
Appeal Decision

Site visit made on 14 March 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 26 April 2017

Appeal Ref: APP/Z2830/W/16/3156374

Land off Ashton Road, Roade, Northants NN7 2LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of a planning permission.
 - The appeal is made by Persimmon Homes against the decision of South Northants District Council.
 - The application Ref S/2016/1132/COND, dated 5 May 2016, sought approval of details pursuant to condition No 21 of planning permission, Ref S/2012/0382/MAO, granted on 17 March 2016.
 - The application was refused by notice dated 30 June 2016.
 - The development proposed is demolition of existing buildings and residential development comprising of 292 dwellings (current outline planning permission Ref S/2016/1063/EIA).
 - The details for which approval is sought is: changes to the boundary treatments across the development as shown on the approved 'Boundary Treatments' drawing reference AR-B01 Rev N.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appellant has confirmed that they intend to construct a 1.8m high brick wall as a courtyard enclosure to the parking area to the rear of plots 180-181 in accordance with the details approved under reference S/2015/2635/COND and shown on the 'Boundary Treatments' drawing reference AR-B01 Rev N (Orange boundary) and the Council agree. As this matter is no longer being disputed, I have determined the appeal on this basis accordingly.

Background and Main Issue

3. Outline Planning Permission (OPP) was granted for the demolition of the former Pianoforte office/industrial buildings and the construction of a residential development comprising 292 dwellings and 0.5ha of employment generating uses and/or doctor surgery in September 2014 subject to conditions and a Section 106 agreement¹. Subsequently, the original OPP was varied via two Section 73 applications² dealing with contamination and phasing of the

¹ Planning application ref: S/2012/0382/MAO

² Planning applications ref: S/2015/2009/MAO and S/2016/1063/EIA

development and the current OPP for the site is ref S/2016/1063/EIA granted in July 2016.

4. The appellant has commenced the development and proposes to make a number of changes to the boundary treatment details approved under reference S/2015/2635/COND in February 2016. The changes now proposed and shown on Boundary Treatments drawing reference AR-B01 Rev O include:-
 - (a) Change of a 1.8m high brick wall to a 1.8m high close boarded fence to various individual plots and parking courts across the whole site (Pink boundaries);
 - (b) Change of a 1.5m post and rail fence to a 1.8m high close boarded fence to rear boundary of plots 5-15 on the eastern part of the site (Blue boundary); and
 - (c) Change of a 1.8m high brick wall to a 1.8m high estate type railings adjacent to Public Open Space (POS) and railway line on the western edge of the site (Green boundary).
5. On this basis, the main issue is the effect of the changes to the boundary treatment on the character and appearance of the area.

Reasons

6. The appeal site is a large area of previously developed land, slightly over 11 hectares in size, located on the southern edge of the village of Roade. As a result, the development, which is under construction, is in the process of creating a prominent new gateway to the village on the approach along Ashton Road. As a consequence, it is important that the boundary treatment and materials used in the construction of the dwellings within the appeal site are sympathetic to those used in the village and its location on the edge of the countryside.
7. In the older central core of the village the boundaries between properties are predominantly built from local limestone walls whereas on the new residential estates, such as the former Chaplains Yard, they are predominantly built from red brick walls. These features give the area a strong unifying character and appearance. Beyond the southern edge of the site, the area is defined by gently undulating fields punctuated by hedgerows and tree boundaries. Where boundary walls and fencing exist in the area, these are generally low, clearly subsidiary, and have little impact upon the sense of openness.
8. Of the various development plan policies, I consider Saved Policies G3 and EV1 of the South Northamptonshire Local Plan 1997 (LP) and Policy H1 of the West Northamptonshire Joint Core Strategy 2014 (CS) to be most relevant. These policies require the protection of the character and appearance of a locality through high quality design that respects local design features.
9. The Supplementary Planning Guidance 'Residential Design in the Countryside' 1998 (SPG) was produced in response to concerns that the design of new housing development in rural areas was not successfully integrating with the traditional character of villages. This guidance, even though it is now quite dated, in seeking good design that reinforces local distinctiveness is consistent with Paragraph 60 of the Framework. I therefore attach significant weight to it.
10. The SPG notes on new residential estates (section 6) and the summary (section 8) that the relationships between buildings and spaces are critical in

maintaining village character and sense of place. Walls and planting can be useful links between new and old as well as reinforce a sense of enclosure. This is reiterated in paragraph 14.2 of the Roade Master Plan 2011 covering the principles of new infill development in the village that states the use of matching boundary walls to adjacent properties wherever possible creates the visual links between new and old.

11. Development on the smaller eastern side of the site is well underway and the 1.8m high brick walls have been erected on the various individual plots. These generally consist of short infill sections of boundary between the garages and the dwellings at the back of the individual private parking areas. If the appeal is successful, the appellant proposes to erect a 1.8m high close boarded fence instead of the 1.8m high brick wall to the individual plots and parking courts across the whole site as shown as 'Pink boundaries' on the submitted plan.
12. However, a core planning principle of the Framework is that high quality design should be sought. Where appropriate, as in this instance, this includes responding to local character and promoting or reinforcing local distinctiveness. The use of the close boarded fencing would be distinctly at odds with the local vernacular of the local limestone and red brick boundary walls found predominantly in the village. This vernacular has been reinforced by the use of red brick boundary walls on the newly built houses on the eastern side of the site which provide a high quality design finish to the development. As such, I consider the use of close boarded fencing to the individual plots and parking courts would result in incongruous and out-of-keeping additions that would adversely harm the character and appearance of the area.
13. I note the other developments in the area drawn to my attention by the appellant. However, the close boarded fencing used around the parking areas and the infill boundary between the garages and dwellings as part of the small housing development off Stratford Road³ reinforces my view on the adverse impacts of such boundary treatment in this location and those along the High Street and Hartwell Road have different development characteristics to the appeal scheme. I therefore attach limited weight as precedents in this case.
14. A 1.8m high close boarded fence has already been erected to the rear boundary of plots 5-15 shown as 'Blue boundary' on the submitted plan. The stark urban form and appearance of the close boarded fence immediately adjacent to the open countryside compromises the sense of space and openness in the area and is entirely different in scale, form and materials to the existing low boundary treatment in this rural locality. The low hedgerow retained behind the fence does little to screen it in this location. These shortcomings are exacerbated by the prominent position of the fencing which is visible across the open fields from the Hartwell Road and from the public right of way to the east of the site. As such I consider that the fencing introduces an excessively urban and incongruous form of development that adversely harms the open rural character of the locality and the transition of the development into the open countryside.
15. I have taken into account the appellant's wishes to increase the security to the properties on plots 5-15 and the appellant's willingness to carry out further landscaping to improve the appearance of the development. However, I note that the Council's Crime Prevention Design Advisor (CPDA) did not raise

³ Planning application ref S/2015/1134/COND

concerns with regard to the post and rail fencing originally proposed subject to the planting of additional thorny landscaping. I therefore consider that the adverse impacts arising from this development would significantly outweigh these benefits.

16. In relation, to the proposed change of the 1.8m high brick wall to 1.8m high estate type railings, adjacent to Public Open Space (POS) and railway line on the western edge of the site shown as the 'Green boundary' on the submitted plan. Whilst I agree with the appellant that the estate type railings would be in keeping with the existing railings running alongside the public right of way on the northern boundary of the site, I do not consider that the railings would adequately screen the visual impact of the timber acoustic fence running along the western boundary of the site in this crucially visible location in the appeal scheme. I also note that the approved noise modelling condition⁴ included a solid 1.8m high boundary wall as part of the noise attenuation along this boundary and that this would need to be potentially reconsidered.
17. I note that the appellant contends that the topography and the ground conditions in this location would not be suitable to erect a wall and that a wall would create an overbearing form of enclosure that would be prone to anti-social behaviour and potential graffiti opposite the POS. However, no substantive evidence is before me in form of a structural engineers report to support this claim that the grounds conditions would be unsuitable nor has any evidence been provided regarding potential anti-social behaviour and, in this regard, I note that the Council's CPDA had no specific concerns. I therefore attach limited weight to these matters.
18. Consequently, I conclude that the changes to the boundary treatment would adversely harm the character and appearance of the area and conflict with Saved Policies G3 and EV1 of the LP, Policy H1 of the CS, the Council's SPG and the Roade Master Plan. These policies and guidelines, amongst other things, seek to ensure that development respects the local character and appearance of the area through high quality design. For the same reasons it would not accord with the Framework that seeks to secure a high quality of design (paragraph 17); that respect the local character (paragraph 58); and promote or reinforce local distinctiveness (paragraph 60).

Other matters

19. The Council states that the changes in the boundary treatment would be contrary to the Section 106 agreement attached to the OPP for the site. It contains a 'Table of Design Uplifts' that, amongst other matters, requires brick and stone walling to 100% of all public boundaries and car parking courts under the heading 'Street Detailing'. The Council also contend that the use of close boarded fencing instead of brick walls would improve the viability of the appeal scheme and as such an increase in the contribution towards affordable housing would be required. The appellant does not agree.
20. However, in light of my findings on the main issue above, the boundary treatment would remain unchanged and I see no need to explore further whether the proposed changes would be contrary to the requirements of the Section 106 agreement that would be unaltered by my decision.

⁴ Condition 19 Planning application ref S/2012/0382/MAO

Conclusion

21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed and the approval of the details submitted in pursuance of condition No 21 of planning permission, Ref S/2012/0382/MAO dated 17 March 2016 should be refused.

David Troy

INSPECTOR