



Appeal Decision

Site visit made on 9 December 2019

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 December 2019

Appeal Ref: APP/D3125/W/19/3236120

Manor Bungalow, 41B High Street, Standlake OX29 7RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Nicholas Blakemore, Wychwood Homes (Western) Ltd against West Oxfordshire District Council.
 - The application Ref 19/00684/FUL, is dated 05 March 2019.
 - The development proposed is to demolish existing bungalow and build four dwellings.
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Decision

1. The appeal is dismissed and planning permission to demolish existing bungalow and build four dwellings is refused.

Preliminary matter

2. The application was not determined by the Council. However, it was considered by the Council's Lowlands Area Planning Sub-Committee which resolved to refuse permission. The Minutes of the meeting indicate that it was proposed to refuse the application as being contrary to Policies OS2, EH2, EH3, EH11 and EH13 of the West Oxfordshire Local Plan 2031 (LP). In particular, the committee considered that the proposal did not respect the linear settlement pattern of Standlake, would harm the setting of Standlake Manor, and would result in the loss of trees.

Main Issues

3. With regard to the above, and the various submissions made before me, I consider the main issues to be the effect of the proposal on the character and appearance of the area, and the effect on the setting of Standlake Manor.

Reasons

Character and appearance

4. Standlake is a rural settlement surrounded by relatively open fields, with most buildings arranged along the fairly straight roads through the built-up area. Many dwellings have a close relationship to the road and there are few roads leading off the main streets, which gives a strong built form and a clear linear settlement pattern. However, there are also a number of buildings sited to the rear of those that immediately front the highway, including in the vicinity of the appeal site. Thus, this second tier of so-called 'backland' development is

already in existence, and whilst not so deep as to undermine the prevailing linear character, is clearly evident.

5. The existing Manor Bungalow is one such example of backland development. However, unlike some other nearby examples, given its low height and off-set position relative to the access from High Street, it is largely hidden. Instead open fields are visible beyond the site when looking along the access. The proposed dwellings would be of greater scale, partly aligned with the access and so would be seen from High Street.
6. Although the development would result in the obstruction of some views from High Street to the open countryside, in the context of other backland development, the dwellings would not appear out of place. The access would be an urbanising feature, but would not appear as a formal road and so would not compete with the primacy of the linear street. Furthermore, whilst there are a number of glimpsed views from High Street to the open countryside, my own observations suggested that the fairly tight built form and intimate relationship to the street contribute far more to the character and appearance of the settlement than those glimpsed countryside views.
7. I acknowledge discussion in the Council's appeal statement about the architectural style of the proposed dwellings. However, I note that the Council's case officer had sought amendments to the proposal and was satisfied with the proposed appearance of the individual dwellings. Moreover, from the Committee Minutes it does not appear that the Council would have refused permission for this reason, nor is it a major component of that part of the Council's appeal statement that sets out the main planning issues. It is, therefore, of little weight in my decision.
8. I note that Standlake is well connected to other historic settlements by an extensive network of footpaths. This could lead to the site being seen by a number of high-sensitivity visual receptors as walkers pass through the area. However, in light of my findings above, this visibility would not translate to demonstrable harm.
9. The development may also be visible within the surrounding landscape, being more prominent than the existing bungalow, at the edge of the settlement. However, given the distances to nearby roads and footpaths and the fairly flat nature of the surrounding countryside, it would not intrude into the wider landscape or undermine the overall landscape character of the area. There is no substantive evidence that any trees lost could not be adequately replaced as part of a landscaping scheme associated with any development.
10. With regard to the above, I find that the proposal would not harm the character and appearance of the area. Therefore, it would not conflict with those parts of LP Policies OS2 and EH2 that seek to conserve landscape character and respect the intrinsic character of the area, including that development should complement the existing pattern of development.

Standlake Manor

11. The listed Standlake Manor (the Manor) stands adjacent to the site access. The appeal site is offset from the listed building, but appears as part of a wider area of land that also stretches across the rear of the Manor. The appellant's evidence indicates that in the post-war period the land was used for purposes

- incidental to the enjoyment of the Manor, but since construction of Manor Bungalow has been functionally separate. That being the case, it would not be appropriate to describe the site as part of the curtilage of the Manor.
12. I have little information about the development of Standlake generally or the land around the Manor in particular. A 1922 map appears to show the appeal site, and the associated area behind the Manor, as an orchard or similar. However, there is no robust evidence as to the status, association with other land, use or appearance of this land at that time. Whilst, like the current situation, it might indicate that the appeal site was not curtilage to the Manor, neither this nor the current scenario mean that it is not part of its setting.
 13. The Council has suggested that the Manor probably had a strong association with the surrounding farmland as agriculture would most likely have been a significant contributor to the wealth of the original owners, evident from the building's high level of decoration. Thus, it is contended that the outlook over adjoining fields and the building's outward position in the settlement contributes to the significance of the building. This is uncontested by the appellant who offers little other evidence about the significance of the listed building or its setting.
 14. There are views between the rear elevation of the Manor and the appeal site. Whilst, due to the off-set nature, these are not extensive and are partially obstructed by trees, some intervisibility exists. The site is, therefore, part of the surroundings in which the listed building is experienced. With regard to the above considerations, and in the absence of any robust evidence to the contrary, I conclude that the site does form part of the setting of the Manor, and contributes to its significance.
 15. The existing Manor Bungalow is small in height and tucked around the corner of the broadly 'L' shaped site, behind other buildings on High Street. As such, it has very little influence on outward views from the Manor or its rear garden area. By contrast, whilst the relationship may not be clearly visible in public views, the proposed dwellings would be taller and closer with a far greater influence.
 16. I note that the Council's conservation officer raised no objection to the proposal, but there is no detailed reasoning surrounding this position. On the basis of the evidence before me now, I find that there would be some harm to the setting of Standlake Manor and its significance, due to a dilution in its association with the surrounding countryside. Such would bring the proposal into conflict with LP Policies EH9 and EH11 which seek to ensure conservation of the historic environment, including the significance of designated heritage assets.
 17. In terms of the heritage policies of the National Planning Policy Framework (the Framework), the harm would be less than substantial. Given the separation distance and slightly off-set nature of the site relative to the listed building, the intervening tree planting, and as outward views to the countryside would remain in a direct line from the rear elevation, the harm would be towards the lower end of this category.

Other matters

18. The appellant has outlined the accessibility of the site to various services, such as the post office and primary school. There is no dispute that the site is an appropriate location for the development in terms of housing policy. Accordingly, it may well comply with aspects of various other policies of the development plan.
19. The Framework seeks to boost significantly the supply of housing. However, even if West Oxfordshire is partially reliant on the delivery of windfall sites to meet its housing targets, the Council's position that it can currently demonstrate an adequate supply of deliverable housing land is not contested. Accordingly, whilst additional homes may help to maintain the vitality of the rural community and that of nearby settlements, given the relatively small number of dwellings proposed, I attach only limited weight to benefits associated with the delivery of additional housing.
20. The Council's committee minutes suggest that there may be a conflict with LP Policy EH3 that is primarily concerned with biodiversity. However, there is no substantive evidence that harm to these interests would arise in this case.

Planning balance

21. Whilst I have found that no harm would arise to the character and appearance of the area, there would be less than substantial harm to the setting of Standlake Manor. Framework Paragraph 196 indicates that in such scenarios the harm should be weighed against the public benefits of the proposal.
22. I must have special regard to the desirability of preserving the setting of the listed building. Moreover, in accordance with LP Policy EH9 and Framework Paragraph 193 the harm to the significance of the asset, whilst relatively low-level, must receive great weight. For the reasons set out above, I only attribute limited weight to the benefits associated with the provision of additional housing and I have no compelling evidence of other benefits that would outweigh the harm. I, therefore, find that the proposal conflicts with the development plan and the Framework when those documents are read as a whole.

Conclusion

23. For the reasons given above I conclude that the appeal should be dismissed.

M Bale

INSPECTOR