



Appeal Decision

Site visit made on 10 December 2020

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2020.

Appeal Ref: W/4001070

Jack Russell Place, Halstow Lane, Upchurch, Sittingbourne ME9 7AB

- 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 G Beaney against the decision of Swale Borough Council.
 - The application Ref 20/500305/FULL dated 23 February 2020, was refused by notice dated 4 March 2020.
 - The development proposed is described as retrospective application for erection of a brick wall and gate posts to front of site.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I consider that the Council's amended description accurately describes the appeal scheme and accordingly I have adopted the amended description in the heading above rather than the appellants description of development.
3. At the time of my site visit, the development was in place. The original application form made clear that the scheme had been submitted retrospectively and I have dealt with the appeal on that basis. Large metal gates were in place at the time of my site visit however I note that these were not included in the planning application.

Main Issue

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

Reasons

5. The appeal site lies within an area which is largely undeveloped, within a rural setting in which boundary treatments are predominantly less formal, post and rail fencing and/or hedgerows.
6. The solid brick wall and gate posts of the scale proposed are an incongruous feature impinging on the openness of the rural area. Whilst softened to a degree by roadside landscaping, the introduction of this urbanising development is in stark contrast to the countryside nature of the area.
7. I conclude that the proposed development does harm the character and appearance of the area. There is conflict with Policies CP4, DM14 and DM26 of

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the Bearing Fruits 2031, the Swale Borough Local Plan (2017) which amongst other things seek to secure good design which adds to the overall quality of an area and respects local context. The proposed development would be contrary to the Swale Landscape Character and Biodiversity Appraisal, Supplementary Planning Document (2011) which seeks to conserve coherent rural character.

Other matters

8. My attention has been drawn by the appellant to examples of other boundary treatments, however no substantive details have been provided to demonstrate that these developments are directly comparable. In any event each development needs to be considered on its individual merits and circumstances against the relevant policies and taking account of other material considerations.
9. Whilst the boundary wall offers a degree of privacy and security for occupiers of the site, this does not outweigh the harm I have found to the character and appearance of the area

Conclusion

10. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR