



Appeal Decision

Site visit made on 16 June 2020 by Alex O'Doherty LLB(Hons) MSc

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/Q3115/W/19/3241029

1 Rowan Close, Sonning Common, Reading RG4 9LD

- 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 Mrs Martin against the decision of South Oxfordshire District Council.
 - The application Ref P19/S1959/FUL, dated 17 June 2019, was refused by notice dated 27 September 2019.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The Council has referred to emerging policies in the publication version of the South Oxfordshire Local Plan 2011 – 2034 published in 2019 (the emerging local plan). However, these policies do not indicate a significant change from the adopted policies. Furthermore, the Plan has yet to be examined, and consequently any conflict or compliance with them has been given limited weight.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the surrounding area;
 - The effect of the proposal on the living conditions of the intended future occupants of the scheme, with particular regard to privacy, outlook and daylight;
 - The effect of the proposal on the living conditions of the occupants of Nos 1 and 2 Rowan Close, with particular regard to noise and disturbance.

Reasons for the Recommendation

Character and appearance

5. The proposed new dwelling would be situated in the rear garden of No 1 Rowan Close ('No 1'). Although there is some variation in property types and architectural styles in the locality, this residential area largely consists of houses fronting the road, set behind modest front gardens/driveways with rear gardens and side garages. The rear gardens of Rowan Close and Westleigh Drive meet up with those connected with the dwellings fronting Grove Road and Kennylands Road providing a pleasing sense of openness between the residential roads.
6. The proposal would introduce a new dwelling into the rear garden environment of Rowan Close, which would be significantly at odds with the prevailing pattern of development in the locality. It would introduce vehicle movements and parking into the rear garden environment along with the domestic paraphernalia associated with a dwelling house, which would erode the openness between the dwellings in Rowan Close and Grove Road. As such, the proposal would not reflect the prevailing pattern of development, and the increase in density would be out-of-character with the area. Importantly, due to the combination of the long and thin access and the minimal space around the new house, the development would also appear cramped when viewed in the context of the wider area.
7. I therefore find that the proposal would result in significant harm to the established character and appearance of the area in conflict with Policies CSQ3 and CSR1 of the South Oxfordshire Core Strategy (adopted December 2012) ('Core Strategy') and Policies H4, G2 and D1 of the South Oxfordshire Local Plan 2011 (adopted January 2006) ('Local Plan') which collectively require development to protect local character and distinctiveness. The proposal would also conflict with Policies H3 and D1 of the Sonning Common Neighbourhood Development Plan 2012 – 2027 (Final Submission Referendum version) which seek to ensure that development integrates with local surroundings and reflects the existing character of the village and emerging Policy DES2 of the emerging local plan which seeks to ensure that local character is enhanced.
8. In reaching this conclusion I am mindful that the appeal site is located close to services and facilities, and that new development is supported in principle in the area. Additionally, the garden areas would be large enough to serve the existing and proposed dwelling and the design of the dwelling would respect the appearance of the area. However, the development plan needs to be considered as a whole and given the harm that I have identified, I find that there would be conflict with the development plan which outweighs these matters.

Living conditions - Intended Future Occupants

9. The upper-most rear windows of No 2 Rowan Close ('No 2') overlook the appeal site, and future occupants of the new dwelling would be likely to consider that the front of their property was not private as a consequence. However given the proposed window arrangement on the front elevation I am satisfied that this issue would be unlikely to make the new dwelling unpleasant to use. Moreover, the rear garden environment would be largely private and a good standard of amenity would be provided to the intended future occupants in

terms of privacy. There would be no conflict with Local Plan Policy D4 in this regard.

10. However, the bedroom to the front of the new dwelling would be served by a side window in close proximity to the party boundary and a mature tree. The outlook from this window would be unacceptably poor and it is likely that it would receive little daylight as a result. The combined effect would make this room unpleasant to use. I therefore conclude that the proposal would have a materially harmful effect on the living conditions of the intended future occupants of the scheme, in conflict with the National Planning Policy Framework which establishes that a high standard of amenity should be provided for existing and future users.

Living conditions - Nearby Occupiers

11. Considering the single-storey nature of the proposal, I find that the new dwelling would not harm neighbours' living conditions in terms of overlooking, outlook, daylight or sunlight and there would be no conflict with Local Plan Policy D4 in this respect.
12. However, the proposed access way would be immediately adjacent to the habitable rooms and garden areas of Nos 1 and 2. It is recognised that part of the existing drive already runs alongside No 1, but due to the insubstantial separation distance, even a limited amount of vehicle movements along that access way into the rear garden environment where nearby occupiers are likely to expect peace and quiet would cause unacceptable levels of noise and disturbance. As a consequence, the proposal would make the rear gardens of nearby occupiers less pleasant to use. The proposal would therefore harm the living conditions of the occupants of both properties. The lack of any concerns on highways grounds does not alleviate these impacts.
13. No details of the proposed acoustic fence have been provided, to enable a meaningful assessment of its contribution to reducing these harmful impact. Had the proposal been acceptable in all other respects this is a matter that could be secured by a suitably worded condition but as I am recommending that the appeal is dismissed for the reasons set out, it is necessary for me to conclude on this matter.
14. I therefore conclude that the proposal would have a harmful effect on the living conditions of the occupants of Nos 1 and 2 Rowan Close, with particular regard to noise and disturbance, in conflict with the amenity aims of the Framework. The proposal would also conflict with emerging Policy DES6 of the emerging local plan which seeks to avoid significant adverse impacts on the amenity of neighbouring uses in relation to noise or vibration, and with emerging Policy H16 of the emerging local plan which seeks to avoid problems of access.

Other Matters

15. Emerging Policy ENV1 of the emerging local plan is not relevant, as it relates to landscape and countryside matters. It is clear from the Council's decision notice that it has no objection to the proposal in terms of waste collection, recycling, or transport routes. I have no evidence before me to reach a contrary view to the Council in this regard and therefore the proposal is in accordance with emerging Policies EP3 and TRANS5 of the emerging local plan.

16. The appellant has referred to two grants of planning permission¹, but due to the very limited details provided I have been unable to assess whether or not those schemes are directly comparable with the proposal before me.
17. It is recognised that the creation of a new dwelling, in an accessible location, would make a small contribution to the Government's objective of significantly boosting the supply of homes, and future residents would contribute to the local economy. However, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan. Therefore, the proposal would not constitute sustainable development.

Conclusion and Recommendation

18. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR

¹ Local Planning Authority references: P17/S4383/FUL; P15/S3099