



Appeal Decision

Site visit made on 8 January 2025

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State

Decision date: 29 January 2025

Appeal Ref: APP/M2270/D/24/3350181

16 Warwick Park, Royal Tunbridge Wells, Kent TN2 5TB

- 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 F Renton against the decision of Tunbridge Wells Borough Council.
 - The application ref. is 24/01147/FULL.
 - The development proposed is the construction of a cedar fence and gate and for external downlights attached to the fence.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a cedar fence and gate and for external downlights attached to the fence at 16 Warwick Park, Royal Tunbridge Wells, Kent TN2 5TB in accordance with the terms of planning application ref. 24/01147/FULL dated 25 April 2024 subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the submitted plans.

Procedural Matter

2. At the time of my site visit, the cedar fence and gate had been erected on the appeal site, but the external lighting had not. As detailed plans have been submitted with the planning application, I shall approach the appeal on the basis that permission is sought for what is shown on the submitted plans.

Main Issue

3. The appeal site is located within the Madeira Park and Warwick Park Conservation Area. The main issue in the appeal is the effect of the proposal on the character and appearance of the Conservation Area.

Reasons

4. The appeal site is a two storey semi-detached dwelling located on the west side of Warwick Park about 120m south of its junction with Frant Road. Its semi-pair is to its north and this is 14 Warwick Park.
5. Warwick Park is a predominantly residential road. At the time of my site visit, it had a sign outside indicating it was also the location of an architect's studio. The dwelling stands back from the road and there is a front forecourt for parking and a set of steps up from the road leading to an elevated walkway in

front of a bay window and the front door. A tall and fairly substantial hedge separates no.18 Warwick Park from the appeal site at the front. A cedar fence and a pedestrian gate (the latter flush with the front elevation of the dwelling) have been erected on top of a brick wall which is also on the common boundary with no.18. The fence is on the common boundary with no.18 directly in front of the hedge. The fence varies in height. There is a red brick wall along the front boundary with no.14 to the north.

6. In coming to my decision, I have borne in mind, amongst other things, the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Madeira Park and Warwick Park Conservation Area. It is a leafy residential area with an informal parkland setting where hedging, lines of trees, red brick walls and vegetation on and around front forecourts and gardens make an important contribution to its character, but this effect is tempered by the prevalence of on-site front forecourt parking areas. The dwellings are generally very handsome with prominent gable fronts, sometimes half-timbered, hanging tiles and leaded light windows.
7. Whilst the fence is noticeable as one passes along Warwick Park southwards, views of it are generally fleeting. It does not extend right up to the front boundary line and the upper part of the boundary hedge is visible above the fence. It is made of good quality narrow horizontal cedar slats and it is highly likely to weather to a greyish colour. The three bronze coloured downlights which are proposed to be mounted on the fence would be modest in size and would not, when on or off, be unduly prominent. I consider that the proposal would have a neutral impact on the Conservation Area which would preserve it and not detract from its significance. It would respect the context of the site, in part because several other properties utilise wooden fencing for boundary treatment or to define paths to the dwellings. In order to avoid uncertainty, a condition requiring the development to be carried out in accordance with the plans is imposed.
8. I therefore conclude that the proposal would preserve the character and appearance of the Madeira Park and Warwick Park Conservation Area and would not conflict with policies EN1 or EN5 of the Tunbridge Wells Borough Council Local Plan (adopted 2006), or Core Policy 4 of the Tunbridge Wells Borough Council Core Strategy (adopted 2010) or the Alterations and Extension Supplementary Planning Document (2006).

Conclusion

9. Having considered all representations made, for the reasons given above, I allow the appeal.

Megan Thomas K.C.
Inspector