
Appeal Decision

Site visit made on 14 July 2020

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 24 July 2020

Appeal Ref: APP/M2270/D/20/3252664

7 Hornbeam Close, Paddock Wood, Kent TN12 6LL

- 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 Colin Taylor against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/03506/FULL, dated 9 December 2019, was refused by notice dated 27 February 2020.
 - The development proposed is move boundary fence to edge of pathway and erect 1.95 metre high softwood closeboard fence with concrete posts and gravel boards (approximate length of boundary is 39 metres).
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Decision

1. I dismiss the appeal.

Reasons

2. The main issue is the effect of the proposal on the character and appearance of the Rowan Close area of Paddock Wood. Core Strategy Policy CP4 seeks to conserve and enhance the urban landscape and Local Plan Policy EN1 sets out criteria that development is required to meet, including that landscaping should respect the context of the site.
3. Whilst the property address is as shown above, the proposal is for changes to the line of the fence on the side boundary to Rowan Close. There was a chain-link fence in place on the proposed new fence-line at the time of the site inspection and this is shown on the annotated photograph that accompanied the application, although the Council Officer's Report states that this does not have the benefit of planning permission. Behind that and clearly visible to inspection is a strip of verge of varying depth, with the visual boundary formed by a fence and the end wall of a single-storey projection from number 7.
4. The effect is of a soft edge to the public realm, footway and road, and this exists as a feature of much of the estate, although this is not always present and close to the site on the far side of Rowan Close there is fencing which abuts the footpath in much the same way as is proposed here. There are examples of vegetation on this line either side of the appeal site, but that again is a soft edge and imparts a spacious quality to the area.
5. The fencing-in of this strip of land would harm the character and appearance of the street-scene through substituting a hard edge to the back of the footway and at the height proposed would appear as an impervious encroachment into the openness of the roadside.

6. The appellant has drawn attention to a recent planning permission granted at 4 Oaklea Road, for a new detached dwelling (Ref 19/03246/FULL dated 13 January 2020), and this would be sited immediately to the north-east of the rear garden boundary of the appeal property and have a new open frontage onto Rowan Close adjacent to the appeal proposals.
7. The appellant invited inspection of this proposal on the Council's web-site and revised drawing 2019-047v1 listed in Condition 2) indicates a green strip along the rear of the footway as proposed, the same notation as on the 'as existing' block plan. The Officer's Report contains the Statement '*the submitted plans also show that the hedgerow to the new garden of no-4 and part of it to the new dwelling would be retained which would assist in softening the frontage and street presence to the development.*' Condition 6) requires a landscaping scheme to be submitted and approved prior to occupation of the new dwelling, which does appear late, but would at least allow control of the detail of this frontage.
8. The formation of the new house and access would alter the character and appearance of this part of Rowan Close, and clearly the Council approve of the effect, but on the evidence, there is no reason to consider that the open edge to the footway would be lost and much of the boundary could remain as a soft edge. This appeal proposal was refused subsequent to the grant of that permission and the way in which the Council treat the submission of the landscaping scheme should be expected to seek the same quality of contribution to the character and appearance of the area as exists at number 7 and elsewhere.
9. The proposed fence-line would cause harm to the character and appearance of the area and would not conserve the urban landscape nor respect the context of the site, contrary to Policies CP4 and EN1. for the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR