



Appeal Decision

Site visit made on 27 January 2020

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 February 2020

Appeal Ref: APP/Q3115/W/19/3238404

Land at the Horse and Harrow, Main Street, West Hagbourne, Oxfordshire OX11 0NB

- 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 A Baldasera against the decision of South Oxfordshire District Council.
 - The application Ref P19/S0398/FUL, dated 5 February 2019, was refused by notice dated 7 April 2019.
 - The development proposed is a four bedroom house.
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Decision

1. The appeal is allowed and planning permission is granted for a four bedroom house at Land at the Horse and Harrow, Main street, West Hagbourne, Oxfordshire OX11 0NB in accordance with the terms of the application, Ref P19/S0398/FUL, dated 5 February 2019, subject to the following conditions set out in Schedule 1 of this decision.

Main Issues

2. The main issues in this appeal are
 - Whether the proposal is in an acceptable location taking account of local and national policies
 - Whether the proposal would unacceptably affect the character of the area including the AONB
 - Whether the design of the proposal is acceptable.

Reasons

Whether the proposal is in an acceptable location taking account of local and national policies

3. West Hagbourne is identified within the South Oxfordshire Core Strategy (CS) as an 'other village'. Policy CSR1 of the CS accepts infill development within other villages on sites of up to 0.1ha and indicates that this would be of up to 2-3 dwellings. The supporting text of the policy states that infill development is defined as the filling of a small gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings.

4. To the west of the appeal site is a larger plot with planning permission for the construction of 4 houses, granted at appeal (Ref: Q3115/W/17/3169045, dated July 2017) and beyond that other buildings. To the east, the appeal site is separated from the road junction by a short section of open land (apparently used as overflow parking for the public house). Beyond the junction is the public house. There is no defined settlement boundary for West Hagbourne and some judgement needs to be made in relation to whether a house at the appeal site would be considered as part of the village or not. The Council indicates that development here is sporadic and that the site is separated from the village which lies to the east. I accept that the main core of the built-up area of the village is a short distance to the east. However, the presence of several other buildings close to the appeal site and the fact that houses would arise from the extant permission on the adjacent land, leads me to conclude that, whilst it may be a short distance from the core of the village, the appeal site is part of the village.
5. In relation to infilling, the proposal would continue the housing development that has been granted to the west and would clearly be seen in conjunction with it. The distance between it and the public house would be small and at times this would accommodate cars. In my judgement this means that the proposal can properly be considered as infill, in accordance with Policy CSR1.

Whether the proposal would unacceptably affect the character of the area including the AONB

6. Reference is made to the assessment of the character of the locality within the appeal decision relating to the adjoining land. In short, I agree with that assessment that the land on this side and section of Main Street has a different character to the surrounding open fields and its partly enclosed nature with buildings in the vicinity means that it relates to the road and buildings more than the open countryside. This is now even more-so given the permission for 4 houses on the adjacent land.
7. There is some discussion in the submission about whether the site falls within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Although the submitted evidence indicates an inconsistent picture, on balance I have placed more weight with the Council's view that the site is within the AONB as this is supported by the AONB board and a plan submitted by them. Therefore, I shall determine the appeal on the basis that the site is within the AONB. For the reasons set out above, I consider that the site does not contribute to the wider, open landscape and relates more to the buildings nearby and would do so to a greater degree with houses on the adjacent site. Therefore, I conclude that the proposal would not harm the natural beauty of the AONB.

Design of the house

8. There is a wide variety of buildings within the locality and no unifying theme to their design. The proposal would produce a relatively simple design with a front projecting gable and end gables. The plans indicate that the eaves would include exposed rafter feet, under a tiled roof. The rendered elevations would contain oak lintels over the windows and doors. Within the context of the approved houses on the neighbouring site, I consider that the proposal would be consistent with the area and would result in no harm in this respect.

Conditions

9. I have considered the Council's suggested conditions against the advice in the Framework and the Planning Practice Guidance. Where necessary I have adjusted the wording to improve precision and consistency with that advice.
10. In addition to the standard commencement condition, it is necessary to attach a condition to identify the plans with which the scheme shall accord. This will provide certainty regarding the scope of the permission. Conditions are also required to secure samples of external materials and a landscaping scheme, in the interests of the character and appearance of the area.
11. I have attached a condition to require submission of a surface water drainage scheme and a foul drainage scheme, to prevent flooding and ensure adequate foul drainage.
12. For reasons of highway safety and to ensure satisfactory parking provision, conditions are necessary in connection with the provision and laying out of the access and parking areas, and to ensure that the visibility splays are provided and maintained.
13. The Council has included a condition relating to the protection of future residents from noise generated by the public house. I have been provided with no supporting evidence other than a very generalised suggestion that activities at the public house may disturb residents. In view of the absence of any justification, I shall not include such a condition

Conclusion

14. For the reasons set out above the appeal is allowed.

ST Wood

INSPECTOR

SCHEDULE 1, CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos, 18/1103/PBP1; 18/1103/PBP2; 18/1103/P2.
- 3) Prior to the commencement of development samples of all materials to be used in the external construction and finishes of the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall commence until a drainage strategy detailing all surface and foul drainage works has been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until the agreed scheme(s) have been implemented in full.
- 5) No development shall commence until a scheme for the landscaping of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in the first planting season following the completion or first occupation of the development, whichever is the sooner. In the event of any of the trees or shrubs dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the local planning authority, shall be planted in a position or positions first approved in writing by the local planning authority.
- 6) Prior to the occupation of the approved dwelling, details of the means of access onto Main Street shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details and be provided prior to occupation.
- 7) The visibility splays shown on drawing No 18/103/PBP1 shall be provided and maintained free from any obstruction above a height of 0.9m measured from the carriageway level.
- 8) Prior to the occupation of the dwelling, the parking and turning areas shown on the approved drawings shall be constructed, surfaced and provided with suitable drainage. These areas shall be used for no other purpose than for parking/manoeuvring associated with the approved development.