
Appeal Decision

Site visit made on 10 April 2019

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2019

Appeal Ref: APP/G4240/D/19/3223992

17 Moorgate Drive, Stalybridge SK15 3LX

- 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 A Porter against the decision of the Tameside Metropolitan Borough Council.
 - The application Ref 18/01004/FUL, dated 14 November 2018, was refused by notice dated 8 January 2019.
 - The development proposed is a timber fence to the front, side and rear of the property.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The Council included a concern within the reasons for refusal that the proposal would prevent adequate inter-visibility between pedestrians and users of the driveway at 2 Delamere Close. The appellant accepts that satisfactory visibility would be required and suggests that the fence be set at an angle, across the rear corner, in order to ensure that pedestrians would be able to see cars leaving the neighbouring driveway. This would address the concern and could be required by condition. The proposal would then satisfy policy RED12 of the Tameside Residential Design Supplementary Planning Document 2010 (SPD). I have not therefore considered this as a main issue and have considered the visual impact of the proposal on this basis.
 4. The area is characterised by properties with relatively open landscaped frontages. This proposal would not enclose the front garden of the house and in that respect it would maintain the general character of the area. The increased width of driveway to the front, to replace the lost parking space to the rear, would not materially change the character of the front garden. The proposal would introduce a high fence that would continue along the line of the front of the house towards the side boundary. In general, as this element of the proposal would be set back from the road, with planting within the front garden, it would have a limited impact on the wider character of the area.
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5. The new front fence would join a high fence that would extend along the boundary with Delamere Close. Given the proposed height of the fence and its proximity to the pavement, this would be a dominant new feature within the street scene. It would also be clearly evident due to the corner position of the property. Given the length of this section of the fence and its height, it would detract from the existing character of this area. Its junction with the front element of the fence would be similarly harmful.
6. As the prominence and height of the section of high timber panelling, close to the pavement, would detract from the character and appearance of the area, it would fail to satisfy the requirements of policies C1 and H10(a&c) of the Tameside Unitary Development Plan 2004. As these policies generally accord with the design aspirations of the *National Planning Policy Framework*, I afford them considerable weight. The Council refer to SPD policy RED1 but as this relates to extensions, it is not directly relevant.
7. I acknowledge that because of the corner position of this property, without a high boundary, the rear garden would be exposed to view and privacy compromised. I accept that there are examples of approaches to enclosing corner plots off Moorgate Drive and Moorgate Road that do not have a positive impact on the character of the area, particularly at Dovebrook Close and Sparrowfield Close. The corner plot boundary at Puffingate Close is also not a positive feature although the fence is set beyond a wider verge which reduces its impact to some extent. The fencing along Larkwood Close, although high, is screened to a degree by planting in front of it within the relatively wide verge. I must consider this proposal on its own merits but in any event, these examples do not represent a good reason for accepting this proposal.
8. Aside from the examples referred to above, most corner plots in the vicinity have boundaries that do not detract from the character of the area. They generally rely on high hedging; planting behind lower fencing; or high fencing set further from the boundaries, although I acknowledge that this results in a compartmentalised garden. These examples suggest that a more satisfactory arrangement could be achieved that would improve privacy and security without unacceptably harming the local environment. I therefore find that this proposal represents poor design in this particular context.
9. I have considered all the matters put forward by the appellant, including the benefits that would result with regard to the functioning of the garden and the improvements to privacy and security. However, these matters are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR