
Appeal Decision

Site visit made on 30 October 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/K2230/D/25/3372000

5 Ashmore Gardens, Northfleet, Kent DA11 8NE

- 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 Ian Watson against the decision of Gravesham Borough Council.
 - The application Ref. is 20250100.
 - The development proposed is for a conservatory in the rear garden and the re-positioning of the boundary fence to a height of 1.8m along the side boundary of the property, to enlarge the rear garden area.
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Decision

1. The appeal is dismissed insofar as it relates to the re-positioning of the boundary fence to a height of 1.8m along the side boundary of the property, to enlarge the rear garden area. The appeal is allowed insofar as it relates to the conservatory in the rear garden and planning permission is granted for the conservatory in the rear garden at 5 Ashmore Gardens, Northfleet, Kent DA11 8NE in accordance with the terms of the application Ref. 20250100, and the plans submitted with it (IW/01, IW/02, IW/04, IW/05, IW/06, IW/07, IW/08).

Preliminary matters

2. For the reasons that follow, I find the conservatory in the rear garden to be acceptable as it is clearly severable both physically and functionally from the re-positioning of the boundary fence to a height of 1.8m along the side boundary of the property, to enlarge the rear garden area that also forms part of the scheme. Therefore I intend to issue a split decision in this instance and grant planning permission for the conservatory in the rear garden.
3. At my site visit, I saw that the conservatory has been completed, and I note that this element of the application has been submitted retrospectively.

Main Issues

4. The main issues are the effect of the proposal on a) the character and appearance of the existing dwelling and the local area; b) the living conditions of the occupiers of the appeal property in respect of the provision of external amenity space; and c) highway safety.

Reasons

Character and appearance

5. The appeal site is a two-storey, end-terrace dwelling served by off-street parking on a driveway to the front and side. It is located on a cul-de-sac in a largely residential neighbourhood consisting of properties of varying scale and appearance, many of which have been extended with conservatories that are visible from the public domain over boundary treatments.

6. I acknowledge that the rear conservatory the subject of this appeal is evident from longer distance views, for example as far as opposite the junction of Ashmore Gardens and Landseer Avenue. Nevertheless it appears of subservient proportions when viewed against the backdrop of the main house, and set against the garage to the side. It has been finished with a solid roof, which further tempers its impact upon the streetscene. Taken together with the myriad similar garden rooms that are present in the vicinity, I am satisfied that it integrates successfully without appearing dominant or discordant.
7. Along much of the western boundary of the appeal site with the highway are trees and shrubs that make a positive contribution to the street scene. The replacement of this planting with a 1.8m high close board fence would introduce a harsh and intrusive feature into the neighbourhood to the detriment of the setting. Although there may be similar treatment opposite, this should not be seen as a benchmark for future boundary fencing in the estate, or encourage the replacement of pleasing natural vegetation with solid wooden panels and posts.
8. I therefore conclude that whilst the conservatory is acceptable, the proposed fencing would be harmful to the character and appearance of the existing dwelling and local area. It would fail Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS), and the Council's Householder Alterations and Extensions Guidance Supplementary Planning Document 2021 (SPD). Together these seek to ensure proposals relate to surrounding development and meet high standards of design.

Living conditions

9. I appreciate that the conservatory has reduced the extent of the rear garden, and that the resultant external amenity space serving the appeal dwelling is below the standards set out in the Council's Residential Layout Guidelines Supplementary Planning Guidance 2020 (SPG). Nonetheless, I observed that the rear garden is already constrained by the considerable side wall of the attached garage, and is partially overlooked from the public domain due to the modest height of the fence running along the rear boundary. These factors limit the practical use of the garden for outdoor enjoyment.
10. This is a balanced issue, however I am satisfied that the diminutive proportions of the resultant rear garden would not be so detrimental as to warrant a refusal of planning permission in this particular instance. Being north facing, the far end of the amenity space is the part that catches the sun at certain times of the year, and so can still be used for sitting out or hanging washing if so required.
11. Accordingly, the scheme would not have an injurious effect upon the living conditions of the occupiers of the appeal property in respect of the provision of external amenity space. It would be compatible with Policy CS19 of the CS, the SPD and the SPG, which seek to ensure development does not materially harm amenity. It would also be consistent with the National Planning Policy Framework, which advocates safe and healthy living conditions.

Highway safety

12. The proposed fence would not materially alter the distance over which drivers will have to see that there is an advancing vehicle and react, should it be necessary, particularly given the low speeds of traffic over an estate road such as Ashmore Gardens. Moreover the highway is a dead end, serving only a parking court with several garages beyond the appeal site.
13. A vehicle reversing from the driveway of No 5 would do so at low speeds; this is not an uncommon situation within the context of the neighbourhood. Consequently, the associated risks to pedestrians and other road users are low due to the infrequency of manoeuvres and as reversing into the driveway and leaving in forward gear is also an available option.

14. For the forgoing reasons, the proposal would not have an adverse impact on highway safety and would thus comply with Policy CS11 of the Local Plan and the SPD, which seek to mitigate the impact of development on the transport network.

Conditions

15. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. The conservatory is complete and therefore the standard time limit and plans condition are no longer necessary. I am satisfied that no conditions are required, although I have listed the application drawing numbers in my decision so it is clear what was submitted.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed insofar as it relates to the the conservatory in the rear garden, but dismissed insofar as it relates to the re-positioning of the boundary fence to a height of 1.8m along the side boundary of the property, to enlarge the rear garden area.

C Hall

INSPECTOR