



## **Penderfyniad ar yr Apêl**

Ymweliad â safle a wnaed ar 02/11/22

**gan C MacFarlane BSc(Hons) MSc  
MRTPI**

**Arolygydd a benodir gan Weinidogion  
Cymru**

**Dyddiad: 14/11/2022**

## **Appeal Decision**

Site visit made on 02/11/22

**by C MacFarlane BSc(Hons) MSc  
MRTPI**

**an Inspector appointed by the Welsh  
Ministers**

**Date: 14/11/2022**

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**Appeal Ref: CAS-02073-X3J9F7**

**Site address: 17 Grove Gardens, Caldicot, Monmouthshire NP26 4HN**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- 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 Nicola Kilby against the decision of Monmouthshire County Council.
  - The development proposed is erect fence.
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### **Decision**

1. The appeal is dismissed.

### **Procedural Matters**

2. Different postcodes for the site address are given in the application and appeal forms. I have used the version included in the application form.
3. The description of development given in the application and appeal forms includes background information and supporting justification. As this is explanatory detail, I have adopted the description given in the Council's decision notice, which accurately and concisely describes the proposal.

### **Main Issue**

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

### **Reasons**

5. The appeal property is a terraced dwelling set within a residential cul-de-sac of properties of similar scale and appearance. The surrounding dwellings and the appeal property are set back from the highway, with modest front gardens. Despite the varying surface treatments within the garden areas, the majority of boundaries are demarcated by low brick walls of consistent design, with some scattered shrubs and other planting in places. This results in an open and largely uniform character within the cul-de-sac.

6. Due to its close-boarded nature, substantial height, and length around the entire front garden, the proposed fence would appear as a highly visible and obtrusive structure within the street scene. This would be at odds with the surrounding openness and low-profile boundary treatments, resulting in a form of development that would appear incongruous and thereby causing significant harm to the character and appearance of the area. I note the intention to paint the fence a dark colour, however, this would not overcome the fundamental harm arising from its scale and location.
7. The proposed development therefore fails to comply with Policy DES1 of the Monmouthshire County Council Adopted Local Development Plan which, amongst other things, seeks to ensure all development respects the local character and distinctiveness of the built environment.

### **Other Matters**

8. I have taken full account of the personal circumstances referred to by the appellant, and the desire for privacy and a secure environment for a dog in order to provide health benefits. However, no substantive evidence has been provided that these objectives could not be generally achieved by other means and therefore, in this instance, such considerations do not outweigh the permanent harm that would be caused to the wider area.
9. I acknowledge the Council considers the proposal would be acceptable in respect of the effect on the living conditions of neighbouring occupiers, and that wildlife planting is proposed in order to provide biodiversity benefits. However, these are normal expectations of development and therefore do not outweigh the harm identified above.
10. I also note that discussions have been held with the Council and that the proposal would be a reduction in height when compared to the existing unauthorised fence. However, this does not alter my findings on the planning merits of the proposal put before me.
11. In reaching my decision, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

### **Conclusion**

12. For the reasons given above, the appeal is dismissed.

*Claire MacFarlane*

INSPECTOR