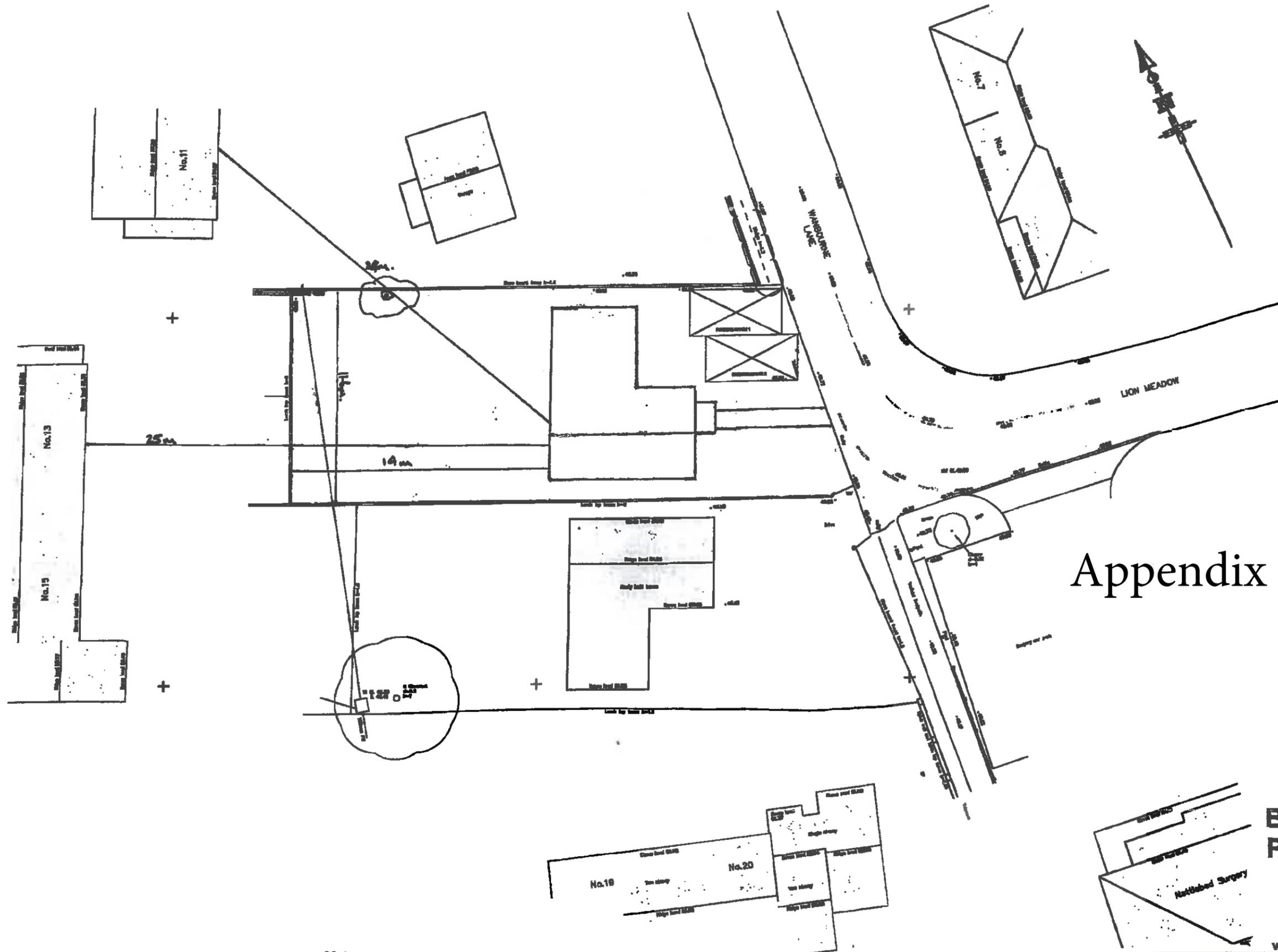


scale 1:940



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Appendix 2

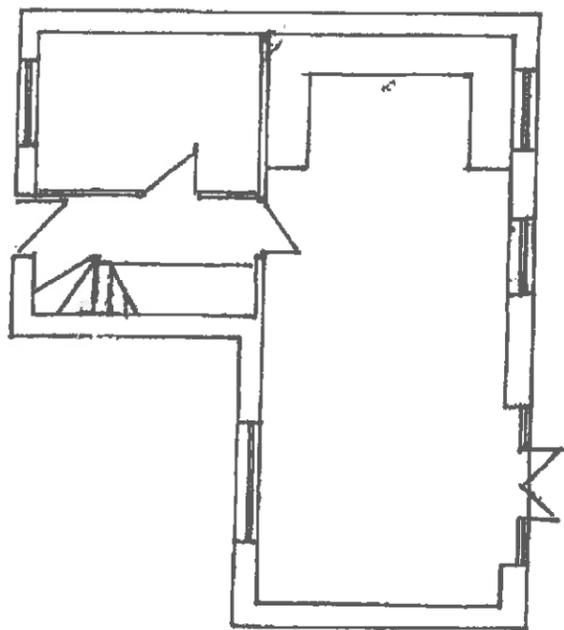
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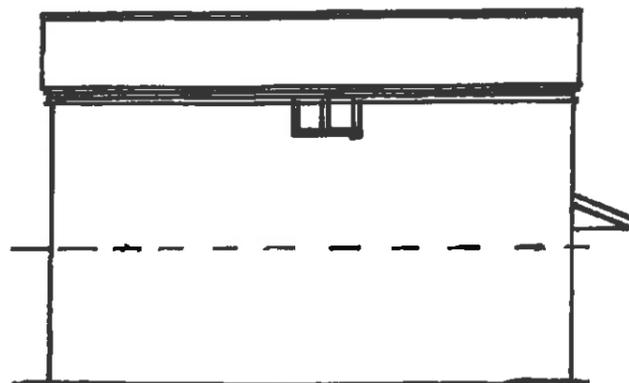
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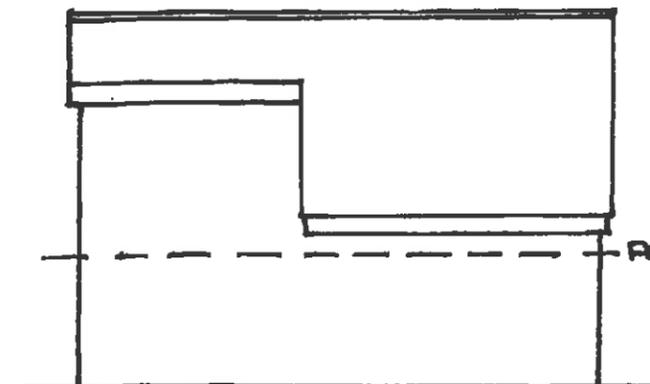
Project: New Dwelling Block Plan Date: March 2016	Client: A and A Elston Rear of 13 The Ridgeway Nettlebed Scale: 1:200 @ A3 Drawing 1814/01
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Ground Floor



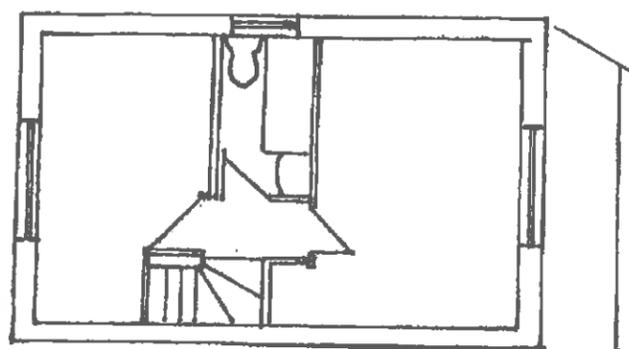
Side Elevation



Side Elevation



Rear Elevation



Front Elevation



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Project: New dwelling Plans and elevations Page: 18 March 2016	Client: A and A Elston Rear of 13 The Ridgeway Nettiebed Scale: 1:100 @ A3 Drawing 1614/02
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Appeal Decision

Site visit made on 11 January 2016

by Rory Cridland LLB (Hons)

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

Decision date: 23 February 2016

Appeal Ref: APP/Q3115/W/15/3134558

13 The Ridgeway, Nettlebed, Henley-on-Thames RG9 5AN

- 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 A Elston against the decision of South Oxfordshire District Council.
 - The application Ref P15/S1602/FUL, dated 14 May 2015, was refused by notice dated 27 July 2015.
 - The development proposed is the erection of two x 2 bed dwellings.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of future occupiers and the occupiers of No. 11 The Ridgeway, with particular regard to outlook and privacy.

Preliminary Matters

3. Both parties have referred to a previous application which was dismissed at appeal. A copy of that appeal decision was submitted by the Council as part of this appeal. More recently, plans were submitted by the appellant in relation to the previous application. The Council has not objected to these and although submitted at a late stage, they provide a good indication of that development and place the previous appeal decision in greater context. Accordingly, I have referred to them on that basis.

Reasons

Character and appearance

4. The appeal site is situated in a residential area characterised by semi-detached dwellings and comprises what was formerly the rear garden of No. 13 The Ridgeway. It is currently fenced off along its frontage with Wanbourne Lane and sits alongside a two storey detached dwelling of modest size with the junction to Lion Meadow directly opposite. The nearby properties on the opposite side of Wanbourne Lane are set back from the road, which itself is lined with hedges creating a general sense of spaciousness. It is located in the

- Chilterns Area of Outstanding Natural Beauty (AONB), however in view of its location within an established settlement boundary, would have no wider impact on the interests of the AONB.
5. Planning permission for a 3 bedroom dwelling has previously been granted on the site and the principle of residential development has been accepted by the Council. Accordingly, as was noted in the previous appeal, it is whether the proposal would fit in with its surroundings which is key in the consideration of this issue.
 6. The current scheme includes the addition of a hipped roof and a reduction in depth when compared to the previous proposal. Nevertheless, the proposed dwellings would still occupy a significant portion of the site's frontage. The scale of built form would dominate views on the approach from the north along Wanbourne Lane and from the east along Lion Meadow, the effect of which would be exacerbated by its prominent location on the junction.
 7. I note that the neighbouring No.9 occupies a more prominent position, being on the corner and coming into view first when approaching from Lion Way. However, the increased size, height and bulk of the proposed development would, once in view, appear significantly more prominent in the street scene and have a dominant and visually overbearing impact on its neighbour.
 8. The indicative outlines provided by the appellant attempt to show how the houses would appear over the hedge, but they are insufficiently detailed to alleviate the concerns outlined above. Likewise, whilst the proposed development would be set back approximately 6 metres from the road, the north-eastern corner of the northern-most plot would nevertheless be closer to the road than the neighbouring No.9. This would result in it being visible sooner on the approach along Wanbourne Lane and make it appear more prominent and dominant in its surroundings.
 9. Furthermore, the concerns expressed by the Council regarding the impact the changes to the boundary would have on the surrounding area are well founded. Unlike most of the surrounding properties, the proposed development would require the majority of the frontage for parking which would provide very limited opportunities for soft landscaping. This would appear in stark contrast to the more landscaped appearance of the surrounding properties and would dominate the frontage, failing to strike the necessary balance between providing safe parking and reducing the dominance of the car set out in paragraph 3.3.1 of the Council's design guidelines (SODG) 2008.
 10. The property would be screened to a large extent when viewed from the south, but I do not regard this as sufficient to overcome the harm identified above. Likewise, while the neighbouring No.9 presents a similar frontage, that does not in itself provide a sufficient justification for granting planning permission.
 11. I conclude that the proposed development would be harmful to the character and appearance of the surrounding area. Accordingly, I find it fails to accord with Policies CSEN1 and CSQ3 of the South Oxfordshire Core Strategy, Policies G2, D1 & H4 of the South Oxfordshire Local Plan 2011 and the advice contained in the adopted SODG 2008. These, taken together, seek to ensure that new development is of high quality and inclusive design which responds positively to and respects the character of the site and its surroundings,

enhances and protects local distinctiveness and ensures that new development is of a scale, type and density appropriate to the site and its surroundings.

Living conditions

12. Although the Council has acknowledged that the proposal has addressed many of the concerns raised previously in respect of living conditions, concerns remain about the relationship between the northernmost plot and the rear of No. 11, particularly in relation to a loss of privacy and outlook.
13. Paragraph 3.2.6 of the SODG 2008 requires that where the distance between facing habitable rooms is less than 25 metres, proposals will need to demonstrate how the design ensures that privacy is maintained. The proposed bedroom window of the northernmost dwelling would be situated around 20 metres from the first floor rear windows of No.11 at an angle of approximately 25 degrees. However, while some of these windows would serve bedrooms, the closest window of No.11 to the proposed dwelling would be a bathroom. Furthermore, I noted during my site visit that views into the site from No. 11 were partially obscured by trees. In view of the distances involved, I am satisfied that a scheme of landscaping measures would be sufficient to overcome the Council's privacy concerns in respect of both occupiers of No.11 and those of the proposed dwelling. This could be guarded against by means of a condition such as that suggested by the Council.
14. The proposed dwelling would project only slightly further back than the neighbouring No.9, and it would represent a considerable reduction in depth to that of the previous proposal. However, it would nevertheless sit directly opposite the main garden area of No.11. Whilst the previous proposal would have been significantly deeper, its impact would have been greatest on the area of lawn located to the southeast, an impact that would be substantially replicated in the proposed development. With regard to the impact of the neighbouring No.9 on the development site, neither the plot sizes, the scale of the buildings nor the impact is directly comparable.
15. Notwithstanding both parties submissions in relation to the findings of the inspector in the previous appeal, I consider that the proximity of the northernmost dwelling to the southern boundary of No. 11 would significantly reduce the openness of the views currently enjoyed by the occupiers of that dwelling. Its size would appear overbearing and oppressive when viewed from the neighbouring garden of No.11 and would be harmful to the amenity currently enjoyed by the occupiers of that dwelling. Unlike the abovementioned privacy issues, I do not regard a landscaping scheme as sufficient to overcome the resultant harm.
16. Accordingly, although I do not regard the proposal to be unacceptably harmful to the privacy of future occupiers or those of No.11 The Ridgeway, I do however find that its impact would be sufficiently negative in relation to outlook that it would be in conflict with Policies H4, G2 and D4 of the South Oxfordshire Local Plan (2011), which, amongst other things, seek to ensure that new back land development provides a reasonable degree of privacy for future occupiers and neighbouring properties alike.

Other Matters

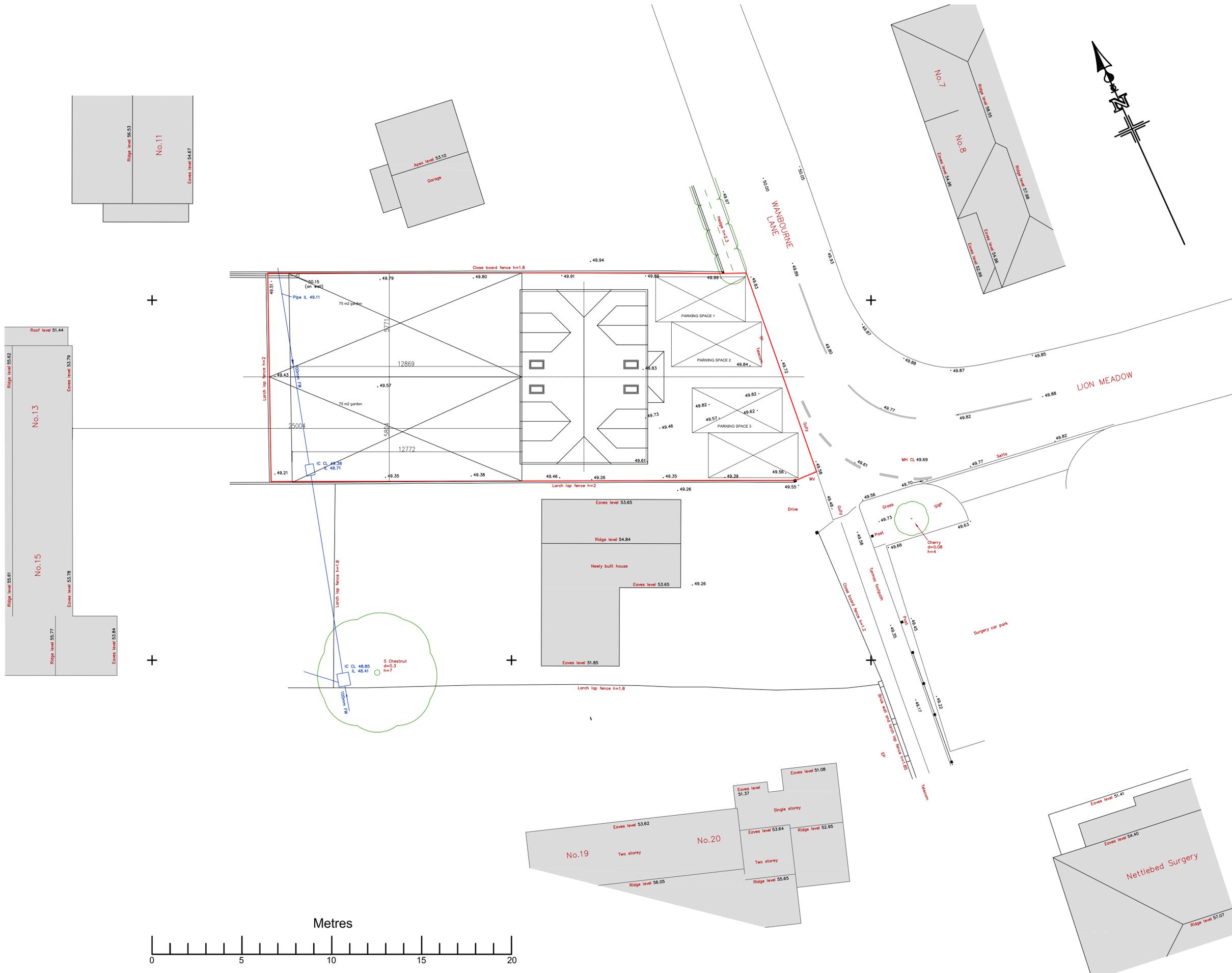
17. The appellant has made references to a number of nearby properties where it is argued a precedent has been set in respect of distances between properties boundaries, parking arrangements and other impacts on neighbouring amenity. In particular, reference has been made to the neighbouring No.9, No. 13 The Ridgeway and the nearby development at No. 2 Priest Hill. I viewed all of these properties during my site visit and I am satisfied that none are sufficiently similar in either size or impact to provide a justifiable precedent. In any event, each application must be considered on its own merit and that is the approach I have adopted in determining this appeal.
18. The appellant also refers to a shortfall of two bedroom housing in the district, but no robust evidence has been provided which would lead me to conclude that the shortfall was so great that it would overcome the harm identified above and justify granting planning permission.

Conclusion

19. For the reasons set out above and having taken all relevant matters into account, I conclude that the appeal should be dismissed.

Rory Cridland

Inspector



Notes

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Client
 MR A ELSTON

Project
 TR2
 NEW DEVELOPMENT

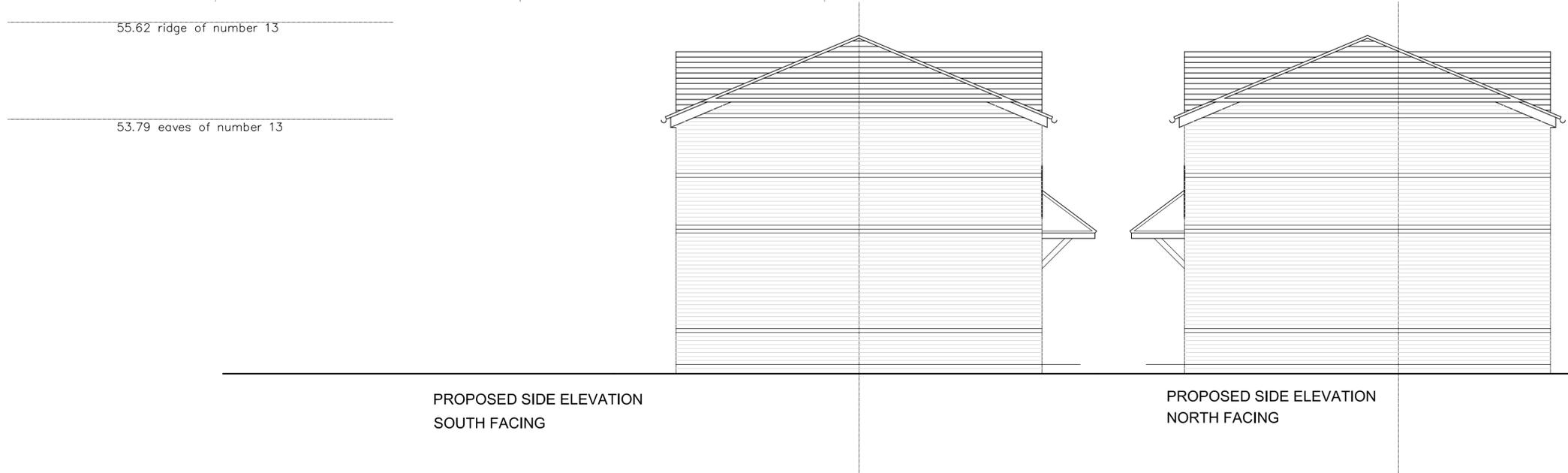
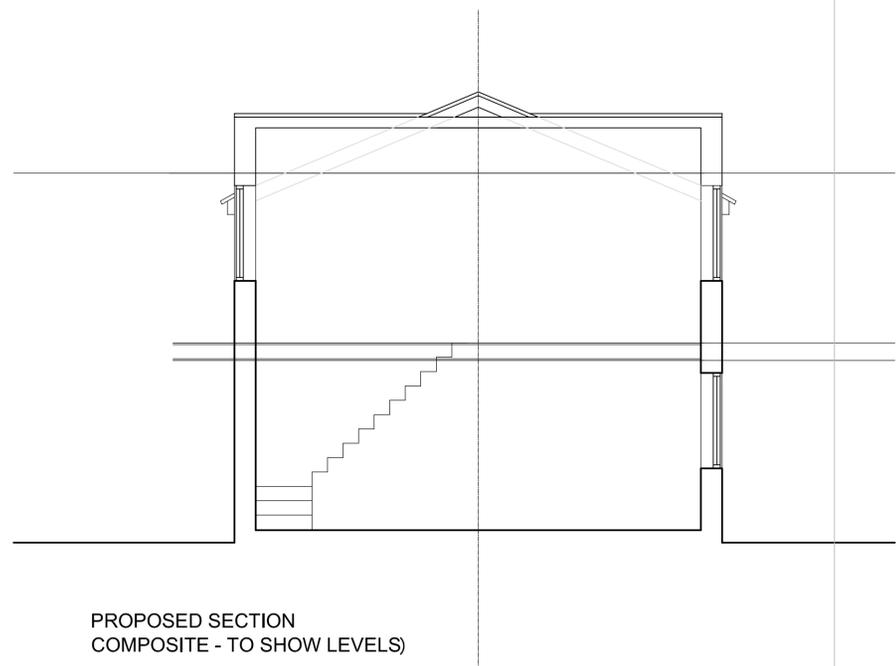
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Date	Issuing Discipline		
24-03-15	ARCHITECTURE		
Issue status			

PLANNING

Drawing number
 1142 / A / 001 Rev B

Important note
 Where dimensions are not given, drawings must not be scaled and the matter referred to AP Architects limited.



Notes

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Client
MR A ELSTON

Project
**TR2
NEW DEVELOPMENT**

Title
PROPOSED ELEVATIONS

Scale	Drawn	Checked	Authorised
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Date	Issuing Discipline		
24-03-15	ARCHITECTURE		

Issue status

PLANNING

Drawing number
1142 / A / 003 Rev
B

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