



Appeal Decision

Site visit made on 1 November 2022

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2022

Appeal Ref: APP/W3330/D/22/3305042

27 Larkspur Close, Taunton TA1 3XA

- 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 Jamie Simpson against the decision of Somerset West and Taunton Council.
 - The application Ref 38/22/0070, dated 20 February 2022, was refused by notice dated 15 July 2022.
 - The development proposed is replacement of hedgerow with the erection of a fence.
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Decision

1. The appeal is allowed and planning permission is granted for replacement of hedgerow with the erection of a fence at 27 Larkspur Close, Taunton TA1 3XA in accordance with the terms of the application, Ref 38/22/0070, dated 20 February 2022, and the plans submitted with it.

Preliminary Matters

2. The description of development used in the banner heading above is that given by the local planning authority. However, I have removed reference to those elements that are not acts of development. I have used this description as it more succinctly describes the development proposed than that given on the application form.
3. At the time of my site visit the development had been carried out and appeared to accord with the submitted plans. For the avoidance of doubt, I have determined the appeal on the basis of those plans.

Main Issue

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

Reasons

5. The appeal property faces onto Chestnut Drive and thus forms part of the character and appearance of this road. Chestnut Drive is residential in character with dwellings facing, siding, or backing onto it. The highway frontage is characterised by a range of boundary treatments, including tall walls, timber fencing and landscaping, some of which adjoin the back edge of the pavement, others separated from the pavement by grass verges. The width of the highway and the presence of verges and grassed areas gives the highway an open and spacious character.

6. The new boundary fence has replaced a tall hedge which largely enclosed the front of the property, and a fence adjoining an area of grass to the side of it. It is a similar height to nearby fences and lower than the hedge which has been removed. Whilst it has created a harder form of boundary treatment compared to the hedge and is sited close to the back edge of the pavement, given its context it does not appear intrusive or incongruous in the street scene. Moreover, the modest height of the fence ensures that the dwelling is more visible in the street scene, thereby reflecting other nearby dwellings which front onto Chestnut Drive. The open space to the front and side of the property is not affected by the development, thereby the openness of this part of Chestnut Drive is retained.
7. For the above reasons, I conclude that the new fence respects the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Borough Council Adopted Core Strategy 2011-2028 that seeks to ensure, amongst other things, that development does not unacceptably harm the appearance and character of the street scene.

Conditions

8. There are no conditions necessary as the development has taken place.

Conclusion

9. For the reasons given above, the appeal should be allowed.

C Rose

INSPECTOR