



Appeal Decision

Site visit made on 24 September 2018

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2018

Appeal Ref: APP/N2535/D/18/3203812

24 Rawlinson Avenue, Caistor, Market Rasen LN7 6NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Stephenson against the decision of West Lindsey District Council.
 - The application Ref 137272, dated 14 January 2018, was refused by notice dated 9 March 2018.
 - The development is described as *'Erection of 6ft fence and gate around the front garden. Work was completed in July 2015. The fencing and gate were installed to tidy the boundary around the property and to provide a secure play area for child and dogs, it is also a visible security measure for the property. It is not unique for the area, as there are numerous other high fences and walls in the immediate vicinity, they are also within 1 mtr of the highway. The installation was carried out by a professional contractor and is fully constructed of wood to maintain a rustic feel. It has been finished with a golden preserve. All work was carried out in consultation with the neighbours. If additional photo's are required, they can be supplied on request. The installation has no impact whatsoever on pedestrian or vehicle access. The installation has no impact on natural light for any neighbouring properties. The install has ensured the area round the property is easy to clear of leaf falls, hence making the area cleaner'*.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my visit to the site I saw that the fence was in place in the location shown on the submitted plans and in the form described on the plans and shown on the accompanying photographs. I am satisfied that this is the basis upon which the Council considered the proposal and I have determined the appeal accordingly.

Main Issue

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

Reasons

4. The appeal site lies within a residential development characterised by straight roads interspersed by a number of short culs-de-sac off it. This particular part of Rawlinson Avenue is one such short cul-de-sac, comprised of two short terraced blocks of housing on either side of the road which opens out to a wider turning / parking area at its head. The houses that front onto this area have shorter front gardens than those, such as the appeal property, that front onto

- the road leading to it and as such the appeal fence stands noticeably forward of the front garden boundary of the neighbouring property at 23 Rawlinson Avenue.
5. The entrance to Rawlinson Avenue from Nettleton Road is dominated by a number of large trees within the grassed verges on either side of the junction. Garden hedges and trees mark the fronts of properties around the junction and are a consistent theme throughout Rawlinson Avenue, where front garden boundaries are typically hedges of varying height, interspersed with an occasional low brick wall or low fence. The overwhelming character of the surrounding area however is one where greenery, hedges and trees pervade giving the entrance into Rawlinson Avenue, and beyond, a verdant feel and a pleasantly soft appearance.
 6. The appeal site is located immediately prior to the turning head in this particular cul-de-sac. As a consequence, its front garden area (along with that of No. 25) projects further forward than that of Nos. 21 to 23 and the fence steps forward significantly from the alignment of that at No. 23.
 7. Although the fence is broadly the same height as the hedge at the front of No. 25, its hard appearance jars incongruously and disruptively with the softer appearance of hedges within the cul-de-sac and thus fails to respond positively to the prevailing character and appearance of the surrounding area. Whilst the adjoining hedge at No. 25 lessens the immediate visual impact of the fence in longer views from the main stretch of Rawlinson Avenue, the stark contrast with the lower post and rail fence at No. 23 is made all the more incongruous by the stepped alignment of the garden boundaries and pavement at the head of the cul-de-sac. Here, the fence has an angular and abrupt presence at odds with the softer boundaries that are typical of the surrounding area, and with the lower fence and recessive boundary at No. 23.
 8. Policy LP26 of the Central Lincolnshire Local Plan (CLLP) seeks to ensure that all development makes a positive contribution to, amongst other things, the townscape of its surroundings. It goes on to state that proposals must also take into account local character and distinctiveness and be satisfactorily assimilated into the area. Boundary treatments should be well designed and reflect the character of the area. Caistor Neighbourhood Plan (CNP) policy 3 sets out general principles relating to design quality and, whilst not ruling out fences as a means of garden enclosure, refers only to post-and-rail fences, not the type erected at the appeal property.
 9. For the reasons I have highlighted above, I do not consider that the fence takes into account the distinctive verdant setting or character of the immediate cul-de-sac within which it is located, or indeed of Rawlinson Avenue more widely. Rather than making a positive contribution to the surrounding townscape, the fence is an incongruous and jarring feature amongst the prevailing greenery of the boundary hedges that are a significant contributory factor in the surrounding area's character and appearance. Thus, the proposal is contrary to CLLP policy LP26 and CNP policy 3. Whilst CLLP policy LP1 advocates a positive approach to proposals in line with the principles of sustainable development, the fence is clearly contrary to CLLP policy LP26 and CNP policy 3 for the reasons I have set out.
 10. I do not doubt the appellant's view of that the fence has been well built, and I have noted that the appellant considers that it provides added reassurance

regarding safety and security. Nor do the Council object to the proposal in terms of pedestrian or highway safety. However, whilst the desire to provide safety and security weigh in support of the proposal, they are not sufficient to outweigh the harm to the character and appearance of the area that I have identified above. Additionally, whilst the absence of objections on pedestrian or highway safety grounds are noted, they are neutral factors and do not alter my conclusions in respect of character and appearance.

11. My attention has also been drawn to examples of other fences and walls elsewhere in the surrounding area. Although I do not have the details of those proposals before me I viewed a number of the surrounding streets whilst visiting the appeal site. Whilst I saw examples of boundary fences and brick boundary walls in the surrounding streets, I noted that these were generally lower in height than the appeal scheme and were not directly comparable in terms of context, height or position within the street. In any event, I have considered the scheme before me on its merits, and I give these other factors limited weight.

Conclusion

12. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR