
Appeal Decision

Site visit made on 26 November 2019

by S J Lee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th December 2019

Appeal Ref: APP/Q3115/D/19/3238483
34 Cuxham Road, Watlington OX49 5JW

- 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 Chris Sutcliffe against the decision of South Oxfordshire District Council.
 - The application Ref P19/S1702/HH, dated 19 May 2019, was refused by notice dated 13 September 2019.
 - The development proposed is erection of 1.8m fencing along roadside behind garage building. Total length of fencing is 13.5m.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 1.8m fencing at 34 Cuxham Road, Watlington OX49 5JW in accordance with the terms of the application, Ref P19/S1702/HH, dated 19 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: STE2 P 0.10 Revision B; STE2 P 1.25 insofar as they relate to the erection of fencing only.
 - 3) No development shall commence until details of the materials to be used in the construction of the fencing hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matter

2. The description in the header above is taken from the original application form. However, in my formal decision, I have removed the superfluous descriptive references.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, including the Watlington Conservation Area (WCA).

Reasons

4. The appeal relates to the rear garden of a detached dwelling within the WCA. The site is a wedge shape which runs parallel to the roadside. This creates a long frontage along Pyrton Lane. The proposed fencing would run

from the side of a detached timber garage to the end of the plot. There is already some variety of boundary treatments associated with the dwelling. The Cuxham Road frontage is mainly hedgerow. The Pyrton Lane frontage is a mixture of hedgerow and low picket fencing.

5. As well as other hedges, close-board fencing is also already visible near to the house and along parts of the western boundary of the garden. Boundary treatments opposite the site along Pyrton Lane are a mixture of hedgerow and timber fencing. The building on the opposite corner of the junction has a brick and flint wall. There is therefore no standard approach to the boundaries of properties in the immediate vicinity of the site.
6. Paragraph 192 of the National Planning Policy Framework (the Framework) states that account should be taken of the desirability of sustaining and enhancing the significance of heritage assets. From the evidence provided, and my own observations of the area, the significance of the WCA appears to lie in the age, character and quality of many of the buildings in the area and the historic urban grain and street pattern. Although not listed, the host dwelling reflects the prevailing character of the WCA, particularly in terms of its architectural style and materials.
7. The Watlington Design Guide (WDG)(2018) states that boundaries in Watlington are characteristically either brick or brick and flint walls, hedges, picket fences or wrought iron railings. However, it also states that close-board fencing can be used "*sparingly as a mix of boundary types is characteristic of Watlington*". This is consistent with my own observations of a significant variety in the types of boundary treatments within the area. As well as walls, hedges and picket fences, there are several examples of close-board fencing in the area. Some of these are within the WCA and some are not. While I do not have the details of how these were permitted, and acknowledge they may have been erected under a different policy context, they are nevertheless part of the existing character of the area.
8. The WDG does not define what is meant by 'sparingly'. If considered in the context of Watlington as a whole, or the WCA, then the amount of fencing proposed here would affect only a very small proportion of the settlement. If considered in the context of the site, then the development would only affect a relatively small part of the overall frontage. In this context, I consider the development would reasonably fit into the category of being used 'sparingly'.
9. The fencing would have a close visual relationship with an existing timber structure of some size close to the roadside. As such, use of timber fencing here would not appear incongruous. The distance between the fencing and the host dwelling, and the visual break in the frontage created by the garage, would also ensure that the fencing would not materially detract from its character, or the contribution it makes to the Cuxham Road frontage or WCA.
10. The fencing would be not be prominent to passers-by along Cuxham Road. There are also examples of similar fencing in the vicinity of the site on Pyrton Lane. Although these are generally outside the WCA, the development would not appear as an overtly discordant feature in this location. This is particularly the case when considering the nature of

existing fencing on the rear boundary of the garden and the variety of boundary treatments that already exists in the immediate vicinity of the site.

11. The fencing would take up a relatively discrete position away from the main road and would not have an unacceptably detrimental impact on the character and appearance of the host dwelling or the immediate street scene. Taken together, neither the siting, prominence, scale or materials used would result in any harm to the significance of the WCA. The development would therefore serve to preserve the character and appearance of the WCA. I note that the Council has made reference to the fact the development would not enhance the significance of the heritage asset. However, both national and local policies refer to the need to sustain or conserve the significance of assets. This is the minimum requirement and the development achieves this aim.
12. Accordingly, there would be no conflict with Policy P1 of the Watlington Neighbourhood Plan (2018), policies CSQ3 and CSEN3 of the South Oxfordshire Core Strategy (2012) or policies D1, G2 or CON7 of the South Oxfordshire Local Plan (2006). Collectively, these policies seek to ensure that development respects the character of the site and its surroundings and does not result in harm to the Conservation Area.

Conditions

13. In addition to the standard condition which limits the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.
14. I am satisfied that the intention of the appellant is to erect close-board fencing and I have determined the appeal on this basis. However, the submitted plans do not identify the nature of the fencing, only the location it is to be implemented. As such, I consider a condition is necessary to require the appellant to agree the details of the fencing with the Council prior to its erection in the interests of the character and appearance of the area and to ensure certainty. This is by necessity a pre-commencement condition to ensure the development proceeds in accordance with the approved details. The appellant has confirmed in writing that they accept this condition.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

S J Lee

INSPECTOR