



Appeal Decision

Site visit made on 2 January 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 January 2025

Appeal Ref: APP/V3120/D/24/3347191

Box Cottage, Broadbrook Lane, Sparsholt, Wantage, Oxfordshire, OX12 9PJ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Reynolds against the decision of Vale of White Horse District Council.
 - The application Ref is P24/V0102/HH.
 - The development proposed is demolition of single-storey extensions, erection of two-storey and single-storey extensions, blocking up of existing access, proposed new vehicular access and parking area.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of single-storey extensions, erection of two-storey and single-storey extensions, blocking up of existing access, proposed new vehicular access and parking area at Box Cottage, Broadbrook Lane, Sparsholt, Wantage, Oxfordshire, OX12 9PJ, in accordance with the terms of the application, Ref P24/V0102/HH, and subject to the conditions set out in the **Appendix** to this Decision.

Procedural Matters

2. The description above is based upon that set out in the refusal notice.
3. The proposal was amended after initial submission and the application was refused and this appeal is considered with respect to Drawings Refs:

2308-3_101 Rev B

2308-3_202 Rev B

2308-3_203 Rev B

2308-3_301 Rev B

4. However, a further Revision C of Drawing 2308-3_301, with illustrated access vision splays added, is also taken into account.
5. At the time of my site visit, Box Cottage was under refurbishment but, if that represents an early start on the appeal development, it has no effect on my consideration of the planning issues arising in the appeal.

Main Issues

6. The main issues are: the effect of the proposed development on the character and appearance of the appeal property and the wider surrounding Sparsholt

Conservation Area (CA); the safety of the proposed replacement vehicle access; and the effect on biodiversity.

Reasons

Character and Appearance

7. The current proposed design for the extensions, as refused by the Council, would result in a fifty percent increase in the internal floor area of the dwelling at Box Cottage. The Council rejected the proposal largely on grounds that the two-storey element, in particular, would appear disproportionate and out of keeping in its dark, timber-clad finish with respect to the original Box Cottage, which is a small-scale, traditional workers dwelling.
8. The original building was long ago extended to the rear, creating a twin pitched-roof profile. A further flat-roofed extension, to be demolished to make way for the present scheme, was added much later. However, the southern main frontage has always remained in its original form, such that Box Cottage still appears from Broadbrook Lane as a charming workers dwelling, in the red-brick common in the village, making a positive contribution to the Sparsholt CA. Importantly, that situation would not essentially alter as a result of the building works now proposed and there would accordingly be no harmful impact on the immediate street scene of Broadbrook Lane due to the proposed building works.
9. From the open area of the village to the west, the two-storey extension would be visible above the 1.5m boundary wall. It would be almost as high as the present twin gables but it would be set back and finished in dark-coloured timber cladding, in contrast with the red brickwork of the gables. I consider that overall, the extension would appear acceptably subservient to the main structure.
10. Clearly, the chosen finishing materials of dark timber walls and pre-weathered, standing seam zinc roof sheeting would be different from those of the existing building; but the zinc would visually complement the slate roof of the main Cottage. Moreover, dark timber cladding finishes are much in evidence about the CA on traditional agricultural buildings but also on some modern house extensions.
11. I have reached the opinion that, subject to a condition to ensure compliance with the approved plans and the finishing materials therein specified, the proposed extensions would have no adverse impact on the character or appearance of Box Cottage in any view, despite a departure from some aspects of adopted supplementary guidance on house extensions.
12. Before reaching an overall view on the issue of character and appearance, I consider it necessary to assess the effect of the proposed access. This would involve removing a length of boundary hedge and setting back the new entrance by a car length from the road edge. The existing entrance would be closed in compensation, but there would a slight net amount of urbanisation of the rural street scene at this point, resulting in a minor degree of less than substantial of harm to the character and appearance of the Sparsholt CA, to be weighed in the planning balance.

Vehicle Access

13. The application was refused for the further reason of a lack of information to assure the safety of the proposed vehicle access from a proposed parking and turning

area at the centre of the garden onto the classified, 20mph Broadbrook Lane. There is no doubt that the vision splays available at the new entrance would be substandard with respect to the accepted minimum dimensions of 2.4m set-back by 25m along the road edge. That is due to the location of the entrance in the inside of slight curve. A plan illustrating 25m splays to the centre of the Lane was submitted with the appeal but this is still technically substandard.

14. I am mindful though that this proposal is for a replacement entrance for one that exists a little further east. That entrance is narrow and without any set-back or vision splays. It appears little used but there is nothing to say that it could not give rise to potentially dangerous access and egress manoeuvres at any time.
15. In contrast, the proposed entrance would be wider and recessed to provide a refuge for vehicles entering, as well as improved visibility for those emerging. So, although the vision available would be strictly substandard, the proposed entrance would be less likely to cause dangerous vehicle conflicts and there would be a significant net improvement in road safety over the present situation.
16. Therefore, subject to conditions to secure the provision of access, on-site parking and turning space as proposed, I find no conflict between the access proposals and the aims of VWHL Policies CP35, CP37 and DP16, as well as national policy, with respect to the provision of adequate parking and safe access.

Biodiversity

17. The application was also refused on biodiversity grounds, in the absence of a bat emergence survey.
18. A specialist bat emergence survey was submitted with the appeal. This concludes that, although there is some bat activity over the appeal site and in the immediate area, including Noctule and Brown Long-eared species as well as the more common Pipistrelle, there is no evidence of bats roosting within the appeal property.
19. There is no other evidence of the presence of any protected species. However, in the circumstances, I consider it sufficient to impose the broadly worded condition, suggested without prejudice by the Council, to require the implementation of an approved Construction Method Statement prescribing measures to safeguard any bats or other protected species encountered.
20. With that condition in place, I consider that the proposed development would be in accordance with Policy CP46 of the VWHL with respect to Conservation and Improvement of Biodiversity.

Other Matters

21. The Council is satisfied, and I agree, that there is no objection with regard to residential amenity. The Parish Council has no objection to the current proposal and there is no other matter in the written representations to affect my decision.

Planning Balance and Conclusion

22. I consider that the localised less than substantial harm to the street due to the new access would be more than outweighed by the benefit I have identified to road safety in Broadbrook Lane.

23. In view of my finding that the works to Box Cottage itself would cause no harm to the character or appearance of the site or its surroundings, it follows that there would be no harm to the character or appearance of the Sparsholt CA as a whole, which would accordingly be preserved in accordance with established planning law.
24. I conclude, finally, that the proposed development is to be regarded as compliant with the development plan as a whole, and that therefore this appeal should be allowed and the permission sought granted, subject to the conditions discussed above.

B J Sims

INSPECTOR

APPENDIX

PLANNING CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby approved shall only be carried out in accordance with the following approved drawings:

2308-3_101 Rev B
2308-3_202 Rev B
2308-3_203 Rev B
2308-3_301 Rev C
- 3) Prior to the use or occupation of the new development, the new vehicular access and visibility splays hereby approved and shown on approved drawing number 2308-3_101 Rev C shall be provided. Thereafter, the visibility splays shall be permanently maintained free from obstruction to vision.
- 4) Prior to the use or occupation of the new development, the car parking spaces shown on approved drawing number 2308-3_101 Rev C shall be constructed and surfaced to prevent surface water discharging onto the highway. Thereafter, the parking spaces shall be kept permanently free of any obstruction to such use.
- 5) Prior to the commencement of works on site, a Construction Method Statement (CMS) for protected species shall be submitted to and approved in writing by the Local Planning Authority. The CMS shall describe Reasonable Avoidance Measures to be employed during construction to avoid impacts on: (1) badger, hedgehog and other small animals (including measures to be employed to avoid these species becoming trapped in excavations); (2) nesting birds (including vegetation clearance timings and/or arrangements for ecological supervision); (3) great crested newt (including details of a phased cut of the section of the southern boundary hedgerow to be removed, using hand tools; rules for siting and storage methods of building materials and site waste to minimise risks of newts using them as temporary refugia (such as use of pallets for materials storage, avoidance of storage on grass and vegetated garden areas, and prompt removal of waste); and the CMS shall give details of the procedure to be followed if a newt is discovered during the works. The approved CMS shall be strictly adhered to and implemented throughout the construction period.

- End of Appendix -