



Appeal Decision

Site visit made on 17 April 2025

by **Julian Shirley DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 May 2025

Appeal Ref: APP/Y0435/D/25/3361512

3 Wakefield Close, Neath Hill, Milton Keynes MK14 6JQ

- 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 Tamara Al-Zubeidi against the decision of Milton Keynes City Council.
 - The application Ref is PLN/2024/2111.
 - The development proposed was described as “retrospective application for Planning Permission to retain a 1800mm high black steel post and grey plastic ‘timber board’ look panel fence.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Reference to “retrospective” and “retain” in the description of the application are not a form of development. However, the application form confirms that the development has been completed and I was able to see this during my site visit. I have determined the appeal on that basis.

Main Issue

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

Reasons

Character and Appearance

4. The appeal site is located in Wakefield Close which is a cul-de-sac forming part of an established residential area. The surrounding area is generally characterised by dwellings set back from the pavement with open frontages with visible front doors, garages and space for off street parking. Any dwellings with fences enclose side and rear gardens to those properties and are of a wooden or brown colour, together with hedges and areas of soft landscaping. These characteristics typically contribute positively to the suburban residential feel and openness of the area.
5. The fence sits directly adjacent to the front and the side boundary and encloses the entire front garden and driveway of 3 Wakefield Close and extends to a height of approximately 1.8m. It has a solid appearance with a series of black steel posts sited between the grey ‘timber board’ look panels with a sliding gate providing access to the front garden and driveway.

6. The height and design of the fence obscures visibility of the front garden, driveway and ground floor of the property from the street. It provides a significant physical and visual barrier to the property and appears as a dominant feature that contrasts with the more open frontages along the cul-de-sac. In addition, the grey colour and plastic 'timber board' material of the fence are at odds with other means of enclosure in the immediate area. Therefore, I consider the fence to be visually obtrusive and incompatible in the street scene and the context of the surrounding area.
7. For these reasons, I find that the development results in an adverse effect on the character and appearance of the surrounding area. As such, it would conflict with Policies D1, D2 and D3 of Plan:MK 2019. These policies require, amongst other matters a continuity of street frontage and fronts of buildings facing the street, appropriate boundary treatment and use of hard surfaces to maintain active frontage, boundary treatments that integrate with and/or enhance those of the surrounding area and provide a positive character.

Other Matters

8. The appellant states that the fence provides security and privacy following several break-in attempts at the property. I recognise the appellant's desire to improve security to the property and whilst the fence provides a degree of security and privacy, it has not been demonstrated that this could not be achieved in a more sympathetic manner or other solutions are not available. Moreover, I must determine the appeal against relevant development plan policies and based on its individual circumstances.
9. Having regard to my assessment above, there is no over-riding reason to allow the erection of the fence to address the appellant's security concerns. As such, this does not amount to a material consideration of sufficient magnitude to outweigh the conflict found with the development plan.

Conclusion

10. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I conclude that the appeal should be dismissed.

Julian Shirley

INSPECTOR