



Appeal Decision

Site visit made on 26 July 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29TH August 2023

Appeal Ref: APP/C3105/D/23/3321217

Jackdaw, Horton Hill, Horton-Cum-Studley, Oxford, OX33 1AY

- 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 J Attley against the decision of Cherwell District Council.
 - The application Ref 22/03716/F, dated 11 December 2022, was refused by notice dated 14 February 2023.
 - The development proposed is erection of a 2000mm high close-boarded timber fence on western boundary.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a residential dwelling, which is situated in a prominent position on the corner of Horton Hill and The Green. Built development in the vicinity of the appeal site varies with a mixture of styles ages and sizes. Properties are generally enclosed at the fronts with the predominant form of boundaries being stone walls or hedging. Timber fencing is not a common feature in the streetscene.
4. The proposal is for the erection of timber fencing on the west facing side boundary of the property. I noted at my site visit that the close-boarded fencing has been erected. It has also been erected along the rear boundary of the site where it abuts a parking area.
5. The Council contends that the fencing is an unsightly and overbearing feature that is out of character with the area. It argues that the proposal conflicts with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and with Saved Policy C28 of the Cherwell Local Plan 1996. These policies seek (amongst other things) to ensure that the design of new development is of high quality and is sympathetic to the character of the local area. I consider these to be consistent with paragraph 130 of the National Planning Policy Framework 2021 (The Framework).
6. In reaching my decision, I have considered the appellant's need for privacy and security and the prevention of parking on his land. However, these matters

could be addressed by other types of boundary treatment. I also accept that the site is not within a conservation area and that The Green only serves a small number of properties. Furthermore, the fence does impact on highway safety.

7. Nevertheless, the fencing is a prominent feature in the streetscene and it is clearly visible from both Horton Hill and The Green. It appears stark and at odds with other boundary treatments in the vicinity of the site and, therefore, it is out of character and unacceptably harmful to the appearance of the area. Consequently, it conflicts with the provisions of the Development Plan and The Framework, as referred to in paragraph 5 above.

Conclusion

8. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR