
Appeal Decision

Site visit made on 25 January 2022

by John Wilde CEng MICE

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

Decision date: 28 JANUARY 2022

Appeal Ref: APP/W3330/D/21/3285192

Farm End, Pemswell Road, Minehead TA24 5RS

- 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 Ivor Parker against the decision of Somerset West and Taunton Council.
 - The application Ref 3/21/21/070, dated 4 July 2021, was refused by notice dated 23 September 2021.
 - The development proposed is the erection of 2m high fence at the top of the back garden of my home address which will be adjacent to the highway.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property has a rear garden that rises steeply to meet St Michaels Road on its northern boundary. The proposed development would result in a 15m long 2m high close boarded fence being erected.
4. There is currently a concrete post and tubular metal fence at about 1.2m in height that runs along the rear boundary of Farm End as well as along the boundaries of several neighbouring properties. This fence would remain on the road-side of the proposed fence.
5. As well as the tubular fence there are a number of wooden fences in the vicinity on the same side of the road and also a low stone wall surmounted by a decorative metal railing. The wooden fences are generally lower in height than that proposed but there is one section, to the east of the appeal property, that is higher. In general however, the existing fences are only slightly higher than the tubular fencing and this goes some way to mitigate their visual impact.
6. On the opposite side of St Michaels Road there is a stone built property directly abutting the road and to the east of this a stone wall. St Michaels Road itself is within the Minehead North Hill Conservation Area (CA).
7. The proposed fence would draw the eye and be very noticeable as it would be directly opposite the stone built property and would be higher than the fencing

on either side, and higher than the tubular fencing. To my mind it would be a stark and harsh addition to the street scene. It would therefore conflict with policy NH13 of the West Somerset Local Plan to 2032 (LP). This policy seeks to ensure that new development meets the highest standards of design and responds positively to the local context.

8. While it is debatable whether the fence would actually be within the CA it would nonetheless impact upon its setting, and policy NH1 of the LP makes clear that proposals will be supported that sustain or enhance the settings of heritage assets. This would not be the case and consequently there would also be conflict with policy NH1.
9. In arriving at this conclusion I have taken into account the existence of the existing wooden fencing, particularly the existing taller fence. However, from the information before me this section of fencing has not received planning permission. Furthermore it does not contribute to sustaining the setting of the CA. Consequently I do not consider its existence as forming a compelling precedent for allowing the current appeal.

Conclusion

10. For the above reasons, and having taken into account all other matters raised, I conclude that the appeal should be dismissed.

John Wilde

INSPECTOR