



Appeal Decision

Site visit made on 11 June 2025

by **P H Wallace BSc (Hons) DipMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/V2255/D/25/3362937

34 Court Tree Drive, Eastchurch, Kent ME12 4TR

- 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 Tony Bridger against the decision of Swale Borough Council.
 - The application Ref is 25/500299/FULL.
 - The development proposed is a new front fence and gate on front boundary.
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Decision

1. The appeal is allowed and planning permission is granted for a new front fence and gate on front boundary at 34 Court Tree Drive, Eastchurch, Kent ME12 4TR in accordance with the terms of the application, Ref 25/500299/FULL, and the plans submitted with it.

Preliminary Matter

2. The planning application, which is the subject of this appeal, has been submitted retrospectively and at the time of my site visit, I was able to see the fence and gate in situ. While the fence and pedestrian gate have been implemented in accordance with the submitted plans, the main gate is a single 5-bar type rather than the double-leaf design proposed. In these circumstances, I am required to deal with the appeal on the basis of the submitted plans.

Main Issue

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

Reasons

4. The appeal site comprises a detached dwelling situated along an access road within a residential estate characterised by similarly designed dwellings occupying generous plots with large front gardens and private driveways. The overall character is one of openness. This is partly due to the prevalence of open front boundaries, although some frontages also incorporate soft landscaping, hedging, and occasional boundary treatments such as walls and fences. These elements, while altering the established pattern in places, have generally been implemented in a manner that remains sympathetic to the streetscape and do not detract from the overall appearance or character of the area. This applies within the immediate vicinity of the site where a more enclosed character exists due to planted boundaries and some physical screening.

5. The development has introduced a dark-painted, close-boarded timber fence along the property's frontage, with a horizontal timber barred gate and matching pedestrian gate. The submitted plans indicate a fence height of 1.25m.
6. While the specific design of the frontage treatment is not replicated elsewhere locally, the use of timber and a dark colour lends the fence and gates a natural and recessive appearance. Its modest height and visual permeability allow the structure to integrate effectively within the streetscene. Observations during my site visit confirmed the fence height aligns with the adjacent hedge frontage and remains lower than a solid timber fence on the other neighbouring front boundary. On this basis, it is considered the proposal respects the established character of front boundary treatments in the area and does not appear visually intrusive or unsympathetic in its context.
7. Accordingly, the proposed development does not harm the character and appearance of the area and therefore accords with Policies CP4 and DM14 of the Swale Borough Local Plan (2017). These policies seek to ensure, amongst other things, that development has a high quality design which is sympathetic and appropriate to the location.

Other Matters

8. The Council is satisfied the development will not cause harm to the living conditions of neighbours and will not adversely impact on-site parking provision or highway safety. I find no substantive evidence which leads me to a different conclusion.

Conditions

9. The Council has suggested imposing a condition which requires the proposal to be carried out in accordance with the submitted drawings. As the development has already been constructed, I consider there is no need to impose this or any other conditions.

Conclusion

10. For the reasons given above I conclude the appeal should be allowed.

PH Wallace

INSPECTOR