



Appeal Decision

Site visit made on 10 September 2019

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2019

Appeal Ref: APP/G3110/W/19/3231894

4 Woodlands Road, Oxford OX3 7RU

- 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 G Phillips (Pendragon Homes) against the decision of Oxford City Council.
 - The application Ref 19/00219/FUL, dated 25 January 2019, was refused by notice dated 3 April 2019.
 - The development proposed is demolition of the existing dwelling and construction of a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on (i) the character and appearance of the surrounding area and (ii) the living conditions of the occupiers of 193 Headley Way (No 193) in respect of privacy.

Reasons

Character and appearance

3. The appeal property is a bungalow with hipped roof. Whilst of a simple design, it is similar in size and appearance to adjacent bungalows, which together form a low-key development at the entrance to the road. Opposite, 2 storey high houses are set behind verges and roadside trees, resulting in an attractive open street scene where buildings are visible but unobtrusive.
4. The pitch of the existing hipped roof creates space at first floor level between the appeal property and adjacent bungalows. In contrast, the sides of the mansard roof to the proposed dwelling would be almost vertical, resulting in a bulkier building with less space between the house and site boundaries. Consequently, the proposal would significantly reduce the openness of the site.
5. Furthermore, mansard roofs are not common along Woodlands Road so the proposed development would be discordant, standing out starkly amongst the adjacent bungalows. As such, the proposal would be conspicuous in the street scene, contrary to the unobtrusive character of other properties in the road.

6. Policy CIP3 of the Headington Neighbourhood Plan 2017-2032 (HNP) accords with the National Planning Policy Framework¹ (the Framework) in promoting innovative design. Limited information has been provided to explain why the proposal would be innovative, but in any case, policy CIP3 only promotes schemes that enhance the character of an area. As it would cause harm by reason of incongruity and loss of openness, the proposal is not supported by policy CIP3.
7. For the reasons outlined above, I conclude that the development would cause significant harm to the character and appearance of the area. Consequently, and in this regard, it would be contrary to policies CP.1, CP.6 and CP.8 of the Oxford Local Plan 2005 (OLP), policy CS18 of the Oxford Core Strategy 2026 (adopted 2011), policies CIP1 and GSP4 of the HNP, policies HP9 and HP10 of the adopted Oxford City Council Sites and Housing Plan 2013 (SHP) and the Framework. These all aim, amongst other things, to ensure that developments avoid harm to the character and appearance of an area.

Living conditions

8. The back garden of No 193 adjoins the end of the appeal site. The proposal includes first floor windows serving bedrooms that would face towards the rear boundary and it is reasonable to expect some use of these rooms during the daytime.
9. Due to their proximity and height above ground level, the proposed windows would be seen from, and would provide views over boundary features into No 193's back garden. Planting shown to be retained would partially obstruct such views but cannot be relied upon permanently. The proposed windows would create new higher viewpoints that would be intrusive, or perceived to be so, thereby significantly compromising the privacy and impacting adversely on the occupiers' enjoyment of No 193's back garden.
10. For the reasons outlined above, I conclude that the development would significantly harm the living conditions of the occupiers of No 193 by reason of actual and perceived loss of privacy. Consequently, and in this regard, the development would be contrary to policy CP.10 of the OLP and policy HP14 of the SHP which aim, amongst other things, to create places with a high standard of amenity for occupiers of property.

Other Matters

11. The proposal would provide a new family dwelling incorporating energy and water efficiency measures and with good accessibility to facilities. However, the benefits of the proposal are modest and insufficient to outweigh the significant harm identified in respect of the main issues.

Conclusion

12. For the reasons given above, and taking into account all other matters raised, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR

¹ Paragraph 127(c)