



Appeal Decision

Site visit made on 12 November 2024

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2024

Appeal Ref: APP/V3120/W/24/3345686

Gateways, Harcourt Hill, Oxford, Oxfordshire, OX2 9AS

- 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 Mr Siriwat Pinsiranon against the decision of Vale of White Horse District Council.
 - The application Ref is P23/V2226/FUL.
 - The development proposed is the demolition of the existing house and the erection of two detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed redevelopment on the character and appearance of the area.

Reasons

Background

3. The appeal site lies in an elevated position to the east of Harcourt Hill which rises from the Oxford bypass (A34) to the higher ground to the west. The road is characterised by mainly detached properties on the road frontage with two short residential cul-de-sacs leading from it. The appeal site lies on the corner of Harcourt Hill and one of these side roads (Stanton Road) and comprises a detached two storey house of a relatively modern (1960s) design set in a large garden. Opposite the site and to the north lies a campus of Oxford Brookes University. It is proposed to demolish the existing house and erect two detached properties.
4. The planning history of the site is relevant to the appeal and includes three different proposals for two houses on the site including a scheme for the second house to be sited off Stanton Road. Each scheme was dismissed at appeal. The most recent application proposed two new houses served off Stanton Hill and this was dismissed in June 2023 under ref. APP/V3120/W/23/3315916. The inspector found that the proposed dwellings would be sited relatively close together with little gap between them and this would appear cramped and over-developed in the street scene and would fail to reflect the spacious character of the surroundings.
5. The present scheme has therefore been submitted to overcome the inspector's concerns and includes the deletion of the garages located in front gardens and

a reduction in the width and massing of the properties together with bringing the siting of the proposed properties forward to meet the general building line. I note that the submitted scheme was recommended for approval by Council planning officers but the Planning Committee decided to refuse permission having considered the representations from local people.

Effect on character and appearance

6. In considering this issue I have taken account of the North Hinksey Character Assessment which is referred to in Policy HS1 of the North Hinksey Neighbourhood Plan. The assessment describes that houses along Harcourt Hill are predominately very large houses set well back from the road. Moreover the houses are of a variety of designs and generally sit on large plots and are generously spaced. The intention of Policy HS1 is for new development to maintain and respect this character.
7. While the plot width of the existing site at Gateways is slightly larger than other properties in this frontage, its subdivision into two would result in two plot widths which would fall well short of the norm. This would not result in a generous spacing as identified as an essential characteristic of this neighbourhood.
8. I acknowledge that the two houses now proposed have been reduced in height, width and projection from the previous scheme, but nevertheless there would be little gap between them or to the boundaries of the site and this would give a cramped and overbearing appearance in the street scene. In terms of the appearance of the new properties, they would be of a similar design and scale and lack the variation in design that helps establish the distinctiveness of the area. Moreover, due to the location of the site on the corner with Stanton Road, the house on plot 2 would be particularly noticeable. It would contain a long flank elevation, with little relief save for a chimney breast and small windows, and this would have a stark and imposing effect on the surroundings of the site. The landscaping along the verge of Stanton Road cannot be relied on in the long term to help screen this visual impact.
9. I have taken account of the comparison with other more modern development further south along Stanton Hill but this does not sit in the same character area with the same verdant form of the appeal site. Even so the plot widths of that development appear greater than those put forward in the current appeal. I can therefore not put much weight on that development in support of the appeal scheme.
10. Overall I find that the proposed development of the site with two houses would result in a cramped and overbearing form of development which would be harmful to the street scene of Harcourt Hill and would not maintain the existing verdant and spacious character of development locally. The proposal would therefore conflict with Core Policy 37 as it would not respond positively to its surroundings and maintain distinctiveness. It would also conflict with Neighbourhood Plan Policy HS1 for similar reasons.

Other Matters

11. Representations made on behalf of neighbours at the adjoining property Southfield also raise objections about being overlooked and suffering from an

overbearing form of side elevation in close proximity to their own property. I considered the proposal from this site at the owner's request.

12. Compared to the previous appeal scheme, the current proposal reduces the scale of building that would be present alongside the party boundary by the deletion of the frontage garages and the link together with the reduction in the buildings' footprint. The siting of the northern unit further forward makes the flank wall of this new house more in line with the end wall of Southfield. Taking account that Southfield has a detached garage to the right of the property in the intervening space, and that the new house proposed would have a single storey 'cat slide' roof at this side, I am satisfied that the proposal would not have an oppressive impact on the general living conditions enjoyed by the occupiers of this existing property. I acknowledge that there would be three bedroom windows at first floor level but these would mainly face down the garden of each plot and this would be consistent with the general form of properties along Harcourt Hill.
13. Overall, I find that the proposal would not materially affect the living conditions of the occupiers of Southfield and there is no conflict with Local Plan Policy DP23.
14. Objections are also made about the potential harm to biodiversity and a lack of a clear net gain. The application was made to the Council in February 2024 which is before the introduction of Biodiversity Net Gain (BNG) requirements for smaller developments. Notwithstanding this, there is little evidence before me on this issue but from my observations on site and the Council's assessment it does not appear to me that the proposal would be likely to affect a habitat of protected species. The protection of such species and securing enhancements to biodiversity can therefore reasonably be secured by condition if the overall principle of development was acceptable.

Planning balance

15. Bringing together my conclusions on the main issue and other factors I have found that the proposed redevelopment scheme would be harmful to the character and appearance of the area as the two houses proposed would result in a cramped and overbearing form of development at odds with the street scene and would not maintain the recognised verdant and spacious character of the area. Notwithstanding this factor the proposed scheme would not materially affect the living conditions of the occupiers of adjoining property and concerns about the effect on biodiversity can be addressed by conditions.
16. The local environmental harm means that the proposal does not accord with the provisions of the development plan. This has to be balanced with other considerations. I recognise that the National Planning Policy Framework indicates in section 11 that planning decisions should help make effective use of land and encourages higher densities. However, this has to be done in a way that safeguards the environment which the appeal scheme would not do.
17. I also understand that the appeal scheme has been arrived at after considerable negotiation with Council staff, nevertheless, it is for the Council to reach a formal decision on a case and the judgement I have reached pays particular attention to the provisions of the development plan.

18. Overall I find that the conflict with the development plan is not outweighed by any other consideration. This indicates that the appeal should not be allowed.

Conclusion

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

David Murray

INSPECTOR