



---

## Appeal Decision

Site visit made on 3 April 2019

**by Nick Davies BSc(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 9<sup>th</sup> April 2019**

---

**Appeal Ref: APP/R3325/D/19/3222893**

**3 Manor Street, West Coker, Yeovil BA22 9BJ**

- 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 Miss Fran Collingborn against the decision of South Somerset District Council.
  - The application Ref 18/03795/HOU, dated 24 November 2018, was refused by notice dated 4 February 2019.
  - The development proposed is the erection of a new close boarded timber fence and gate.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The fence and gate have already been erected and therefore I am considering this appeal retrospectively.

### Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the West Coker Conservation Area.

### Reasons

4. The appeal property is a 2-storey house located in the West Coker Conservation Area (the CA), which encompasses a large part of the village. I observed that the special character of the CA is derived from the high proportion of historic buildings, built predominantly of stone with tiled roofs. Boundary treatments in the CA are also, generally, constructed from stone and some of the roadside stone walls are quite high. However, where they form the front boundary walls to the cottages in the centre of the village, they tend to be low, allowing an appreciation of the small front gardens and characterful building facades. The general uniformity of stone building materials and boundary treatments gives the CA a robust appearance and a cohesive historic character.
5. The appeal property lies in the heart of the CA, just off the main village road. It is orientated at right angles to Manor Street, so that its blank gable end abuts the road. Consequently, the front elevation of the house is prominent in views down Manor Street from the main village road. Although the house has pebble-dash rendered walls, it is similar in scale and form to the other cottages in the

area and has the roof tiles that are characteristic of the CA. It has a low boundary wall in keeping with others in the street although, unusually, part of it is brick rather than the prevalent stone. Overall, despite the different materials, the property sits comfortably in the CA, and contributes to its special character.

6. The fence and gate are already in position, so I was able to see their impact on the CA. They amount to a visually discordant feature in the street scene due to their material, height and prominence. The dark-stained timber is not in keeping with the robust stone walls that are so important to the special character of the CA. The pre-existing low boundary walls make a positive contribution to the CA, which is diminished by the uncharacteristic means of enclosure rising above them. Furthermore, the fence results in a loss of views of the front garden and façade of the building, and other historic buildings beyond. The fence and gate do not therefore have regard to the distinctiveness of their context. As they are prominent in views along this stretch of Manor Street in both directions, and also from a length of the High Street, they result in harm to the character and appearance of the CA and would dilute its significance.
7. The appellant has submitted photographs of other timber fences in the village. The locations of the photographs are not identified so I cannot be sure that they all fall within the CA. In any event, I saw from my visit that in the immediate vicinity of the appeal site there were no other similar fences. The presence of fences elsewhere within the village would not be a reason for me to allow a development that causes harm to the character and appearance of the CA.
8. The harm that arises is localised and therefore the impact on the CA as a whole is less than substantial within the meaning of Paragraph 193 of the National Planning Policy Framework (the Framework). The Framework advises that 'less than substantial harm' should be considered in a balanced manner against any public benefits associated with the development. I have no evidence that the fence and gate give rise to any public benefits.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Paragraph 193 of the Framework advises that any harm to the significance of the CA requires clear and convincing justification and great weight should be given to the conservation of designated heritage assets. There are no public benefits associated with the appeal scheme to outweigh the harm that I have identified to the character and appearance of the CA. I therefore conclude that the proposals would be contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (2015), which seek to ensure that development respects local context and safeguards or enhances the significance of heritage assets.

### **Other Matters**

10. I acknowledge that the appellant sought advice from the Council and understood that planning permission was not needed for the fence and gate. I also understand that there have been no objections from the owners of the adjacent church or garage. However, these matters do not outweigh the harm that I have identified to the character and appearance of the CA.

11. I understand that the fence and gate have given rise to some legal issues regarding a right of way to a neighbouring property, however my decision has been based only on the planning merits of the case.

**Conclusion**

12. For the above reasons I conclude that the appeal should be dismissed.

*Nick Davies*

INSPECTOR