



Appeal Decision

Site visit made on 15 March 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 30TH March 2023

Appeal Ref: APP/K2230/D/22/3311264
69 Old Road East, Gravesend, DA12 1NW

- 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 Arek Gasidlo against the decision of Gravesham Borough Council.
 - The application Ref 20221037, dated 24 September 2022, was refused by notice dated 2 November 2022.
 - The development proposed is retention of front boundary wall and gate.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: i) the effect of the proposal on the character and appearance of the area; and ii) the risks to vehicular and pedestrian safety from the gates placed on the boundary.

Reasons

3. The appeal property is a semi-detached dwellinghouse, within a residential area, generally containing a mix of detached and semi-detached houses with front gardens set behind low front boundary brick walls and planting, with open entrances for vehicular and pedestrian access. The majority of properties have retained a positive visual appearance, particularly where the front boundary incorporates soft landscaping. The 'Existing site plan' shows that the dwelling was previously partly enclosed by a low brick wall with an open entrance for pedestrian and vehicular access.
4. The appeal development consists of a front boundary wall and gates. These are 1.8m high across the full width of the front garden; some 9.8m wide. A pedestrian gate is incorporated together with a vehicular entrance which is closed by a sliding gate at the back of the public footway. The static part of the enclosure consists of a low concrete base with 3 pillars which are infilled with horizontal boards. The boards are not dimensioned on the drawing, but are wide horizontal 'planks' with narrow gaps between. The vehicular and pedestrian gates consist of the same boards for their full height on a framework. The vehicular and pedestrian gates are separated by a post. The concrete elements of the wall are finished in a light grey colour, whilst the horizontal boards are coloured a dark grey.

5. The appearance of the wall and gates is very much at odds with the treatment of front boundaries in the area generally, where low brick walls or vertical planked timber fencing predominates. The contrast between the traditional boundary treatment and that of the appeal property stands out so starkly due to the height, materials and the lack of any softening planting, that I consider the effect of the proposal is damaging to the character and appearance of the area.
6. Turning to the second issue, Old Road East, I am told, is classified as a 'Schedule 2 Highway'. I am not told what this means in terms of the hierarchy of roads, but from my visit it is clear that it is an all-purpose distributor road of some importance, carrying a substantial amount of traffic. Thus it is desirable that vehicles entering the highway have a good view of existing traffic in order to make safe exist in either direction. Furthermore, it is important for emerging vehicles to be aware of pedestrians on the footway.
7. These requirements are not facilitated by the wall and gates placed at the back edge of the footway, of a form that severely restricts vision from within. The gaps in the horizontal panelling mean that there is a degree of view through, but this is so limited that it cannot be considered to provide satisfactory sight-lines. There is also the matter of vehicles arriving at the property and potentially having to wait on the carriageway while the gates are opened. I am not told, but I conjecture that the vehicular gate is motorised with remote control. However, that would not cater for some visitors in private vehicles or tradespeople needing to access the property.
8. All of these factors lead me to conclude that the wall and gates as they have been constructed on the boundary pose risks to vehicular and pedestrian safety. This issue and my earlier conclusion that the effect of the proposal is damaging to the character and appearance of the area, leads to my decision to dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR