



Appeal Decision

Site visit made on 8 July 2026

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 July 2026

Appeal Ref: APP/V0510/C/25/3365272

Land Known as The Orchards, 2C Moor Road, Fordham, Cambridgeshire, CB7 5LX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr A L Nash of A.L.N. Carpentry and Joinery Limited against an enforcement notice issued by East Cambridgeshire District Council.
- The notice was issued on 26 March 2025.
- The breach of planning control as alleged in the notice is: Without planning permission, the erection of a metal fence, concrete fence posts, metal gate and gate piers, all of which exceed 1m in height adjacent to a highway used by vehicular traffic.
- The requirements of the notice are to:
 - (i) Remove the metal fence, concrete fence posts, metal gates and gate piers; and
 - (ii) Remove all resulting debris and material arising from compliance with requirement (i).
- The periods for compliance with the requirements are:
 - (i) Three (3) months from the date this Notice takes effect.
 - (ii) Four (4) months from the date this Notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary Decision: The appeal is dismissed and the enforcement notice is upheld.

The appeal on ground (a) and the deemed planning application

1. An appeal on ground (a) is made on the basis that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted.

Main Issue

2. The main issue, having regard to the Council's reason for issuing the notice, is the effect of the development on the character and appearance of the area.

Reasons

3. The fencing and gates in question are adjacent to a narrow country road on the edge of the village. Grass verges run along either side of the road and there are open fields opposite the site and beyond the adjoining small development known as Arthur's Way. As such, the site is viewed in context with verdant and rural surroundings.
4. The solid metal fencing is approximately 2m high and is painted green. At the time of my visit, its appearance was softened by established mature hedge planting. However, the fence remains visible through gaps in the planting, and the long-term health and future of this landscaping cannot be guaranteed. The landscaping will also be less effective during winter months. Without the hedge, or at times when the hedge has been cut back to prevent it from obscuring the highway or visibility

from adjacent vehicular access points, or when it is not in full leaf, the fence will appear industrial in nature. The gates, due to their height, material and solid nature, also fail to respect the edge of settlement rural character of the road and its surroundings.

5. The appellant states that the Council has approved an identical adjacent fence but has not provided any details or evidence of this. Whilst I noted the presence of some other high fences, walls with railings, and high gates nearby, they are not of the same design and materials, and I am not aware of their planning status. I acknowledge the need for a defensible boundary around the dwelling; however, this is provided by the boundary hedging, which could be reinforced by further planting and/or the erection of a more sympathetic form of fencing. Likewise, lower-level agricultural style gates and pillars would secure the access to the site, and I understand that such gates have already been granted planning permission for the appeal site.
6. I therefore conclude that the metal fence, concrete posts, metal gates and pillars, harm the rural character and appearance of the area. Accordingly, the development is contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (amended 2023) and Policy 2 of the Fordham Neighbourhood Plan 2016-2036, which collectively seek to ensure development is of high-quality design and materials, which respect village character and the landscape of the surrounding area. The appeal on ground (a) therefore fails.

The appeal on ground (g)

7. An appeal on ground (g) is made on the basis that the periods for compliance specified in the notice fall short of what should reasonably be allowed. The periods specified in the notice are 3 months to remove the fence, posts, gates and piers, and 4 months to remove all materials and debris resulting from this.
8. The appellant states that compliance with the notice would result in there being no boundary treatment and the curtilage being exposed to the world at large. This would not be the case because there is existing boundary landscaping which screens the site, and any views through the site entrance following the removal of the high gates would be limited.
9. The purpose of the time period within an enforcement notice is to allow for the physical works associated with the requirements of the notice to be completed, not to allow for the construction of a subsequent development, which does not form part of the requirements of the notice. I see no reason why the removal of the fence, posts, gates and piers, and the removal of any waste arising from this, would not be straightforward. Accordingly, I consider the compliance period to be proportionate to the breach of control and the requirements to remedy it. The appeal on ground (g) therefore fails.

Formal Decision

10. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

R Bartlett
INSPECTOR