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The Planning Inspectorate



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Messrs Clarke & Whalen Chartered Architects 69B High Street HARPENDEN Herts AL5 2SL Your Ref: WFC/SEH/4460 Our Ref: T/APP/V3120/A/98/290838/P6

Date: 24 APR 1998

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6 APPEAL BY PETER ROBERT CLARKE APPLICATION NO: SUN/7557/3

- 1. I have been appointed by the Secretary of State for the Environment to determine this appeal against a decision of the Vale of White Horse District Council. This decision was to refuse planning permission in respect of an application which, as amended after submission, was for the erection of two 3-bedroom detached bungalows, a double garage, and improvement of an access road, on land at "Charlottes", Sunningwell, Abingdon.
- 2. I have considered the written representations made by you and by the Council and also those made by Sunningwell Parish Council and interested persons. I, have also considered those representations made directly to the Council which have been forwarded to me. I inspected the site and its surroundings on 16 April 1998. From these representations and my inspection I consider that the main issue in this case is whether this would be development appropriate in a Green Belt, and if not whether there are very special circumstances justifying it.
- 3. The village of Sunningwell is 'washed over' by the Oxford Green Belt. Policies in the current Oxford Fringe and Green Belt Local Plan 1991 and in the emerging Vale of White Horse Local Plan allow infill development to take place within some village areas in the Green Belt which are designated or defined in the plans, and apply strict Green Belt policy outside those areas. This approach accords with the guidance following paragraph 2.11 of PPG2. The appeal site lies outside the designated area at Sunningwell. The normal Green Belt countryside policies therefore apply. Paragraph 3.4 of PPG2 makes it clear that the construction of new buildings inside a Green Belt is inappropriate unless it is for purposes there specified. The dwellings proposed here are not for any of those exceptional purposes. I conclude therefore that this proposal is inappropriate in the Green Belt.



- You argue that the development boundary for Sunningwell is illogical, and should be extended to include the site. boundary at this point appears to have been unchanged and unchallenged over the period of preparation and operation of both the Local Plans, and it would be inappropriate for a significant alteration to the boundary to be made in the context of an individual planning appeal. In any event it is in my view suitable for the limits to be drawn tightly round the existing residential development here. There is visual separation between the buildings on the appeal site and the adjacent houses, and they do not in visual terms relate so closely to those dwellings as to give the impression that the site is within the built-up area of the village. My judgement on this point is unaffected by whether or not there have been encroachments outside the village boundary at other points.
- The buildings on the site consist of a flat-roofed office of a new but temporary appearance and low storage buildings in a somewhat run-down condition, together with quantities of building materials stored in the open. I do not accept your argument that their replacement by the bungalows and garages proposed would so enhance the visual amenity of the Green Belt, or remove a source of traffic, noise, smell or litter The site at pollution, as to justify an exception to policy. the moment is a small builder's yard and premises of a type not uncommon on the fringe of a village or in an agricultural area. The residential development proposed would in my opinion present a much more substantial visual 'mass' in the view on the approach from the south-west, and would significantly extend the apparent built-up area of the village. It would therefore be a clear visual encroachment into the Green Belt. Although you have raised the possibility, there is no indication that the existing use of the site is likely to so intensify as to have a similar or worse effect on the Green Belt or on the visual or residential amenity of the village.
- 6. I acknowledge that the proposal includes an improvement to the access, which is at an awkward point on the inside of a bend in the road, but neither this factor nor any other one suggested by you would in my opinion provide a planning gain amounting to a very special circumstance, as provided in paragraph 3.1 of PPG2, justifying this inappropriate Green Belt development. The proposal is moreover in conflict with policies G1 and G5 of the current Local Plan, and policies G1 and G4 of the emerging Local Plan, which has reached an advanced stage and carries substantial weight. No material consideration (in the terms of s 54A of the 1990 Act) indicates a determination otherwise than in accordance with those policies of the development plan. Nor would any condition so mitigate the impact of the scheme as to make it acceptable in policy or site-specific terms.

- 7. I have considered all other matters that have been raised, but I have found nothing of such significance as to outweigh the planning considerations that have led me to my conclusions.
- 8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

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B E PARTRIDGE LL.B, Solicitor Inspector

Planning application SUN/7557/5 Charlottes, Sunnningwell.

We strongly object to the above application.

- 1. 'Charlottes Cottage' described by MAA Architects in their application for 'Charlottes' the builders yard does not exist. (The form asks only for a location of the land to which the application applies).
- 2. The Parish continues to maintain, on principle, that this development should not take place at all as it represents a dwelling which is to be erected outside the Village Envelope and in the Green Belt, which negates the purpose of both. The decision to grant planning permission to SUN/7557/4 suggested that the Green Belt and Village Envelope have no meaning for the Vale. It seems that the current application on behalf of the new owners is a straightforward commercial speculative build with no special circumstances to outweigh the harm to the Green Belt.
- 3. The proposed 2 storey house is not appropriate on the edge of the village and in the Green Belt, (even if, as the plans attempt to show, it will be slightly built 'into' the ground). To quote Martin Dean's letter of 25th July 1997 to Architects Clarke and Whalen; para 5 'The introduction of 2 storey dwellings into this area will represent a considerable change in the character and appearance of the locality. The new dwellings would amount to several times more built mass than the existing buildings and would be far more visible than the existing built structures on the site. The effect on the Green Belt would be highly detrimental......

In para 6 Mr. Deans also states that 'In addition the site occupies a sensitive position with respect to the form and layout of the village. It is an edge of village site, where the built form merges into the surrounding countryside.......The proposal would certainly give the impression of creating a much harder edge to the built area of the village and would again be detrimental to the loose-knit character and appearance of the village margin in this vicinity'.

We endorse Mr. Dean's original thoughts on the building of a 2 storey development in the Green Belt and on the edge of our village.

4. On detailed examination of the proposal for the 2 storey building it represents a virtual doubling of the volume of the original permitted plan SUN/7557/4 (as well as a much greater increase in volume over the original workshops). There is also a considerable increase in roof height. In the permission given for SUN7557/4 the curtilage of the dwelling permitted was clearly marked in red on the approved Drawing No 01 and the remaining land edged in blue was to be 'converted to and maintained as a paddock' (condition No.7). The plan for SUN/7557/5 clearly shows a new building on the proposed paddock (a garage?).

- 5. All except one immediate neighbour to the site have concerns about the development of the site both with regard to their privacy, the threat to the Green Belt and increased traffic on a dangerous bend in the road through the village.
- 6. The whole Parish has been threatened by a proposed major breach of the Green Belt by the so-called 'Penbridge eco-village'. The Parish remains vigilant in spite of the proposal not being adopted as part of either the County or District Plans. This attempt to double the size of the approved plan for Charlottes naturally makes us extremely nervous.
- 7. There has, in addition to the above new application, been a recent application by an immediate neighbour to Charlottes to build within the Envelope, in a rear garden, (objected to by the Parish and turned down by the Vale). To approve the latest plan for Charlottes will of course give encouragement and a 'green light' for another plan to be submitted by the neighbour, and so the whole cycle of attrition will begin again.
- 8. Finally the Parish has major concerns about the management of the site by the new owners and in particular about the restrictions made when SUN/7557/4 was granted. The 'office' has still not been demolished as stipulated (condition No.6). The main buildings (which it is thought contained asbestos) have now been demolished, but there is ongoing concern about past contamination of the land (and therefore the implications for the sinking foundations and for sinking some of the building 'into' the land). (condition No.9).