



Appeal Decision

Site visit made on 7 July 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/P1133/W/21/3268437

Flat 1, The Old Rectory, Forde Park, Newton Abbot, Devon TQ12 1DD

- 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 Prowse against the decision of Teignbridge District Council.
 - The application Ref 20/01889/HOU, dated 8 October 2020, was refused by notice dated 21 January 2021.
 - The development proposed is erection of featheredge fence at The Old Rectory to provide security.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal relates exclusively to a section of fencing which has been erected along the front boundary of the site. I made my assessment on that basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the Forde Park Conservation Area (the CA).

Reasons

4. The Old Rectory is within the CA. The Forde Park Conservation Area Character Appraisal (2018) sets out the significance of the CA, which derives from its fine villas set around the parkland of Forde Park within softly landscaped grounds regularly defined by quite low limestone walls. The relative absence of tall boundary treatments provides an openness between spaces which integrates private gardens into a verdant and high status, pseudo rural village setting.
5. Whilst timber is also present, it tends to form modest, moveable elements of the street scene, such as gates. In the limited instances where lengths of timber fencing form a more integral part of a garden boundary, they do not make a positive contribution to the CA and are not a positive design precedent. The modest, gapped fencing at the pavilion is suitable for what is an individual building, partly formed in timber, which is uniquely sited within Forde Park.
6. Whilst I understand that the hedging that has been removed from the front of Flat 1 was beset with bramble and weeds, it is nonetheless likely that it made a positive contribution to the parkland attribute of the CA. The removal of this greenery and its replacement with a stark and utilitarian close boarded timber

fence has been deleterious to the verdant appearance of the site frontage, its openness, quality, and consequently its role within the Forde Park scene. This is not resolved by the modest planting that has been carried out atop the wall, nor could it be resolved by painting the fence in my opinion.

7. The level of harm is less than substantial. Nevertheless, the National Planning Policy Framework (the Framework) states that great weight should be attributed to a heritage asset's conservation and that any harm falls to be weighed in the balance with the public benefits of the development, including securing its optimum viable use. As heritage assets are irreplaceable, any harm requires clear and convincing justification.
8. Whilst the appellant contends that the fencing has improved security at Flat 1, there is no evidence before me of crime being a particular or tangible problem here. As such, any reduction in crime or the fear of crime is a public benefit of modest weight. The improvement to living conditions in terms of privacy for occupants of Flat 1 is also a public benefit of modest weight. These benefits do not provide a clear and convincing justification for the harm to the CA, to which I attach considerable importance and weight.
9. Consequently, I conclude that the proposal would have an unacceptable effect on the character and appearance of the area bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the CA. It would conflict with the heritage and design aims of Policies S1, S2, WE8 and EN5 of the Teignbridge Local Plan 2013-2033 (adopted 2014) and the Framework.

Conclusion

10. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR