



Appeal Decision

Site visit made on 3 June 2019

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 June 2019

Appeal Ref: APP/V3120/W/18/3212955

Land to the southwest of Dragon Hill, Woolstone Road, Uffington, Faringdon SN7 7RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Phil Osmond and Miss Claire Shearan against the decision of Vale of White Horse District Council.
 - The application Ref P18/V0003/O, dated 21 December 2017, was refused by notice dated 11 May 2018.
 - The development proposed is 2 self build dwellings.
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Decision

1. The appeal is allowed, and planning permission is granted for 2 self build dwellings at Land to the southwest of Dragon Hill, Woolstone Road, Uffington, Faringdon SN7 7RE in accordance with the terms of the application, Ref P18/V0003/O, dated 21 December 2017, subject to the conditions set out in the attached schedule.

Application for Costs

2. An application for costs was made by Mr Phil Osmond and Miss Claire Shearan against Vale of White Horse District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The planning application was submitted to the Council in outline form, with all matters reserved other than access. I have considered the appeal on this basis. Submitted plans indicate the position and footprint of the proposed dwellings, but as matters of appearance, landscaping, layout and scale do not form part of the outline application I have treated these details as indicative only.

Main Issues

4. The main issues are:
 - (a) whether the site would be suitably located for the proposed dwellings, with regard to local planning policies, and
 - (b) the effect of the proposal on the character and appearance of the area.

Reasons

Location

5. The appeal site comprises part of an undeveloped field at the south-west edge of the village of Uffington. It is enclosed by mature hedges, with an existing access in its south-east corner, and existing dwellings to either side. Development at the village edge is characterised by surrounding open countryside and a mix of built form, with a number of significant historic buildings that are interspersed with modern infill development. This creates a fairly loose knit building grain, especially as a number of existing buildings to the east address Woolstone Road side on.
6. Dragon Hill is a large modern detached bungalow that occupies a position set back from the roads to the south and east. It has an open west facing boundary that abuts the appeal site. Beyond the appeal site to the west is a modest and characterful thatched property known as Bridge Cottage. The Council describes this property as some distance to the west, however its small curtilage almost abuts the west corner of the appeal site. I accept that this existing cottage is small and stands alone, however I do not consider it to be so distant that it does not relate to the developed area of the settlement. Indeed, it is prominently positioned and is only separated from the village by the undeveloped appeal site.
7. The Council has recently granted planning permission¹ for the erection of a dwelling between the appeal site and the existing dwellings to the east, following a previous grant of outline permission. Although it is not clear from the evidence before me whether this recent permission is also in outline form it does indicate to me that there is a reasonable likelihood of this adjacent development proceeding. This would result in two large properties immediately abutting the east boundary of the appeal site. These dwellings would be set out in a tandem fashion, with the dwelling subject to the recent grant of planning permission sited in front of Dragon Hill. This would give the appeal site a well developed context, and weighs significantly in favour of the proposal.
8. Policy CP3 of the Vale of White Horse District Council Local Plan 2031 Part 1 Strategic Sites and Policies adopted 2016 (LP2031) classifies Uffington as a Larger Village within its settlement hierarchy. Policy CP3 of the LP2031 establishes a presumption in favour of sustainable development within the existing built area of Larger Villages. The Council are of the view that the site is outside the built up area of Uffington and should therefore be considered open countryside. Although I accept that the site is at the edge of the settlement and that the field is currently undeveloped, the proposed development would sit between well established built form to the east and the existing cottage to the west. It is not an open countryside location and can certainly not be considered isolated. Furthermore, the existing field boundary that follows the line of the river to the west of the site is well established. This would retain a clear defensible edge to the settlement, which would ensure that the development of the site would not result in sporadic or ribbon development that would extend into the countryside.

¹ Council's reference P18/V2632/FUL

9. The Council has referred to an appeal decision at Chapel Fields, which is at the eastern side of Uffington². I do not have full details of this case before me, however a location plan demonstrates that this site is detached from the main developed area of the village with intervening open land, which is unlike the appeal proposal. Furthermore, I note that the Inspector who dealt with the Chapel Fields case refers to a site at Dragon Hill in paragraph 12 of the Decision, with reference to a '*more obvious, tight-knit continuum of development in the vicinity*', thereby identifying a difference between the Chapel Fields site and the more developed context of Dragon Hill.
10. In summary I find that the site forms part of the developed area of Uffington and is therefore suitably located for the proposed dwellings, in accordance with Policies CP1, CP3 and CP4 of the LP2031 and the National Planning Policy Framework (the Framework), which together establish the presumption in favour of sustainable development within the existing built area of settlements.

Character and appearance

11. The retention of the mature hedge and trees set along the front boundary of the site would screen views of the proposed dwellings and thereby ensure that Bridge Cottage remains a prominent building in the approach to the village from this direction. Modest development at the site in the form of two dwellings would relate well to the low density and loose knit grain of existing buildings to the east of the site, including the new dwelling subject to the extant permission on the adjacent site.
12. Although the detail of the design of the proposed buildings is not a matter that is under consideration at this stage, the appellants have indicated a preference for single storey construction, which would be well screened by the retained front boundary, maintaining the rural character of the road. I am satisfied that the site area is sufficient to provide space for two dwellings and associated garden areas. I accept that some existing dwellings in the area occupy large plots, however there are many that are more modest. The indicative layout plan demonstrates that the site would be similarly sized to a number of existing plots in the immediate area.
13. I therefore find that the proposal would not harm the character or appearance of the area, in accordance with Policy CP37 of the LP2031, the Framework and guidance set out within the Vale of White Horse District Council Design Guide 2015, which together seek to ensure that development proposals are of a high quality of design.

Other Matters

14. Although not referred to in the Council's reason for refusal the parties refer to the Draft Uffington and Baulking Neighbourhood Plan, with particular reference to Policy H2, which relates to housing development within the plan area. I have however given this little weight in my determination of the appeal as the plan is at a draft stage and it would appear that the examiner proposed significant modification to this Policy.
15. I note that the site is close to the Uffington Conservation Area. The Council's conservation officer is satisfied that the scheme would not harm the setting of this heritage asset. Based on the evidence before me and my own observations

² APP/V3120/W/17/3190830

on site, I find that the proposal would have a neutral effect on the significance of the Uffington Conservation Area and would therefore preserve its character and appearance.

16. Third parties have raised concerns regarding flooding in close proximity to the site and the effect of additional traffic on highway safety. In terms of flooding I note that this was not a matter that the Council was concerned about when it determined the application. I note that the site boundary is away from the river edge, and that details provided suggest that the site area is within Flood Zone 1 where flood risk is low. With regard to concerns raised about an increase in traffic, this also was not a matter that caused concern to the Council when it determined the application. I note that visibility associated with the existing access is sufficient, and am mindful that vehicle movements associated with two additional dwellings would be low and would therefore represent a very small increase to traffic levels. Therefore, taking these factors into account I find no reason to come to a contrary view regarding these two matters.
17. I note that the description refers to the proposal as self-build. Although this matter is discussed by the parties in their submissions, I have no evidence before me to suggest that a legal agreement has been drafted to ensure that the development would be brought forward as a genuine self-build scheme. This matter has therefore been of little weight in my determination of the appeal.

Conditions

18. I have had regard to the planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed a condition to specify the matters that are reserved and not included within this outline permission, and an approved plan condition for reasons of certainty. I have imposed conditions relating to visibility, parking and turning in the interests of highway safety.
19. I have not imposed the condition that the Council suggested requiring the existing access to be stopped up as the existing access is to be utilised as part of the proposal before me.

Conclusion

20. For the reasons above, the appeal is allowed

Andrew Tucker

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the approved Location Plan.
- 5) Prior to the use or occupation of the new development details of improved visibility splays associated with the access to the site shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include visibility splays in both directions and maximised within the highway on either side of the carriageway edge for a setback (X) of 2.4 metres. The visibility splays shall be provided prior to the occupation or use of the development hereby approved and, thereafter, the visibility splays shall be permanently maintained free from obstruction to vision.
- 6) Prior to the use or occupation of the new development, 4 car parking spaces (2 spaces per unit) and visitor parking, to standards (2.5 x 5.0 metres minimum) shall be constructed, surfaced, drained and marked out on the site in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be constructed to prevent surface water discharging onto the highway. Thereafter, the spaces shall be kept permanently free of any obstruction to such use.
- 7) Prior to the use or occupation of the new development, a turning space to enable motor vehicles to enter the site, turn around and leave in a forward gear shall be constructed in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. Details shall include provision for emergency / servicing vehicles to enable egress to the Woolstone Road in a forward gear. The turning space shall be constructed to prevent surface water discharging onto the highway. Thereafter, the turning space shall be kept permanently free of any obstruction to such use.
- 8) No surface water from the development or loose material shall be discharged onto the adjacent highway from the new access.