

Appeal Decision

Site visit made on 4 July 2019

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2019

Appeal Ref: APP/V3120/D/19/3227176

Willowdene, Faringdon Road, Southmoor, Oxfordshire, OX13 5AG

- 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 Messrs. Ian Ravenscroft and Anthony Herbert against the decision of Vale of White Horse District Council.
 - The application Ref P18/V3018/HH, dated 5 December 2018, was refused by notice dated 14 February 2019.
 - The development proposed is the provision of a dual car lift.
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Decision

1. The appeal is allowed and planning permission is granted for the provision of a dual car lift at Willowdene, Faringdon Road, Southmoor, Oxfordshire, OX13 5AG in accordance with the terms of the application, Ref P18/V3018/HH, dated 5 December 2018, subject to the conditions set out in the attached Schedule.

Main issue

2. The main issue is effect of the proposed development on the character and appearance of its surroundings.

Reasons

3. The appellants propose the installation of a dual car lift at the front of the house to assist with the parking of vehicles. When collapsed, it and any cars using it would, in effect, be underground in a pit out of sight. A previous submission for a similar development drew objection on the grounds of its adverse impact on the setting of a neighbouring listed building. The Council acknowledges that the current re-sited proposal would not affect the setting of the listed building, and I do not disagree with that view.
4. The Council accepts that the dual lifts, when in the down position would have minimal visual impact. However, it considers that the use of the lifts would be unpredictable, and is not convinced that the appellant's suggested condition to regulate its use would meet the tests of acceptability set out at paragraph 55 of the Framework¹. Accordingly, the Council assessed the proposal as though the lifts would be a permanent structure above ground.
5. The appeal property is a relatively modern detached dwelling set alongside other houses in a pleasant, predominantly residential area. Most of its front garden has been hard landscaped. Soft landscaping has been introduced in the

¹ National Planning Policy Framework

form of a flowerbed and hedges along both side boundaries. The plants comprised within the new hedges appear to have taken well, and they seem well maintained. A high, luxuriant, established hedge is evident across most of the site's frontage.

6. The hedge at the front, and the side hedges when fully established, in combination would provide a significant degree of screening to the front of the property. The dual lifts would not thus be particularly noticeable to passers by, even when in use. Moreover, the lift would be located in front of a large window serving the appellants' lounge/living room. It would not therefore be in their interests to keep the lifts in their open position for any length of time when that room was in use.
7. Accordingly, I do not find the proposal to be as visually objectionable as the Council. However, I acknowledge that any of the hedges could be removed at any time or become diseased or die, and that the appellants would not be in occupation of their living room when out driving. In these circumstances I consider that any potential harm to local character could be ameliorated by the imposition of a condition on the lines suggested by the appellants. Unlike the Council, I consider such a condition to be enforceable, and it also meets the other tests of the Framework.
8. I therefore conclude that the development is well designed for its purpose and would not harm the character and appearance of the surrounding area. Accordingly, no conflict arises with those provisions of policy CP37 of the Vale of White Horse Local Plan directed to achieving good quality design appropriate to the site and its context.
9. I have already referred to the appellant's suggested condition, and have provided the reason why I consider it needs to be imposed, albeit with revised wording. A further condition is necessary, in the interests of certainty, to ensure that the development is carried out in accordance with the approved plans. The additional condition suggested by the Council relating to details of materials is considered unnecessary since I do not envisage that the structure would be seen for any length of time, and sufficient information is provided in the submitted drawings.
10. All other matters raised in the representations have been taken into consideration, but no other matter raised is of such strength or significance as to outweigh the factors that led me to my conclusions. Accordingly for the reasons set out above, the appeal is allowed.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: the OS location and block plans, Drawing Ref

Nos. 18009/14; 15 & 16 and the engineering drawing entitled SMART LIFT - STANDAR VERSION – Rev 1.

3. The dual car lift hereby permitted shall not be opened other than for the purpose of manoeuvring cars into and out of the associated pit, and shall remain fully closed and with its top element flush with ground level at all other times.