



Appeal Decision

Site visit made on 3 August 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH August 2022

Appeal Ref: APP/W1525/D/22/3300924

Hobblefield, Hornells Corner, Little Leighs, Chelmsford CM3 1QW

- 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 Nathan Jenner against the decision of Chelmsford City Council.
 - The application Ref 22/00137/FUL dated 14 January 2022, was refused by notice dated 21 March 2022.
 - The development proposed is a front boundary wall and gates.
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Decision

1. The appeal is allowed and planning permission is granted for front boundary wall and gates at Hobblefield, Hornells Corner, Little Leighs, Chelmsford CM3 1QW in accordance with the terms of the application, Ref 22/00137/FUL dated 14 January 2022, and the plans submitted with it, subject to conditions set out below.

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 5967/01, 5967/03 and 5967/05.

(2) Within three months of this decision, details of soft landscape in front of the hereby approved wall and gates including specifications of species, sizes, planting centres, number and percentage mix including a five year maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out as approved within the next available planting season or in accordance with a timetable agreed in writing with the Local Planning Authority.

Procedural Matter

2. At the time of my site visit, a wall and gates were in place, I understand that the proposed development slightly reduces the height from that built. The application made clear that the scheme had been submitted part retrospectively and I have dealt with the appeal on that basis.

Main Issue

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

Reasons

4. The site is within a predominantly rural residential area with varying boundary enclosures within the immediate area. The Appellant contents that permission

exists for a similar wall along the frontage of the appeal site, however the gate permitted was a five bar timber gate rather than the metal gates proposed.

5. Notwithstanding this I observed that the bricks used in the construction of the wall are rustic this along with the proposed landscaping to the front of the wall would soften the appearance and compliment the verdant rural area.
6. The gates are larger and differ in material to those in the area, however due to the sweeping wall which provides a set back of the gates along with the open metal railings the boundary enclosure does not appear incongruous and does retain an open aspect.
7. I find that the proposal does not harm the character and appearance of the area. There is no conflict with Policies DM8 and DM23 of the Chelmsford Local Plan (2020) which amongst other things seeks to support the delivery of high quality developments which respects the character and appearance of an area.

Conclusion and Conditions

8. For the above reasons I conclude that this appeal should be allowed.

Conditions relating to standard time limit for commencement of development, and materials to be used are not relevant or necessary as the development is part retrospective.

9. I have imposed a standard condition specifying the relevant plans as this provides certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning landscaping to be provided.

C Pipe

INSPECTOR