



Appeal Decision

Site visit made on 18 February 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th March 2025

Appeal Ref: APP/D3125/D/24/3355711
65 Winfield Drive, Witney OX29 7AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ebenesar Williams against the decision of West Oxfordshire District Council.
 - The application Ref is 24/01515/HHD.
 - The development proposed is erection of garden wall to rear and side boundary.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site is a corner plot within a completed residential phase of a major ongoing development laid out on a rectilinear street pattern. It contains a three-storey semi-detached house in reconstituted stone and render fronting on to an area of hard landscape mirrored diagonally across an offset crossroads.
4. The front and side of this and other three-storey corner houses in the area are set in from the street by around a metre, with metre-high metal railings. Rear gardens are bounded by 1.8m-high walls in reconstituted stone. Some are aligned with the side of these houses, and some are aligned with the back of pavement. Those aligned with the pavement end at the rear wall of the house, with a return wall or gate between the two. The side of the house forward of this is typically open and this contributes to both the character and appearance of the area.
5. Because the proposed wall would extend alongside the house, it would reduce the amount of visible soft landscape alongside the house and create a feature that is out of keeping with the area, as would the curved wooden gate.
6. The use of the wall as a feature would cause material harm to the character and appearance of the area, and conflict with Policies OS2, which requires development to complement the character of the area, and avoid the loss of features that contribute to it or its appearance, and OS4 of the West Oxfordshire Local Plan, which requires development have regard to design guidance.

7. In the latter regard, I also find conflict with the design advice set out in the West Oxfordshire Design Guide on identifying characteristics in terms of building details, materials, surface and boundary treatments.

Other Matters

8. I accept that there will be a benefit to the occupiers' wellbeing in having additional outdoor amenity space, a small benefit to land use efficiency from the part of the development not alongside the house, and a small economic benefit in carrying out the work and attach some weight to all of these.
9. I accept that there will be no harm to connectivity, traffic or pedestrian safety, living conditions, flood risk, water conservation, trees or hedges, parking or drainage; and that the proposed materials will match those of the existing wall and that the height will be the same. These are all neutral factors in my decision.
10. Whilst I sympathise in respect of littering, dog or other pet fouling or other crime experienced or anticipated by the appellant, these alone are not reasons to enclose open areas, which contribute to the character and appearance of the area. As such, I attach limited weight to these matters.
11. Similarly, whilst I recognise that engaging with the planning system can at times be stressful, this is not a factor to which I can attach other than limited weight.
12. How the appellant might plant the garden, whether they might erect a shed, what they might store and what alternative solutions they may pursue cannot be certain and, accordingly, I attach little weight to benefits or harms that may result.

Conclusion

13. The proposal does not accord with the development plan as a whole and there are no other considerations that indicate I should take a different decision other than in accordance with this.
14. For the reasons outlined above, I conclude that the appeal should be dismissed.

S Simms

INSPECTOR