



Appeal Decision

Site visit made on 18 December 2025

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st December 2025

Appeal Ref: APP/J1535/D/25/3375281

46 Broomstick Hall Road, Waltham Abbey, Essex EN9 1LR

- 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 Mohammed Khan against the decision of Epping Forest District Council.
 - The application Ref is EPF/1778/25.
 - The development is Retention of Close Boarded fence to Front of parking area to East and South of Number 45 Broomstick Hall road, fence is close boarded treated wood, with two cement kick boards to lower section and supported on installed concrete posts.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a two storey end of terrace dwelling located within a residential area. The terrace is set back a generous distance from the edge of the highway behind front gardens and off-street car parking. Dwellings on the opposite side of the highway are generally two storey semi-detached properties, also set back from the highway behind car parking areas and a variety of soft landscaping.
4. There is a mixture of boundary treatments along this stretch of Broomstick Hall Road, including low brick, stone, and rendered walls, timber picket fencing, railings, and green hedging. A number of properties have no formal front boundary structures at all. Where taller boundary treatments are present, they are typically open-style railings that allow views into front gardens. Overall, the various boundary treatments collectively contribute to a spacious and visually permeable street scene. Although some taller fences and walls exist, they are not characteristic of the prevailing form of boundary treatment along principal frontages on Broomstick Hall Road.
5. The appeal development has been constructed along the front boundary, with minimal set back from the adjacent public footpath, and is readily visible within the street scene. The appellant indicates that its height would be lowered to 2 metres. Nonetheless its siting and scale would result in it being a prominent feature to both pedestrians and passing road users.
6. The fence introduces a more enclosed and visually dominant element along the frontage, which contrasts significantly with the prevailing openness of front

gardens that defines the character of the area. Although the materials are domestic in nature and natural weathering may soften the visual impact, the overall effect alters the spatial character of the street. As a result, it is incongruous in this context.

7. I have been referred to appeal decisions in Barnet¹ and Chigwell². However, from the limited evidence before me I cannot be certain that the circumstances in which those cases were determined or carried out, including the policy context in which they were considered, were directly comparable to those in the appeal before me. In any event, I have considered the fence on its own planning merits, based on current local and national planning policy and the specific circumstances in this case, and those other decisions referred to do not alter my conclusions above.
8. Consequently, the fence does not sympathetically respond to the existing character and appearance of the area. I therefore find that it would conflict with policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023). Amongst other matters, this requires proposals to achieve a high quality of design and contribute to the distinctive character and amenity of the local area.

Other Matters

9. It has been put to me that the fence does not harm residential amenity or highway safety. It provides security and privacy to the occupiers of the appeal property. The appellant also states that the fence exceeds the height permissible under the Town and Country Planning (General Permitted Development) (England) Order 2015 by only a modest amount. However, these considerations do not outweigh the harm I have identified.

Conclusion

10. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR

¹ PINS Ref: APP/N5090/D/20/3247151

² PINS Ref: APP/J1535/D/22/3309148