



Appeal Decision

Site visit made on 13 June 2019

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 19 August 2019

Appeal Ref: APP/D3125/W/19/3225634

Milton Service Station, Shipton Road, Milton under Wychwood OX7 6JS

- 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 Andrew Prew against the decision of West Oxfordshire District Council.
 - The application Ref 18/02387/FUL, dated 6 August 2018, was refused by notice dated 13 December 2018.
The development is described as a proposed dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The National Planning Policy Framework (the Framework) was revised in February 2019. I have therefore referred to this in the determination of this appeal.

Main Issues

3. The main issues are the effect of the proposals on the character and appearance of the area, where it relates to the following: (i) the gap between Milton under Wychwood and Shipton under Wychwood, and (ii) the Cotswolds Area of Outstanding Natural Beauty and the general character of the village.

Reasons

The gap between Milton under Wychwood and Shipton under Wychwood

4. The appeal site forms part of the garden land associated with the property known as The Bungalow, which is situated to the rear of the Milton Service Station (a garage providing mechanical services, together with a petrol filling station) in the village of Milton under Wychwood (Milton). The appeal site falls within the Cotswolds Area of Outstanding Natural Beauty (AONB) and is adjacent to the Shipton under Wychwood Conservation Area (CA).
5. The appeal proposals are for a two storey dormer-style house containing 3 bedrooms, each with a dressing room and ensuite together with an integral double garage. The proposed dwelling would be substantial addition to an existing 'finger' of development, which comprises Millennium House, The Bungalow and the Service Station further into an area of undeveloped land.

6. The site is bounded by hedgerow is well enclosed but has no permanent structures within it. The surrounding area is agricultural fields, with the neighbouring site to the east being the site of a new residential development of 44 dwellings, which forms an extension to the adjacent village of Shipton under Wychwood (Shipton). The plan for this development has been supplied with the appeal documents and shows a development of houses that are focussed away from the appeal site, where the land closest to the appeal site would be public open space. The development, as set out in the Council's statement, would go no further than the built edge of Wychwood Primary School. This would provide for a clear separation between the two villages.
7. There appears to be a well-defined edge to the built form associated with Shipton and the gap between the two villages is described by the Council in the officer's report to committee as a 'green wedge'. In further reinforcing this point, the Council cite appeal decision APP/D3125/A/07/2041556 in relation to a nearby site known as Hoplands, as well as APP/D3125/A/12/2168828 and APP/D3125/A/08/2083407. I have noted the Inspectors comments in relation to each of these proposals, particularly in relation to the importance of the separation of the two villages. In light of the ages of the appeals and their somewhat different locational characteristics, I have determined this appeal on its own merits.
8. I consider that the site contributes to the gap separating the villages, preventing coalescence and positively contributing to the character of this edge of the Milton, which is undeveloped and open.
9. The appellant has made the case that the site is not visible from the main road, which may be the case, but I consider that the roofline of the proposed dwelling would be visible, adding to the perception of built form extending some way from the road. Policy OS2 (Locating development in the right places) of the West Oxfordshire Local Plan 2031 (2018) (WOLP) seeks to resist development that would contribute to settlement coalescence or development of open space that makes an important contribution to the character and appearance of the area. Further, Policy H2 (Delivery of new homes) seeks to focus development to allocated sites, previously developed land and on undeveloped land adjoining the built-up area where 'convincing evidence' is required to demonstrate that it is necessary to meet identified housing needs.
10. The appellant has put forward the argument that the proposed dwelling would allow the owner's son to join him in living on site in order to continue to manage the Service Station outside of office hours. The appellant would then retire and live in the proposed dwelling. The Council consider that there would be other dwellings nearby that could fulfil this role and given the new development under construction near the site, I concur with this.
11. I therefore find the appeal proposals harmful to the gap separating Shipton and Milton contrary to Policy OS2 and H2 of the LP.

The AONB and more general character

12. The site (and wider village) lies within the AONB where paragraph 172 of the Framework requires that great weight be given to conserving and enhancing its landscape and scenic beauty. Along with National Parks and the Broads, AONBs have the highest status of landscape protection in relation to these issues.

13. At the site visit, I observed that much of the site is hidden by vegetation, but there were some glimpsed views from the west and south west to the undeveloped landscape beyond. I consider development of a substantial dwelling in this location would therefore undermine such views. Given the scale of development, I find the development proposed to cause no more than moderate harm to the protected landscape quality of the AONB. Policy EH1 (Cotswold Area of Outstanding Natural Beauty) of the LP states that consideration must be given to conserving and enhancing the landscape and natural scenic beauty of the area. Given the proposals would not provide any direct public benefits as such I therefore find the proposals to be contrary to Policy EH1.

Other Matters

14. Whilst not a reason for refusal per se, the appeal site is located adjacent to the Shipton CA and therefore falls within its setting. The CA boundary follows the hedge line between the appeal site and the adjacent new housing development site and is characterised in this location by open fields. The site in its undeveloped state contributes positively to the setting of the CA and following the completion of the neighbouring development this will continue to be the case.
15. The proposals are for a contemporary dwelling with little design reference to the more established character of the main built form of Milton (or indeed Shipton). However, given the surroundings of the area, and the modern development to which it would most closely relate, I do not find there to be material harm to the historic nature of the village in this location, nor to the setting of the CA. However, this lack of harm to the historic character of the villages and the setting of the CA does not overcome my concerns over the harm to the gap between the two villages, nor the harm to the AONB, however.

Conclusions

16. For the above reasons and having regard to all other matters raised, I conclude the appeal is dismissed.

Sian Griffiths

INSPECTOR