



Appeal Decision

Site visit made on 2 June 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th June 2023

Appeal Ref: APP/R3325/D/23/3321215

75 Raleigh Road, Yeovil, BA21 5FE

- 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 Jian Wang against the decision of South Somerset District Council.
 - The application Ref 23/00418/HOU, dated 14 February 2023, was refused by notice dated 5 April 2023.
 - The development proposed is replacement of a wooden fence with a brick wall (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for replacement of a wooden fence with a brick wall (retrospective) at 75 Raleigh Road, Yeovil, BA21 5FE in accordance with the terms of the application, Ref 23/00418/HOU, dated 14 February 2023, and the plans submitted with it.

Procedural Matters

2. In the interests of clarity, in the banner heading above I have referred to the description of the proposal given by the appellant on the appeal form as this gives a clear description of the type of development proposed which reflects that used by the Council in their decision notice.
3. The brick wall has been erected and therefore I am considering this appeal retrospectively.

Main Issue

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

Reasons

5. The appeal site is on a corner plot fronting onto the main housing estate road at the junction with Collingwood Road. The house is detached, and its rear garden forms a gap between the appeal property and No 1 Collingwood Road. Collingwood Road rises away from the appeal site and boundary treatments for properties along the road vary with houses on the appeal site side of the road set back behind shallow front gardens with low metal fences to the front. On the opposite side of the road front boundaries comprise low brick walls with a stepped profile as the road slopes upwards.

6. The brick wall subject of this appeal forms the side boundary of the rear garden of the appeal property. It joins a low wooden fence that runs behind the pavement on Collingwood Road along the side of the house and then steps forward at an angle to meet the pavement edge. The wall is approximately 2m high with a stepped profile. The bricks are a different shade of colour than those of front walls opposite the site and is topped with lighter coloured vertical bricks. The estate is landscaped with grassed areas and trees and shrubs in gaps between blocks of houses and gaps between pavements and roads.
7. I saw several examples of houses within the estate whose rear garden walls were adjacent to the pavement edge and were significantly higher than the front walls of neighbouring properties that face the road, as is the case with the wall subject of this appeal. Although it sits forward of the building line of houses further along the street, it is level with their front boundary walls. As such it does not appear incongruous or out of character. I expect over time the difference in colour between the wall and those on the opposite side of the road will diminish because of weathering. Also, there is enough landscaping along the estate road close to the appeal site and further along Collingwood Rd that the loss of a small area of grass to accommodate the wall has had no discernible impact on the appearance of the estate. Overall, I conclude that the development has not harmed the character or appearance of the area and does not therefore conflict with Policy EQ2 of South Somerset Local Plan 2006- 2028 (2015) and the core principles of the National Planning Policy Framework (2021) which require high-quality development that conserves and enhances the landscape character of the area.

Other Matters

8. I have considered other concerns raised by local residents, including regarding the impact of the development on pedestrian, cyclist and road safety. However, I saw no evidence that the development had created a parking bay which might affect pedestrian and cyclists' safety, nor does the wall obstruct visibility for traffic turning into Collingwood Road to a degree that it affects traffic safety.

Conclusion

9. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed. The Council have requested planning conditions in relation to the time limit for the commencement of development, the use of matching materials and confining the development to specified plans. However, as the proposal is retrospective those conditions are not necessary.

P D Sedgwick

INSPECTOR