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## Appeal Decision

Site visit made on 27 January 2025

**by J Pearce MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 12<sup>th</sup> February 2025**

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**Appeal Ref: APP/C1435/D/24/3348887**

**Littlewood, Cat Street, Hartfield, East Sussex TN7 4DX**

- 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 Clemens against the decision of Wealden District Council.
  - The application Ref is WD/2024/1103/F.
  - The development proposed is the erection of a 2 metre high fence.
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### Decision

1. The appeal is dismissed.

### Main Issue

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

### Reasons

3. The appeal site comprises a detached dwelling accessed from Cat Street (the B2110). The site is within the High Weald National Landscape (NL). Paragraph 189 of the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the NL. I am also mindful of the statutory purpose of NLs to conserve and enhance the natural beauty of the area.
4. The dwelling at the site is set back from the B2110 with a hedge and mature trees enclosing the site beyond a narrow verge. The area is primarily wooded, with trees and hedges separating the built form giving the area a verdant rural character. Boundary treatments on either side of the B2110 are mixed and include hedges and timber fences.
5. The proposal is for a two-metre-high close boarded fence parallel to the B2110. The fence would be set forward of the existing hedge and mature trees and, given its position and length, would be clearly visible within the street scene. The fence would have an urban appearance and its position to the front of the existing hedge and mature trees would present a hard edge to the road that would erode the typically verdant character of the area.
6. The development would include planting to the front of the fence and an artificial trellis to soften the visual effect of the fence. Nevertheless, this would not address the harm identified as the area for planting is small and would not reliably mitigate the visual effect of the proposal. Even if it were effective, the retention of the landscaping cannot be guaranteed.

7. Close boarded fences form the front boundaries at Graddocks and Little Tye, which are close to the appeal site. The proximity of the dwellings at these properties to the front boundaries provides a backdrop of built form, which differs from the softer context of the mature trees and hedges at the site. Nevertheless, while these fences are existing features within the area, their stark appearance jars with the primarily open, rural character of the area. Accordingly, the fences do not make a positive contribution to the overall quality and character of the street scene. The proposed fence would result in a considerable further erosion of the primarily verdant character of the area.
8. I conclude that the proposal would harm the character and appearance of the area. The development therefore conflicts with Policies DC19, EN27, EN1, EN6 and GD2 of the Wealden Local Plan 1998, and Policies WCS12, WCS14, SPO1 and SPO13 of the Core Strategy Local Plan 2013, which collectively seek to restrict development outside development boundaries, require proposals to conserve or enhance the natural beauty and character of the landscape and seek the development of high quality, attractive living environments which promote local distinctiveness.

### **Other Matter**

9. The appellant states that the fence is required to assist in reducing traffic noise from the road for occupants of the dwelling. While an acoustic fence would limit noise from the road, there is no substantive evidence before me that demonstrates that the road generates a harmful level of noise and that the proposed fence would significantly reduce noise from road traffic. Accordingly, this limits the weight I can attribute, and it would not outweigh the harm that I have identified to the character and appearance of the area.

### **Conclusion**

10. The proposed development conflicts with the development plan. The material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

*J Pearce*

INSPECTOR