



Appeal Decision

Site visit made on 21 August 2019

by David Spencer BA(Hons) DipTP MRTPI

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

Decision date: 27 August 2019

Appeal Ref: APP/C1435/D/19/3229648

Gavelacre, Pook Reed Lane, Heathfield, Sussex TN21 0XP

- 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 J Chapman against the decision of Wealden District Council.
 - The application Ref WD/2019/0633/F, dated 19 March 2019, was refused by notice dated 15 May 2019.
 - The development proposed is to remove existing front boundary hedge and gates and replace with a new timber fence and entrance gates (1.8m high).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed fence and entrance gates on the character and appearance of the surrounding area.

Reasons

3. Pook Reed Lane is at the western edge of Heathfield, where the town blends into the surrounding verdant countryside. An initial short length of the lane from its junction with Ghyll Road is suburban in character. At this point properties are generally set back from the highway and front boundary treatments comprise of open driveway entrances and tall hedges bordering the highway. Whilst houses, including Gavelacre are readily visible, it is not a compactly developed area and as such the overriding character of the street scene on this part of the lane is its greenness and relative spaciousness.
4. The lane narrows at the appeal property and immediately takes on a predominantly rural character where vegetation fringes the highway. Again, properties are set back from Pook Reed Lane such that there is no sense of particular enclosure other than prevailing hedging and trees. As such when entering into Heathfield from the west along Pook Reed Lane the appeal property is approached and seen in this leafy context.
5. Unlike the vast majority of other properties along Pook Reed Lane, Gavelacre occupies a notably close relationship to the highway. Consequently, it is a conspicuous property in the streetscene in both directions. There is a narrow verge to the highway, with a small soakaway ditch near the driveway entrance, beyond which is a low hedge. The front boundary to Gavelacre is characteristic of the locality in this part of Heathfield, including the surrounding frontages in Ghyll Road and its various side-roads.

6. The appeal proposal due to its height, solidness and proximity to the highway would introduce a discordantly hard, oppressive and urbanising feature that would be distinctly at odds with the prevailing character described above. It would be highly conspicuous in both directions along Pook Reed Lane visually jarring against the dominant verdant character. Due to the narrowness of the verge, the height of the proposed enclosure would unduly confine the spaciousness of Pook Reed Lane at this point in a way which would fail to maintain or enhance the distinctive transition into a rural lane at this location.
7. The appellant has drawn my attention to other examples of similar timber fencing nearby, including at the adjacent Geer's Farm. Overall, these examples of tall timber fencing are very few in number. They tend to be over much shorter lengths of frontage compared to that proposed at Gavelacre and at points in the highway where they do not occupy such an exposed position. Importantly, due to the set back of the dwellings at Geer's Farm and elsewhere to the highway there has been room for mature vegetation to be retained and to overhang and soften the appearance of these fences and thus maintain the overriding verdant character. The same would not apply at the appeal site due to the proximity of Gavelacre to its front boundary. As such I do not find the nearby examples provide a precedent in support of the appeal proposal.
8. The appellant suggests that planting could be grown along the fence to reduce any visual impact. Given the narrowness of the verge in places and the height of the proposed fence, I am not persuaded that this would be effective in mitigating what would be a particularly prominent development. A lower timber fence could be erected under permitted development rights but such a fall-back position would be appreciably less harmful than the appeal proposal due to the significantly reduced height along what is a considerable length of highway frontage.
9. I therefore conclude that the proposed fence and entrance gates would result in significant harm to the character and appearance of the surrounding area. This would be contrary to Policy EN27 of the Wealden Local Plan 1998 which requires development to respect the character of the area. It would also conflict with draft Policy BED1 of the emerging Draft Proposed Submission Wealden Local Plan June 2018 which requires, amongst other things, that the scale and appearance of development relates sympathetically to its surroundings. The proposal would also fail to accord with the National Planning Policy Framework at paragraphs 124, 127 and 130 which seeks to ensure that developments add to the overall quality of the area, are sympathetic to local character and maintain a strong sense of place. The proposal would also fail to respond to the contents of the Wealden Design Guide Supplementary Planning Document 2008 (WDG), which is also a material consideration. In particular it would not respond appropriately to the WDG content on local distinctiveness and how development should suitably interface with the street scene.

Other matters

10. The appellant submits that a lower timber fence could be erected under permitted rights but this would be insufficient to retain a pet dog or provide security and privacy. Gavelacre stands on a sizeable plot such that there is an appreciable amenity area behind the property where a dog could be securely kept. It also provides an area of privacy for occupants of Gavelacre. In any event there are no footways at this point passing immediately in front of the

property on what is generally a discreet lane. Similarly, there is no persuasive evidence that the appeal proposal would be particularly effective at making the property more secure or reducing traffic noise from the narrow local byway. Nor is there a clear or convincing case that maintaining the current hedge at the front of the property is particularly hazardous. There are other hedges much closer to the highway on this part of Pook End Lane which appear to be regularly maintained. Overall, any benefits arising from the appeal proposal are at best only modest and would not outweigh the significant harm to the character of the locality that has been identified.

Conclusion

11. For the reasons above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Spencer

Inspector.