



Appeal Decision

Site visit made on 4 January 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2023

Appeal Ref: APP/V3120/W/22/3304127

St Lawrence, 37 Upper Road, Kennington, Oxford, Oxfordshire OX1 5LJ

- 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 G Singh against the decision of Vale of White Horse District Council.
 - The application Ref P22/V0426/FUL, dated 17 February 2022, was refused by notice dated 08 June 2022.
 - The development proposed is erection of single storey, two bedroom dwellinghouse with parking area, amenity space, and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The South Oxfordshire and Vale of White Horse Joint Design Guide Supplementary Planning Document (2022) (SPD) was adopted in June 2022. The SPD replaces the Vale of White Horse District Council Design Guide (2015) referred to in the reasons for refusal. It is mandatory for me to take account of the most relevant and up to date information in reaching a decision and I have therefore dealt with the appeal on this basis. The main parties have been given an opportunity to comment on the SPD and have therefore not been prejudiced.

Main Issue

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

Reasons

4. The appeal site is a garden to the rear of St Lawrence, a detached bungalow which occupies a prominent corner plot at the junction of Upper Road and Old Nursery View. Properties in Upper Road are a mixture of single and two storey detached and semi-detached dwellings and are elevated above the dwellings in Old Nursery View. Old Nursery View comprises large, modern two storey detached dwellings which are predominantly clustered around a cul de sac hammerhead within the north and east parts of Old Nursery View. Many of the dwellings in Old Nursery View contain single storey detached garages which are clearly identifiable as ancillary outbuildings. Dwellings in Old Nursery View are set back from the highway within spacious plots and are unenclosed by boundary treatment. This, and planting within front gardens and grass verges,

results in a pleasant green and spacious character within this area of Old Nursery View.

5. The appeal site is enclosed by high level boundary treatment along the southern boundary which is prominent within the street scene. This presents a prominent and uninviting entrance to Old Nursery View and consequently makes a negative contribution to the otherwise green and spacious character and appearance of the surrounding area.
6. The proposed bungalow would be located to the rear of St Lawrence with access taken from Old Nursery View. The dwelling would create an active frontage within a long stretch of boundary treatment. This, along with planting to the property frontage, would soften and break up the approach to Old Nursery View. However, the proposed dwelling would be smaller in height and massing than the large, detached properties within Old Nursery View. Furthermore, the proposed dwelling would be located close to the boundaries shared with the host and neighbouring dwellings and the highway, within a smaller plot than the surrounding properties. The cramped nature of the proposed dwelling would impact adversely on the green and spacious character and appearance of Old Nursery View.
7. For the above reasons I conclude that the proposal would adversely affect the character and appearance of the surrounding area. The appeal proposal would therefore be contrary to those aims of Policy CP37 of the Vale of White Horse District Council Local Plan 2031 Part 1 Strategic Sites and Policies Adopted July 2016 (LP) which, amongst other things, seeks to ensure that development responds positively to the site surroundings. I also find conflict with the SPD which has similar aims and the National Planning Policy Framework (the Framework) which, amongst other matters, seeks to ensure development is well designed and sympathetic to local character.

Other Matters

8. The scheme would provide an additional residential unit which would boost the supply of housing on a small site, in an area with reasonable access to shops, services and public transport in line with national and local policy. However, one new home would make only a small contribution in this respect.
9. The appellant's comments regarding the suitability of the proposed units for older persons is noted. However, there is neither a mechanism before me to ensure delivery for older persons, nor the ability for me to impose a condition to that effect. Thus, I afford limited weight to this benefit.
10. I acknowledge that the bungalow has been designed to reflect the roof form of the host dwelling and the detailing of the dwellings in Old Nursery View. Nonetheless, as set out above, by virtue of its scale and plot size, the scheme would be incongruous visually in this context.
11. I note that the main parties agree that the proposal would not result in adverse impacts in relation to flooding, highway safety or the living conditions of the occupiers of neighbouring dwellings. Additionally, the main parties agree that the proposal would make appropriate provision for internal and external living spaces. However, the absence of harm in these regards does not weigh in favour of the proposal, as it would be required in any event. Therefore, these matters are neutral in the overall planning balance.

12. It is noted that the proposal would increase the housing density of the appeal site in line with the guidance on the efficient use of land set down in the Framework and would result in the development of a site which is not covered by Green Belt or Area of Outstanding Natural Beauty designations. However, paragraph 124 of the Framework also requires that decisions should, amongst other matters, take into account the desirability of maintaining an area's prevailing character.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Nichola Robinson

INSPECTOR