
Appeal Decision

Site visit made on 22 March 2021

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 April 2021

Appeal Ref: APP/V3120/W/20/3264528

2 Tennyson Drive, Abingdon OX14 5PD

- 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 Mrs Lee Kelsey against the decision of Vale of White Horse District Council.
 - The application Ref P20/V0404/FUL, dated 10 February 2020, was refused by notice dated 11 November 2020.
 - The development proposed is extension and conversion of existing house into four new dwellings, 3x2 bed flats and 1x1 bed flat with associated parking.
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Preliminary Matters

1. The above wording is taken from the application form. Revised plans were submitted during the course of the application. These altered the housing mix to 2x2 bed flats and 2x1 bed flats. The Council made its decision against the amended plans and I shall determine the appeal on the same basis. I have adjusted the description of development in my decision to reflect the revisions.

Decision

2. The appeal is allowed and planning permission is granted for extension and conversion of existing house into four new dwellings, 2x2 bed flats and 2x1 bed flats with associated parking at 2 Tennyson Drive, Abingdon OX14 5PD in accordance with the terms of the application, Ref P20/V0404/FUL, dated 10 February 2020, subject to the conditions set out in the attached schedule.

Application for costs

3. An application for costs was made by Mrs Lee Kelsey against Vale of White Horse District Council. This application is the subject of a separate decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property occupies a corner plot at the junction of Tennyson Drive and Masefield Crescent. This link-detached house is a component part of the street scene of Masefield Crescent and is particularly prominent in views from the direction of Mill Road. Hedging along the boundary with Masefield Crescent is visually attractive, but the side garden does not make a significant contribution to the sense of spaciousness at the junction.

6. The proposal would bring the built form closer to Masefield Crescent and this would make the appeal property more conspicuous in the street scene. However, visibility does not always equate to harm. The new extension would be lower than the existing roof ridge and its mass would be articulated into two discrete blocks with varying eaves heights. From most angles, the extension would read as 1½ storey, particularly from the front where a dormer would sit within the roof slope. Materials would match the host property, with contrasting cladding being used to break up the side elevation. The result would be a subordinate addition which harmonises with the original building.
7. The design would be unique to the appeal property; there are no similar examples within the surrounding area. However, this is a mature residential estate and domestic extensions are commonplace. Given the wide variety that exists locally, including extensions that have taken place on corner plots, I do not consider that the development would be out of keeping. The extension would be set back into the site behind the pavement and grass verge, and this would ensure that it is not overly dominant in views along Masefield Crescent. The retention of existing greenery would help to soften the visual impact.
8. I am told that the planning committee voted to refuse the application on the basis that it failed to meet the criteria in DG 51, 52, 57 and 59 of the Council's Design Guide Supplementary Planning Document (2015) (SPD). These criteria have not been addressed in the authority's evidence, but having read the guidance I do not consider there to be any substantive conflicts. The proposed extension would have an appropriate scale, form and massing and furthermore the design of the roofscape and dormer would be acceptable.
9. Accordingly, I conclude that the proposal would not cause unacceptable harm to the character or appearance of the area. There would be no conflict with Policy CP37 of the Vale of White Horse Local Plan 2031 (LP) insofar as this seeks high quality design that responds positively to the site and its surroundings.

Other Matters

10. The site lies within Abingdon which is classified as a Market Town within the LP. Market Towns have the greatest long-term potential for development to provide the jobs and homes to help sustain, and where appropriate, enhance their services and facilities to support viable and sustainable communities in a proportionate manner. The extension and conversion of the appeal property to flats is therefore acceptable in principle, subject to compliance with policies on detailed matters such as design and highways.
11. The scheme makes provision for 4 parking spaces, equivalent to 1 per flat. This is in line with the Oxfordshire Parking Standards. Concerns have been raised regarding highway safety impacts. However, a development of this nature is unlikely to generate a large number of traffic movements or significant additional demand for parking. The extension would not obstruct sight lines at the junction and timed and dated photographic evidence submitted by the appellant, together with my own observations, indicates that displaced parking, including visitor parking, can be safely accommodated on the road. The Highway Authority considers the proposal to be acceptable in highway terms and based on the evidence before me I am minded to agree.
12. Paragraph 109 of the National Planning Policy Framework explains that development should only be prevented or refused on highways grounds if there

would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Whilst I acknowledge the level of local concern in relation to parking and highway matters, such adverse impacts have not been evidenced.

13. The proposal provides courtyards for the ground floor flats and a communal amenity space for the first floor flats. This accords with the recommendations set out within principle DG 72 of the Design Guide SPD. Although gross internal floor areas have not been provided there is no suggestion that the flats would be substandard in terms of their internal floor area. Overall, I am content that the flats would provide an acceptable living environment.
14. The plans show that the proposed extension would have windows in the side elevation. However, an adequate distance would be maintained to existing dwellings on the opposite side of Masefield Crescent, sufficient to ensure that there would be no material loss of privacy. The distance to neighbouring properties is also such that the development would not have an overbearing impact or result in a material loss of daylight or sunlight for adjoining occupiers.
15. The Council's drainage engineer is satisfied that, subject to further details of surface water disposal being secured by condition, no significant flooding issues would arise. There is no technical evidence to lead me to a different view.
16. I have taken account of all other concerns raised, including those in relation to party wall issues and pollution from an oil storage tank, but they do not alter my overall conclusion. As regards concerns over precedent, it is an established principle that planning applications should be determined on their own merits.

Conditions

17. In addition to the standard commencement condition I have attached a condition specifying the approved plans, in the interests of certainty. To secure harmonious treatment, a condition is required in relation to materials.
18. I have also imposed conditions to secure the car parking and cycle parking provisions, in the interests of highway safety and encouraging sustainable transport modes respectively. For highway safety reasons a further condition is needed to require the provision of visibility splays.
19. Details of foul and surface water drainage are required prior to groundworks commencing and therefore the Council's suggested pre-commencement conditions are justified.

Conclusion

20. The proposal would accord with the development plan read as a whole. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Robert Parker

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Drawing no TNNY.P11 Revision G.
- 3) No development shall commence until a full surface water drainage scheme, including details of the size, position and construction of drainage works, coupled with Planning Practice Guidance measures, has been submitted to and approved in writing by the local planning authority. The drainage scheme shall be designed to accommodate a 1 in 100 year storm + 40% climate change allowance and shall be implemented in accordance with the approved details prior to the completion or first occupation of the development, whichever is sooner.
- 4) No development shall commence until a full foul water drainage scheme has been 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. The approved scheme shall be implemented prior to first occupation of the development.
- 5) The development shall not be occupied until visibility splays have been provided in both directions measuring 2.4m by 25m or to the termination of the road. Such splays shall be designed to ensure there is no obstruction to vision above 0.9 metre in height relative to the centre line of the adjacent carriageway over the whole of each visibility splay area. Thereafter, the visibility splays shall be permanently maintained free from obstruction to vision.
- 6) The development shall not be occupied until the parking spaces shown on approved Drawing No. TNNY.P11 REV G, have been constructed, surfaced in a properly consolidated material (not loose stone or gravel) and marked out. The parking spaces shall be constructed to prevent surface water discharging onto the highway. Thereafter, the parking spaces shall be kept permanently free of any obstruction to such use.
- 7) The development shall not be occupied until the cycle parking provision shown on approved Drawing No. TNNY.P11 REV G has been constructed. Thereafter, the cycle parking provision shall be kept permanently free of any obstruction to such use.
- 8) The development shall be built using only the external materials specified on the forms and/or shown on the approved drawings the subject of this planning permission, unless otherwise agreed in writing by the local planning authority.

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