



Appeal Decision

Site visit made on 21 May 2025 by E Clifford BA (Hons) MA

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th August 2025

Appeal Ref: APP/A1530/D/25/3358978

4 Thyme Road, Tiptree, Essex CO5 0TE

- 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 Lee Everitt against the decision of Colchester City Council.
 - The application ref is 241799.
 - The development proposed was originally described as 'replacement of an existing fence at the rear of the property with a new like for like fence'.
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Decision

1. The appeal is allowed, and planning permission is granted for a replacement fence at the rear of the property at 4 Thyme Road, Tiptree, Essex CO5 0TE in accordance with the terms of the application, Ref 241799, and the plans submitted with it.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description on the application form includes words which are not a description of development and indicate that the fence is 'like for like'. The evidence before me indicates that the fence is in fact taller than a previous fence. I have therefore removed any superfluous words for the purposes of the decision paragraph.
4. The development is already in situ. I have therefore considered the appeal on the basis that planning permission is being sought retrospectively.

Main Issue

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

Reasons for the Recommendation

6. The appeal site is located in a prominent corner location. It is sited in an area of residential character. The host dwelling is typical of development in the area, being one half of a semi-detached pair, and there are also detached bungalows nearby. The dwellings are typically set back from the boundary with the highway behind large front gardens, often with no physical boundary to the pavement; However, some properties have a low boundary treatment or planting separating them from their immediate neighbour. Moreover, the rear gardens of properties on corner plots

are often screened by high walls or fencing along the boundary with the street. This is the case for example at 6 Thyme Road which is situated on the opposite corner to the appeal site.

7. Even though the replacement fence is slightly taller than its predecessor, it is similar in scale to other boundary treatments found on corner plots within the local area. Importantly, it is well set back from the front of the plot, thereby retaining the characteristic open frontage. The design, which features timber panels together with concrete posts and gravel boards, is consistent with the domestic character of the locality. Therefore, given the site-specific context, the development acceptably integrates into its surroundings.
8. Consequently, the development has an acceptable effect on the character and appearance of the area. In that regard, it complies with Policies SP7 and DM15 of the Colchester Borough Council Local Plan (2022) and Policy TIP02 of the Tiptree Neighbourhood Plan (2023) which amongst other things require development to respect their context and to integrate with local surroundings. The proposal would also accord with the requirement at Paragraph 135 of National Planning Policy Framework for development to be sympathetic to local character including the surrounding built environment.

Conditions

9. Given the retrospective nature of the appeal and that the development has been completed, a condition relating to the time limit for implementation is not necessary.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

E Clifford

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

M Russell

INSPECTOR