
Appeal Decision

Site Visit made on 19 July 2021

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2021

Appeal Ref: APP/Q3115/W/21/3272540

Station Road, Goring, RG8 9HG

- 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 Richard Barnby against the decision of South Oxfordshire District Council.
 - The application Ref P20/S4449/FUL, dated 13 November 2020, was refused by notice dated 27 January 2021.
 - The development proposed is Change of use of hairdressers (A1) to two flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) the suitability of the proposal having regard to the requirements of local policy in relation to the retention of employment land; and
 - ii) whether the proposal would provide suitable living conditions for future occupants, having particular regard to waste provision and floorspace.

Reasons

Employment Land

3. Policy EMP3 of the South Oxfordshire Local Plan (2020) (LP) relates to the retention of employment land. Amongst other things, to enable a change of use from employment land to non-employment land, it is necessary to demonstrate that any employment use is no longer viable, or that it is evidenced that there is no market interest in the site following one year of active and effective marketing.
4. The appeal site is located within Goring and currently comprises a vacant commercial premise. Based on the evidence before me, the appeal site has been vacant since March 2020, having been closed due to the national lockdown in response to the Covid-19 outbreak. It is also suggested that prior to this time, the hairdressers that occupied the site was struggling and that they failed to pay rent after October 2019.
5. The evidence implies that the appellant sought tenants and also instructed local estate agents. However, it is suggested that a tenant was not deemed likely due to the amount of existing business and vacant property within the village. This includes two other hairdressers and a barber. Despite this, there is no

tangible evidence which specifically relates to active and effective marketing. In addition, although I note the comments regarding the location of the appeal site and the competition afforded by other premises within the village, I find this to be more anecdotal rather than based on objective findings.

Consequently, in the absence of active marketing, I find that the proposal fails to adequately demonstrate that any employment use is no longer viable.

6. Accordingly, having regard to the requirements of local policy, I conclude that the proposal would have a harmful effect on the retention of employment land, thereby failing to comply with the requirements of Policy EMP3 of the LP, as identified above.

Living conditions for future occupants

7. The proposal would provide two one-bedroom flats, both of which would provide two bedspaces. Although Flat 1 would meet the Nationally Described Space Standards, the floorspace provided for Flat 2 would be 40.2m², substantially below the required 50m². It is suggested by the appellant that Flat 2 would be restricted to single occupancy, however, no mechanism exists to control this matter. Accordingly, the proposal has to be assessed as a flat that would provide one bedroom with two bed spaces, and on this basis, it would fail to meet national standards.
8. The proposal would rely on external bin storage to the front of the site and although I note the Council's concerns in relation to the area currently used, based on the evidence before me, the land is within the appellant's ownership. In addition, I find that the evidence regarding capacity is not compelling. In my judgement, the proposal could provide the necessary capacity of waste provision on land in their ownership, in an area currently already used for bin storage. Consequently, I am satisfied that in relation to bin storage, the proposal would provide suitable living conditions for future occupants.
9. The proposal would also provide ample access to natural daylight and would also provide well insulated accommodation. However, for the reasons identified above, having regard to the floorspace provided by Flat 2, I conclude that the proposal would fail to provide suitable living conditions for future occupants. It would therefore fail to comply with Policy H11 of the LP and Policy H.03 of the Goring Neighbourhood Plan (2019) which require amongst other things, market housing to meet Nationally Described Space Standards.

Other Matters

10. The proposal would make a small but helpful contribution to local housing stock in a sustainable location, close to the railway station as well as other services. Due to their ground floor location, the proposed flats would also provide accessible accommodation. These are matters which attract weight in favour of the appeal, but due to the scale of the proposal, this weight is limited.

Conclusion

11. For the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR