
Appeal Decision

Site visit made on 11 January 2021

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 29 January 2021

Appeal Ref: APP/V3120/W/20/3259797

Rumseys Barn, London Road, Blewbury, Didcot, OX11 9PB

- 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 Ms Annabel Cochrane against the decision of Vale of White Horse District Council.
 - The application Ref P19/V3253/FUL, dated 4 December 2019, was refused by notice dated 27 March 2020.
 - The development proposed is conversion of existing double garage and swimming pool enclosure to form new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing double garage and swimming pool enclosure to form new dwelling at Rumseys Barn, London Road, Blewbury, Didcot, OX11 9PB, in accordance with the terms of application ref: P19/V3253/FUL, dated 4 December 2019, subject to the planning conditions in the attached schedule.

Main Issue

2. The main issue of the appeal is whether the proposal would preserve or enhance the character or appearance of the Blewbury Conservation Area.

Reasons

3. The appeal site is located on and accessed from London Road. The site includes an existing double garage and a building that houses a currently unused swimming pool that are both ancillary to the residential dwelling known as Rumseys Barn. The scheme seeks to convert the existing buildings, with an additional new glazed link between the two, to form a new independent 2 bedroom residential dwelling. This would involve the partitioning of the existing garden of Rumseys Barn.
4. The appeal site is located within the Blewbury Conservation Area (the BCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the BCA.
5. A previous Inspector for an appeal¹ immediately to the west of the appeal site stated: *'This part of BCA on the northern side of London Road is characterised by a variety of age and architectural style to its built form which appears to be*

¹ APP/V3120/W/18/3209796

largely in residential use. However, despite this variety there is a clear linear pattern of development with the majority of dwellings fronting onto and in close proximity to London Road. Largely these dwellings have generous space around them. This gives this part of BCA a spacious character and appearance, which is further enhanced by the presence of established trees within gardens'.

6. I agree with this assessment for the northern side of London Road, within the vicinity of the appeal site. However, from my own observations, I consider that the southern side of London Road has a different character and appearance, with dwellings that have much less space between them, particularly moving west from the appeal site. The space behind these dwellings is far less evident. For these reasons, in my view, the southern side of London Road within the vicinity of the appeal site has a much more compact character and appearance than the northern side. This is also evident from the plot area and density assessment carried out by the appellant². I consider that the northern and southern side of London Road influence the overall character and appearance in the immediate area around the appeal site.
7. Further, whilst it is clear there is a prominent linear pattern to development along London Road with dwellings fronting onto the highway, there are several instances of substantial buildings set further back from the road along driveways. The previous Inspector³ also commented on this and stated: '*I acknowledge that there is development that does not conform to this linear arrangement, including the dwelling identified as Scott's Gap... However, from my observations it appears that a large proportion of the built form to the rear of the frontage properties is historic and relates to converted ancillary outbuildings/agricultural buildings. Furthermore, despite being converted to residential use these buildings largely retain their ancillary/subservient character and appearance'.*
8. The scheme would utilise existing buildings and when viewed from London Road, would not appear as an obvious independent dwelling that would jar with the existing grain of development. Instead, due to the scale and siting of the existing buildings, it would retain an ancillary/subservient character and appearance, in keeping with the other existing examples in the area that I observed and were referred to by the previous Inspector above.
9. Whilst I acknowledge that the size of the appeal site and the remaining plot associated with Rumsey Barn would be fairly modest, there are numerous other comparable plots within a close distance of the appeal site, as can be seen in the appellant's plot area and density assessment, particularly taking into account the southern side of London Road.
10. The Council are of the view, that the subdivision of the plot would represent an over intensive use of the site / over development, with the proposed dwelling coming with its own additional movements and domestic paraphernalia, which would be detrimental to the character of the area. I consider that the scheme would provide for sufficient amenity space for a 2 bedroom dwelling and would not appear cramped. The host dwelling would also retain a reasonably sized garden. In addition, I am mindful that the Council has not raised any concerns with regard to the living conditions of the future occupants or in terms of

² Design and Access Statement – Supplementary Information, dated March 2020.

³ APP/V3120/W/18/3209796

impacts from noise and disturbance to the occupants of neighbouring properties.

11. It was evident from my site visit that views of the appeal site are relatively limited. But where views are gained, namely from neighbouring properties, I agree with the Council's conservation officer that higher quality materials and the removal of some rooflights would enhance the appearance of the appeal site. Whilst the conservation officer was commenting in terms of the setting of nearby listed buildings, I consider that this also applies to views from neighbouring properties.
12. For all of the above reasons, I consider that the scheme would preserve the character and appearance of the BCA and therefore complies with Policy CP37 of the Vale of White Horse Local Plan 2031 Part 1, Policies P2 and P6 of the Blewbury Neighbourhood Plan, the National Planning Policy Framework and the Council's adopted Design Guide.

Other matters

13. Neighbouring residents have raised strong concerns with regard to the proposed parking arrangements for the scheme. I am content based on my observations at the site visit and the evidence provided by the appellant that suitable access and parking can be achieved. Whilst the manoeuvres are clearly tight, I accept they are nonetheless achievable, including at night, given the use of headlights.
14. Whilst the parking arrangements for Rumseys Barn require cars to be moved to allow another car to exit, this is not an uncommon arrangement. In addition, it has been suggested that the cars used to demonstrate the turning areas were overly small. However, the cars used were a large sports car and a family sized hatchback. To my mind, this offers a reasonable representation.
15. Whilst it has also been suggested that the turning areas could be blocked by other parked vehicles, I consider this to be unlikely as only the occupants of the proposed dwelling or Rumseys Barn are likely to utilise the northern part of the driveway where the turning areas are located. Further, a planning condition can be imposed that ensures the parking and turning areas remain unobstructed and in use for the intended purpose, this includes the garage. It has been suggested that such conditions won't be enforced. However, there is no reason before me to believe that the Council would not do so if required.
16. I acknowledge that other properties also use the shared driveway and there is reliance on parking within a garage halfway along the driveway and a parking space to the north of the garage. However, it is clear from the evidence that vehicles can be turned at the northern end of the driveway without interfering or blocking the other garages or parking space.
17. Vehicles speeds along the driveway and whilst manoeuvring within it would be low and giving the limited number of transport movements that would occur, there would be no unacceptable risk to highway or pedestrian safety.
18. Turning to sight lines of the main access, I observed that these are adequate for the proposed development of one additional dwelling. Given this, along with the 30 mph speed limit on London Road, I consider that the access is suitable and there would not be any unacceptable risk to highway safety in this regard.

19. In terms of emergency access, I am mindful that the access driveway is already in place and serves Rumseys Barn. I am not of the view that the addition of one dwelling utilising the existing driveway would result in unacceptable safety concerns.
20. I am also mindful that the Council's highway officer does not raise any concerns following the provision of the additional highway evidence and this adds weight to my own findings.
21. The noise and disturbance associated with the additional dwelling, including vehicle movements would be minor and would not, in my view, result in unacceptable living conditions to the occupants of neighbouring properties, including Gable End.
22. There is no evidence before me to suggest that the drainage network in the area cannot accommodate an additional dwelling. Further, such matters can be addressed by a planning condition that would secure a suitable drainage scheme.
23. Concern has been raised that there will be impacts on the occupants of neighbouring properties during the construction works. However, any disturbance would be temporary and therefore it is not a reason to withhold planning permission.

Conclusion and Planning Conditions

24. For the reasons given above, and having regard to all other matters raised, I consider that the scheme complies with the development plan when considered as a whole and the appeal therefore succeeds, subject to necessary planning conditions.
25. I have considered the Council's suggested conditions against the tests set out within the Framework and the advice provided by the Government's Planning Practice Guidance (the PPG) and have amended them where required. As well as the standard time limit condition (1), I consider that a condition (2) is necessary to ensure the development is undertaken in accordance with the approved plans to secure certainty.
26. Conditions (3) and (4) are necessary in the interests of the character and appearance of the area. To ensure that there would be no adverse impacts on the water environment, the imposition of conditions (5) and (6) are required.
27. To ensure the protection of existing trees, condition (7) is imposed. The appellant has questioned the need for this condition. However, there are several trees within the neighbouring property to the west that are sited close to the boundary with the appeal site. Therefore, I consider the provision of an arboricultural method statement to be necessary to ensure that no harm is caused to the trees during the refurbishment works. The Council's suggested condition in this regard included a large amount of detail and requirements. I have not included this in the condition in the interests of brevity, but I am nonetheless mindful that such detail can be requested by the Council when discharging the condition.
28. Condition (8) is required in the interests of biodiversity. Conditions (9) and (10) are necessary, to ensure the scheme is acceptable in terms of highway safety.

29. The Council has suggested a condition that seeks to restrict permitted development rights. However, I consider that exceptional circumstances to do so have not been demonstrated. I have therefore not imposed the sought condition.
30. There are several pre-commencement conditions. I am satisfied that this is necessary to make the development acceptable in planning terms and it would have been otherwise necessary to refuse planning permission.

Jonathan Manning

INSPECTOR

Schedule of Planning Conditions

- 1) The development hereby permitted shall be begun within a period of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the details shown on the following approved plans:
 - Location Plan - LSA-043-FP-L-101 Rev B;
 - Site Plan Proposed - LSA-043-FP-P-101 Rev C;
 - Block Plan Proposed - LSA-043-FP-P-102 Rev D;
 - Site Plan Existing Demolition - LSA-043-FP-D-103 Rev B;
 - Existing Elevation Demolition - LSA-043-FP-D-201 Rev B;
 - Existing Elevation Demolition - LSA-043-FP-D-202 Rev B;
 - Proposed Elevation - LSA-043-FP-P-201 Rev B;
 - Proposed Elevation - LSA-043-FP-P-202 Rev C;
 - Proposed Long Section - LSA-043-FP-P-301 Rev C;
 - Proposed Plan Basement Floor - LSA-043-FP-P-105 Rev C;
 - Proposed Plan Ground Floor - LSA-043-FP-P-103 Rev D;
 - Proposed Plan Mezzanine Floor - LSA-043-FP-P-104 Rev C;
 - Parking Tracking Space 1 - LSA-043-SK-201;
 - Parking Tracking Space 2 - LSA-043-SK-202;
 - Parking Tracking Space 3 - LSA-043-SK-203;
 - Parking Tracking Space 4 - LSA-043-SK-204; and
 - Parking Tracking Space 5 - LSA-043-SK-205.
- 3) Prior to the commencement of development, samples of all materials to be used externally in the construction of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
- 4) Notwithstanding any details shown on the approved drawings, the sites internal and external boundaries shall be enclosed in accordance with a detailed landscaping scheme and programme of implementation which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the dwelling hereby approved.
- 5) Prior to the commencement of development, a full surface water drainage scheme, including details of the size, position and construction of drainage works, shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be designed to accommodate a 1 in 10 year storm + 40% CC and must follow SuDS principles. All drainage works will be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.
- 6) Prior to the commencement of development, a full foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, all coupled with calculations to evidence this. All drainage works will be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

- 7) Prior to the commencement of any site works or operations, including demolition and site clearance relating to the development hereby permitted, an Arboricultural Method Statement and accompanying Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
- 8) Before the first occupation of the development hereby permitted, the recommendations set out within Section 5 (mitigations and enhancements section) of the bat emergence survey report, dated 28 August 2019 (REF 2019-040 version 1.1) and Section 5.2 (bird mitigation and enhancements) of the preliminary bat roost assessment report, dated 20 June 2019 (REF 2019-040 version 1) shall be implemented.
- 9) Prior to the first occupation of the new development, the vehicular parking area/spaces and turning spaces shall be constructed in accordance with the details shown on approved drawing numbers LSA- 043-FP-P-103 Rev D, LSA-043-SK-201, LSA-043-SK-202, LSA-043- SK-203, LSA-043-SK-204, and LSA-043-SK-205. The parking and turning areas shall be constructed to prevent surface water discharging onto the highway. Thereafter, the parking and turning areas shall be kept permanently free of any obstruction to such use.
- 10) Notwithstanding the provisions of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or the equivalent provisions of any order revoking and re-enacting that Order), the garage accommodation forming part of the development shall be retained for parking motor vehicles at all times and shall not be adapted to be used for any other purpose.