



Appeal Decision

Site visit made on 3 June 2024

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2024

Appeal Ref: APP/Q3115/W/23/3333957

17 Charles Road, Cholsey, Oxon OX10 9QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Aarhus Developments Ltd against the decision of South Oxfordshire District Council.
 - The application Ref is P23/S0726/FUL.
 - The development proposed is Erection of two semi-detached two-bedroom houses.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed dwellings on the character and appearance of the area, and
 - the effect of the proposal on carbon emissions.

Reasons

Character and appearance

3. The appeal site is within the village of Cholsey which includes a broad range of house types and styles. A modern housing estate, consisting of two-storey houses, is to the north and west of the site. Charles Road is also adjacent to the site. This is a cul-de-sac consisting of bungalows of various styles within relatively deep plots. Number 17 Charles Road (No 17) is a single storey dwelling that is recessed into its plot, with a small projecting gable on its front elevation. The appeal site consists of a landscaped side garden of No 17 and a small pocket of land at the end of Charles Road. The garden is a pleasant open space that makes a positive contribution to the low-lying development and landscaped gardens within the street.
4. Being adjacent to the Modern housing estate of Ashfield Way the site is at a transition between different character areas between low and higher density development. Although access would be gained via Ashfield Way, the site does not share a frontage with this street being backland in character. Instead, the proposed dwellings would be read as being part of Charles Road irrespective of its means of access. Furthermore, the site being the side garden of No 17, demonstrates a strong functional connection and visual relationship to development of Charles Road.

5. The proposed development consists of two semi-detached dwellings. These would include a first-floor that would be set partly within the roof space, reducing the overall mass of the building. The proposal would align with the front building line of No 17. However, the proposed development would be close to its side boundaries and would dominate some views of the adjacent bungalow. Consequently, the visual impact of the proposed development, in the context of a small-scale neighbouring dwelling, would create an awkward juxtaposition of forms.
6. The proposal would be visible from a range of public vantage points along Charles Road, having an especially strong visual impact in front of No 17. As such, despite its reduced mass, the proposed building would be a pronounced and obtrusive addition to the streetscene, being out of character with the single storey development of Charles Road. The proposed development would be similar in form and scale as development along Ashfield Way. However, it would not integrate well with the lower density parts of the village that the site is within and would be harmful to the streetscene of Charles Road.
7. Accordingly, the proposal would have an adverse impact on the character and appearance of the area. Consequently, the proposal would conflict with policies DES1, DES2 of the South Oxfordshire Local Plan [2020] (LP) and policies CNPH2 and CNPH3 of the Cholsey Neighbourhood Plan [2022] (NP). These seek, among other matters, for development to reflect the positive features of an area, respond positively to the site and maintain the general character and appearance of the area.

Carbon Emissions

8. LP policy DES10, relates to carbon reduction, and requires new dwellings to achieve a 40% carbon emission reduction compared to the 2013 Building Regulation compliant base to tackle the causes of climate change. This is required to be demonstrated through an Energy Statement and SAP ('standard assessment procedures') calculations and is proposed to increase in future years to create zero carbon homes by 2030.
9. The appeal is supported by an Energy Statement and SAP calculations. The Appellant's Energy Statement¹ demonstrates that the proposed energy reduction strategies would include energy efficient lighting, double glazed windows (with Low-E coatings), solar panels, an air source heat pump and concrete block thermal bridging. These measures when combined demonstrate a CO₂ reduction of 43.02%, meeting the policy requirement.
10. The Council's advice note² explains that in June 2022 the Government implemented an interim uplift to Part L of the Building Regulations. As a result, the Council now seeks a 9% reduction in carbon emissions compared with the new Building Regulations. The advice note explain that an energy statement must include SAP calculations to demonstrate that the carbon reduction has been met and a summary setting out the overall percentage reduction. The SAP calculations should be supported by the summary and input sheets from the part L assessment. The SAP calculations, to assess the energy performance of the building, demonstrate that the development would achieve more than a 9% reduction in carbon emissions compared to 2022 building regulations

¹ Energy Statement, by ATSPACE, dated 23/6/23

² Council's Statement of Case, appendix 3

compliant base case. This therefore meets the Council's adjusted carbon emission requirements.

11. The advice note explains that details of monitoring should be set out in the Energy Statement. Although no monitoring information has been provided, such requirements could have been required by planning condition had I been minded to allow the appeal.
12. As a result, the proposal would achieve the required carbon emission reduction. Accordingly, the proposal would comply with LP policy DES10 and NP policy CNP STRAT 1. These require development to meet carbon reduction objectives and be well designed.

Other Matters

13. The proposed dwellings would be within the settlement boundary of the village, providing good access to goods and services, within a sustainable area. The proposal would help boost the supply of housing in the area, an important objective of the National Planning Policy Framework. However, being for only two dwellings the provision of new housing and other stated benefits would be of only limited to modest weight in favour of the proposal.

Conclusion

14. For the above reasons, the proposal would not accord with the development plan, when taken as a whole, and there are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. As such the appeal should not succeed.

Ben Plenty

INSPECTOR