



Appeal Decision

Site visit made on 21 May 2025

By G Powys Jones MSc FRTPi

an Inspector appointed by the Secretary of State

Decision date: 03 June 2025

Appeal Ref: APP/C1625/D/25/3362010

18 Manor Close, Cam, Dursley, Gloucestershire, GL11 5JN

- 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 & Mrs Jasminder Lal against the decision of Stroud District Council.
 - The application Ref is S.24/1699/HHOLD.
 - The development is described as to replace overgrown 2500mm high hedge to front and side of property with 2000mm high slatted fence panels to match rear of property and neighbouring fencing.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The hedge described as part of the proposed development in the application form had been removed when I visited and the replacement fencing erected. I shall therefore deal with the appeal as if the original application had been submitted under section 73A of the Act¹, that is, for the retention of the development already carried out.
3. The appellants suggest that no comments were received in response to consultation on their application. That is not the case. Several local residents submitted representations at planning application stage, as did the Cam Parish Council. These have been provided to me as part of the appeal documentation and have been considered.

Main Issues

4. These are the effect of the completed scheme on: (a) the character and appearance of its surroundings, and (b) on public safety.

Reasons

Character and appearance

5. The appeal property is a detached dwelling set within a relatively modern residential estate. Manor Close is a short cul de sac, and the appeal property is sited a short distance north of its hammerhead. A driveway links the dwelling to the end of the cul de sac and, running in parallel to the drive is a footway, a public right

¹¹ The Town & Country Planning Act 1990 (as amended).

of way (PROW). The PROW runs past the front of the appeal property, turning at right angles and running to the side of the appeal property to link up with other parts of the estate. A spur in the PROW links the estate with open countryside to the west via a nearby stile.

6. The appeal property's front garden was bordered in part by a hedge, which separated the appeal property's front garden from the PROW. As aerial photograph of the hedge has been provided. Whatever the shortcomings of the hedge, as described by the appellants, it provided greenery within the cul-de-sac, which is pleasantly characterised by a largely open plan layout, with lawns, landscaping and planting.
7. In complete contrast the appellants have created a hard surfaced front garden virtually surrounded by a high timber fence supported by concrete posts on the garden's peripheries. In its context, with part of the fencing facing open countryside, the development appears harsh, stark and visually harmful to its surroundings and no landscaping proposals have been proposed, even if they were ever considered.
8. The appellants say that fences of this nature are not uncommon features in the estate. Indeed, as I saw, a similar fence runs alongside the garden of the property immediately to the north, at 40 Jubilee Close. That too appears stark, but prior to the removal of the appellant's hedge, it would have been screened to walkers approaching from the south, its visual impact would therefore have been limited.
9. I therefore conclude that, contrary to the provisions of the design criteria cited in policies CP14 & ES12 of the Stroud District Local Plan (SDLP), the development is unattractive, not in keeping with the site's wider setting. It is not respectful of its surroundings and has caused visual harm.

Public safety

10. The Council's main concern, supported by several of the representations from the local community, is that the fence has created a blind spot, which would deter many from using the PROW, particularly during the late evenings and at night, on grounds of concern for their safety.
11. There is no dispute between the parties that the hedge was overgrown before its removal, and the photograph submitted shows that it spread across the PROW in part. It also appears from the representations that the hedge may have housed nesting birds.
12. It strikes me therefore that the hedge was thick, and probably of a similar height to the fence, if not higher. If that were the case, then blind spots existed previously, prior to the fence's erection, and it would not have made matters materially worse from this standpoint. I also saw that the PROW was fenced in a similar manner on other parts of its length.
13. It follows, in the absence of convincing evidence to the contrary, that I conclude that the erection of the fence has not in all probability put public safety at increased risk. Accordingly, I find no material conflict with those provisions of SDLP policy CP14 or policy CAMMC1 of the Cam Neighbourhood Development Plan directed to assisting crime prevention, to provide safe accesses for pedestrians, and to encourage walking.

Final Comments and Overall Conclusions

14. Being located next to a PROW, I understand the appellants concerns relating to privacy and security. However, potential problems arising from these issues should have been readily apparent when they recently acquired the property. The dwelling is part of a cul de sac where the main and pleasant feature is its openness at the front, and in these circumstances all residents' privacy and security is affected to a greater or lesser extent. It seems to me that the appellants' objectives could have been at least partly achieved by a different scheme which better respected its visual context, but it does not fall to me to make concrete suggestions.
15. Accordingly, whilst I find for the appellants on the issue of public safety, I find against them on the first of the main issues, the harmful effect of that built on the character and appearance of the development's surroundings. This is sufficient reason to dismiss the appeal.

G Powys Jones

INSPECTOR