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## Appeal Decision

Site visit made on 21 June 2022

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 July 2022

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**Appeal Ref: APP/V2255/W/22/3293434**

**1 Donemowe Drive, Sittingbourne ME10 2RH**

- 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 Prime Construction Limited against the decision of Swale Borough Council.
  - The application Ref 21/505209/FULL, dated 24 September 2021, was refused by notice dated 6 December 2021.
  - The proposed development is for the removal of existing bushes and erection of a dwarf brickwork wall with piers and timber hit and miss infill panels.
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### Decision

1. The appeal is allowed and planning permission is granted for the removal of existing bushes and erection of a dwarf brickwork wall with piers and timber hit and miss infill panels at 1 Donemowe Drive, Sittingbourne ME10 2RH in accordance with the terms of the application, Ref 21/505209/FULL, dated 24 September 2021, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: D110-OS A, D110-001B, D110-002B, D110-003.

### Main Issues

2. The main issues are the effect of the development on the character of the surrounding area.

### Reasons

3. The appeal site relates to a detached two-storey house located on a corner plot at the junction between Donemowe Drive and Newman Drive. The surrounding area is predominantly residential in nature with myriad boundary treatments evident to demarcate curtilages with the public highway. Such treatments include a substantial brick wall on Newman Drive directly opposite the appeal site, closeboard fencing opposite the junction with Adisham Green, and combined low brick walls and closeboard timber panels similar to that proposed by this appeal near the roundabout with the B2005 and Attlee Way.
  4. The proposal to introduce a dwarf wall with piers and timber panels to surround the front garden of the appeal building would therefore be similar to the way other curtilages close to the appeal site have either been fully or partially enclosed. Consequently, the appeal scheme would not look out of place in this
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location. The considerable variety in the appearance of boundary treatments in the area ensures that the proposal would assimilate without causing undue harm to the visual amenity of the locale. As such the enclosure of the front garden would not be detrimental to the character or appearance of the area.

5. I note the Council's argument that existing treatments primarily enclose private garden areas are not positioned to the front of a dwelling. However, to my mind the sheer preponderance of the other examples in the immediate surrounds cannot be ignored. Moreover, I am of the view that the appeal site has a closer association with the Newman Drive streetscene than the open-plan setting further along Donemowe Drive, and therefore my decision need not set a precedent for similar development to the front of dwellings elsewhere in the neighbourhood.
6. I conclude that the scheme would not result in harm to the character and appearance of the surrounding area. It would accord with Policies CP4, DM14 and DM16 of Bearing Fruits 2031: The Swale Borough Local Plan July 2017, which seek to secure new development of acceptable scale and appearance.

#### **Conditions**

7. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning.

#### **Conclusion**

8. Based on the above and all matters raised, the appeal is allowed.

*C Hall*

INSPECTOR