



Appeal Decision

Site visit made on 1 October 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 09 October 2025

Appeal Ref: APP/M3645/D/25/3369928

9 Lagham Park, South Godstone, Godstone RH9 8EW

- 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 & Mrs Anastasis Loizou against the decision of Tandridge District Council.
 - The application Ref is TA/2025/384.
 - The development is retention of boundary fence.
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Decision

1. The appeal is allowed and planning permission is granted for boundary fence at 9 Lagham Park, South Godstone, Godstone RH9 8EW in accordance with the terms of the application, Ref TA/2025/384 and the plans numbered 2512-1 and 2512-2, subject to the following condition:
 - 1) Within 3 months of the date of this permission:
 - a) further details of the boundary planting undertaken and any additional boundary planting proposed, and
 - b) a maintenance and management scheme to retain and protect the boundary planting and to replace any planting that may become diseased, damaged or die, and
 - c) a timescale for implementation and periodic reviewshall be submitted to and approved in writing by the Local Planning Authority. Any additional proposed planting together with the maintenance and management scheme shall be carried out as approved and in accordance with the approved timescale.

Preliminary Matters

2. According to the information on the application forms the development had been completed prior to the submission of the application. I shall therefore treat the application as one seeking permission for the development as originally undertaken, namely the erection of a timber fence.
3. The spelling of the Applicants' name on the application form differs from the spelling in all the other correspondence including at appeal. I have therefore used the spelling on the appeal form.

4. There are references in the appeal documentation and in representations from neighbours about other developments undertaken at the appeal property, including the resurfacing of the front driveway, works to trees and a garden outbuilding at the rear. However, these matters are not before me and my decision is based solely on the development the subject of this appeal, namely the erection of a boundary fence.

Main Issue

5. The main issue in this appeal is the effect of the development on the character and appearance of the local area.

Reasons

6. The appeal property is a detached residential dwelling on a corner plot within Lagham Park, a residential area with a mix of detached houses and bungalows. Most of the properties have open and planted frontages and together with a grass verge between the footway and the road, there is an open and verdant setting to the residential area. There are some plots, and mainly corner plots, with more dense and higher hedging and some fencing, particularly along their side returns.
7. The close boarded fence as erected is just under 2m in height. It runs from the corner of the property parallel with the northern boundary with a shorter return length along the rear boundary / side boundary with No 11. The fence is set in from the boundary line with a recently planted hedge, comprising mainly laurel with some hornbeam along the northern length between the public footway and the fence line. There is also very recent planting to the return length between the frontage and an existing mature hedge, closer to the adjoining property.
8. At the time of my site visit, parts of the fence remained very visible, particularly along the return section with the neighbouring property at No 11. However, some of the hedge along the northern boundary was already almost the height of the fence line.
9. Without any hedge in front of the fence as erected, the fence would appear stark and visually incongruous with the more verdant surroundings and frontages to surrounding properties. This would harm the character and appearance of the local area.
10. However, providing the hedge is retained and appropriately managed to ensure its retention and maturity so that the fence is screened by the hedge, I consider that the boundary treatment undertaken at the appeal site would respect the verdant surroundings which form part of the character and appearance of the local area. The boundary treatment is and would be taller than some of the immediately surrounding more open frontages, but taller and densely grown hedges, some with fences, are a feature of a number of corner plots. I am satisfied that the retention and management of the hedge to screen the fence could be addressed by the imposition of a planning condition.
11. Subject to the imposition of a condition as set out above, I am satisfied that the development would respect the character and appearance of the local area. There would be no conflict with Policies DP7 and DP9 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and the National Planning Policy Framework and in

particular Section 12, all of which amongst other matters seek for a high quality of design which respects the local context

Other Considerations

12. I have taken into account the Appellant's reasons for erecting the fence to increase privacy, security and safety but there is nothing before me to indicate that these concerns could not be addressed with a different boundary treatment. My decision is based on an assessment of the effect of the fence as erected on the character and appearance of the local area.
13. Representations were made to the effect that the Appellants' human rights as set out in the Human Rights Act 1998, would be violated if the appeal is dismissed. Since I have decided to allow the appeal and grant planning permission for the proposed development, there will be no interference with the Appellants' rights to a private and family life and home.
14. Concerns have been raised by neighbours regarding the harm to visibility and highway safety as a result of the fence. I am satisfied that given its siting as well as the residential nature of Lagham Park, the fence does not result in issues of harm to highway or pedestrian safety. The Council also did not raise this as a reason for refusal. The fact that the boundary treatment can be seen from neighbouring properties is not in itself a reason to withhold planning permission.
15. The Appellants have drawn my attention to examples of other fences which have been erected in the local area. My decision is based on the planning merits of the appeal before me.

Conditions

16. For the reasons set out above, and as the planting shown on the submitted plans is indicative only, it is necessary to impose a condition to require further details of the hedge planting to be submitted and approved together with a maintenance and management scheme for the hedge. Although the Appellants have not seen the wording of the condition I have proposed, which is bespoke to the particular circumstances of this case, the Appellants have indicated their willingness to accept a condition to require the retention and management of the hedge.

Conclusion

17. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR