
Appeal Decision

Site visit made on 20 October 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2020

Appeal Ref: APP/V3120/W/20/3255750

Land off 13 The Farthings, Marcham, Abingdon OX13 6QD

- 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 JCPI Ltd against the decision of Vale of White Horse District Council.
 - The application Ref P20/V0769/FUL, dated 13 March 2020, was refused by notice dated 7 May 2020.
 - The development proposed is the demolition of existing garage, replacement new parking, amenity space and associated dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal responds positively to the site and surroundings having particular regard to the likely effects on the adjacent plane tree and;
 - the adequacy of the proposed parking and its accessing for 13, 14 The Farthings and the proposed dwelling and the implications for highway safety.

Reasons

The effect on the tree and the design

3. The site is towards the end of a well-established residential cul-de-sac and currently part of the garden to No 13. A very tall plane tree, on neighbouring land, is a major landmark of The Farthings and is also visible from the nearby churchyard and the corner of Church Street and New Junction. The tree is protected by a recent Tree Preservation Order and is in fair condition according to the appellant's report.
4. Whilst the tree has a long-established relationship with No 13, the proposed new house would be sited close to the tree. I saw on my site visit that many of its limbs are growing towards the siting of the proposed house. I note the disagreement on the actual extent of the tree canopy, but it appeared to me to extend to the edge of the proposed house.
5. The tree would shade much of the garden due to the spread of its canopy and its westerly position on the site boundary. This would impair the use of the

garden. It was also evident on my site visit that leaves were falling over the appeal site and tree debris would be a nuisance.

6. I acknowledge that the habitable rooms of the new house would be away from the main shadow of the tree, however this would not overcome the other issues above. I therefore conclude that there would be inevitable pressure to prune the tree due to its relationship with the house and garden, which would undermine its significance and stature.
7. I note the assessment in the appellant's Tree Report that there would be no significant roots in the vicinity of the proposal, however this is disputed by the Council's Officer and also whether it wholly reflects the revised scheme. Moreover, I have not been given any evidence about the carport's foundations and whether hand digging would be feasible to minimise the cutting of any roots. Consequently, the implications for the roots are not clear, nonetheless, this aspect does not lead me to a different conclusion that for the other (above) reasons the proposal would harm the future growth and prospects of the tree. The proposal would conflict with Policies CP44 and CP45 of the Vale of White Horse Local Plan 2031 Part 1 (LP).
8. The proposed dwelling would be sited to the side of the tree without integrating with it but rather would appear indifferent to its presence. The proposal fails to respond to the tree as part of the context for the design. Furthermore, from The Farthings and Church Street, the new house would appear cramped against the tree and competing for its space. The tree's grandeur would be reduced.
9. Policy CP37 of the LP requires proposals to respond to the site and surroundings, which physically and visually integrate, and incorporate green infrastructure. The proposal would conflict with these aims.

The adequacy of the proposed parking and its accessing

10. No 13 The Farthings has two parking spaces to the front of the dwelling, which would be unchanged by the proposal. No 14, the neighbouring property, has a two-space garage with hardstanding for 2 cars in front of it, which would again be unchanged by the proposal. The proposed dwelling would have 3 spaces which would be adequate for a village with basic facilities and public transport connections.
11. The proposed new drive which would be adjacent to the garage and drive of No 14. The side elevation and door of No 14 would face this new drive. The new drive would be narrow but wide enough for a vehicle.
12. Parking for the new dwelling would be within a carport with 2.5m wide spaces, whereas the County Council Highways Officer advises that 2.9m width would be needed. Bearing in mind the size of modern cars, the proposed car port would be overly narrow. Furthermore, there would be limited room to the front of the carport, which coupled with the narrowness of the spaces, would impair manoeuvring so that turning on site would be very hard to achieve. Indeed, the vehicle tracking has not been plotted.
13. The access drive is long and coupled with its narrowness would make reversing difficult, particularly over such a long distance to reach the cul-de-sac road. These reversing manoeuvres would be hazardous particularly if children were playing.

14. The appellant offers a condition to maintain an open structure to the carport however the spaces would still be narrow and would not remedy the manoeuvrability challenges. I also note the suggestion of a condition to widen the carport, but such an amendment would need to be the subject of re-consultation and would be inappropriate as a condition.
15. I therefore conclude that the proposal would not provide adequate turning on site and the parking would not meet the everyday needs of the new dwelling. Policies CP33, CP35, CP37 of the LP require safe and convenient access and adequate parking. Policy DP16 of the Vale of White Horse Local Plan 2031 Part 2 requires that proposals provide evidence to demonstrate adequate provision for loading, unloading, circulation, servicing and vehicle turning. The proposal would conflict with these policies.

Other matters

16. I am aware that the appeal site borders Denham College which is Grade II listed and the Marcham Conservation Area. However, other than the tree aspect above, the proposal would be sufficiently unrelated to their setting to cause any harm.
17. The proposal would provide a new dwelling which would contribute to the housing land supply. It would give social and economic benefits. However, these benefits would be limited and do not outweigh the above harm.

Conclusion

18. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR