



Appeal Decision

Site visit made on 26 January 2024

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 22 FEBRUARY 2024

Appeal Ref: APP/M3645/W/23/3316213

School Plantation, Barrow Green Road, Oxted, RH8 9NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr John Preston of Wyldcrest Parks Management Limited against Tandridge District Council.
 - The application Ref ENF/2022/41/COND1, dated 1 December 2022, sought approval of details pursuant to condition No Paragraph 47 (i) of planning permission Ref APP/M3645/C/22/3298871 granted on 30 November 2022.
 - The development is the erection of walls over 1 metre in height on land adjacent to a highway used by vehicular traffic.
 - The details for which approval is sought are a scheme for the finishing of the walls (including the application of render of a specific colour, or render and paint of a specific colour) including a timetable for its implementation.
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Decision

1. The appeal is allowed and the details submitted pursuant to conditions No Paragraph 47 (i) attached to planning permission Ref APP/M3645/C/22/3298871 granted on 30 November 2022 in accordance with the application dated 1 December 2022 and the plans submitted with it are approved.

Preliminary Matters

2. It has been confirmed in correspondence that the application was made by John Preston of Wyldcrest Parks Management Limited and the post code for the site is RH8 9NE. This has been replicated in the banner above.
3. During my site visit I observed a development which matched the application plans. For these reasons, I will consider the proposal as a retrospective development.

Main Issue

4. The effect of the wall finishing and the implementation on the character and appearance of the area.

Reasons

5. Planning permission for the erection of walls over 1 metre in height on land adjacent to a highway used by vehicular traffic was granted on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990, subject to 6 conditions. The first condition required, within 2

months of the decision, a scheme for the finishing of the walls, including a timetable for its implementation, to be submitted to and approved in writing by the local planning authority. The second condition specified that, if within 4 months of the appeal decision, the local planning authority fail to give a decision on the discharge of the condition, an appeal shall be made. As the Council failed to make a decision within that timeframe, the appellant submitted an appeal.

6. The submitted drawing (No SP011222) shows the walls are rendered all round and painted Deep Brunswick Green with a matt finish. There is no dispute between the parties that this is an appropriate finish, which would preserve the character and appearance of the area.
7. The submitted information included a timetable which specified that works would be completed within 2 months of receiving the approval. Whilst this would have been acceptable, as above, the walls have already been rendered and painted.
8. Overall, I conclude that the wall finishing and its implementation, has not had a harmful effect on the character and appearance of the area.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed and the details submitted pursuant to condition No paragraph 47 (i) of planning permission Ref APP/M3645/C/22/3298871 are approved.

J Hobbs

INSPECTOR