The Planning Inspectorate

Appeal Decision

Site visit made on 16 January 2017

by Veronica Bond LLB (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2017

Appeal Ref: APP/C3105/W/16/3160131
Land at Home Farm Close, Ambrosden, Oxfordshire OX25 2NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Mr J Gardener against the decision of Cherwell District Council.
- The application Ref 16/01053/REM, dated 23 May 2016, sought approval of details pursuant to condition No 1 of a planning permission Ref 14/01981/OUT, granted on 6 March 2015.
- The application was refused by notice dated 8 August 2016.
- The development proposed is erection of five detached dwellings.
- The details for which approval is sought are: layout, scale and appearance.

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site forms part of a field sitting behind a row of modest housing at the edge of the village. The appeal proposal would introduce onto the site five large dwellings, including garaging for each property.

4. The overall effect would be of a substantial mass of built form on this sensitive site bordering the open countryside. The houses would be greater in scale and more complex in form than the modest dwellings which they would sit behind. The relative positions of plots 1 and 2, sharing a very similar building line and symmetrical form, would result in a harsh edge to the village. This would be particularly apparent in views from the countryside beyond. Given the scale of the dwellings, the use of boundary treatment would not be enough to adequately soften this effect.

5. I acknowledge the design intentions to create a 'courtyard effect' and a better boundary to the village including by means of walls and buildings, rather than rear gardens and associated domestic paraphernalia, forming the boundary to the countryside. Whilst the layout is constrained by access having already been approved, nonetheless as outlined, the effect of the design of the development proposed would be of significant massing on the site. The elongated forms of the buildings would create a sense of place more akin to an estate development of large houses.

6. The appellant has outlined in detail the design basis for the scheme and the buildings proposed do have some architectural merit in their own right, including traditional materials and design features seen elsewhere in the village. The design intention as regards the spacing between plots 1 and 2 is to create some visual relief and enhance the relationship between the village and the countryside. These aspects do not though overcome the fundamental concerns detailed. Whilst the angle and distance from the road would limit the alignment of plots 1 and 2 drawing the eye from this viewpoint, this would still be apparent from the surrounding countryside, as would the scale of the development on site.

7. Although, given the size of the site, there is some scope for the proposed housing to be larger than the modest terraced housing in front of the site, nonetheless as proposed it would be of excessive scale bearing in mind its edge of settlement position. The fact that the site is not within a Conservation Area does not alter the fact that it is in a sensitive location for development.

8. With respect to the new housing development on the opposite side of the road, this is clearly visible in views from the road. However, the housing opposite is of a more modest scale than that proposed and so is not directly comparable in this way. I do not in any event have full details of the planning circumstances leading to that development in order to form a detailed comparison with the appeal proposal. The same is true of other new development referred to located off Ploughley Road.

9. Consequently, the proposal would harm the character and appearance of the area. It would conflict with saved Policies C28 and C30 of the Cherwell Local Plan (November 1996) and Policies ESD13, ESD15 of the Cherwell Local Plan 2011-2031 Part 1 (adopted 20 July 2015). These together seek, amongst other things, new housing that is compatible with existing dwellings in the vicinity and sympathetic to the local context, development which enhances the character and appearance of the landscape and respects traditional patterns and the scale of existing development. It would also fail to accord with the National Planning Policy Framework's aims of seeking good design that reinforces local distinctiveness. I find no direct conflict though with Policy Villages 1 of the 2015 Local Plan which primarily deals with the principle of residential development in villages.

Other Matters

10. The proposal offers some carbon footprint and natural surveillance benefits, which weigh slightly in favour of the proposal. There would be no harm to the living conditions of nearby occupants and no harmful effect on heritage assets but these are neutral effects. Concerns as to the Council's handling of the application are not for me in considering this appeal which is dealt with on its merits.

Conclusion

11. Although the proposal would offer some modest benefits, these do not outweigh the development plan conflict and harm found. For the reasons above, the appeal fails.

Veronica Bond
INSPECTOR