
Appeal Decision

Site visit made on 4 August 2020

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2020

Appeal Ref: APP/V3120/W/20/3246161

Foxdown, 39 Whitecross, Wootton, Abingdon OX13 6BS

- 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 and Mrs White against the decision of Vale of White Horse District Council.
 - The application Ref P19/V1592/FUL, dated 24 June 2019, was refused by notice dated 13 November 2019.
 - The development proposed is a new house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, and;
 - The effect on the openness of the Green Belt, and;
 - If found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

3. There is no dispute between the parties that the appeal site lies within the Oxford Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open as the essential characteristics of Green Belts are their openness and their permanence.
4. New buildings within the Green Belt are inappropriate with the exceptions of the types of development listed in paragraph 145 of the Framework. Core Policy 13 (CP13) of the Vale of White Horse Local Plan 2031, Part 1, December 2016 (LP) states that the construction of new buildings in the Green Belt will constitute inappropriate development, unless the buildings fall within the list of

exceptions identified. These are broadly similar to those in paragraph 145 of the Framework. It is not part of the appellants' case that the proposal falls within any of the exceptions in national or local policy, rather they consider that very special circumstances¹ exist to justify inappropriate development.

5. Therefore, I have not seen evidence to suggest that the appeal proposal would comprise any of the exceptions for new buildings listed within paragraph 145 of the Framework or CP13 of the LP. It follows that the proposed new house amounts to inappropriate development in the Green Belt.

Openness

6. Planning Practice Guidance advises that openness is capable of having both spatial and visual aspects². The appeal site forms part of the garden of Foxdown, a detached residential house. It comprises predominantly open flat grass land with established trees and hedgerows along the boundaries and is free from built form. The introduction of an additional large detached two storey dwelling, with its associated parking area and domestic paraphernalia onto the site would markedly reduce the spatial openness of the Green Belt.
7. Whilst the existing boundary screening would largely prevent views of the proposal from the road, some glimpses might be possible when the trees and hedgerows are not in full leaf. Furthermore, the proposal would widen the entrance and driveway provision³ which would be visible from the B4017. Consequently, there would also be some visual harm to the openness of the Green Belt.
8. Accordingly, the proposal would have an adverse spatial and visual impact on the openness of the Green Belt. However, given the relatively minor scale of the proposal, this would result in moderate harm to its openness.

Other considerations

9. The appellants consider that the proposal would constitute design of exceptional quality. They assert it would be truly outstanding or innovative, reflecting the highest standards in architecture that would help to raise the standard of design more generally in rural areas and would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area. As such, they state it would accord with national policy in paragraph 79 e) of the Framework. However, paragraph 79 primarily stipulates that planning policies and decisions should avoid the development of isolated homes in the countryside save for specified exceptions, of which sub-paragraph 79 e) is one. Therefore, in order for it to apply, the proposal would need to represent an isolated home in the countryside.
10. The appeal site is on the periphery of mostly residential ribbon development along the B4017 at Whitecross, and the appellants point out that neighbouring properties include a motorcycle dealership and a scrap metal business⁴. Furthermore, it would be adjacent to Foxdown itself. Given this context, the proposal would not be physically remote from a settlement and would therefore, not comprise an isolated home in the countryside for the purposes of

¹ Paragraphs 6.1 and 6.7 of Appellants' Grounds of Appeal

² Paragraph 001, Reference ID 64-001-20190722

³ Proposed Site Plan reference WTE/2211

⁴ Paragraph 6.6 Appellants' Ground of Appeal

paragraph 79. It follows that the exceptions listed within it, including 79 e) are not applicable in these circumstances.

11. Even if I were to accept that sub-paragraph 79 e) of the Framework operated in isolation, the threshold of exceptional quality design, is by definition, particularly high. The appellants highlight that the proposed design would be unique and innovative as it would use reclaimed materials from old farm buildings. Nevertheless, the same might be said of many good quality development proposals. I acknowledge that using reclaimed materials may have environmental advantages and have no reason to doubt that the proposed design was carefully considered and researched. Yet it does not follow that as a consequence, this reflects the highest standards of architecture. Based on the information presented, I am not convinced that the design quality of the proposal would be exceptional within the terms of sub-paragraph 79 e).
12. Reference is made to the Dalton Barracks Strategic Allocation in Core Policy 8b of the Vale of White Horse Local Plan 2031, Part 2, October 2019. This allocation provides for a major residential development forming a mixed-use community, with the majority of the allocation inset to the Green Belt, and therefore, outside of it. As such, it is not of a comparable scale or nature to the appeal proposal for a single dwelling wholly within the Green Belt. Moreover, decisions about such strategic allocations and the boundary of the Green Belt are made through the development plan process, no doubt taking into consideration numerous other factors of which I am not aware. In addition, it is located some considerable distance from the appeal site. Accordingly, this strategic allocation for housing carries little weight in favour of the proposal.
13. My attention is drawn to the neighbouring uses which include a motorcycle dealership and scrap metal business. However, it is not shown how their presence would address or outweigh the harm to openness as a consequence of the proposal, which I have considered on its own merits.
14. Paragraph 118 d) of the Framework generally states that planning decisions should promote and support the development of under-utilised land. The proposal would make more efficient use of the land and would contribute an additional dwelling to the overall supply. In addition, there would be some economic benefits associated with the construction and future activity of the occupants of the dwelling. Nevertheless, given the relatively modest scale of the proposal the overall extent of such benefits would be small. As such, these benefits attract limited weight in favour of the proposal.

Green Belt balance

15. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework advises that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. It further states that substantial weight should be given to any harm to the Green Belt. Therefore, in this case substantial weight is given to the harm to the Green Belt arising from the inappropriateness of the appeal proposal and the moderate harm to openness.

16. Even when taken cumulatively, the other considerations advanced by the appellants attract only limited weight. Therefore, I find that the other considerations in this case do not clearly outweigh the harm that I have found. Consequently, the very special circumstances necessary to justify the development do not exist.
17. It follows that the proposal would be contrary to CP13 of the LP which seeks to prevent proposals for inappropriate development except in very special circumstances. Furthermore, as it would constitute inappropriate development for the purposes of paragraph 143 of the Framework, the development should not be approved.

Conclusion

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

Helen O'Connor

Inspector