



Appeal Decision

Site visit made on 17 August 2011

by J O Head BSc(Econ) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 September 2011

Appeal Ref: APP/X1735/D/11/2156811

8 Gloucester Road, Waterlooville, Hampshire PO7 7BJ

- 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 Donald Wibberley against the decision of Havant Borough Council.
 - The application Ref APP/11/00925, dated 11 April 2011, was refused by notice dated 23 June 2011.
 - The development proposed is the erection of a fence and gate on the front and side of the property.
-

Decision

1. **The appeal is dismissed.**

Main Issue

2. The proposal is partly retrospective in that the fencing to the south of the house has been erected but a section of the frontage to the west has yet to be completed and is temporarily screened. Insofar as the fencing has already been erected, the appeal is treated as one against the Council's refusal of planning permission for its retention.
3. The main issue is the impact of the fence and gates on the street scene in Gloucester Road and on the character and appearance of the surroundings.

Reasons

4. Gloucester Road is a cul-de-sac of semi-detached 2-storey houses arranged informally around central landscaped areas with mature trees and shrubs. Most of the front gardens of the houses are open or enclosed only by hedges and shrub planting and many of the houses are well set back from the road. This gives the locality a pleasant, spacious and leafy character.
5. No 8 is quite prominently situated at the junction of the 3 arms of Gloucester Road and opposite the landscaped areas. The house occupies a triangular plot, with a very small back garden that is little more than a yard with a gravel surface. Its main open amenity area lies to the front and side and it has a long frontage to Gloucester Road.
6. Although the development in Gloucester Road has an open-plan appearance, it is not suggested that there are any planning conditions or directions to control

the erection of walls or fences. Consequently, under the Town & Country Planning (General Permitted Development) Order 1995 (as amended), fences and gates of up to 1 metre in height may be erected adjacent to the highway without the need to apply to the Council for planning permission. The Council acknowledges that the exercise of those permitted development rights is a fallback position if planning permission is refused for the appeal proposal.

7. Part of the existing timber picket fence, including the low boundary wall, is some 1.9 metres in height¹ and the driveway gates and lower section of fence are some 1.22 metres high. In the absence of any screen planting on the front boundary, the fence and gates appear as a harsh and incongruous feature in the street scene that is out of keeping with and harmful to the informal and green character of Gloucester Road. A 1 metre high fence, erected in accordance with permitted development rights, would also be likely to be out of keeping with the surroundings. It would, however, be significantly smaller and, therefore, less prominent, than the appeal proposal.
8. The appellant submits that the fence is needed in order to secure the side and front garden and to provide a safe area in which his children can play and family activities can take place. Having regard to the small size of the rear garden, that is not an unreasonable requirement. It is unlikely that a fence only 1 metre high would be sufficient to provide the level of security required and any hedge planting would take some years to reach an effective size. The appellant says that the Council had suggested moving the fence 3 metres further back into the site so that it is no longer adjacent to the highway, but that this would make the garden area too small. Nonetheless, setting the fence back would allow for some planting to take place between the fence and the highway, which would partly screen it and would be more in keeping with the character of the surroundings. It would, however, be for the Council to determine how far from the boundary such a fence should be positioned and whether planning permission would be required for it.
9. As erected and as proposed to be completed, the fence and gates would, for the reasons above, conflict with the requirement of Havant Borough Core Strategy Policy CS16 for all development to be of a high standard of design, to respond positively to local character and to integrate with existing local landscape features. The proposal would have a harmful impact on the street scene in Gloucester Road and on the character and appearance of the surroundings. It is, accordingly, unacceptable.
10. Regard has been had to all other matters raised in the written representations, including the letters of support, and letter of objection, from residents of Gloucester Road. The comments about the way in which the Council dealt with the planning application are also understood, although that is not relevant to reaching a decision on the appeal. None of these other matters is sufficient to outweigh the conclusion that the appeal should be dismissed.

John Head

INSPECTOR

¹ Council's figures, being height above the adjoining pavement level.