
Appeal Decision

Site visit made on 17 December 2019

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 2 March 2020

Appeal Ref: APP/J3720/D/19/3236285

11 Gundulf Road, Meon Vale, Stratford-Upon-Avon CV37 8WX

- 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 Thomas Lea against the decision of Stratford on Avon District Council.
 - The application Ref 19/00935/FUL, dated 25 April 2019, was refused by notice dated 1 July 2019.
 - The development proposed was originally described as "to remove existing garden wall and replace with new garden fence and concrete posts to include land to the side of the property which is already enclosed by metal railings all within the land boundary of the property"
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has altered the description of the development in the decision notice to "demolition of garden wall and construction of wood fencing in revised position along the South and West boundaries". This is also the description used by the appellant on the appeal form. I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a modern property which is located on a corner plot at the junction of Gundulf Road and Bicester Road. The properties rear garden is currently bounded by a brick wall which is set back from the edge of the highway along Bicester Road. There is a strip of amenity space between this existing wall and the edge of the footway, and a black metal railing fence which runs along the edge of the footway boundary. The Council has described this strip of amenity land as green, however during my site visit it was apparent that the grass here had been replaced with gravel. The metal railing fence was also incomplete.
5. The appeal proposal is to extend the existing boundary treatment of the property approximately 2.5 metres to meet the boundary of the footway on Bicester Road. This would result in the amenity space forming part of the

- appellants rear garden. The existing boundary wall would be demolished, and the new boundary treatment would be formed of a close board fence with concrete supports.
6. The appeal site occupies a prominent location within the street scene by virtue of its corner plot. The amenity space provided between the edge of the pavement and the boundary of the property provides an important space which breaks up the built form of development in this location. During my site visit it was evident that this is a common feature of corner plots within this housing estate, and their function clearly helps soften the visual impact of built form. Whilst I note that the space is no longer grassed, the gravel which has replaced it still maintains a useful landscaped gap between the edge of footway and boundary wall. By extending the boundary to meet the footway, and the subsequent loss of this amenity space, would harm the character and appearance of the street scene in this location.
 7. The Council have raised concerns that the use of wooden boarded fence here would not be in keeping with the street scene, which predominantly uses brick walls. The appellant has provided evidence of a number of wooden boarded fences in the locality of the site. Whilst I observed a range of boundary treatments within the estate, there was no evidence of fencing being used for corner plots such as the appeal site. The use of a close board wooden fence in this prominent location would appear as an incongruous addition and is therefore not in keeping with the existing street scene.
 8. The appellants have provided details of other sites within the housing estate which have undergone a number of changes including the loss of landscaped amenity space. I have not been provided with the full circumstances which led to those changes being acceptable so I am unable to ascertain if any parallels can be drawn with this appeal. In any event, all planning applications and appeals must be considered on their own merits which is what I have done in this case.
 9. Consequently, I find the proposal would harm the character and appearance of the area. This is contrary to policies CS.1 and CS.9 of the Stratford-on-Avon District Core Strategy (CS). Together these policies seek, amongst other things, that development is of a high-quality design that reflects the character and distinctness of the locality. I also find conflict with policy CS.20 of the CS which seeks, amongst other things, that alterations and modifications preserves and enhance the locality.

S Shapland

INSPECTOR