



Appeal Decision

Site visit made on 15 April 2025

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/M1710/C/23/3340411

9 Storrington Road, Clanfield, Waterlooville PO8 0YL

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by Mr Richard Harvey against an enforcement notice issued by East Hampshire District Council.
 - The notice was issued on 27 November 2023.
 - The breach of planning control as alleged in the notice is without planning permission, and within the last four years, the increase in height and length of a boundary garden wall..
 - The requirements of the notice are: 1. Remove the extended length of the wall as marked in a heavy blue line on plan 1 attached to the notice and indicated on the sectional drawing plan 2 also attached, completely from the land. 2. Remove the extended height of the wall as marked on the attached sectional drawing plan 2. 3. Remove all render from the original existing wall and return the wall to its original brick colour and condition, following compliance with requirements 1 and 2 of the notice. 4. Remove all resulting debris and materials from the land.
 - The period for compliance with the requirement is four months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matter

2. This decision takes into account the revised National Planning Policy Framework, which came into force during the course of the appeal.

Ground (a) appeal

Main Issue

3. The main issue in this appeal is the effect of the enlarged wall on the character and appearance of the surrounding area.

Reasons

Character and appearance

4. The appeal property contains a detached two storey dwelling. The external walls of the dwelling are mainly finished in brick, with a half-timbered front bay feature. The dwelling is situated on the inner bend of a residential cul-de-sac, the rear garden being parallel with the street. A single storey extension has recently been erected at the side of the dwelling, adjacent to the street.

5. The property is located on a planned modern residential estate where the dwellings are generally set back from the street behind open front gardens containing maturing planting. Many of these dwellings feature some areas of complementary finishes, including render, on the external walls. However, brickwork is the predominant external wall material found throughout the estate. Where there are streetside walls they are built in brick, often incorporating subtle details in the design such as brick copings. Such walls are generally reasonably tall and vary in height, being gradually stepped to reflect the slopes of adjacent ground. Also, these walls are often set back from the street, behind areas of softening planting. The above factors all contribute positively to the harmonious and pleasantly spacious, suburban residential character and appearance of the locality.
6. The enforcement notice attacks the lengthening by around 4.8m of the boundary wall between the garden and the street, alongside the recent extension, together with raising its overall height, applying a dark grey colour render finish to the enlarged wall and topping it with light grey coloured concrete copings.
7. At around 18m in overall length and varying in height from about 1.7m to around 2.6m at the highest point, the enlarged wall is a considerably lengthier, as well as an appreciably taller, built feature compared to the original wall. The increased overall height contributes to the enlarged wall appearing as a significantly and appreciably taller structure when compared to many of the other streetside walls in the vicinity.
8. The continuous, unbroken line of copings differs noticeably from the gradually stepped height of the original wall and does not reflect the adjacent sloping ground level or the stepped profile of nearby streetside walls. This adds to the sense of the enlarged wall being much taller than other nearby boundary enclosures, as well as emphasising its overall length. Being built up to the street, there is little opportunity to provide any planting to visually soften the significant length and overall height of the enlarged wall.
9. The substantial visual presence of the enlarged wall in the surroundings is further emphasised by the dark coloured render finish. The sense of drabness this has imbued in the enlarged wall contrasts markedly with the warmer, more mellow tones of the brickwork found on the external walls of the dwelling and that of the predominantly brick finishes of most other dwellings and streetside walls in the vicinity. Also, given the generally more sparing, complimentary use of render on the external walls of other properties in the vicinity, finishing the majority of the enlarged wall in this material, along with the light-coloured copings, does not sit comfortably within the built context. I am given to understand that the original boundary wall bricks had weathered significantly. Even so, on the basis of the limited information before me I am not persuaded that bricks of a suitably similar shade were unavailable.
10. The above factors all contribute to the enlarged wall having a stark, visually assertive and defensive appearance. This fails to reflect or respect the generally more subtle characteristics of streetside walls in the vicinity and does not integrate satisfactorily with the surroundings, being viewed as an alien feature which gives rise to an appreciably more built-up feel, entirely at odds with the prevailing pattern of local development. The above does not reflect the Council's 'Residential Extensions & Householder Development' Supplementary Planning Document,

which advises that boundary treatments should be designed in materials and details that respect the surrounding street scape or area.

11. Other streetside walls in the vicinity do not lend any great weight to the appellant's case; a number of these probably originated at or around the same time as the estate, being mostly constructed in brick and well-detailed and therefore largely respecting and reflecting the prevailing visual qualities of the locality identified above. Moreover, in the absence of further details of the circumstances in which other tall boundary treatments were erected, it is difficult to make any meaningful comparison with the enlarged wall. There is no suggestion for example that any of the boundary enclosures referred to by the appellant had been erected following a recent grant of planning permission.
12. For the reasons set out above, the enlarged wall has caused unacceptable harm to the character and appearance of the surrounding area. This fails to accord with Policy CP29 of the East Hampshire District Local Plan: Joint Core Strategy, which requires all new development to respect the character, identity and context of the district's towns, villages and countryside, including by ensuring that development design contributes to local distinctiveness and sense of place and is appropriate and sympathetic to its setting in terms of scale, height, massing and density and relationship to adjoining buildings and spaces, as well as by ensuring that development contributes positively to the overall appearance of the area through the use of good quality materials.

Other Matters

13. I understand that the enlarged wall provides additional safety and security for the appellant and their family, following incidences of anti-social behaviour in the locality. However, there are likely to be alternative ways to achieve that aim without the same or similar adverse visual consequences to those identified above. Therefore, this matter can only be afforded limited weight.

Conclusion

14. The enlarged wall has caused unacceptable harm to the character and appearance of the surrounding area, in conflict with the Development Plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the Development Plan. Therefore, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Stephen Hawkins

INSPECTOR