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## Appeal Decision

Site visit made on 31 July 2017

**by Richard Schofield BA(Hons) MA MRTPI**

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

**Decision date: 18<sup>th</sup> August 2017**

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**Appeal Ref: APP/Z2830/D/17/3177518**

**Potterspury House, 3 Poundfield Road, Potterspury, Towcester, Northamptonshire NN12 7QL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr Richard Armstrong against the decision of South Northants District Council.
  - The application Ref S/2017/0559/FUL, dated 24 February 2017, was refused by notice dated 24 April 2017.
  - The development proposed is described as "*retrospective permission for the erection of a replacement fence*".
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. It was apparent from my site visit that the development had already taken place. No plans, beyond a location plan, appear to have been submitted and, as such, I have determined the appeal on the basis of that which I observed on site.
3. There is some debate about whether or not the appeal proposal required planning permission. That is not, however, a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to have the matter determined under sections 191 or 192 of the Act. Any such application would be unaffected by my determination of this appeal.

### Main Issue

4. The main issue is the effect of the development on the character and appearance of Potterspury House and of the surrounding area.

### Reasons

5. Potterspury House is an imposing 19<sup>th</sup> century stone built dwelling, set within extensive grounds on the edge of Potterspury. A wall of around 1.8 metres tall forms the boundary to the property with the A5 and Poundfield Road. It is constructed in the same stone as, and compliments, the house. The wall is a prominent and attractive feature of this corner, blending comfortably with, and being subservient to, Potterspury House beyond it.

6. The fence rises well above the wall for a considerable part of its length, as it wraps around the corner of the junction between the A5 and Poundfield Road. It is readily apparent from passing vehicles as a stark and alien feature, very much at odds with the local vernacular at this point. It detracts from the complimentary relationship between the wall and Potterspur House, appearing as a dominant and incongruous addition to an otherwise simple and attractive streetscene. It is suggested that it has weathered back to a more acceptable colour, but this did not appear to be the case from my site visit.
7. There is other close boarded fencing along the A5, but this is typically lower in height than the appeal fencing (in combination with the wall), viewed in relation to modern housing (where it might reasonably be expected), and/or largely screened by vegetation, such that it is much less prominent in the streetscene. As such, I do not consider that it can reasonably be regarded as a precedent for the appeal scheme.
8. I conclude that the appeal proposal has an adverse impact upon the character and appearance of Potterspur House and of the surrounding area. It conflicts with policies G3 and EV1 of the South Northamptonshire Local Plan and policy SA of the West Northamptonshire Joint Core Strategy. These seek, among other things, to ensure that new development is compatible with the existing character of the locality in terms of type, scale, siting, design and materials.

### **Other Matters**

9. I note that there is some support for the appeal scheme. I have been provided with photographs that appear to show, and correspondence that recalls, an older fence above the wall. It is, however, hard to judge from the photographs whether it was of a comparable height or extent to the appeal scheme. It also appears to be far less visually intrusive. This being so, I do not regard the images or recollections as authorities for the proposition that the appeal scheme, or indeed any other fence, is acceptable in character and appearance terms at this location.
10. I am not unsympathetic to the appellant's view that the fence is necessary as a barrier against noise from passing traffic on the A5. There is not, however, any substantive evidence before me to suggest that this is the only solution. I am also mindful that Potterspur House is set some distance back from the A5, within a substantial garden, in contrast to some of the modern houses beside it, for which acoustic fencing was apparently required as part of the planning permission.

### **Conclusion**

11. The appeal proposal conflicts with the development plan when taken as a whole. Thus, for the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

*Richard Schofield*

INSPECTOR