



Appeal Decision

Site visit made on 2 July 2024

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2024

Appeal Ref: APP/H0520/D/24/3343975

5 Mill Lane, Alwalton, Peterborough PE7 3UZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Don Kennedy against the decision of Huntingdonshire District Council.
- The application Ref is 23/02504/HHFUL.
- The development proposed is erection of 1.8m boundary fence with access gates to the front of property.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The fence and gates subject of this appeal are in situ, and I am consequently dealing with the appeal retrospectively. As the site lies within the Alwalton Conservation Area (CA) and within the setting of listed buildings I have had special regard to both sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the development preserves the Grade II listed buildings or their setting, known as Nos 1 and 3 Mill Lane and the Stables and Coach House, and any features of special architectural or historic interest which they possess and whether it preserves or enhances the character or appearance of the Alwalton CA.

Reasons

Special interest and significance

4. Alwalton CA covers the historic core of the rural village of Alwalton. It is a small CA characterised by predominantly stone buildings which are spaciouly laid out creating a pleasing leafy character.
5. The street frontages in this part of the CA are characterised by forward positioned dwellings, and boundaries associated with buildings that are set further back. These boundaries comprise of natural textures, including predominantly stone walling, soft planting, and some timber fencing set behind walling with variation in heights.
6. The character and appearance of the CA, in so far as it relates to this appeal, is largely derived from the quality of the vernacular buildings, the material grain

of buildings and boundaries, and the spacious and leafy qualities of the planting, all of which contribute to the historic rural qualities of the village core.

7. The appeal dwelling is a more modern chalet type building, which is set back from the lane. The front elevation plans show that before the erection of the development before me, the front boundary comprised of a distinctly low wall with planting behind in the front garden. These spacious characteristics from the position of the dwelling set back from the lane and the previous boundary treatment are in keeping with the character and appearance of the CA.
8. Nos 1 and 3 Mill Lane dates from the early to mid 17th century and is built from painted coursed limestone rubble and freestone with ashlar dressings and a thatched roof. The Stables and Coach House were built circa 1853 from coursed limestone rubble and freestone with ashlar dressings and slate and pantile roofs.
9. In so far as they relate to this appeal, their significance lies in their historic and architectural interest, including from their age and materials, which are entirely appropriate in this prominent position near the lane within the CA. In this regard, the special interest/significance of the listed buildings contribute positively to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.
10. The appeal site is very close to both these listed buildings and forms a part of how they are experienced. Due to a combination of its more recent age, set back position and spaciousness, it has a neutral effect on their setting and thus the significance of these listed buildings.

Appeal development and effects

11. The fence and gates have enclosed the host property from the lane and the planting strip and wall in front of the fence provides little meaningful buffer to it. This is due to the small depth of the planting strip and the distinctly low height of the wall, along with the width of the two gates where there isn't any such feature. In this regard, due to its consistent materials, length, and height the fence and gates appears a strikingly stark feature.
12. Moreover, the overtly contrasting modern form and material finish of the fence and gates appears at odds with the historic material grain of boundaries within this part of the CA. In this regard, the development also overtly intrudes as a stark modern feature into the historic rural village setting of Nos 1 and 3 Mill Lane and The Stables and Coach House.
13. The appellant indicates that the composite material will darken over time like other fencing nearby. However, the texture of the composite material does not have the same patina as timber fencing, and it is not likely to weather in the same way as timber. As such, over time the synthetic nature of the material would remain apparent and incongruous.
14. Whilst there are other tall boundaries nearby, they typically feature taller stone walling with timber fencing behind. This change in materials and the reduced proportion of visible fencing in the street, results in much less dominant features than the development before me.
15. I have been referred to other similar composite fence panels and gates used elsewhere. However, none are within this part of the CA or within the setting of

these listed buildings. As such, I have assessed the scheme on its own merits with regards to the relationship with this area. Taken in isolation I accept that the type and nature of the fencing and gates is not out of proportion with the more modern host dwelling. However, when considered in relation to its surroundings in the CA, and the setting of the listed buildings, there is harm as set out.

16. Drawing the above together, the development fails to preserve the special interest of the Grade II listed buildings known as Nos 1 and 3 Mill Lane and The Stables and Coach House, and fails to preserve or enhance the character and appearance of the Alwalton CA. As a result, the expectations of the Act have not been met and the development harms the significance of these designated heritage assets.

Public Benefits

17. Paragraph 205 of the National Planning Policy Framework (the Framework) advises that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
18. With reference to paragraphs 207 and 208 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. In this instance, the harm to the setting of the listed buildings and the harm to the CA would be 'less than substantial', due to the scale of the development relative to the designated heritage assets. Nevertheless, any harm is of considerable importance and weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal.
19. The development increases the privacy within the garden of the host property and provides a physical barrier to the lane. There are some residual public benefits from the commissioning of services and the general investment into the property. However, there is no evidence to suggest that other ways to achieve the appellant's aims were investigated and discounted that might not have a harmful effect on the designated heritage assets. As such, the associated public benefits carry little weight in favour of the appeal.
20. Overall, the weight that I ascribe to the public benefits that result from the development, are not sufficient to outweigh the weight that I attach to the harm I have identified. As such, the development does not comply with paragraph 208 of the Framework or the Act. It follows that it is also contrary to Policies LP11, LP12 and LP34 of the Council's Local Plan, the objectives of the Huntingdonshire Design Guide and National Design Guide when taken together and in so far as they relate to this main issue. These say, amongst other things, that a proposal will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment, to help create distinctive, high quality and well designed places.

Other Matters

21. Concerns regarding the processing of the application are not matters for my consideration in this appeal. Moreover, I accept the appellant engaged professionals during the process. I have, in any case, assessed the development on its own merits. The absence of harm in relation to other matters including highway safety are neutral matters that weigh neither for nor against the development.

Conclusion

22. The development conflicts with the development plan and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Mr R Walker

INSPECTOR