



Appeal Decision

Site visit made on 19 May 2025

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 5 June 2025

Appeal Ref: APP/V2635/D/25/3362382

9 Mount Park Close, Middleton PE32 1YA

- 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 Linda Coull against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 24/02003/F.
 - The development is the removal of existing fence and erection of a new fence including gate.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have made amendments to the description of the development in the banner heading above to remove wording which includes detail and narrative that does not relate to the operative part of the development. The development has already been implemented and I have determined the appeal on this basis and with regard to the plans before me. Having visited the site, I am satisfied that the plans appear to accord with what is on the ground.
3. Since the determination of the application, the Council has adopted the King's Lynn and West Norfolk Local Plan (27 March 2025) (KLWNLP). Both parties have had the opportunity to make comments on this revision and I have taken these in to account in my decision.

Main Issue

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

Reasons

5. The appeal property is located within a residential estate which is midway between more built-up areas to the north and south. The property fronts on to a grassy open space with the rear property boundary facing Station Road and fields beyond. This appeal relates to the replacement of the rear property boundary.
6. Along Station Road, the property boundaries near to the appeal site form a mainly continuous, mature hedge of significant height. At this point, the road has the feel of a rural country lane, with hedges to either side, and the bend in the road limits views of the more distant built-up areas to either end. The height and depth of the hedge line at the end of the gardens near to the appeal site is such that views of the houses are largely masked.

7. At the appeal site, a fence has been erected at the far end of the garden replacing part of the mature, continuous hedge that I have described. The fence is a tall, solid boarded construction with concrete upright posts and gravel boards. It is set in from the roadside just behind the line of the former hedge in an elevated position.
8. The development has resulted in a noticeable gap in the hedge. The depth of the existing hedge to either side and the elevated position of the fence in relation to the road makes the development particularly noticeable. The fence appears very urban and out of place in the context of the verdant, rural character of the area and the typically hedged boundaries. It is jarringly prominent and incongruous in close views and in longer views from the south. I saw on site that the fence had been stained green and was clad up to mid-height in a plastic leaf-effect mesh. Shrubs had also been planted along the former hedge line. However, this has done little to mitigate the loss of the hedge, and the harm caused by the erection of the tall fence. In fact, in my view, the artificial mesh and domestic shrub planting has exacerbated the presence of the development. Even with the maturing of shrubs I am not satisfied that the visual harm of the fence would be mitigated.
9. I saw that the hedge along the property boundaries of Station Road incorporated various species, fluctuated in height and had gaps in places. However, this did not detract from the overall consistent appearance of the hedge and these aspects are not unexpected with a mature hedge of some age. I also saw examples of other fences nearby, including a property boundary near to the junction with Arlington Park Road but these do not appear to be reflective of the circumstances before me. The fence near Arlington Park Road is viewed in conjunction with a housing estate, is lower in height than the appeal development and is not in such a visually prominent or rural area. I have also reviewed the submitted examples of retrospective fences overturned at appeal, but few details are provided to be sure that they are comparable to the development before me. In any event, whilst consistency is important, each case must be considered on its own merits and overall, I am not persuaded that they are directly comparable.
10. Although the policy position has changed with the adoption of the new local plan there is little to suggest that I should consider this development differently. The updated policy position still supports the need to conserve and enhance the character and appearance of the wider environment. The gate in the fence may provide safe and convenient access to local amenities, but this could have been provided within the existing hedgerow, if appropriate. The fence may be a well-defined boundary requiring minimal management, but this does not justify harm to the rural character of the area or assumes that hedgerows will not be maintained. There also may have been gaps in the previous hedge but there is little to suggest that the hedge could not have been enhanced with additional planting or supplementary fencing on the garden-side to make the garden secure.
11. I am not convinced that the erected fence with its concrete posts and gravel boards has environmental benefits over a hedge, especially given the habitat provided by a hedge. A fence also requires maintenance and degrades over time. Furthermore, there is little evidence to demonstrate that the fence enhances the property value or supports local economic activity or results in long-term savings to the property owner. In any event, any economic benefits would not outweigh the significant harm to the character and appearance of the area.

12. I therefore conclude that the development has a harmful effect on the character and appearance of the surrounding area. As such it conflicts with KLWNLP Policies LP18 and LP21 which, amongst other things, require developments to respond to the context and character of places and respect landscape features. It would also conflict with the Framework which requires developments to be sympathetic to local character.

Other Matters

13. Although the appeal property is adjacent to a scheduled monument (Middleton Mount and Bailey Castle), the site of the development is visually remote from it and my attention has not been drawn to any impact on its setting. Whilst the Framework requires great weight to be given to the conservation of a scheduled monument, I am satisfied that, based on the submitted evidence and my visit, no harm has occurred to the designated heritage asset. Therefore, the development does not harmfully compromise the wider setting of the designated heritage asset or affect the ability to experience or appreciate its significance.

Conclusion

14. For the reasons given above the appeal should be dismissed.

G Bayliss

INSPECTOR