

Date: 11 November 2005

TO: All Members of the Development
Control Committee
FOR ATTENDANCE

TO: All Other Members of the Council
FOR INFORMATION

Dear Sir/Madam

Your attendance is requested at a meeting of the **DEVELOPMENT CONTROL COMMITTEE** to be held in the **GUILDHALL, ABINGDON** on **MONDAY, 21ST NOVEMBER, 2005** at **6.30 PM**.

Yours faithfully

Terry Stock
Chief Executive

Members are reminded of the provisions contained in Part 2 of the Local Code of Conduct, and Standing Order 34 regarding the declaration of Personal and Prejudicial Interests.

A G E N D A

Open to the Public including the Press

A large print version of this agenda is available. In addition any background papers referred to may be inspected by prior arrangement. Contact Carole Nicholl, Democratic Services Officer, on telephone number (01235) 547631.

Map and Vision

(Page 5)

A map showing the location of the venue for this meeting, together with a copy the Council Vision are attached.

1. Notification of Substitutes and Apologies for Absence

To record the attendance of Substitute Members, if any, who have been authorised to attend in accordance with the provisions of Standing Order 17(1), with notification having been given to the proper Officer before the start of the meeting and to receive apologies for absence.

2. Minutes

(Pages 6 - 12)

To adopt and sign as a correct record the minutes of the meeting of the Development Control Committee held on 24 October 2005.

3. Declarations of Interest

To receive any declarations of Personal or Personal and Prejudicial Interests in respect of items on the agenda for this meeting.

In accordance with Part 2 of the Local Code of Conduct and the provisions of Standing Order 34, any Member with a personal interest must disclose the existence and nature of that interest to the meeting prior to the matter being debated. Where that personal interest is also a prejudicial interest, then the Member must withdraw from the room in which the meeting is being held and not seek improperly to influence any decision about the matter unless he/she has obtained a dispensation from the Standards Committee.

4. Urgent Business and Chair's Announcements

To receive notification of any matters, which the Chair determines, should be considered as urgent business and the special circumstances, which have made the matters urgent, and to receive any announcements from the Chair.

5. Statements and Petitions from the Public Under Standing Order 32

Any statements and/or petitions from the public under Standing Order 32 will be made or presented at the meeting.

6. Questions from the Public Under Standing Order 32

Any questions from members of the public under Standing Order 32 will be asked at the meeting.

7. Statements and Petitions from the Public under Standing Order 33

Any statements and/or petitions from members of the public under Standing Order 33, relating to planning applications, will be made or presented at the meeting.

8. Materials

To consider any materials submitted prior to the meeting of the Committee.

ANY MATERIALS SUBMITTED WILL BE ON DISPLAY PRIOR TO THE MEETING.

9. Appeals

(Pages 13 - 17)

Lodged

The following appeal has been lodged with the Planning Inspectorate:-

Appeals by Mr and Mrs J Kay against the Council's decisions to refuse to permit the extension of a single storey rear extension to Barn, Ickleton House, London Road, Blewbury

(BLE/15593/3 and BLE/15593/4-LB).

Dismissed

The following appeal has been dismissed by the Planning Inspectorate: -

Appeals by Abingdon Bowling Club against the Council's decisions to refuse to permit the construction of new all weather bowling green with associated fencing, hedging and external work and removal of existing leylandii and fir hedging at Abingdon Bowling Club, Albert Road, Park Crescent, Abingdon (ABG/7375/6 and ABG/7375/7). Both decisions were made by the Development Control Committee on 15 March 2004 and 27 September 2004 respectively. The decision letter is attached at **Appendix 1**.

Recommendation

that the agenda report be received.

10. Forthcoming Public Inquiries and Hearings

(Pages 18 - 22)

A list of forthcoming public inquiries and hearings is presented.

Recommendation

that the report be received.

PLANNING APPLICATIONS

Local Government (Access to Information) Act 1995 - The background papers for the applications on this agenda are available for inspection at the Council Offices at the Abbey House in Abingdon during normal office hours. They include the Oxfordshire Structure Plan, the Adopted Vale of White Horse Local Plan (November 1999) and the emerging Local Plan and all representations received as a result of consultation.

Any additional information received following the publication of this agenda will be reported at the meeting.

Please note that the order in which applications are considered may alter to take account of the Council's public speaking arrangements. Applications where members of the public have given notice that they wish to speak will be considered first.

Report 177/05 of the Assistant Director (Planning) refers.

11. NHI/1136/4 – Proposed conversion of existing shop to 2 x 1 bed and 1 x 2 bed flats. 78A West Way, Botley (North Hinksey Parish)

(Wards Affected: North Hinksey and Wytham)

(Pages 23 - 27)

12. KEN/1525/1-X – Demolition of existing tandem garage. Erection of a single storey dwelling, twin garage and relocation of access. 5 Kirk Close, Kennington.

(Wards Affected: Kennington and South Hinksey)

(Pages 28 - 32)

13. **ABG/3516/11 – Amendments to Blocks C and D. Addition of 1 affordable flat to Block D (Total number of dwellings in Blocks C and D increased from 64 to 65). Two extra parking spaces. The Maltings, Vineyard, Abingdon**
(Wards Affected: Abingdon Abbey and Barton)
(Pages 33 - 42)
14. **GCO/8308/11-X – Construction of 4 x 2 storey dwellings. Demolition of existing barn. Pear Tree Farm, Great Coxwell**
(Wards Affected: Faringdon and The Coxwells)
(Pages 43 - 56)
15. **LWO/13682/4-X – Erection of a dwelling. Wayside House, Beggars Lane, Longworth.**
(Wards Affected: Longworth)
(Pages 57 - 65)
16. **ABG/16150/2 – Demolition, replacement and resiting of an existing garage. Erection of a single storey front and rear extension, erection of a two storey side and rear extension and erection of a 1.8 metre close boarded fence. 56, Ballard Chase, Abingdon**
(Wards Affected: Abingdon Dunmore)
(Pages 66 - 79)

Exempt Information under Section 100A(4) of the Local Government Act 1972

None.



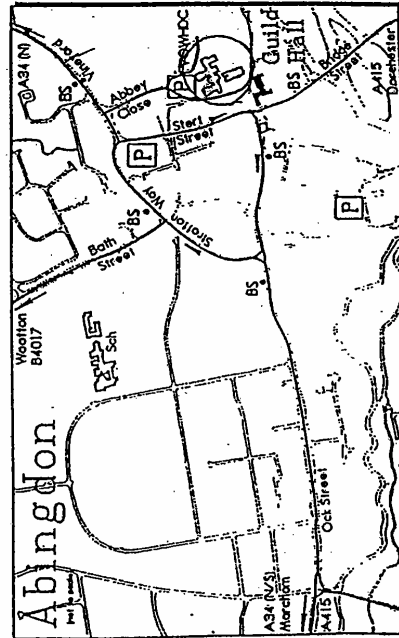
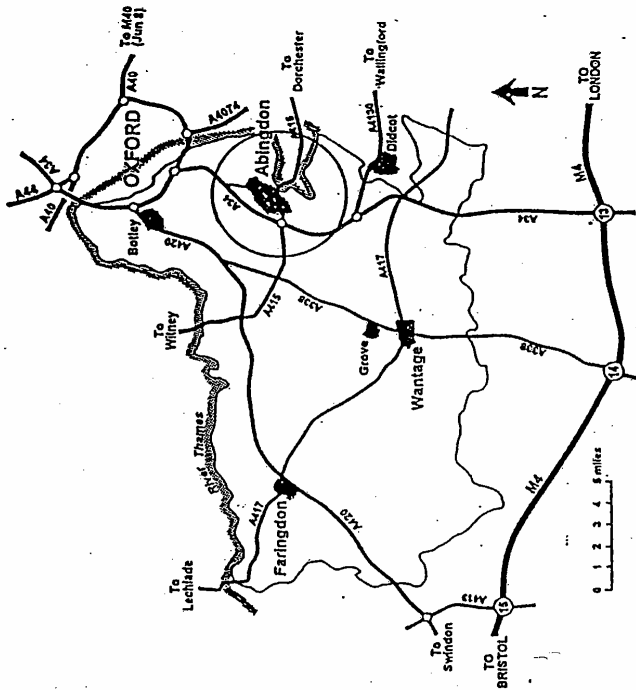
Our Vision - To build and safeguard a fair, open and compassionate community

Our Objectives -

We aim to:

- provide high quality public services which are effective, efficient and responsive to the needs of people within the Vale
- Strengthen local democracy and public involvement through freedom of information and accountability, so that everyone can take part in our community and contribute to the decisions which affect our lives
- Oppose all prejudice and discrimination
- Protect and improve our environment
- Create a safer community
- Encourage a strong and sustainable economy which is beneficial to all who live in, work in or visit the Vale
- Improve the quality of life of all members of the community

Adopted by Vale of White Horse District Council 18 October 1995



KEY : BS = Bus Stop

Vale of White Horse District Council
The Abbey House, Abingdon, Oxfordshire OX14 3JE Telephone (0235) 520202

LOCATION MAP



DC.89

**MINUTES OF A MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE**

**HELD AT THE GUILDHALL,
ABINGDON ON MONDAY, 24TH
OCTOBER, 2005 AT 6.30PM**

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors Sylvia Patterson (Chair), Terry Quinlan (Vice-Chair), Matthew Barber, Roger Cox, Terry Cox, Tony de-Vere, Richard Gibson, Jenny Hannaby, Monica Lovatt, Julie Mayhew-Archer, Briony Newport, Jerry Patterson, Margaret Turner, Pam Westwood and John Woodford.

SUBSTITUTE MEMBERS: Councillor Mary de-Vere (In place of Richard Farrell)

OFFICERS: Sarah Commins, Steve Culliford, Martin Deans and Mike Gilbert.

NUMBER OF MEMBERS OF THE PUBLIC: 18

DC.144 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

The attendance of a Substitute Member who had been authorised to attend in accordance with the provisions of Standing Order 17(1) was recorded as referred to above with an apology for absence having been received from Councillor Richard Farrell. An apology for absence was also Councillor Peter Jones.

DC.145 MINUTES

The minutes of the meeting of the Development Control Committee held on 26 September 2005 were adopted and signed as a correct record.

DC.146 DECLARATIONS OF INTEREST

Councillors declared interests in report 153/05 – Planning Applications as follows:

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Sylvia Patterson	Personal and prejudicial	KEN/18819	Owens a property next to the application site	DC.156
Jerry Patterson	Personal and prejudicial	KEN/18819	Owens a property next to the application site	DC.156

Councillors also declared interests in report 152/05 - Enforcement Programme as follows:

<u>Councillors</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Matthew Barber	Personal	Enforcement item re Hazelwood, Spring	Acquainted with the applicants' wife	DC.158

<u>Councillors</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
		Copse, Hinksey Hill, Oxford SHI/17672/5		
Roger Cox	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Terry Cox	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Monica Lovatt	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Margaret Turner	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158
Pam Westwood	Personal	Enforcement item re Hazelwood, Spring Copse, Hinksey Hill, Oxford SHI/17672/5	Acquainted with the applicants' wife	DC.158

DC.147 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair advised that agenda item 15 - Enforcement Programme - would be considered immediately following agenda item 10 - Forthcoming Public Inquiries and Hearings. She also advised that item 14 - Planning Application ECH/18921/1 - had been withdrawn from the agenda.

The Chair reminded Councillors and members of the public that all mobile telephones should be switched off during the meeting.

DC.148 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

Two members of the public had each given notice that they wished to make a statement at the meeting under Standing Order 32. Both related to the Enforcement item regarding Hazelwood, Spring Copse, Hinksey Hill (SHI/17672/5) (minute DC.158 refers). One Member of the public had given notice that they wished to present a Petition under this Standing Order.

- (1) Dr Goodhead made a statement seeking enforcement action to be taken against the owners of Hazelwood as he believed that unauthorized development had taken place. Retrospective approval had previously been given when development had proceeded in a manner that was different from that permitted. A re-survey had revealed that the land survey was correct but that the house and garage had been repositioned. He had expressed concerns when the foundations had been laid and was concerned at the height and nature of parts of the development. The garage roof pitch was too high and officers had initially proposed to agree changes as minor amendments, which Dr Goodhead disagreed with. He believed that the information in the officer's report and the information provided by the applicants was poor and the design did not comply with the old or new drawings. Furthermore, there had been no response to his questions concerning the toilet window. He urged the Committee to enforce the plans approved in July and ensure that the height was reduced and conditions were met.
- (2) Mr Bedford made a statement explaining the main aspects of the development undertaken at Hazelwood. The floor slab of the garage was at the approved level and the eaves were at the approved height. However, to achieve a door height in the room above the garage, the roof height had been increased slightly. The roof pitch was now 45° rather than 42° as previously approved. He had not seen the toilet window in its present form but undertook, if necessary, to ensure that it was permanently locked.

The Chair thanked the speakers for their statements.

- (3) Councillor Pam Westwood presented a petition to the Chair of the Committee on behalf of the Group Seeking Openness from Local Authorities (G-SOLA). In the petition, the Group regretted a lack of consultation on further housing at Grove and sought a poll of all Wantage residents. The petition contained 10 signatures. The Chair received the petition.

DC.149 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

DC.150 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

Six members of the public had given notice that they each wished to make a statement at the meeting. However one member of the public was not present.

DC.151 MATERIALS

The Committee received and considered materials as follows:

- (1) Horse and Jockey, Chilton (CHI/11292/9)

By 16 votes to nil it was

RESOLVED

- (a) *that the use of the following materials be approved: -*

*Ibstock Hamsey Mixed Stock bricks
Artificial slate – Eternit Rivendale Blue/Black*

- (b) *that the sample of concrete tile submitted be refused and the applicants be requested to supply a clay tile for consideration.*

- (2) Demolition of existing garage building. Erection of 4 one bedroom flats, 2 two bedroom house, 2 three bedroom house / four bedroom house or 2 five bedroom houses together with associated parking and garages, Uffington Garage, Broad Street, Uffington (UFF/1082/8)

RESOLVED

that the use of the following materials be approved: -

Natural stone

Michelpersh Hampshire Stock Orange Red bricks

Ibstock Buckingham ChancelMix bricks

Eternit ACME clay plain tiles – Ockham Light mix

- (3) Thames View, Abingdon (ABG/319/19-D)

RESOLVED

- (i) *that the use of the following materials be approved: -*

Artificial slate – Eternit Rivendale Blue/Black

Clay plain tiles – Eternit ACME Antique, Eternit ACME Burnt Flame and Eternit ACME Grey Sand

- (ii) *that authority be delegated to the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee and local Members to approve the distribution of the materials across the site.*

DC.152 APPEALS

The Committee received and considered an agenda item which advised of one appeal which had been lodged with the Planning Inspectorate for determination.

RESOLVED

that the agenda report be received.

DC.153 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered details of forthcoming Public Inquiries and Hearings.

RESOLVED

that the agenda report be received.

PLANNING APPLICATIONS

The Committee received and considered report 153/05 of the Assistant Director (Planning) detailing planning applications, the decisions of which are set out below. Applications where members of the public had given notice that they wished to speak were considered first.

DC.154 SHI/1753/10 - CHANGE OF USE, ALTERATION AND EXTENSION TO TWO DWELLINGS AND ERECTION OF SEVEN FURTHER DWELLINGS. ISIS WORKS, ST LAWRENCE ROAD, SOUTH HINKSEY

Councillor Rawcliffe made a statement on behalf of South Hinksey Parish Council welcoming new housing in the village but objecting to the height and pitch on the original design. In the latest application, the properties nearest the Church had more bedrooms in the roof and he considered this would have a detrimental impact on the Church and the nearby listed farmhouse. He commented that the increase in density would have implications for traffic, particularly on the junction at the A34 and that parking was difficult in the village and would get worse. Finally, he commented that the development would not provide a comfortable, safe environment in the village.

James Mallinson made a statement objecting to the application, agreeing with the comments made by the representative of the Parish Council regarding parking and traffic. There had already been a significant impact on his Listed property from the development of Isis House and the height of the new development would impact also.

Peter Uzzell, the applicant's agent, made a statement in support of the application, believing it was proper to submit amended planning applications to make developments more profitable. Some minor alterations had been proposed, which resulted in less volume and the parking standards being met in full. There had been a reduction in the number of dwellings which would generate less traffic. There was no increase in height in the dwellings nearest the church and some of ridge heights had been reduced. One dwelling had even been moved further away from the Listed farmhouse.

As the Committee did not have the power to alter the County Council's adopted parking standards nor alter the access on to the A34, it was considered that these objections could not be resolved. The Committee noted that the impact on the Listed farmhouse and church had been reduced. Members also recognised that the development replaced the old industrial use of the site and therefore would result in less traffic. However, some concern was expressed at the tone of the letter from the Parish Council.

By 16 votes to nil it was

RESOLVED

that application SHI/753/10 be approved subject to the conditions set out in the report.

DC.155 WAN/3417/27 & 28-LB - CHANGE OF USE OF FIRST AND SECOND FLOORS FROM OFFICE TO 3 X 1 BED AND 4 X 2 BED FLATS. 13 - 17 NEWBURY STREET, WANTAGE

Further to the report, the officer advised the Committee that the County Engineer had no objections to the application on highways grounds, given the existing office use of the site.

Mr Mortimer, an objector, had requested to address the meeting but was not in attendance.

Mr Gordon Haslett, the applicant's agent, made a statement in support of the application. In contrast to the Town Council's views, he reported that only a small amount of the building was currently used as office space, the remainder was vacant despite being advertised by an agent. There was no demand for low grade office accommodation in the town. Spare parking capacity was available in the area and traffic generation would have a limited impact on local people.

Some concern was expressed at the lack of parking provision and that it would be difficult for residents to park in the public car parks at peak times. The cumulative effect could have a long term detrimental effect on the town's economy. In response, one Member reported that 20% of households in the Vale had no car. However, the majority of Members supported the

proposed development. Residential development near the town centre was welcomed and the development would improve the appearance of the building.

By 15 votes to 1 it was

RESOLVED

that applications WAN/3417/27 and WAN/3417/28-LB be approved subject to the conditions set out in the report.

DC.156 KEN/18819 - ERECTION OF 3 DETACHED HOUSES AND GARAGES WITH ACCESS OFF COW LANE. THE MANOR HOUSE, KENNINGTON

(Councillors Jerry Patterson and Sylvia Patterson both declared personal and prejudicial interests in this item and in accordance with Standing Order 34 they left the meeting during its consideration.)

Mr Myers, the applicant, made a statement in support of the application. The site used to have cottages on it in the 19th century. Although there was a problem with the access vision splay, the adjoining landowner had agreed to negotiate its improvement.

If the access problems could be overcome, Members were in support of the proposal and welcomed the design that included thatched roofs.

By 14 votes to nil it was

RESOLVED

that authority be delegated to the Chief Executive, in consultation with the Chair and/or Vice-Chair of the Development Control Committee, subject to no objections from Environmental Protection, to a legal agreement ensuring the maintenance of the visibility splays at the junction of Cow Lane and Kennington Road and enabling the use of Cow Lane to gain access to the site, and subject to the conditions set out in the report.

DC.157 ECH/18921/1 - CONVERSION OF EXISTING BARN TO OFFICES. LAND OPPOSITE VOWH DEPOT, CHALLOW ROAD, WANTAGE

This application was withdrawn from the agenda.

DC.158 ENFORCEMENT REPORT

(Councillors Matthew Barber, Roger Cox, Terry Cox, Monica Lovatt, Margaret Turner and Pam Westwood all declared personal interests in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration.)

The Committee received and considered report 152/05 of the Assistant Director (Planning) which looked at five enforcement cases. Details of each case were considered.

In respect of Hazelwood at Spring Copse, Hinksey Hill, it was noted that the Enforcement Officer had measured the garage and ascertained that it was 0.325m higher than permitted. This was to achieve the height for a doorway and ceiling for the first floor. The Committee considered that despite mistakes that had been made, it had to consider the issue as if it was a fresh planning application. Members considered that the increased height to allow a doorway and ceiling was acceptable and would have been granted planning permission. Therefore, the Committee agreed not to take enforcement action, although Members

requested that the officers investigated the window as installed to ensure it complied with the existing permission.

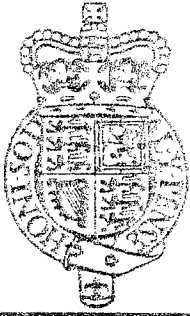
RESOLVED

- (a) *that authority be delegated to the Chief Executive, in consultation with the Monitoring Officer and Solicitor and the Chair and/or Vice-Chair of the Development Control Committee, to take enforcement action in the following cases, if in their judgement it is considered expedient to do so:*
- (i) *To cease any residential use, and secure the removal of, an unauthorised dwelling at Willow Farm, Lower Road, Chilton, Didcot, CHI/17556 (by 16 votes to nil);*
 - (ii) *To secure the removal of an unauthorised dwelling at Apple Tree House, Lincombe Lane, Boars Hill, Oxford, SUN/17821 (by 16 votes to nil);*
- (b) *that no enforcement action be taken in the following cases but that they remain on the active enforcement list:*
- (i) *To remove the enforcement case against Mr Tarojamani and an unauthorised boundary wall and gates at 58 Hurst Lane, Cumnor, CUM/18489/1-E (by 16 votes to nil);*
 - (ii) *To remove the enforcement case against Mr P Caudwell and the unauthorised use of agricultural buildings at Cross Trees Farm, Sutton Courtenay, Abingdon, as kennels, SUT/184/6-E (by 16 votes to nil); and*
 - (iii) *To take no further action in the enforcement case against Mr D. Matthews and the increase in height and pitch of the garage roof, subject to the officers investigating the window as installed to ensure it complies with the existing permission at Hazelwood, Spring Copse, Hinksey Hill, Oxford, SHI/17672/5 (by 13 votes to 1 with 2 abstentions).*

Exempt Information Under Section 100A(4) of the Local Government Act 1972

None

The meeting rose at 8.12pm



Appeal Decision

Hearing and site visit held on 4 October 2005

by **Stephen J Pratt** BA(Hons) MRTPI

an Inspector appointed by the First Secretary of State

1 Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date **12 OCT 2005**

Appeals Refs: APP/V3120/A/04/1162005 & APP/V3120/A/04/1166048
Abingdon Bowling Club, Albert Park, Park Crescent, Abingdon OX14 1DD

- The appeals are made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeals are made by Abingdon Bowling Club against the decisions of Vale of White Horse District Council.
- The applications Refs: ABG/7375/6 & ABG/7375/7, dated 18 August 2003 & 29 June 2004, were refused by notices dated 15 March 2004 & 27 September 2004.
- The development proposed is construction of new all-weather bowling green with associated fencing, hedging and external work, and removal of existing Leylandii and fir hedging.

Summary of Decision: The appeals are dismissed.

Procedural Matters

1. These appeals concern a proposal to construct an all-weather bowling green adjoining the existing bowling green in Albert Park, Abingdon. The second application is essentially a re-submission of the first application, with further details of the proposal, including proposed levels, landscaping and boundary treatment. At the hearing, the appellants confirmed that the second application and appeal effectively supersede the first.
2. At the hearing, local residents pointed out that the application and appeal forms state that the appellants own the appeal site. The appellants confirmed that they have a 40-year lease from 1992 on the site, which is owned by Christ's Hospital Charity. For the purposes of planning applications, an unexpired leasehold interest of at least 7 years meets the definition of "owner". The landowner has also been informed of the proposals, supports the project and has offered a lease on the land. Consequently, there is no material disadvantage or injustice to the landowner.

Main Issues

3. Having considered the representations made at the hearing and in writing and having seen the appeal site, I consider the main issue is the impact of the proposed development on the character and appearance of the Albert Park Conservation Area and on the historic park, particularly in terms of its visual impact, the degree of engineering, earthmoving and landscaping works proposed, the means of enclosure, and nature of the all-weather surface.

Planning Policy

4. The statutory development plan for this area includes the *Oxfordshire Structure Plan 2011* (OSP), adopted in 1998, and the *Vale of White Horse Local Plan* (VWHLP), adopted in November 1999. OSP Policy EN8 seeks to preserve or enhance the character or appearance of Conservation Areas and protect other elements of the historic environment, including parks and gardens, from harmful development. VWHLP Policy HE1 seeks to preserve or enhance the special character and appearance of each Conservation Area, respecting its form and open space, whilst Policy HE6 seeks to ensure that the introduction of new uses or the intensification of existing uses does not conflict with the special character of a Conservation Area. Policy HE16 only permits development in historic parks and gardens where it does not destroy or otherwise adversely affect their visual and historic interest. Albert Park is designated as an existing open space under Policy L4, which seeks to avoid the loss of urban open spaces, in line with PPG17.
-

5. Similar policies are carried forward into the Second Deposit review of the Local Plan 2011, which was placed on deposit in June 2004 and has recently been subject to local inquiry. Policy HE1 does not permit development within a Conservation Area unless it would preserve or enhance the established character or appearance of the area and sets out more detailed criteria for considering development proposals in such areas. Policy HE10 permits development within historic parks and gardens only where it conserves and causes no significant harm to the historic character of the site and features of special interest. I understand there are no objections to these policies and so they can carry significant weight.
6. The appeal site lies within Albert Park, registered under English Heritage's Register of Parks & Gardens of Special Historic Interest (Grade II). Although no additional statutory controls follow from this listing, PPG15 (¶ 2.24) confirms that the effect of proposed development on a registered park or garden and its setting is a material planning consideration when determining a planning application.

Reasons

7. As I saw on my visit, Albert Park is a fine example of a Victorian landscaped suburban park, established in the 1860s, bounded by residential estate roads. It has a compact, symmetrical D-shaped design, specimen mature trees and shrubs, closely mown lawns, perimeter gravel paths, benches and a memorial to Prince Albert. The park is administered by the Governors of Christ's Hospital for the benefit of the residents of Abingdon. Abingdon Bowling Club, with its enclosed grass bowling green and clubhouse, occupies the south-eastern corner of the park, covering some 0.24ha of the total 5.5ha area of the park.
8. All parties agree that the proposed development would alter the appearance of this corner of Albert Park. The appellants argue that the physical and visual changes would not be material, since the proposal would make effective use of the currently unused tennis courts on which the new all-weather bowling green would be sited. The Council, backed up by local residents, maintains that the change would be significant, detracting from the existing character, appearance and quality of the historic park and wider Conservation Area.
9. Since the appeal site lies within a Conservation Area, the appropriate test set out in national and local policies is whether the proposed development would preserve or enhance the character or appearance of the Conservation Area. In addition, since the appeal site lies within a historic park, it is important to ensure that any development conserves the special features of the park and causes no significant harm to its historic character.
10. Having carefully considered the details of this proposal, I am firmly of the opinion that the construction and establishment of a new all-weather bowling green on the appeal site would neither preserve or enhance the character or appearance of the Conservation Area, nor conserve the special features and characteristics of the historic park. Several factors support my view.
11. Firstly, the proposal would extend the area of the existing bowling club and green into the public area of the park and enclose an area of parkland (including the existing tennis courts) of some 52m x 35m. The proposed bowling green would be enclosed by a 1.5m high metal railing perimeter fence and 1.6m high hedge, which would not only protrude into the more open area of the park, but also be visually impermeable. From key vantage points on the southern perimeter pathway, this would obstruct views of the open lawns to the south of the Albert memorial and detract from the present largely open views across the tennis courts. From other points near the perimeter path to the north, east and west, from the Albert memorial and from the main entrance to the park, the proposed bowling green would be seen as physical and visual extension of the existing bowling green, encroaching further into the open green space in the central area of the park, obstructing key vistas across the park and eroding the symmetry, qualities and features of the original design. It could also reduce people's enjoyment of the park, especially when walking along the perimeter paths.

12. Secondly, in order to create a level surface for the new bowling green, a considerable amount of earth-modelling and levelling would be required. The new green would be raised slightly above that of the existing green, involving cutting into the northern part of the gently sloping bank on the western side and raising the level of the existing tennis courts to the south by up to 0.575m, along with new banking along the southern boundary. Although this may not seem significant, since the area of the new bowling green and its surrounding pathways would cover over 1,000 sq m, along with the adjoining grass bank, I consider this would represent a substantial re-contouring operation which would noticeably change the landform at this corner of the park. Moreover, the provision of a synthetic surface would not complement the natural characteristics of the present landscape of the park, and some material would have to be imported for the foundations of the artificial playing surface.
13. Thirdly, the proposal would involve removing much of the existing boundary vegetation, including mature fir trees and hedges, around the western boundary of the existing bowling green. This would reduce the sense of enclosure of the bowling club, open up the clubhouse to wider view and significantly change the appearance of this corner of the park. The introduction of boundary planting around the new bowling green would not only visually enclose the bowling activities, but also physically extend these formal recreational activities into the more open and informal area of the park. The proposal would double the size of the existing bowling green and enclose an additional 0.18ha of the adjoining parkland, resulting in the bowling club occupying and enclosing a total of 0.42ha of land. In my view, this would represent a significant area of the park which would be lost to public use and upset the present balance between informal public recreational use of the park and the more formal recreational facilities of the bowling green.
14. Furthermore, there is little doubt that the provision of an additional bowling green, particularly one which could be used throughout the year, would potentially increase the level of activity at the bowling club. The club does not anticipate using both greens regularly and confirmed at the hearing that an increase in the number of competitive inter-club matches would be unlikely. However, the playing season would be extended and the capacity of the greens would be doubled, with the potential for more friendly and social matches. With a current membership of 150 players and a maximum of 48 players on each bowling green, I can foresee the possibility of a significantly increased level of activity at this bowling club at popular times, perhaps doubling the number of players on the site, with additional players from local schools and at training events.
15. Although bowls is one of the most decorous sports, the presence of more people at the club could begin to erode the present ambience and tranquillity of the park and detract from people's quiet enjoyment in terms of informal recreation. It could also put more pressure on the limited number of parking spaces in the private car park, increasing the conflict between walkers and cars in this area of the park. Furthermore, it might lead to more parking on the adjoining lawns and surrounding private residential estate roads, particularly since more disabled bowlers in vehicles might be attracted, detracting from the character and appearance of the adjoining residential estate and wider Conservation Area.
16. I realise that, over the years, Albert Park has evolved and the provision of recreational facilities such as tennis courts, bowling greens, croquet lawns and sports pitches has varied. However, most of these previous facilities had little physical or visual enclosure. The enclosure of this additional area of land for the new bowling green would noticeably alter the more open and informal character of this corner of the park and begin to erode the symmetry of the original design of the park. I recognise that one of the main reasons for the new bowling green is to provide a more accessible facility for disabled bowlers. This is certainly a worthwhile objective, but other methods, such as measures to protect and provide better access to the existing green for wheelchairs, might go some way to achieving this objective without having the physical and visual impact of the current proposals.

17. I recognise that the existing unused tennis courts do not make a particularly positive contribution to the appearance of this corner of the park. I understand that this may have been the site of a bowling green in the past, but the appellants do not claim to be reinstating the former bowling green, and the remnants of other previous tennis courts and greens have now blended into the landscape of the park. I realise that this would not be a completely new facility, but an extension to a long-established bowling club. However, the current proposal would be much larger than the existing tennis courts and result in the enclosure of an additional area of informal parkland currently in the public area of the park.
18. This case involves balancing the needs of a private bowling club with the wider public interest and use of the park. In my view, allowing the appeal proposal would result in a disproportionate area of the park being allocated to the bowling club at the expense of eroding the character and appearance of the historic park and the interests of other users of this landscaped open space, much of which was provided by public subscription in the past.
19. I have also noted the other points raised by local residents at the hearing and in writing, including the concerns about pressures for future development, such as floodlighting and further buildings. However, the appellants do not envisage the need for more lighting, and any further facilities would need to be the subject of separate planning applications at the appropriate time. I have already dealt with the concerns about parking and the extra traffic that might be generated, and I note that there are no objections on highway, traffic or parking grounds from the County Highway Engineer. The loss and use of the existing unused tennis courts is largely a matter for the landowner and administrators of the park. I note that English Heritage has made no observations on the proposal, but this is largely because the park has a grading below that required for this body to make comments.
20. I also note the support for the proposal from some residents and members of the bowling club, and recognise that this club serves the local community and provides high quality facilities. I understand that this is the only bowls club in the town, although other bowls facilities, including artificial greens, exist outside Abingdon. However, although the expanded bowls facilities could benefit the club and the wider population, including the disabled, this is outweighed by the adverse impact on the character and appearance of the historic park and wider Conservation Area.
21. Although some possible planning conditions were discussed at the hearing, including limiting the import of fill material and preventing additional lighting, none of these suggested conditions would overcome the fundamental objections to the proposal in terms of its adverse impact on the character and appearance of the historic park. Moreover, at the hearing, the club confirmed that it did not wish to be restricted to using only one of the bowling greens at any time.

Conclusions

22. Consequently, I conclude that the appeal proposals would neither preserve nor enhance the character or appearance of the Conservation Area and, by physically extending and enclosing a larger area of the park, would cause significant visual harm to the historic character and special features of this historic park. For the above reasons, and having regard to all the other points raised, I conclude that these appeals should be dismissed.

Formal Decision

23. I hereby dismiss these appeals.

Stephen J. Pratt

STEPHEN J PRATT

Inspector

List of Planning Appeals

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
8.3.05	APP/V3120/A/04/1151 545	EHE/521/3	Thomas	Fordbrook Ford Lane East Hendred Wantage Oxon OX12 8JU	Erection of two new houses, garages and work thereto. Alterations and extensions to existing house.	Hearing	South	Dismissed
19.4.05	APP/V3120/A/04/1157 635	LOC/12028/4	Beaumont	Andersey Farm Grove Park Drive Lockinge Wantage Oxon	Conversion of agricultural building into holiday letting accommodation units.	Hearing	South	Dismissed
Not confirmed	APP/V3120/A/04/1168 964	WAN/13787/3	Mr Reed	25-26 Market Place Wantage Oxon OX12 8AE	Proposed development comprising of 2 x 2 bed flats, 1 x 1 bed flat and conversion of existing single storey building into a 2 bedroom dwelling (re-submission). (Access off Church Street).	Hearing	South	
Not confirmed	APP/V3120/A/05/1171 680	DRA/445/25- X	Mrs J Ray	East Paddocks Milton Road Drayton Abingdon Oxon OX14 4EZ	Erection of three detached houses with garages and parking spaces.	Hearing	South	
Not confirmed	APP/V3120/A/05/1172 984	WAN/18492/1	Mr H Gibson	5 Belmont Wantage Oxon OX12 9AS	Demolition of single storey extension. Extension and alterations to existing dwelling. Erection of new dwelling.	Hearing	South	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
16.8.05	APP/V3120/A/05/1177 869	WAN/7226/1	Pegasus Retirement Homes Plc	61 Mill Street Wantage Oxon OX12 9AN	Erection of a two storey block and 2/3 storey block of 44 apartments for the retired together with residents lounge, guest suite, estate managers office, access and parking provisions (Existing workshops to be demolished)	Public Inquiry	South	withdrawn
16.8.05	APP/V3120/E/05/1179 797	WAN/7226/2- CA	Pegasus Retirement Homes Plc	61 Mill Street Wantage Oxon OX12 9AN	Demolition of buildings.	Public Inquiry	South	withdrawn
17.10.05	APP/V3120/C/05/2003 518	DRA/445/27- E	Mr.L.Wells	East Paddocks Drayton Mill Mill Road Drayton OX14 4EZ	Enforcement against without planning permission operational development has taken place involving the laying of hardcore and construction of a concrete bridge across Mill Brook	Public Inquiry	South	
17.10.05	APP/3120/C/05/20035 19	EHE/1965/7-E	Mr L Wells	Greensands East Hendred OX12 8JG	Enforcement against without planning permission change of use from use for agriculture to storage of non- agricultural items, materials and equipment including parking and storage of vehicles.	Public Inquiry	South	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
4.10.05	APP/V3120/A/04/1166 048	ABG/7375/7	Abingdon Bowls Club	Park Road Abingdon	Construction of new all weather bowling green with associated fencing, hedging and external work. Remove existing leylandii and fir hedging. (Re-submission).	Hearing	North	Dismissed 12/10/05
4.10.05	APP/V3120/A/04/1162 005	ABG/7375/6	Abingdon Bowling Club	Park Road Abingdon Oxon	Extend bowling green to provide All Weather green.	Hearing	North	Dismissed 12/10/05
18.10.05	APP/V3120/A/04/1166 096	GFA/4905/4-X	Cover Construction	The Willow House 18 Coxwell Road Faringdon Oxon SN7 7EZ	Outline application for residential development for 9 dwellings (Demolition of existing house & outbuildings). Revised access and service road. Erection of acoustic fence and alterations to No.20 Coxwell Road. (Site area approximately 0.48 hectares).	Public Inquiry	North	Withdrawn
Not confirmed	APP/V3120/A/05/1174 751	ABG/1781/3	Mr Miah	116 Oxford Road Abingdon Oxon OX14 2AG	Demolition of detached dwelling. Erection of 2 storey building of 4 x 2 bed flats and 3 x 1 bedroom flats. Parking for 11 cars, landscaping and ancillary works.	Hearing	North	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
Not confirmed	APP/V3120/A/05/1178 169	ABG/17140/1	Builders Ede Ltd	Land Adjacent To The Police Station Colwell Drive Abingdon Oxon OX14 1AU	Erection of 18 x 1 bed apartments, 21 x 2 bed apartments and 23 houses.	Hearing	North	
Not confirmed	APP/V3120/A/05/1178 302	ABG/9504/2	Mr J R & Mrs N C Dagnell	186 Wootton Road Abingdon Oxon OX14 1JZ	Erection of two storey side extension and sub-division of proposed extended property to form 2 x 2 bedroom flats and 2 x 1 bedroom flats. Provision of 4 car parking spaces, cycle and bin stores.	Hearing	North	
Not confirmed	APP/V3120/A/05/1178 957	KEN/17076/1- X	Infill Land Consultants	Land To Rear Of 179 - 189 Poplar Grove Kennington Oxford Oxon OX1 5QS	Erection of 12 dwellings & creation of a new access following demolition of 185 Poplar Grove.	Hearing	North	
25.4.05	APP/V3120/C/05/2001 296	GCO/2087/13 -E	Tapecrown Ltd	Units 5,6,8,9,10,11,18 and 20 and parts of units 15 and 17 Chowle Estate Great Coxwell Faringdon	Enforcement against without planning permission change of use of the land from use for agriculture to the use of the land for the design and manufacture of shop fittings	Written Representations	North	
15.8.05	APP/V3120/C/05/2002 799	ABG/17715/2- E	Mr Terzi	20 South Quay Abingdon	Enforcement against without planning permission building operations involving the erection of decking and	Written Representations	North	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
Not confirmed	APP/V3120/A/05/1187 922	NHI/6289/2	Barry Royston Caisbrook	St Hilarion, Harcourt Hill, Oxford, Oxfordshire, OX2 9AS	arbours Erection of a garage block.	Hearing	North	

G:\Admin\Committee Schedules\List of Forthcoming Public Inquiries and Hearings

NHI/1136/4 – Mr & Mrs D Bickford

**Proposed conversion of existing shop to 2 x 1 bed and 1 x 2 bed flats.
78A West Way, Botley (North Hinksey Parish) Oxford.**

1.0 The Proposal

- 1.1 This application seeks planning permission for the conversion of the existing building, currently occupied by a retail shop on the ground floor and a hair salon on the first floor, to create 2 x 1 bedroom and 1 x 2 bedroom flats with associated car parking – 1 space for each flat.
- 1.2 The property is two-storey with a single storey extension to the rear. It is situated on the northwest side of West Way, almost directly opposite the Elms Parade shopping centre. It is located on the southwest side of the Seacourt Bridge Inn and is bounded by residential dwellings to the north and southwest.
- 1.3 The proposed conversion work is confined to the existing building, and associated parking is proposed to the front and rear. A copy of the plans showing the location of the proposal and its design are attached at **Appendix 1**.
- 1.4 The application comes to Committee because the views of North Hinksey Parish Council differ from the recommendation.

2.0 Planning History

- 2.1 A previous scheme to extend and convert this property to form four flats was withdrawn in June 2005.
- 2.2 Planning permission was granted in September 2005 for the change of use and conversion of the building to a cat clinic on the ground floor and a separate first floor residential flat.

3.0 Planning Policies

- 3.1 Policy H4 of the adopted Vale of White Horse Local Plan provides for residential development within Botley.
- 3.2 Policy H11 confirms that the conversion or sub-division of properties into flats will be permitted provided the proposed units would be self contained, would have adequate amenity / living space and car parking provision, and would not undermine the established character of the area or the amenities of neighbouring properties.
- 3.3 Policies D1, D2 and D3 seek to ensure that all new development is of a high standard of design, does not cause harm to the amenity of neighbours and is acceptable in terms of highway safety.
- 3.4 Similar policies to those above have been included in the Second Deposit Draft Local Plan 2011. The corresponding policies are H9, H13, DC1, DC5 and DC9.

4.0 Consultations

- 4.1 North Hinksey Parish Council has objected to the application. Their comments are attached at **Appendix 2**.
- 4.2 County Engineer – no objections (subject to conditions).
- 4.3 Drainage Engineer – no objections.
- 4.4 Environmental Health – no objections.

5.0 **Officer Comments**

- 5.1 The main issues in this case are considered to be 1) the principle of the development in this location, 2) the impact of the proposal on the character and appearance of the area, including its design, 3) the impact of the proposal on neighbouring properties 4) the noise impact on the amenity of future residents from the nearby public house and 5) the safety of the access and parking arrangements.
- 5.2 On the first issue, Botley is a settlement that largely consists of a mixture of semi-detached / detached dwellings intermixed with blocks of flat accommodation, with its commercial centre at Elms Parade. The area of West Way adjoining Elms Parade is predominantly urban in its appearance with commercial premises interspersed with semi detached dwellings that are set back from the road frontage. The proposed flats are considered to be an appropriate form of development in the area and would provide small units to meet the needs of an increasing number of one and two person households, close to the heart of Botley.
- 5.3 Regarding the second issue, the proposed conversion in the form proposed is not considered to be out of keeping with the locality. The building will be no larger for example, and the parking areas are currently used for customer parking.
- 5.4 Turning to the third issue, the impact on neighbouring properties, it is considered that no harm would be caused to the existing dwelling to the south west or to the public house to the north east.
- 5.5 There is also considered to be no adverse impact on the future amenity of occupiers of the proposed flats from noise associated with the public house. Environmental Health raise no objections to the proposal on noise grounds and there is a garage (used as a store) between the pub building and the proposed flats.
- 5.6 The parking and access arrangements proposed are considered acceptable. The applicants have a right of way over the public houses forecourt to gain access to the spaces in front of the building, and the parking provision shown (3 spaces) is considered to be sufficient. There is also direct access to alternative means of transport (bus routes into Oxford) and there is the advantage of the proximity of the shops and other facilities at Elms Parade.
- 5.7 Whilst the Parish Council is concerned over the loss of commercial accommodation close to the centre of Botley, the loss of this accommodation is not considered to undermine the area's vitality and viability. The building, being opposite Elms Parade, is not located in an area where shopping frontages are protected (as is the case in Abingdon and Wantage). It would, therefore, be unreasonable to withhold planning permission to preserve the existing commercial units where there is no planning policy support. Concerns over rights of way are unfounded as the conversion work does not impact upon this. Furthermore, to your Officer's knowledge, the walkway adjacent to the building is not a formal right of way that can be protected.

6.0 **Recommendation**

6.1 *That planning permission be granted subject to the following conditions:*

1. TL1 *Time Limit – Full Application*
2. RE *Matching materials*
3. RE7 *Boundary treatment*
4. LS2 *Implementation of landscaping scheme (no existing trees) to be submitted.*
5. HY25 *Car parking layout (Building)*

VALE OF WHITE HORSE
DISTRICT COUNCIL
24 AUG 2005
CORPORATE POSTAL
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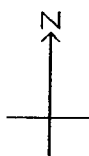
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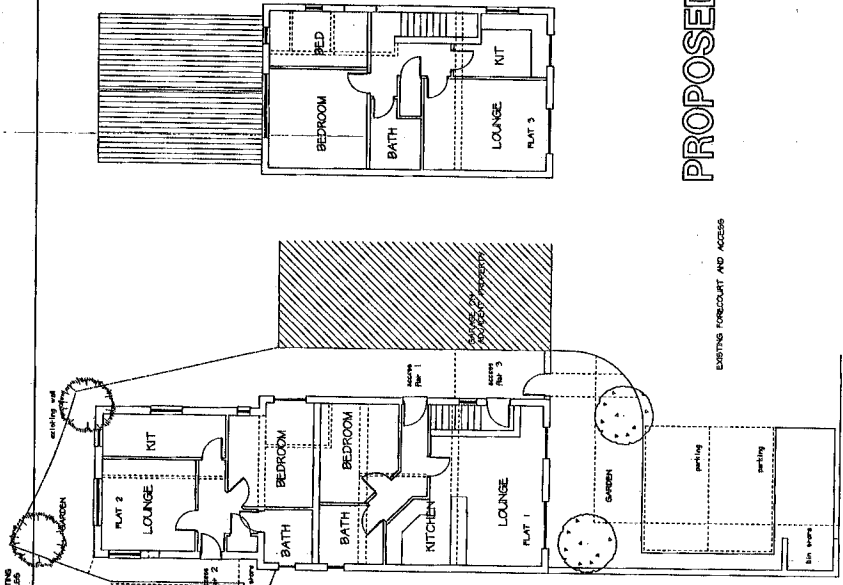
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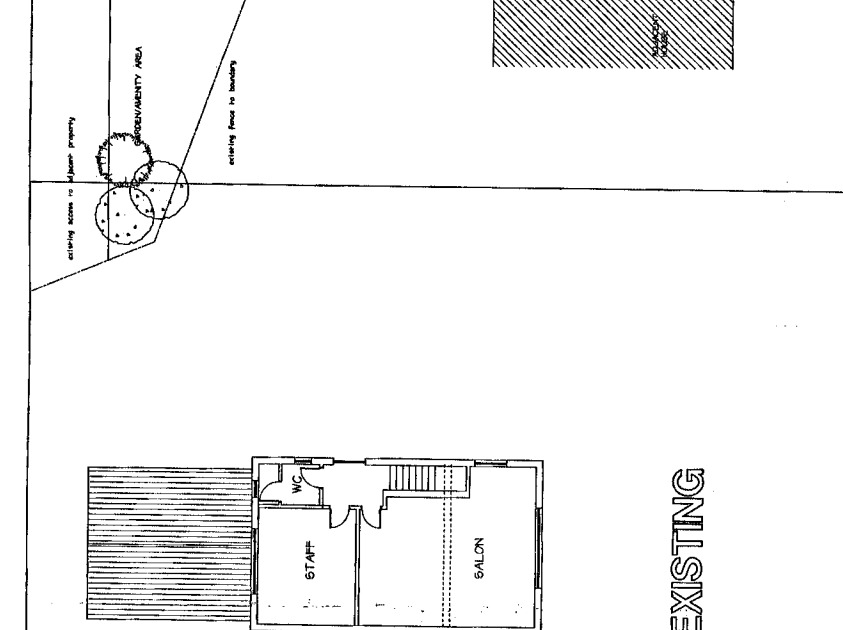
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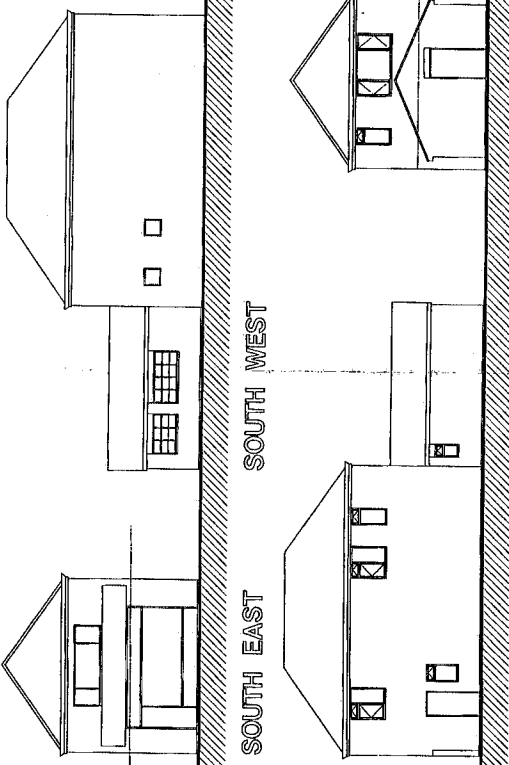
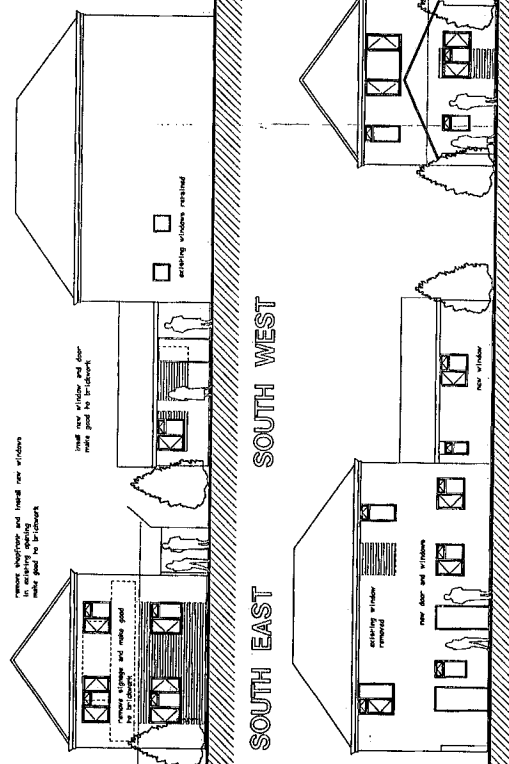
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PROPOSED
 FIRST FLOOR



EXISTING
 FIRST FLOOR



APPENDIX 2

NHI/1136/4 Proposed conversion of existing shop to 2 x 1 bed and 1 x 2 bed flats: 78A West Way, Botley.

Councillors continued to be concerned by this application as the submitted plans remained unclear, lack transparency and were misleading in that they either lacked detail or showed things incorrectly. There still remained doubt about whether the side alleyway was in the curtilage of the existing shop or the Seacourt Bridge Public House and that access to the parking could only be achieved by passing over land in the ownership of the public house.

Councillors had serious concerns about the plans for this application in that: -

- a). the N.E. elevation plans gave the impression of an open area to the front of the two-storey block of flats as access to the parking is via land owned by the public house,
- b). construction access and access to the flats when built would have to be via the public house forecourt,
- c). at the access to the rear of the proposed development there is a clearly defined entrance to a garage complex, which appears to be reduced by an area shown on the plans in dark ink and could be obstructed during any development or overflow parking from the flats,
- d). the noise factor from the public house,
- e). the loss of two commercial premises, namely, a hairdressing saloon and a shop, when there is a recognised shortage of commercial properties in the centre of Botley,
- f). the walkway at the side of the proposed development, running from West Way to Seacourt Road is regularly used and needs to remain open.
- e). an over-development of modest floor space on two floors.

Councillors UNANIMOUSLY AGREED to OPPOSE the planning application for the reasons mentioned above.

KEN/1525/1-X – Mrs B Bullock

Demolition of existing tandem garage. Erection of a single storey dwelling, twin garage and relocation of access.

5 Kirk Close, Kennington.

1.0 The Proposal

- 1.1 This application seeks outline planning permission to erect a single storey 3 bed detached dwelling in the rear garden of 5 Kirk Close. Siting and access are due for consideration under this application with design, external appearance and landscaping being reserved matters.
- 1.2 The proposal is to demolish the tandem garage that is sited to the west of the existing property to enable vehicular access to the rear and to build a three bedroom single storey dwelling at the back of the site. It is proposed to erect a double garage between the new dwelling and the existing property, which will provide 1 parking space and 1 garage space for both the new and existing dwellings. A copy of the plans showing the location of the development, siting and access is attached at **Appendix 1**.
- 1.3 The property is bounded by St Swithun's C of E Primary School to the east, with a wooded area to the west and a dwelling to the north. To the south lies nos. 4 & 5 Kirk Close.
- 1.4 The application has been referred to Committee because the observations of Kennington Parish Council differ from the recommendation.

2.0 Planning History

- 2.1 There is no relevant planning history in connection with this proposal, other than in 1975 the garage building was extended to provide the existing tandem arrangement.

3.0 Planning Policies

- 3.1 Policy H5 of the adopted Vale of White Horse Local Plan enables small scale new housing development within the larger villages such as Kennington.
- 3.2 Policy H16 specifically enables backland / tandem development, providing a) it is possible to achieve safe access for pedestrians, cars, service and emergency vehicles, and the layout provides for turning and manoeuvring of vehicles within the site, and appropriate car parking, b) the amenities of the occupiers of any existing dwelling on or around the site, and those future occupiers of the proposed development would not be harmed by overlooking, overshadowing or noise, or by general disturbance arising from the use of the proposed access, and c) the proposed dwelling will blend with the overall character and appearance of the area.
- 3.3 Policies D1, D2, D3 seek to ensure that all new development is of a high standard of design, does not cause harm to the amenity of neighbours, and is acceptable in terms of highway safety.
- 3.4 Similar policies to those above have been included in the Second Deposit Draft Local Plan 2011. The corresponding policies are H10, DC1, DC5 and DC9.
- 3.5 PPG3, "Housing" is also relevant and explains the presumption in favour of developing previously developed sites within urban areas for housing ahead of green field sites and making the most efficient use of land.

4.0 **Consultations**

4.1 Kennington Parish Council objects to the application stating;

“The new building is to be in the back garden of no 5 with a shared drive. The new access which is along the eastern boundary with no 4 Kirk Close will be detrimental to the neighbours’ amenities and will also have an adverse impact on no 5.”

4.2 County Engineer – No objections subject to conditions.

4.3 Drainage Engineer – No objections.

4.4 No neighbour objections have been received.

5.0 **Officer Comments**

5.1 The main issues in this case are considered to be 1) the impact of the proposed development on the character and appearance of the surrounding area, and 2) the impact of the proposed development on the amenities of neighbouring properties.

5.2 On the first issue, the building of a single storey dwelling on this site is considered acceptable. Your Officers consider that the size of the unit proposed (3 beds) together with its proposed siting is in keeping with other single storey properties in the locality. There is sufficient private amenity space for both the existing and proposed dwellings that is similar in size to other properties in the Close and, together with the existing boundary landscaping, the new dwelling will not appear at odds with the immediate locality.

5.3 Turning to the second issue, the potential harm to neighbours, your Officers consider that nos. 4 & 5 are the properties most affected. In terms of privacy, standard privacy distances are met and the proposal would not cause overlooking. However, it is considered that some degree of harm is likely to arise from noise and general disturbance from the vehicular use of the access drive between the two properties, which the Parish Council has identified.

5.4 In terms of the amount of harm to the amenity of either property it is acknowledged that the proposed access drive is likely to result in some noise and disturbance to rooms at the rear of both properties, as well as having an impact on their rear gardens, especially as vehicle movements will be travelling past in a forward gear rather than manoeuvring as happens at present to the front of the properties. However, with additional boundary treatment (i.e. close boarded fencing) mitigation of the harm caused by vehicle movements can be achieved. Furthermore the occupants of no 5 will be using the new access to reach the replacement garage and space to the rear.

5.5 It must also be borne in mind that any harm caused must be weighed against the consideration to make the most efficient use of previously developed land. In this respect, your Officers consider, on balance, that planning permission should not be withheld.

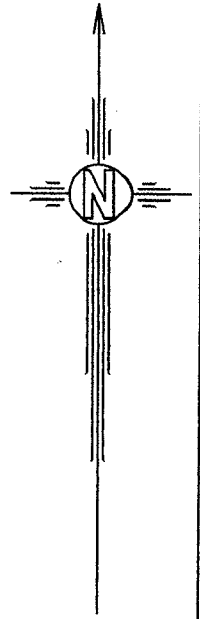
6.0 **Recommendation**

6.1 *That planning permission is granted subject to the following conditions:*

1. *TL2 Time Limit – outline application*
2. *OL3 Outline condition (excluding siting and access)*
3. *RE14 Garage accommodation*
4. *RE7 Boundary details*

5. *HY3 Access in accordance with specified plan*
6. *HY8 Closure of existing access*
7. *HY26 Plan of car parking provision*
8. *LS4 Landscaping scheme*
9. *LS9 Retention of existing trees / hedges*
10. *MC23 Removal of existing buildings (specified) prior to commencement*

APPENDIX 1



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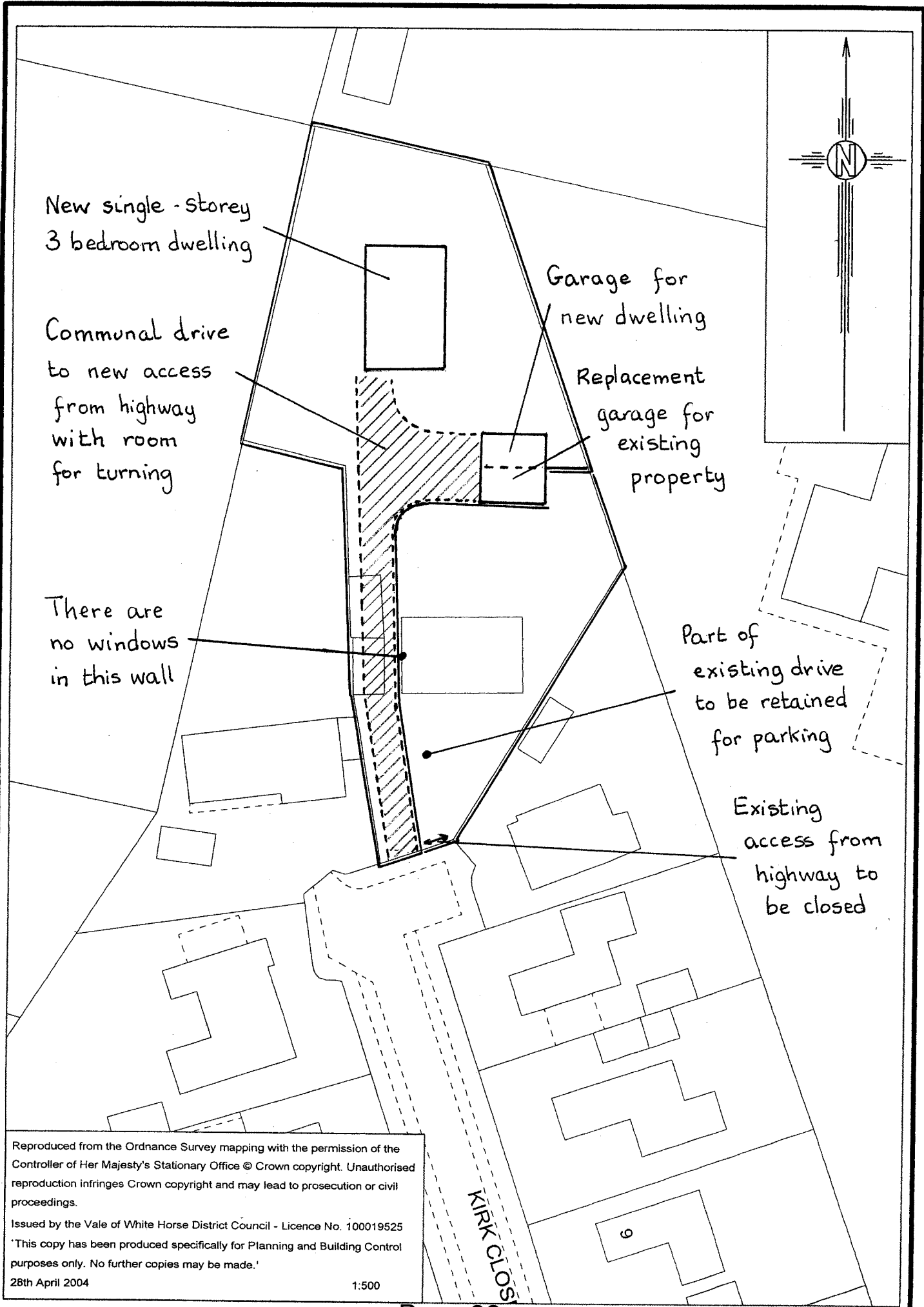
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28th April 2004

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**ABG/3516/11 – Persimmon Homes (Thames Valley) Ltd
Amendments to Blocks C and D. Addition of 1 affordable flat to Block D (Total number of dwellings in Blocks C and D increased from 64 to 65). Two extra parking spaces.
The Maltings, Vineyard, Abingdon.**

1.0 **The Proposal**

- 1.1 Planning permission was granted in April 2003 for the construction of 90 dwellings on The Maltings (ref ABG/3516/8). The development comprised four blocks, of which two, Block A (19 flats) and Block B (7 houses) have now been constructed. The two other blocks were Block C (54 flats) and Block D (6 flats and 4 houses). A total of 22 affordable dwellings were permitted, including 9 units in Block C and all 10 units in Block D.
- 1.2 In April 2005, planning permission was refused by Committee for the addition of 4 flats to Block C and 1 flat to Block D, with 7 additional parking spaces (ref ABG/3516/10). The decision notice and extracts from the drawings are in **Appendix 1**. The concerns related to the changes to Block C in particular, which had drawn objection from the Council's Consultant Architect.
- 1.3 This new application is for the addition of 1 affordable flat in Block D and for revisions to Block C. The original design for Block C did not include an internal corridor to allow for means of escape from fire, as required under building regulations. The addition of this required internal corridor to the design has reduced space on each of the three floors, with the result that a flat has been lost on each floor. The proposed revisions would allow for these 3 flats to be inserted into the roof space. Thus, there would be no increase in the permitted number of flats in Block C, which would remain at 54.
- 1.4 Mindful of the previous refusal of permission, the applicants have carefully designed the changes to Block C in consultation with Officers and the Consultant Architect. Unlike the previous proposal, the height of the building would be unchanged from the original permission. Moreover, the number of proposed roof lights has been significantly reduced from that shown on the previous refusal. Extracts from the drawings are in **Appendix 2**.
- 1.5 As the number of flats in Block C is unchanged, no change to the parking for this block is proposed. The landscaped areas therefore remain the same as shown on the original permission, with the exception of a turning head which is required between Blocks B and C and which was mistakenly omitted from the original scheme. Two additional parking spaces are shown in front of Block D, on account of the additional flat proposed in this block. These parking spaces can be accommodated without loss of landscaping.
- 1.6 Additional information submitted by the applicants to clarify the proposal has been the subject of re-consultation with Abingdon Town Council.

2.0 **Planning History**

- 2.1 As in Section 1 above

3.0 **Planning Policies**

- 3.1 Policies D1, D2 and D3 of the adopted Vale of White Horse Local Plan require all new development to be acceptable in terms of design, impact on neighbours and highway safety. Policies DC1, DC5 and DC9 of the Second Deposit Draft Local Plan 2011 are similar.

4.0 **Consultations**

- 4.1 Abingdon Town Council – object on the grounds of “overdevelopment of the site and lack of adequate parking”. Any comments received in response to the re-consultation will be reported orally at the Meeting.

4.2 County Engineer – no objections

4.3 Consultant Architect – supports the proposal (see **Appendix 3**)

4.4 Architect's Advisory Panel – support the proposal (see **Appendix 3**)

5.0 **Officer Comments**

5.1 The original planning permission represents the fall-back position when considering the current application. In comparing it with the previous refusal the three main issues for Members to consider are the visual impact of the proposed changes, the effect of the proposal on neighbours, and the implications for parking.

5.2 With regard to the first issue, the height and mass of Block C will remain unchanged. The number of proposed rooflights has been reduced, and their location on the roof has been rationalised so they are more aligned with the fenestration on the building. These changes have won the support of the Consultant Architect, who had previously objected to the changes to Block C. In addition, as there is no need to accommodate additional parking for Block C the landscaped areas remain largely as originally approved. The only exception is the addition of a necessary turning head between Block B and Block C.

5.3 With respect to Block D, the proposal is to add an affordable flat in the roofspace. No change in the height of the building is proposed, but the design of the north end of the roof would be slightly altered. Rooflights would be added, but these would be confined almost entirely to the internally facing east elevation.

5.4 Overall, the visual impact of the changes to both blocks is considered acceptable.

5.5 Turning to the second issue, the impact on neighbours, the main concern is to avoid harm from overlooking. However, all except one of the proposed new windows would look in the same direction as existing approved windows in both blocks. The exception is the proposed dormer window in the roof of Block D, but this window would look towards the car park of the Vale Housing Association offices. Consequently, no harm neighbours is considered to arise from the application.

5.6 The final issue is parking. Two extra parking spaces are proposed in the parking area in front of Block D, which is accessed from Magonette Close. These extra spaces can be accommodated safely, and the County Engineer has no objections.

5.7 A Section 106 Obligation prepared with the original planning permission needs to be amended to ensure the affordable dwellings proposed are encompassed by the relevant provisions for affordable dwellings.

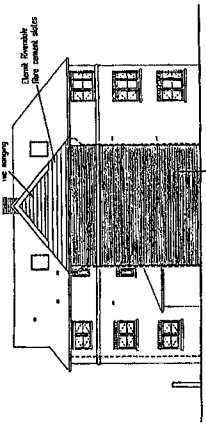
6.0 **Recommendation**

6.1 *It is recommended that authority to grant planning permission is delegated to the Chief Executive in consultation with the Chair and Vice-Chair, subject to:-*

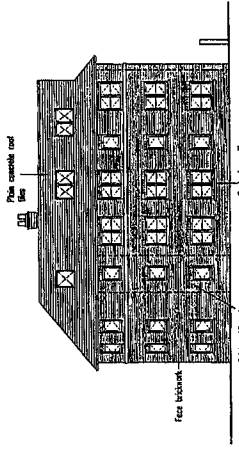
- i) the expiry of the re-consultation period*
- ii) the completion of an amended Section 106 Obligation with respect to the affordable dwellings*
- iii) conditions, including materials, architectural details, landscaping, hard surfacing, and parking*

Schedule of Accommodation

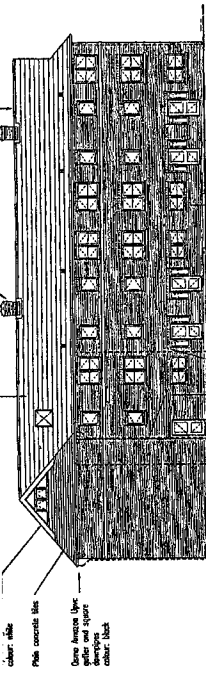
PM 05	4 Bed	6 Person	Housing Association
PM 06	4 Bed	6 Person	Housing Association
PM 07	4 Bed	6 Person	Housing Association
PM 08	4 Bed	6 Person	Housing Association
PM 09	2 Bed	3 Person	Housing Association
PM 10	2 Bed	3 Person	Housing Association
PM 11	2 Bed	3 Person	Housing Association
PM 12	2 Bed	3 Person	Housing Association
PM 13	2 Bed	3 Person	Housing Association
PM 14	2 Bed	3 Person	Housing Association
PM 15	1 Bed	2 Person	Housing Association



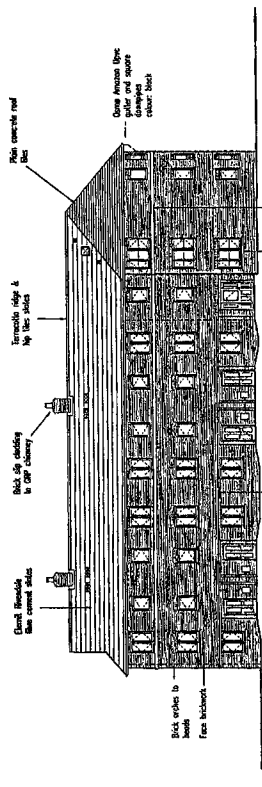
West Elevation



East Elevation

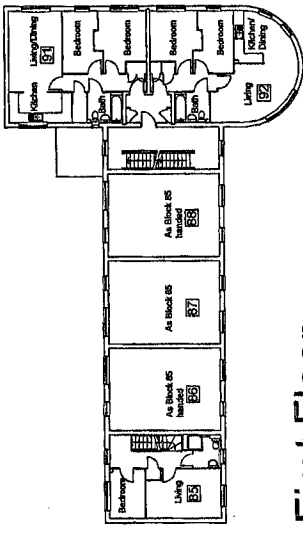


North Elevation

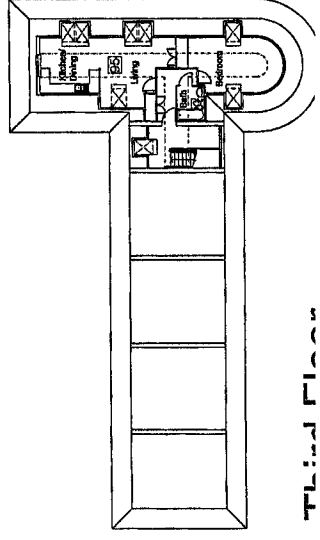


South Elevation

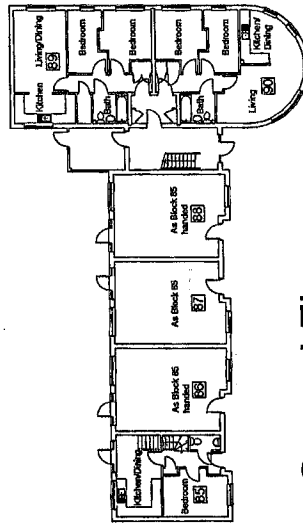
REFUSED SCHEDULE BLOCK D



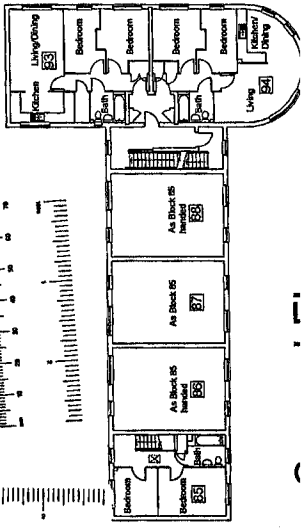
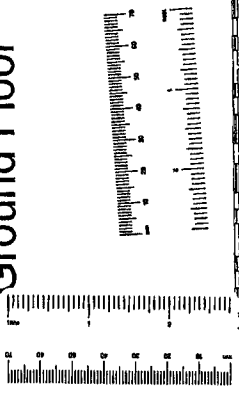
First Floor



Roof Plan



Ground Floor



GROUND FLOOR

A. E.A. 08/08
 B. E.A. 08/08
 C. E.A. 08/08
 D. E.A. 08/08

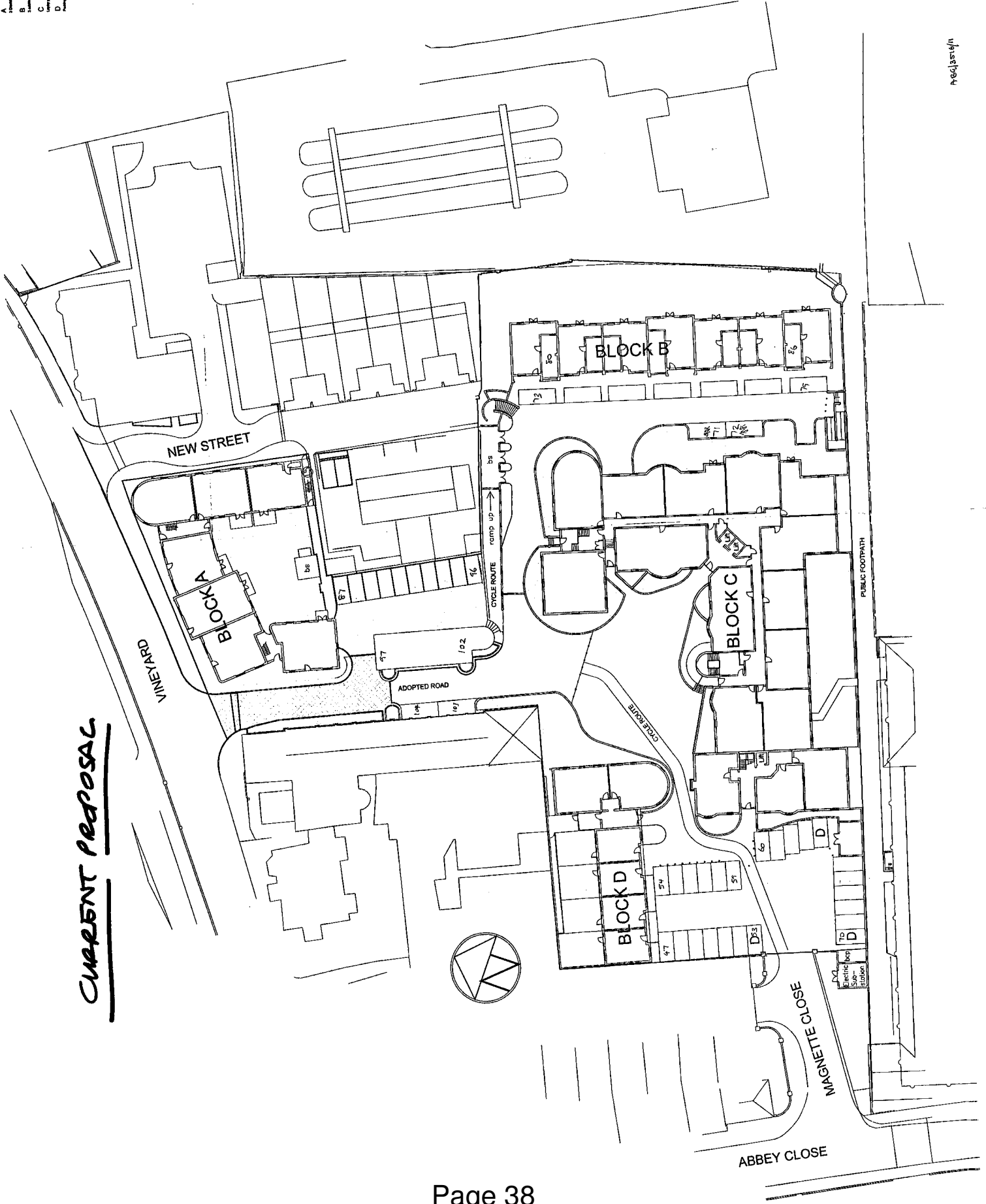
Persimmon Homes
 Thames Valley Ltd
 45-47 Station Road
 Slough, Berkshire
 SL1 8EJ

APPENDIX 2

Peter Ta
 Client: PERSIMMON
 Project: THE MALTN ABRINGTON
 Title: SITE PLAN
 Scale: A3 1:500
 Date: JULY 2004
 Drawn: ADM
 Dwg No: H01/88

This drawing is the property of Persimmon Homes Thames Valley Ltd. It is not to be used for any other project without the written consent of Persimmon Homes Thames Valley Ltd.

11/01/04/11

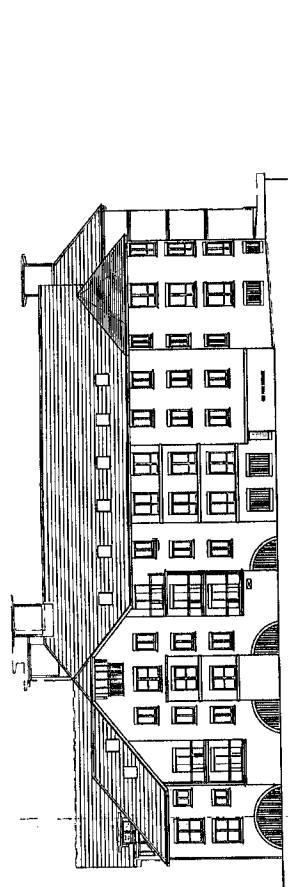


CURRENT PROPOSAL

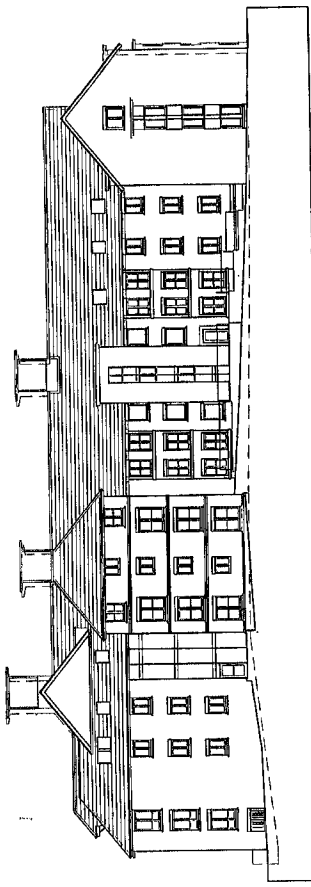
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- Revisions**
- A Date: 14/03/05 Drawn: MJ Checked: MJ
14/03/05 The elevation contains two 2 ggs marks added in accordance with Note of White House later dated 14/03/05
 - B Date: 04/05/05 Drawn: MJ Checked: MJ
Building height reduced. Roof pitch retained from 45 to 30 deg. Windows above retained in search of better proportioned elevations where possible
 - C Date: 23/05/05 Drawn: GW Checked: MJ
Approved to continue to Planning drawings
 - D Date: 04/06/05 Drawn: GW Checked: MJ
Terms revised in accordance with LPA requirements.
 - E Date: 20/07/05 Drawn: AJM Checked: MJ
New elevations produced as per Mark 5
 - F Date: 28/08/05 Drawn: AJM Checked: MJ
Redesign for submission to town & port authority.

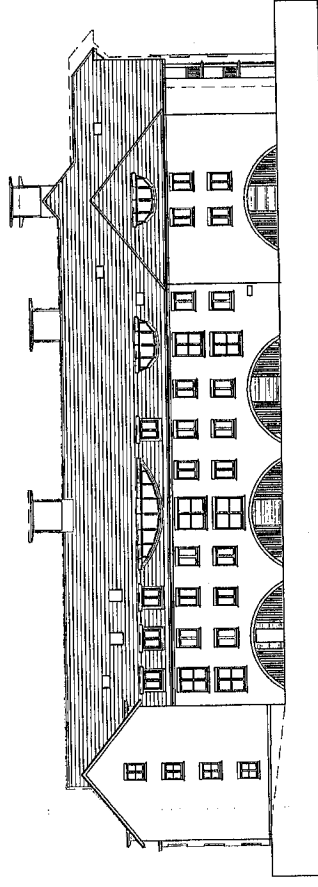
CURRENT
PROPOSAL -
BLOCK C



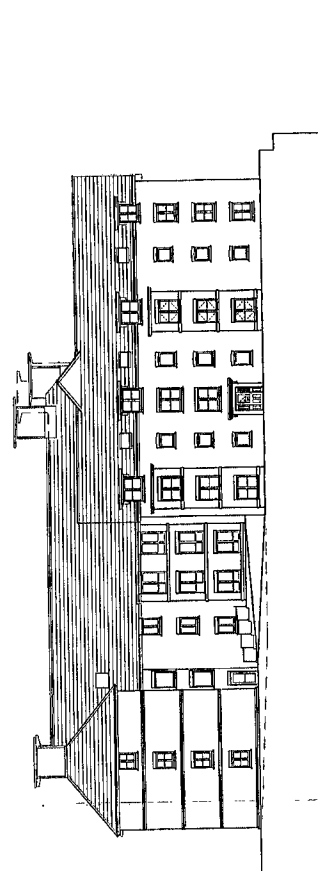
East Elevation



North Elevation



South Elevation



West Elevation

Persimmon Homes
Thames Valley Ltd

45-47 Station Road
Gerrards Cross
Bucksinghamshire
SL9 8ES

Telephone: 01753 802883
Fax: 01753 802888

Peter Taylor

Architects

17, SEE POSTAL SERVICES

Client PERSIMMON HOMES

Project THE MALTINGS ABINGDON

Title BLOCK C ELEVATIONS

Scale A3@ 1:400

Date MAY 2005

Drawn: MJ Checked: PTAL

Draw No: H01/883/103 Revision: F

Peter Taylor Architects Limited
The Priory, 108, Upper Lambourne Road, Abingdon, Oxfordshire, OX14 3JG
Tel: 01235 333333 Fax: 01235 333332
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A641851611

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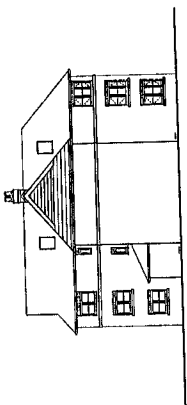
Revisions

A	Date: 08/03/00	Drawn: ADM	Checked: MJ
B	Date: 21/03/00	Drawn: P/TAL	Checked: MJ

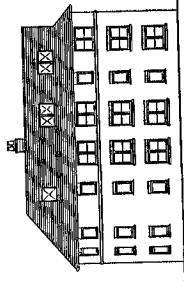
Roof pitch increased from 28 deg. to 40 deg. The 05 substituted to roof space.

Schedule of Accommodation

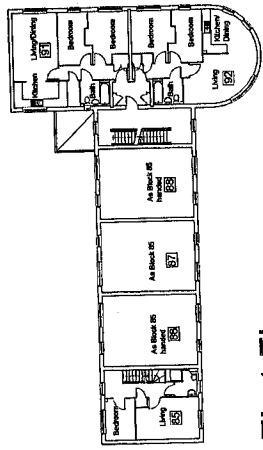
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Phd 06	4 Bed	3 Persons	Housing Association
Phd 07	4 Bed	3 Persons	Housing Association
Phd 08	4 Bed	3 Persons	Housing Association
Phd 09	2 Bed	2 Persons	Housing Association
Phd 10	2 Bed	2 Persons	Housing Association
Phd 11	2 Bed	2 Persons	Housing Association
Phd 12	2 Bed	2 Persons	Housing Association
Phd 13	2 Bed	2 Persons	Housing Association
Phd 14	2 Bed	2 Persons	Housing Association
Phd 15	1 Bed	1 Person	Housing Association



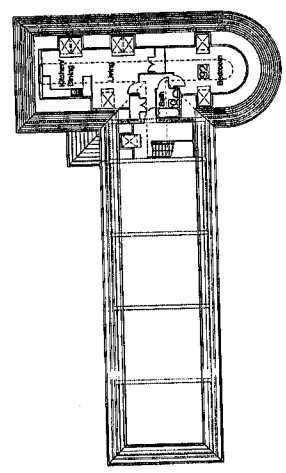
West Elevation



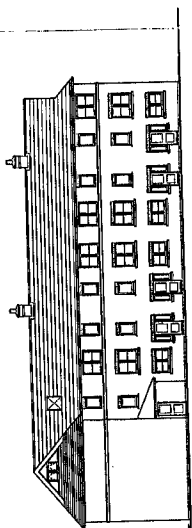
East Elevation



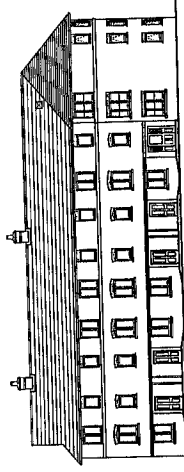
First Floor



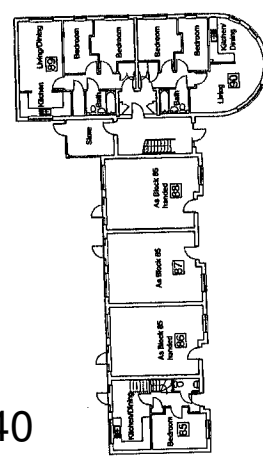
Third Floor



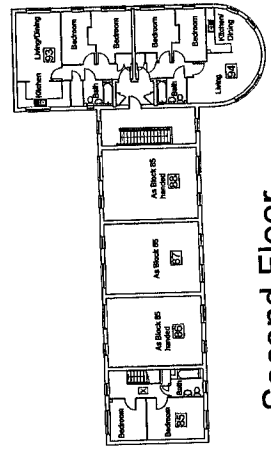
North Elevation



South Elevation

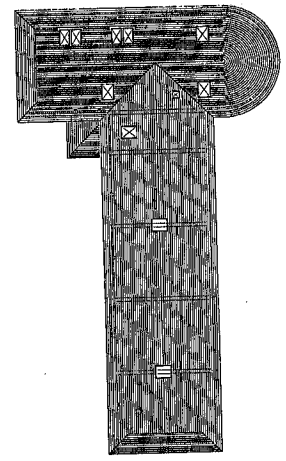


Ground Floor



Second Floor

CURRENT
PROPOSAL
BLOCK D



Roof Plan

Persimmon Homes
Thames Valley Ltd

45-47 Station Road
Cromlands Cross
Buckinghamshire
SL9 8ES

Telephone: 01753 892883
Fax: 01753 892888

Peter Taylor

Client: PERSIMMON HOMES
Project: THE MALTINGS ABINGDON

Title: BLOCK D PLANS & ELEVATIONS SHEET 1
Scale: A1@ 1:200
Date: JULY 2004
Drawn: ADM
Dwg No: H01/883/104

Checked: MJ
Revision: B

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A3613516/11

McCoy Associates Chartered Town Planners

54 New Street • Henley-on-Thames • Oxon RG9 2BT • Tel: 01491 579113
 Fax: 01491 410852 www.mccoyassociates.co.uk email: denis@mccoyassoc.co.uk

4 November 2005
 your ref ABG/3516/11

For the attention of Alison Blyth
 Assistant Director (Planning)
 The Vale of White Horse District Council
 PO Box 127
 The Abbey House
 ABINGDON OX14 3JN

FAX AND POST

Dear Sir

**re: Amendments to blocks C and D to add 3 flats
 (Total number of dwellings increased to 56 in block C, 11 in block D)
 The Maltings, Vineyard, Abingdon**

Thank you for the drawings of the above project received on 27 October which was discussed at the Architects Panel meeting on 2 November and on which you have requested design comments.

Planning permission has been granted for the blocks in question, and so far as their townscape contribution is concerned this application principally concerns rooflights proposed to serve the three flats being inserted in the former roofspace.

The drawings you have sent seem to have been moved on since those on which I commented by letter dated 9 September, and without access to the earlier ones it is hard to be certain whether we are going forwards or backwards!. However the Block D proposals are for a reasonably orderly arrangement, though I wonder why the left hand rooflight on the east elevation is not centred over the windows below. I would like to see that done, but otherwise would not object to these changes.

Block C has a very strongly modelled roof and rich skyline. Consequently the rooflights now proposed, most of which have a considered relationship to the fenestration generally, will in my judgement have only a minor and acceptable impact upon the townscape.

Your papers and drawings are returned with the postal copy of this letter.

Yours faithfully



McCOY ASSOCIATES
 (Dictated by Denis McCoy, signed and sent in his absence)

encs

This letter refers to drawings nos H01/883/100 rev D, /101 rev D, /102 rev C, /103 rev F, and /104 rev B

Architects Advisory Panel

Plan Number ABG/3516/11

Proposal Amendments to blocks C and D to add 3 flats (Total number of dwellings increased to 56 in block C and 11 in block D).
The Maltings, Vineyard, Abingdon.

Comments

No comment...
Like roof line & terminals...
important to appearance.

The panel recommended that so far as layout, design and external appearance are concerned the above proposal should be:

Approved

Deferred for negotiations

Approved with Conditions

Refused

Signed



Date

2.11.05

GCO/8308/11-X – H J Webb

Construction of 4 x 2 storey dwellings. Demolition of existing barn. Pear Tree Farm, Great Coxwell, Faringdon.

1.0 **The Proposal**

- 1.1 This application seeks outline planning permission (with all matters reserved) for the erection of four dwellings on land at Pear Tree Farm, which is currently occupied by a wood storage and distribution business (B8). The use is one that has emerged over time starting as an ancillary activity to farming on the site. However, current evidence appears to indicate that the use is lawful in its own right, being separate from the farming activities carried on by the applicants. The proposal would be a redevelopment of the site, with the removal of a large agricultural style barn and the business relocating elsewhere.
- 1.2 The site, approximately 0.6ha, is situated on the western side of The Holloway Road in the south of the village, and partially lies within the Great Coxwell Conservation Area. It is bounded by dwellings to the east and by agricultural land on all other sides. Part of the site has already been redeveloped with the erection of two dwellings on the eastern side (in the area marked 'Jenners House' on the OS plan).
- 1.3 Whilst all matters are reserved, the applicant has suggested two indicative options for redevelopment. Option 1, promotes three large dwellings in a cul-de-sac arrangement. Option 2, promotes 10 dwellings in a courtyard arrangement, to illustrate how a density of 30 dwellings per hectare (as stated in PPG3 'Housing') could be achieved. This option also promotes the idea of the dwellings being 'low-cost'. Comments on both schemes have been made by the Consultant Architect and the Architects Panel, which are reported in section 4. For clarification the current application is seeking permission for 4 dwellings only on the site.
- 1.4 A copy of the plans showing the location of the proposal, the indicative options for redevelopment and the conclusion of the applicant's supporting statement are attached at **Appendix 1**. A plan showing the boundary of the Great Coxwell Conservation Area is attached at **Appendix 2**.
- 1.5 The application has been referred to Committee because the observations of Great Coxwell Parish Council differ from the recommendation.

2.0 **Planning History**

- 2.1 In July 1999 planning permission was granted for the construction of two dwellings to replace agricultural buildings on the eastern side of the site (which lies in the Conservation Area). In December 1999, planning permission was granted for amendments to plot 1, and in June 2002 planning permission was granted for amendments to the design of plot 2.

3.0 **Planning Policies**

- 3.1 *PPS1 'Delivering Sustainable Development'*
Paragraph 3 confirms that sustainable development is the core principle underpinning planning.
- 3.2 Paragraph 5 states that planning should facilitate sustainable patterns of rural development by protecting and enhancing the natural and historic environment, the quality and character of the countryside and existing communities; ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

- 3.3 *PPG3 "Housing"*
Paragraphs 1 and 2 of PPG3 stress the need to create more sustainable patterns of development by making more efficient use of land and by increasing accessibility by public transport to employment, education, shops, and other facilities, and so reduce dependence on the private car.
- 3.4 Paragraph 31 sets out a list of criteria against which the suitability of sites should be assessed. These include the location and accessibility to jobs, shops and services by means other than the private car.
- 3.5 *Oxfordshire Structure Plan 2011*
The adopted Structure Plan provides guidance for the location of new dwellings in Policies G1 and H1 which favour locations where the need to travel, particularly by private car, can be reduced and where walking and cycling and the use of public transport can be encouraged. Policy H1 stresses in particular that most new development should take place in larger settlements where a reasonable range of services and facilities exist or can be provided.
- 3.6 *Vale of White Horse Local Plan*
Policy H6 of the adopted Vale of White Horse Local Plan provides for small scale development of no more than one or two dwellings within the village of Great Coxwell provided it does not extend the village into the surrounding countryside, or create a fragmented pattern of housing.
- 3.7 Policy H8 refers to development in the open countryside and states that it will not be permitted without special or exceptional justification.
- 3.8 Policy HE8 provides for development affecting the setting of a conservation area, and confirms that the Council will only permit such development if there is no adverse effect on the character of the conservation area.
- 3.9 *Vale of White Horse Local Plan 2011 Second Deposit Draft*
Similar policies to those above have been included in the Second Deposit Draft Local Plan 2011. The corresponding policies are H11, H12 and HE1.
- 3.10 However, there has been a fundamental change in policy to accord with the sustainability requirements of PPS1 and PPG3 (both published after the adopted Local Plan), where the village of Great Coxwell has been removed from the list of villages identified in Policy H11 as a settlement that can accommodate 'limited infill' of 1 or 2 dwellings. It is now a settlement that has to be considered against Policy GS2 – Development in the Countryside and H12 – Development Elsewhere.
- 3.11 The Local Plan 2011 also strengthens the protection to retain small scale commercial premises in settlements (Policy E15), and redevelopment proposals will only be permitted where the premises are occupied by an enterprise known to be un-neighbourly or badly sited and the proposal would result in its relocation to a more appropriate location.
- 4.0 **Consultations**
- 4.1 Great Coxwell Parish Council supports the proposal and their comments are attached at **Appendix 3**.
- 4.2 County Engineer – No objections in principle as it would reduce large vehicle movements into and out of the village. However, sustainability may be an issue.
- 4.3 Drainage Engineer – No objections.
- 4.4 Eight letters of support have been received stating:

- There would be a reduction in the volume of traffic using the village, many of which are HGVs.
- The proposal would almost eliminate heavy traffic to the bottom of the village, and will increase safety for children using Great Coxwell Park.
- The dwellings would eliminate the existing use as a wood and fencing supply depot. The current use is undesirable and detrimental to the quality of life in Great Coxwell.
- It is understood that the current business has another location nearby to which it could relocate, so there would be no loss of employment.

4.5 Two letters of objection have been received stating:

- The proposal will affect the definitive line of footpath 14 which crosses the site from north to south adjacent to the barn on its western side. The blocking of the footpath must not be allowed to happen.
- Whilst 4 dwellings are considered acceptable, the alternative illustrative plan shows 10 which would give little benefit to the village. The forecast number of traffic movements from 10 dwellings is little less than that generated by the timber yard.

4.6 Architects Panel – Option 1 – dwellings layout is suburban and inappropriate. Option 2 – courtyard style could be successful but only 4 – 5 houses, part single part two storey modelled on Victorian farm buildings, with cars under open ‘barns’ to keep the courtyard free of cars.

4.7 Consultant Architect – comments attached at **Appendix 4**.

4.8 Arboricultural Officer – No significant trees would be lost.

4.9 Archaeological Officer – Fieldwork in the immediate vicinity of the application has revealed evidence of a historic settlement, with large quantities of Iron Age pottery and Roman coins having been recovered. Just to the west of the site, a crop mark has been identified through aerial photography which appears to be an enclosure. In accordance with PPG16, the applicant will need to implement an archaeological field evaluation prior to the determination of this application.

4.10 Rights of Way Officer – Objection - Public footpath 14 passes through the site and appears to be greatly affected by the illustrative schemes. If the applicant wishes to divert the footpath, any diversion application must be confirmed and available on the ground before the definitive route can be built on or otherwise obstructed.

5.0 **Officer Comments**

5.1 The main issues to consider in relation to this application are whether, in policy terms, the principle of residential development in this location is acceptable and, if not, whether there is sufficient justification to outweigh the policy objection.

5.2 The Structure Plan’s general strategy accords with PPG3 and seeks to provide a sustainable planning framework for development in ways which favour locations where the need to travel, particularly by private car can be reduced; where walking cycling and the use of public transport can be encouraged; and where a reasonable range of facilities exist or can be provided.

5.3 It is not considered that the proposed development meets these criteria as Great Coxwell is a village that has no facilities. In the Second Deposit Draft Local Plan, Great Coxwell village has been removed from Policy H11 (housing development in smaller villages) on these grounds. Your Officers, therefore, do not consider this constitutes a sustainable location for a development of this scale.

5.4 Further guidance in PPG3 relates to making efficient use of land, and the applicants draw support from the fact that the site is ‘brownfield’ or previously developed land, having been

used for the storage and distribution of wood products since around 1967. It is, however, unclear as to when the use became established in its own right (i.e. became separate from the farming activities on the land), and in the absence of a Certificate of Lawfulness, your Officers can only give limited weight to the site being 'previously developed' at this point in time. If it can be proven that the primary use is trading lawfully as a wholly independent commercial storage and distribution use, then greater weight could be given to the merits of redeveloping a 'brownfield' site. Notwithstanding this, however, 'previously developed land' does not necessarily qualify the land for redevelopment at the expense of the general planning strategy; the development would still need to meet the sustainable criteria. In this respect, your Officers consider this site to perform poorly against the criteria set out in paragraph 31 of PPG3.

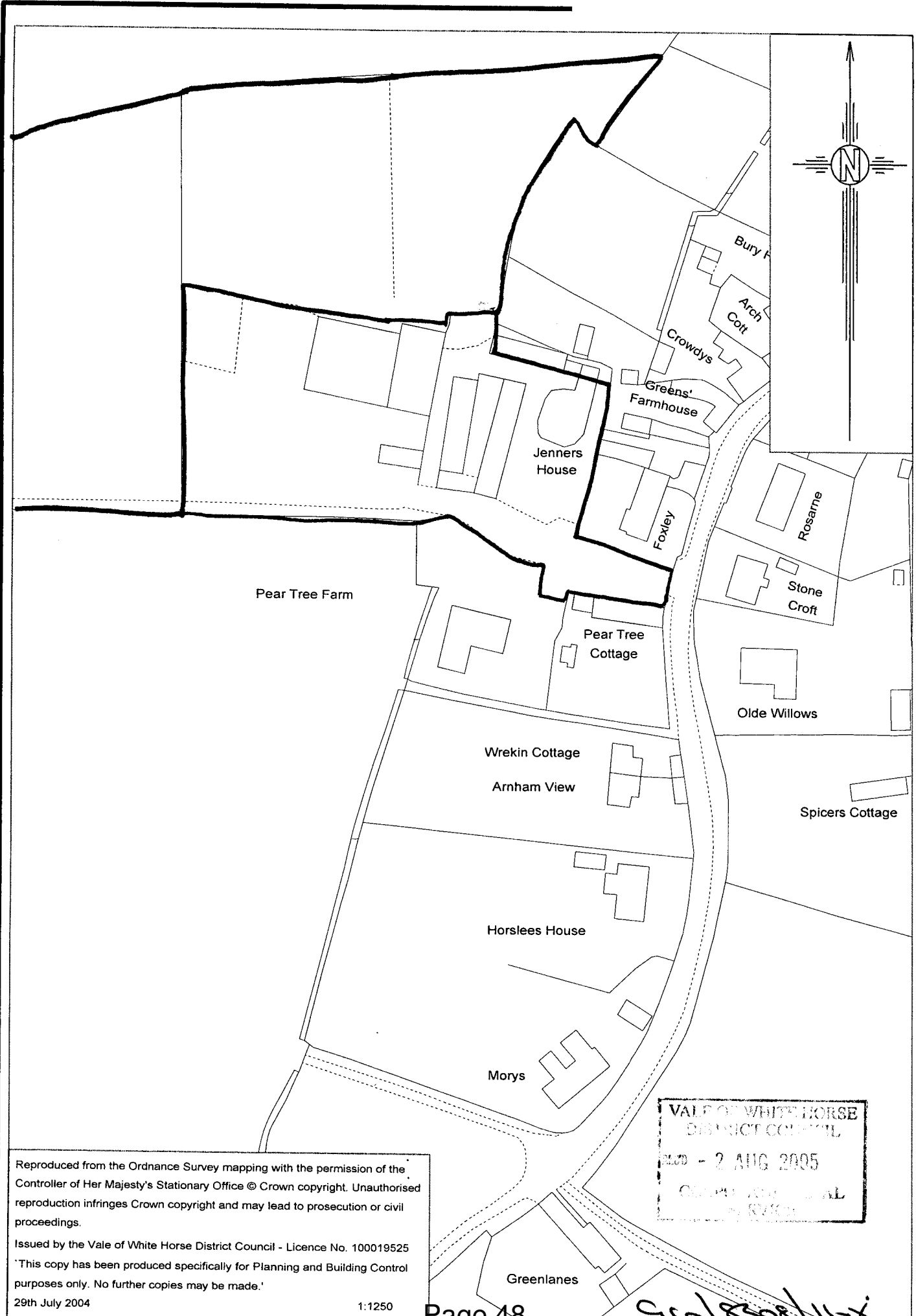
- 5.5 In addition, your Officers consider that the application site lies outside the built up area of the village. Whilst policy H6 of the adopted Local Plan allows the limited infill and minor redevelopment that has taken place on the eastern part of the site, the remaining part extends beyond what could reasonably be considered to be the built up area of the village. Housing development along the lines suggested on this land would erode the character of the linear pattern of the village, extending development into the countryside. Furthermore, residential development of the site could also lead to pressure for further 'in depth' development to the rear of properties in The Holloway Road; the cumulative effect of which would undermine the special quality of the village and its rural setting. The provision of 4 dwellings (or 10 units as shown on the illustrative drawing if PPG3's density requirements are applied at 30 dwellings per hectare) also does not constitute limited infilling as specified under Policy H6.
- 5.6 Officers also consider the development is contrary to the planning policies of the development plan which seek to safeguard the character and appearance of the Conservation Area. The special character of the village derives not only from the form and unity of its buildings, but also from the setting of the buildings within the landscape. The existing buildings on site provide an 'agricultural' (albeit modern in their appearance) foreground to the Conservation Area. Their replacement with perhaps 2 storey residential units would change this relationship and create a residential extension into the countryside which would not preserve or enhance the character of the Conservation Area or its setting in the landscape.
- 4.7 In terms of setting aside the policy conflicts, the applicants have provided information relating to the nuisance caused by the existing use, where they have claimed there is an average of 600 vehicle movements a week. Further detailed information in relation to traffic movements has been requested and will be reported at the meeting. Certainly traffic movements, in particular HGV movements, appear significant and are a direct cause for the level of support to redevelop the site from both the Parish Council and local residents. The applicants have also confirmed that the business could be relocated to a dedicated industrial site where access for commercial vehicles would not present a problem. However, your Officers do not believe the removal of the business, to an as yet unspecified location, is sufficient justification to allow a development that would be unsustainable and contrary to planning policy. The lack of objection and indeed support for the proposal is not, in itself, an overriding reason for allowing the development on the basis that traffic movements would be reduced.

6.0 **Recommendation**

6.1 *That planning permission be refused for the following reasons:*

1. *In the opinion of the District Planning Authority, the proposal would result in an unsustainable form of development outside the built-up limits of Great Coxwell and extending into the open countryside without special or exceptional justification. As such it is contrary to the adopted Oxfordshire Structure Plan in particular policies G1 and H1, the adopted Vale of White Horse Local Plan, in particular policy H6, the Vale of White Horse Local Plan 2011 Second Deposit Draft, in particular policies GS2 and H12, and to advice in PPS1 'Delivering Sustainable Development' and PPG3 'Housing'*

2. *The proposed development would result in an undesirable form of development that would detract from the setting, character and appearance of the Great Coxwell Conservation area. As such it is contrary to the adopted Vale of White Horse Local Plan, in particular policy HE8 and the Vale of White Horse Local Plan 2011 Second Deposit Draft, in particular policy HE1.*



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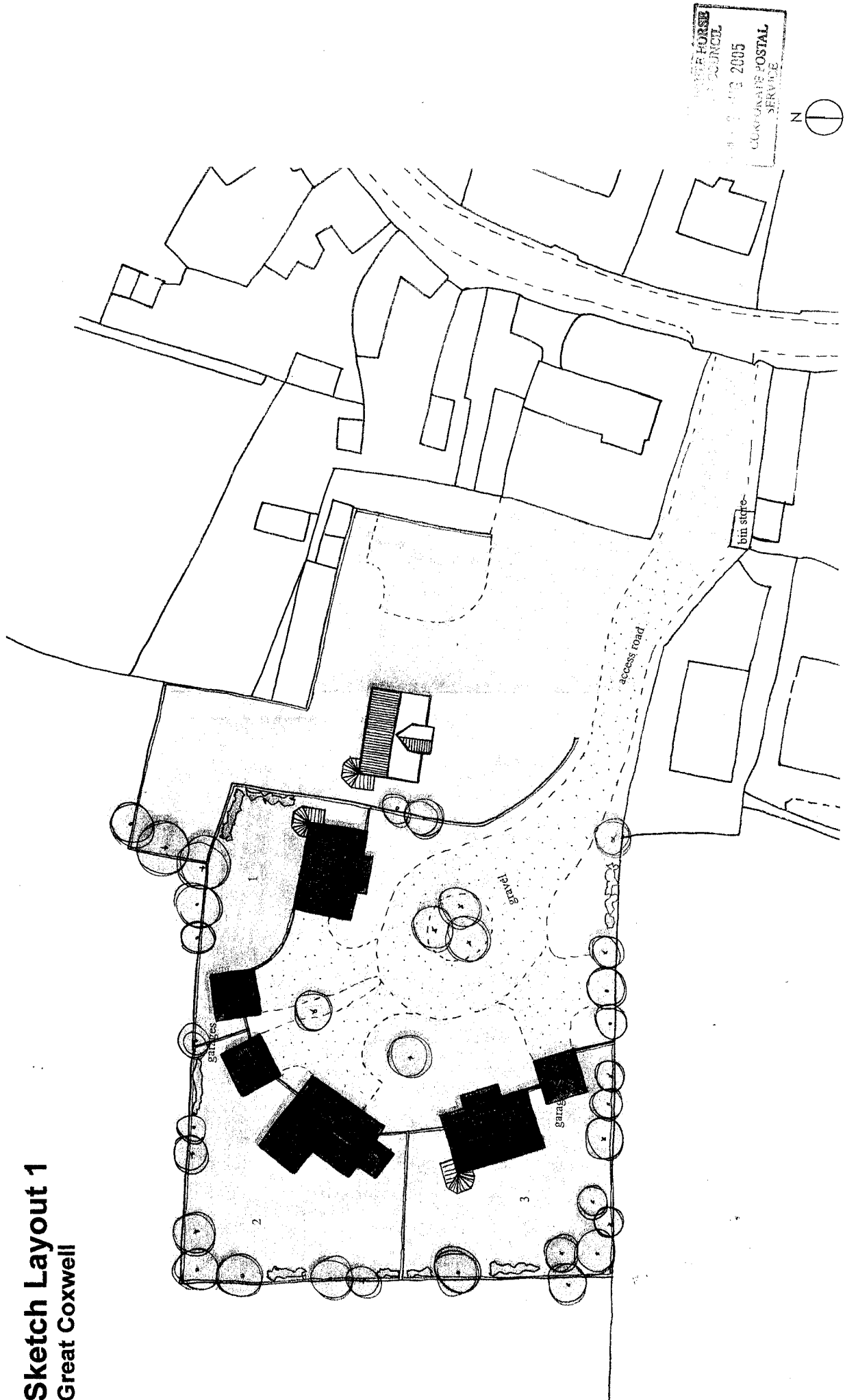
VALE OF WHITE HORSE
DISTRICT COUNCIL
PLD - 2 AUG 2005
COMMUNITY DEVELOPMENT
COUNCIL

