



Appeal Decision

Site visit made on 12 July 2022

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2022

Appeal Ref: APP/Q3115/W/21/3286039

10 Davenport Place, Watlington, Oxon OX49 5QA

- 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 D Smith against the decision of South Oxfordshire District Council.
 - The application Ref P21/S1796/FUL, originally dated 14 April 2021, was refused by notice dated 23 August 2021.
 - The development proposed is erection of new 2 bed dwelling and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although within the questionnaire the site is indicated as being within an Area of Outstanding Natural Beauty, the Council have subsequently confirmed that it is not subject of any such designation.
3. The area of green space adjacent to 10 Davenport Place is variously referred to as 'the community garden', 'the former school playing fields' and 'the paddock' within the appeal submissions. For the purposes of clarity, it is referred to as 'the paddock' within this decision.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the Watlington Conservation area (CA).

Reasons

5. The CA encompasses the compact urban-like centre of Watlington and much of the remainder of the town. Although having an intensely built-up core comprising many Listed buildings, the core also includes 'green' open spaces. Narrow, vehicle free lanes and footpaths are features within the area, and there are attractive views within the CA of both the historic buildings and open spaces. These characteristics all contribute positively towards the significance of the CA.
6. The appeal site comprises a semi-detached house within a large garden, as well as the vehicular access to the property from High Street. The garden is predominantly laid to grass, but includes shrubs and small trees around the peripheries, as well as a low single storey shed close to the boundary with the paddock.

7. Within an otherwise built-up area, the paddock is a serene, secluded and verdant area of public open space, which the Character Study¹ identifies to be an important open space. Although it may only have been available for public use for the last circa 20 years, I am advised that it had a previous community use as a school playing field. Furthermore, the Character Study¹ indicates that it may originally have been an open space of medieval origin. It contains an equipped children's play area adjacent to the boundary with the appeal site, beyond which there are several areas of public seating. Due to large rear gardens, intervening footways and/or areas of mature plant growth, existing development around the periphery of the paddock is not visually imposing. Instead, glimpses of buildings surrounding the open space and views of the old school building from within the open space, reinforce the historic character and significance of the area.
8. The proposed development would comprise a two-storey detached dwelling, which would have brick walls and a plain clay tile roof. It would be located close to the boundary with the paddock. From public locations within the equipped play and seating areas of the paddock, much of the plain brick end wall, rear gable and roof of dwelling, above the close board fencing separating the appeal site from the paddock, would be highly visible and dominant. The absence of significant tree and/or plant growth within the section of the paddock closest to the appeal site, would exacerbate the prominence of the proposed development when compared to other development within the area.
9. The proposed dwelling, due to its siting, design, and massing, would therefore reduce the openness within the section of the paddock containing the equipped play area and the public seating. This would be to the detriment of the character and appearance of the area. Furthermore, and although not specifically identified as an important view within the Neighbourhood Plan important views document², the proposed development would interrupt views of the historic buildings within the CA. As such it would harm the way that the historic built form within the core of the town can be experienced from within the paddock.
10. Landscaping within the appeal site would not prevent the identified harm. Even if it did, I have been provided with no compelling information to suggest that any soft landscaping would be retained in the long term.
11. Although the design of the proposed dwelling and its external materials would assimilate well within the area, and the development would not result in any unacceptable loss of daylight or sunlight available within the paddock, these are neutral considerations. They do not lead me away from my previous findings in this case.
12. Excepting within the paddock, development within the area is of an intimate nature, and I agree that the proposed development would share this character when viewed from locations along Davenport Place, however it is from locations within the paddock that harm would be evident.
13. For the above reasons, I conclude that the proposed development would harm the character and appearance of the area, and would thereby fail to preserve or enhance the CA. Nevertheless, the harm would be less than substantial, and

¹ Watlington Conservation Area – a character study – South Oxfordshire District Council 15/06/11

² Watlington Neighbourhood Development Plan. Watlington Conservations Areas Views. September 2017

in accordance with paragraph 202 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits of the proposal.

14. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting, and that this should have a clear and convincing justification. Whilst in this case I have found the harm to be less than substantial, the harm must nevertheless be given considerable importance and weight.
15. The addition of a single dwelling would increase housing supply, but being only a single dwelling, the public benefit would be small. It is suggested that the proposed development would provide passive overlooking of the open space. However, due to the locations of windows within the proposed dwelling, such opportunities are likely to be very limited. The limited public benefits identified are not in this case sufficient to outweigh the harm that I have identified.
16. I conclude that, on balance, the proposal would fail to preserve the character or appearance of the Watlington Conservation Area. It would therefore conflict with policies DES1, DES2, ENV6 and ENV8 of the Local Plan³ and policies P1 and P5 of the Neighbourhood Development Plan⁴, which among other things, require development to sustain, conserve and enhance the special interest, character and appearance of Conservation Areas, and to physically and visually enhance and complement the surroundings. It would also conflict with the Framework, which seeks to protect heritage assets.

Other Matters

17. The development which is located in a sustainable location close to services and facilities available within the town, would have high-quality vernacular detailing. However, given the scale of the scheme any identified benefits would be small. The fact that it would comply with space standards, provide adequate parking provision, and would not harm the living conditions of the occupiers of neighbouring dwellings are neutral factors.
18. The appellant advises that over 200 houses have been granted within the CA over the past circa 25 years, intensifying the built form within the town. I do not have sufficient detail in respect of these cases to fully understand the circumstances leading to the granting of those permissions, and they do not therefore lead me away from my findings on this case.

Conclusion

19. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
20. For the reasons given above, I conclude that the appeal should be dismissed.

³ The South Oxfordshire Local Plan 2035

⁴ Watlington Neighbourhood Development Plan 2017-2033

V Simpson

INSPECTOR