



Appeal Decision

Site visit made on 11 April 2016

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 April 2016

Appeal Ref: APP/V2255/D/16/3141714

20 Amber Rise, Sittingbourne, Kent ME10 5JE

- 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 Sara Smith against the decision of Swale Borough Council.
 - The application Ref 15/502276/FULL, dated 13 March 2015, was refused by notice dated 28 October 2015.
 - The development proposed is to move the existing fence to the boundary line of the property, whilst keeping a small border for planting an assortment of climbing plants.
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Decision

1. The appeal is allowed and permission is granted to move the existing fence to the boundary line of the property, whilst keeping a small border for planting an assortment of climbing plants at 20 Amber Rise, Sittingbourne, Kent ME10 5JE, in accordance with the terms of the application, Ref 15/502276/FULL, dated 13 March 2015, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: IDB/10/070915/1, IDB/10/160915/1B and Land Registry Index map plan 2103025002.

Main Issue

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

Reasons

3. This appeal concerns the pedestrian route which links Amber Rise with Lorimar Court, two pleasant residential roads which form part of a large modern housing estate. The route, which runs between Nos 18 and 20 Amber Rise, is not particularly long, perhaps about 25 m, has a path about 2–3 m wide and runs between two borders planted with shrubs and bushes.
4. The proposal is for the close boarded fence on one side of the path, alongside No 20, to be relocated to within about 0.2 m of the path along its length, about 1 m closer than at present. The existing shrub border would be lost, but a narrow border of plants, climbers and shrubs would be planted alongside the repositioned fence.

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5. The existing shrub border has become overgrown and a litter trap, as a result of which part has recently been cut back. Although potentially a pleasant landscaped border within the housing estate, its wider impact is very limited as it cannot be clearly seen from the roads at either end but only to pedestrians actually walking along the path. The border alongside No 18 is slightly more visible from the roads at each end due to the alignment of the path.
6. Relocating the fence as proposed would tidy up the area whilst still enabling some limited landscaping to be provided. There would be minimal impact on the overall appearance of the estate, which would retain its general open and landscaped character. Furthermore, due to the retained landscaping alongside No 18 and the relative width of the path in relation to its modest length, it would not feel unduly enclosed or oppressive when used by pedestrians.
7. For these reasons the proposal would not cause any significant harm to the character and appearance of the street scene and would comply with Policies E1 and E19 of the Swale Borough Local Plan 2008. These require development to reflect the characteristics of the site and locality and to be appropriate to its context and surroundings.
8. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR