
Appeal Decision

Site visit made on 17 July 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 8 August 2017

Appeal Ref: APP/Q3115/W/17/3172842

Little Acorns, Main Street, West Hagbourne, Didcot, Oxon OX11 0NJ

- 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 Paul Mansbridge against the decision of South Oxfordshire District Council.
 - The application Ref P16/S4121/FUL, dated 8 December 2016, was refused by notice dated 28 February 2017.
 - The development proposed is retrospective application to convert garage into office.
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Decision

1. The appeal is allowed and planning permission is granted to convert garage into office at Little Acorns, Main Street, West Hagbourne, Didcot, Oxon OX11 0NJ in accordance with the terms of the application, Ref P16/S4121/FUL, dated 8 December 2016, subject to the following conditions:
 - 1) The office use hereby permitted shall be contained wholly within the building at all times. There shall be no external storage of materials, goods, plant, machinery or waste (including skips) anywhere within the site outlined in red on Drawing no LA/01.
 - 2) Notwithstanding the details shown on the plans, within 2 months of the date of this decision a scheme for the provision of four car parking spaces for office workers and an additional space for visitor use, including details of surfacing and drainage, shall be submitted to and approved in writing by the local planning authority. The spaces shall be provided in accordance with the approved details within 3 months of the approval of the scheme, and thereafter retained permanently unobstructed for the purposes of parking in connection with the development. No parking shall take place elsewhere within the site.

Procedural Matters

2. The garage was erected without the benefit of planning permission. However, the Council accepts that it is more than 4 years old and therefore immune from enforcement action. I have considered the appeal on this basis.
 3. The building was already in use as an office at the time of my visit. The internal accommodation provides space for four desks, a small meeting room and a toilet. This application is seeking a retrospective grant of planning permission for the conversion works and change of use.
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Main Issues

4. The main issues in this case are:

- a) the effect of the proposal on the character and appearance of the area, with particular reference to the location of the site within the North Wessex Downs Area of Outstanding Natural Beauty (AONB); and
- b) the effect on the local footpath network.

Reasons

Character and appearance

- 5. The former garage lies to the rear of Little Acorns nursery and is accessed via an unsurfaced track leading from Main Street. It is a relatively modest and unassuming building, constructed with timber clad walls and dark corrugated sheet roof which help to assimilate the structure into its surroundings. The white uPVC windows inserted into the front elevation appear stark against the timber cladding in close-up views, but seen at a distance they are not especially prominent. I note that the Council has raised no specific concerns regarding design matters.
- 6. In visual terms the building is more closely related to the adjoining cluster of development at Little Acorns Nursery and Scotlands Ash Garage than to the wider open countryside surrounding it. There are only four persons employed at the site with few comings and goings and a limited parking requirement. The use itself is both small scale and low key and in my judgement it does not have a significant adverse effect on the landscape or scenic beauty of the AONB.
- 7. Although the Council cites concerns regarding external storage, I am advised by the appellant that the site is used purely as an office base for his building company – no materials are stored on site. A planning condition can be used to ensure that this remains the case.
- 8. It is unlikely that an office such as this would need to advertise its presence. Nevertheless, given the level of signage already existing in connection with neighbouring commercial uses, I am not persuaded that a sign within the parameters set by the regulations¹ would be so harmful as to materially detract from the character or appearance of the area.
- 9. I conclude that the conversion and change of use has not caused unacceptable harm to the character or appearance of the area. The development conserves the natural beauty of the AONB. It therefore complies with saved Policies G2, G4, D2 and E5 of the South Oxfordshire Local Plan 2011 (SOLP), Policy CSEN1 of the South Oxfordshire Core Strategy (2012) and paragraph 115 of the National Planning Policy Framework (the Framework), insofar as they seek to protect the countryside and the valued landscapes of the AONB.

Local footpath network

- 10. The section of access track between Main Street and the appeal building is not designated as a public right of way. However, there is a stub of footpath leading into the site from the adjacent roundabout on the A417. This effectively creates a pedestrian desire line through the site as a shortcut onto Main Street.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

11. With only four employees working regularly at the building, the development generates a limited number of daily vehicle movements. Parking takes place adjacent to the building and there is additional room for visitor parking without blocking the passage of pedestrians. Furthermore, as I have explained above, there is no requirement for any external storage.
12. Having regard to the above, I do not share the Council's concern that the track is being obstructed – notwithstanding the fact that it is not a public right of way in any event. I therefore find no conflict with Policy R8 of the SOLP in relation to its objective to protect the existing public rights of way network.

Conditions

13. I have considered the Council's suggested conditions against the six tests set out in the Planning Practice Guidance and at paragraph 206 of the Framework. Where necessary I have modified the wording to improve precision and enforceability.
14. A condition is necessary to ensure that there is no external storage on the site, in the interests of protecting the character and appearance of the area. For the same reason, and to prevent obstruction to pedestrians, a further condition is required to secure further details of parking provision and to ensure that parking only takes place in the assigned locations.
15. The Council does not give any reason for its suggested condition to restrict working hours. In my opinion such a condition would serve no useful planning purpose and is unnecessary.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Robert Parker

INSPECTOR