
Appeal Decision

Site visit made on 19 July 2021

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2021

Appeal Ref: APP/J0405/D/21/3272474

Coxs Cottage, Murcott Road, Boarstall HP18 9XX

- 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 James Stallard against the decision of Buckinghamshire Council.
 - The application Ref 21/00343/APP, dated 26 January 2021, was refused by notice dated 30 March 2021.
 - The development proposed is to erect a fence along part of the southern boundary to partially replace an existing hedge and to be of close-board construction.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of proposed development as stated on the application form includes extra commentary and refers to fence heights which have been reduced by amendment. For clarity, I have shortened the description as above, excluding these extraneous or misleading elements but retaining the key words.
3. I have assessed this appeal on the basis of the amended plans submitted during the application process. I can only assess the appeal on the basis of the submitted information and cannot vary the proposal.
4. A new version of the National Planning Policy Framework was published on 20 July 2021. Having considered the role and content of the Framework in relation to this case, I see no need to re-consult the main parties about this change in national policy.

Main issue

5. The main issue is the effect of the proposal on the character and appearance of the local area including the Brill-Winchendon Hills Area of Attractive Landscape.

Reasons

6. Coxs Cottage sits within an area of open countryside, across the road from a vacant golf club. The roadside boundary of the property is somewhere around 100m long, marked by a thick hedgerow set back from the road at one end but close up to the carriageway for much of its length.
7. The proposal as shown on the submitted plans is for a new close boarded fence along most of the frontage, to be erected on the road side of most of the hedge and running through the middle of the remaining section. The application submission indicates that part of the hedge would be removed, though this is not clear on the site plan. The amended submission indicates that the fence would be 2m high, dropping down to 1.5m high next to the house.
8. Within this area most roadside boundaries are marked by hedges, contributing to the verdant, rural character of this sparsely developed landscape. The long length of tall close boarded fence would be an intrusive, visually dominant feature that would mainly sit very close to the carriageway, hiding most of the hedge. It would urbanise this stretch of the lane, taking away from the attractiveness of the landscape.
9. There are some notable examples of close boarded fencing nearby, but these are generally shorter in length, set back farther, set behind hedges and/or are in villages. Across the road the golf club boundary is marked by low walls, with movable temporary security fencing that allows views through. The visual impact of the proposed fence at Coxs Cottage would be much greater than that of any of the local examples brought to my attention.
10. The proposal would therefore be out of character with the local area, harming views from Murcott Road. The Council also refers to the impact on users of a public right of way but that route is far enough away so that any effect would be minimal.
11. I note that there are current proposals to redevelop the golf club. Depending on the details, outcome and implementation of that proposal, the local context might change, but I cannot make any assumptions about this.
12. I conclude on the main issue that the proposed fence would harm the character and appearance of the local area including the Brill-Winchendon Hills Area of Attractive Landscape. It therefore conflicts with the shared aims of policies GP35, GP40 and RA8 of the adopted Aylesbury Vale District Local Plan, the National Planning Policy Framework and the emerging policies BE2, NE4 and NE8 of the draft Vale of Aylesbury Local Plan, to ensure that development respects and complements the site, its surroundings and local landscape character.
13. I have considered all other matters raised. I recognise that there are security problems and possible privacy issues here, but consider that this particular proposal is not a satisfactory solution. I find nothing to override or outweigh my conclusion on the main issue.
14. For the reasons set out above, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR