



Appeal Decision

Site visit made on 15 August 2025

by **D R Kay BA Dip.Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 15 September 2025

Appeal Ref: APP/L1765/D/25/3366907

1 Cedar Close, Kings Worthy, Winchester, Hampshire SO23 7NN

- 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 Manhire LLP against the decision of Winchester City Council.
 - The application Ref is 25/00098/HOU.
 - The development proposed is the rebuilding of storm damaged garden wall.
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Decision

1. The appeal is allowed, and planning permission is granted for the rebuilding of storm damaged garden wall at 1 Cedar Close, Kings Worthy, Winchester, Hampshire SO23 7NN in accordance with the terms of the application, Ref 25/00098/HOU, subject to the conditions in the attached schedule.

Preliminary Matters

2. At my site visit, it was apparent that a high, close boarded timber fence is present from the side of the pedestrian gate on Cundell Way, running around the corner on to Cedar Close. This is not included on the application drawings and has been noted by the Council as being above the height allowed by the General Permitted Development Order (2015) (the GPDO). They further note that it is not covered by any planning application, which is required for such development.

Main Issue

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

Reasons

4. The appeal property is one half of a pair of semi-detached dwellings constructed in the latter part of the 1970's, as part of an estate of around 100 similar properties. It is a corner property, located on sloping ground at the junction of Cedar Close, a cul-de-sac, from which it takes its primary access, and Cundell Way, the primary access road into the estate, which its side gable faces.
5. Boundary treatments vary considerably. The Council state that there is a prevalence of 1.8m high brickwork boundary walls, executed at the time of the construction of the estate, and that contribute to its character. However, at my site visit I observed the significant presence either of open-plan frontages, properties on Cedar Close being almost entirely of this format, or a mix of hedges, steel railings, close boarded fences, brick walls or a combination of the above. I did not find the original estate brick boundary walls to be the prevalent form of boundary treatment.

6. The appeal proposal would remove the remaining section of the original wall running down-hill on Cundell Way, from the side of the personnel gate, and which I observed at my visit was leaning significantly, such that its structural integrity was questionable. The appellant has stated that the reason for the application was to replace a section of wall which had blown down in a storm.
7. The original estate brick boundary walls are around 100mm wide, and are head height or above, depending on the slope of the ground. For their height, they are slender, and have little detail which would provide additional strength, other than a minimal overlap in panels.
8. The appeal proposal would replace the existing wall with a series of brickwork piers with a stepped capping detail, and with a brickwork dwarf wall between. The gap between the piers would be infilled with a timber close boarded fence atop the dwarf wall. My attention has been drawn to a boundary treatment of similar design to the proposal, present on a property which forms the corner of Cundell Way with Larch Close. From my visit, this boundary treatment was of high quality in both materials and detail and fitted in well with the surrounding area.
9. Paragraphs 7.84 and 7.85 of the Winchester City Council - High Quality Places Supplementary Planning Document (HQP SPD), state that utilitarian close boarded timber fencing adjacent to public ground is not acceptable as a boundary treatment, that such boundary treatments should be used sparingly as they will deteriorate over time, and may subsequently be replaced with inappropriate alternatives.
10. The proposal would not solely consist of timber close boarded fencing as a boundary treatment. It would include structurally capable detailed brickwork piers and dwarf walls, with timber close boarded fencing only as infill panels between. Accordingly, the boundary treatment would not be utilitarian, nor would its primary feature be the timber fence element, but rather the detailed brickwork piers would be the primary feature, which would be suitable for the long-term. The proposal would therefore provide a high-quality boundary treatment that would accord with other similar boundary treatments within close proximity to the appeal site.
11. For the above reasons, I conclude that the proposal would not harm the character and appearance of the surrounding area. It therefore follows that the proposal accords with policy CP13 of the Winchester District Local Plan Part 1 - Joint Core Strategy, policies DM15 and DM16 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations, and with paragraphs 7.84 and 7.85 of the HQP SPD. These policies and the HQP SPD require, among other things, development to have a high standard of design which makes a positive contribution to the local environment. They also require that development respects the qualities, features and characteristics that contribute to the distinctiveness of the local area, and that boundary treatments respond positively to the local context of the surrounding area.

Conditions

12. In addition to the standard time limit for implementation, in the interests of certainty, I have attached a condition specifying the approved plans. To ensure a satisfactory appearance, I have also applied a condition for the submission of details, finishes and sample materials for approval by the LPA, prior to development above ground level.

Conclusion

13. For the reasons set out above, I conclude that the appeal proposal would not be contrary to the development plan read as a whole, and that there are no material considerations, including policies in the Framework, that would justify determining the appeal other than in accordance with it. Therefore, the appeal is allowed.

D R Kay

INSPECTOR

Schedule of Conditions

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby permitted shall be carried out in accordance with drawing nos: 0085/SK-10 - Location Plan, Site Plan, Section and Detail, 0085/SU-01 - Existing Plan and Elevation, 0085/SK-11 - Proposed Plan and Elevation.
- 3 No development above ground level shall take place until details, finishes and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

***** End of Schedule*****