



Appeal Decision

Site visit made on 22 April 2025

by D R Kay BA Dip.Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 18 June 2025

Appeal Ref: APP/U4610/D/25/3358405
14 Murrayfield Way, Binley, Coventry CV3 2UD

- 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 Ramakanth Bhamidipati against the decision of Coventry City Council.
 - The application Ref is PL/2024/0001871/HHA.
 - The development is Erection of boundary fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, the fence, which is the subject of the appeal was in place on the property, I have therefore determined the appeal based on this fact.
3. The description of development in the Council's decision notice differed from that in the application form. The Council's description more concisely described the development, but did not alter its intent, I have therefore, used the Council's description of development for the purposes of the header.

Main Issue

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

Reasons

5. The appeal property is a detached red-brick dwelling situated within a residential development of similar detached properties. The area is characterised by the front gardens of the properties being maintained in an open plan format, being generally laid to grass and with planted areas alongside vehicular driveways and pedestrian access paths.
6. Properties occupying corner plots have either red-brick boundary walls or mature hedges which run in line with their gable walls, to enclose their rear gardens and domestic curtilage. The area between these boundaries and the rear of the public footpath is either laid to grass or is planted with shrubs of varying levels of maturity, size and extent. The resulting appearance within the estate is one of a green, open landscape between the public highways and footpaths and the surrounding dwellings.

7. The appeal property occupies a corner plot, with a boundary hedge in line with its gable which runs parallel with the highway, and which encloses its rear garden. From satellite imagery, it is apparent that the development has removed the open grass and planting that previously existed between this boundary hedge, the walls of the property and the rear of the public footpaths.
8. The previously grassed and planted areas have been paved over with large element concrete paving slabs or gravel. A new fence has been erected on the boundary with the public footpath which consists of concrete posts and kickboards, with horizontal timber rails and vertical profiled picket boards. The fence is a little over waist height, which is broadly in line with the application drawings and the profiled picket boards are spaced with significant gaps between the boards which are greater than the widths of the boards themselves.
9. Owing to the materials used and the dimensions of the picket boards, timber rails and concrete posts, the fence is highly visible within the street scene, even though it is possible to see through the fence. The fence has removed the green, open feeling, causing harm to the character and appearance of the host dwelling and the surrounding area.
10. There is no evidence before me from the appellant which would provide some explanation of the development as no appeal statement was submitted, though I note the description of development in the application form that suggests the fence was erected to prevent dogs and cats from littering inside the property boundary. Given the significant spacing in the vertical profiled picket boards, and the open end of the fence to the adjacent parking area, I consider the fence as erected would not provide much protection in this regard.
11. I observed, at my site visit, that there are isolated examples of boundary fences that have been erected in the estate, notably at number 1 Murrayfield Way. However, that example is a lower, painted steel fence with much finer post and railing members than the appeal development, such that it maintains an open, see-through character, and a very low level of visibility within the street scene.
12. For the above reasons, I find the appeal development would adversely affect the character and appearance of the area. It would, therefore, conflict with policy DE1 of the Coventry City Council Local Plan 2017 (the Local Plan) which requires, amongst other things, that development must respect and enhance their surroundings and positively contribute towards the local identity and character of an area. The requirements of policy DE1 of the Local Plan reflect those of paragraph 135 of the National Planning Policy Framework (the Framework), that requires that development should add to the overall quality of the area, should be visually attractive as a result of effective landscaping, be sympathetic to local character and landscape setting and establish a strong sense of place.

Other Matters

13. The Council planning officers report notes that 4 objections to the appeal development were received. No such evidence of objections has been put before me. However, as I have found harm with the appeal development, I have not gone back to the Council in this regard, as it would not be determinative in my decision.

14. The loss of the green space and its replacement with concrete slabs and gravel may or may not be permitted development. However, this is not a matter for which planning permission was sought. Whether the paving of the ground requires planning permission is a matter for the LPA and is therefore, not something I have considered in this appeal.

Conclusion

15. For the reasons set out above, I conclude that the appeal development would be contrary to the development plan as a whole and that there are no material considerations, including policies in the Framework, that would justify determining other than in accordance with it. Therefore, the appeal should be dismissed.

D R Kay

INSPECTOR