



Appeal Decision

Site visit made on 18 May 2021

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021.

Appeal Ref: APP/V2255/D/21/3266343

4 Heron Close, Lower Halstow, Sittingbourne, Kent, ME9 7EF

- 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 Tony Macnamara against the decision of Swale Borough Council.
 - The application Ref. 20/504707/FULL, dated 2 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is to demolish existing boundary wall and build new wall relocated as plan.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

3. The appeal property is located in a prominent position in a cul-de-sac, and a notable feature of the street scene is the open frontages, with driveways interspersed with areas of soft landscaped green space. The appeal property contributes to this character, with a grassed and planted area next to its boundary wall. Other garden walls visible in the vicinity are similarly set back behind landscaped open space.
4. The proposed wall would enclose a significant portion of the existing grassed area, and although some green space would be retained its contribution to the street scene would be much diminished. Given its height and proximity to the footway, the proposed wall would be an unduly prominent feature. It would be out of keeping with the prevailing siting of buildings and boundary walls, and with the openness that is so important to the street scene. I appreciate the intention to replicate in materials, design and dimensions the existing wall, but the resultant visual impact would be more intrusive due to its siting.
5. It is accepted that the area in question is in private ownership and not designated as public open space, but these incidental landscaped areas contribute to the public realm and the character and appearance of Heron Close as a whole. I note the appellant's view that the area is of no benefit to the

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householders, and that if not maintained it would soon become an overgrown eyesore. However, this would not warrant the construction of a solid wall in close proximity to the footway that would introduce its own visual harm.

6. The appellant has suggested that if the appeal were successful a planning condition could secure extensive soft landscaping beyond the new wall. However, this would not offset the significant loss of this open gap in the street scene, and additional planting would not mitigate the visual impact of the new wall.
7. In light of the above, I conclude that the proposal would be detrimental to the character and appearance of the street scene, and would conflict with Policy DM 14 of 'Bearing Fruits 2031: The Swale Borough Local Plan 2017' (LP), which amongst other criteria seeks development which reflects the positive characteristics and features of the site and locality, conserves and enhances the natural and/or built environments, and is both well sited and of a scale, design, appearance and detail that is sympathetic and appropriate to the location; and with LP Policy DM 16, which requires alterations and extensions to existing buildings to maintain or enhance the character of the street scene, and to reinforce or enhance as appropriate local distinctiveness.
8. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR