



Appeal Decision

Site visit made on 16 August 2022

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 01 February 2023.

Appeal Ref: APP/M3645/D/22/3292833

1 Ashwood, Warlingham, Surrey, CR6 9HT.

- 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 Karina Hickley against the decision of Tandridge District Council.
 - The application Ref TA/2021/1658, dated 14 September 2021, was refused by notice dated 30 November 2021.
 - The development proposed is for the retention of front gates, fence and brick pillars.
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the appeal site and the surrounding area.

Reasons

3. The appeal property, 1 Ashwood is a detached dwelling. It is located on a prominent corner plot at the junction of Ashwood and Homefield Road, with vehicular access from both Ashwood and Homefield Road.
4. The surrounding area is characterised by detached dwellings set in spacious landscaped plots, with soft landscaping being a key feature.
5. Ashwood was designed as an open plan estate. Generally, the open plan design has been retained. While some dwellings in Homefield Road are also open plan the front gardens of most are enclosed by low fences and hedges. While high close boarded fences are not uncommon in the wider area they are in the minority.
6. From the evidence before me I note that the previous boundary treatment to the appeal site comprised a low post and rail fence with brick pillars at the two un-gated vehicle access points.
7. The appellant has replaced the existing boundary post and rail fence with 1.8 metre high close boarded fence and installed two pairs of 1.890 high gates between brick gate pillars. Accordingly, I was able to see the completed development to which this appeal relates.
8. Policy DP9 of the Tandridge Local Plan Part2: Detailed Policies 2014–2029 (Adopted July 2014) (LP) states, amongst other things, that planning

permission will usually be granted for fencing, walling, gates and other means of enclosure where, along with other things, proposals would not result in the enclosure of incidental landscaped garden areas or open plan gardens which contribute to the character of a residential area.

9. Further in all cases, proposals must not result in adverse effects on the amenities of neighbours or on the character and appearance of the locality by reason of the scale of the proposals or materials used.
10. Given the prominent location of the appeal site, the height of the fencing and gates, together with the overall length of the site boundary the new fencing and gates as erected appear as a striking and visual obtrusive feature in the street scene. Given the open plan design of Ashwood and the predominantly green and wooded character of Holmfield Road they appear as a contrasting alien feature here.
11. I therefore conclude in respect of the main issue that the proposed new fence and gates would cause harm to the character and appearance of the area. To allow it would be contrary to the aims of Policy CSP18 of the Tandridge District Core Strategy (Adopted 15 October 2008) and LP Policies DP7 and DP9 as they relate to the quality of development and the need for new development to respect and contribute to the distinctive character, appearance, and amenity of the area in which it is located.

Other Matters

12. I am sympathetic to the appellant's desire to improve security. However, there are any number of alternative methods to do this without causing the harm that I have identified.
13. The appellant has suggested that a 1.0 metre high close boarded fence would fall to be considered as permitted development. Whether or not it would be permitted development is not a matter for me to determine in this instance and it is for the appellant to resolve this matter independently of this appeal. I therefore give limited weight of the question of the difference between a 1.0 metre high and the 1.8 metre high fence proposed.

Conclusions

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

Philip Willmer

INSPECTOR