



Appeal Decision

Site visit made on 31 July 2025

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2025

Appeal Ref: APP/X3540/D/25/3363352

14 Howards Way, Kesgrave, Ipswich, Suffolk IP5 2XN

- 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 Ms Kirsty Wright against the decision of East Suffolk Council.
 - The application Ref is DC/24/2641/FUL.
 - The development is the erection of a 1.8 metre high close board fence.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 1.8 metre high close board fence at 14 Howards Way, Kesgrave, Ipswich, Suffolk IP5 2XN in accordance with the terms of the application, Ref DC/24/2641/FUL, subject to the following condition:
 - 1) The development hereby permitted shall be carried out and maintained for the life of the development hereby permitted in accordance with the following approved plans: 96624-PL02 and the un-numbered and undated elevation plan that shows height, staining and capping details and was received by the Planning Authority on 23 January 2025.

Procedural Matters

2. This appeal relates to development that has already been carried out. As the application is retrospective, I have considered the submission accordingly.

Main Issue

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

Reasons

4. The appeal dwelling is a modestly sized detached bungalow with good sized front and rear gardens. It is located on one side of a cul-de-sac in a local area made up of similarly scaled bungalows and modestly scaled detached houses, which define the character of the area.
5. A condition attached to the planning permission for the development of the planned estate within which the appeal dwelling is located requires a planning application to be submitted for fences that would otherwise be permitted development, it is an appeal that relates to such an application that is before me. I note that while the application notes the fence as being 1.8 metres tall, due to a slight drop in levels the fence varies in height, I am happy to acknowledge that it is therefore

approximately 1.8 metres in height and, accordingly, have considered the fence as built.

6. To the front of properties in the close and immediate area are front gardens in a variety of sizes but all with provision for off street parking. The appeal dwelling and its neighbour, have parking areas to the side of their respective dwelling, which sit in front of their attached garages and are separated from their front garden areas. Most properties in the area have open street frontages without any fences or walls, but tall hedges are evident in the front gardens of some properties in the immediate area.
7. Due to the layout of the area, and its winding streets, closes and cul-de-sac's, some properties do have street frontages with tall fences, where these relate to back rather than front gardens and the fences to rear gardens that are away from the street frontages are visible within the streetscene. Prior to the installation of the appeal fence, the front garden of the appeal dwelling would have been read against the tall fence at the rear of gardens of properties that back on to the appeal property.
8. A street frontage fence is in place to the rear garden of the neighbouring property at 12 Howards Way (No.12). The approximately 1.8 metre tall close boarded fence that is the subject of this appeal, appears as a continuation of this neighbouring fence, as it wraps around the front garden of the appeal dwelling. I note that the planning officers report states that the planning status of the fence at No.12 was being investigated at the time of their decision on the application to which this appeal relates.
9. The layout of the appeal property, results in a significantly larger front garden than neighbouring properties that have much shallower front gardens that front onto the street. With its main long street frontage being to one side rather than the front, and with a fence to the rear gardens of neighbouring properties on the other side, the front garden to the appeal property appears as an anomaly within the planned layout of the local area. I find that prior to the installation of the appeal fence, this would have appeared as ill-defined and incongruous in relation to its neighbours and wider area, with their clear frontal boundaries to the street. In this regard the appeal fence provides a clear and defined relationship with the streetscene.
10. Within the context of the rear garden fences in the local area, including that to the other side of the front garden to the appeal property, the appeal fence appears as a congruent addition to the local area. Whilst it encloses the previously open side to the front garden, this has little effect on the openness of the area as a whole. Particularly within the context of the cul-de-sac, where properties have shallower front gardens even compared to other properties in the local area. Consequently, I find that the appeal fence results in no significant detrimental effect on the character and appearance of the local area.

Other Matters

11. Concern was raised by third parties about the poor craftsmanship and poor construction of the appeal fence. However, at the time of my site visit, the fence appeared complete, stained and capped, and perfectly adequate in craftsmanship and construction and did not, therefore, raise any concerns for me in this regard.

12. Concerns were also raised by third parties with regard to the effect of the appeal fence on outlook. Whilst the appeal fence will be in views out from neighbouring properties, given the distances involved, I do not find that it would present any significant harm to living conditions through overbearing or any enclosing effect of their property.
13. Mention has also been made with regard to a covenant rather than a condition restricting the installation of fences. However, the existence of a property covenant is not directly a planning matter in this instance. Other legal procedures relate to covenants on property deeds or leases where they exist.
14. Concerns have also been raised with regard to the setting of precedent if planning permission was given for the appeal fence. Planning applications are, however, considered on their own individual merits, as I have done in this case with the appeal application. This is also the case with any other application that may arise, which is a main tenet of the planning system.
15. For the reasons given above, the appeal development does not result in any significant harm to the character and appearance of the local area. As such, it accords with Policy KE3 of the Kesgrave Neighbourhood Local Plan 2018-2036 (2021) and Policy 11.1 of the Suffolk Coastal Local Plan (2020) which collectively seek development that are of high quality design, respond to local context, with a clear relationship between buildings and the local streetscene and do not compromise the appreciation of key landscape features that give Kesgrave its identity.

Conditions

16. As the appeal development has been completed, I have not attached the standard condition relating to the timing of implementation, but in the interest of design quality have attached a condition requiring compliance with approved plans.

Conclusion

17. For the reasons given above, the appeal is allowed.

Victor Callister

INSPECTOR