



Appeal Decision

Site Visit made on 25 May 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2021

Appeal Ref: APP/D3125/D/21/3269962

85 Barrington Close, WITNEY, OX28 5FJ

- 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 Gavin Carter against the decision of West Oxfordshire District Council.
 - The application Ref 20/02682/HHD, dated 5 October 2020, was refused by notice dated 22 January 2021.
 - The development proposed is a shed in the garden for storage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The shed has been constructed and therefore I am considering this appeal retrospectively.

Main Issue

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

Reasons

4. Barrington Close is a residential housing estate characterised by a mix of housing types and styles finished in mostly buff stone interspersed with houses finished in red and buff brick. Houses mostly front onto the road or courtyard parking areas. The appeal site is part of a unique section of the estate with its front elevation overlooking an area of open space and its rear garden adjacent to the estate road to the rear. The area has a pleasant character with courtyards, open spaces and landscaping.
5. The rear garden is highly visible from the adjacent estate road which curves around the side and rear of the site. The development is located to the rear of the garden and protrudes above the boundary wall. Its location is prominent when travelling along the estate road, and this combined with its height and size creates an incongruous feature in the street scene which detracts from the pleasant character and appearance of the area.
6. From my site visit I viewed a number of other sheds in the area; however, these were not as tall as the development being considered and were in less prominent locations. Nevertheless, the particular circumstances of individual cases are likely to be different and direct parallels are not easily drawn.

7. The appellant has referred to development that could be undertaken using their permitted development rights, but I have seen nothing to suggest they would genuinely pursue this option or that such a development would be similar to, or worse than, the current development. As such, I afford this little weight.
8. The appellant has also suggested that further hard and soft landscaping could be erected on top of the existing wall to screen the development, and I have considered whether a condition could overcome the harm identified. However, the height of additional fencing or landscaping required to screen the development in this prominent location would be harmful to the character and appearance of the area.
9. For the reasons above, I conclude that the proposal harms the character and appearance of the area contrary to Local Plan policies OS4 and H6 and the West Oxfordshire Design Guide which seeks to ensure development respects the character of the surrounding area and protects the quality of the public realm. The proposal is also at odds with the advice set out in para 127 of the Framework.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR