



Appeal Decision

Site visit made on 30 September 2019 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2019

Appeal Ref: APP/T2215/D/19/3231236

172 Birchwood Road, Wilmington DA2 7HA

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Grenville Clay against the decision of Dartford Borough Council.
 - The application Ref DA/19/00496/FUL, is dated 5 April 2019, was refused by notice dated 29 May 2019.
 - The proposed development is an erection of brick boundary wall with metal railings, brick piers and entrance gate.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons

4. The appeal site is located on the north western side of Birchwood Road which is a fairly long road. It comprises mainly of detached dwellings with varying styles of boundary treatments to the front of these properties including hedges, railings, gates and brick walls. I witnessed during my site visit that of the boundary treatments that did contain railings and/or access gates, the majority were of a relatively simple design.
5. The height of the boundary treatments also vary, however, there did not seem to be much variety with the immediate neighbouring properties to the appeal site, No.170 and No.174 (and that of their neighbours, No.168 and No.176), where the boundary walls to the front are low. This allows for a sense of uniformity along this section of Birchwood Road and provides for an open and spacious view from the street. The tall pillars that are present at the entrance to Clarendon Place do not detract from this view as the access in between adds to the open character.

6. The proposed boundary treatment would be considerably higher than its neighbours which would disrupt the uniformity of this part of the street scene and, despite the fact that views through the railings would be possible, the sense of spaciousness and openness. Also, the ornate design of the entrance gate, although not unpleasant, in this context however, is of an over-elaborate nature and would be incongruous compared to the gates in the wider vicinity. As such, this proposal fails to relate well to neighbouring properties and does not retain or enhance the character and appearance of the immediate or wider vicinity.
7. For these reasons, therefore, the development conflicts with Policy DP2 of the Dartford Development Policies Plan, adopted July 2017, (Development Plan) which seeks to ensure developments relate well to neighbouring buildings, enhance positive aspects of the locality and are generally well designed.

Other Matters

8. The appellant states the development subject of the previously approved planning permission (application ref DA/18/01404), is out of scale with the existing dwelling. However the Council consider that scheme to be acceptable and it is not for me to reassess that development.
9. I sympathise with the appellant and acknowledge the proposed access gates are for safety and security reasons, however, I have no evidence to indicate that the fear of crime here outweighs the harm presented by the development as described above. Indeed many other of the neighbouring properties appear to have no need for comparable gates or railings. I acknowledge the appellant's comments that access gates were present in the past, however I can give little weight to what is no longer present.
10. Though I recognise no objections were received from the Highway Authority or other consultees, this does not outweigh the harm identified above.
11. The appellant states Policy DP7 of the Development Plan should be assessed with this proposal, however, only an excerpt has been provided and I cannot be certain of the full extent of this policy. Notwithstanding this, from the extract presented, it communicates the requirement of retention and enhancement of the character of established residential areas, which this proposal fails to do, as described above.

Conclusion

12. For the reasons set out above, I conclude that the appeal should be dismissed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR