

Appeal Decision

Site visit made on 17 September 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2024

Appeal Ref: APP/E2205/W/23/3333638

Hornes Place Oast, Kenardington Road, Appledore, Kent TN26 2BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Harry Davis against the decision of Ashford Borough Council.
 - The application Ref is PA/2023/1476.
 - The development proposed is "retrospective alterations to consented fence".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission was previously granted for the erection of a boundary fence, new native hedgerow, and tree planting at the site. The appeal scheme seeks permission for alterations to the fence, including an extension and changes to its alignment. The precise length of the fence extension is a matter of dispute between the parties. However, the physical relationship between the development, the road, and other nearby features is shown on the plans, and I have considered the scheme accordingly.
3. The application was submitted retrospectively. On my site visit, I observed that a fence has been erected at the site in the position shown on the submitted plans. However, the structure I observed included a gate, which is shown on the drawings to be removed and replaced, and trellises had not been erected. I have therefore determined the appeal based on the development shown on the submitted plans.

Main Issue

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

Reasons

5. The appeal site runs alongside the northern boundary of Kenardington Road, which is enclosed on both sides by dense vegetated borders. The tree and hedge-lined nature of the lane is a distinctive landscape feature, which contributes towards the leafy, rural character of the area. The local

landscape is not nationally designated, but it has an attractive quality and intrinsic value.

6. Whilst hedgerow planting is becoming established along part of the fence, the lengthy section that projects closer to the road is exposed to views from the street. Due to its length, height, and solid material, the structure is overly prominent and detracts from the verdant roadside frontage that is a distinctive feature in the local landscape.
7. It is clearly the appellant's intention to soften the appearance of the fence through additional planting, which could be secured through condition if the appeal were to be allowed. However, the existing hedgerows I observed nearby on Kenardington Road are deep, and they cover a larger ground area than is available in front of the projecting part of the fence. Therefore, owing to the shallow depth of the grass verge, I am not persuaded there is sufficient space for planting to become fully established without unduly encroaching onto the highway and obscuring road signage. Whilst some plants and climbers may require less ground cover, I am not convinced these species would provide effective screening so as to mitigate the visual harm caused by the incongruent appearance of the development.
8. There are other hard boundary treatments nearby on Kenardington Road, which have been referred to in the evidence. However, most of these boundary treatments, including the fence at 1 Prospect Place, are relatively modest in scale and are associated with necessary breaks in the hedged frontage to allow for access to properties. Moreover, the wall at White Wings is subordinate to the dense tree growth, albeit non-native, which maintains the verdant character of the lane.
9. The post and rail fencing at The Wish House is a discrete structure, with visual permeability through to the gardens to the rear. This reduces its prominence when observed from the road. Furthermore, the boundary treatments near to the Woodchurch Road crossroads are experienced in a different context to the appeal site, owing to their proximity to the adjacent road junction. Overall, I have not been directed to any other boundary treatments that are comparable to the appeal scheme in terms of its height, length, and solid materiality, which disrupts the verdant landscape character of Kenardington Road.
10. Taking all of the above into account, I conclude there would be harm caused to the character and appearance of the area. There would be conflict with Policy ENV3a of the Ashford Local Plan 2030 (LP), which expects developments to demonstrate particular regard to landscape characteristics and features. There would also be conflict with Policies SP1 and SP6 of the LP, and the Framework, insofar as they require developments to be of a high-quality design that responds to the prevailing character of the area.

Other Matters

11. I note that the appellant has previously removed some non-native trees from the site, which will be replaced with species more appropriate to the local context. The tree planting proposals do not form part of the appeal proposal and, therefore, they have not been determinative to my decision.

Planning Balance and Conclusion

12. The fence provides privacy and security to the occupants of the host property, whilst also allowing the retention of an existing storage yard. However, these benefits do not outweigh the harm that is caused to local character by the development.
13. I conclude that the proposed development would conflict with the development plan and the material considerations do not indicate that a decision should be made other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catcheside

INSPECTOR