



Appeal Decision

Site visit made on 16 August 2022

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/D3125/W/22/3291279

2 Springfield Park, Witney OX28 6EF

- 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 Chris Durici against the decision of West Oxfordshire District Council.
- The application Ref 21/03193/FUL, dated 23 September 2021, was refused by notice dated 4 January 2022.
- The development proposed is for a new dwelling and new access on to Springfield Park

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A completed unilateral undertaking (UU), made under the provisions of section 106 of the Town and Country Planning Act 1990, has been submitted in support of this appeal by the appellant. The UU would prevent the implementation of an extant planning application (20/00404/FUL) to sub-divide No 2 into 2no. dwellings, which also involves the erection of single storey rear extensions. I have considered the UU in the determination of this appeal.
3. The appeal process should not be used to evolve a scheme and, in the interests of ensuring that no one with an interest in the outcome of the appeal is prejudiced, it is important that the details considered at appeal stage are essentially the same as those considered and consulted upon by the Council at planning application stage. The intended revision contained within drawing: Block Plan 07 Rev G (the amended drawing) is to increase the level of on-site vehicular parking by one space.
4. The Council have indicated that they no longer wish to present evidence in relation to refusal reason no.2, on the basis of the amended drawing submitted by the appellant. Nonetheless, the revision evolves and materially alters the scheme that was originally submitted. Thus, I do not accept the revision in this instance, and shall consider the appeal based on the level of on-site parking originally submitted to the Council for determination.

Main Issues

5. The main issues of this appeal are the effect of the proposed development on:
 - the character and appearance of the appeal site and surrounding area; and,
 - highway safety, with particular regard to the provision of on-site parking.

Reasons

Character and appearance

6. The site currently comprises part of the rear and side garden to No 2 Springfield Park, which is at the end of a row of 4no. houses, close to the junction with Burford Road. A similar row of 4no. terraced houses is located opposite on Springfield Park, where the property facing No 2, also has a notable side garden, similar to that at the appeal site. This forms a strong and positive characteristic on this section of Springfield Park.
7. The main parties have drawn my attention to a previous appeal¹, which is a material consideration of significant weight. Whilst noting the similarities between this scheme and the scheme subject of this appeal, I also acknowledge that the features within the appeal scheme that the appellant has incorporated following the outcome of the previous appeal, which include a chimney, different materials, fenestration details and the location for on-site vehicular parking, amongst other things.
8. I accept that the materials and design of the proposed development, including fenestration details are an improvement to those proposed on the previous scheme. However, whilst the vehicular parking on the previous scheme was considered to be at odds with the properties on Burford Road, a similar outcome now results on Springfield Park. Properties on Springfield Park benefit from on-site vehicular parking with driveways. The proposed development would involve the creation of an additional area of parking and access at No 2 in a prominent location, close to the Burford Road junction, where a street sign currently exists. This parking area would be highly visible and represent a discordant feature that would not compliment the surrounding street scene, given the arrangement at surrounding properties, particularly in regard of the adjoining property and those on the opposite side of the road to the site.
9. I accept that there is a mixture of dwelling types in the surrounding area, which includes terraced and semi-detached dwellings. There are also detached dwellings on Springfield Park and Burford Road. Nonetheless, the location of the dwelling would be in an area where the frontage comprises semi-detached dwellings, where a general uniformity in appearance is present. I acknowledge the increase in width of the proposed development from 7.5m to 8.5m, but given the width of the existing semi-detached houses on Burford Road, the proposed development being detached would still appear narrow by comparison. In this instance, the adverse visual effect of the detached dwelling in this location would not be overcome by the increase in its width or the proximity to No 40 Burford Road.
10. For the reasons given above, I conclude the proposed development would harm the character and appearance of the appeal site and surrounding area. Consequently, the scheme would not accord with the design, character and appearance aims of Policies OS2, OS4, H2 of the West Oxfordshire Local Plan 2018 (LP) and the requirements of the National Planning Policy Framework (the Framework).

Highway safety

11. The proposed development as submitted to the Council involved the provision

¹ APP/D3125/W/21/3274682

of 1no. on-site vehicular parking space. The location of this parking provision would be to the left of No 2 in its side garden, when viewing the plot from the front. In considering the design of the proposed development, including its size and number of bedrooms, the proposed development would likely attract more than one vehicle to the area.

12. Although, there is on-street car parking available on Springfield Road and Burford Road, the proposed development, given its location, would encourage vehicular parking in proximity of the junction between the above roads. This would likely increase vehicular conflict on the highway. Additionally, whilst there are parking bays on Burford Road, these appear well utilised by existing residents. In the case of potential vehicular parking on both roads, it is likely that notable inconvenience would be experienced by local residents as a direct consequence of the proposed development.
13. For the reasons given above, I conclude the proposed development would result in conditions that would prejudice highway safety and the convenience of existing residents. Consequently, the scheme would not accord with the design, highway safety aims of LP Policies T2, T4 and the requirements of the Framework.

Other Matters

14. During my visit, I observed that the distance between the front elevation of the proposed development and the existing trees on the verge on Burford Road would not be excessive and could inevitably lead to pressure to prune the trees, or even to remove them in the future to improve the light and outlook for facing habitable rooms in the proposed development. However, as I am dismissing the appeal for other reasons, I have not considered this matter any further.

Planning Balance and Conclusion

15. I acknowledge there would be some limited economic and social benefits resulting from the construction phase and subsequent occupation of the proposed development. I also note the sustainable location of the site. However, I have considered this appeal proposal on its own planning merits and conclude that the scheme is not acceptable for the reasons set out above.
16. Therefore, I have found that the proposed development would be contrary to the development plan when taken as a whole, and there are no other considerations which outweigh this finding. It would also be at odds with the objectives of the Framework.
17. For the reasons given above, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR