

Appeal Decision

Site visit made on 11 April 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 27th April 2017

Appeal Ref: APP/J3720/D/17/3168393

4 Walton Cottages, Banbury Road, Kineton, Warwick, CV35 0JY

- 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 Michael Bainton against the decision of Stratford-on-Avon District Council.
 - The application Ref: 16/03023/FUL was refused by notice dated 9 November 2016.
 - The development proposed is: erection of a garage/shed at the front of the property. Erection of a section of fencing exceeding 2m high also at the front of the house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The garage/shed and fence had been erected prior to the application to the Council. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. No.4 Walton Cottages is located within a small group of dwellings that are set well back from Banbury Road. These dwellings are characterised by their long narrow front gardens. The gardens are mainly open in character with parking space, modest outbuildings and greenhouses. The front boundary to the gardens alongside Banbury Road is primarily low iron rail fencing. The gardens provide a pleasant spacious character to this part of Banbury Road.
4. The garage/shed which has been erected is a relatively large structure, built in timber with a corrugated bitumen sheeted roof. Its gable end wall is situated close to the rear of the footway and near a bus stop. The siting of the building is contrary to the general pattern of development at this location. It is harmful to the character and appearance of the area because of its size, scale and proximity to Banbury Road. It fails to blend in with its surroundings, despite the existence of a hedge and screen fencing. The garage/shed is harmful to the spacious character and appearance of the locality because of its siting, scale, height and prominence in the street scene.
5. The timber screen fencing subject to appeal is also unduly high, prominent and out of character with the low iron rail fencing that marks the front boundary of the gardens at either side of the garden of No.4 Walton Cottages.
6. The development conflicts with Stratford-on-Avon District Core Strategy policy CS.9 regarding local distinctiveness and high quality design and Core Strategy

policy CS.20 which seeks to ensure, amongst other things that outbuildings will be of an appropriate scale and subservient in relation to the existing building. Although the Council refers to Core Strategy policy CS.5 in its reasons for refusal, that policy mainly concerns impact on the landscape, and is less relevant as the appeal site is within other built development.

7. The development fails to comply with policies D1 and D2 of the Kineton Neighbourhood Plan regarding design and local character. It conflicts with policy H4 of the Neighbourhood Plan concerning use of garden land. This policy supports development which would preserve or enhance the character of the area and would not introduce an inappropriate form of development which is at odds with the existing settlement pattern.
8. The development also conflicts with guidance contained in the Council's *Extending Your Home* Planning Advice Note. This advises that, whether attached or detached, garages and other outbuildings should normally be set back from the front of the house. It adds that garages set forward of the house often become the dominant feature and can also block views from the street to the house, increasing the risk of crime.
9. I acknowledge the appellant's reference to the irrelevance of crime as a concern given the context of the appeal site. Nevertheless, in principle, any development that screens properties from view may reduce the opportunity for natural surveillance.
10. I have taken all other matters raised into account, including the letter of support from a neighbour. However, for the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR