



Appeal Decision

Site visit made on 23 October 2018

by **Katie McDonald MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th October 2018

Appeal Ref: APP/U2370/D/18/3206570 16 Lonsdale Crescent, Fleetwood FY7 7DW

- 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 Ruby Wareing against the decision of Wyre Borough Council.
 - The application Ref 18/00316/FUL, dated 19 March 2018, was refused by notice dated 26 June 2018.
 - The development proposed is a close timber fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of development given on the application form, although I have removed the words '*retrospective application for erection*' as this is not an act of development.
3. Save for the cut out at the corner, the fence has been substantially completed and therefore I am considering this appeal retrospectively.
4. The National Planning Policy Framework was revised in July 2018. Both parties were given the opportunity to provide comments. As the policy in the Framework is relevant from the day of its publication, I have taken account of it in my decision.

Main Issues

5. These are the effect of the development upon the:
 - i) Character and appearance of the area; and
 - ii) The safety of pedestrians using Lonsdale Avenue.

Reasons

Character and appearance

6. The site is a 2 storey end terrace house, constructed in red brick with a hipped tiled roof. It is located on the east side of Lonsdale Crescent, south of Lonsdale Avenue and occupies a corner plot. The area is suburban in character, with predominantly 2 storey residential terraced and semi-detached dwellings. With the exception of some taller boundary treatments to the west of the site, boundary treatments to the fronts and sides of properties on both Lonsdale Crescent and Lonsdale Avenue generally consist of traditional, low height, detailed brick walls.

7. The development is for around a 2m high close boarded timber boundary fence to the side, enclosing the side garden. It projects northwards in line with the front elevation, runs along the original and existing red brick boundary wall and returns parallel with the car parking space to the north eastern corner of the dwelling's curtilage. It is proposed that the fence would taper down in height to around 1m at the north eastern corner for around 3.5m in both directions.
8. The side elevation of the dwelling is in line with the front elevations of dwellings to the east on Lonsdale Avenue, which have low height boundary walls enclosing their front gardens. Given the position of No 16 in relation to those adjacent dwellings on Lonsdale Avenue, the development breaks the established building line, and appears tall, adversely conspicuous and dominant in the street scene. The use of close boarding also makes the fence appear solid and imposing.
9. Given its positioning, height and design, the fence appears inconsistent with the prevailing and existing high quality boundary walls. It harmfully affects the street scene and introduces an incongruous form of development. Consequently the development has an unacceptable effect upon the character and appearance of the area and is in conflict with Policy SP14 of the Wyre Borough Local Plan 1991-2006 (July 1999) (LP), which seeks to achieve consistent principles and high standards of design and amenity.

Safety of pedestrians

10. Adjacent to the parking area, the fence is proposed to be reduced in height. However, the proposed reduction would only achieve a height of around 1m at its lowest point, steadily rising in height to about 2m on each side. Owing to this, the height of the fence would be more than 1m for most of the cut out, and this would fail to provide adequate sight lines to enable forward visibility of pedestrians walking along Lonsdale Avenue.
11. As a result, this would prejudice the safety of pedestrians, contrary to Policy SP14 of the LP, which seeks to ensure satisfactory access, parking and servicing facilities. I also find conflict with the Framework, which sets out that development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles.

Other Matters

12. I saw the other taller boundary treatments at the dwellings to the west. The Council advise that there is no record of planning permission for either, and whilst the positioning, height and style is similar to this development, they do not positively contribute to the character and appearance of the area. Thus, they do not set an acceptable precedent for the development before me.
13. Use of the side garden without the fence would be less private, however, the property has a private rear garden and I find this matter adds little weight in favour. Letters of support for the proposal would not outweigh my findings above.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR