



Appeal Decision

Site visit made on 7 October 2021

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15 October 2021

Appeal Ref: APP/K2230/D/21/3270065

276 Singlewell Road, Gravesend DA11 7RE

- 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 J Dhadwal against the decision of Gravesham Borough Council.
 - The application Ref: 20201364 dated 21 December 2020, was refused by notice dated 17 February 2021.
 - The development is new boundary treatment.
-

Decision

1. The appeal is allowed and planning permission is granted for new boundary treatment at 276 Singlewell Road, Gravesend DA11 7RE in accordance with the terms of the application, Ref: 20201364 dated 21 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to the front and side boundary walls: 20084JD-PP-04; 20084JD-PP-01-PSP-A1; 20084JD-PP-05; 20084JD-PP-02-PFE-A1; 20084JD-PP-03-PSE-A1.

Preliminary Matters

2. The application forms stated that the works had been undertaken and completed prior to the submission of the application. The Council has described the application as seeking retrospective permission for the retention of front and side boundary treatments enclosing front forecourt including proposed reduction in the height of the brick piers.
3. From the planning history provided by the Council, planning permission was granted for a replacement dwelling under permission Ref 20190369 in July 2019 subject to conditions, including in respect of boundary treatments and hard and soft landscaping. Details to discharge these conditions were approved under the Council's Ref 20190802.

4. The submitted plans before me shows a different scheme to that approved, both in terms of the boundary treatments and the layout of the front garden. At the time of my site visit, the front garden and parking area together with boundary walls had been installed but the details did not reflect either the scheme plans submitted before me nor the earlier approved scheme. There has been additional planting introduced along the southern boundary which is not shown on the plan now submitted for approval. In addition, the piers and boundary walls all have capping stones which are not shown on the plans before me for determination.
5. The Appellant has contended that the application is only in respect of the boundary treatments and not the front forecourt and landscaping. I understand the Council's difficulties in this regard because the plans submitted show not only the boundary treatments but also a layout for the soft landscaping which does not reflect either the approved scheme or what has been laid out. However, the conditions on the original permission under Ref 20190369 differentiated between boundary treatments (Condition 4) and hard and soft landscaping (Condition 5). In the particular circumstances of this case, I shall consider the appeal solely on the basis of the description of development on the application forms, that is that it relates to the boundary treatment only and that the landscaping arrangements are not before me. This is a matter that would need to be addressed separately.
6. I am required to determine the appeal on the basis of the submitted plans before me. As these plans do not precisely reflect the boundary walls as built, I shall therefore consider the appeal as a proposed scheme.
7. Since the application was determined, the National Planning Policy Framework (Framework) has been revised in July 2021. However, I do not consider that the changes directly affect the appeal proposal before me, but all references are to the July 2021 version.

Main Issues

8. The main issues in this appeal are:
 - a) the effect of the proposed boundary treatment on the character and appearance of the surrounding area, and
 - b) the effect of the proposed development on biodiversity.

Reasons

Issue a) Character and Appearance

9. There are a variety of individual properties along both sides of Singlewell Road, including some more recent replacement properties, of which the appeal property on the eastern side of the road is one of the most recent. Reflecting the different house types and designs, front boundary treatments are also varied including walls of different heights, hedges, railings and a few open frontages. Whilst there are a small number of examples of extensive hard landscaping to front gardens, including opposite the appeal property, the general pattern of front garden treatments includes for some soft landscaping in addition to the hard paving for parked cars, behind clearly demarked front

boundary treatments. This provides the road with an overall attractive verdant appearance, with clearly defined separation between front gardens and the street.

10. Given the variety of front boundary treatments in the local area, I consider that the proposed front and side boundary walls would not be overly high; the taller piers would be interspersed with lower elements of well designed and detailed walling. The materials would match the brickwork of the new house. I appreciate that the proposed wall and piers would be higher and therefore more solid compared with the earlier approval, but the piers would be well spaced and the overall composition would blend in with the variety of front boundary treatments which characterise the local area. They would not therefore be visually intrusive in the street scene.
11. I am therefore satisfied that the front boundary treatment, in so far as it would relate to the front and side boundary walls, would respect the character and appearance of the local area. There would be no conflict with Policy CS19 of the Gravesham Local Plan Core Strategy (Core Strategy) and the Framework and in particular Section 12, both of which, amongst other things seek a high quality of design which respects the local context.

Issue b) Biodiversity

12. In so far as this proposal only relates to the boundary treatments and not the hard and soft landscaping of the front garden area, there is no issue in respect of biodiversity. I am not therefore persuaded, in the circumstances of this case, that there would be a material impact on biodiversity which would conflict with Policy CS12 of the Core Strategy and Paragraph 174 d) of the Framework which seeks to ensure the protection and enhancement of biodiversity.

Other Considerations

13. My attention has been drawn to a recent appeal decision at 218 Singlewell Road under the Ref APP/K2230/W/20/3249061 where the Inspector dismissed an appeal to amend the details of both the front garden and boundary treatment in respect of that property. It is therefore not directly comparable with the appeal before me. Furthermore, each proposal must be considered on its individual merits. Nonetheless I have taken the appeal decision into consideration but am satisfied that there is no conflict with the decision I have reached in this case.

Conditions and Conclusion

14. In terms of conditions, I agree with the Council that the materials should match those used on the existing building in order to protect the character and appearance of the existing building and the local area. A condition should be imposed to list the approved plans for the avoidance of doubt and in the interests of proper planning.
15. The Council has also proposed that a condition should be imposed regarding the vehicle parking area, but for the reasons set out above, I do not consider that this forms part of the proposal before me.

Conclusion

16. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR