
Appeal Decision

Site visit made on 8 December 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 29 January 2021

Appeal Ref: APP/D3125/W/20/3258135

Land adjacent to No.90 High Street, Standlake, Oxfordshire

- 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 Maximilian and Alexander Stephenson against the decision of West Oxfordshire District Council.
 - The application Ref 20/00214/FUL, dated 21 January 2020, was refused by notice dated 23 March 2020.
 - The development proposed is erection of 3no. detached dwellinghouses and associated operations .
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice included two reasons for refusal. The second reason for refusal related to housing mix. The Council's statement of case confirms that they are no longer contesting this reason for refusal, and I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises a parcel of verdant land adjacent to No.90 High Street, Standlake. The appeal site benefits from planning consent¹ for two detached dwellings. The appeal proposal is for 3 detached dwellings, including associated access and landscaping.
5. As I observed during my site visit, development along the High Street is generally linear in fashion. Around the appeal site development generally comprises of large detached dwellings within spacious plots. Directly opposite the appeal site is more intensive development, where dwellings appear to have a much higher density than the appeal site. As you travel along the High Street towards Standlake development becomes much more prevalent with smaller separations distances between the dwellings.

¹ LPA reference 20/01120/FUL

6. The principle of residential development in this location has been accepted. I have no evidence that there would not be a reasonable prospect of the existing permission being constructed. As such this represents a realistic fallback position for the site. I accept that a degree of development in this location is acceptable and would reduce the relative openness of the site. The assessment of the impact on the character and appearance of the area is therefore the effect of constructing 3 instead of 2 dwellings in this location.
7. The provision of an additional dwelling would result in the plots for each dwelling becoming much narrower. There would be a small amount of open space between each dwelling. Development would stretch across the entire width of the appeal site, which would in my view, give it a cramped appearance.
8. Given the nature of the surrounding development within the street scene in this location are large detached dwellings within spacious open plots, the proposal would not be in keeping with this character and would appear at odds with the surrounding development. The approved two dwelling scheme which has consent maintains a good level of separation distance between the dwellings and is much more in keeping with the existing development. It is my view that the addition of a third dwelling would result in an inappropriate scale and massing of development in this location, which would be of determine to the character and appearance of the area.
9. I appreciate that the site benefits from a good degree of screening from mature vegetation along its boundary with the High Street, and that a landscaping scheme would go some way to mask the appearance of the development. However, such screening goes not provide cover in perpetuity and certainly during the winter months the site would be highly visible from the High Street.
10. The appellants statement makes reference to existing development along Abingdon Road. Whilst the rear of the appeal site is bounded by development along Abingdon Road, it does not share the same characteristics. Abingdon Road is a much busier road, with much more intensive development than appears on the High Street around the appeal site.
11. The appellant has drawn my attention to a number of recent applications and planning appeals in the vicinity of the appeal site for new dwellings which have been granted planning permission. Most relevant to this appeal are the developments on Abingdon Road, including a new dwelling at 145 Abingdon Road², two detached dwellings at 139-141 Abingdon Road³ and a new dwelling at 139 Abingdon Road⁴.
12. I have not been presented with the full details of those cases, so I cannot be certain of the circumstances which led to them being found acceptable. Furthermore, the cited applications pre-date the current development plan. In any event, I do not consider that these applications are directly relevant to the appeal proposal. The sites are all on Abingdon Road not the High Street, and the whilst the development on Abingdon Road is similar to the High Street in as much as it is largely linear, the dwellings on Abingdon Road appear in much smaller plots. The appeal proposal is currently an undeveloped verdant field,

² LPA reference 17/01972/FUL permitted 10 August 2017

³ LPA Reference 13/1485/P/FP permitted at appeal on 23 April 2014

⁴ LPA Reference 15/02730/FUL permitted 15 September 2015

and the proposal would introduce built form which appears cramped and out of keeping with surrounding development. This differs to the street scene on Abingdon Road. In any event, all applications and appeals must be determined on their own merits which is what I have done.

13. The appellant contends that the proposal would provide significant benefits which outweighs any harm to the character and appearance of the area. The proposal would provide economic benefits by helping to support growth through the construction of 3 new dwellings. Furthermore, it would provide a social benefit through the provision of 3 dwellings which would provide additional housing stock. They contend that there would be environmental benefits through a planning landscape and biodiversity strategy.
14. Whilst these benefits are noted, it must be borne in mind that the site benefits from an extant permission for two dwellings. Therefore, the proposal would only be adding a single dwelling to the local supply of housing. Whilst this is still a benefit, it does limit somewhat the weight which can be attributed to this. In any event, I have identified significant harm to the character and appearance of the area and I do not consider that the benefits would outweigh this harm.
15. Consequently, the proposal would harm the character and appearance of the area as the layout would not complement the existing pattern of development. There is conflict with policies OS2, OS4 and EH4 of the West Oxfordshire Local Plan the objectives of the Framework. Together these policies seek, amongst other things, that development is of a high quality design which protects and enhances green infrastructure and respects the character of the area.

Other Matters

16. The appeal site is adjacent to the listed building known as Baytree. As such I have had regard to my statutory duties under S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. I find that the proposed development would be relatively well separated visually from this listed building and would therefore not harm the setting of the listed building. Consequently, I find that it would have a neutral effect on the significance of the designated heritage asset. I note that the Council raised no concerns in this regard.

Conclusions

17. For the reasons given above the appeal is dismissed.

S Shapland

INSPECTOR