



Appeal Decision

Site visit made on 2 December 2019 by Thomas Courtney BA(Hons) MA

Decision by J Whitfield BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2020

Appeal Ref: APP/M2270/D/19/3238286

Cedar House, Monteith Close, Langton Green, Royal Tunbridge Wells TN3 0AD

- 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 Mike Hardy against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/01471/FULL, dated 24 May 2019, was refused by notice dated 30 August 2019.
 - The development is the erection of fence to part of boundary with Monteith Close circa 1.9 metres high (Retrospective).
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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.

Procedural Matters

3. Notwithstanding the description of the development used in the application form, in the interest of accuracy and to omit personal details, I have used the description given on the Councils' decision notice.
4. The application is submitted retrospectively and during the site visit I observed that the works have been carried out. Accordingly, I have considered the development on this basis.

Main Issues

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

Reasons for the Recommendation

6. The appeal site lies at the junction of Monteith Close and Dornden Drive. The 1.9 m close boarded timber fence abuts Monteith Close, along part of the southern boundary of the appeal site. Monteith Close is a quiet residential cul-de-sac characterised by open green verges, tall hedges fronting the road, and large detached dwellings that are set back from the highway.
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7. The fence is around 1.9m in height and extends around 27m along the road, occupying a prominent position in the street scene. As such, I find that it contrasts with the verdant setting of Monteith Close. Indeed, although the use of stained timber boarding matches the appeal property, the length and height of the timber fence has a harsh and obtrusive appearance which adversely affects the appearance of the immediate area and erodes the distinctiveness of the street.
8. I note there is a timber fence separating the neighbouring properties to the south between 'Corner Mead' and 'Abingdon'. However, this fence does not front the highway and therefore has less of an impact in the streetscene. Moreover, it does not disrupt the established pattern of high hedges along the road. 'Corner Mead' also has a fence bordering Dornden Drive along part of its eastern boundary. Due to its distance from the highway and the large green verge, I do not consider this fence to have a detrimental impact on the character of the area. These fences therefore do not alter my decision which has been reached on the individual merits of this case.
9. I have also had regard to the other fences referenced by the appellant, and I do not find them directly comparable to the development by virtue of their distance from the site and their different settings. In any event, each application and appeal should be determined on its individual merits, and this is the approach that I have adopted.
10. I conclude, therefore, that the development harms the character and appearance of the area. It therefore conflicts with policy EN1 of the Tunbridge Wells Borough Local Plan (2006) (the 'Local Plan'), policies CP4, CP5 and CP14 of the Tunbridge Wells Core Strategy Development Plan Document, the Alterations and Extensions Supplementary Planning Document (SPD), and the National Planning Policy Framework (the 'NPPF') which together seek to ensure proposals are well designed and contribute positively to the character and appearance of the surrounding area in which they lie.

Other matters

11. I acknowledge the applicant's personal family needs with regards to the provision of a safe space for an elderly relative, and I note the appellant's concerns regarding the privacy of the home office and the need to protect garden furniture. Although I sympathise with these personal considerations, I consider that the permanent harm to the public realm through the removal of the hedge and the erection of the fence outweighs the time limited, private benefits to the appellant.

Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

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.

J Whitfield

INSPECTOR