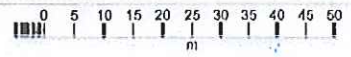


Appendix 1



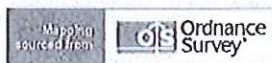
drwgn0 LOC-001



OS MasterMap 1250/2500/10000 scale  
 26 January 2015, ID: BW1-00395132  
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1:1250 scale print at A4, Centre: 459688 E, 190093 N

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# Appeal Decision

Site visit made on 3 December 2012

**by Suki Tamplin Dip TP Pg Dip Arch Cons IHBC MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 29 January 2013**

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**Appeal Ref: APP/Q3115/A/12/2179577**

**Land at the rear of 71, 69 and 75 Wantage Road, Wallingford, Oxfordshire, OX10 0LS**

- 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 S Plant against the decision of South Oxfordshire District Council.
  - The application Ref P11/S0035, dated 16 March 2012, was refused by notice dated 14 May 2012.
  - The development proposed is erection of four detached and two semi-detached dwellings with garages, alteration and extension of existing detached house, two garages and the formation of a new access onto Wantage Road.
- 

## Decision

1. I dismiss the appeal.

## Procedural matters

2. Three additional drawings comprising a topographical survey, a further sunlight/daylight survey and an access roadway comparison plan were submitted at final comments stage in the appeal process. Because not all of these had been seen by the Council and third parties had not been able to comment on any of them I have not taken these drawings into account in my decision. I have, however, taken into account all earlier statements and drawings submitted in connection with these aspects of the appeal proposals.
3. Following my visit, the Council formally adopted the *South Oxfordshire Core Strategy* (CS) whose policies partially supersede Policy H4 of the *South Oxfordshire Local Plan* (LP) on which it had relied in its decision. I sought the parties' views regarding this change and have taken them into account in my decision.

## Main Issues

4. The main issues in this appeal are the effect of the proposals on:
  - living conditions of nearby occupiers with particular regard to those at 75 Wantage Road by reason of noise and disturbance and 43 Queen's Avenue by reason of outlook; and
  - the character and appearance of the locality.

## Reasons

### *Living conditions*

5. Wantage Road provides an important access into and out of the centre of Wallingford. The road is wide and the layout of dwellings on either side is spacious. The appeal site is typical of the road, nos 69 and 71 are large detached properties set well back from the road with long rear gardens that back onto farmland. Queen's Avenue, which adjoins the north west boundary of the site, is one of the few developments in depth to the south west of Wantage Road.
6. Access to the development would be via a new driveway utilising the existing access and snaking through a gap which would be formed by the partial demolition of no. 71 and run between it and no. 75. The new road would pass very close to no 75 and alongside the full length of the remnant of its garden which represents the only remaining usable part of the garden as private amenity space. Whilst the occupants of no 75 currently have a high degree of seclusion and a peaceful location, the noise and activity associated with vehicular traffic and servicing for 9 dwellings in very close proximity would radically alter this. Its intrusiveness would be perceived by occupiers as a form of invasion of the privacy they currently experience. The disturbance would lead to an unacceptable reduction in living conditions for the occupants of no 75.
7. The proposed dwellings would be arranged around a turning area towards the rear of the site. Plots 6 and 3 would be located close to the boundary with the Queen's Avenue development of semi-detached and short terraces of two storey houses. These properties have modest gardens abutting the appeal site. It is apparent that these gardens are well used and the proximity of the proposed plot 3 house to no 43 would be overbearing and oppressive to occupants. Their outlook would be to a largely blank side elevation in close proximity to the rear boundary. Although the appellant has said that the footprint of plot 3 could be moved, no such details are before me and in any event, I am not persuaded, given the size and configuration of the plot, that there is the potential for re-siting the proposed dwelling such that the harm could be overcome.
8. My attention has been drawn to other recent developments where it is said that the separation distances are similar. I have taken account of all of these but, of those I visited, I found that the site characteristics were different to those of the appeal site. I am not aware of the circumstances in which these other schemes were approved but they do not persuade me that the appeal proposals would ensure good living conditions for the occupants of existing neighbouring properties.
9. I therefore conclude, having had regard to the potential for noise and disturbance to 75 Wantage Road and the outlook from 43 Queens Avenue, that the living conditions of nearby occupiers would be harmed. For these reasons the proposal would conflict with the aims of Policies H4 and D4 of the LP, that if a proposal constitutes backland development it should not create problems of privacy or other overriding amenity objections. Policy H4 has, in part, been superseded by the CS but that part which sets out the relevant site characteristic criteria is retained. LP Policy D4 remains as a saved policy. The development would also conflict with the National Planning Policy Framework

(the Framework) which does not support inappropriate development of residential gardens.

*Character and appearance*

10. The appeal site comprises the greater part of the level rear garden of no 71 and also includes part of the gardens to nos 69 and 75 Wantage Road. Further alterations to the access to nos 73 and 75 are proposed together with part demolition and part extension of no 71.
11. No objection has been raised to the alteration of no 71 and I agree that this would not adversely affect the character of the area. However the introduction of the long access way would significantly reduce the verdant quality of the street frontage. There would be a loss of vegetation in association with the new access and the need to provide adequate visibility splays. The wider access that would be necessary to service the proposed development, together with the amendments to existing access arrangements, would also lead to hard surfacing being the dominant feature of the area in front of no 71.
12. Backland development is not a feature of Wantage Road and the introduction of the access road would be detrimental to the spacious quality of development in the area. The use of a narrow gap which would give an impression of the access being squeezed between the frontage properties would be incongruous and harmful to the character of the locality.
13. For these reasons, the proposal would harm the character and appearance of the locality. The development would conflict with the aims of LP Policy H4, as revised by the CS, and saved LP Policy D1, which say development should respect existing settlement patterns. Nor do the proposals accord with the aims of the Framework which supports development that reinforces local distinctiveness.

*Other matters*

14. I acknowledge that there is no objection from the Highway Authority in terms of the improvements to access arrangements for nos 73 and 75 and that the specifications of the junction with Wantage Road satisfy highway safety requirements.
15. I accept that Wallingford is identified as a settlement suitable for residential development as is evident from a reading of criteria (ix) and (x) of newly-adopted Policy CSWAL1 of the CS. Furthermore, the site would not involve an extension of the built up area of the settlement or result in a loss of open space of public or environmental value and that the development of large back gardens may be acceptable in principle. But, the *South Oxfordshire Design Guide* adopted 2008 advises that access arrangements that would lead to loss of privacy and disturbance should be avoided. The Council has a good supply of housing land and there is no housing need to develop sites that would harm the living conditions of adjacent neighbours.
16. The Council is satisfied that the individual design of the houses is acceptable and the development would provide an appropriate mix of dwellings, and I see no reason to disagree. The development would also include sustainable construction measures and there are no adverse contamination, archaeology or sunlight/daylight issues. Whilst these factors are benefits they do not outweigh

my conclusion that the development would be unacceptably harmful to living conditions and damaging to the character and appearance of the locality.

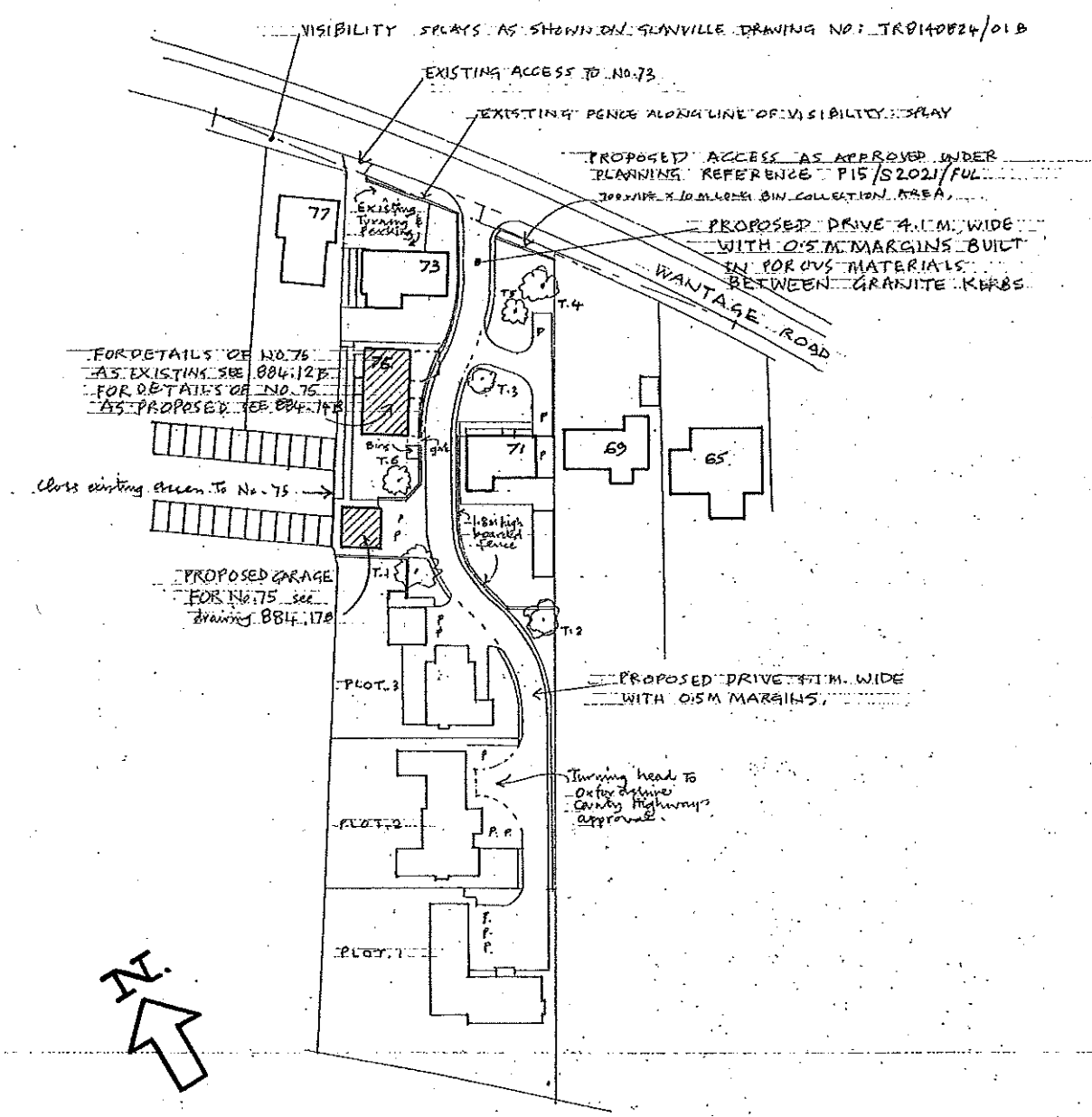
**Conclusion**

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

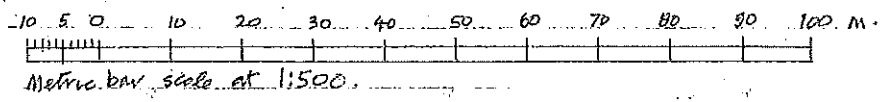
*Sukie Tamplin*

INSPECTOR



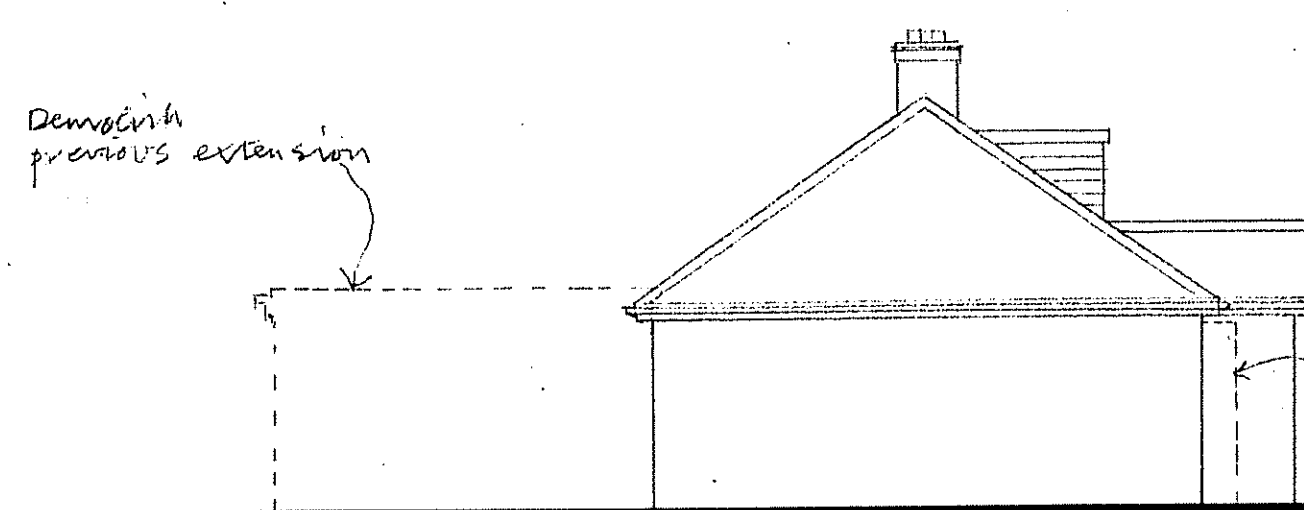


SITE PLAN, scale 1:500

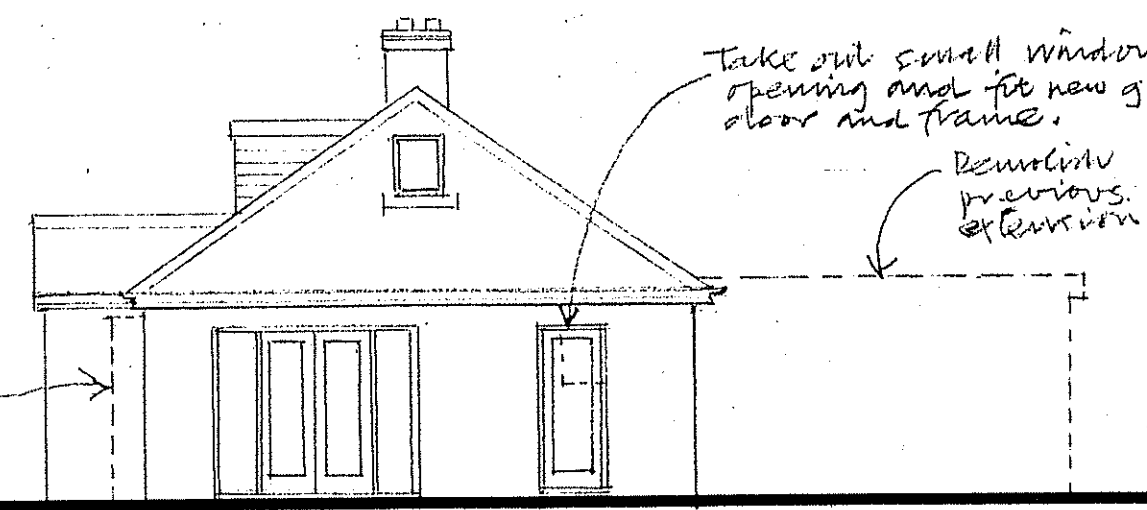


<b>JOHN SPATLEY ARIBA CHARTERED ARCHITECT</b> THE STUDIO • MULBERRY HOUSE • OLD BOX ROAD • BOX • HENLEY ON THAMES • RG9 5ET T 0491 579223 john@spatley.co.uk			
PROJECT	75 WANTAGE RD, WALLINGFORD		
CLIENT	MR J. LANE		
TITLE	SITE PLAN		
DATE	DRAWN	SCALE	DRAWING NO.
MARCH 2016	JS	1:500	884-21

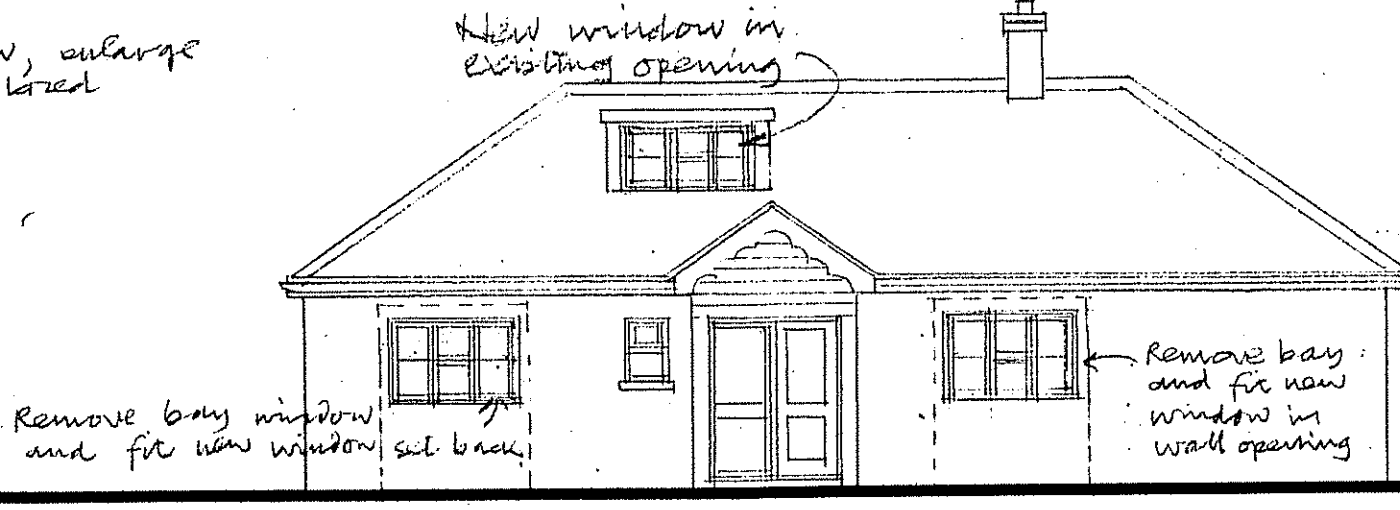




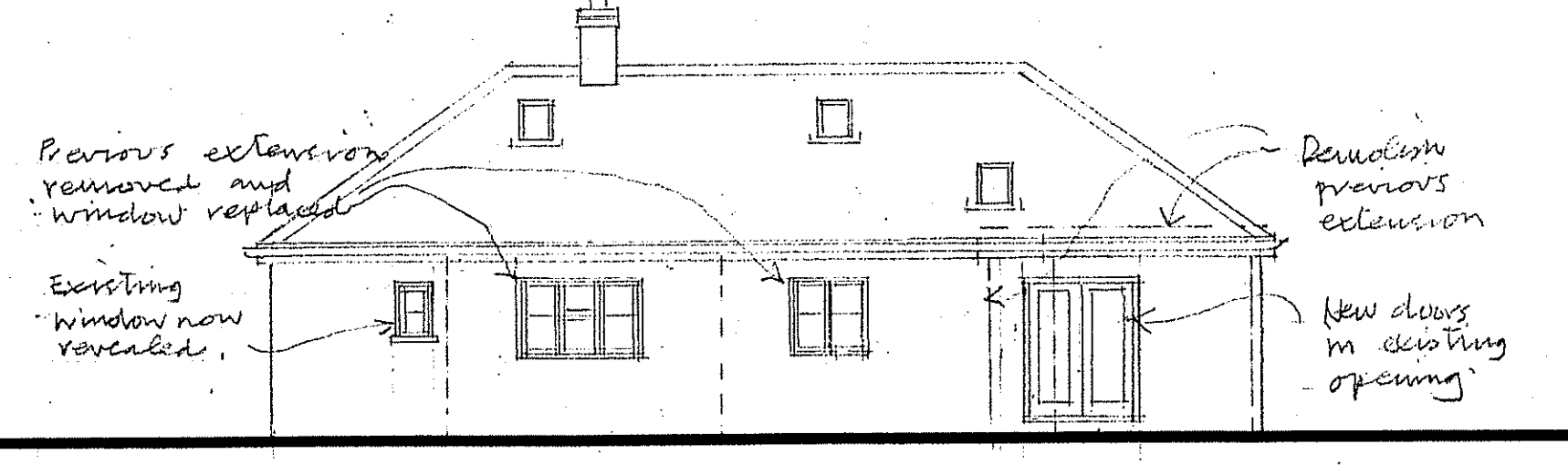
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Scale 1:100



SOUTH ELEVATION  
Scale 1:100

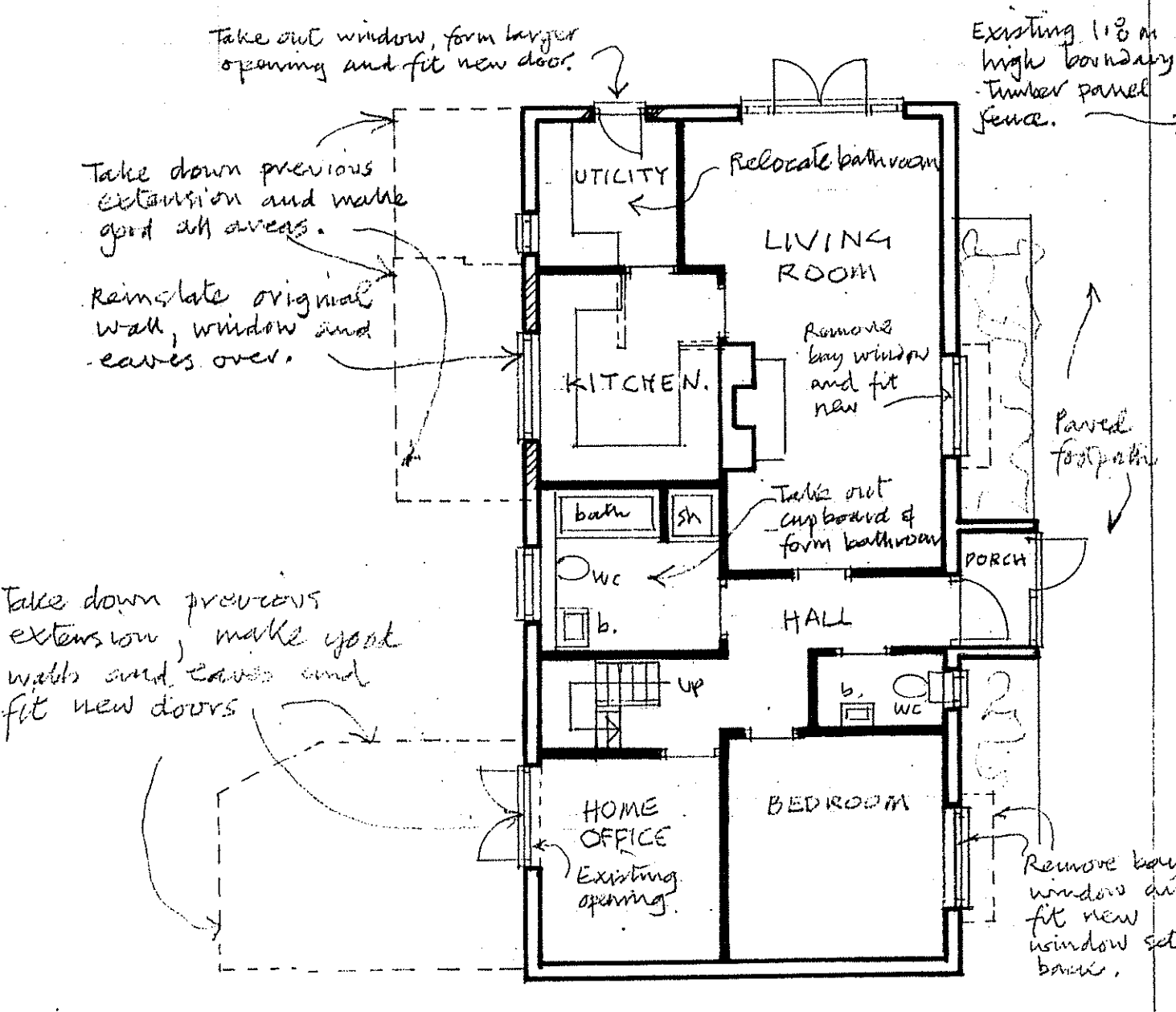
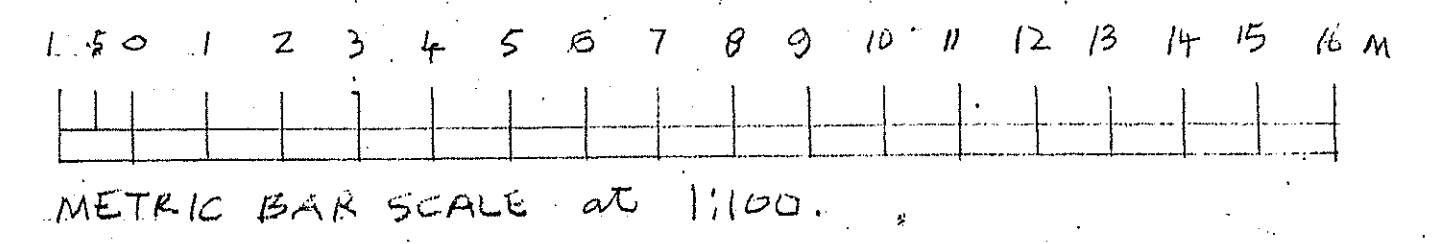


WEST ELEVATION Scale 1:100.

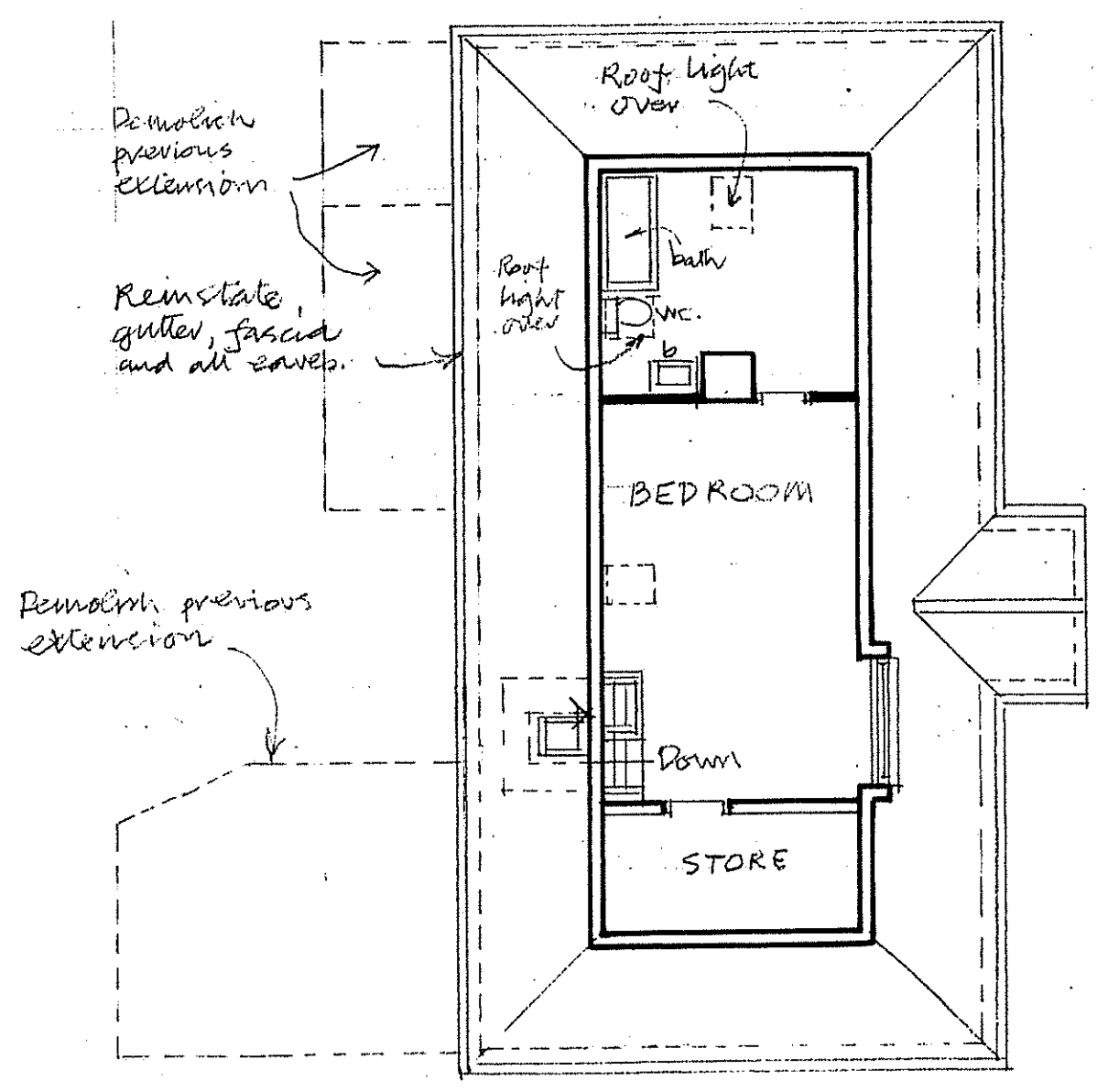


EAST ELEVATION. scale 1:100.

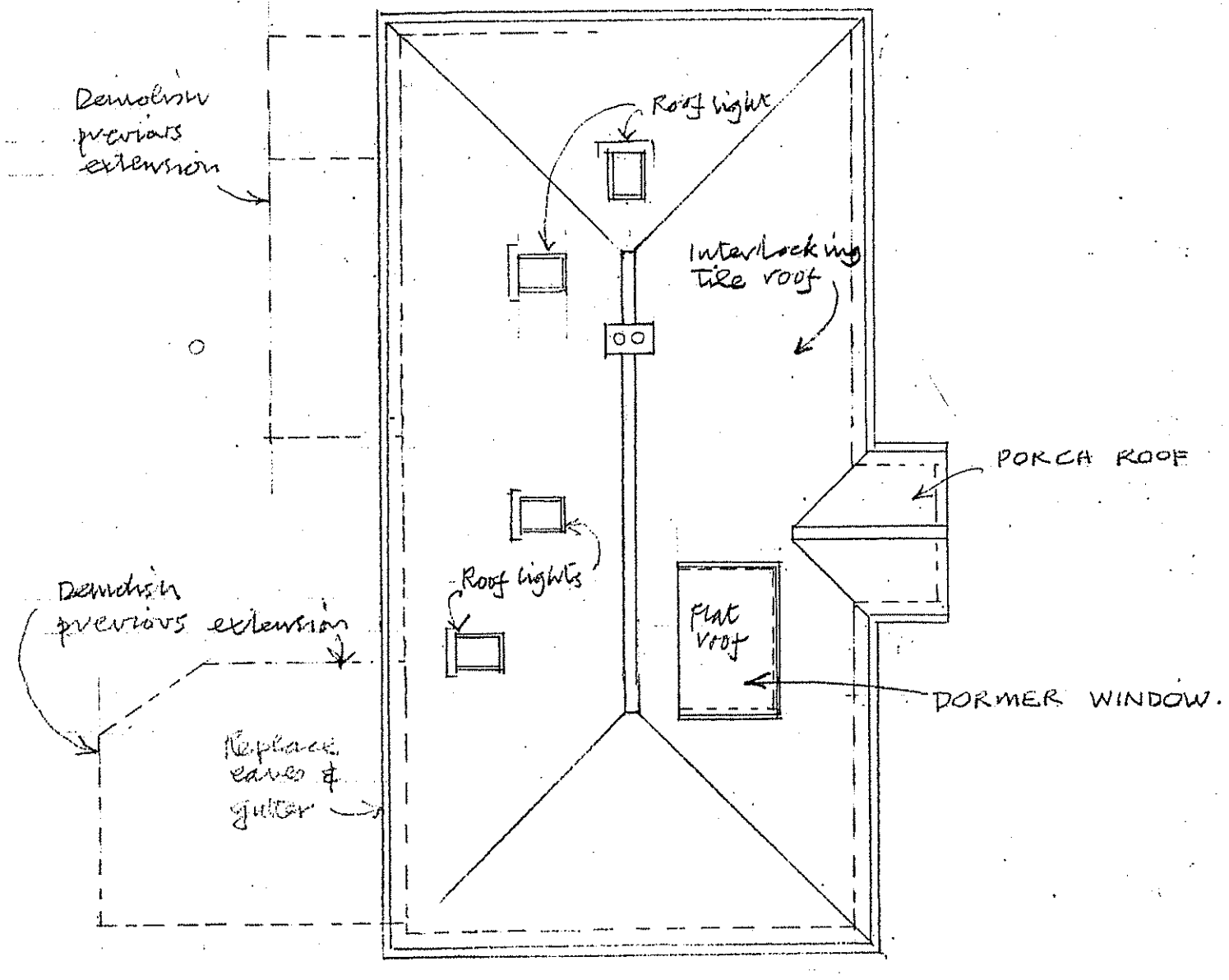
NOTE: All work shown on this drawing to be carried out to match existing adjoining in all respects to ensure that the existing character is retained.  
All existing and new windows to have a casement to each opening with one horizontal glazing bar, all as indicated on elevations.



GROUND FLOOR PLAN  
Scale 1:100

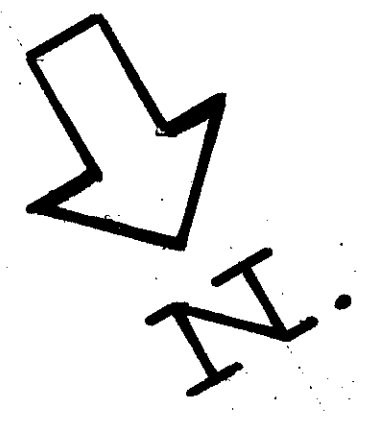


FIRST FLOOR PLAN  
Scale 1:100



ROOF PLAN  
Scale 1:100.

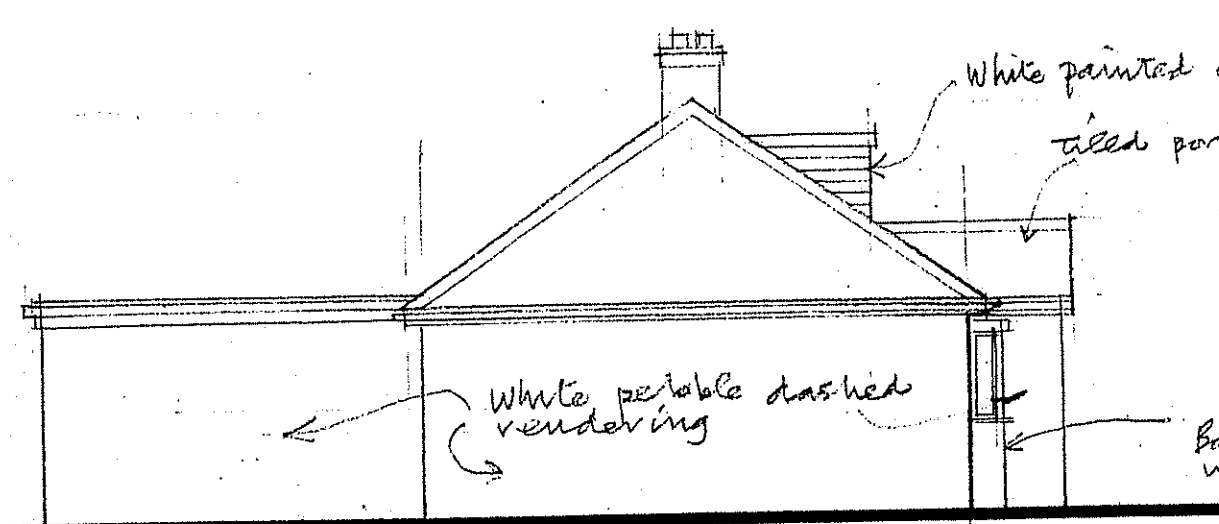
# Appendix 4



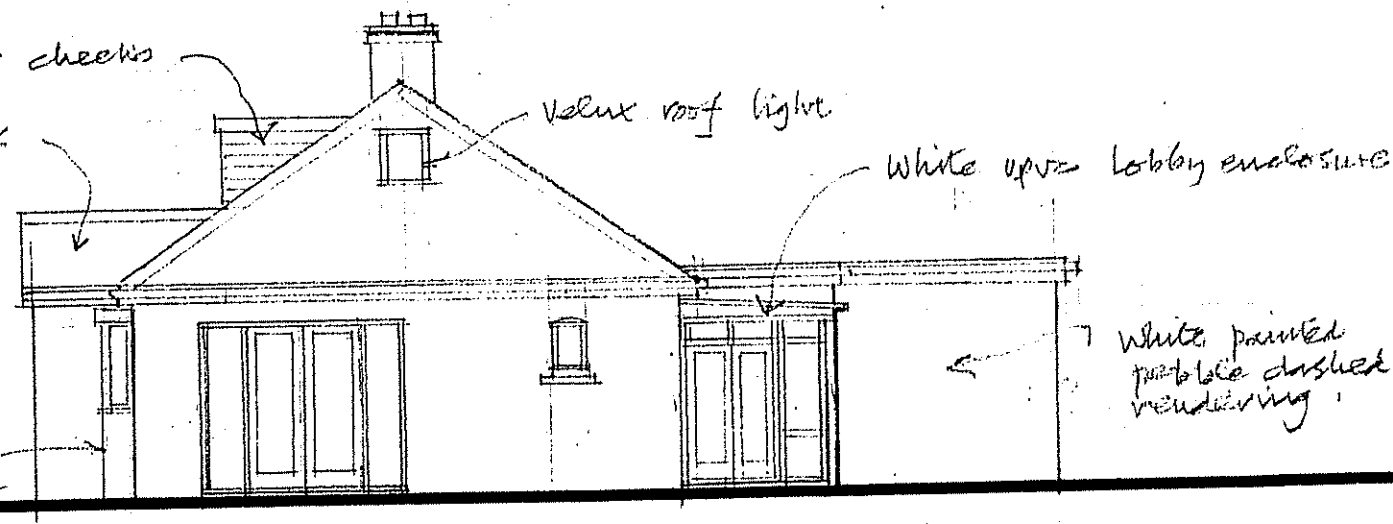
B North point corrected. JS 1.6.2015  
Revision A: All previous extensions now shown removed and all windows to have a horizontal bar, JS 12.03.2015

<b>JOHN SPATLEY ARIBA CHARTERED ARCHITECT</b>				
• THE STUDIO • MULBERRY HOUSE • OLD BIK ROAD • BIK • HENLEY-ON-THAMES • RG9 6BY T 01491 579629 • john@spratley.co.uk •				
PROJECT	71, 73, & 75 WANTAGE RD. WALLINGFORD. OX10 0LS.			
CLIENT	MR J. LANE			
TITLE	PLANS AND ELEVATIONS OF 75 WANTAGE ROAD SHOWING PROPOSED ALTERATIONS.			
DATE	DRAWN	SCALE	DRAWING NO.	REVISION
08.05.2015	JRS	1:100	834.14	B.

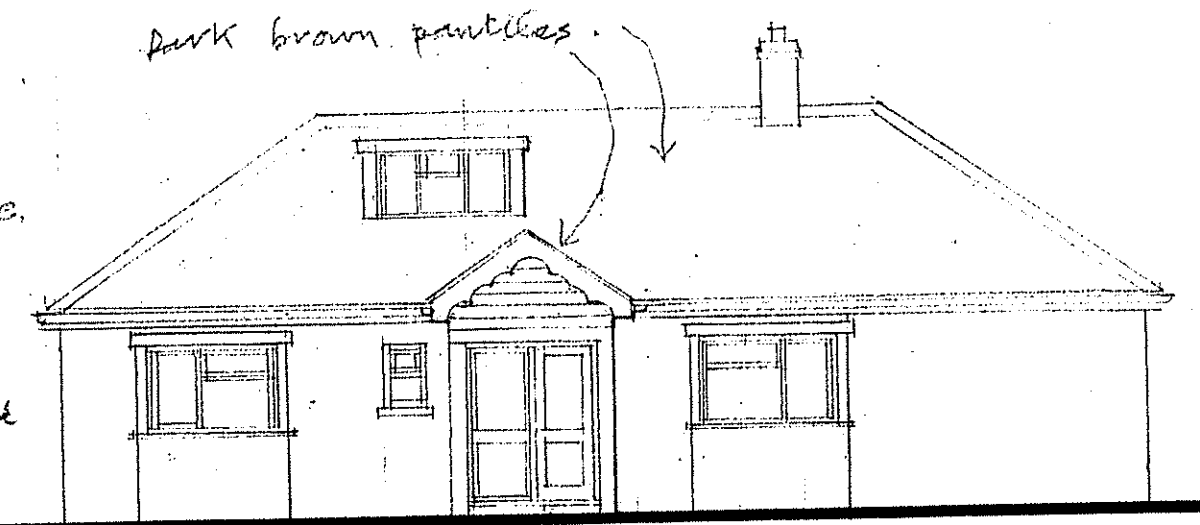




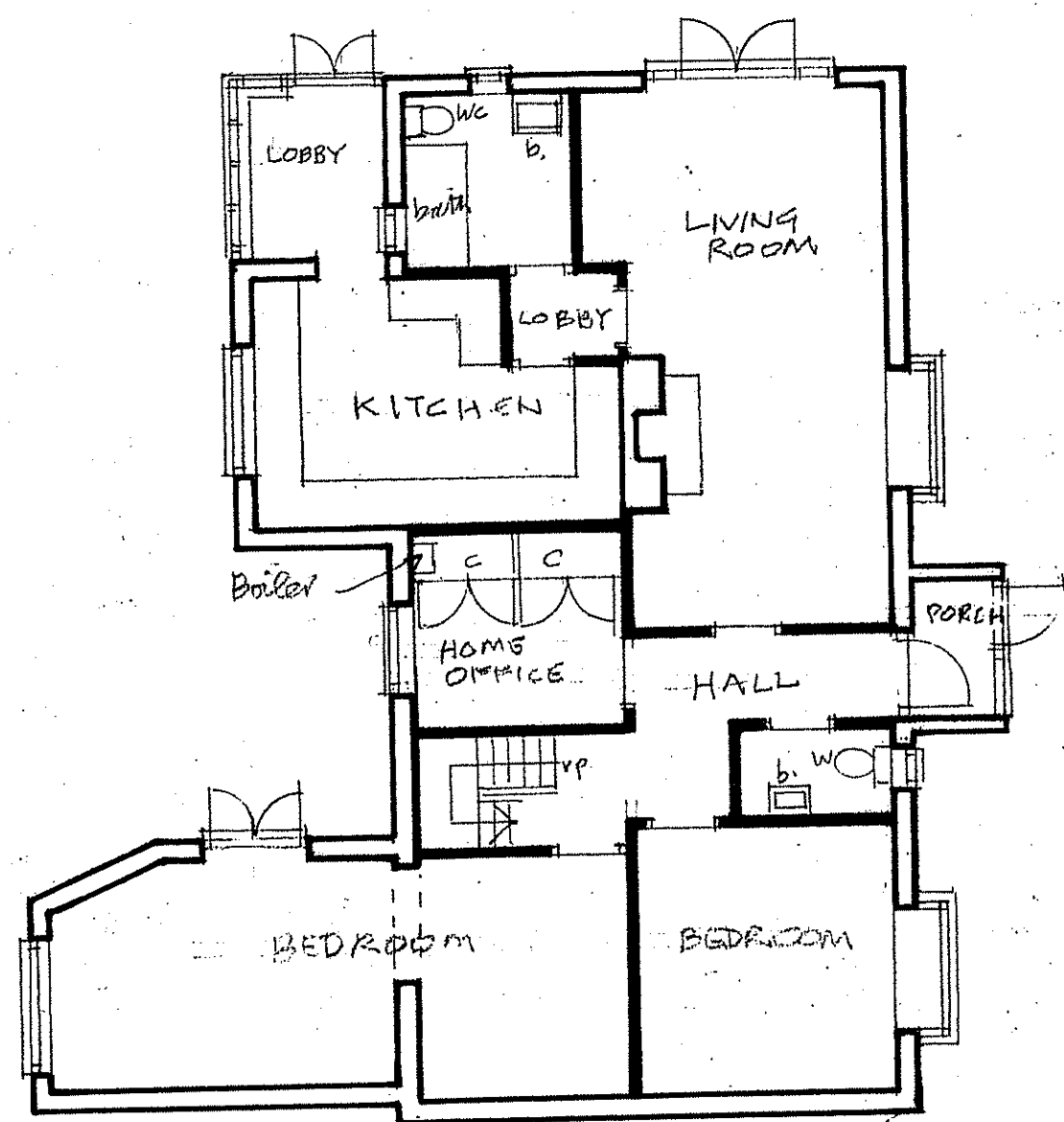
NORTH ELEVATION, Scale 1:100



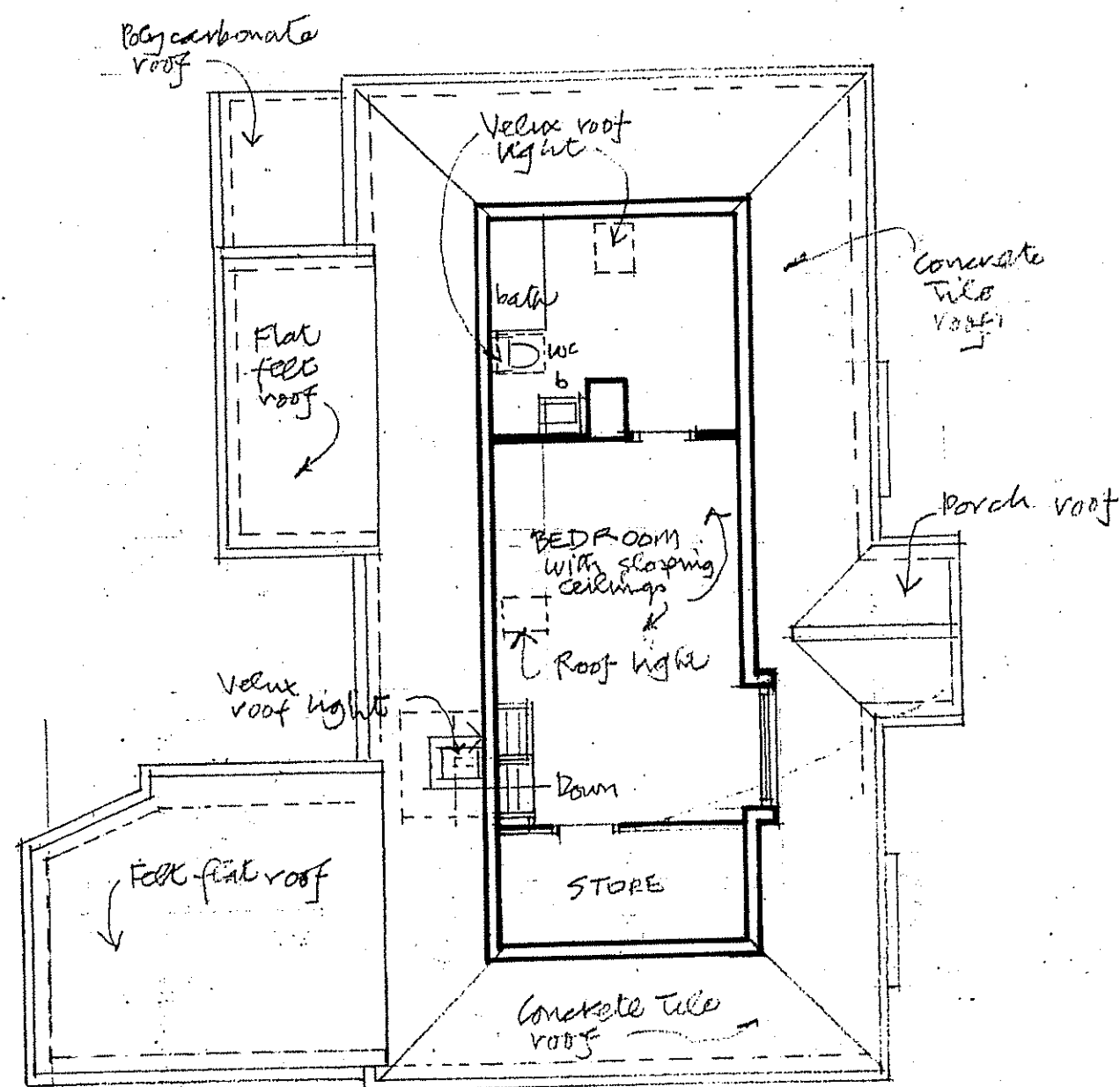
SOUTH ELEVATION, Scale 1:100



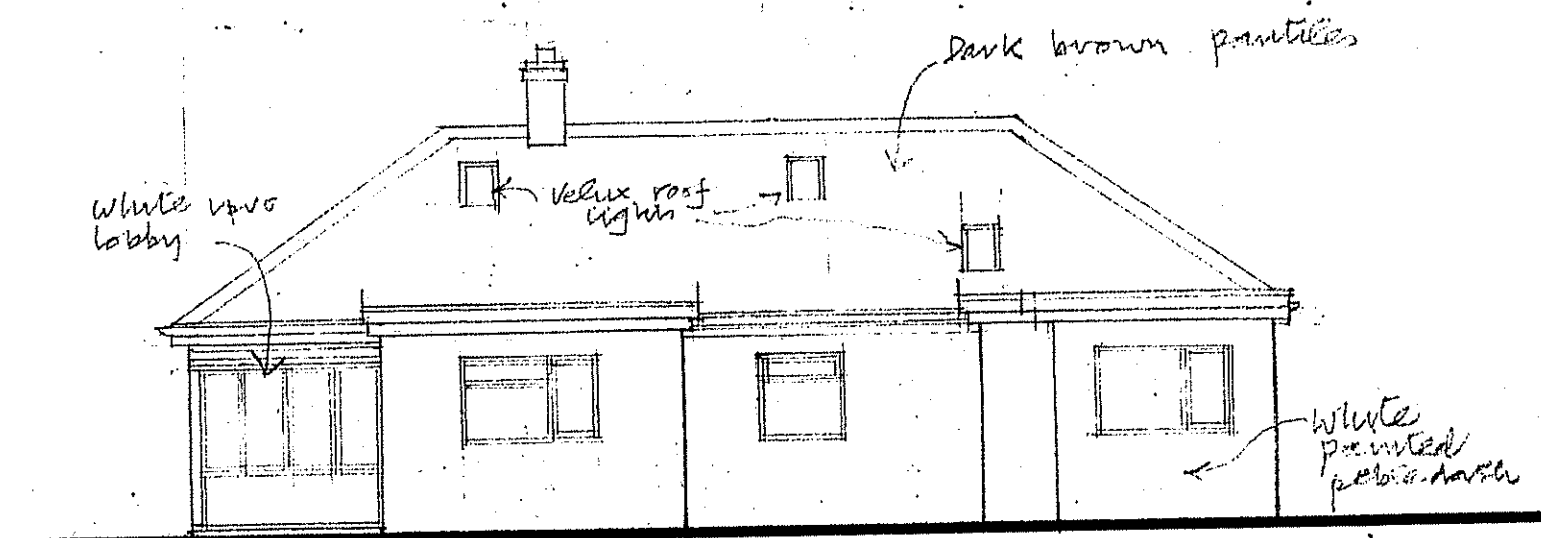
WEST ELEVATION Scale 1:100



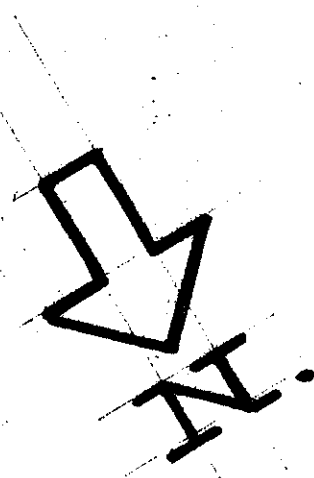
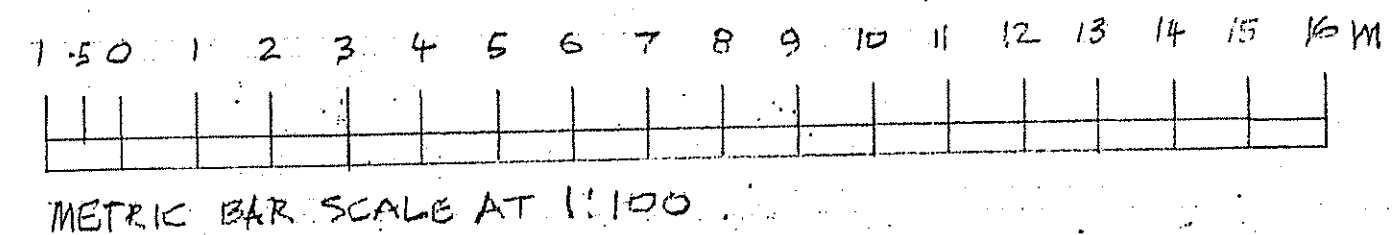
GROUND FLOOR PLAN, Scale 1:100



FIRST FLOOR PLAN, Scale 1:100



EAST ELEVATION Scale 1:100



B North point corrected 1.07.2015  
 Revision A: Corrections to walls and windows. 08.05.2015

<b>JOHN SPRATLEY ARIBA CHARTERED ARCHITECT</b>				
• THE STUDIO • MULBERRY HOUSE • OLD BIX ROAD • BIX • HENLEY-ON-THAMES • RG9 6BY T 01491 579829 • john@spratley.co.uk •				
PROJECT	71, 73 & 75 WANTAGE RD, WALNORFORD, OX10 0LS,			
CLIENT	MR. J. LANE			
TITLE	PLANS & ELEVATIONS OF 75 WANTAGE RD. AS EXISTING.			
DATE	DRAWN	SCALE	DRAWING No.	REVISION
22.04.2015	JRS	1:100	884.12	B

Wallingford Town Council objects to this proposal to remove Condition 15 on the grounds that it will bring the development as a whole into conflict with policies CSS1 and CSH3 of the South Oxfordshire Core Strategy 2027 and policies G2 and H4 of the South Oxfordshire Local Plan 2011. Our reasoning is as follows:

- In the decision notice for P15/S2021/FUL, it was clearly stated that the reason for requiring the demolition of 75 Wantage Rd (Condition 15) was:

*"To ensure that the details of the development are acceptable in accordance with policies CSS1 and CSH3 of the South Oxfordshire Core Strategy 2027 and policies G2 and H4 of the South Oxfordshire Local Plan 2011."*

The developer has not demonstrated how removal of Condition 15 will allow the development as a whole to conform to these four policies.

- Removal of Condition 15 will result in a net gain from the development of 3 dwellings. Unless No 75 Wantage Rd is made an affordable unit, or one of the three new units is made into an affordable unit, removal of Condition 15 will cause the development as a whole to conflict with core strategy CSH3.
- In her decision to refuse the appeal for P11/S0035 (Appeal Ref: APP/Q3115/A/12/2179577) on this site, the Inspector made it plain that a development on this site that retained No 75 would conflict with the aims of Policies H4 and D4 of the LP, specifically

*"that if a proposal constitutes backland development it should not create problems of privacy or other overriding amenity objections. Policy H4 has, in part, been superseded by the CS but that part which sets out the relevant site characteristic criteria is retained. LP Policy D4 remains as a saved policy. The development would also conflict with the National Planning Policy Framework (the Framework) which does not support inappropriate development of residential gardens".*

Wallingford Town Council are of the opinion that if No75 Wantage RD is retained, the development will become substantially the same as that which was refused on appeal and therefore the application to remove Condition 15 should be refused.

- The Inspector also stated that:

*".... the introduction of the long access way would significantly reduce the verdant quality of the street frontage. There would be a loss of vegetation in association with the new access and the need to provide adequate visibility splays. The wider access that would be necessary to service the proposed development, together with the amendments to existing access arrangements, would also lead to hard surfacing being the dominant feature of the area in front of no 71".*

Wallingford Town Council contends that the retention of No 75 Wantage Rd would remove the green space that otherwise be created and which partially mitigates the detriment caused by the development as whole to the spacious quality of development in the area (on which the Inspector also commented in her paragraph 12). The Inspector commented that *"The use of a narrow gap which would give an impression of the access being squeezed between the frontage properties would be incongruous and harmful to the character of the locality"* and went onto state that

*"the proposal would harm the character and appearance of the locality. The development would conflict with the aims of LP Policy H4, as revised by the CS, and saved LP Policy D1, which say development should respect existing settlement patterns."*

Wallingford Town Council therefore submits that removal of Condition 15 will bring the development as a whole into conflict with policy H4.

