
Appeal Decision

Site visit made on 1 April 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 April 2025

Appeal Ref: APP/F2415/W/25/3358345

Salisbury House, Little End, Bruntingthorpe, Leicestershire LE17 5QJ

- 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 Mr Richard Hammond against the decision of Harborough District Council.
 - The application Ref is 24/00740/FUL.
 - The development proposed is described as 'Erection of a fence'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has been completed and I was able to see this during my site visit. I have determined the appeal on that basis, which accords with the plans presented.
3. As the appeal site is located within Bruntingthorpe Conservation Area (CA), I have had regard to the statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservations) Act 1990 that requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Main Issue

4. The main issue in determining this appeal is the effect of the proposal on the character and appearance of the area, including the Conservation Area.

Reasons

5. The appeal site, Salisbury House, comprises a detached dwelling located on Little End, within the village of Bruntingthorpe. The CA covers almost all of the built development in the village, including the appeal site. The settlement comprises a mixture of buildings, including some from the 17th century, those of agricultural origin and more traditional, brick built and painted houses. In the core of the village, many of the historic buildings directly front the back edge of the footpath providing a strong sense of enclosure. However, on Little End, towards the eastern end of the settlement is a cluster of 20th century housing, including Salisbury House. Beyond Cooper's Cottage on Little End, the character and appearance transitions from the more formal character to loose knit residential development.
6. Located off Main Street, Little End is formed by a narrow lane, grass verges and is devoid of footpaths. Its character and appearance is derived, in part, from the setting of buildings back from the narrow lane, amongst greenery. Where there are

more formal boundary treatments, these typically comprise low walls. Otherwise, the lane is lined predominantly with hedgerows, trees and shrubs giving this part of Little End a verdant, distinctly rural character and appearance. Relevant to the issues in this appeal, I consider the significance of the heritage asset is derived from the character and appearance described above.

7. The close boarded timber fence which has been erected, within its inset gates, is a stark, incongruous feature in the street scene that does not reflect the local vernacular. Its height and expanse for the full length of the appeal property boundary with Little End, clashes with the more informal boundary treatments in this part of the CA. The result of its siting and design is a harsh feature that has a deadening effect on the lane and is unduly prominent, disrupting the pleasant, rural character and appearance of the area.
8. Furthermore, I am mindful that in allowing the previous appeal (APP/F2415/D/23/3330926 2 February 2024) at this site, the Inspector imposed a condition for landscaping. The reasoning at Paragraph 9 of their decision letter set out 'Having regard to the importance of screening and vegetation a condition securing the implementation of a suitable landscaping scheme is necessary and relevant to make the proposal acceptable.' As a consequence of the fence being along this same boundary, it now precludes the ability for the planting to be implemented as there is no meaningful space to achieve this. This represents significant harm that would go unmitigated.
9. Therefore, the appeal proposal is unduly harmful to the character and appearance of the area, neither preserving nor enhancing the conservation area or its significance. In terms of the National Planning Policy Framework (the Framework), the harm that I have identified would be less than substantial. Paragraph 215 of the Framework establishes that any harm should be weighed against the public benefits of the proposal, which is also required by Policy HC1 Harborough Local Plan 2011-2031 (2019) (HLP).
10. The fence would have brought about some limited economic benefits during its installation process. The appellant also cites enhanced privacy and safety for occupants and passersby in support of the proposal. However, these are chiefly private benefits for the occupants of Salisbury House, with limited public effect.
11. The harm I have identified attracts considerable importance and weight in accordance with paragraph 212 of the Framework, which establishes that great weight should be given to the conservation of a heritage asset. In this context, I find that the limited public benefits are not sufficient to outweigh the harm identified.
12. Therefore, the appeal proposal would conflict with Policies GD8 and HC1 of the HLP which amongst other things, require developments to achieve a high standard of design, be sympathetic to local vernacular and the street scene, and to protect, conserve or enhance the significance, character, appearance and setting of heritage assets.

Other Matters

13. My attention is drawn to photographs which the appellant considers demonstrate a lack of coherent boundary treatments within the CA. Limited detail has been provided, albeit I was able to observe boundary treatments in situ during my site

visit. Unlike the appeal scheme, the example of a high wall defining a curtilage is of a material and scale that is appropriate to the local red brick vernacular, and its positioning aligns more closely with the more formal character towards the core of the village. The evergreen hedge set behind a low post and rail fence does not detract from the verdant character. The high fences defining the driveways between modern dwellings is not typical for the CA but does not directly face the highway in the same way as the appeal before me, thereby reducing their prominence and impact. For these reasons, the examples are not directly comparable in the context of this appeal.

14. A lack of adverse effect on road safety is a neutral factor that neither counts for nor against the scheme. The appellant also points to support from neighbours, albeit no representations from interested parties have been provided in the evidence before me. Therefore, none of these factors have altered my conclusion on the appeal.

Conclusion

15. For the reasons set out above, I conclude that the proposal conflicts with the development plan and there are no other considerations that outweigh the conflict. Therefore, the appeal is dismissed.

C Walker

INSPECTOR