



Appeal Decision

Site visit made on 23 May 2023

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 June 2023

Appeal Ref: APP/R3325/D/23/3314487

2 Ridgway, West Chinnock, Crewkerne TA18 7PY

- 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 Miss Charlotte Fry against the decision of South Somerset District Council.
 - The application Ref 22/02287/HOU, dated 2 August 2022, was refused by notice dated 3 November 2022.
 - The development proposed is erection of fence 1.8m high, stepped back 70cm from pavement.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On my visit I saw a fence at the appeal property and the application form states the development has already been completed. This decision is based on my observations as well as the details shown on the submitted plans.

Main Issue

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

Reasons

4. Like other nearby dwellings on Ridgway, the appeal property is set back from the road. The space in front of houses as well as the low level walls, bushes and shrubs on roadside boundaries create an open and attractive street scene.
5. The fence subject of this appeal is slightly back from the pavement with planting in front. Even so, it is clearly seen as you travel along Ridgway to and from Layne Terrace. Ridgway is a no through road but the fence is at an obvious location near to the entrance of the cul de sac.
6. Fences are not common on Ridgway but those that exist tend to be unobtrusive as they are on side boundaries. In contrast, the fence subject of this appeal is conspicuous as it runs alongside the pavement and is closer to the road than the front of the house. Due to its prominence, height and close boarded design, the fence stands out as an unusual feature in its immediate context. Also, it obstructs views of the garden and so it detracts from the open qualities of the street scene.

7. If the planting to the front is allowed to grow it may provide a degree of screening which would soften the visual impact of the development. Nonetheless, it is likely the fence would remain visible given its height and the restricted depth of the plant bed. In any event, vegetation cannot be relied upon in the long term and so it would be unreasonable to impose a condition that requires the planting to be retained. Also, a painted green finish would not overcome the incongruity of the fence by reason of its height and position.
8. The fence partially screens a caravan, a garage and domestic items on the garden behind. However, any benefits due to concealment are limited and they do not address nor overcome the incompatibility of the development.
9. I am referred to examples of fencing on Layne Terrace that are set above and near to the road. However, the houses adjacent to this fencing are themselves close to the highway and so there is a different context to that on Ridgway. The Layne Terrace fencing and the other examples elsewhere in the village as highlighted by the appellant do not address nor justify the incongruity of the fence subject of this appeal. Similarly, the referred to extensions and alterations to properties on Ridgway do not provide justification to allow a fence that is out of keeping with the locality and detrimental to the street scene.
10. For the above reasons, I conclude the development harms the character and appearance of the area. In these regards, it does not accord with policy EQ2 of the South Somerset Local Plan 2015. Amongst other things, this looks for development to be of high quality design that respects the local context.

Other Considerations

11. The development has attracted no objections from local residents and indeed letters in support have been received. However, this in itself does not justify a scheme that is contrary to development plan policy.
12. Prior to the fence being erected a hedge lay in a similar position. It is claimed that its removal has improved visibility for road users and prevented moss build up on the pavement. Even if I accept these as benefits of the hedge removal, they have already been secured and so they attract little weight in support of the appeal development. Also, any wildlife benefits of the planting to the front of the fence are likely to be minor and so they attract limited weight.
13. The fence provides security and privacy to the garden and these benefits attract positive weight. However, the points in favour of the fence when considered together are insufficient to overcome the identified harm to the character and appearance of the area. The erection of the fence is contrary to the development plan when considered as a whole and there are no reasons to determine the appeal other than in accordance with development plan policy.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Jonathan Edwards

INSPECTOR