



Appeal Decision

Site visit made on 6 August 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 5 September 2024

Appeal Ref: APP/V3120/D/24/3343837

6 Oxford Square Watchfield Swindon Wiltshire SN6 8TB

- 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 Jane Stevens against the decision of Vale of White Horse District Council.
 - The application Ref is P23/V2719/HH.
 - The development proposed is Proposed first floor extension over rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for Proposed first floor extension over rear extension 6 Oxford Square Watchfield Swindon Wiltshire SN6 8TB in accordance with the terms of the application, Ref P23/V2719/HH. and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: IVY-22 A101 and IVY-22 A103.

Main Issue

2. The Main Issue is the effect of the development upon living conditions for occupiers of No 8 Oxford Square.

Reasons

3. The appeal site (No.6) sits within a terrace block of four modest two-storey nineteenth century dwellings¹ arranged on the eastern side of 'Oxford Square' a group of traditional houses² irregularly arranged around small grassy areas within the settlement of Watchfield. The proposal relates to a small first floor extension at the rear of the house with no impact upon the street scene or wider area, including upon the setting of the listed building, 9 and 11 Oxford Square opposite the appeal site. Due to the terraced configuration of No.6 and its neighbours, the proposed extension would abut the boundary with the adjacent No.8 Oxford Square (No.8).

¹ Nos. 4-10 even.

² Including the Grade II listed Nos. 9 and 11 Oxford Square opposite the appeal site.

4. The Council's reason for refusal relates to the enclosing effect of the proposed extension upon No.8 where, at the time of refusal, an upper floor habitable room window would have been overshadowed by the proposed extension in conflict with the South Oxfordshire and Vale of White Horse Joint Design Guide SPD (Joint Design Guide) which sets out a '45° rule'. This seeks to prevent obstruction of an area set from the centre of a habitable room window.
5. At the time of my visit I observed that the first floor window in the adjoining house (No.8) which was the subject of the Council's concern was obscure glazed. This suggested planning permission Ref P22/V0312/HH referred to by the Council in their officer report was, now, likely implemented such that the room it served was a bathroom appearing in that proposal but in any event, the nature of the glazing to that window indicated that the room it served was no longer a habitable room.
6. On that basis there would be no impediment of living conditions for occupiers of the room affected in the adjoining dwelling from the proposed upper floor extension. In consequence, as my reasoning sets out, I find no conflict with the Joint Design Guide nor, therefore, with Development Policy 23 of the Vale of White Horse Local Plan Part 1 (adopted 2016) that seeks to prevent development causing significant adverse impacts upon residential amenity. Therefore, taking all matters raised into account, the appeal succeeds subject to the usual plans and timing conditions.

Andrew Boughton

INSPECTOR