



Appeal Decision

Site visit made on 30 September 2025

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/K2420/D/25/3367680

69 Burbage Road, Burbage, Hinckley LE10 2TS

- 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 Mark Lester against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 24/00125/HOU.
 - The development proposed is remove dead/dying hedge from front of property and replace with timber fence of similar height to maintain security and privacy to the property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The fence is in situ, and I am subsequently dealing with the application retrospectively.

Main Issue

3. The main issue is the effects of the development on the street scene in Burbage Road.

Reasons

4. The appeal property is a detached dwelling located on a bend in a service road that runs alongside Burbage Road. Despite the presence of close boarded fencing in the area, it is the low boundary treatments and planting which are the predominant boundary features along the road. This results in an active engaging street scene between buildings and the public realm and a pleasant environment with open views to the properties.
5. The fence, subject of this appeal, wraps around the bend of the road along the frontage by a considerable length. Due to its length, height and solid massing, it appears as a strikingly stark feature adjacent to the footway creating a hard edge.
6. The materials and type of fence is not unusual in a residential area. Nonetheless, the combination of its considerable length and height mean it still appears as an unduly dominant solid feature that is at odds with the predominantly varied and lower boundaries and open qualities along the footway.
7. My attention has been drawn to tall fences in the area that are adjacent to footways. However, I have no firm details regarding the circumstances resulting in their erection. Where there were taller boundaries in the street scene in this part of Burbage Road, they did not share the same characteristics as the appeal scheme in respect of its considerable length wrapping around the front. As such, their

presence does not justify the harm in this instance from the development before me.

8. I'm also told that the garden to the side of the property has always been fully enclosed and private. However, from the evidence before me the previous boundary to the front included a hedgerow. As such, it would not have created the same solid massing and hard edge that the development before me.
9. I therefore conclude that the development has a harmful effect on the street scene in Burbage Road. As such, I find conflict with the requirements of Policy DM10 of the Council's Site Allocations and Development Management Policies Development Plan, Policy 2 of the Burbage Neighbourhood Plan and paragraph 135 of the National Planning Policy Framework, when taken together and in so far as they relate to this main issue. These say, amongst other things, that developments will be permitted providing it complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
10. The development provides security, safety and privacy at the host property. I also note that the appellant was willing to make changes to the development with the view to finding a solution. However, personal circumstances will seldom outweigh more general planning concerns, and I must determine the appeal based on the merits of the scheme before me. Concerns regarding the processing of the application including, amongst other things, matters relating to communication are not issues that I can assess as part of this appeal. Such matters therefore do not alter or outweigh my concerns relating to the effect on the street scene.
11. For the reasons given above, the development conflicts with the development plan and there are no material considerations that outweigh this conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR