

Appeal Decision

Site visit made on 9 May 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 16.05.2024

Appeal Ref: APP/Q3115/D/24/3338562

6 Oakley Lane, Chinnor, Oxfordshire, OX39 4HT

- 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 & Mrs Adam & Kamila Morley against the decision of South Oxfordshire District Council.
 - The application Ref P23/S2340/HH, dated 7 July 2023, was refused by notice dated 24 November 2023.
 - The development proposed is 2-storey front extension, 2-storey side extension, 2-storey rear extension and single storey side/rear extension.
-

Decision

1. The appeal is dismissed.

Main issues

2. These are the effect of the proposed development: (a) on the character and appearance of the host property and its surroundings, and (b) on the living conditions of the immediately neighbouring residents with reference to light and visual impact.

Reasons

3. The appeal property, a detached house, is one of 4 dwellings of a similar scale and shape, all displaying gables facing the highway, with their ridges at right angles to it. The 2 dwellings between the appeal site and the Wheatsheaf pub are different in design but share a common building line with the other four. They are set in a part of Oakley Lane predominantly residential in character with detached dwellings set back in their plots on either side of the road.
4. The appellants propose to extend front, back and to the side. The front and main rear two storey extensions would follow the shape of the existing dwelling, in the sense that front and rear gables would be replicated on an elongated spine. The two storey side extension would take the place of the extant monopitch garage and would also display gables front and rear; its' ridge height would be slightly reduced from that of the host property, and its front elevation would occupy the current building line. The single storey rear extension would have a flat roof. The appellants recognize that the scheme involves a relatively significant increase in floorspace.
5. The proposed twin gabled two storey development at the front would occupy virtually the full width of the plot. Although the side extension would be set

back, when viewed in the public realm from the front and south east, both additions would be prominent and perceived as a single entity.

6. To my mind, the development as it affects the front would appear bulky, disproportionate, and as incongruous additions to the host property, accentuated by the fact that the existing front building line for the street would be breached significantly. They would also look cramped in relation to their neighbours given that the space above the garage would be filled in. The proposals, if built, would appear as an awkward and discordant protrusion into the front garden harmfully out of keeping with the existing pleasant and spacious scene.
7. Whilst the appellants have pointed me to the permitted front extensions on the other side of the street, the building line there appears more varied, and Nos 11 & 13's extensions brought them virtually level with the extant building line of the dwellings to their south-east. Moreover, a wider gap exists between Nos 13 & 15 than exists between the appeal property and its neighbours on either side. Accordingly, there are clear distinguishing features.
8. Whilst I acknowledge the appellants' contention that the host property's design may not merit architectural plaudits this is not sufficient reason to propose radical alterations which would prove visually harmful.
9. I therefore conclude that the development would harm the character and appearance of the host property and its surroundings by reason of its bulkiness, scale and visually intrusive nature. Accordingly, a clear conflict arises with those provisions of policies DES2 of the South Oxfordshire Local Plan (LP) and CH C1 of the Chinnor Neighbourhood Plan (NP) directed to achieving good quality design responding positively to the site and its surroundings and respecting local character.

Living conditions

10. By proposing to extend in two storey fashion front and back, an unbroken two storey, largely featureless wall would extend along a significant length of the boundary separating the appeal site and 8 Oakley Lane. The two storey element would protrude well beyond the common front building line and No 8's front door, situated at the side of the house. It would also extend into the garden beyond No 8's single storey extension.
11. Whilst I have considered the appellants' comments on this aspect of the Council's objection, to my mind No 8's residents would be made to feel increasingly oppressed and hemmed-in by the intrusion caused by a high, bland development on their boundary at the front and back. The enjoyment of their property and gardens would be significantly and harmfully affected by what I regard as an un-neighbourly development. To a lesser extent, No 4's residents would be similarly affected, especially at the front.
12. Whilst two windows at the front and rear of No 8 would be affected by the proposed extensions, having regard to their positions and that one is clearly secondary in nature, I do not consider that the impact on that dwelling's internal environment in terms of day- or sunlight would be such as to warrant refusal for this reason alone.

13. Regarding the effect on the level of daylight entering No 4's dining room it is possibly regrettable that arrangements were not made for me to make an internal inspection to carry out an appropriate assessment. However, in view of my conclusions on the main issues a further site visit is unwarranted.
14. I conclude that the proposed development would have a harmful effect on the residents of 8 Oakley Lane by reason of significant adverse visual intrusion and impact. Accordingly, a clear conflict arises with those provisions of LP policy DE6 and NP policy CH C1 requiring new development to respect residential amenity and not to cause significant adverse effects on neighbouring uses.

Other matters

15. I do not disagree with the appellants' contention that the dwelling appears rather tired and in need of refurbishment and possible extension. However, this does not justify what I have concluded to be an unacceptable development. I do not criticize the design presentation in terms of its approach to appearance alone, it is the scale and intrusive bulky nature of the proposals that would harm local visual amenity.
16. I saw that 12 Oakley Lane had been extended at the rear in a manner not dissimilar to the extension proposed here, but judging from what I could see with a limited vantage point, the two storey elements do not appear to run along the common side boundaries.
17. The appellants feel that they may have been 'penalized' for presenting their extension proposals in one submission rather than by pursuing separate proposals incrementally at different times. That is a matter of choice for the appellants, but I have considered the proposals, as required, as presented and on their merits. I make no comment one way or other on the appellants' assertion in respect of a demolition and re-build, which is a theoretical concept not before me.
18. I have taken into account the representations made by the Parish Council and local residents in respect of the original and amended schemes, and I have already dealt with the most significant planning-related points raised. I have insufficient information to comment on aspects relating to drainage.
19. Whilst reference has been made to other development plan policies, those which I have referred to are considered the most relevant in the particular circumstances of this case. I have also had regard to the aspects of local guidance¹ and the Framework referred to. The Framework advises² that '*development that is not well designed should be refused*'. I shall follow that guidance here.
20. All other matters raised in the representations have been taken into consideration, but no other matter raised is of such strength or significance as to outweigh the factors that led me to my conclusions on the two main issues.

G Powys Jones

INSPECTOR

¹ Joint Design Guide, Supplementary Planning Document

² National Planning Policy Framework, paragraph 139