
Appeal Decision

Site visit made on 23 November 2021

by J P Longmuir BA(Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 DECEMBER 2021

Appeal Ref: APP/C3105/W/21/3280601

Southcroft House, Southrop Road, Hook Norton, OX15 5PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr K Wright against the decision of Cherwell District Council.
 - The application Ref 20/02826/F, is dated 9 October 2020.
 - The development proposed is the retention of gates, erection of pillars and boundary wall.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of gates, erection of pillars and completion of boundary walling at Southcroft House, Southrop Road, Hook Norton, OX15 5PP in accordance with the terms of the application, Ref 20/02826/F, dated 9 October 2020, subject to the conditions in the conditions annexe at the end of this decision.

Preliminary matters

2. The proposal is partly retrospective in that the gates and part of the boundary wall have been erected.
3. The proposal was amended with the removal of the railings on the wall, this is deleted from the original description above. The Council were fully aware of this change which is reflected in their statement. I have considered the appeal accordingly.

Main Issue

4. The application was not determined by the Council, but their statement states their concerns. The main issues therefore are the effect of the proposal on the character and appearance of the area, including the Hook Norton Conservation Area and the setting of the listed South Hill House.

Reasons

5. The site is within Hook Norton village and its Conservation Area. The appeal site is on the corner of two lanes. The gates and wall would front Southrop Road which is meandering and serves a mix of houses, some of which are twentieth century and others are more traditional. The offshoot lane falls rapidly to the side of the appeal site and leads to the heart of the village.

6. There is a variety of boundary treatments along Southrop Road, including drystone and mortared stone walls and hedges. The building line also varies. The lane to the side of the appeal site is bordered by a vegetated bank with a partial retaining wall. It is topped by a timber fence.
7. The appeal site is adjacent to the Grade II listed South Hill House separated by the side lane. This has a formal detailed and proportioned front façade, which is noted in the Historic England description. There is a largely open garden, demarcated by a low height stone wall and gates on the boundary.
8. The Hook Norton Conservation Area covers the majority of the village, extending beyond the appeal site to the countryside edge to the south. The Conservation Area appraisal notes the importance of boundary treatments, form of the street, topography and use of natural stone as well as the grass verges in Southrop Road.
9. Southcroft House has stone walls and appears to have been renovated. Both the house and front garden are conspicuous along much of Southrop Road.
10. The boundary walling built so far is in local stone with sympathetic mortar and is coursed. It would be completed as such in the proposal. Given the mix of boundaries in the area, the proposal would not be out of keeping particularly bearing in mind its stone matches the house.
11. The wall as proposed would not be unduly tall and would allow views of some of the house. The submitted plans confirm this would also be set back from the road, separated by a 'grass bank'. Accordingly, the proposal would not create a significant sense of enclosure.
12. The gates consist of rods in a vertical and uniform alignment. This simple arrangement does not attract attention. There are more rods in the lower half, which gives the sense of a stronger base. The points of the rods are finished by heads, which would not be unexpected, and they are not overtly elaborate to detract attention from the gates as a whole. I noted a similar gate in the vicinity.
13. One of the gates would have a sliding operation rather than opening on hinges. However, this mechanism is inconsequential to its character and appearance.
14. Pillars are proposed either side of the gates. They would be perceived as a functional and strong element, which would visually frame the gates. Consequently, they would not be perceived as harmful.
15. South Hill House is almost adjacent, except for the intervening lane. This has its own context within a well-defined garden. Additionally, the front façade is visually the most dominating elevation and the building discernibly fronts the road and not towards the appeal site. The proposal being to one side does not therefore impinge on its setting. Equally the proposal would not detract from its character being an appropriate treatment. I have not been made aware of any historic connection between this and the appeal site.
16. The proposal would form a boundary which defines the extent of the garden and accordingly it would appear appropriate. The variety of boundaries within this part of the Conservation Area means the proposal would not be out of character.

17. The Council mention the use of timber field gates as an alternative to this proposal. Whilst this type of gate would be appropriate on the countryside boundaries of the village, I find that the appeal site has a domestic character and is within a frontage of residential properties, so the presence of metal gates would be appropriate.
18. I therefore find that the proposal would not harm the character and appearance of the area, the character of Hook Norton Conservation Area or the setting of the listed South Hill House.
19. Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 seeks to conserve and enhance heritage assets and promote contextual design. Saved policies C28 and C30 of the Cherwell Local Plan 1996 have similar intent. Policy HN-CC 2 of the Hook Norton Neighbourhood Plan promotes local distinctiveness in the design of new development, seeks to respect and enhance heritage assets and retain and enhance walls. Paragraph 199 of the National Planning Policy Framework (the Framework) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 highlights the need to consider setting of assets. Paragraph 202 states where there is less than substantial harm that should be weighed against the public benefits. I find that the proposal would not be in conflict with the above policies.

Other matters

20. The appellant highlights the need for a secure boundary. I find this supports the proposal.
21. I note the concern about visibility from a neighbouring access. However, the proposal would be far enough away from the road to maintain safe visibility. The Council in consultation with the County Council Highway department did not find adverse impact on safety and I concur.

Conditions

22. Paragraph 56 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions. The Council has suggested conditions. The timing condition is unnecessary as the proposal has been commenced. The condition on plans helps provide clarity. The control over the walling is necessary to ensure it is in keeping but the wording is changed to avoid pre-commencement and simplified to use the recent walling as a template rather than requiring than an additional sample panel.

Conclusion

23. I therefore conclude that the appeal should be allowed subject to the conditions in the annexe overleaf.

John Longmuir

INSPECTOR

Conditions annexe

1) The development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: DWG No. TRD-202610-A2/02-A, Block Plan and Site Location Plan. The frontage wall shall be implemented in accordance with the "proposed front gate elevation" and not in accordance with the annotation on the layout which refers to "proposed railings on wall".

2) The new walling shall only be constructed to match that already undertaken (in the retrospective part of this appeal proposal) in terms of the use and sizing of the local natural stone, the coursing and mortar.

End of conditions