
Appeal Decisions

Site visit made on 8 October 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/Q3115/D/19/3233822
77 Mill Lane, Chinnor, OX39 4QU

- 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 Emil Dyroff against the decision of South Oxfordshire District Council.
 - The application Ref P19/S1527/HH, dated 10 May 2019, was refused by notice dated 16 July 2019.
 - The development proposed is described as the 'erection of carport to existing garage'.
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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 area.

Reasons

3. 77 Mill Lane is a detached 2-storey dwelling that is located within a residential area. It fronts onto Mill Lane, but also has a narrow frontage on Estover Way to the rear of the neighbouring No 77A. Set back from the Estover Way frontage by several metres, beyond a paved hard standing, is a detached single garage constructed from red brick and concrete tiles. To the frontage are 5-bar gates, either side of which and wrapping around the boundary to the south are hedges.
4. From my site inspection I noted a lack of dropped kerb vehicular access to the highway and visibility splays to serve such an access. I saw the parking of a vehicle on the area of hard standing forwardmost of the garage. However, I am mindful that the development subject of this appeal is as described above and does not relate to the provision of access. Therefore, I have determined this appeal purely on the basis of the merits of the development described which could form a number of functions ancillary to the enjoyment of the dwellinghouse.
5. The west side of Estover Way has a pleasing staggered building line formed by the side elevation of No 77A, the garage of No 77 and the front elevations of 2, 4, and 6 Estover Way. The buildings are set back from the highway, and although the area is not entirely open it provides a sense of space and reduced density that is a defining characteristic of the wider housing area. The proposed development would project forward of this building line and bring the built form

within very close proximity of the carriageway edge. As such, the development would appear prominent, incongruous and erode the spacious character and appearance of the area.

6. I am mindful of the low profile and open nature of the proposed structure and that these characteristics would lead to it having an unassuming appearance. However, the form in combination with the steel posts and clear polycarbonate roof materials, contribute to a low-quality, overtly utilitarian design that would fail to reflect the quality found in prominent frontage locations such as this. Whilst such a design may be perfectly satisfactory in less visible locations, the proposal would be sited quite separate to the host building and prominently within the street scene, forward of existing property.
7. I have also had regard for the potential use of landscaping to mitigate the impact of the development, including retention of the existing mature and high hedging. As demonstrated on the submitted plans, the space remaining for the retention of the existing, circa 1 metre thick hedge, or replacement planting would be extremely restricted. I am unconvinced that meaningful mitigation landscaping could be facilitated in this space and in perpetuity. Furthermore, much of the hedge along the Estover Way frontage is beyond the appeal site and I have no reasonable means to secure landscaping here. Moreover, I consider that landscaping ought not be utilised to screen what is otherwise inappropriate development. Therefore, I do not consider that landscaping, secured by condition, could reasonably mitigate the proposal.
8. In the event of the development taking place the appellant highlights that the parking of a large motor caravan forwardmost of the garage, as currently occurring, would not be possible. Therefore, they consider that the proposal would result in a reduced visual impact. However, the personal choice of the appellant to keep a large motor caravan is beyond the control of planning. In the future, occupiers of the property may choose to keep smaller vehicles, or indeed none at all. As such I attach little weight to this consideration.
9. In conclusion, the proposed development would have a harmful impact on the character and appearance of the area. It would be contrary to policies D1, G2 and H13 of the South Oxfordshire Local Plan 2011 Strike through version on adoption of South Oxfordshire Core Strategy December 2012, policies CS1 and CSQ3 of the adopted December 2012 South Oxfordshire Core Strategy, and policy CH C1 of the Chinnor Neighbourhood Plan. Furthermore, the proposal would be contrary to the guidance on character and appearance set out within the South Oxfordshire Design Guide – Technical Documents SPD 2016. A document to which I attach some weight. Amongst other aims these policies and guidance seek to achieve good design and sustainable development. Additionally, the proposal would be contrary to the National Planning Policy Framework objectives in relation to design.
10. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR