
Appeal Decision

Site visit made on 22 November 2019

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/D3125/W/19/3234142
65 Mayfield Close, Carterton OX18 3QS

- 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 Lamb & Haines Investments Ltd against the decision of West Oxfordshire District Council.
 - The application Ref 19/00289/FUL, dated 27 July 2017, was refused by notice dated 21 March 2019.
 - The development proposed is described as a revised scheme for an attached dwelling, parking and access.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Lamb & Haines Investments Ltd against West Oxfordshire District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposal upon the character and appearance of the area and upon the safe and efficient operation of the highway.

Reasons

Character and appearance

4. The appeal site comprises an end terrace dwelling located on a corner plot within a residential area. The property is set back from the highway with a small ornamental garden to the front and side. The property benefits from a rear and side garden and detached garage sited along the rear boundary. The area generally comprises similar sized properties forming semi-detached properties or small terraces, and which display varying heights and setbacks from the road. Most properties benefit from off street parking and parking is unrestricted on Mayfield Close and the surrounding roads.
5. I note that permission has been granted for a two-storey side extension¹ which is similar to the proposal in terms of position, footprint, form and scale. I find

¹ Council Reference 18/02999/HHD

that in this regard the proposal would not be excessive in scale or unduly prominent or cramped within the street scene, given it would be subservient to the host property and would leave a buffer between it and the road mirroring other properties in the area. However, the proposal would have the appearance of an extension rather than as a planned new dwelling. The lack of windows or any features in the eastern elevation to define it as the principal entrance and elevation would not reflect the form of dwellings in the area, failing to represent high quality design and would be harmful to the character and appearance of the area.

6. The proposal would result in the subdivision of the existing amenity space between the host property and the proposed dwelling. The size and shape of private amenity spaces vary in the area. Taking this into account and the size of the dwelling and the number of bedrooms proposed I find that the private amenity space serving the proposal would be adequate for future occupiers. The proposed frontage amenity space is likely to be ornamental rather than functional and thus I have given this limited weight in coming to my decision.
7. I therefore conclude that by reason of its form the proposal would be detrimental to the character and appearance of the area. As a result, it conflicts with policies OS2, OS4 and H6 of the West Oxfordshire Local Plan (2018) which, amongst other things, requires all development to form a logical compliment to the existing scale and pattern of development and the character of the area and requires changes to the existing housing stock to respect the character of the surrounding area.

Safe and efficient operation of the highway

8. I note the Council consider that the proposal would give rise to additional highway and access issues and representations made by residents suggest that there are local parking issues.
9. It is likely that potential visitors to the appeal property would therefore have to park on the street. With this in mind I note the concerns raised by the Council and local residents regarding existing on street parking pressures in the area. However, only a modest, 1-bedroom dwelling is proposed and at present there are no parking restrictions or controls along this part of Mayfield Close. Based on observations at my site visit and taking into account the advice of the Highways Officer, I am therefore satisfied that any additional parking could safely and conveniently take place without intensifying parking pressures in the area to such an extent that it would prejudice highway safety.

Other Matters

10. The Council consider that the proposal would set an unwanted precedent for similar proposals on corner plots in the area. However, every appeal is considered on its own merits and in this particular case whilst I have found against the appellant there is no substantive evidence to indicate that the proposal would result in a precedent.
11. I accept that Carterton is a suitable location for new housing and the proposal would add to the general availability of local housing. However, a single dwelling would make a very modest contribution to the supply of housing in the area. This contribution would not outweigh the harm that I have identified in relation to character and appearance.

12. Whilst Council Members have taken a different view from that of their officers, they are not duty bound to follow the advice of their officers provided that there are sufficient planning grounds to come to a contrary view. As seen from my decision I agree that there were sufficient grounds for refusing planning permission relating to the impact on the character and appearance of the area.

Conclusion

13. For the reasons set out above the appeal should be dismissed.

B Thandi

INSPECTOR