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# Appeal Decision

Site visit made on 12 July 2016

by **Thomas Hatfield Ba (Hons) MA MRTPI**

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

Decision date: 21<sup>st</sup> July 2016

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**Appeal Ref: APP/M2325/W/16/3149052**

**Land on the corner of Beech Drive and Bryning Lane, next to 53 Bryning Lane.**

- 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 Mrs Channah Saville against the decision of Fylde Borough Council.
  - The application Ref 15/0666, dated 2 December 2015, was refused by notice dated 23 February 2016.
  - The development proposed is to erect a boundary fence using concrete posts and wooden panels with gravel boards at the bottom.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The planning application form provided by the appellant was not dated. I have therefore taken the application date from the planning appeal form.

## Main Issue

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

## Reasons

4. The appeal site comprises a disused piece of land, located within a post-war housing estate. The surrounding area has an open character, and front boundary treatments (where they exist) generally consist of hedges, and low fences and walls.
  5. The proposed fence would be constructed of concrete posts and wooden fence panels. Whilst this type of fence is typical of those found in rear gardens, the appeal fence would be prominently located close to the corner with Bryning Lane. In this location, the height and materials of the fence would be out of keeping with the generally open character of the area. Its design, and position immediately to the rear of the footway, would make it appear visually intrusive within the street scene. Overall, the fence would be of poor quality design.
  6. Whilst the fence on the opposite side of Beech Drive is of a comparable height and design to the appeal fence, the Council state that this (and other examples highlighted by the appellant) were constructed without planning permission.
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This has not been disputed by the appellant. These fences serve to highlight the harm that can be caused by out-of-character development in the area. Their presence is not a justification to introduce a further large section of fencing which is similarly out of character.

7. I conclude that the development would cause unacceptable harm to the character and appearance of the area. It would therefore be contrary to Policy HL5 of the Fylde Borough Local Plan As Altered (2005). It is also at odds with the National Planning Policy Framework (NPPF) which states that permission should be refused for development of poor design.
8. In coming to that view I have had regard to Paragraph 14 of NPPF which sets out a 'presumption in favour of sustainable development'. However, I have found that the appeal fence constitutes poor design, contrary to NPPF. It therefore does not comprise 'sustainable development'.

### **Conclusion**

9. For the reasons set out above, I conclude that the development would unacceptably harm the character and appearance of the area. Whilst the reuse of a disused piece of land would provide some benefit, this does not alter my view that the appeal should be dismissed.

*Thomas Hatfield*

INSPECTOR