



Appeal Decision

Site visit made on 6 June 2019

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 14th August 2019

Appeal Ref: APP/Q3305/D/19/3226603

1 Apple Meadow View, Park Hayes, Leigh-on-Mendip, Shepton Mallet BA3 5GP

- 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 D. Rowe and Miss A. Price against the decision of Mendip District Council.
 - The application Ref 2018/2779/HSE, dated 10 November 2018, was refused by notice dated 15 February 2019
 - The development proposed is described as resiting of existing driveway piers and gates.
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Decision

1. The appeal is allowed and planning permission is granted for the resiting of existing driveway piers and gates at 1 Apple Meadow View, Park Hayes, Leigh-on-Mendip, Shepton Mallet BA3 5GP in accordance with the terms of the application, Ref 2018/2778/HSE, dated 10 November 2018, 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: 2018/ROWE/05, 2018/ROWE/06, 2018/ROWE/07, 2018/ROWE/08 and 2018/ROWE/09.

Procedural Matter

2. I have also dealt with another appeal (Ref: APP/Q3305/D/19/3226592) on this site. That appeal is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. Apple Meadow View is a small and modern development of two storey houses with front and rear gardens, located on a street called Park Hayes. No 1 is situated at an entrance to the new development and is a detached house with a driveway to the front and side, accessed directly from Park Hayes.

5. To the front of the house is a low-level laurel hedgerow. At the entrance to the driveway, there are two large, square, rendered gate piers with a timber double gate serving the driveway. There is a dwarf wall leading from each gate pier, and along the side of the house, there is a close-boarded timber fence.
6. The wider character of the area is suburban, where each plot is separated by a close-boarded fence to each front garden, with hedgerow featuring on both sides of the road. As such, there is a feeling of regularity and enclosure, and this is reinforced by the significant wall diagonally opposite No1.
7. The proposals are to move the gates and associated piers towards the house, in order to correct what the appellants have described as an error in siting them within the highways verge. The appellants are therefore seeking permission to re-site the piers within land that they own.
8. As a result of the piers having been constructed at the site visit, I was able to observe the effect they have on the character and appearance of the area. Whilst the piers are significant in terms of their size, the appellants have utilised similar materials to that of the existing dwelling. Further, the gates and piers would be moved into the plot away from the street and I consider this would reduce any impact they would have.
9. As a result, I do not find the proposed piers and gates would be harmful to the character and appearance of the area in their revised position and therefore do not find conflict with policy DP1 (Local Identity and Distinctiveness of the Mendip District Council Local Plan Part 1 (Strategy and Policies) (2014) (LP1).

Conditions

10. Other than the standard time limit (Condition 1) I have applied condition 2 specifying the relevant plans as this provides certainty.

Conclusions

11. For the above reasons and having considered all matters raised, I allow the appeal.

Sian Griffiths

INSPECTOR