



Appeal Decision

Site visit made on 3 February 2025

by **Les Greenwood MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th February 2025

Appeal Ref: APP/W2845/W/24/3354284

Land south of Horton Road, Hackleton, West Northamptonshire NN7 2AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 Nick Wright against West Northamptonshire Council.
 - The application Ref is 2023/7948/FULL.
 - The development proposed is the erection of boundary fencing.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of boundary fencing on land south of Horton Road, Hackleton, West Northamptonshire NN7 2AW in accordance with the terms of the application, Ref 2023/7948/FULL, 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: 201055-P-002 and the Typical Boundary Fencing Detail only shown on 201055-P-001.

Preliminary matters

2. The appeal was made against the failure of the local planning authority, West Northamptonshire Council (WNC) to determine the application within the statutory period. WNC now confirms that had an appeal not been made, it would have approved the application. There is still, however, an objection to the proposal from Hackleton Parish Council.
3. WNC has adopted an Article 4 Direction¹ for this piece of land, removing the usual permitted development rights for the erection of fences, walls and gates, due to concerns about potential subdivision of the land into small pieces. This means that individual planning applications are required for any such development, so that each proposal can be assessed through the planning process.
4. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, with minor updates on 7 February 2025, all during the course of this appeal. Having regard to the changes in the Framework

¹ Article 4 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended)

and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main Issue

5. The main issue is the effect of the proposal on the rural character and appearance of the local area and landscape.

Reasons

6. The proposed 1 metre high timber post and wire stock fencing would bisect an open field of ridge and furrow grass pasture that slopes downhill from Hackleton Road. Whilst I recognise the concerns about potential visual impacts from sub-division of this land into small parcels, the proposal would simply divide this extensive field into 2 large sections as is commonly done for agricultural purposes. The fence would be visible from the road and a nearby public right of way, but would be a normal and unexceptional feature of the countryside. The timber post and open mesh design, without horizontal rails, would minimise visibility. It would be of very similar design to existing fencing nearby and fully in character with its landscape setting.
7. I conclude that the proposal would not harm the rural character or appearance of the local area or the landscape. It accords with policy SA of the West Northamptonshire Joint Core Strategy Local Plan Part 1, policy SS2 of the South Northamptonshire Local Plan Part 2 and policies HNPD1 and HNPD8 of the Hackleton Neighbourhood Development Plan 2021-2029, which aim to ensure that development integrates into the distinctive local character of the area, conserving or enhancing the local landscape.
8. I impose a condition specifying the relevant plans to provide certainty regarding the siting, design and materials of the fence. No other conditions are suggested and none seem necessary.
9. I find that the proposal accords with the development plan. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR