

Appeal Decision

Site visit made on 25 April 2017

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 22 May 2017

Appeal Ref: APP/J0405/W/17/3166396

The Wing, Little Tingewick House, Sandpit Hill, Tingewick MK18 \$AG

- 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 Nigel Morrison against the decision of Aylesbury Vale District Council.
 - The application Ref 16/03836/APP, dated 19 February 2016, was refused by notice dated 15 December 2016.
 - The development proposed is the erection of a dwelling with ancillary parking and garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original description of the planning application referred to a revised application. Although I acknowledge this, this wording is superfluous within a development description and has been amended accordingly above.

Main Issues

3. The main issues are (a) the effect of the proposal on the character and appearance of the area and (b) accessibility of services and facilities.

Reasons

Character and appearance

4. The appeal site comprises garden land on one side of a drive leading up to several properties including The Wing and Little Tingewick House within Little Tingewick. Beyond the eastern boundary of the appeal site, there is an allotment and open fields which are within an area designated as a Local Landscape Area under the Aylesbury Vale District Local Plan 2004 (LP). On the other side of the drive leading to the house, there are grassed areas with trees and vegetation.
 5. Further west, there are frontage dwellings and a public house which are within the settlement of Finmere and within the administrative boundary of Cherwell District Council. Despite the built-up nature of Finmere, the appeal site's context is distinctively rural given its location on the edge of the settlement and because vegetation and undeveloped land either side of the drive is extensive in nature.
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6. The proposed dwelling would be designed with the appearance of a timber barn and first floor accommodation would be partly contained within a roof. However the development would introduce a two storey dwelling, with associated domestic paraphernalia, including sheds, bins and parked vehicles, and the comings and goings of vehicles to and from the site. Such an impact would be evident in views from Sandpit Hill, including through the site's vehicular entrance, and from surrounding open countryside especially in winter given the largely deciduous nature of vegetation around the site.
7. Whilst further planting is proposed along the boundaries of the site, this would take time to establish to minimise the visual intrusion of a two storey dwelling and it would not necessarily be retained for the lifetime of the development. It is quite possible vegetation will be removed once a site is occupied residentially or it could die back by reason of natural factors, such as disease or wind damage. Therefore the development would adversely affect the intrinsic character and beauty of the countryside. For this reason, it would not recognise and respect landscape and local character contrary to the advice of Aylesbury Vale District Council New Houses in Towns and Villages Design Guide.
8. In conclusion, the development would harm the character and appearance of the rural area. Accordingly, the proposal would conflict with policy GP35 of the LP which amongst other matters, requires new development to respect and complement the physical characteristics of the site and surroundings, having regard to building tradition, ordering and form, historic scale and context, natural qualities and features of the area, and the effect on important public views and skylines.

Accessibility of services and facilities

9. The settlement of Finmere/Little Tingewick comprises older traditional housing and more recent cul-de-sac estate type housing. The settlement has a public house, primary school and a church. Bus stops are near the appeal site and there are bus services to Brackley and Banbury on a two hourly basis and to Bicester on Fridays. There are a number of accessible footpaths and cycle routes including the Severn Shires Way in the area.
10. In the Aylesbury Vale District Council's draft Settlement Hierarchy Assessment 2016, Little Tingewick is identified as a 'medium village' in terms of facilities and services. In Cherwell District Council's Local Plan Part 1 2015, Finmere is defined as a Category A Service Village where minor developments, infilling and conversion will be considered. An extract of a Cherwell District Council Finmere Village Assessment shows similar facilities as I have described.
11. It is clear that the settlement of Finmere/Little Tingewick does not have a poor range of services and facilities based on what I saw on my site visit, and the policy documents. However, the settlement does lack certain facilities, such as a convenience food shop, children's day nursery, secondary school and post office. The Appellant has indicated that the nearest shop is just under one mile away but this would still necessitate a vehicle journey in most cases. Although the settlement can be accessed by supermarket home deliveries, this merely confirms the lack of shopping facilities within the village. Based on the need to use the car to certain services and facilities, the settlement would have a moderate level of accessibility to services and facilities.

Other matters

12. Under the Framework, there are three dimensions to sustainable development, economic, social and environment. The development would bring about economic benefits, delivering and supporting job creation through construction, and an increase in local spending during construction and following the occupation of the dwelling. Economic benefits from New Home Bonus are not relevant because they are not identified in the Framework. Socially, it would boost housing supply by providing a home for present and future generations. Such a dwelling would be in a settlement with some access to facilities and services, as indicated. In accordance with paragraph 55 of the Framework, the dwelling would be located where it would enhance or maintain the vitality of the rural community. Environmentally, there would be benefits from additional planting from a landscape and ecological perspective.
13. However, there would be a significant impact on the rural character and appearance of the area. Amongst the core planning principles of the Framework is that planning should recognise the intrinsic character and beauty of the countryside. The weight to be attached to the economic and social benefits would be small by reason of the proposal being limited to one dwelling. Environmentally, the benefits of additional landscaping would similarly be reduced and limited given that any plantings would take some time to establish. Even if I were to conclude there is a shortfall in the 5 year supply of housing as suggested by the Appellant and that relevant policies for the supply of housing should not be considered up-to-date, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits for these reasons. Thus, the development would not be sustainable.
14. My attention has been drawn to an allowed appeal for a dwelling at Aston Abbots in Buckinghamshire. However, the appeal site had dwellings on three sides, albeit with a fairly open development pattern and lay within a distinct cluster of 11 other dwellings, and the Inspector concluded that there would be no harm to the character and appearance of the area. Such site characteristics and conclusions do not apply here. Moreover, the current appeal has been considered on its particular planning merits and this other appeal decision taken in its full context demonstrates that rarely are any proposals alike because circumstances vary and consequently different planning balances arise.

Conclusion

15. There would be harm to the character and appearance of the area and conflict with LP policy GP35. There would be a moderate level of accessibility to services and facilities which would not be sufficiently great enough to outweigh the development plan conflict identified. The development would not be sustainable under the Framework. There are no other material considerations to outweigh the development plan conflict identified and permission should be refused.
16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR