

Appeal Decision

Site visit made on 5 January 2017

by G Powys Jones MSc FRTPI

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

Decision date: 23rd January 2017

Appeal Ref: APP/J3720/D/16/3163220

Cherington Cottage, Wimpstone, Stratford-Upon-Avon, CV37 8NS

- 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 D Gill against the decision of Stratford-on-Avon District Council.
 - The application Ref 16/02173/FUL, dated 30 June 2016, was refused by notice dated 19 October 2016.
 - The development is described as a retrospective planning application for the retention of the erected timber pergola.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. As the description of the development implies, the timber pergola is already in place and the appellant, in effect, wishes to retain it. I shall proceed on this basis.
3. I was requested to view the completed development from a neighbouring dwelling, Ashby's Farm House, which I did.
4. Another appeal has been made in respect of the retention of the approved garden store with extension and log store at the property. This is the subject of a separate decision.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and its surroundings.

Reasons

6. The appeal property is one of several barns attractively and skilfully converted into dwellings, and set around a courtyard. The common areas are largely used for parking and circulation. The appellant's external space is raised slightly above the courtyard area, and a timber structure including trellising has been erected to cover and partly surround it. Part of this is roofed in what appears to be a corrugated polycarbonate material.
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7. The appellant says that the structure was erected for several reasons – for the security, safety and privacy of his family – in effect, it assists in creating a defensible space. He also says that the erection of the structure has resulted in more care being shown by others when parking and moving their vehicles.
8. Whilst I acknowledge the appellant's laudable objectives, there is no doubt in my mind that the sheer extent of the structure, in combination with the approved element of garden store, is such as to prove visually intrusive. It is perceived as a largely unstructured and shapeless mass of timber. There is little to commend it in a visual sense and it has harmfully altered the *raison d'être* of the original conversion scheme, to its detriment.
9. The structure is not widely seen in the public realm, but is clearly viewed at close quarters by several local residents, whose environment has become far less pleasant since its erection. I regard the structure as un-neighbourly on account of its crude appearance and harmful effect on the character of its surroundings. I remain unconvinced that alternate, and more appropriate means would not be available to the appellant to achieve at least some of his objectives without creating visual harm.
10. I conclude that the pergola in view of its crudeness and extent has harmed the character and appearance of its surroundings. A clear conflict arises with those provisions of policy CS9 of the Stratford-on-Avon District Core Strategy directed to ensure that development enhances sense of place and reflect local character and distinctiveness.
11. All the other representations made have been taken into account, including the comments made by the Whitchurch Parish Meeting, and local residents, not all of whom object. I also note the references to other development plan policy, but that to which I have referred is considered the most relevant. No other matters raised are of such significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR