



Appeal Decision

Site visit made on 22 August 2023

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023

Appeal Ref: APP/V3120/W/23/3318037

Poplar Corner, Wootton Village, Boars Hill, Oxford OX1 5JL

- 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 Mohammed Saddiq against the decision of Vale of White Horse District Council.
- The application Ref P22/V2672/FUL, dated 8 November 2022, was refused by notice dated 6 February 2023.
- The development proposed is removal of existing dwellinghouse, and garage. Construction of development of two detached 3 bed dwellings with ancillary driveways; and parking areas.

Decision

1. The appeal is allowed and planning permission is granted for proposed removal of existing dwellinghouse, and garage. Construction of development of two detached 3 bed dwellings with ancillary driveways; and parking areas, at Poplar Corner, Wootton Village, Boars Hill, Oxfordshire OX1 5JL in accordance with the terms of the application, Ref P22/V2672/FUL, dated 8 November 2022, subject to the conditions in the Schedule to this decision below.

Background

2. Planning permission¹ has previously been granted for the removal of the existing dwelling on the site and construction of three dwellings, of which two were semi-detached and one detached. This followed an earlier approval for two dwellings². On my visit, I saw that the original dwelling on the site had been demolished and a new detached dwelling (House 2) was at an advanced stage of construction, which I understand has been granted retrospective permission³. The proposal seeks to erect two, detached dwellings (Houses 1 and 3) in place of the previously approved two semi-detached units.

Main Issue

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

Reasons

4. The site is on a corner of a busy junction where Wootton Village road meets Lamborough Hill. It has dense, thick vegetation on its boundaries, screening parts of the site from both roads and giving the site a green, verdant character. The surrounding area is predominantly residential, but includes a row of shops,

¹ LPA reference P21/V1360/FUL, PINS reference APP/V3120/W/21/3287340

² LPA reference P20/V0176/FUL

³ LPA reference P22/V1091/FUL

community centre, recreation ground and a public house close by. Nearby Home Close consists primarily of dwellings of single and 1.5 stories in height. Most are detached, although some are in semi-detached blocks, and many are within generous plots. As such, Home Close has a distinctive, largely regular suburban pattern of development.

5. In contrast, The Willows is a less regular, more modern development of predominantly detached, two-storey dwellings. There are other detached and semi-detached dwellings of varying designs, layouts and orientations locally, including on Wootton Village road, Lamborough Hill and Mathews Way. These properties have gaps of differing widths between individual houses, and a variety of plot sizes. Together with the commercial uses already referred to, the dwellings hereabouts give the area a verdant but mixed pattern of development, where no one common design, form or layout predominates.
6. The proposal would be seen in relation to both Wootton Village road and Lamborough Hill as well as in the wider context. The gap between the two proposed detached dwellings (Houses 1 and 3) would be smaller than the gaps between other houses in the vicinity that have been identified by the Council.
7. Even so, the pitched, hipped form of the proposed roofs and the single storey height of the proposed side projection to House 3 means that, at first floor and roof level, the gap between both houses would be larger than at ground floor level. As such, in my view, the proposal and its form, position and scale would enable an appropriate sense of spaciousness, which would to some extent break up the mass of the previously approved semi-detached pair.
8. Both proposed houses would have a relatively small plot site area in comparison to others locally. Furthermore, the gaps between the proposal and the site boundaries with Little Orchard and Wootton Village road would be less than the previous approved layouts. The scheme does not include garages, and the amount of hardstanding within the site, necessary to provide parking and turning areas, would also be greater and closer to the site boundaries than the earlier approved schemes.
9. Nevertheless, given the size of the proposed gardens, and their variety locally, the proposal would provide sufficient space to ensure that it would not appear cramped, out of place or unduly out of proportion with other dwellings. Furthermore, the proposed layout would provide enough room for vegetation and landscaping on the site boundaries to adequately soften and ameliorate its visual impact, when seen from public views including from Wootton Village road and Lamborough Hill.
10. I therefore conclude that the proposal would have an acceptable effect on the character and appearance of the area. Consequently, the proposal would comply with Policy CP37 of the Vale of White Horse Local Plan Part 1, adopted December 2016, and Policy DG1 of the Wootton and St Helen Without Neighbourhood Plan, made December 2019. These policies require development to reinforce local identity, to have a grain and density appropriate to the site and the surrounding area, and to respect local character and built form.
11. For similar reasons, the proposal would accord with the South and Vale Joint Design Guide Supplementary Planning Document (SPD), adopted June 2022, which requires analysis of density, plot and block sizes and a positive response

to the settlement pattern. It would also accord with the aims of the National Planning Policy Framework including for development that is visually attractive and sympathetic to its surroundings.

Other Matters

12. The Parish Council and others have raised concerns about highway safety, including from cars parking outside the site on the road. However, the proposal includes sufficient space for parking, and planning conditions can be used to ensure that this is provided and remains available. I note that no objection to the application was raised by the Highway Authority.
13. Approved House 2 would have its main private amenity area to its rear and so the privacy of its future occupiers would not be unduly harmed by the proposal. However, a planning condition would be necessary to ensure that the first-floor side landing window in House 1, and the first-floor en-suite window in House 3, have obscure glazed and fixed shut windows, to prevent any loss of privacy for the occupiers of existing properties on Wootton Village road and at Little Orchard.
14. I have little evidence to demonstrate that the proposal should make provision for affordable housing, as suggested by the Parish Council. Local concerns have been raised about the planning history of the site, but I have considered the proposal before me on its own merits.

Conditions

15. The Council has provided a list of conditions, which I have assessed and where necessary amended, having regard to the advice in the Planning Practice Guidance. Demolition of the existing dwelling, included within the description of the proposal, has already taken place. However, this does not necessarily implement the consent sought now, and so I have imposed the standard time limit for commencement. A condition is also required to ensure adherence to the approved plans, for certainty.
16. Details of foul and surface water drainage are required in the interests of the living conditions of occupiers of the proposal and properties nearby. Similarly, and for highway safety reasons, a Construction Traffic Management Plan will need to be submitted. To maintain the character and appearance of the area, details of the protection of trees and hedges during construction is necessary. These matters may affect initial construction works, and so pre-commencement conditions are necessary.
17. In the interests of the character and appearance of the area, details of hard and soft landscaping are required by condition. To ensure highway safety and the use of sustainable travel, details of the access, visibility splays and cycle storage arrangements, and provision of parking and turning areas, is required. For similar reasons, it is necessary to prevent obstruction of the turning areas. For the reasons I have already given, a condition is required regarding the treatment of the identified side windows and to ensure that the insertion of any further side windows requires the consent of the Council.

Conclusion

18. For the reasons given above, I conclude that the appeal should be allowed.

O Marigold

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans, including in respect of external facing materials: 1916 p500B, 1916 p504A, 1916 p505, 1916 p506, 1916 p507, 1916 p508A, 1916 p509A, 1916 p510A, 1916 p515, 2053-01-P5, 2053-02-P2.
- 3) No development relating to the dwellings hereby approved shall begin until a detailed drainage scheme for foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved foul and surface water drainage scheme has been implemented, and it shall be retained thereafter.
- 4) No development relating to the dwellings hereby approved shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CTMP shall be implemented and adhered to for the duration of the construction works.
- 5) No development relating to the dwellings hereby approved shall take place until details of the protection of existing trees and hedges to be retained within the site has been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be kept in place in accordance with the approved details.
- 6) The dwellings hereby approved shall not be occupied until a detailed scheme of hard landscaping works has been submitted to and approved in writing by the Local Planning Authority and no part of the development shall be occupied until the approved hard landscaping scheme has been implemented. It shall be retained thereafter.
- 7) The dwellings hereby approved shall not be occupied until a detailed scheme of soft landscaping works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all planting, including trees and shrubs to mitigate for any agreed losses. The approved soft landscaping scheme shall be implemented no later than the first planting and seeding season following occupation of the development. Thereafter, the soft landscaped areas shall be maintained for a period of 5 years. Any trees or shrubs which die or become seriously damaged or diseased within 5 years of planting shall be replaced in the next planting season with other of a similar size and species.
- 8) The dwellings hereby approved shall not be occupied until the approved vehicular access, parking and turning areas hereby approved have been constructed and made available for use. They shall be constructed so as to prevent surface water discharging onto the highway and the visitor parking areas shall be clearly marked. Thereafter, the parking and

- turning areas shall be retained and kept permanently free of any obstruction to such use.
- 9) The development hereby approved shall not be occupied until access arrangements and visibility splays have been implemented in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The approved details shall be retained thereafter.
 - 10) The development hereby approved shall not be occupied until provision for cycle storage and parking on the site has been implemented in accordance with details that shall have been submitted to and approved, in writing, by the Local Planning Authority. The approved provision shall be retained thereafter.
 - 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order with or without modification) no boundary or any other obstruction shall be erected within the shared turning area as set out on the approved plans.
 - 12) Notwithstanding any details shown on the approved drawings, the dwellings hereby approved shall not be occupied until the first-floor side landing window in House 1, and the first-floor ensuite window in House 3 has been glazed with obscured glass and fixed shut and shall thereafter be retained as such in perpetuity. Notwithstanding the provisions of Class A, Part 1, Schedule 2 of the Town and Country Planning (General permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no additional first-floor window(s) shall be inserted in the side elevations of the proposed dwellings without the prior grant of planning permission.

End of Conditions