



Appeal Decision

Site visit made on 22 October 2025 by S Jamieson BA (Hons) MPlan

Decision by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/K2420/D/25/3372636

2 Sycamore Drive, Groby, Leicestershire LE6 0EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Harjinder Dosanjh against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 25/00329/HOU.
 - The development proposed is the removal of an existing hedge, and the erection of a new rear garden 1800mm, close-boarded side fence onto the boundary along the elevation to Pymm Lane.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. When I undertook my site visit, I observed the side boundary of the site was enclosed by a close board timber fence, however, this differs from the submitted plans before me in terms of its siting. I have therefore determined the appeal based on the submitted plans and not the fence that is in situ.

Main Issue

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

Reasons for the Recommendation

5. The appeal relates to a detached dwelling which occupies a prominent position on the corner of Sycamore Drive and Pymm Ley Lane. The surrounding area is an established suburban neighbourhood predominately comprising detached dwellings set back from the road behind front gardens and driveways. The predominance of open frontages, together with wide pavements and intermittent grass verges, gives the area a distinctly open and verdant character.
6. The combination of the existing boundary fence being set back from the highway, and the open frontages of the appeal property and 41 Pymm Ley Lane, make a positive contribution to the openness of this part of the street and the spacious character of the area.

7. Although the proposed fence would be similar in appearance to the existing boundary treatment, its position along the pavement edge would result in an enclosing and unwelcoming feature that would erode the sense of openness at the side of the appeal site. This would be exacerbated by the relative narrowness of this stretch of pavement and the limited extent of the grass verge in this location, which would increase the fence's visual dominance.
8. While hedges can soften the appearance of hard boundary treatments, in this instance, the hedge would be planted within the rear garden of the appeal site, rather than along the site frontage, thereby significantly reducing any mitigation it might provide. Any softening effect would also rely on the hedge maturing and being retained in good condition, which cannot be assured given the potential for pruning, disease or removal. Its effectiveness in reducing the visual impact of the fence would therefore be limited.
9. The appellant has referred to a previous planning permission where a hedge was shown between the fence and pavement. Even if the siting of that hedge was similar to that of the fence now proposed, for the reasons outlined above, a hedge would not have the same solid appearance or enclosing effect on the public realm. This permission therefore does not alter my conclusion that the proposed fence, by virtue of its siting, would be harmful to the area's character and appearance.
10. For the above reasons, the proposed development would have an unacceptable effect on the character and appearance of the area and would thus conflict with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) which requires developments to complement or enhance the character of the surrounding area. For the same reason, it would also fail to accord with the guidance contained in The Good Design Guide Supplementary Planning Document (2019) and the aims of the Framework.

Other Matters

11. I noted various boundary treatments along Pymm Ley Lane during my site visit. While some have been in place for some time and contribute to the area's character, the timber fences sited near Nos 18, 28, 36 and 65 Pymm Ley Lane are either set back from the footway or separated from the road by a grass verge, which lessens their visual impact. The presence of boundary treatments, including timber fencing, along much of the footway between Flaxfield Close and Leicester Road gives the northern end of Pymm Ley Lane a notably less open character than that of Sycamore Drive and its immediate surroundings. Hedges also lack the solid appearance of fencing and are therefore not directly comparable to that which is proposed. Accordingly, these examples do not alter my conclusion that the appeal scheme would cause harm to the character and appearance of the area.
12. While I agree with the appellant that personal preferences are not a material planning consideration, there is no evidence before me to suggest that planning procedures were not properly carried out. In any event, I have considered the appeal on its own planning merits.
13. The absence of harm in terms of residential amenity and highway safety are not benefits as such and would not be matters which would lead me to a different conclusion on the appeal overall.

Conclusion and Recommendation

14. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore recommend that the appeal should be dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed

Andrew McGlone

INSPECTOR