



Appeal Decision

Site visit made on 1 September 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2020

Appeal Ref: APP/Q3115/W/20/3254631

12 Weston Road, Lewknor, Watlington, OX49 5TU

- 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 C Harvey against the decision of South Oxfordshire District Council.
 - The application Ref P19/S2262/O, dated 15 July 2019, was refused by notice dated 24 December 2019.
 - The development proposed is the demolition of existing workshop and erection of a detached 2 storey dwelling with access, parking and amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing workshop and erection of a detached 2 storey dwelling with access, parking and amenity space at 12 Weston Road, Lewknor, Watlington, OX49 5TU in accordance with the terms of the application, Ref P19/S2262/O, dated 15 July 2019, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale including land levels, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 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 shall only be carried out in accordance with the site location plan.
 - 5) Prior to the erection of any walls above ground level, details of surface and foul water drainage schemes 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 prior to the first occupation of the development hereby approved.

Procedural Matters

2. The appellant has provided an indicative plan showing a possible layout and parking spaces with the manoeuvrability tracked. The Council has subsequently advised that the County Council's Highway Liaison Officer (HLO) has withdrawn their objection. On this basis the Council advise that they no longer wish to contest the appeal.
3. The appeal proposal is in outline with all matters, including the site access and layout reserved for future consideration. I therefore have considered the plans submitted to be indicative only.

Main issue

4. The main issue is the effect of the proposal on highway safety.

Reasons

5. The site is within the built-up limits of the village of Lewknor. I noted on my site visit that the site is not on any direct through roads to any large settlements, which suggests that passing traffic is light.
6. This part of Weston Road is straight which lacks a pedestrian pavement but has a 30mph speed limit. The existing house has access and parking to the side.
7. The access details would be a reserved matter, but as the appeal site is only one plot width, the access position would be within a predictable potential area. The cars from the new dwelling would have to reverse out onto Weston Road. However, there is very good potential visibility particularly bearing in the light traffic and the 30mph speed limit so that any oncoming vehicle, cyclist or pedestrian would be well aware of the car's reversing manoeuvre. Furthermore, such an access arrangement would be no different to the existing dwelling and also several other neighbouring dwellings in Weston Road which have to reverse out.
8. The access details would be the subject of reserved matters, and the splay lines at the intended point would have to be plotted. I noted on my site visit that a telegraph pole is on the verge and whether it needs to be relocated would depend on the siting and width of the proposed access.
9. Similarly, the details of the on-plot parking would also be the subject of the reserved matters in due course. However, as I saw on my site visit, the site would be large enough to accommodate both a new dwelling and adequate off-road parking. The existing dwelling's parking would be re-located from the side to the front garden but again there would be sufficient space available on site, and the manoeuvrability to safely reverse out onto the road. In coming to my conclusion on this matter, I have also had regard to the withdrawal of the HLO's objection to the proposal.
10. I therefore conclude that the proposal would not harm highway safety. Policies G2, H4, T1 of the South Oxfordshire Local Plan seek to protect highway safety for all road users in conjunction with paragraph 109 of the National Planning Policy Framework (the Framework). The proposal would therefore not conflict with these policies.

Other matters

11. The Parish Council question how the dwelling would look as they consider that the site would be small and remark that the site is visible from the nearby Conservation Area. The reserved matters submission would need to provide an appropriate design for the site and surroundings (including the setting of the Conservation Area) which would be feasible. Indeed, a dwelling would be seen as part of an established frontage and in principle would not look out of place from the Conservation Area or other vantage points. I note that the Council's case officer came to a similar conclusion.

Conditions

12. Paragraph 55 of the Framework and the Planning Practice Guidance provide the tests for conditions. The Council has provided suggested conditions. The submission of the reserved matters and the required timing are necessary. I have amended the Council's suggested wording in the interest of certainty and precision. The requirements for details of surface and foul water disposal to be approved are reasonable, albeit I have amended the pre-commencement trigger to allow an expedient commencement to development, and the requirements are combined into one overall condition in the interest of conciseness.
13. It is not necessary to impose the condition on levels as this can be addressed at reserved matters stage and would be reflected and considered in the elevations.

Conclusion

14. I therefore conclude that the appeal should be allowed.

John Longmuir

INSPECTOR