

Appeal Decision

Site visit made on 7 February 2024

by D Cramond BSc MRTPI

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

Decision date: 15.02.2024

Appeal Ref: APP/P1133/D/23/3334079

1 Southdowns Road, Dawlish, EX7 0LB

- 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 R Dutton against the decision of Teignbridge District Council.
 - The application Ref 23/00487/HOU, dated 17 March 2023, was refused by notice dated 24 October 2023.
 - The development proposed is a fence to the front garden.
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Decision

1. The appeal is allowed and planning permission is granted for a fence to the front garden at 1 Southdowns Road, Dawlish, EX7 0LB in accordance with the terms of the application, Ref 23/00487/HOU, dated 17 March 2023, subject to the following conditions:
 1. Within 3 months of the date of this decision, a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All landscaping works shall be carried out in accordance with the approved details in the first planting season following the written approval. Any hedge or planting within the approved details which are subsequently removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.
 2. Within 3 months of the date of this decision the fence shall be reduced in height to accord with the following approved plans: 0162_001 & 0163_001.

Preliminary Matter

2. The fence is in place: this does not alter the way in which I assess the case. Additionally, as I shall explain later, the height is proposed to be amended.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

4. The appeal property is a detached two storey dwelling on a corner plot set back from the junction of a main A road and the residential avenue of Southdowns Road. Houses locally are generally detached of varying designs and these
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along with sizeable gardens, varied topography, a range of front boundary treatments, and roadside verges create a scene of established residential character and pleasing spacious appearance. The proposal is for a close boarded screen fence facing the main road and running around the corner. It sits in on ground a little elevated from the road and has narrow part-planted strip between it and highway land.

5. The Council is concerned that the structure is overly-high and with its solidity and form is harmful to local character and the streetscene. The Council acknowledges that the Appellant proposes to reduce the height of the in-place fence but concludes that the planned height reduction would not be sufficient to offer suitable benefit.
6. For my part I noted a considerable variety of boundary treatments locally and visualising the fence in its reduced form and with additional planting in front I assess that the appeal scheme would not be jarring on the eye. I am conscious that it is well set back from the main road given a parallel service lane and I would venture that most people passing would not register this structure. Furthermore, it is not visually imposing on the residential street not least because of that road's relatively generous proportions. There is a very significant tree which overhangs the fence and this additionally helps to reduce its perceived scale and to soften the scene generally. The weathering of the timber, which has begun, is of subtle assistance visually.
7. When the height of this fence is reduced and more planting is added to the foreground in the strip, which will allow hedging in my opinion, then the scene will be entirely comfortable visually and the effect on the streetscene benign.
8. Policies S1, S2 and WE8 of the Teignbridge Local Plan 2013-2033, taken together and amongst other matters, call for development to be of good design quality suited to a site and its wider context with a form which has appropriate scale and visual effect and safeguards the character and appearance of a locality. I conclude that the appeal scheme would not run contrary to these policies.

Conditions

9. The Appellant suggests a landscape related condition and I would agree with the imposition of this in the interests of visual amenity. The scheme being proposed by the Appellant would involve the reduction in height of the fence which is in situ. Contrary to the Council I consider that this would be a meaningful reduction. In the interests of visual amenity to ensure that these works are undertaken I shall apply a suitable condition relating to this matter. I see no need for the fence to be painted a dark colour; the timber will weather to an appropriate shade for the aesthetics of this location and will be fronted by soft landscape.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR