



Appeal Decision

Site visit made on 14 July 2020

by **C Osgathorp BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/Q3115/W/20/3246528

10 Moats Crescent, Thame OX9 3DD

- 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 Brown against the decision of South Oxfordshire District Council.
 - The application Ref P19/S3000/FUL, dated 20 September 2019, was refused by notice dated 19 November 2019.
 - The development proposed is erection of bungalow following demolition of garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has referred to the emerging South Oxfordshire Local Plan 2034 (emerging LP) in its appeal statement. I attach limited weight to the emerging LP as details of the level and significance of any unresolved objections have not been provided to me. The policies in the emerging LP do not have the same statutory force accorded to adopted policies under s38(6) of the Planning and Compulsory Purchase Act 2004.

Main Issue

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

Reasons

4. The appeal site includes a 2 storey semi-detached house, which is located in an established residential area. The properties in Moats Crescent have sizeable gaps between them, which provides a spacious feel to the street scene. The appeal site widens to the rear and there is an existing garage adjacent to the boundary with No 11.
5. The proposal would introduce a detached single storey dwelling to the side/rear of the existing dwelling. The garden would be partitioned by a boundary fence and tandem parking for each dwelling would be provided. The proposed dwelling would have an awkward relationship with the neighbouring property at No 11 because its front elevation would be angled towards the side wall of the adjacent building, with a limited degree of separation. This would create a cramped appearance and it would fail to respect the layout of surrounding development. Whilst the proposal would be set back from the road, there would

be some visibility in the street scene and it would be seen from neighbouring properties. In any event, a lack of visibility from main roads does not obviate the need to achieve good design.

6. I appreciate that there is an example of backland development to the rear of Nos 1 & 2 Moats Crescent, however those buildings maintain a greater level of separation to neighbouring properties and they sit comfortably in relation to surrounding development. Furthermore, the detached dwelling at No 1B Moats Crescent faces the street frontage and it respects the siting of adjacent buildings.
7. I acknowledge that a lawful development certificate¹ has been granted for a proposed outbuilding for use as a workshop, store, garden room and gym, and that the proposed dwelling would be located in a similar position. Nevertheless, the outbuilding would be seen as an ancillary building within the garden of No 10 and so it would not look cramped. The appeal scheme would have a greater footprint than the outbuilding, and it would appear as a separate dwelling due to the new boundary fences; landscaping; and parking. Given that the character of the proposal would be materially different, the fall-back position provided by the outbuilding would not overcome the harm that I have identified.
8. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would therefore be contrary to Policies ESDQ16 and ESDQ17 of the Thame Neighbourhood Plan 2013, Policy CSQ3 of the South Oxfordshire Core Strategy (adopted 2012), saved Policies G2, D1 and H4 of the South Oxfordshire Local Plan 2011 (adopted 2006) and guidance in the South Oxfordshire Design Guide 2016, which, amongst other things, seek to ensure that development responds positively to and respects the character of the site and its surroundings. The proposal would also conflict with Chapter 12 of the National Planning Policy Framework insofar as it seeks to ensure that developments are visually attractive and sympathetic to local character.

Other Matters

9. I have had regard to the representations from local residents which, in addition to the above main issue, raise various concerns, including: insufficient parking; additional traffic; highway safety; inadequate sewage and drainage system; increased flood risk; and overlooking. However, the appeal is being dismissed for other reasons therefore it is not necessary for me to examine these particular matters further.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR

¹ Ref. P19/S1923/LDP