1:1250

9/01/2008/11-x

Sketch Layout 1

Great Coxwell



WINDLE HORSE
COUNCIL
10th March 2005
CLAYDONATE POSTAL
SERVICE



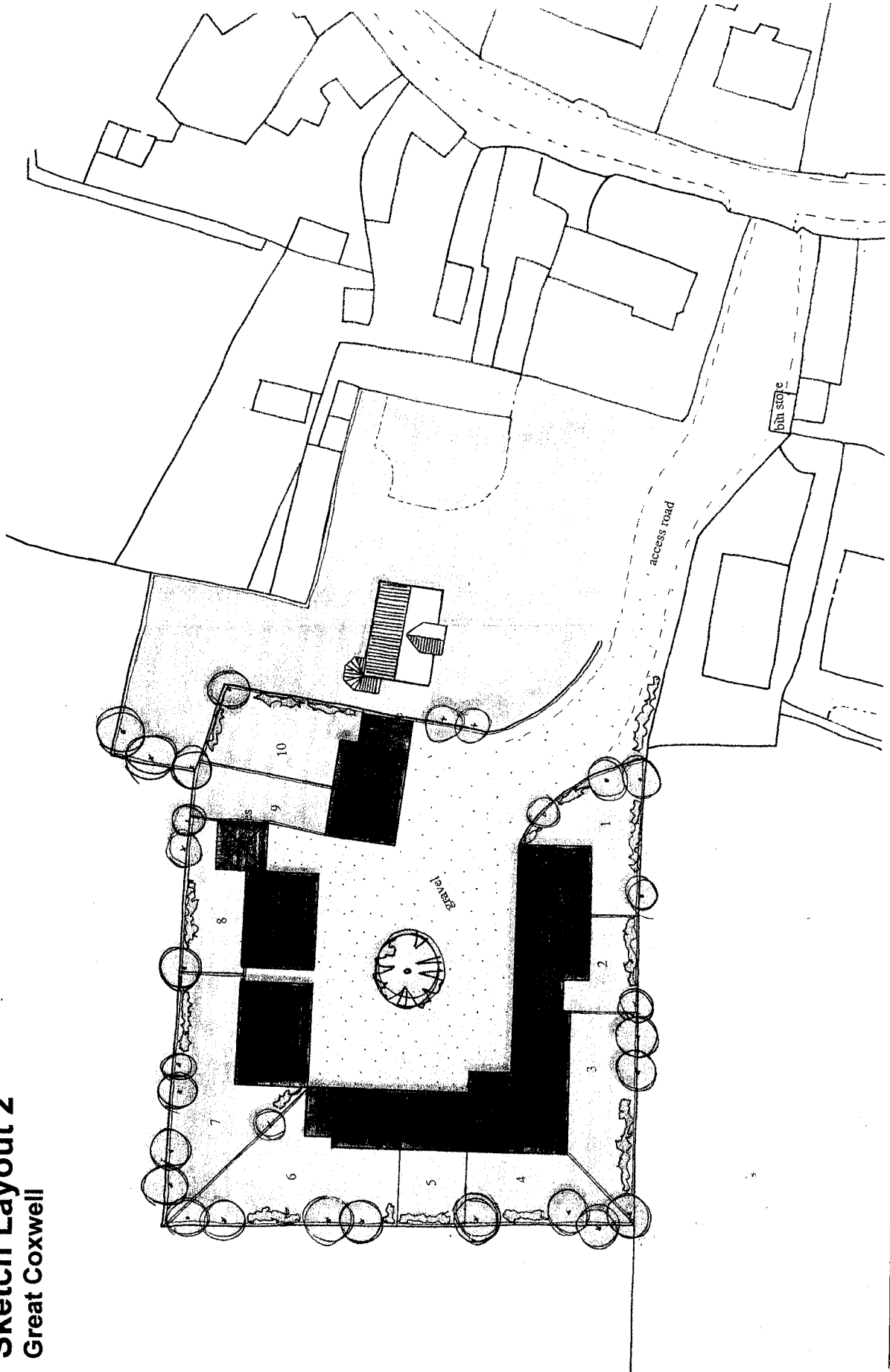
Original: 3/03/05

Drawing No. MB/1651/01 Scale 1:500 @ A3

Drawn: *MB* Checked: *CM*

JNP1651A

Sketch Layout 2
Great Coxwell



VALLEY MILLS HORSE
DISTRICT COUNCIL
2005 - 2 AUG 2005
CORPORATE POSTAL
SERVICE



Original: 16/03/05

Drawing No. MB/1651/02 Scale 1:500 @ A3

Drawn: *MP* Checked: *CC*

JNP1651A

4 Conclusions

- 4.1 In comparative terms this development would have far less impact on the surrounding area than the existing timber business already does. There would be a massive reduction in the number of daily vehicle movements. All heavy goods traffic previously generated by the business would cease. The quality of environment enjoyed by properties neighbouring the site would dramatically increase, as would the everyday life of all residents in the village.
- 4.2 The redevelopment of the site would result in a far more harmonious environment in this part of Great Coxwell, which it should be noted also lies within a Conservation Area. The careful design and layout of a residential development would respect the spatial arrangement of existing dwellings in the vicinity of the site, and be designed to read as an integral part of the settlement.
- 4.3 This view is consistent with the objectives of paragraph 11.87 and policy E15 of the revised Vale of White Horse Local Plan 2011. The relocation of existing commercial sites that are considered '*un-neighbourly*' or '*badly sited*' is recognised to be acceptable by the Council.
- 4.4 The redevelopment of the site would accord far better with the objectives of sustainable development than the existing use of the site. It would accord explicitly with the objectives of PPS1 in enhancing the condition of the environment for local communities. Notwithstanding the combined benefits of noise reduction, pollution reduction, and the amelioration of the sites current visual intrusion, the number of traffic movements associated with the site will likely be a hundred times less (i.e: 600 vehicle movements per week associated with the business compared to sixty vehicle movements a week associated with four residential dwellings).
- 4.5 It is not considered that the redevelopment of this site will result in the loss of employment. H J Webb and Son are currently investigating potential sites for the relocation of the business, that are commensurate to the volume of traffic generated by the business. Additionally it is recognised that the current site is extremely restrictive, and presents no opportunity for expansion. With this in mind it is reasonable to suggest that the relocation of the business is likely to result in the generation of further jobs for the district.
- 4.6 The application site is limited to that area currently occupied by the timber yard. The entire area serves a commercial function and is host to a mixture of industrial buildings, storage areas and extensive areas of hardstanding. In this respect RPS do not consider the proposed redevelopment would lead to an extension of the village into the open countryside.

It would not extend beyond those limits already established by, and previously developed in connection with, the commercial/industrial functions of the yard. It would seem unreasonable to suggest that the developed area of the timber yard constitutes 'open countryside'.

4.7 It should be noted that the land surrounding the application site is owned by the applicant. There is therefore an opportunity to negotiate a landscaping scheme to create a significant enhancement to the edge of the settlement.

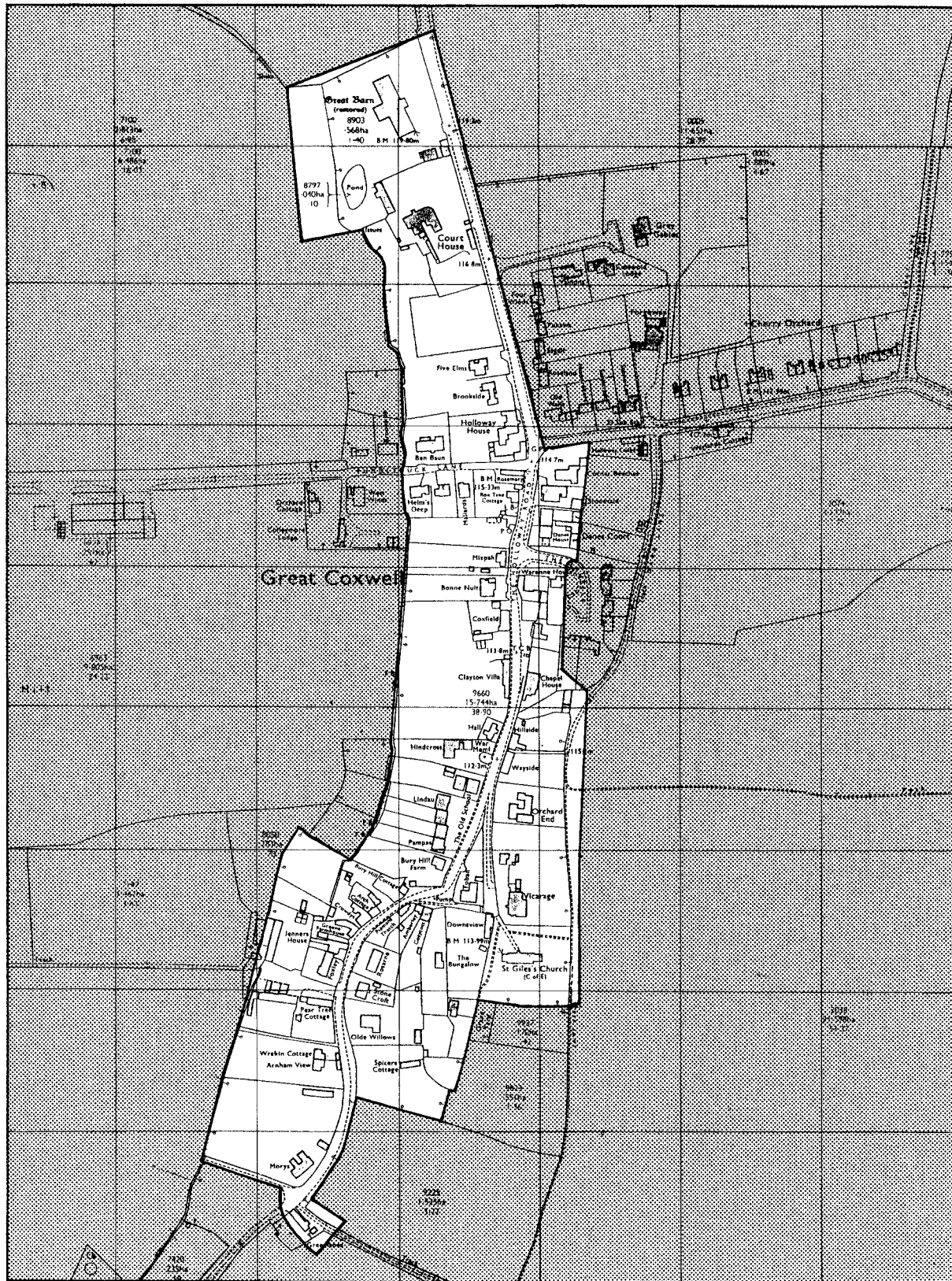
4.1 The clear benefits derived from the cessation of the industrial/commercial activities historically associated with the site are considered sufficient as material considerations to overcome any potential conflict with the adopted development plan, in accordance with the provision set out by Section 38(6) of the Planning and Compulsory Purchase Act 2004. In summary those benefits are:

- **The massive reduction of traffic entering and leaving the site and entering and leaving the village;**
- **The creation of a defensible edge to the settlement through an appropriate scheme of landscaping (and subsequent improvement to views into and out of the settlement);**
- **The opportunity to regularise development in this part of the settlement, respecting the spatial arrangement and character of surrounding development;**
- **The cessation of the direct combined impacts of noise, odour and general pollution within the vicinity of the application site;**
- **The opportunity to utilise an existing area of brownfield land, contributing to the national target of locating 60% of all new development on previously developed land; and**
- **The relocation of an identified and established 'bad neighbour' use to a far more practical and sustainable location.**

4.8 The general policy of restraint toward development in areas outside the main urban areas in the district is recognised to be consistent with the adopted Oxfordshire Structure Plan 2011 and the general objectives of national planning guidance. It is clear however that these matters should not serve to prevent development where it would have significant positive benefits.

- 4.9 Through the Planning and Compulsory Purchase Act 2004, and Planning Policy Statement One, it is apparent that the views of local communities toward development is an important consideration, and that their views should be taken into account in both in the formulation of planning policy and to some extent the determination of planning applications. Therefore it is suggested the volume of local support for this proposal should be offered strong consideration by the Council.
- 4.10 It should also be noted that a significant reduction in the volume of heavy goods traffic in and around the village would positively affect the setting, and indeed longevity, of the Grade 1 listed 'Great Barn' on the northern edge of the settlement.
- 4.11 With regard to the matters raised in this statement, the positive benefits associated with this proposal, and the acknowledged volume of local support for this development, RPS respectfully request that the local planning authority grant outline planning permission for this development.

Not to scale



Date of Designation : 3.2.71

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GREAT COXWELL PARISH COUNCIL

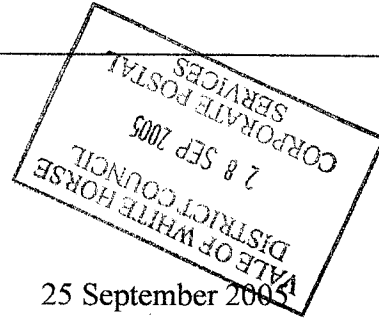
APPENDIX 3

Great Coxwell
Faringdon
Oxfordshire
SN7 7NG

Mrs L Jerrard

Parish Clerk

Mr S Walker
Vale of White Horse District Council
Planning Services
PO Box 127
Abbey House
ABINGDON
Oxfordshire OX14 3JN



25 September 2005

Dear Mr Walker

**GCO/8308/11-X – Construction of 4 x 2 storey dwellings.
Demolition of existing barn**

Thank you for your letter of 12 September concerning the above planning application.

As you are aware, the Parish Council has previously indicated its support for a planning application, in principle.

However, it should be noted that its support was for three dwellings and this application is for four dwellings with a further, confusingly added, “optional” application for a barn conversion of ten dwellings. The Parish Council’s decision was originally taken on the basis that there would be environmental benefits due to the reduction in traffic, which would be clearly lost in a development of this size.

The Parish Council is satisfied that the general village concerns indicate a preference for a residential development, rather than the current timber use, but feel that any development beyond four dwellings would not find support from the Parish Council or the local community.

The Parish Council would also like to be satisfied that the footpath currently crossing the site would continue to be accessible and available.

The Parish Council would like to stress again that its support is on the understanding of the complete relocation of the business, rather than only a part of it.

Yours sincerely

Mrs L Jerrard
Clerk

Great Coxwell Parish Council

McCoy Associates Chartered Town F

54 New Street • Henley-on-Thames • Oxon RG9 2BT • Tel: 01491 410852
Fax: 01491 410852 www.mccoynassociates.co.uk email: denis@r

APPENDIX 4

14 October 2005
Your ref GCO/8308/11-X

For the attention of Alison Blyth

Assistant Director (Planning)
The Vale of White Horse District Council
PO Box 127
The Abbey House
ABINGDON OX14 3JN

FAX AND POST

Dear Sir

**re: Construction of 4 x 2-storey dwellings. Demolition of existing barn
Pear Tree Farm, Great Coxwell**

Thank you for the drawings and details of the above project received on 29 September which was discussed at the Architects Panel meeting on 5 October at which I was not present but on which you have requested design comments.

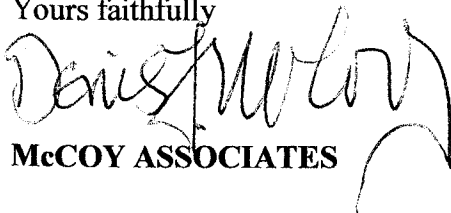
The policy issue may well be the driving consideration with this application, and since it is made in Outline it is difficult to offer many detailed design comments.

However, if it is agreed that the loss of an employment activity would not have a harmful impact upon the character of the conservation area, then the current submission appears to be exploring which approach to residential development would be most acceptable.

For what it is worth I consider that the option which would most likely fit into the built fabric of the conservation area in a satisfactory way would be buildings arranged in a courtyard layout, containing all their own car parking and vehicle circulation areas with that courtyard. The aim should be achieving the appearance of a group of farmyard buildings, particularly when seen from any footpaths.

Your papers and drawings are returned with the postal copy of this letter.

Yours faithfully



McCoy Associates

encs

This letter refers to RPS Planning's supporting statement dated July 2005.

LWO/13682/4-X – D Rees
Erection of a dwelling.
Wayside House, Beggars Lane, Longworth.

1.0 **The Proposal**

- 1.1 This application seeks outline planning permission (with all matters reserved) for the erection of a dwelling in the garden of Wayside House.
- 1.2 Wayside House is the first house on the western side of Beggars Lane when approached from Faringdon Road. The site is bounded by fields to the south and west, with Wayside House itself forming the northern boundary. The site lies in the North Vale Area of High Landscape Value
- 1.3 The site is currently a regularly mown grassed area that forms part of the garden to Wayside House. Although all matters are reserved, it is proposed to access the site off the existing vehicular access to the property, and the proposed dwelling is likely to be a 1½ storey unit sited centrally on the plot, so as not to impact on the mature trees that exist along the boundaries of the site.
- 1.4 A copy of the plan showing the location of the property, along with a copy of the agent's supporting letter are at **Appendix 1**.
- 1.5 The application has been referred to Committee at the request of Councillor Elsa Boyce.

2.0 **Planning History**

- 2.1 In June 2000 an outline application to erect four dwellings to the south of Wayside House was refused. In May 2001, an appeal against the refusal was dismissed. A copy of the Inspector's decision is attached at **Appendix 2**.
- 2.2 In August 2001, planning permission was granted for the erection of one dwelling to the north of Wayside House.

3.0 **Planning Policies**

- 3.1 Policy H5 of the adopted Vale of White Horse Local Plan provides for small scale development within Kingston Bagpuize with Southmoor, provided it is within the main built up area of the village; is not on a site which contributes positively to the physical form, structure and character of the settlement, or its rural setting, including the gardens of properties standing in large grounds.
- 3.2 Policy C3 seeks to protect the North Vale Area of High Landscape Value from development likely to have a harmful impact on its prevailing character and appearance.
- 3.3 Policies D1, D2, and D3 seek to ensure that all new development is of a high standard of design, does not cause harm to the amenity of neighbours and is acceptable in terms of highway safety.
- 3.4 Similar policies to those above have been included in the Second Deposit Draft Local Plan 2011. The corresponding policies are H10, NE7, DC1, DC5, and DC9.

4.0 **Consultations**

- 4.1 Longworth Parish Council has no objection to the proposal.

4.2 County Engineer – No objections subject to conditions.

4.3 Arboricultural Officer – No objection provided the footprint of the building is not within the canopy spread of the trees surrounding the garden and no trees are to be removed to gain access. The conifer trees, whilst relatively poor in quality, do form a valuable screen and on this basis they should be retained.

5.0 **Officer Comments**

5.1 The main issues in this case are considered to be whether the principle of the development in this location is acceptable, and the impact of the proposal on the character and appearance of the locality, including its impact on the Area of High Landscape Value.

5.2 In consideration of the refused scheme for four dwellings on land to the south of Wayside House, the Inspector concluded (Paragraph 10) that the whole site was outside the built up area of Southmoor for the purposes of H5. The appeal site included the site the subject of this application.

5.3 Your Officers consider that nothing has changed since that decision to merit a view that the land now lies within the built up area. It is considered that the existing dwelling is the physical limit of the built up area on the west side of Beggars Lane. Whilst it acknowledged that the land has been informally used as garden in association with Wayside House, and so it could be argued to be 'previously developed land', it remains an undeveloped plot to the south of what is the last house on the western side of Beggars Lane. In this respect, to allow the erection of a dwelling in this location would essentially extend the built up area of the village, contrary to Policy H5 and the harm caused to the form and rural setting of the village would outweigh any argument to allow the development on the grounds that the land is classed as 'previously developed'.

5.4 The applicants, in support of the proposal, have stated that the site is well screened and any visual harm would be limited. Whilst the siting of a new dwelling may not directly lead to the removal of existing trees, the Inspector confirmed (Paragraph 12) that the existing trees would more than likely lead to overshadowing of a new dwelling, and 'future occupants would have good cause to either reduce their size or to remove them completely'. Your Officers consider that this threat remains, and the removal of the trees would expose the site to the detriment of the North Vale Area of High Landscape Value and would in turn, also harm the form and rural setting of the village.

6.0 **Recommendation**

6.1 *That planning permission be refused for the following reasons:*

- 1 *The proposed residential development would extend the built-up area into an area of informal garden that forms part of the rural setting of the village. As such, the proposal is contrary to Policy H5 of the adopted Vale of White Horse Local Plan and Policy H10 of the Vale of White Horse Local Plan 2011 Second Deposit Draft.*
- 2 *In the opinion of the District Planning Authority, the proposed residential development is likely to lead to the significant reduction or removal of the existing trees which would harm the character and appearance of the North Value Area of High Landscape Value and would exacerbate the prominence of the proposed development, contrary to Policy C3 of the adopted Vale of White Horse Local Plan and Policy HE7 of the Vale of White Horse Local Plan 2011 Second Deposit Draft.*

APPENDIX 1



VALE OF WHITE HORSE
DISTRICT COUNCIL
22 SEP 2005
CORPORATE POSTAL
SERVICES

Client: Mrs Debbie Rees
Project: Land adjacent to Wayside House, Longworth
Drawing Title: Site Plan
Drawing No.: C2872/05/01

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- Architecture
- Urban Design
- Landscape Design
- Project Management

220/13682/428

Please Reply to: Swindon
Our Ref: TAG/vw/C2872

Your Ref:
Date: 21 September 2005

Vale of White Horse District Council
PO Box 127
Abbey House
Abbey Close
Abingdon
Oxon
OX14 3JE



Dear Sir/Madam

Outline Planning Application: Erection for one dwelling in the garden of Wayside House, Beggars Lane, Longworth

Please find enclosed planning application forms, site location plan and cheque for an outline planning application for the erection of one dwelling.

The application is for the erection of a single dwelling within the garden of Wayside House, Longworth, Abingdon. The property is not within a Conservation Area, although the entire village is within an Area of High Landscape Vale, the proposed dwelling will not impact upon the character of the area, nor its rural setting. At present the site is laid out as garden with mown grass, the site is part of the large garden associated with the house.

A previous application was refused and later dismissed on appeal (APP/V3120/A/OO/1055398) for the erection of 4 dwellings at the same address, but on a larger plot. The appeal decision established that the site is part of the garden of Wayside House, although the extended garden area is only tenuously linked to the built up part of the settlement, it was also stated in the appeal decision that there would be little negative impact over highway safety due to an increase in dwellings.

The site is well screened from the main road (Spring Hill), and Beggars Lane, (as shown by pictures 5-8). It can be seen that the southern boundary of the proposed site would be well screened from the road by a thick band of trees that are nearer to the road than the red line of the site boundary (picture 9). There is a substantial belt of trees to the east boundary of the site, as seen from Beggars Lane, this is shown by pictures 5 + 6, where it can be seen that the trees are a mix of deciduous and coniferous trees, with a strong predominance of coniferous trees. Pictures 1 + 2-3, show the view from within the proposed site out towards Beggars Lane; and towards Spring Hill – from both locations it is clear that the site is well screened and any development occurring on site would not be clearly visible from either Spring Hill road or Beggars Lane.

Picture 7 shows the existing access and the point of the proposed access onto Beggars Lane.

Cont'd



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- Town Planning
- Development
- Environment
- Architecture
- Urban Design
- Landscape Design
- Project Management

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Directors:
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Geoffrey Mettiss, F.I.C.M.

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Heather Davis FMAAT
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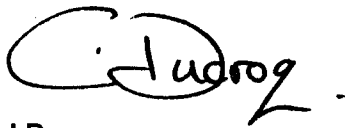
Vale of White Horse District Council
PO Box 127

Also enclosed is a list of neighbours, who live opposite the site, who have signed an agreement that they are in support of the building of one new dwelling at Wayside House, Beggars Lane.

This application is being put forward due to the applicants need to accommodate foster children that are placed in her care for long-term placements. The current house is unsuitable for these needs due to its design, and lack of suitable bedrooms at a first floor level. My client is willing to accept a condition that would restrict development to a single dwelling on this land.

Please consider this letter as part of the application, and if you have any questions please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink that reads 'C. Ducroq'.

Coral Ducroq
Graduate Planner
Development Planning & Design Services

Enc.



Appeal decision

Hearing conducted on 28 March 2001

by **Robert A Luck BSc CEng MICE DipTE MIHT MEWI**

an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

The Planning Inspectorate
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

Date

03 MAY 2001

Appeal Ref: APP/V3120/A/00/1055398

Wayside House, Beggars Lane, Southmoor, Oxon

- 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 brought by Professor K Smith against the decision of Vale of White Horse District Council.
- The application (ref: LWO/13682/2-X), dated 26 April 2000, was refused by notice dated 15 June 2000.
- The development proposed is the erection of 4 detached dwellings and garages.

Summary of decision: The appeal is dismissed.

Procedural Matters

1. The application is for outline permission, with all matters reserved for future consideration.
2. The address on the application form indicates that the appeal site is in Southmoor. It was agreed by all parties present at the hearing that the site is within the parish of Longworth, but that the site is physically associated with a settlement which also includes the built-up part of the parish of Kingston Bagpuize with Southmoor.

The Main Issue

3. I consider the main issue in this appeal to be the effect of the proposed development on the form and rural setting of the settlement, comprising Kingston Bagpuize with Southmoor and the associated part of Longworth, within the North Vale Area of High Landscape Value.

The Development Plan and National Policy

4. The Development Plan for the area includes the Oxfordshire Structure Plan 2011 (adopted August 1998). It is common ground that at the time of the hearing it also included the Vale of White Horse Local Plan (adopted November 1999). At the hearing, the appellant's agent drew my attention to the Preface to the Local Plan and to text in Policy H2 of the Oxfordshire Structure Plan 2001 which led him to infer that the expiry date of the Local Plan is 31 March 2001. The Council's representative stated that the Local Plan is in the early stages of being amended but that in the mean time it has been certified as conforming with the Oxfordshire Structure Plan 2011. Therefore, even if the expiry date of the Local Plan is indeed 31 March 2001, it carries considerable weight in my considerations and, for brevity and without prejudice to its status, I shall refer to it as the Local Plan.

5. Structure Plan Policy G1 sets out the general planning strategy which includes protecting the character of the county and making the best use of land in built-up areas, while not permitting development on important open spaces. Local Plan Policy H5 states that within villages, including Longworth and Kingston Bagpuize with Southmoor, new housing will be limited to infilling and minor development which is compatible with the size, form and character of the village. Such development should be in the main built-up area of the village or where it forms a natural completion of the existing pattern of development on a small site, visually contained by strong physical features that are an integral part of the settlement. Development will be resisted on sites which contribute positively to the form and rural setting of the settlement, including the gardens of houses standing in large grounds. It is common ground that the site lies within the North Vale Area of High Landscape Value (AHLV), which Local Plan Policy C3 seeks to protect from harmful development. The rationale behind the AHLV is set out in the Council's publication, "Landscape Strategy: An Analysis of the Vale's landscape, and a proposed strategy" (October 2000). This has the status of Supplementary Planning Guidance (SPG) and I therefore give it substantial weight.
6. Planning Policy Guidance Note 3: Housing (PPG3), particularly at paragraphs 22 and 32, encourages the re-use of previously developed land, for which it provides a definition at Annex C, provided it is suitable in other respects for housing development. Paragraph 56 states that new housing development should not be viewed in isolation and that, amongst other things, it should respect and enhance local character.

Reasons and Conclusions

7. Beggars Lane is a cul-de-sac which runs northwards from Faringdon Road at the western end of the large combined settlement of Kingston Bagpuize with Southmoor and Longworth. The dwellings in the lane are a mixture of houses and bungalows of varying ages. A field at the southern end of the lane is part of the pattern of open fields and sporadic development to the west and south. This wider area plays an important role in providing a rural setting for the village.
8. The appeal site, which covers an area of about 0.42ha, has no physical boundary with the more immediate surrounds of Wayside House, the southernmost building on the western side of Beggars Lane. The site boundary with Beggars Lane is a hedge, and the southern and western boundaries with the adjacent field are post and wire fences within which there are rows of mature deciduous trees. There are also within the site rows of high conifers parallel to the eastern and southern boundaries respectively, though in the eastern row particularly there are large gaps. Most of the site is laid to mown grass which is planted with shrubs and further trees. While I was within the site and the immediate surroundings of the house I formed the opinion, from its character and its relationship with the property, that the site is used as part of the large garden of the house.
9. It is common ground between the main parties that the proposed development would be compatible in scale, density and layout with the form of the existing development in Beggars Lane, as required by Local Plan Policy H5, and I have no reason to reach a different conclusion. It is therefore necessary to consider the suitability of the site for development in the light of the other specific requirements of that policy.
10. There is no dispute that all the dwellings in Beggars Lane, including Wayside House, are within the built-up part of the settlement. The site, though clearly associated with Wayside

House from within, is of such a size that from Beggars Lane the association is visually more tenuous. Furthermore, the plot is empty of built form and it is bounded to the south and west by an open field. I therefore conclude that, notwithstanding its present use, the site lies outside the main built-up area of the settlement. In reaching this conclusion, I have taken note of the decision to allow new development in the form of a conversion of an existing building at the northern end of the lane, but I find that the circumstances in that case are different.

11. Though well-established trees border the site, they are not associated with any marked change in land form, especially along the southern side of the site and in my view this reduces their potential strength as a physical feature. Seen from Faringdon Road to both the west and the east of Beggars Lane they clearly appeared to me, like other groups of trees in the wider area, to be a part of the rural landscape rather than a boundary to or an integral part of the village. The proposal would not therefore be a natural completion of the settlement.
12. As the village is approached along Faringdon Road from the west, the site and the trees which it contains are seen towards the side of the field of view, with the eye naturally drawn towards a house on the north-western corner of the junction between Beggars Lane and Faringdon Road, Cornerways, which visually marks the beginning of the settlement. Approaching Beggars Lane from the east, Cornerways is again prominent in the view as, in this case, the last visible built form in the settlement, and from here the appeal site is seen as part of the open backdrop, with its wooded character reflected in other groups of trees in the area. The proposal would introduce dwellings and their gardens into this open space, which makes an important contribution to the rural setting of the village. While the high conifers within the southern side of the site could provide screening, in practice they would so overshadow both the adjacent dwelling and its garden that, in my view, future occupants would have good cause to either reduce their size or to remove them completely. I therefore conclude that the proposal would be harmful to the form and rural setting of the settlement, and so would conflict with Local Plan Policy H5, Structure Plan Policy G1 and PPG3 paragraph 56.
13. The characteristic form of the AHLV in the area of the site is defined by the SPG as a gentle dip slope which complements the steeper scarp slope well to the north and the Thames flood plain beyond. I have considered the concern of the Council that the construction of the proposal would have a harmful effect on this land form, in conflict with Local Plan Policy C3. Taking account of the slack gradient and the relatively small scale of the proposal, I conclude there would be sufficient control retained by the Council over reserved matters to ensure that the proposal would not conflict with Local Plan Policy C3. However, this consideration does not outweigh the harm that would arise from the proposal in other respects.

Other Considerations

14. There was a full discussion at the hearing as to whether the site is part of the curtilage of Wayside House on the basis that, if it is, the proposal would be the re-use of previously developed land in the terms of PPG3. Whether or not the site should be so regarded, this consideration would be heavily outweighed by my conclusions on the main issue.
15. Representations have been made about the safety implications of the increase in traffic which would be caused by the development, though the highway authority has not expressed any concerns in this respect. Beggars Lane is fairly narrow but there is sufficient width for two cars to pass. Visibility into the lane for vehicles turning left from Faringdon Road is

reasonable so that, in my view, the likelihood of conflict near the junction would not be increased significantly. This consideration therefore adds only very limited weight to my conclusions on the main issue.

Overall Conclusion

16. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

Formal Decision

17. In exercise of the powers transferred to me, I dismiss the appeal.

Information

18. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.



Inspector

ABG/16150/2 – Mr & Mrs Gardiner

Demolition, replacement and re-siting of an existing garage. Erection of a single storey front and rear extension, erection of a two storey side and rear extension and erection of a 1.8 metre close boarded fence.

56, Ballard Chase, Abingdon.

1.0 The Proposal

- 1.1 Part of this application seeks the renewal of planning permission which was granted on the 11th January 2000 for the demolition, replacement and re-siting of an existing single garage. Also this application seeks planning permission for the erection of a single storey front and rear extension and for the erection of a two storey side and rear extension. This is to provide a new garage, an extended living and dining room area, a new cloak room and three en-suite bathrooms at first floor level. This application includes the erection of a 1.8 metre high close boarded fence to be located at the back of the footpath.
- 1.2 There were initially a number of inaccuracies with the submitted drawings these included a reduction in width of the first floor en-suite bathroom window for bedroom 2, from 1.7 metres to 1.2 metres. The position of the boundary fence between of the application site and No 55, Ballard Chase was also incorrect. These errors have now been rectified and the plans show a minimum distance of a metre between the two properties. The proposed 1.8 metre close boarded fence has now been set further back from the footpath and now measures 2 metres from the back of the footpath; however this is deemed permitted development and therefore does not require planning permission. A location plan, a site layout plan, together with proposed floor plans and elevations are at **Appendix 1**.
- 1.3 The application property is a four bedroom detached house with an existing garage and hard standing located on a corner plot of an open plan estate. There is currently off street parking at the front of the property for three vehicles.
- 1.4 This application comes before Committee as the Town Council has objected.

2.0 Planning History

- 2.1 Planning permission was granted on 11th January 2000 for the demolition, replacement and re-siting of the existing single garage with vehicular access to the highway, see Section 1 above and previously approved drawings attached in **Appendix 2**.
- 2.2 Planning permission was also granted on the 20th June 2002 for the erection of a two storey and single storey extension which included a new boundary fence. Similar to that now proposed. See previously approved drawings attached in **Appendix 3**.

3.0 Planning Policies

- 3.1 Policies D1 and D2 of adopted Vale of White Horse Local Plan and DC1 and DC9 of the Second Deposit Draft Local Plan refer to the design of new development and impact on neighbouring properties.

4.0 Consultations

- 4.1 Abingdon Town Council object for the following reason: "Too domineering, out of keeping and out of character".
- 4.2 There have been five letters of objection from residents raising the following concerns:
- 1) Visibility would be restricted to residents reversing their vehicles out of their driveways;
 - 2) Reduced visibility along Ballard Chase for road users
 - 3) Children's safety while crossing the road;

- 4) Due to the reduction in hard standing on site there will be an increase of vehicles parking on the adjoining highway;
- 5) Overshadowing and loss of privacy;
- 6) Security of neighbouring property;
- 7) Proximity to neighbouring house boundary;
- 8) The neighbour referred to alleged criminal damage in the past (but this is not a material consideration);
- 9) Possibility of trespass over front gardens; (not a material consideration)
- 10) Increase noise levels due to manoeuvring of vehicles;
- 11) Loss of amenity, loss of established planting and open views across open front gardens;
- 12) Out of character with neighbouring properties in the road.

4.3 The County Engineer has no objections subject to conditions.

5.0 **Officer Comments**

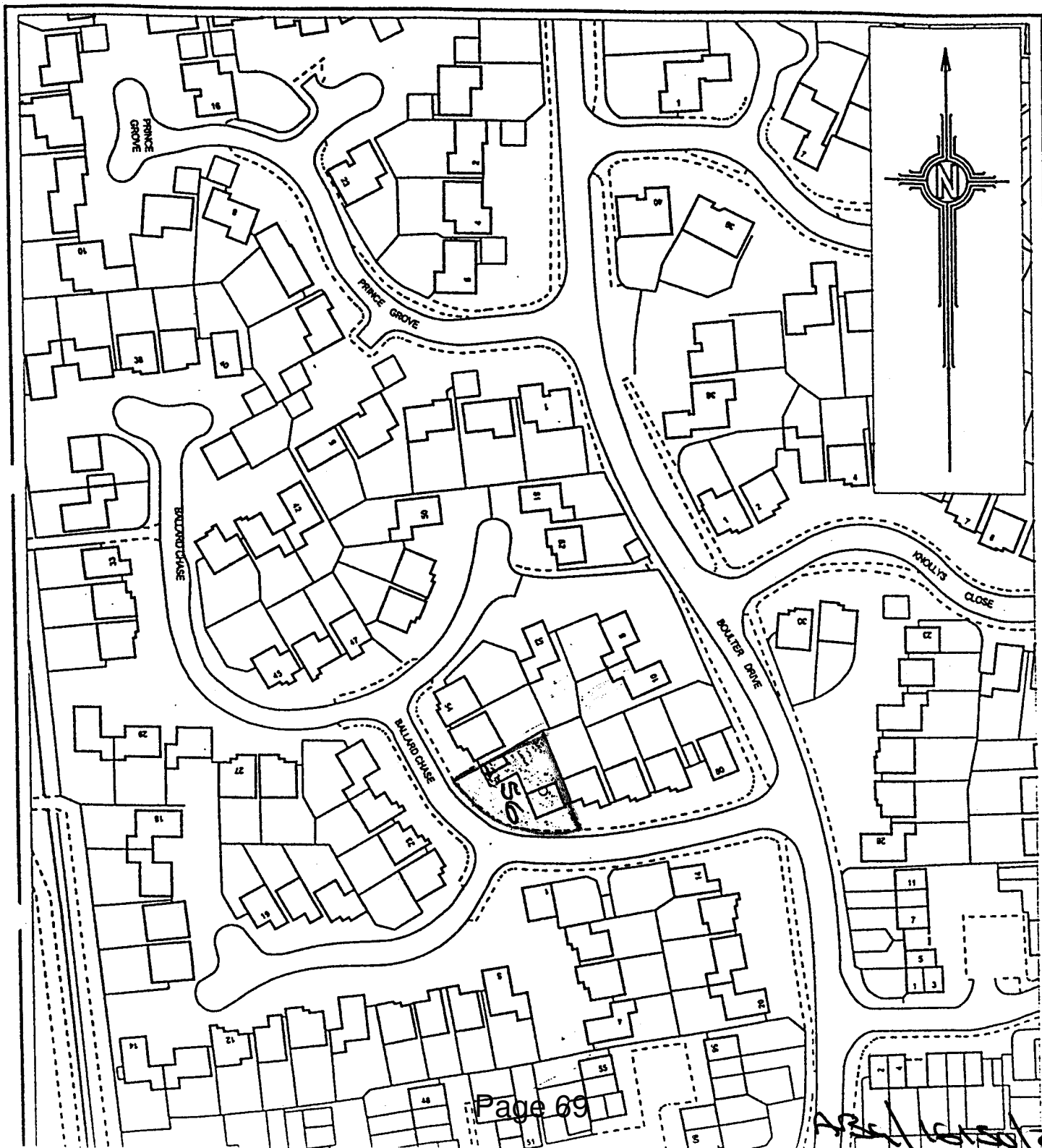
- 5.1 The main issues to consider in determining this application are: 1) whether the proposal would have a detrimental impact on the character and appearance of the area; and 2) the impact on the amenity of the neighbouring properties, 3) highway safety and parking.
- 5.2 The existing single pitched roof garage will be demolished and rebuilt in a different location. It will be turned round by 90 degrees and relocated 1.6 metres away from adjoining property No 55, Ballard Chase located to the north. The existing hard standing will be relocated adjacent to No 55, Ballard Chase and will front the proposed new garage.
- 5.3 The proposed two storey side extension, the single storey rear extension and the two storey rear extension will wrap around the western and northern elevations of the existing detached house.
- 5.4 The proposed single storey front porch extension with cloakroom will project 1.8 metres towards the road.
- 5.5 In terms of design and scale the proposed two storey and single storey extensions will be subordinate in scale and in keeping with the existing detached house and therefore Officer's consider the proposal will have a minimal visual impact on the street scene.
- 5.6 In terms of impact on residential amenities of neighbouring properties the nearest property is No.55, Ballard Chase, located 1.6 metres away to the north. This is a detached house. The main windows of this property face front and rear gardens there is a secondary living room window located on the flank elevation which faces the proposed single garage. However, Officers consider that due to the orientation and distance away there will be no harmful overshadowing or overlooking of this property.
- 5.7 The neighbouring property to the east No. 57 Ballard Chase, is located 1.1 metres away. There is an integral garage located immediately adjacent, however given the proposed location of the first floor en-suite bathroom window for bedroom 2, and the fact that this will be obscure glazed, and given the orientation and distance away from this neighbour, Officers consider there will be no harmful overlooking or impact on this property.
- 5.8 Turning to access, parking, visibility and highway safety, the application shows the siting of a new access and a new parking area. Together with the proposed new garage the parking area will provide off street parking for three vehicles, the maximum standard parking requirement for a four bedroom house in this location. The County Engineer has recommended conditions to address access concerns.
- 5.9 As previously mentioned, the proposed 1.8 metre close boarded fence to be erected adjacent to the property will be set back from the edge of the back of the footpath by 2 metres. This is deemed permitted development and therefore does not require planning permission.

6.0 **Recommendation**

6.1 *That planning permission is granted subject to the following conditions:*

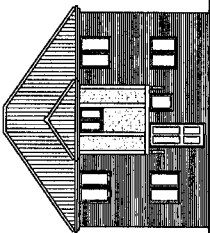
1. *TL1 – Time Limit*
2. *RE1 – Matching Materials*
3. *RE14 – Retention of garage accommodation*
4. *MC8 – Prior to the first use or occupation of the development hereby permitted, and at all times thereafter, the proposed bathroom window on the north east elevation shall be glazed with obscured glass only. Thereafter and notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order) no additional windows shall be inserted at first floor level and above in the north east, north west and south west elevations of the development hereby approved, without the prior grant of planning permission.*
5. *MC20 Amended Plans*
6. *HY2 – Access*
7. *HY8 - Closure of existing access*
8. *HY24 – Car Parking Layout*
9. *HY29 – Surface Water*
10. *Boundary between No. 55 and No 56, Ballard Chase to be maintained and remain clear of any obstruction.*
11. *No loose stone on parking spaces*

SITE LOCATION PLAN - 1:1250

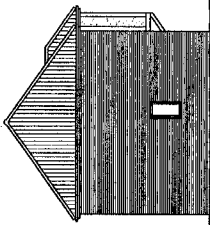


APR 10 2012

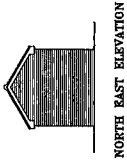
ALL MATERIALS TO MATCH EXISTING



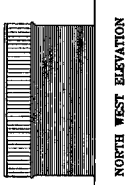
SOUTH EAST ELEVATION



SOUTH WEST ELEVATION



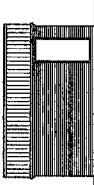
NORTH EAST ELEVATION



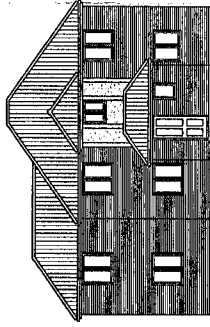
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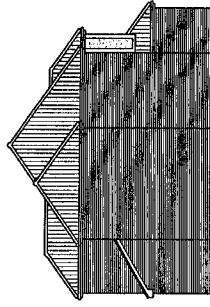
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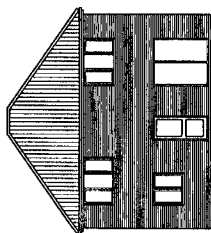
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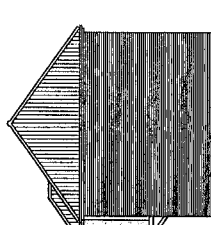
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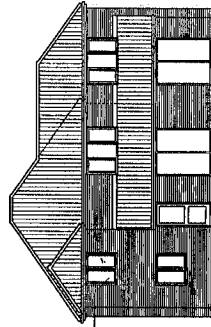
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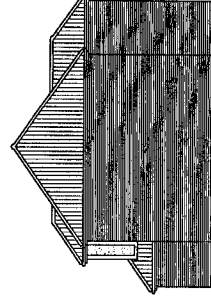
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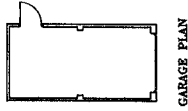
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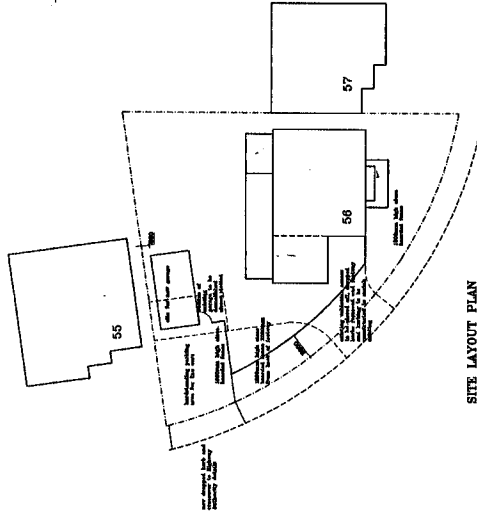
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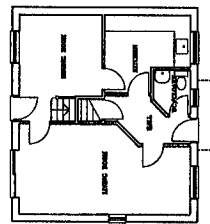
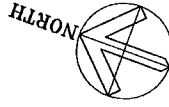
NORTH EAST ELEVATION



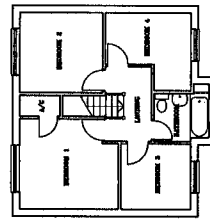
GARAGE PLAN



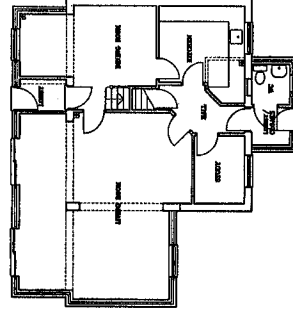
SITE LAYOUT PLAN



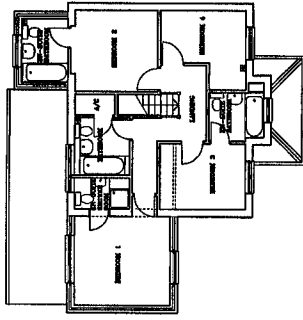
GROUND FLOOR PLAN
EXISTING



FIRST FLOOR PLAN
EXISTING



GROUND FLOOR PLAN
PROPOSED

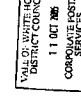


FIRST FLOOR PLAN
PROPOSED

EXISTING

PROPOSED

PROPOSED



1 - 10.10.05 - Update to site-plan, additions to Schedule 2 attached to W/ application.
2 - 11.10.05 - Update to site-plan, additions to Schedule 2 attached to W/ application.
3 - 11.10.05 - Update to site-plan, additions to Schedule 2 attached to W/ application.
4 - 11.10.05 - Update to site-plan, additions to Schedule 2 attached to W/ application.

George Stobie Associates Chartered Architects
at Upper High Street, Tisbury, Wiltshire, UK
Telephone 01464 27117 Fax 01464 27100

Scale 1:100
Date AUGUST 2005
Drawing No. 356/1B
EXISTING PLANS & ELEVATIONS
PROPOSED PLANS & ELEVATIONS

Work only to signed dimensions

56 BALLARD CHASE, ABINGDON

AGA/16/19/2



Planning & Engineering Department

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF PERMISSION

To: **Mr & Mrs Gardener
c/o R J Austin
57 Fernie Fields
Booker
High Wycombe
Bucks HP12 4SN**

Application No: **ABG/16150**

Proposal:

Erection of garage with new vehicular access to highway. (Demolish existing garage).

Address:

**56 Ballard Chase
Abingdon
Oxon
OX14 1XQ**

DATE OF DECISION: **11th January 2000**

The Vale of White Horse District Council, in pursuance of powers under the Above Act, hereby **PERMIT** the above development to be carried out in accordance with the application and accompanying plans submitted by you, subject to compliance with the **conditions** specified hereunder.

1. The development to which this permission relates shall be begun within a period of five years from the date of this permission.
2. The materials to be used externally in the development shall match those of the existing dwelling, in terms of their colour, finish and appearance.~
3. Prior to the commencement of the development hereby permitted, the means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with the specification of the means of access attached hereto, and all ancillary works shall also be undertaken in accordance with that specification.~
4. Prior to the first use of the vehicular access hereby permitted, the existing vehicular accesses shall be permanently stopped up in accordance with details which shall first be submitted to, and approved in writing by, the District Planning Authority.~

Vale of White Horse District Council

Planning & Engineering Department

The Abbey House, Abingdon, Oxfordshire OX14 3JE Telephone (01235) 520202 Fax (01235) 540396



INVESTOR IN PEOPLE

The **reasons** for the council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:

1. To comply with the requirements of Section 91 of the Town & Country Planning Act, 1990.
2. In the interest of visual amenity.
3. In the interest of highway safety.
4. In the interest of highway safety.

A handwritten signature in black ink, appearing to read 'J. Rawlinson'. The signature is written in a cursive style with a large initial 'J'.

Chief Planning and Engineering Officer

VA GOVERNMENT PRINTING OFFICE
 1999
 ATTENTION WORK

VALE OF WHITE HORSE DISTRICT COUNCIL
 PLANNING AND ENGINEERING DEPARTMENT

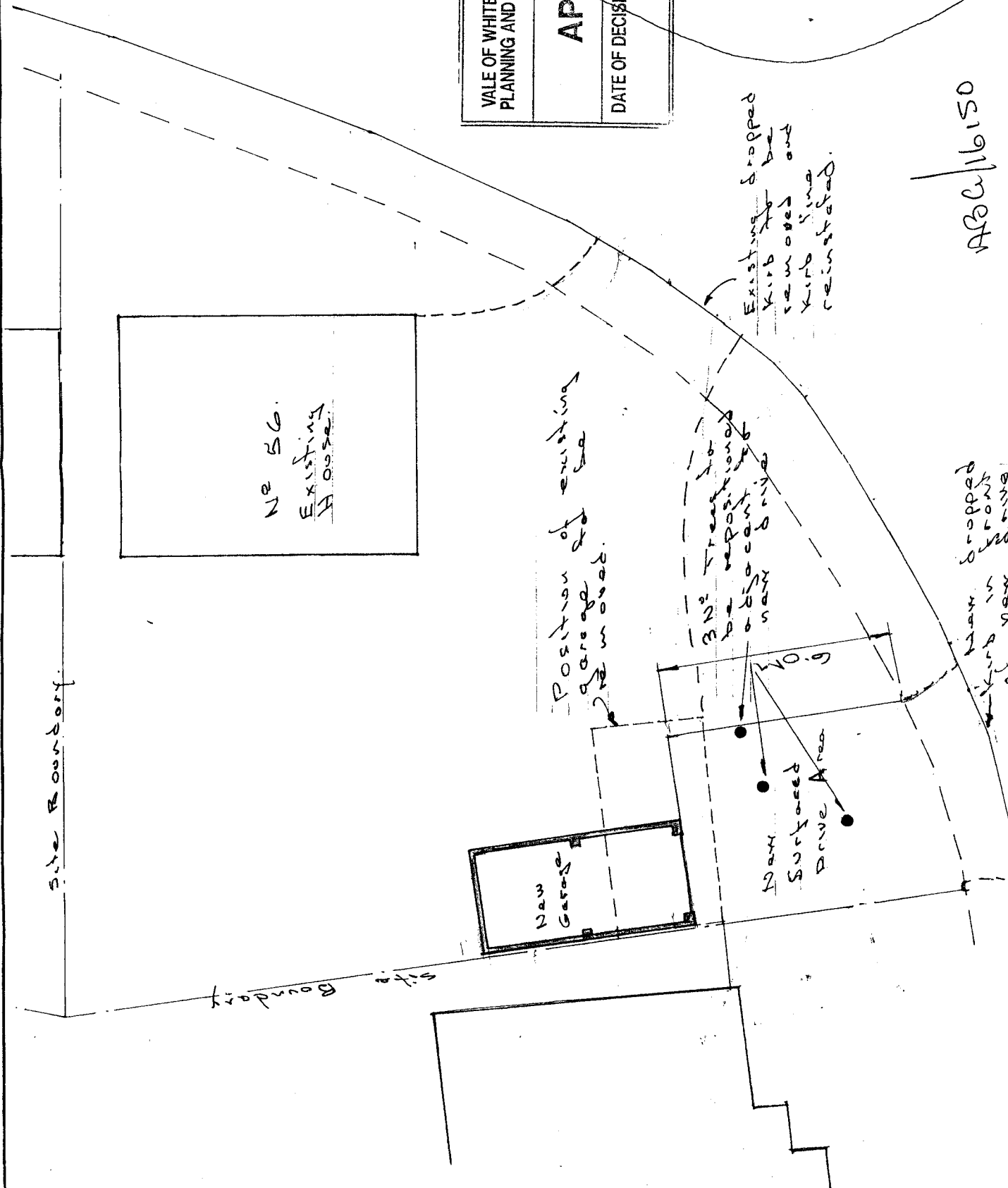
APPROVAL

DATE OF DECISION 11 JAN 2000

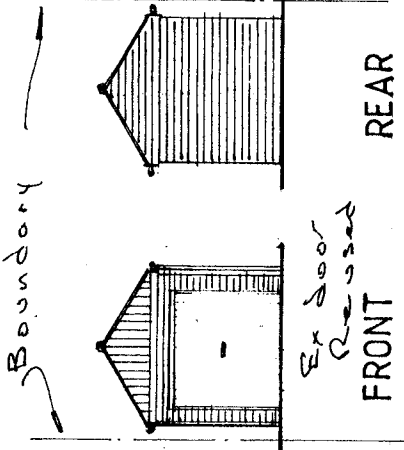
FORREST JUSTIN ASSOCIATES
 CONSULTING ENGINEERS
 57, FERRIS FIELD, HIGH WYCOMBE, BUCKS. HP12 4SN
 TEL: 0494 5176 FAX: 0494 51366

56 BALLARD CHASE

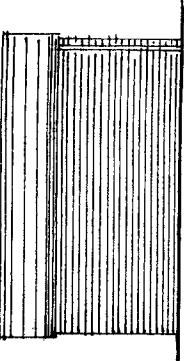
PROPOSED PLAN



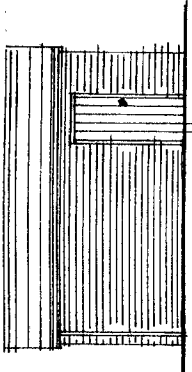
AB2/16150



FRONT



LEFTHAND SIDE
PROPOSED ELEVATIONS



RIGHTHAND SIDE



ROOF PLAN

NOTES

ALL MATERIALS TO MATCH EXISTING GARAGE AND HOUSE, WHEREVER POSSIBLE MATERIALS FROM EXISTING GARAGE WILL BE REUSED.

VALE OF WHITE HORSE PLANNING AND ENGINEERING DEPT	
RECD	29 NOV 1988
ATTENTION	ACK

VALE OF WHITE HORSE DISTRICT COUNCIL PLANNING AND ENGINEERING DEPARTMENT	
APPROVAL	
DATE OF DECISION	11 JAN 2000

APC 16150

ROBERT ALSTON ASSOCIATES
Chartered Structural Engineers
57, KINGSWAY FULDA,
SHEFF WYCOMBE,
SHEFF. S12 4SN
TEL: 01494 51705 FAX: 01494 51196

56 BALLARD'S
CHAISE

1-100 2 JAN 1988

ELEVATIONS

29/180/2



TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF PERMISSION

To: **Mr & Mrs G C Gardiner**
c/o P Smith
30 New Yatt Road
Witney
Oxon
OX28 1NZ

Application No: **ABG/16150/1**

Proposal:
Two storey and single storey extensions. New boundary fence.

Address:
56 Ballard Chase, Abingdon, Oxon, OX14 1XQ, ,

DATE OF DECISION: **20th June 2002**

The Vale of White Horse District Council, in pursuance of powers under the Above Act, hereby **PERMIT** the above development to be carried out in accordance with the application and accompanying plans submitted by you, subject to compliance with the **conditions** specified hereunder.

1. The development to which this permission relates shall be begun within a period of five years from the date of this permission.
2. The materials to be used externally in the development shall match those of the existing dwelling, in terms of their colour, finish and appearance.~
3. Prior to the first occupation of the new extension, car parking provision for 3 vehicles shall be made on the site in accordance with details which shall first have been submitted to and approved in writing by the District Planning Authority. Thereafter, the parking spaces shall be kept permanently free from any obstruction for such use.

The reasons for the council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:

1. To comply with the requirements of Section 91 of the Town & Country Planning Act, 1990.
2. In the interest of visual amenity.
3. In the interest of highway safety.

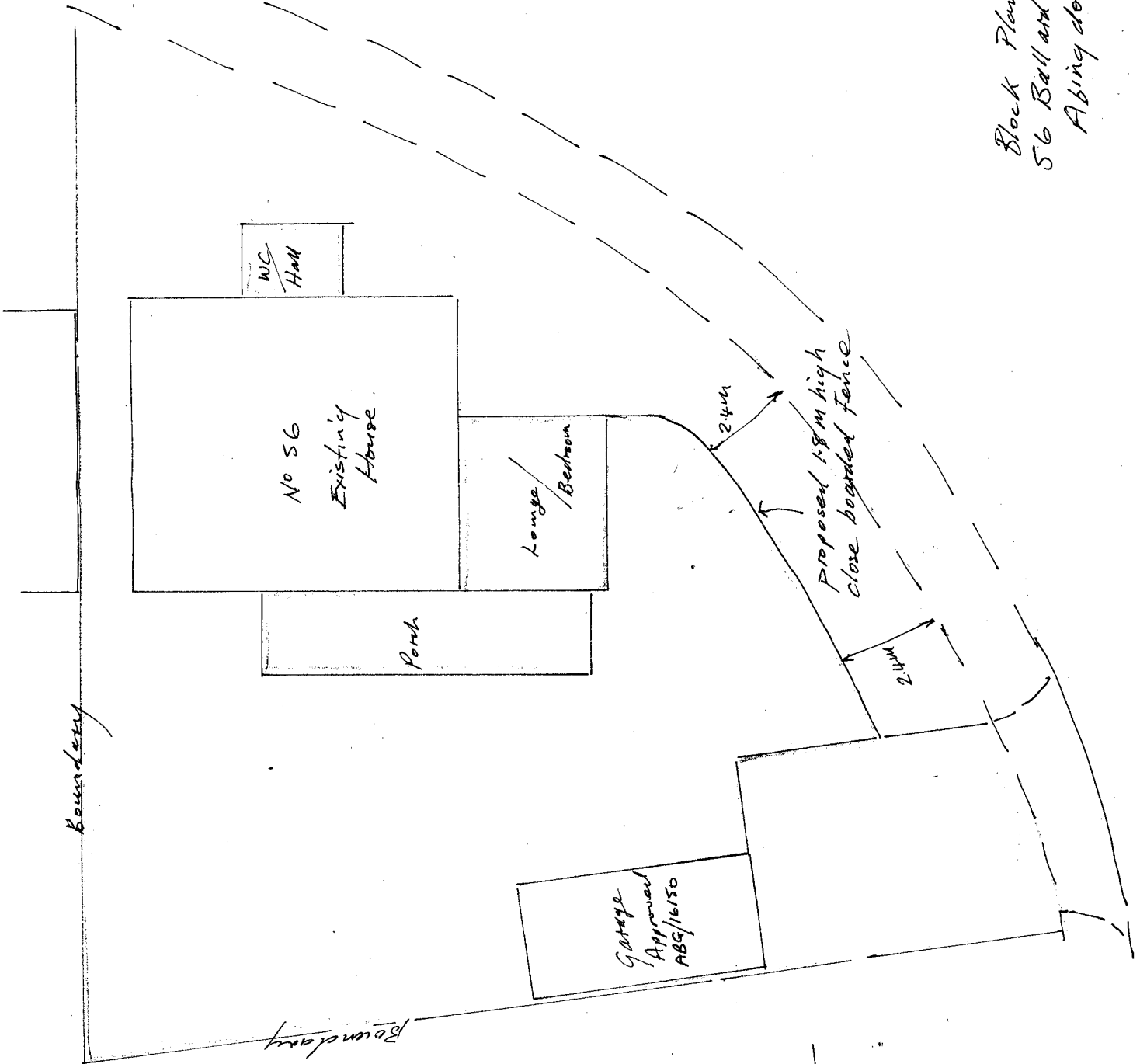
INFORMATIVE(S)

1, Planning permission has been granted as the proposed development is considered to comply with the provisions of the development plan, in particular Policies H18, D2 and D3 of the adopted Vale of White Horse Local Plan.

A handwritten signature in black ink, appearing to read 'J. Rowling', written in a cursive style.

Director of Environmental Services

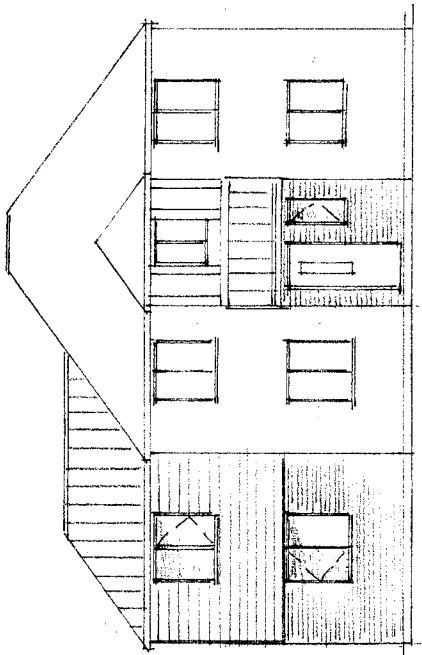
VALS OF THE HOUSE	
13 MAY 2002	
ADDRESS	AKK



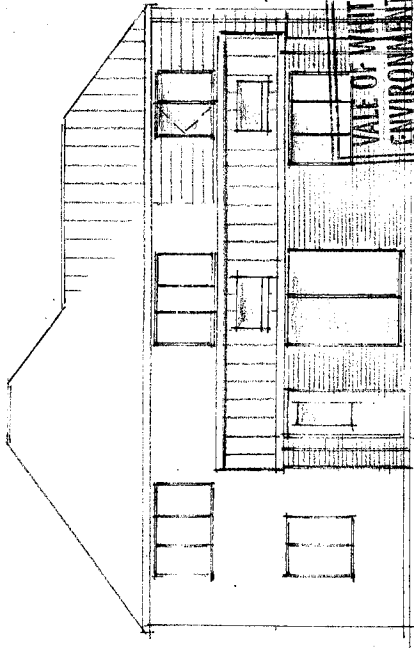
Block Plan 1:100
 56 Ball and Chase
 Abingdon
 ABG/16150/1

Proposed Extensions at 56 Ballard Close Abingdon

Scale



South Elevation

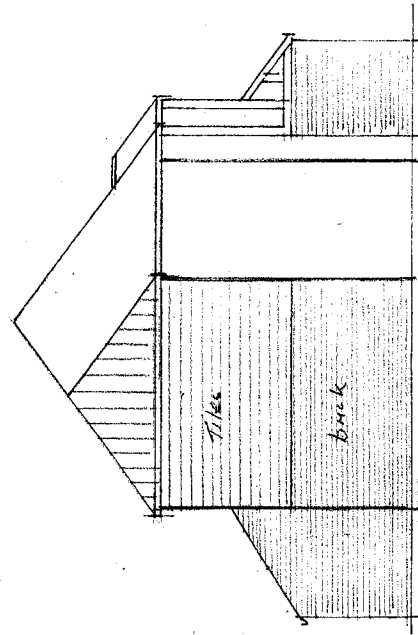


North Elevation

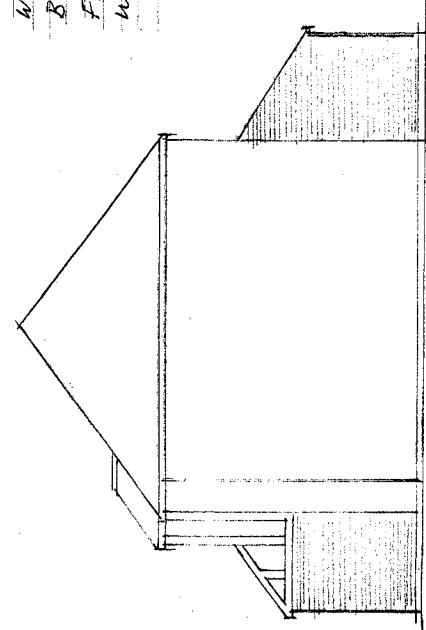
VALE OF WHITE HORSE DISTRICT COUNCIL
 ENVIRONMENTAL SERVICES DEPARTMENT

APPROVAL

DATE OF DECISION 20 JUN 2002



West Elevation



East Elevation

Roof Tiles to match existing
 Walls. Tile clad First Floor level
 Brickwork to match ground
 Floor level.
 Windows to match the existing.

ABC 161501

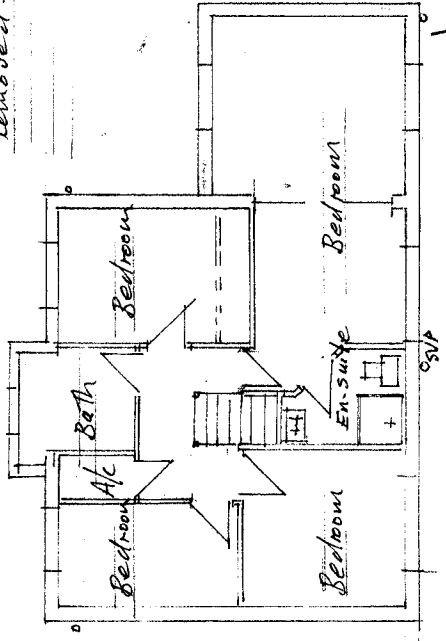
Extension at 56 Ballard Chase Abingdon

Scale

VALE OF WHITE HORSE DISTRICT COUNCIL ENVIRONMENTAL SERVICES DEPARTMENT	
<h1>APPROVAL</h1>	
DATE OF DECISION 20 JUN 2002	VALUATION 15 JUN 2002
ATTENTION ACK	

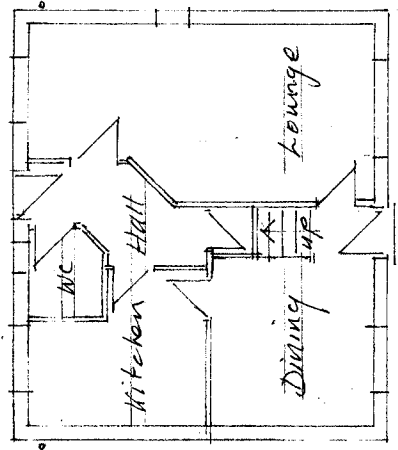
Exist First Floor

All dotted lines - non load bearing partitions to be removed.

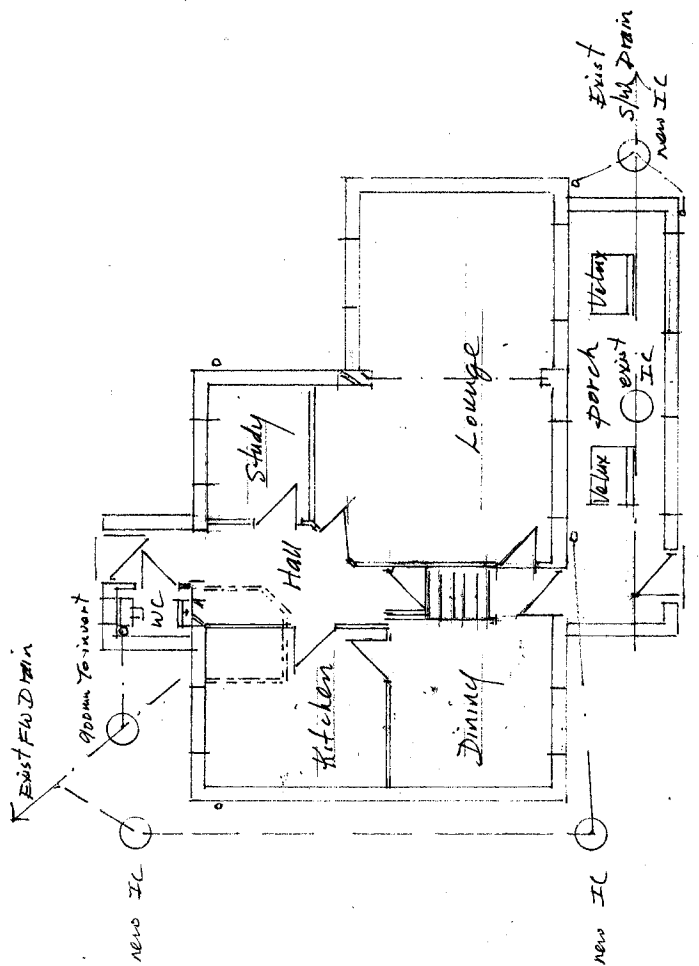


Proposed First Floor

ABC 16150/1



Exist Ground Floor



Proposed Ground Floor