



Appeal Decision

Site visit made on 15 April 2025

by **S Harley BSc(Hons) M.Phil MRTPI ARICS**

an Inspector appointed by the Secretary of State

Decision date: 17 April 2025

Appeal Ref: APP/B1740/W/24/3354142

10 The Mount, Poulner, Ringwood, Hampshire, BH24 1XX

- 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 Mrs Marie Heathcote against the decision of New Forest District Council.
 - The application Ref is 24/10465.
 - The development proposed is boundary fence and gate, demolition of existing wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description from the Council's Decision Notice in the banner heading above as this more succinctly describes the development proposed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Number 10 The Mount is a house on an established estate of similar houses dating from the late 1970s. The layout has spur roads off the main route of The Mount so a number of corner properties have side boundaries along the main road. These boundaries are mostly enclosed by brick walls. The ones that I saw during my site visit have ornamental detailing of various styles and stepped heights that follow the sloping topography adding interest to their appearance. These brick walls are a distinctive feature of the estate which benefit the character and appearance of the area contributing to a local identity and sense of place. Some of the walls have a strip of land between them and the pavement. Others directly adjoin the pavement.
5. Number 10 occupies a corner plot and has a long brick wall enclosing its rear garden. It is about 1.8m high, is built in sections stepping down to reflect the land levels, and the upper parts have an ornamental pierced brickwork pattern. Between the wall and the carriageway is a relatively narrow strip of land containing some planting, the pavement, and a much wider grass verge. The proposal would incorporate the narrower strip into the rear garden giving additional garden space for domestic activities, including planting of vegetables and fruit trees, which would help improve the biodiversity of the area.

6. The Council raises no objection in principle to the incorporation of the strip of land into the garden. I see no reason to come to a different conclusion as the wide verge that would remain would retain sufficient openness on this corner.
7. However, the new boundary treatment as applied for would be concrete posts and concrete boards surmounted by a 6ft (1.83m) close boarded wooden fence. The overall height as stated on the plans would be 6ft 3inches (1.9m). Such a fence would be out of character with the prevailing boundary treatments and, because of the proposed height and length, it would form a harsh and stark boundary in a very prominent location along the main road and directly opposite a spur road junction.
8. I conclude that the proposed fence would appear visually intrusive and would have a harmful effect on the character and appearance of the area. There would be conflict with Policy ENV3 of the Local Plan Part 1: Planning Strategy for the New Forest outside of the New Forest National Park 2020; Policy R7 of the Ringwood Neighbourhood Plan 2024; and the Ringwood Local Distinctiveness Supplementary Planning Document 2013 which together, amongst other things, seek to ensure a high quality of design with boundary treatments in keeping with the local area and contributing positively to local distinctiveness.

Other Matters

9. The appellant has been in discussion with the Council and, as a result, has proposed a change of material to a brick wall of a similar staggered appearance to that of the current wall and similar to those of nearby properties such as Nos 8, 61 and 62 The Mount. As set out in the Planning Inspectorate's Guide: <https://www.gov.uk/government/publications/planning-appeals-procedural-guide> the appeal process should not be used to evolve a scheme and there is little provision within the Rules for amendments to be submitted. It is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Local Planning Authority and by interested parties at the application stage.
10. A brick wall is a fundamentally different structure to a fence both in construction and appearance and would not be the same description of development for the purposes of deciding a planning application or appeal. Accordingly, a condition requiring a brick wall to be built when the planning application was for a fence could not be imposed, as this would not be relevant to the development to be permitted. Nor have I seen any detailed plans showing the height and design of a proposed wall. As the existing walls in the area are of different designs and colours it would not be sufficiently precise or reasonable to impose a condition requiring a wall to match those nearby. Such conditions would fail to meet the tests for attaching planning conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
11. The most appropriate way to proceed would be by way of a fresh planning application to the Council. In this respect I note that the Council did notify interested Parties giving the opportunity to comment on the appeal, which would not have been possible had the appeal continued under the Householder Appeal Service procedure. To date I have seen no responses to that notification.
12. SSEN own an adjacent parcel of land reserved for the installation of a substation if required. This is enclosed by metal gates and a fence. The proposal would not affect the reserved land.

13. A fence was erected at a nearby property, No 94 The Mount, without planning permission and following enforcement action by the Council that has been reduced in height with planting behind it which will secure privacy in due course. There is also a fence at No 53 The Mount but this is in a much less prominent location and a fence had been permitted there since before the 1980s at a time when there was less emphasis on design and distinctiveness. Neither of these fences establish a precedent that would lead me to a different view with regard to this appeal.

Conclusion

14. In failing to comply with the Policies referred to above the proposal cannot be said to comply with the development plan taking as a whole. I find insufficient material considerations to lead me to a Decision other than in accordance with the development plan. The appeal should be dismissed.

S Harley

INSPECTOR