



Appeal Decision

Site visit made on 10 July 2017

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 July 2017

Appeal Ref: APP/M2270/W/17/3172527

Beagles Wood Road, Pembury, Tunbridge Wells, Kent TN2 4JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Stephen Mark Whitehead against Tunbridge Wells Borough Council.
 - The application Ref TW/16/05865/SUB, dated 18 July 2017, sought approval of details pursuant to condition No 5 of planning permission Ref 15/504850/FULL granted on 7 October 2015.
 - The development proposed is change of use of public house to single dwelling including side and rear extension.
 - The details for which approval is sought are: Hard and soft landscape works, including the means of enclosures, car parking layout, and vehicle and pedestrian access and circulation areas.
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Decision

1. The appeal is allowed and the hard and soft landscape details submitted pursuant to condition No 5 attached to planning permission Ref 15/504850/FULL granted on 7 October 2015, in accordance with the application dated 18 July 2017 and the plans submitted with it, are approved.

Preliminary Matters

2. The address provided on the planning application form has been replaced by a different address by the Council. The appellant has used the address of the site adopted by the Council on the appeal form. For consistency I have used the same address here.
3. Walls and fencing have been erected around the boundaries of the appeal site therefore I was able to view them in place at the time of my site visit.

Main Issue

4. This appeal has been lodged following the Council's failure to determine the application. The Council in its appeal statement has put forward a reason for refusal had it been in a position to determine the application. This states "*The proposal would introduce a harsh and urbanising feature on a prominent corner site which would be significantly harmful to the visual amenity of the area, contrary to Policy EN1 of the Tunbridge Wells Local Plan 2006 and Core Policies 4, 5 and 14 of the Core Strategy 2010*".

5. I consider the main issue to be the effect of the proposed boundary treatment on the character and appearance of the area.

Reasons

6. The appeal property is located on the corner of Beagles Wood Road and Henwood Green Road and in close proximity to the junction with Lower Green Road. This is a prominent corner site and the boundary is clearly visible in public views from these roads and footpaths around this junction area.
7. I observed on site a mix of types and styles of boundary treatment in the area around the appeal site, from open plan front gardens in Beadle Wood Close, low brick walls to the front of properties along Henwood Green Road, tall closeboard fencing and hedgerows running alongside Lower Green Road, and a high brick boundary wall opposite to the north. The boundaries of the appeal site comprise of a tall brick wall, brick wall topped by a closeboard fence and panels of closeboard fencing. Taking into account the variety of boundary types in the vicinity the form of boundary treatment surrounding the appeal site would not look out of place.
8. Although the boundary is taller than other boundaries, it is not particularly apparent when observed from the adjacent highways and wider area or that its height is so excessive that it would tower over pedestrians.
9. The Council comments in its statement that the proposal would introduce an urbanising feature but, although Pembury is a designated village within the Council's Core Strategy (the Tunbridge Wells Borough Local Development Framework Core Strategy 2010), the area has all the characteristics of an urban environment comprising a mix of predominately residential properties with other community facilities in the area. I accept the boundary has changed the appearance of the appeal site but I do not consider the boundary to be significantly visually harsh taking into account the surrounding context.
10. The Council directs me to Policy EN1 of the Tunbridge Wells Borough Local Plan 2006 and Core Policies 4, 5 and 17 of the Core Strategy. Collectively these policies seek to ensure that landscaping respects its context and other features important to the character of the built up area and local distinctiveness. For the reasons given above, I conclude that the proposed boundary treatment would not have a harmful effect on the character and appearance of the area and accordingly, I find no conflict with the policies highlighted by the Council or the aims of paragraph 58 of the National Planning Policy Framework that require development to respond to local character and to reflect the identity of local surroundings and materials.
11. The Council has not raised concerns to the details submitted in respect of the car parking layout or the vehicle and pedestrian access and circulation areas. I have also considered these elements of the proposed hard and soft landscape proposal and have concluded these to be acceptable.

Conclusions

12. For the reasons given above I conclude that the appeal should be allowed and the details submitted pursuant to Condition 5 are approved.

Nicola Davies INSPECTOR