
Appeal Decision

Site visit made on 3 July 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 7th August 2017

Appeal Ref: APP/C3105/W/17/3172293
87 Banbury Road, Kidlington OX5 1AH

- 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 Allen against the decision of Cherwell District Council.
 - The application Ref 16/02510/F, dated 12 December 2016, was refused by notice dated 7 February 2017.
 - The development proposed is demolition of existing detached 2 storey house, to be replaced with a new detached 2 storey building (with mainly pitched roofs to match neighbouring properties and not exceeding current ridge lines) providing 4 No 1 bedroom flats and 1 No 2 bed duplex unit.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site contains a 2 storey detached house between 2 other detached dwellings in a slightly staggered but consistent row of properties accessed off a service road and set back from the footpath by a drive. Similar to other properties in the vicinity, soft landscaping breaks up the built form. The area has a mixed character but this part of the road is mainly 2 storey dwellings and bungalows which are evenly spaced creating a suburban character. The appeal site is wider than surrounding plots but does not stand out as being different or out of place. The curtilage of No 87 abuts the curtilage of Park Farm House, a Grade II Listed Building. I shall return to this matter later in my decision.
4. The proposal is to demolish the existing dwelling and replace it with a new detached 2 storey building that would accommodate 4 one bedroom flats and one 2 bedroom duplex unit. The property would have 2 separate pitched roof elements linked by a central flat roof, recessed from the front elevation. Parking would be provided at the front of the property and the rear would remain as garden/ amenity space.
5. The new development would cover almost the full width of the plot. Although there is visual separation between the proposal and neighbouring properties and that separation is greater than that which exists between some other dwellings in the road, the plot is wider and so the frontage would be significantly broader than surrounding properties. The proposal seeks to create

a visual effect of 2 separate dwellings with the two main sections of the property joined by a flat roofed link which would be set back from the main front elevation. This however would look contrived and would not moderate the impact. The depth of the development would also be greater with the proposal standing further forward than the front wall and beyond the back wall of No 91. The overall footprint of the proposal would fill much of the plot which would create a bulky and cramped development. Whilst the height of the property would be similar to the neighbouring properties the overall scale and massing would be greater than anything in the immediate vicinity and therefore out of character with the area. Although the full scale of the proposal is obscured when viewed from certain angles, this does not detract from the harm when viewed directly from the front.

6. The appellant has referenced examples of similarly proportioned properties elsewhere in the road however these differ to the proposal in terms of proximity to the appeal site, design and the way they relate to neighbouring properties. They are also fewer in number and so not reflective of the overarching character.
7. The proposal attempts to draw together different design features from within the street scene. However, this has created a mixed and complicated design which would have a cluttered appearance in contrast to the simple design of properties in the area. At the front of the property there is a lack of cohesion between different features. The first floor bay window with porch underneath closest to No 85 for example links poorly to the rest of the dwelling. On the rear elevation the numerous roof elements are anomalous and do not relate well to each other. The front of the property would be dominated by car parking and bin storage which would be clearly visible from the road. There would be little scope to use soft landscaping, which is used elsewhere in the street scene, to screen the views of the property. The proposal would therefore conflict with policies C28 and C30 of the Cherwell Local Plan (1996) which requires development to be sympathetic to the area and policy ESD15 of the Cherwell Local Plan Part 1 (2015) which requires development proposals to respect the form, scale and massing of their setting.

Other Matters

8. I note that the Council has identified no harm to the setting of the Listed Building. Park Farm House is enclosed by modern development on all sides. The building line of the rear of the proposal would come closer to the Listed Building, however it would not be significantly so to cause harm to the setting of the property.
9. The appellant has questioned whether the Council can demonstrate a 5 year housing land supply. The Council has confirmed with reference to its Authority Monitoring Report for 2016, published in March 2017, that it has a 5.4 year supply 2016-2021. There is nothing to indicate that this is incorrect.
10. The proposal would make a positive contribution in terms of providing additional housing in a sustainable location. The flats would also provide a more affordable housing option than larger properties and be an efficient use of land. However, an additional 5 flats is a modest contribution which is outweighed by the harm that would be caused by the design of the proposal to the character and appearance of the area.

Conclusion

11. Whilst the proposal would not breach policy in terms of the impact on the setting of a Listed Building there would be harm to the character and appearance of the area. For this reason, and having regard to all other matters raised I conclude that the appeal should be dismissed.

K Ford

INSPECTOR