



Appeal Decision

Site visit made on 5 July 2019

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2019

Appeal Ref: APP/V3120/W/19/3226249

The Limes Station Road, Grove, Wantage OX12 7PE

- 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 James Machlachlan against the decision of Vale of White Horse District Council.
 - The application Ref P18/V1742/O, dated 6 July 2018, was refused by notice dated 9 October 2018.
 - The development proposed is a residential development of up to 5 dwellings with all matters reserved excepting means of access.
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Decision

1. The appeal is allowed and planning permission is granted for a residential development of up to 5 dwellings with all matters reserved excepting means of access at The Limes Station Road, Grove, Wantage OX12 7PE in accordance with the terms of the application, Ref P18/V1742/O, dated 6 July 2018, and the plans submitted with it, subject to the following conditions:
 - 1) Details of the access, 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 and shall additionally include details of foul and surface water drainage together with details of parking and turning areas.
 - 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 following approved plan: BP/P1110418/E01.
 - 5) Any contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These

approved schemes shall be carried out before the development or relevant part of development is resumed or continued.

Main Issue

2. The main issue is whether the site is a suitable location for housing having regard to local and national planning policy and the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site lies at the northern edge of a small wedge of development located to the east of the settlement of Grove which is identified as a 'Local Service Centre' in Policy CP3 of the Vale of White Horse Local Plan 2031 part 1 (VWHLP). Although the A338 Station Road is unlit and defines the edge of the settlement to the north of the site, it is not disputed that the appeal site is well related to Grove. There is a pedestrian link directly into the main housing area of Grove opposite the site entrance such that its facilities are available within a reasonable walking distance by crossing the A338 at the site entrance.
4. The development would replace a number of existing buildings in (or formerly in) commercial use on the site, whilst retaining one dwelling which lies close to the line of the former canal on the eastern perimeter of the site. The site also has extensive areas of hard surfaces. The development would be located on previously developed land adjacent to a settlement identified in the adopted VWHLP as in the second tier of the settlement hierarchy and therefore a suitable location for housing.
5. The Council reason that harm arises from the location of the development beyond the settlement boundary of Grove. However, the site lies adjacent to that boundary and is readily associated with the built area of Grove due to its enclosure by the line of the former canal.
6. Policy CP4 of the VWHLP supports development within the existing built area of Local Service Centres as defined by the settlement boundaries and outside those boundaries where allocated either in the Local Plan or in a Neighbourhood Plan. Policy CP4 indicates that development in 'open countryside' will not be appropriate unless specifically supported; that provision includes support by 'national policy'. The proposal would be consistent with the Framework which indicates decisions should promote an effective use of land in meeting the need for homes and 'make as much use as possible' of previously-developed or 'brownfield' land.
7. The Council have not refuted the appellant's suggestion that the VWHLP is silent on the re-use of brownfield land at the edge of sustainable settlements or that there are no small brownfield sites included in the brownfield register for Grove. Policy CP1 of the VWHLP supports the presumption in favour of sustainable development in such circumstances. Small sites increase the diversity of delivery notwithstanding the modest numbers involved and this would stand in favour of the proposal as sustainable development. Taken together these factors indicate that to the extent there is any conflict with the strategic and locational policies of the VWHLP, those conflicts are both limited

and outweighed by the benefit of even a small additional number of houses in this sustainable location.

8. The application reserves all matters for later determination other than access and the Council do not indicate that the existing access is unsuitable due to the existing use of the site. Although the appellant has put forward illustrative layouts, these demonstrate only that the site could accommodate 5 dwellings at a reasonable density.
9. In such circumstances I have nothing before me to indicate that granting permission in outline would inevitably result in a development that falls short of 'high quality design' or, therefore, that any conflict arises with the policies identified in the second reason for refusal in relation to the effect upon the character and appearance of the area. Furthermore, noting the character of the housing development west of the A338 it is not clear what aspects of character and appearance the Council consider would be harmed by an individual small-scale development of housing on previously developed land in this location.
10. I note the Council refer to previous appeal decisions, these, however, pre-date the issue of the National Planning Policy Framework with its increased emphasis on housing delivery.
11. My conclusion overall is that the proposal would not conflict with policies, CP1, CP3 and CP4 of the VWHLP which set out the housing strategy for the district. The proposal would be a windfall site and contribute to the Housing Supply identified in Policy CP4 of the VWHLP. This weighs in favour of the proposal. Further, as I have indicated, I find no conflict with Policies CP37 of the VWHLP (Part 1) or with Policy DP29 of the emerging VWHLP (Part 2). In consequence the proposal would accord with the development plan taken as a whole and, for the reasons given, the appeal succeeds.

Conditions

12. The Council confirm the scope of conditions suggested by the appellant would be acceptable and have made no other suggestions. However, only the access is approved in detail by this decision and no works are proposed or considered necessary for the use of the existing access. Consequently, as other matters are reserved for later submission, other than a 'plans' condition, a condition for the submission of reserved matters and, due to the commercial use of the site, a precautionary condition as to contamination together with details of drainage and parking and turning areas are relevant to the grant of outline planning permission.

Andrew Boughton

INSPECTOR