
Appeal Decision

Site visit made on 25 June 2019

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2019

Appeal Ref: APP/A2280/D/19/3224487

54 Vidgeon Avenue, Hoo St Werburgh, Rochester Kent ME3 9DE.

- 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 Mr Ian Iveson against the decision of Medway Council.
 - The application Ref MC/18/2697, dated 10 September 2018, was refused by notice dated 13 December 2018.
 - The development is a 1.8 m wall fronting a highway (retrospective).
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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 street scene.

Reasons

3. The appeal site lies on the corner of Vidgeon Avenue and Pankhurst Road; the dwelling is set back from both road frontages behind mainly open front gardens, marked by a dwarf brick wall. The area is residential in character comprising a mixture of single and two storey detached and semi-detached dwellings. The roads are generally open plan in character, with some hedge planting along road frontages.
4. As indicated by the description of development, the wall has already been constructed. It comprises a white rendered wall of 1.8 metres height which has been erected within the Vidgeon Avenue frontage enclosing an area of garden to the front of the dwelling. This area had previously been enclosed by a close-boarded fence, above a dwarf wall, part of which was covered with climbing plants, and a hedge of similar height along the side of the path which leads to the front door.
5. The new wall does not enclose what had been a previously open part of the front garden area and to that extent, has not resulted in any loss in that respect. However, it does have a completely different appearance to the previous means of enclosure on this prominent boundary. Its uniform appearance, colour and material, has introduced a feature which is unduly prominent within the Vidgeon Avenue frontage, and to a lesser extent from the end of Pankhurst Road. As a result, it fails to blend in with the open, 'green' appearance of the street scene, as the previous fence and hedge would have done.

6. There are no other similar walls in the vicinity of the appeal site and it appears as a rather alien feature, exacerbated by its unrelieved appearance. The rendered white finish contrasts starkly with the buff brick and red tile roofs which characterise the majority of the adjoining and nearby dwellings.
7. In my view it is an incongruous feature that detracts from the predominantly open green appearance of the street scene and is thus significantly harmful to the visual amenity of the area.
8. As such it is harmful to the character and appearance of the streetscene. It therefore fails to accord with Policy BNE1 of the Medway Local Plan (2003) which states that the design of development should be appropriate in relation to the character, appearance and functioning of the built and natural environment by, amongst other things, being satisfactory in terms of scale, details, materials and siting; and respecting the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area.
9. For the reasons given above it would also fail to comply with the National Planning Policy Framework, in particular paragraphs 124 and 127 which state that the creation of high quality places and buildings is fundamental to what the planning process should achieve and that good design is a key aspect of sustainable development, and which amongst other things seeks to ensure that development is visually attractive and sympathetic to local character.
10. I note that the appellant had understood that planning permission was not required but I am not aware that any lawful development certificate has been granted in this respect, therefore I cannot give this factor any weight. In addition, the appellant confirms that the previously existing fence and hedge were in a poor condition and as a result, wished to provide better security for the garden area. Whilst noting these factors, they are not sufficient to outweigh the harm that has arisen as a result of the development.

Conclusions

11. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR