
Appeal Decision

Site visit made on 15 October 2019

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2019

Appeal Ref: APP/V3120/W/19/3233547

Hunters Moon, Charney Road, Longworth, Abingdon OX13 5HW

- 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 & Mrs Belcher against the decision of Vale of White Horse District Council.
 - The application Ref P19/V0505/FUL, dated 26 February 2019, was refused by notice dated 9 May 2019.
 - The development proposed is demolition of existing house and erection of two detached family homes with associated parking, amenity space and landscaping works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The site visit procedure was altered from an access required site visit to an unaccompanied site visit as the appellant was not present and had agreed prior to the visit that I could access the site unaccompanied.
3. I am aware that The Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites was adopted by the Council in October 2019 (LP-Pt2). The LP-Pt2 has replaced the saved policies of the Vale of White Horse Local Plan 2011. Therefore, although the Council's decision notice refers to saved policies within that plan it is no longer a material consideration.
4. When the Council refused the planning application it referred to the then emerging policy from the LP-Pt2 and, as such, it has been before both sides from the outset. The parties have also been provided with an opportunity to comment on the now adopted policy and therefore despite its changed status, no injustice has been caused to either appeal party. Therefore, in my consideration of this appeal I have afforded the Policies within the LP-Pt2, relevant to the appeal, full weight.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether the location of the site is suitable for residential development in the context of local and national policy.

Reasons

Character and appearance

6. The site comprises a detached dwelling set within a generous plot within the open countryside. The surrounding area is rural in character with wide views across agricultural fields interspersed with areas of landscaping and mature trees.
7. The existing dwelling has a large footprint, though due to its design and layout, there are limited points at which the entirety of the building is visible. Whilst the existing dwelling is a two-storey building, the first-floor accommodation is provided for within the roof space, and so the dwelling retains a low level and horizontal emphasis. Consequently, its overall size and scale is not wholly apparent, and it does not appear as a substantial building. The dwelling appears nestled into the landscaping and is not an overly prominent or conspicuous feature when viewed from the surrounding area.
8. Whilst the site is screened by existing landscaping, particularly to the south, there are gaps in the landscaping with more open views to the site from the north and west. There are a number of outbuildings to the north of the site which vary in size, design and condition. These are however predominately low-level structures and sited adjacent to existing planting which largely screens them from view.
9. The scheme does not propose replacement of the existing dwelling on a one-for-one basis and the proposed development would not be wholly sited on the site of the existing dwelling. The two dwellings proposed would be substantial in terms of overall height and bulk and although set back from the site boundaries would be clearly visible and prominent features.
10. In particular, the larger dwelling proposed, due to its siting, overall height and bulk, would be prominent from the surrounding area. From the entrance and along Charney Road, it would be the dominant feature, interrupting views of the open landscape beyond. Furthermore, due to gaps in the existing landscaping and relatively level terrain, it would also be a conspicuous and prominent feature when viewed from the west, detracting from the current verdant character of the site by the introduction of substantial, and bulky, built development.
11. The appellant considers the provision of additional planting would mitigate this and a condition could address this concern. However, from my site visit it was evident that there is significant gapping in the landscaping along the length of the western site boundary. There is a particularly substantial gap, caused by an engineered access from the site to a large area of hardstanding in the adjacent field. That gap would permit a clear, uninterrupted view into the site and the larger dwelling would be particularly visible, being almost framed by the gap. Considering this and the height and overall bulk of the proposed dwellings it would take some considerable time for any landscaping to establish and provide an effective screen.
12. Whilst it is noted that there are large detached dwellings in the wider area these are established, individual properties set in large landscaped plots with generally low-level outbuildings, reflective of their evolution and that of the surrounding rural area. The appeal site does not have any direct relationship

- with those sites and, due to the distance between them, they could not be considered as a cluster of dwellings in the countryside.
13. It is noted that dwellings are not an alien feature within the surrounding area, but they are also not a dominant feature. Whilst aiming to replicate the appearance of a farmhouse and stable, the appeal scheme would result in a distinctly different character of development, providing two individual and substantial detached dwellings that would each be dominant features within the site. They would not appear as a single cohesive country house and farmstead arrangement which, as identified by the appellant is a key characteristic of the Corallion Limestone Ridge Character Area, in which the appeal site sits.
 14. Whilst taking influences from the local vernacular the proposal would, due to its overall size, bulk and siting, be at odds with, and result in unacceptable harm to, the established rural character and landscape setting. Although no outbuildings are proposed as part of the appeal scheme this would not outweigh the harm that would result from the proposed buildings.
 15. On this basis the proposals would be contrary to Policies 3, 4, 8, 37 & 44 of the Vale of White Horse Local Plan 2031 Part 1: Strategic Sites and Policies, 2016 (LP) which set out settlement hierarchy and state that development in the open countryside would not be acceptable unless specifically supported elsewhere, require high quality design that responds well to its surrounds and protects the nature and quality of the existing landscape; and Policy 5 of the LP-Pt2 which seeks to ensure that replacement dwellings in the countryside are on a 1-1 basis, situated on the site of the original dwelling and the size, scale, mass, footprint and visual impacts respects the rural locality and landscape setting. For the above reasons the proposals would also fail to achieve the high level of design requirements of Section 12 of the National Planning Policy Framework (the Framework).
 16. The appellant has referred me to a previous planning approval¹ for extensions to the existing dwelling and conversion into 2 properties with erection of detached garages as a potential fall-back. They consider the previous scheme can be improved upon and the appeal scheme is more in keeping with its surrounds as semi-detached dwellings are not characteristic, it provides for better designed dwellings and would result in development with a smaller footprint.
 17. The existing dwelling may have a complicated form though, as detailed above, it is not a conspicuous development and has limited visual impact on the character and appearance of the surrounding area. The previously approved scheme would not have resulted in the same increase in the height and overall bulk of built development across the site that would occur as a result of the appeal scheme.
 18. Whilst the provision of semi-detached dwellings may not be characteristic, as detailed above, neither is the provision of 2 substantial detached dwellings in such close proximity, therefore this does not weigh in favour of the appeal.
 19. The detached garages, previously proposed, would have been visible, particularly from Charney Road, though they were not as substantial or visually dominant as the buildings currently proposed as part of the appeal scheme.

¹ LPA reference: P18/V1924/FUL

Consequently, their visual impact would have been less. They would have been viewed as ancillary buildings, been less conspicuous from the surrounding countryside and still permitted an appreciation of the rural landscape and setting. Although the larger of the 2 dwellings proposed would be setback further into the site, due to its overall size and bulk this would do little to mitigate its visual impact.

20. It is noted that the appellant considers the design of the dwellings has had regard to the Council's Design Guide (DG) and is an improvement on the existing situation. Whilst I have not been provided with a copy of the DG, I do not consider the design of the dwellings would be sufficient to outweigh the visual harm to the character and appearance of the surrounding area that would result from the increased height and bulk of development within the site.
21. Any extensions that could be carried out under permitted development (PD) to the existing property or 2 dwellings following sub-division, would also not have significantly extended the spread of higher, bulkier development across the site to the same extent as the appeal scheme. The siting and height of any extensions or outbuildings would be restricted under PD and therefore would be less likely to result in a form of development comparable with the appeal scheme.
22. It is acknowledged that there are no conditions in relation to the existing dwelling or the potential fall-back that would prevent the removal of the existing landscaping to the site boundaries. Whilst the appellant has not indicated that this would be their intention, they have indicated that the appeal scheme offers the opportunity to impose a condition requiring retention of existing landscaping and this offers an enhancement over the existing situation. Be that as it may, even if all boundary landscaping were to be removed, for the reason stated above, I do not consider the appeal scheme would be less harmful than the existing dwelling or fallback position.
23. I note that the appellant considers the appeal scheme would, provide for a better living environment for future occupants, higher standard of environmental sustainability and remove the risk of overlooking and needlessly close relationship between dwellings, when compared to the previously approved scheme. However, there is nothing in the evidence before me to suggest that the fallback position would result in an unacceptable living environment and therefore, I am mindful that these benefits would be personal to any future occupants and would not outweigh the harm I have identified.
24. The Framework emphasises the need to support efficient use of land and the proposals would provide an additional dwelling. Whilst I have taken this into account, I do not consider this, or the fall-back position provides justification for overcoming the harm I have identified. Furthermore, that the buildings themselves would achieve a high level of design, incorporate modern building materials, would have a neutral effect and therefore do not weigh in favour of the appeal. I note the Council consider the environmental efficiency of the existing building could be improved upon, however, I do not consider any difference in performance would outweigh the harm I have identified.

Development Plan

25. Policies 3, 4 and 8 of the LP set out a settlement hierarchy and state that development in the open countryside will not be appropriate unless specifically supported by other relevant policies, as set out in the development plan or national policy. Policy 5 of the LP-Pt2 seeks to ensure that replacement dwellings in the countryside are on a 1-1 basis, situated on the site of the original dwelling, unless an alternative site can be shown to have equal or greater benefits for the locality, and the size, scale, mass, footprint and visual impacts of the new dwelling respects the rural character, locality and landscape setting.
26. The site is not located within, or adjacent to, a defined settlement and, the proposals do not achieve the criteria as set out in Policy 5 of the LP-Pt2. The fallback position is acknowledged, though as it stands there is currently only one dwelling on the site, and as detailed above, the appeal scheme is considered to have implications worse than the fallback.
27. On that basis, the proposed development would result in an additional dwelling situated in the countryside which would conflict with Policies 3, 4 and 8 of the LP, LP-Pt2 Policy 5, and the aims of the Framework, which seek to direct new development to existing settlements and to protect the countryside.

Conclusion

28. For the reasons given above I conclude that the appeal should be dismissed.

A Denby

INSPECTOR