens, resulting in an orderly layout. The front gardens are generally enclosed by brick or rendered walls abutting the pavement to a height of about one metre. In some cases, the boundary treatments have been removed to allow for off-street car-parking. There is little room for substantial planting in front of the buildings and there are no street trees in the immediate vicinity. Consequently, the street scene has quite an open character, with the lines of buildings creating long unbroken vistas.

5. High boundary walls and fences are not, therefore, a characteristic feature of the residential frontages around the appeal site or, indeed, the street scene in general. However, the appeal site is already of an entirely different character to the surrounding pattern of development. It comprises an extensive plot that accommodates a striking building of a much larger scale than the surrounding two-storey housing, making it a prominent feature. The approved tree-planting along the Butts Road boundary would also contrast with the generally open nature of the wider frontage. In view of these factors, a boundary treatment that differed to the prevailing character would not, necessarily, appear incongruous. Indeed, it is not disputed that a means of enclosure to two metres in height would be acceptable.
6. The Council's Residential Design Guide (September 2006) advises that close boarded timber fencing should not be used on or close to boundaries fronting the street. The reasons given are that this type of boundary treatment is not visually attractive nor robust enough for such a location, and does not allow natural surveillance. The use of dwarf walls and railings is encouraged instead. In this case, however, the approved use of the site dictates that a tall imperforate boundary treatment is necessary for reasons of safety and safeguarding of children on the premises.
7. Nevertheless, in many circumstances, a two-metre timber fence along a prominent road frontage would be a stark and visually unwelcome addition to the street scene. In the particular circumstances of the appeal proposal, however, the fence would be set two metres back from the pavement, which would allow for the establishment of an effective hedge screen in front. The approved landscaping scheme shows hedge planting that would be allowed to grow to a height of 1.8 metres in front of the fence. Consequently, only a small proportion of the fence would be visible once the hedge became established. I saw a similar boundary treatment in South East Road, directly opposite the appeal site, where a hedge has been grown in front of a close board fence. I am mindful that, in that case, the fence is a little lower. However, it is also closer to the pavement, yet the planting means that it has been effectively assimilated into the street scene. I see no reason why, with a greater depth of planting, the appeal proposal should be any less successful.
8. It is contended that, as it weathers and decays, the fence would not have a suitable appearance for a public-facing boundary. However, the hedge would be firmly established before the weathering process set in. Consequently, the fence would be largely hidden from view by that time, with only the top 20 centimetres visible above the planting. I acknowledge that a brick wall would provide a more robust boundary, but, bearing in mind the set back from the pavement and the approved hedge planting in front, the visual benefit to the street scene would not be significant.

9. Overall, therefore, I conclude that the proposed boundary treatment would not be harmful to the character and appearance of the area. As a result, the development would comply with Policy CS13 of the Southampton City Council Core Strategy (March 2015) which, amongst other things, seeks to promote safe, secure, functional, and accessible streets and quality spaces that contribute to place making and the quality of the public realm.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR