

APPLICATION NO.	P12/V0843
APPLICATION TYPE	FULL
REGISTERED	12.4.2012
PARISH	CUMNOR
WARD MEMBER(S)	Cllr Dudley Hoddinott, Cllr Judy Roberts, Cllr John Woodford
APPLICANT	Ajay Khaitan
SITE	10 Robsart House Abingdon Road Cumnor Oxford Oxfordshire, OX2 9QN
PROPOSAL	Retrospective application for the installation of a brushwood and bamboo screen.
AMENDMENTS	None
GRID REFERENCE	446235/204019
OFFICER	Mr D.Burson

1.0 **INTRODUCTION**

1.1 The application dwelling is a substantial modern detached house set in a small close off of Abingdon Road. The property is within the built limits of the village but is not included within the Oxford Green Belt.

1.2 The application relates to a screen erected above the closeboard fence to the rear of the boundary with properties in 'The Park'. The application property is set on slightly higher ground than those to the rear.

1.3 The application has been referred to the planning committee as Cumnor Parish Council objects.

1.4 A site location plan and block plan are **attached** at appendix 1.

2.0 **PROPOSAL**

2.1 The application seeks retrospective planning permission to retain a bamboo and brushwood screen erected to the top of a 1.8 metre closeboard fence. The screen itself has a height of 1.2 metres giving a total height of 3 metres when combined with the fence.

2.2 The screen is located atop the rear boundary fence to the dwelling and is set around 14 metres from the rear of the application dwelling and the rear wall of the nearest houses in 'The Park'. The rear garden location of the screen is such that it is not readily visible from public viewpoints.

2.3 This application extends solely to the screen erected above the closeboard fence. The fence itself is within the dimensions of permitted development and has been an established feature on the site for some years and is not subject of this application.

2.4 Photographs of the screen in situ will be available at the meeting.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Cumnor Parish Council – Object- the fence exceeds the normal 2m height and effects neighbours.

Neighbours – three letters have been received making the following objections:-

- Screen unsightly and obtrusive
- The screen is unstable and could fall over
- The fence has unsightly brackets facing neighbours
- To grant permission would set a precedent for other fences
- The screen breaks the convention of presenting the good side to neighbours
- The screen has only been erected as the property is for sale

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P10/V0547](#) - Approved (13/05/2010)

Erection of an orangery to rear elevation. - Planning Permission granted on 13/05/2010

[P06/V0255](#) - Approved (04/04/2006)

Proposed extensions to form study, utility room, cloakroom and first floor extension to provide en-suite and dressing room. - Planning Permission granted on 04/04/2006

[P04/V1420](#) - Withdrawn (16/10/2004)

Erection of three detached dwellings with associated garaging. - Withdrawn on 16/10/2004

5.0 **POLICY & GUIDANCE**

5.1 *Vale of White Horse Local Plan 2011 policies:*

DC1 – Design

DC9 – Impact of development on neighbouring uses

NE7 – North Corallian Ridge

5.2 The National Planning Policy Framework was published in March 2012 and replaces all previous PPG's and PPS's

6.0 **PLANNING CONSIDERATIONS**

6.1 The main considerations in this application are:

1. Visual impact of the screen
2. Impact of the screen on the character and appearance of the area
3. Impact of the screen on the amenity of neighbouring properties

6.2 **Visual impact of the screen**

The screen is of light construction in natural materials. The screen obscures the closeboard fence from the applicant's side giving a full height brushwood screen. When viewed from the rear of properties in The Park the element of the screen above the fence is visible with wooden supports and the bamboo screen visible above the fence.

6.3 The materials of the screen are in keeping with the lawful closeboard fence and other means of enclosure in the locality. Although the screen is higher than a permitted development boundary fence its light construction and materials mean it remains in keeping with the residential environment and officers do not consider that it has a materially detrimental visual impact.

6.4 **Impact of the screen on the character and appearance of the area**

The location of the screen to the rear of two storey dwellings means it does not impact on the character or appearance of public aspects in the locality. While not visible from public viewpoints the screen is prominent in the rear gardens of the dwellings in the vicinity.

- 6.5 As considered above the screen does not have a detrimental impact on the visual character of the area. The screen is set relatively centrally between the rear elevation of the application dwelling and the neighbouring houses in The Park. The houses are sited in relatively close proximity with back to back distances a little under 30 metres, gardens are commonly enclosed by 1.8 metre closeboard fencing to the sides and rears. The two storey dwellings and enclosing fences in the area contribute to a feeling of enclosure; the screen subject of this application is in keeping with this character.
- 6.6 While the area has an enclosed character with which the proposed screen is in character the screen is not of such a height that it results in a dominant or overbearing impact on the area. The screen is of relatively lightweight construction and forms a graduation between the closeboard fence below and open boundary above. The materials are in keeping with the area and the scale and design of the screen in this context is such that it is not detrimental to the openness of the area and does not have an overbearing impact.
- 6.7 **Impact of the screen on the amenity of neighbouring properties**
Neighbour concerns have been raised in the course of the consultation process. The Parish Council have also commented. It should be noted that the Parish Council make reference to an 'enforcement order'. While the fence has been subject to an enforcement investigation no formal action has been recommended.
- 6.8 The screen is separated from the rear elevation of the nearest dwelling by around 14 metres with a total height of a little over 3 metres or 1.2 metres above the height of the existing fence. The screen is of relatively lightweight construction compared to the lawful closeboard fence. The separation from the house is such that the fence does not have an overbearing impact on the occupants. The lightweight construction is also such that the screen is not so overbearing to the gardens of neighbouring properties that a refusal of planning permission would be justified.
- 6.9 In seeking to protect the amenity of neighbours the Vale of White Horse Local Plan specifically identifies the loss of daylight or sunlight as a factor in harming neighbours amenity. The screen is sufficiently separated from the windows of dwellings that it does not result in harm in terms of loss of light. The gardens of adjacent dwellings are also of a scale that considered in the context of the screen they would not be so detrimentally affected in terms of loss of light that a refusal of planning permission would be justified.
- 6.10 A further concern raised by neighbours is that to permit the present screen would set a precedent for similar fences. Any fence more than 2 metres in height (or 1 metre adjacent to a highway used by vehicles) would require planning permission and any application would be considered on its own merits. In this instance a number of factors including the character of the area, the separation from dwellings and the materials used mean that the fence has an acceptable impact.
- 6.11 It is understood the screen subject of this application is a more substantial version than that initially installed. The first screen had inadequate support and was damaged in high winds. The present screen has the benefit of more substantial supports. Neighbours concerns with regard to the stability of the screen are appreciated; however they would not be a planning matter upon which the council could refuse the application.
- 6.12 Objection has also been raised that the fence and screen break the convention of presenting the 'good side' to neighbours. It is unfortunate that the applicant has elected to construct the screen with supports facing neighbours, however while breaking with

convention this would not be a sustainable ground for refusal.

6.13 Conditions

One factor in the acceptability of the screen is its relatively lightweight construction. If the screen were constructed of more substantial material it is likely this would have an unacceptable detrimental impact. Alterations to means of enclosure that do not increase its height would normally be permitted development; however in this instance such an alteration could have a detrimental impact on amenity. With this in mind it is considered necessary and appropriate to remove permitted development rights for alterations to the fence to ensure any future changes are subject to proper consideration by the council.

7.0 CONCLUSION

7.1 The proposed screen is considered acceptable subject to the suggested conditions. The screen is not uncharacteristic of the enclosed residential character of the area, nor is it overbearing or detrimental to neighbouring amenity.

8.0 RECOMMENDATION

8.1 Planning Permission subject to the following conditions:-

- 1. planning condition listing the approved drawings**
- 2. RE5 – Permitted development restriction on alterations to screen permitted**

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