



Appeal Decision

Site Visit made on 22 March 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2021

Appeal Ref: APP/D3125/W/20/3256421

16 Lawton Avenue, Carterton, Oxfordshire OX18 3JZ

- 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 Foddy Brothers Ltd against the decision of West Oxfordshire District Council.
 - The application Ref 19/02291/FUL, dated 31 July 2019, was refused by notice dated 23 January 2020.
 - The development proposed is two 2 bedroomed houses with private gardens and parking.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Foddy Brothers Ltd against West Oxfordshire District Council. That application is the subject of a separate Decision.

Main Issue

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

Reasons

4. Carterton is a relatively modern settlement with a wide variety of housing styles, sizes and architecture. There are four distinct quadrants around a central cross-roads, which have different housing characteristics. Lawton Avenue, leading to Arkell Avenue connects two of the cross-roads and provides a through route lined with frontage development and serving other residential cul-de-sacs extending back from this route.
5. Development on Lawton Avenue is mainly formed of detached, simple, small-scale, single or 1.5 storey dwellings. While there is little architectural unity, these dwellings are a characteristic building style of this quadrant of the town, creating an informal and spacious appearance of piecemeal development. The undeveloped state of the appeal site does not contribute to this, but adding to a general spaciousness, does not detract either.
6. As can be seen elsewhere in Carterton, leading away from Lawton Avenue are some cul-de-sacs of contrasting housing. Notably, Carters Close, opposite, contains two-storey and terraced dwellings that also extend onto the Lawton Avenue frontage around the junction. On the site-side of the road, is Spurrett Gardens, a more recent development of 1.5 storey dwellings. While these

dwelling is clearly visible, they do not extend to the Lawton Avenue frontage, which has retained an overall informal character of small-scale detached dwellings in individual plots.

7. By contrast, the pair of semi-detached dwellings would have a distinctly different appearance. Despite the use of more traditional materials and detailing than Spurrett Gardens, they would be more reminiscent of the suburban cul-de-sac development away from the frontage and elsewhere in the town. Together with the siting, close to the site boundary and side wall of No.14 Lawton Avenue, the proposal would appear uncharacteristically cramped and incongruous, even though detailed design and proportions would echo other nearby development.
8. It has been suggested that the adjoining dwelling at No.18 is nearing the end of its life and will need to be redeveloped. However, my findings in respect of the proposal and prevailing character of this part of Carterton are not dependent of the appearance of No.18 alone. There are numerous examples around Carterton of higher density development, and where taller dwellings have been built very close to bungalows. However, with the exception of Carters Close, this is not a feature of the area around the appeal site, so I give little weight to these other examples, or any potential future plans for No.18.
9. It may well be that there are no development plan policies specifically requiring the particular features that characterise this part of Carterton to be retained, or supporting the Council's general approach to analysis of separating positive and negative features of an area's character. Nor is the town particularly representative of wider vernacular, such that may suggest careful adherence to architectural styles or materials.
10. However, Policies OS2 and OS4 of the West Oxfordshire Local Plan 2031 (LP) require all development to be appropriate to its context and form a logical complement to the existing scale and pattern of development and/or the character of the area, contributing to local distinctiveness. The detailed analysis before me, that accords with my own observations, has set out how Carterton has developed with distinct character areas. To preserve this distinctiveness, development must respect the defining characteristics of its immediate area. Due to the incongruous and cramped appearance, I find that the proposal would harm the character and appearance of the area, resulting in a conflict with Policies OS2 and OS4.
11. Against this are the benefits of delivering additional housing. The site is in a highly accessible location relative to services, facilities and wider public transport connections. It is the sort of location where the LP and National Planning Policy Framework (the Framework) seek to provide additional housing as part of the Government's aim to significantly boost supply. The efficient use of undeveloped land in such locations is supported by policy and weighs in favour of the proposal.
12. Nevertheless, while it may be the appellant's intention to provide low-cost rental accommodation that could incorporate renewable energy technologies and the like, and help to re-balance West Oxfordshire's housing stock away from large detached houses, the weight to be given to these benefits, is tempered by the undisputed adequacy of housing land supply within the district. Housing targets are not a maximum, but, while supporting housing in accessible locations, both the LP and Framework along with the National Design

Guide, emphasise the importance of design that respects and responds to local context.

13. Therefore, while there may be a lack of conflict with a good many development plan policies and certain aspects of design guidance, I find that the harm that I have identified means that the proposal does not accord with the development plan, or the Framework, read as a whole. There are no material considerations, including those benefits associated with the proposal, that indicate a decision otherwise than in accordance with the development plan.

Other Matters

14. I have noted and understood the appellant's frustration with the Council's handling of the planning application process. However, while some Council officers may have felt the proposal was acceptable, this was not the final decision of the Council and does not lead me away from my own findings. I understand that there have been previous permissions for the residential development of this site, but I have determined the appeal on the basis of the current proposal and evidence before me now.

Conclusion

15. For the reasons given, I conclude that the appeal should be dismissed.

M Bale

INSPECTOR