



Appeal Decision

Site Visit made on 29 June 2021

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 20th August 2021

Appeal Ref: APP/H0520/W/21/3271389

21 St. Marys Street, Eynesbury PE19 2TA

- 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 Stuart Bowrey against the decision of Huntingdonshire District Council.
 - The application Ref 19/02325/FUL, dated 17 February 2020, was refused by notice dated 2 October 2020.
 - The development is land to be enclosed with a wooden fence 1.7 metres in height and a wooden latch gate. Change of use of land from public open space to residential use (garden).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have consulted the main parties regarding the updated National Planning Policy Framework (Framework) published in July 2021 and no comments were received.

Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of St Neots Conservation Area and the effect on its significance.

Reasons

4. The site lies within St Neots Conservation Area (CA), the significance of which lies in the development of a historic settlement and evidence of traditional historic architecture which gives the area a pleasant character and appearance.
5. The site lies at the rear of No 21 St Marys Street (No 21) and faces a cul-de-sac characterised primarily by single and two storey dwellings with areas for parking in front with a modest office building sited adjacent to the pavement on the opposite side of the road. As such, given its position at a bend in the road, the site has a significant role in providing a spacious and green aspect to the locality.
6. Therefore, since the fence has been erected adjacent to the pavement near a bend in the road, it has resulted in an adverse effect on the pleasant spacious quality of this part of the CA. I acknowledge that the fence is a similar height to the adjacent brick wall and is not sited near the main road. I also note that there may be other examples of similar fences in the wider area. However,

given its location at the bend in the road and that it has enclosed an area that would have provided an open and green aspect to the surroundings, the fence has a discordant effect on the character and appearance of the area.

7. Consequently, the proposed development does not preserve or enhance the character or appearance of the CA. Therefore, the development conflicts with Policies LP2, LP11, LP12 and LP34 of the Huntingdonshire's Local Plan to 2036 May 2019 (LP) which together seek, among other things, to protect the character of existing settlements, development that responds positively to its context, successfully integrates with the routes and spaces between buildings and preserves or enhances the character or appearance of conservation areas.
8. The resulting harm to the character and appearance of the area has a negative effect on the significance of the CA. The harm would be less than substantial in the terms of paragraph 202 of the Framework and would fail to preserve or enhance the CA. There are no public benefits in the terms claimed by the appellant and any benefit including securing optimum viable use that outbalance the harm found to the area and to the significance of the CA.

Other Matters

9. I note concerns regarding the service provided by the Council and the evidence regarding the ownership of the land. However, I have assessed the proposal based on its planning merits, and these matters have not altered my overall decision.

Conclusion

10. For the reasons given above the development conflicts with the development plan and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR