
Appeal Decision

Site visit made on 19 July 2017

by Mrs J Wilson BA BTP MRTPI DMS

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

Decision date: 15th August 2017

Appeal Ref: APP/Y3940/D/17/3173948
360 The Walk, Holt, Wiltshire BA14 6RR

- 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 Jeremy Strong against the decision of Wiltshire Council.
 - The application Ref 17/00635/FUL, dated 19 January 2017, was refused by notice dated 30 March 2017.
 - The development proposed is retrospective planning application for fencing at rear of garden.
-

Decision

1. The appeal is dismissed.

Main Issue

2. Based on the Council's reason for refusal and the evidence in this case, the main issue is considered to be whether the proposal would preserve or enhance the character or appearance of the Holt Conservation Area (CA).

Reasons

3. The frontage to The Street, part of which forms the rear boundary to the appeal property, displays a mixture of boundary treatments. Land on the garden side of the boundary wall on the appeal site is approximately one metre higher than the level of the pavement. The fence has been constructed at this higher level, in close proximity to the wall, such that the overall height of the fence is in excess of two metres above pavement level.
4. The site is within the Holt CA, in this particular part of the village a mix of traditional cottages are arranged in an irregular pattern, some set back from the road and others, like the one immediately adjacent to the fence, are located on the back edge of the pavement. These buildings are interspersed with boundary treatments which, in the immediate vicinity, comprise low walls with planting behind. The adjacent property has an open picket fence above the frontage wall through which mature beech hedging grows but where the impact is one of natural planting with the fence barely visible. On the opposite side of the road mature hedging runs along the top of a raised bank forming the boundary to the recreation ground. The overall impact of boundary treatments to gardens is one of natural planted boundaries mixed with natural stone walling.

5. In contrast the appeal proposal presents a stark and utilitarian appearance, accentuated by the fact that the fair face of the fence does not present outwards to the road. This is not aesthetically pleasing and appears out of place with the prevailing characteristics of the area and which erodes significantly both the appearance and associated visual character of the CA.
6. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character of a heritage asset, in this case the Holt CA.
7. The appellant has indicated an intention to cover the fence with climbing plants however the likely extent of coverage is not known and if the planting were to be lost at some point in the future this would reveal the fence once again. The appellant has also outlined his willingness to consider a solution of a picket fence with a beech hedge to replicate the boundary treatment of the adjacent property. However this would represent a different proposal to that which has already been constructed, it remains open to the appellant to make an alternative application for the Council to consider boundary treatments akin to those found on the adjacent property.
8. In this case the boundary fence has an adverse effect on the significance of a designated heritage asset though causes "less than substantial" harm in the words of the National Planning Policy Framework (the Framework). Where less than substantial harm occurs the Framework indicates that this should be weighed against the public benefits of the development. The appellant states that the fence was erected to tidy up the site, maintain privacy in the garden and to provide a safety measure as the land in the garden is higher than the road. These points are acknowledged but not public benefits and in any case are significantly outweighed by the permanent harm to the appearance of the CA which results from the fence.

Conclusion

9. For the above reasons the development would fail to preserve or enhance the character or appearance of the Holt CA in conflict with Policies 57 and 58 of the Wiltshire Core Strategy and the Framework which together seek to ensure that development makes a positive contribution, enhances local distinctiveness, uses high standards of materials and ensures that heritage assets are protected and enhanced. Having considered all matters raised, I conclude the appeal should be dismissed.

Janet Wilson

INSPECTOR