
Appeal Decision

Site visit made on 25 May 2017

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 02 June 2017

Appeal Ref: APP/J3720/D/17/3170381

Hornbeam House, Brook Street, Fenny Compton, CV47 2YH

- 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 Kaja Holmboe against the decision of Stratford-on-Avon District Council.
 - The application Ref 16/03041/FUL, dated 14 September 2016, was refused by notice dated 9 December 2016.
 - The development proposed is described as a "retrospective householder application for approval of close boarded timber fence at North Eastern boundary."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development the subject of this appeal has already taken place.
3. Following the removal of a hornbeam hedge, planning permission was granted for development of a Hornton stone wall, to match Hornton House and surrounding properties, in 2016¹. This permission was not implemented. The appellant states that this was due to concerns in respect of foundations.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the Fenny Compton Conservation Area.

Reasons

5. The appeal property is a two storey extended period dwelling built from local Hornton stone and dating from the 17th Century. It is located towards the corner of Brook Street and Bridge Street, such that its gable end is adjacent to the footpath along Brook Street.
6. Hornbeam House is located within the Fenny Compton Conservation Area, which is largely residential and is characterised by stone built dwellings, including many period properties. Stone and brick boundary walls are a distinctive local feature which, along with the presence of occasional grass verges, trees and

¹ Ref: 16/00341/FUL.

planting, make a significant, positive contribution to the appearance of the Conservation Area.

7. The appeal property is also located in the Cotswold Fringe Special Landscape Area, afforded protection for its inherent value by policy CS.12 of the Stratford-on-Avon Core Strategy.
8. During my site visit, I observed that brick and stone-built boundary walls along Brook Street provide for an attractive sense of enclosure in keeping with the Conservation Area's attributes. They combine with the presence of occasional grass verges and mature planting to afford a strong sense of the Conservation Area's distinctive qualities.
9. The development the subject of this appeal comprises a tall close-boarded fence, running from the gable end wall of Hornbeam House along Brook Street for some considerable distance.
10. During my site visit, I observed that the fence, due to its height, length and close-boarded timber materials, appears out of keeping with its setting along this part of Brook Street, where no similar boundary features exist.
11. The harmful impact of the above is exacerbated as a result of the fence drawing attention to itself as an intrusive feature, such that the eye is drawn away from the attractive period cottages on the opposite side of Brook Street and towards the fence, which grabs attention as an unduly dominant, starkly urban feature. As a consequence of this, the fence appears incongruous in its surroundings, contrasting with, and detracting from, the qualities of the Conservation Area identified above.
12. Taking all of the above into account, I find that the development harms the character and appearance of the Fenny Compton Conservation Area. This is contrary to the National Planning Policy Framework (the Framework) and Stratford-on-Avon Core Strategy Policies CS.8, CS.9 and CS.12, which together amongst other things, protect local character.
13. Rather than make the positive contribution desired by paragraph 131 of the Framework, the development harms local character. The harm caused would be significant in terms of the immediate context of the proposal, but is less than substantial in the context of the Conservation Area as a whole. In these circumstances, paragraph 134 of the Framework requires the harm to be weighed against any public benefit.
14. The appellant states that the development preserves the existing telecom network. However, there is no substantive evidence to demonstrate that this could not be achieved by any other means and consequently, I find that there is no public benefit arising that outweighs the harm to the Conservation Area, a designated heritage asset.

Other Matters

15. The appellant states that the fence provides for privacy and prevents an energetic dog from causing disturbance. However, there is no substantive evidence to demonstrate that the development comprises the only means of providing for privacy and enclosure.

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR