

Appeal Decision

Site visit made on 30 May 2017

by Rachael A Bust BSc (Hons) MA MSc LLM MEnvSci MInstLM MCMI MRTPI

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

Decision date: 30 June 2017

Appeal Ref: APP/C3105/W/17/3167009
26 Balliol Road, Bicester OX26 4HP

- 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 & Mrs A Bedwell against the decision of Cherwell District Council.
 - The application Ref 16/01970/F, dated 29 September 2016, was refused by notice dated 24 November 2016.
 - The development proposed is the construction of new chalet dwelling and garden area; with ancillary cycle and bin storage for new and existing dwellings; with formation of new vehicle access points for the new and existing dwellings to provide off road parking.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Balliol Road is a pleasant residential area within the urban centre of Bicester. The predominant building form is single storey semi-detached bungalows with large shallow pitched roofs. A number of bungalows have added flat roof dormers to the front and rear which provides some relief to the dominance of the roof area. The planned layout of Balliol Road has sited the bungalows comfortably within the centre of their plots. They have a broadly equal small area of garden to the front and to the rear. The exception to this are those bungalows on corner plots which have an additional area of garden to the side. Some frontages have been laid to hardstanding for off-street parking whilst others are laid to grass and garden.
 4. Most if not all bungalows on Balliol Road face the highway and contribute equally to the street scene. There is a sense of natural order and rhythm to the built form. The majority of the frontages are open with no formal means of enclosure which, together with the low-rise nature of the bungalows does give Balliol Road a sense of openness and space. The corner plots are open with a wide footway which is a prominent feature of the planned layout and as such they are more sensitive to changes in character and appearance.
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5. The appeal site is located on the corner of Balliol Road and Cedar Drive. Cedar Drive consists of large detached dwellings that sit within plots which are substantially larger than those on Balliol Road. Consequently the character of Balliol Road and Cedar Drive are fundamentally different.
6. The appeal site is bounded to the south-east by the retained curtilage of No 26 and to the south-west the road junction of Balliol Road and Cedar Drive. To the north-west lies No 28 Balliol Road, another semi-detached bungalow set back from and separated from the appeal site by Cedar Drive. To the north-east lies No 10 Cedar Drive, a large detached dwelling set back at an angle and well screened from the road frontage by a fence and substantial conifer hedge.
7. The appeal site would be created from the subdivision of the existing plot of No 26 Balliol Road, thereby removing its entire existing side garden. No 26 would retain a small rear and front garden of similar size to its neighbours. The existing side garden currently provides the off-street parking for No 26. Consequently the front garden of No 26 would be block paved to provide replacement on-site parking for 2 vehicles, accessed by a new vehicle crossover from Balliol Road.
8. The proposed dwelling would front onto Cedar Drive. This orientation would appear out of character with the prevailing pattern of development on Balliol Road. In addition it would not be viewed in the context of Cedar Drive as the siting and plot size would mean that proposed dwelling and No 10 would not be able to form a cohesive relationship. Consequently the proposed dwelling would be at odds with the existing built form of the surrounding area and would disrupt the rhythm of the planned layout of Balliol Road.
9. The proposed dwelling would be principally viewed as part of the street scene of Balliol Road. In that context, the design has the appearance of a two storey dwelling amongst single storey bungalows. This would represent an incongruous and prominent addition to the street scene. Furthermore, the proposed dwelling would appear cramped and at odds with the sense of space that a corner plot provides to the character of the surrounding area. Whilst I note that part of the existing side garden is enclosed by a timber fence, I find that this does not detract from the sense of openness that the undeveloped nature of this site provides.
10. The proposed siting of the new dwelling close to the footway on Cedar Drive would result in an overbearing impact, adversely affecting the character of the area.
11. I conclude that the appeal proposal would adversely affect the character and appearance of the surrounding area. This would conflict with Policy ESD 15 of the adopted Cherwell Local Plan (Part 1); and saved Policies C28 and C30 of the Cherwell Local Plan. Taken together these policies expect new development, amongst other things, to respect, complement and enhance the existing character through sensitive siting, layout, scale and high quality design. These policies accord with the National Planning Policy Framework which expects development to make a positive contribution to the quality of the built environment.

Other Matters

12. The appellant has referred to 2 other examples of new dwellings within the locality which have been permitted. I note that these both pre-date the adoption of the Cherwell Local Plan (Part 1). I did view these on my site visit; however I do not find them to be sufficiently comparable to the proposed development on the appeal site. The Basset Avenue/Balliol Road dwelling sits within a much larger corner plot and therefore able to integrate the new dwelling into the existing built form. The other example on Magdalen Close is not comparable in design and siting to the appeal proposal. In any case I have considered this appeal on its own merits.
13. The occupiers of No 28 Balliol Road are concerned that the proposed dwelling would adversely affect their living conditions in terms of overlooking and privacy. The proposed dwelling would be sited at a sufficient distance from No 28 such that I find no harm would arise to the living conditions. However, this does not outweigh the overall harm that I have identified in relation to the character and appearance of the area.
14. Concerns have been raised regarding the adverse impact on highway safety sight lines and insufficient parking provision. I note that the Highway Authority was content with the siting and parking provision, therefore I have no detailed evidence to lead me to conclude that highway safety and parking provision is other than acceptable.

Conclusion

15. The appeal site is within an existing residential area within the urban centre of Bicester where new dwellings are considered acceptable in principle. It is within walking distance of Bicester North railway station, the town centre and its amenities. It would allow occupiers to meet many day to day needs without using a car. The dwelling would be built to high standards of energy efficiency and add to the supply of housing. However there are economic and social benefits to the proposal, these would not outweigh the substantial harm to the character and appearance of the surrounding area for the reasons given in my decision. The proposal would conflict with relevant local and national planning policies and the development plan as a whole.
16. Taking all matters into consideration, I conclude that the appeal proposal would not be a sustainable form of development. Consequently the appeal should be dismissed.

Rachael A Bust

INSPECTOR