



Appeal Decision

Site visit made on 19 March 2025

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 April 2025

Appeal Ref: APP/G2245/D/25/3359534
99 Pinks Hill, Swanley, Kent, BR8 8NN

- 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 Mr Scott Robinson against the decision of Sevenoaks District Council.
 - The application Ref is 24/02888/HOUSE.
 - The development proposed is the installation of boundary line fence and gates.
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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 detached home on a corner plot, on the inside of an angle of Pinks Hill. This street is a relatively major road within a sizeable housing estate, comprising a range of good quality homes, which is characterised by an 'open plan' design providing a sense of spaciousness and a streetscene with an attractive appearance.
 5. The proposal is a close boarded screen fence coming out to and then running along the back edge of the footway alongside the side of the road enclosing the rear garden. Previously, this would have had an open plan element with the enclosure to the garden being set appreciably further away from the pavement.
 6. Regrettably, the far from insignificant screen fence has become a prominent and visually disrupting feature in the scene, appearing uncomfortable right alongside the footway. It looks out of place in the context of an 'open plan' layout beyond, opposite and nearby. A reasonable sized grass verge or other planting, whilst perhaps unremarkable in its own right, would have appeared
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seamless and appropriate, whereas a screen fence stepped right forward does not. Unfortunately, the fencing has unacceptably adversely impacted upon the streetscene, local landscape character, and the sense of openness which is a marked attribute of the area. It is incongruous in this position.

7. I would add that I agree with the Appellant about the suitability of close boarded fencing in principle, and that an increase from the previously enclosed garden may well be appropriate. It is simply that the scheme comes too close to the back edge of the footway, and has provided no scope whatsoever for any degree of openness or soft landscape between fencing and pavement.
8. Policy EN1 of the Allocations and Development Management Plan (MP) is relevant. It calls for schemes to be of high-quality design, responsive to their context, protective of green spaces and generally in character with surroundings. The Council's Residential Extensions Supplementary Planning Document (SPD) has similar aesthetic aims and generally discourages close boarded fences on boundaries facing the street, albeit I appreciate that the guidance cannot be expected to cover every eventuality. I conclude that the appeal scheme would run contrary to MP Policy EN1 and the SPD.

Other matters

9. I was sorry to hear of the tribulations with this home, and I appreciate that the scheme does not run beyond the Appellant's ownership, that the front garden area would remain open, and that natural, weathering, materials have been used. I understand the wish for enclosure of a back garden, particularly given security and child safety and previous problems of hedging, although it does not follow that any protective fence would need to be as now sited at the outer extremes. I agree that the scheme does not directly impinge upon neighbours and does not lead to highway safety issues.
10. 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.
11. 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.
12. 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 policy which I cite mirrors this.

Overall conclusion

13. 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