



Appeal Decision

Site visit made on 20 January 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2020

Appeal Ref: APP/V3120/W/19/3238068

East Paddocks, Milton Road, Drayton, Abingdon OX14 4EF

- 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 J Wenman against the decision of Vale of White Horse District Council.
 - The application Ref P19/V0753/FUL, dated 25 March 2019, was refused by notice dated 30 May 2019.
 - The development proposed is erection of detached dwelling and garage following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr J Wenman against Vale of White Horse District Council. This application is the subject of a separate Decision.

Main Issues

3. Since the appeal was lodged, the Council has withdrawn its third refusal reason in relation to the effect on highway capacity and safety. This follows a statement from Oxfordshire County Council as highway authority saying that since their original comments, further traffic modelling work has demonstrated that alternative routes exist for trips associated with the proposal which avoid the sensitive parts of the highway network. I have no reason to dispute the Councils' revised positions on this highway matter.
4. As such, the main issues are (i) whether the proposed development would be in a suitable location having regard to the policies of the development plan, the National Planning Policy Framework (the Framework) and accessibility, and (ii) the effect on the character and appearance of the area.

Reasons

Suitability of location

5. The site lies outside any of the settlements identified under Core Policy 3 of the Council's Local Plan 2031 Part 1 Strategic Sites and Policies adopted 2016 (LP1) and so under the terms of the policy forms part of the open countryside. LP1 Core Policy 4 states that development in open countryside would not be appropriate unless specifically supported by other policies as set out in the development plan or national policy.

6. The proposal would not be an isolated new home as it would be next to other properties and so the provisions of paragraph 79 of the Framework are not relevant in the assessment of the appeal. I have been referred to no other part of the Framework or any development plan policy that would support the proposal in its countryside location and so the development would be contrary to LP1 Core Policies 3 and 4.
7. The appeal site lies amongst a complex of buildings that is referred to in submissions as the hamlet of Drayton Mill. The hamlet mainly comprises of dwellings with very few services and limited employment opportunities. A broader range of facilities and workplaces are located in the nearby settlements of Milton, Sutton Courtenay and Drayton but these are not within a reasonable walking distance of the site. Furthermore, Milton Road is largely unlit with limited pavement provision and so is not attractive to pedestrians and I have been advised of no public transport serving Drayton Mill. In this regard, I would agree with the Inspector who determined the appeal for a new dwelling at The Stables¹, in that it is likely that the occupiers of the proposed dwelling would be reliant upon the private car to access services and workplaces.
8. For these reasons, I conclude that the site would not provide a suitable location for the proposed development having regard to accessibility, Core Policies 3 and 4 of the LP1 as well as the Framework. These policies all aim, amongst other things, to locate development where there is good access to services and to promote sustainable modes of transport. LP1 Core Policy 1 is referred to in the first refusal reason but contains no provisions relevant to this main issue.

Character and appearance

9. Buildings within Drayton Mill are of an interesting mix of styles and sizes with little uniformity in terms of layout. Spaces between some buildings provide views of the countryside, thereby creating a pleasant environment. The site lies between East Paddocks and the neighbouring Mill Brook House and Brooklyn Mill, both 3 storey high houses with large outbuildings to the front.
10. Whilst it would be markedly larger than the garage to be demolished, the proposal would be smaller than the adjacent houses. The development would lead to an erosion of the site's openness, but it would not appear uncharacteristically cramped in this part of Drayton Mill where buildings are sizeable and close to each other. The house would not obstruct any views of importance and from Milton Road it would be seen amongst the existing larger buildings. Consequently, the proposed dwelling would not appear out of keeping with its context and any resulting loss of openness would not be harmful to the visual attractiveness of the locality.
11. The aforementioned appeal decision relating to The Stables was dismissed partly on grounds relating to character and appearance of the area. However, that appeal relates to a different site where the Inspector felt the infilling of a gap would result in a long row of built development, to the detriment of the character of the area. In the case of this appeal, the loss of the site's openness would not appear uncharacteristic due to the size of surrounding buildings and their relationship to each other. As such, it would not be inconsistent with the previous appeal decision to find the current proposal acceptable in terms of this main issue.

¹ Appeal ref APP/V3120/W/17/3169851

12. For the above reasons, I conclude the development would not harm the character and appearance of the area. Consequently, in this regard, it would accord with Core Policies 37 and 44 of the LP1 and the Framework, which aim, amongst other things, to ensure developments are of high quality design and are sympathetic to local character.

Other Matters

13. The proposal would be acceptable in terms of flood risk, impact on ecology and its effects on the living conditions of occupiers of nearby properties. Acceptability in these regards is a neutral factor in my assessment.
14. The appellant refers to an appeal relating to a housing development at Olney². This other proposal is much larger than the scheme subject of the current appeal and is on a site outside the Council district boundaries where different development plan policies would apply. Furthermore, the decision to allow the Olney appeal was influenced by a number of factors that are not relevant to the same extent with this appeal. For example, the site adjoins a settlement boundary containing a number of facilities and is therefore markedly different to this appeal property. As such, the Olney decision has no bearing on my assessment of this appeal.
15. The proposal would have economic benefits in terms of construction jobs and additional income to local authorities and businesses. Also, the proposal would add to the housing stock and contribute towards meeting the demand for family sized properties. However, as the proposal is for a single unit, the benefits of development are modest and fail to outweigh or override the identified conflict with development plan policies and the Framework in respect of location and accessibility.

Conclusion

16. Whilst the proposal would be acceptable in terms of its effect on the character and appearance of the area, the unsuitability of the proposed development's location for the identified reasons is the overriding consideration. The proposal would conflict with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.
17. For these reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR

² Appeal ref no APP/Y0435/W/17/3178790