



Appeal Decision

Site Visit made on 10 February 2021

by Rory MacLeod BA(Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2021

Appeal Ref: APP/Q3115/W/20/3257596

Land off Cat Lane, Stadhampton, Oxfordshire OX44 7UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of a planning permission.
- The appeal is made by Iverna Ltd against the decision of South Oxfordshire District Council.
- The application Ref P19/S2305/RM, dated 19 July 2019, sought approval of details pursuant to condition No 1 of planning permission Ref P16/S3690/O, granted on 27 October 2017.
- The application was refused by notice dated 12 February 2020.
- The development proposed is development of two detached dwellings upon the building plot located off Cat Lane, Stadhampton.
- The details for which approval is sought are appearance, landscaping, layout and scale.

Decision

1. The appeal is dismissed.

Applications for costs

2. The appellant has made an application for an award of costs against the Council. This is subject to a separate Decision.

Preliminary Matters

3. A recommendation to approve the reserved matters was overturned by members of the Council's Planning Committee. At the same time a decision was taken not to approve details of Construction Traffic Management Plan submitted pursuant to condition 6 of the outline permission. The appeal form did not reference an appeal against a decision on this condition. Therefore, my consideration of this appeal relates just to the reserved matters set out in the banner heading above.

Main Issue

4. The main issue is the effect of the scale, height and massing of the dwellings on the rural character and appearance of the area.

Reasons

5. The appeal relates to a plot of land set above the level of the carriageway to Cat Lane midway along its length. Cat Lane is a single track cul-de-sac outside the defined built limits to Stadhampton. It has a rural character with views to open countryside between a loose-knit arrangement of buildings. Whilst some dwellings are sited close to the carriageway and to other dwellings, others are set deeper within their plots. Significant gaps remain between the building

- groups and this contributes to the openness of the area. There is considerable variation in the size, design and materials used on the dwellings.
6. The proposed layout would involve buildings filling most of the width to the site. The dwellings would both have wide footprints and be sited close to the side boundaries to the site with the gap between largely filled by a recessed double garage. The house on plot 1 would be set behind but still close to the Old Hunts Stables to the north of the site, whilst the flank to the house on plot 2 would be close to the double garage at the rear of Plumtree Cottage and Farleigh. The close spacing of the proposed dwellings and garages and their relationship with adjacent buildings would result in a relatively tight grained pattern of development uncharacteristic of this rural area.
 7. There is a dip in Cat Lane in front of the site which from which the dwellings would appear relatively high but the slab levels upon which they would be constructed would be similar to those of adjacent buildings. The gable end to the flank of the house on plot 1 would face the gable end to the Old Hunt Stables but its roof ridge would be higher, notwithstanding a set down close to the boundary. The ridge to the house on plot 2 would be set at the same level, and whilst its roof would have hipped ends which would reduce massing a little, the length of the dwelling would be greater than that on plot 1 and would result in a roofscape of considerable size. The height and massing of the dwellings in combination with their proximity to adjacent buildings would contrast with the lower profile and more compact roofscape to most neighbouring two storey dwellings and the present open character of the area.
 8. The proposal would conflict with Policy H4 of the South Oxfordshire Local Plan 2011 (SOLP) which requires that the design, height and scale of the proposed development are in keeping with its surroundings and that the character of the area is not adversely affected. There would also be conflict with Policies D1 and G2 of the SOLP and with Policy CSQ3 of the South Oxfordshire Core Strategy 2012 (SOCS) inasmuch as they support these requirements.
 9. I am informed that in December 2020 the Council adopted an emerging Local Plan 2035 to replace the SOLP and SOCS. Neither main party has commented on replacement policies but concur that they are broadly similar in relation to the proposal. The development would not be compatible with Policies DES1 and DES2 of the new Local Plan which require proposals to reflect the positive features that make up the character of the local area. Moreover, the proposal would not accord with Paragraph 127 of the National Planning Policy Framework which requires development to be sympathetic to local character including the surrounding built environment and landscape setting.
 10. I acknowledge that the appellant has revised the proposal in the light of pre-application comments, but this does not lead me to a different conclusion.

Conclusion

11. The scale, height and massing of the dwellings would have an adverse effect on the rural character and appearance of the area. The appeal should therefore be dismissed.

Rory MacLeod BA(Hons), MRTPI

INSPECTOR