



Appeal Decision

Site visit made on 20 February 2025

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2025

Appeal Ref: APP/Z5630/D/24/3352150

103 Chantry Road, Chessington, Kingston Upon Thames, KT9 1JT

- 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 Mrs Iren Venuja Vijayakumar against the decision of Council of the Royal Borough of Kingston upon Thames
 - The application Ref is 24/00558/HOU.
 - The development proposed is the erection of a replacement boundary fence and gate.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development has been completed; this does not alter my approach to determining the merits of the proposal

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

Character and appearance

4. The appeal property is a two-storey end of terrace home on a corner plot facing the distributor road (Chantry Road) and with its side flank and rear garden running alongside a modest cul-de-sac (Hurst Close) of some 15 houses. The area is of established residential character with buildings and gardens, including an 'open plan' norm, coming together to create a neighbourhood of pleasing appearance. The proposal is as described above and embodies a fence run which is now close to the back edge of the footway on Hurst Close when previously it was set such that there was a defined grass verge.
 5. Regrettably the screen fence has become a prominent and visually disrupting feature in the scene looking uncomfortably close to the minor residential road. It looks out of place in the context of an 'open plan' layout beyond, opposite and nearby. A reasonable sized grass verge, whilst unremarkable in its own right, would have appeared seamless and appropriate, whereas a screen fence stepped forward does not. Unfortunately, the removal of the grass verge and the replacement fencing has unacceptably adversely impacted upon the
-

streetscene, local landscape character, and the sense of openness which is a marked attribute of the area.

6. Policy D3 of the London Plan 2021 and Policies CS8 and DM10 of the Council's Core Strategy taken together call for, amongst other matters, well designed development, appropriate to its site and setting and of a suitable appearance and character which would protect local distinctiveness. I conclude that the appeal scheme would run contrary to these policies.

Other matters

7. I appreciate that the scheme does not run beyond the Appellant's ownership and I understand the wish for replacement enclosure of the garden given the condition of previous fencing. I recognise the question of security but it does not follow that any secure fence would need to be as now sited. I agree that the scheme does not directly impinge upon neighbours. It is unfortunate that expenditure has taken place on the fencing but to be fair to all I have to determine the scheme as I would if an applicant had proceeded through the planning process before development. I have reviewed other examples generally and specifically drawn to my attention but find none to be directly comparable given location or form and, in any event, I must determine this case on its own merits.
8. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
9. I confirm that policies in the National Planning Policy Framework have been considered. Key objectives of the document are to safeguard qualities of the built environment and the development plan policies which I cite mirror these.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would have an unacceptable adverse effect on the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR