

BLOCK PLAN 1:500

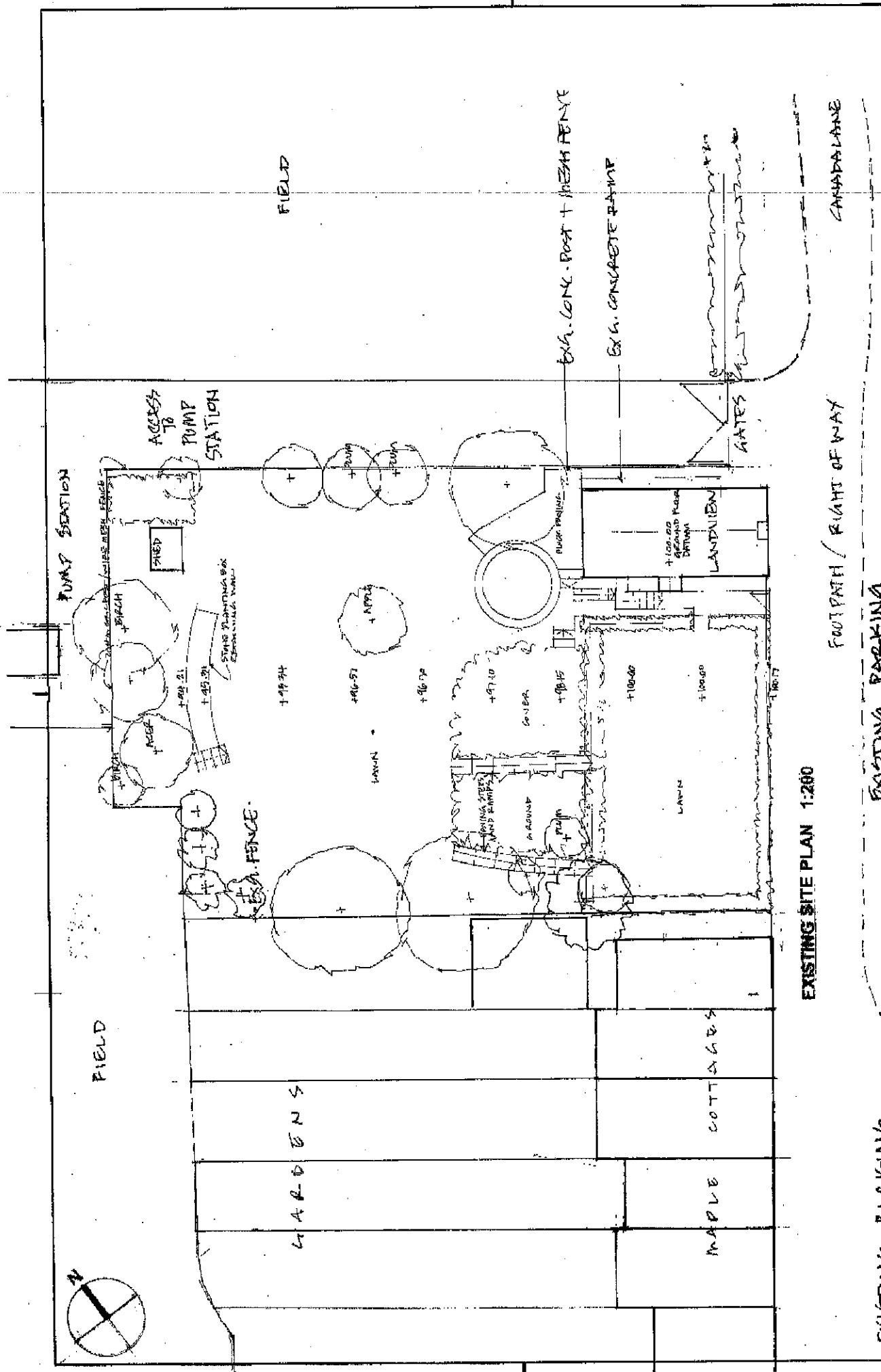
LOCATION PLAN 1:2500

© CROWN COPYRIGHT
ALL RIGHTS RESERVED
LICENCE NUMBER 98007103

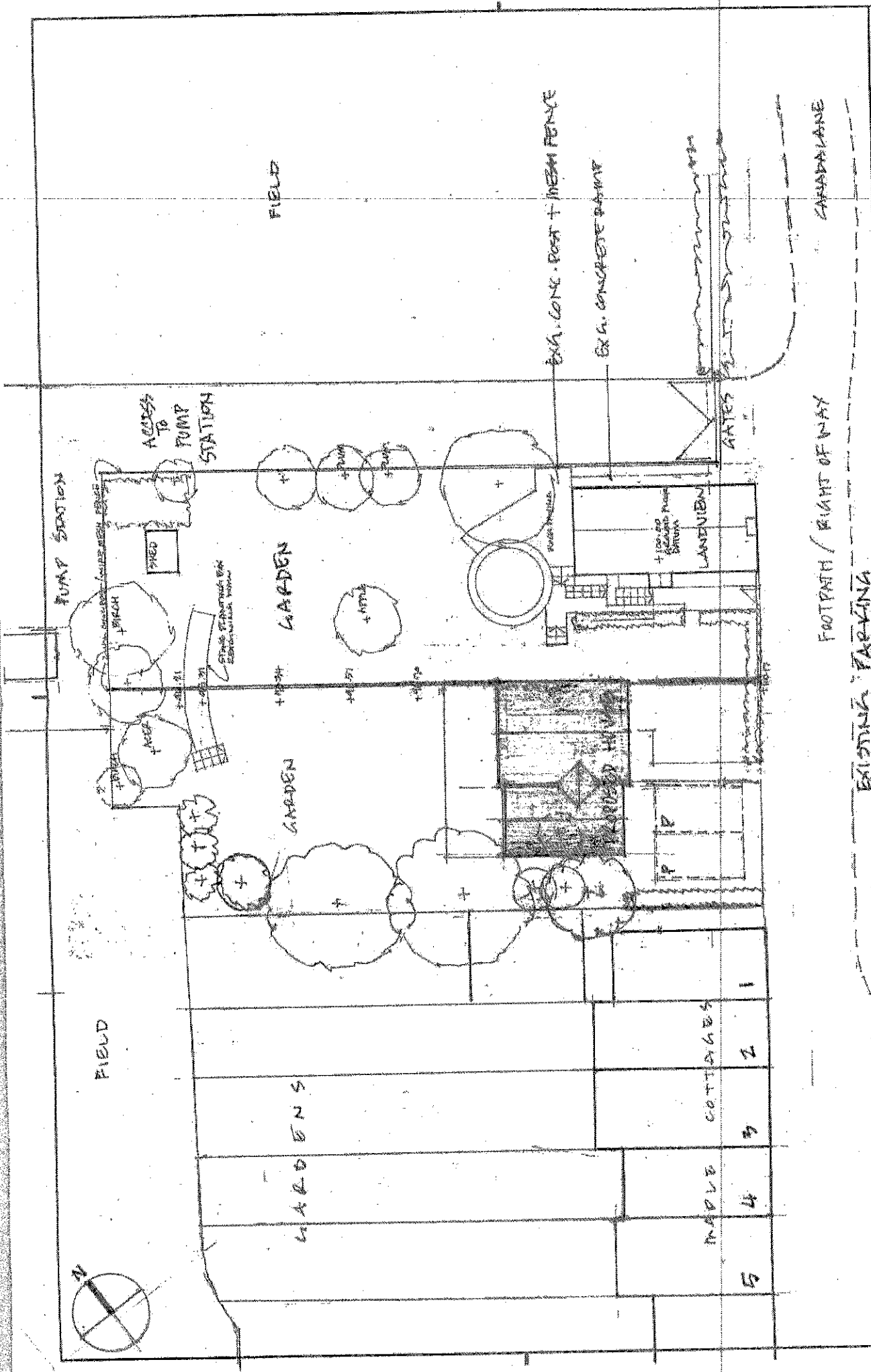
0 10 20 30 40 50 60 70 80 90 100 M
1:2500 AS
50 M 1:500

Client	STEWART	Scale	1:500	Drawing No.	1250
Job title	LANDVIEW	Date	10/10	LOCATION PLAN	
		Drawn		BLOCK PLAN	
					10500 01

DENNIS COX
ARCHITECT
20 GLOUCESTER STREET
FARINGDON
OXFORDSHIRE SN7 7HY



DENNIS COX ASSOCIATES 20 GLOUCESTER STREET OXFORDSHIRE SU7 7JY		Client STENART	Scale 1:200	Date 10/10	Drawn [blank]	Drawing title EXISTING SITE PLAN
EXISTING PARKING 1:200 AS		EXISTING SITE PLAN 1:200		EXISTING PARKING		Job No LANDVIEW
REV A - 08/11 EXISTING PARKING SHOWN		EXISTING PARKING		CANADALANE		Sheet Size 10500 x 02A

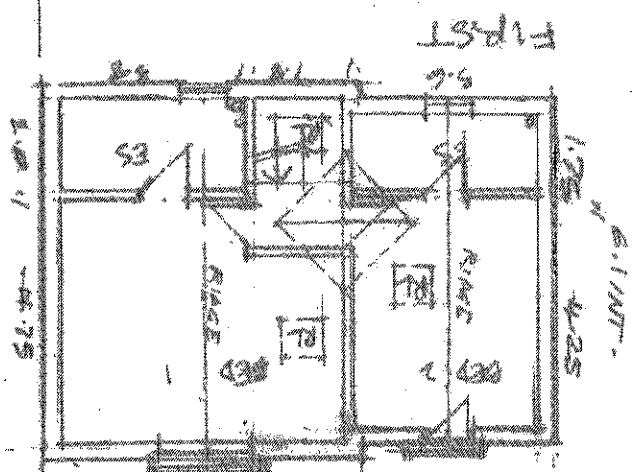
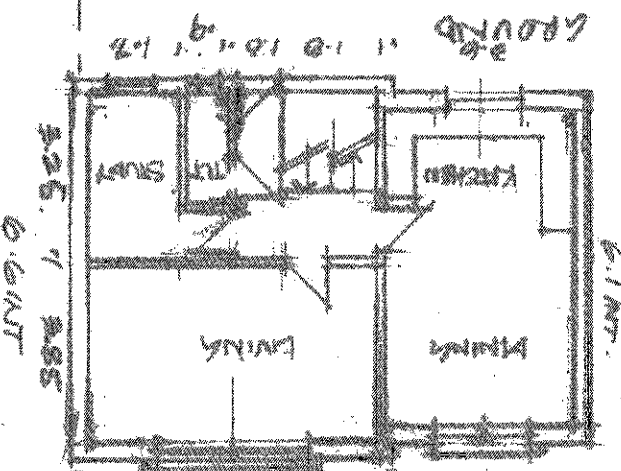
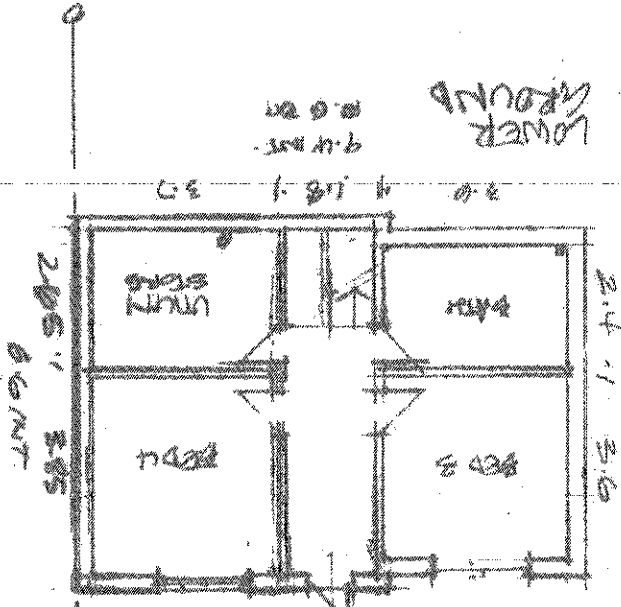


Client	STEWART	Scale	1:200	Proposed	10500
Job Title	LANDVIEW	Date	12/10	Drawn	205

DENISE COX
 ARCHITECT
 20 GLENVIEW STREET
 FARMINGTON
 OXFORDSHIRE SK7 7HY

EXISTING PAVING
 1:200 P.M. 1:200 A3

210/20
5/0



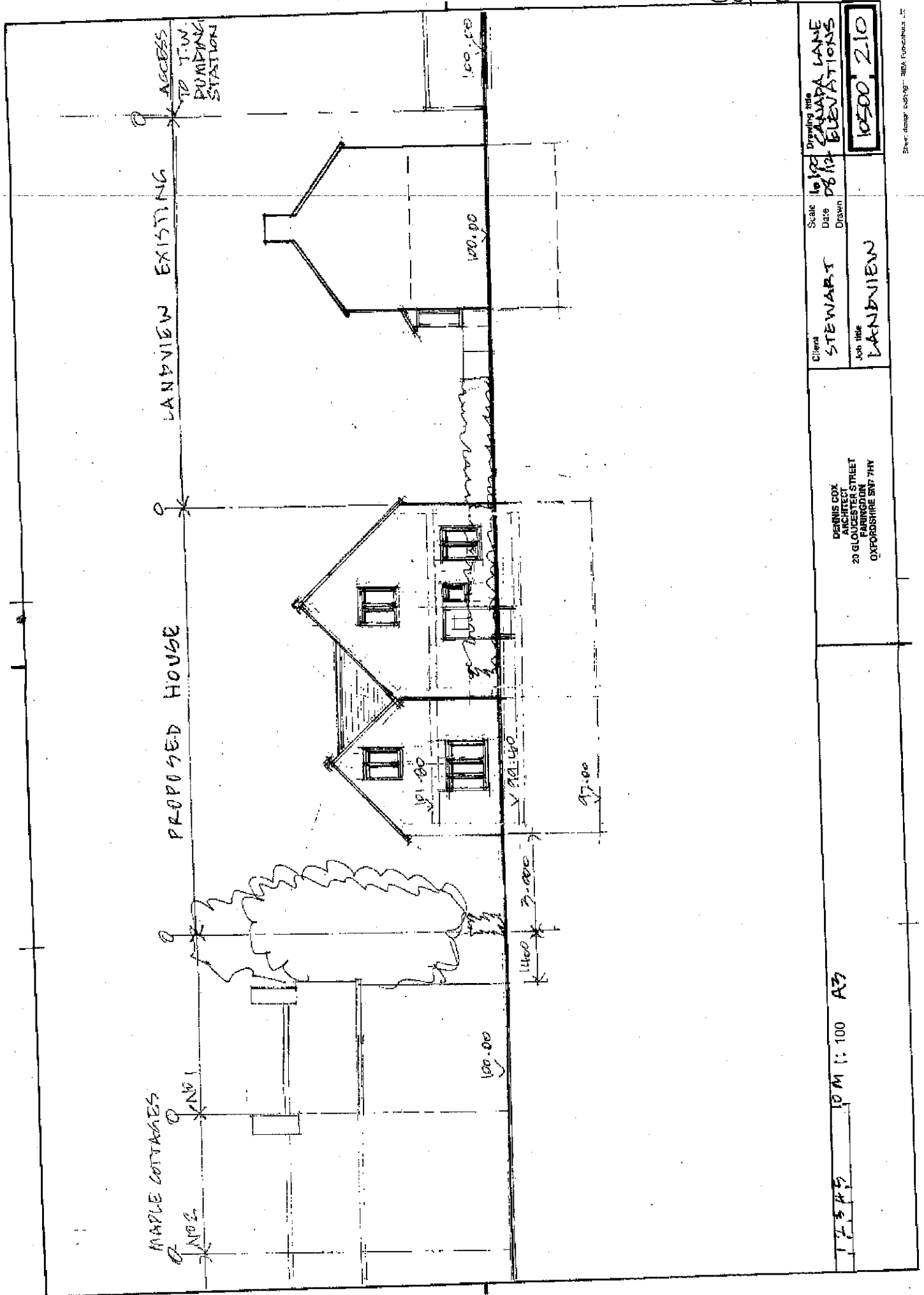
SCALE 1:100
DRAWING TITLE
FLOOR PLANS
DATE 06/12
HOUSE

CLIENT
STEWART

JOB TITLE
LANDVIEW

DEANER FOX
ARCHITECT
20 GLOUCESTER STREET
PARINGDON
OXFORDSHIRE SN7 7TY

10500 1035K





Appeal Decision

Hearing held on 25 October 2011

Site visit made on 25 October 2011

by **David Morgan BA MA MRTPI IHBC**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 November 2011

Appeal Ref: APP/V3120/A/11/2155884

Landview, Canada Lane, Faringdon, Oxfordshire SN7 8AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rob Stewart against the decision of Vale of White Horse District Council.
 - The application Ref GFA/670/1, dated 5 November 2010, was refused by notice dated 24 March 2011.
 - The development proposed is erection of 4 bedroom house incl. all associated works parking area/landscaping in garden of Landview and rear and side extension and alterations to Landview incl. parking area/landscaping.
-

Decision

1. The appeal is dismissed.

Application for costs

2. At the Hearing an application for costs was made by Mr Rob Stewart against of Vale of White Horse District Council. This application will be the subject of a separate Decision.

Procedural matter

3. The appellant submitted revised drawing nos. 10500/09 Rev B and 10500/10 Rev B illustrating a reduction in the ridge height of the proposed dwelling. As the acceptance of these drawings would not compromise the position of any parties with an interest in the case they have been taken into account in the determination of the appeal.

Main Issues

4. These are a) whether the principle of new residential development is acceptable on the site in the context of development plan housing policy and other material considerations, b) the effect of the proposed development on the character and appearance of the area and c) its effect on the living conditions of adjacent occupiers of no.1 Maple Cottages by virtue of over dominance and visual intrusion and loss of privacy through overlooking.

Reasons

The principal of new residential development on the site

5. The Vale of the White Horse Local Plan 2011 (VWHLP) saved housing policies make clear that development will be concentrated within key settlements with

defined development boundaries (policy GS1) and will not permit development outside the built up areas of existing settlements unless it has been identified for development in the local plan (policy GS2). However, recognising there may be circumstances where limited infill may be appropriate in settlements without defined settlement boundaries, there is provision for allowing small scale development (policy H13).

6. The appeal site lies outside the development boundary of Faringdon, and the critical matter in respect of the first main issue is whether policy H13 properly applies to this case. This policy is clearly mainly aimed at smaller rural settlements without defined development boundaries and its purpose is to limit the proliferation of isolated unsustainable development and to protect rural character. However, as the appellant rightly points out, to preclude consideration of areas of built form outwith defined settlement boundaries but within their proximity from the ambit of policy H13 would be tantamount to acknowledging a void in development plan policy. Moreover, to reject development solely on the basis of its location outside that boundary would be to ignore any consideration of any favourable sustainable attributes of such development. On this basis therefore, in broad terms, there seems no reason why policy H13 should not apply in such general circumstances.
7. However, the supporting text of policy H13 makes clear that the policy will not apply to very small groups of houses and ribbons of development, the intensification of which would be to exaggerate their undesirable effect. Canada Lane defines the western boundary of the settlement, with the dense ordered houses of The Pines within it, and the string of random individual and terraced dwellings, including the appeal property, to the west. The contrast between the modern urbanity of the settlement and the sense of rural informality on the other is striking. Moreover, this western string, or ribbon of informal dwellings is specifically the type of development excluded by the supporting text of the policy. For these reasons therefore, with specific regard to the proposed new dwelling, the proposals would be contrary to policies H10, H13, GS1 and GS2 of the VWHL. Whilst the appellant is right that Planning Policy Statement 7 *Sustainable Development in Rural Areas* states that development away from existing settlements should be strictly controlled, it also makes clear that this strict control should also apply to areas not allocated for development in development plans, and no countervailing support for the development can be sought in respect of the key principles set out in this document. Whilst the geographic proximity of the site to the settlement may weigh in favour of its more sustainable location, this does not outweigh the greater harm identified above.

Effect on character and appearance of the area

8. Canada Lane, with its high boundary hedge to the Firs, treed western boundary, un-metalled surface and informal sequence of randomly spaced occasional dwellings, has a strong sense of rurality, with the domestic enclosures on the falling ground to the west fusing with the open pasture of the countryside beyond. This is apparent in more intimate views along the lane and from the public footpath to the south west, where the tableau can be repeatedly viewed through the intermittent screen of the Cracked Willows of the field boundary.
9. The proposed dwelling, set tightly between the boundary with Maple Cottages and the separating boundary of the extended Landview, despite its set-back

and single storey lane elevation, would discernibly close the gap between the existing dwellings as they are perceived from the lane. Indeed, the full scale of this structure would become apparent as the flank elevations, rising from the falling topography of the land to the rear, become apparent when viewed from the lane. Moreover, when seen in conjunction with the substantial extension to Landview from the south west the proposed dwelling would significantly consolidate the built form along the lane, to the material detriment of its rural character.

10. The north western elevation of the proposed dwelling is on a plane well beyond that of the proposed extension and significantly beyond that of Maple Cottages. Although there is some planting on the plot boundary and the willows of the field boundary filter longer distance views, the combined development would again serve to significantly consolidate the built form of this otherwise dispersed group; a consolidation compounded by the height of these elevations as they negotiate the falling topography of the site. The combined effect of the development would be to cause material harm to the rural character and appearance of the area, specifically that of the North Vale Corallian Ridge, and so be contrary to policies NE7 and DC1 of the VWHLP.

Living conditions of adjacent occupiers

11. Because of its orientation and aspect the proposed dwelling adjacent to no.1 Maple Cottages would not result in a material loss of light to either dwelling or rear amenity area. However, and notwithstanding the reduction in ridge height illustrated in the revised plans submitted with the appeal, due to its height and proximity to the boundary of this dwelling, the south west gable would have an overbearing and domineering effect when viewed from the garden terrace of no.1. Furthermore, because of the loss of the more mature though already compromised tree on the intervening boundary and the close proximity and elevation of the balcony on the proposed dwelling, there would be opportunities created for the overlooking of the lower garden area of no. 1, resulting in a loss of privacy of occupiers causing material harm to their living conditions. For these reasons the proposals, in respect of the dwelling alone, would be contrary to policy DC9 of the VWHLP.

Other matters

12. At the Hearing the appellant drew attention to the Council's now projected shortfall in its five year land supply, indicating this currently stood at approximately 2.8 years supply and arguing, in the context of advice set out in Planning Policy Statement 3 *Housing (PPS3)*, that the appeal proposal be given favourable consideration as a result. The Council recognise this shortfall and have just published for consultation a draft non-statutory Interim Housing Supply Policy document to address these circumstances. This document does suggest the relaxation of some of the housing constraint policies of the VWHLP, including policy H13, subject to specific criteria. However, this document is at a very early stage in the consultation period and therefore may be afforded only very little weight.
13. That said, the shortfall exists, and it has to be accepted that the provision of a dwelling here would, albeit incrementally, address it. However, by any standards, this contribution to the shortfall would be very modest, and would not, in the context of the conclusions above, outweigh the harm in respect of adverse impact on the countryside, the character of the area and on the living conditions of adjacent occupiers. Moreover, the removal of garden land from

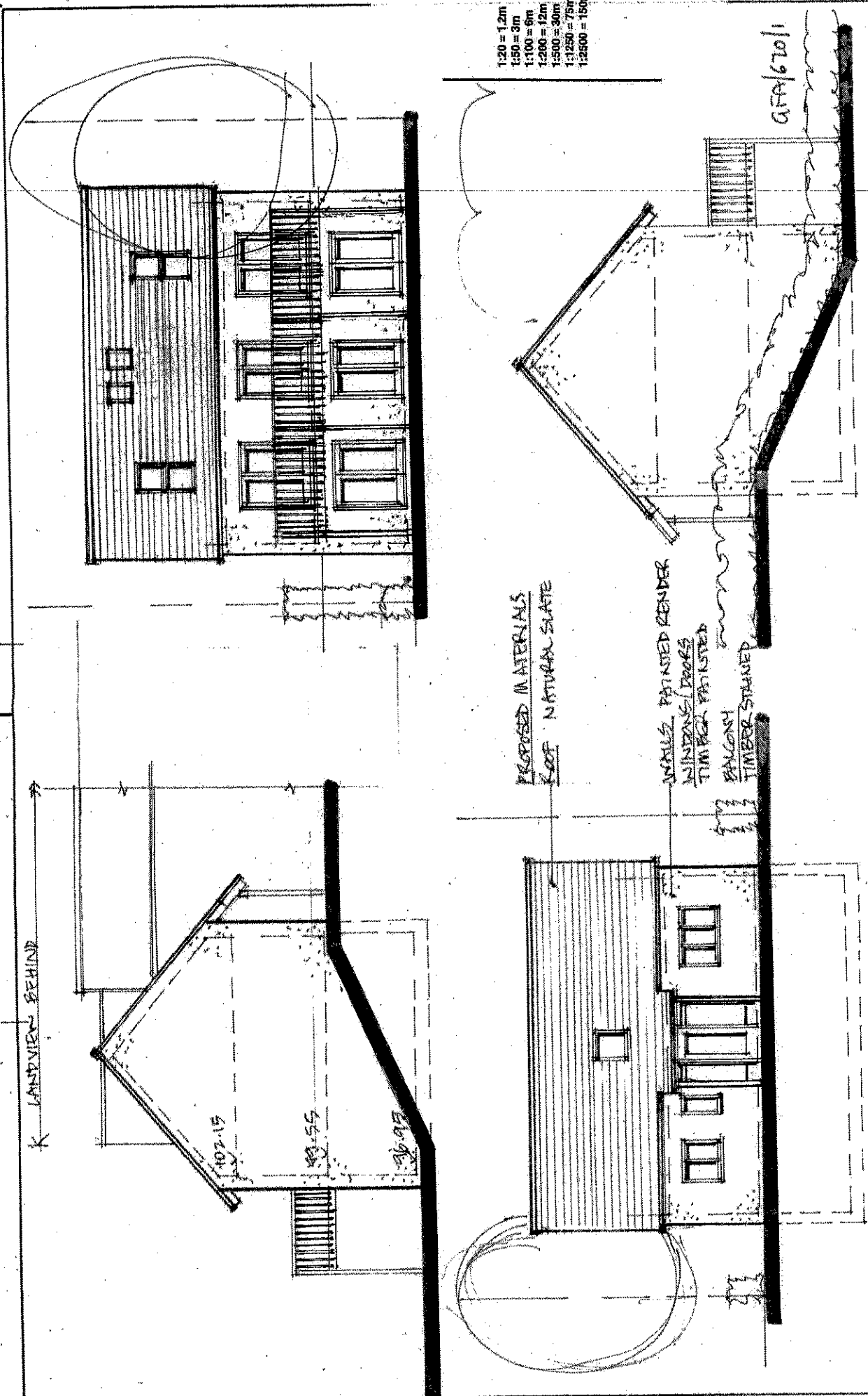
Appeal Decision APP/V3120/A/11/2155884

the definition of previously developed land framed by the revisions to PPS3 removes any further policy presumption in favour of such development in pursuit of increased housing densities.

14. The appellant makes a number of references to the Draft National Planning Policy Framework (NPPF) document, issued for consultation on 25 July, in support of the case. I too am bound to have regard to this document as a material consideration in this case, but as it remains in draft, and thus likely to be the subject of change, I am able to give its policies little weight.
15. For the reasons given above therefore, and having taken the views of local residents in support of the proposals into account, I conclude that the appeal should be dismissed.

David Morgan

Inspector



1:20 = 1.2m
 1:50 = 3m
 1:100 = 6m
 1:200 = 12m
 1:500 = 30m
 1:1250 = 75m
 1:2500 = 150m

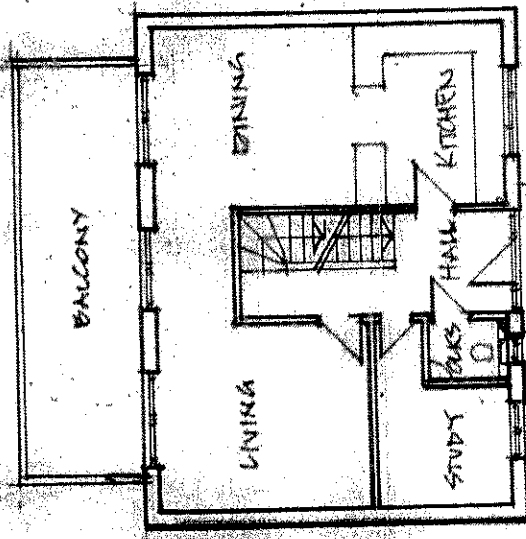
PROPOSED MATERIALS
 ROOF: NATURAL SLATE

WALLS: PAINTED RENDER
 WINDOWS/DOORS
 TIMBER PAINTED
 BALCONY
 TIMBER STAINED

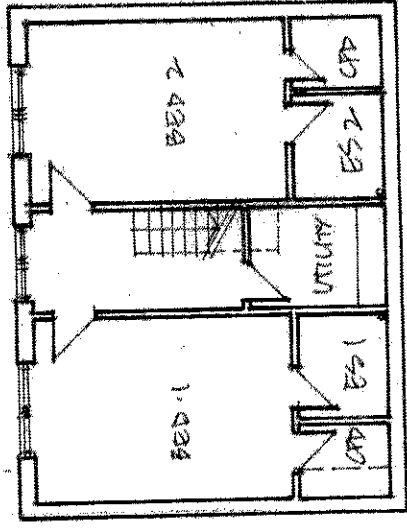
GFA/670/1

1 2 3 4 5	10 M. 1:100 A3	Client	STEWART	Scale	1:100	Drawing title	NEW HOUSE ELEVATIONS
		Job title	LANDVIEW	Date	6/10	Drawn	
		Architect	DENNIS COX ARCHITECTS 20 GLOUCESTER STREET FARINGHAM OXFORDSHIRE SN7 7JY TELEFAX 01295 240000	Client	State of White Horse	Job No	10500109
		Project	White Horse District Council	Date	10 NOV 2010		

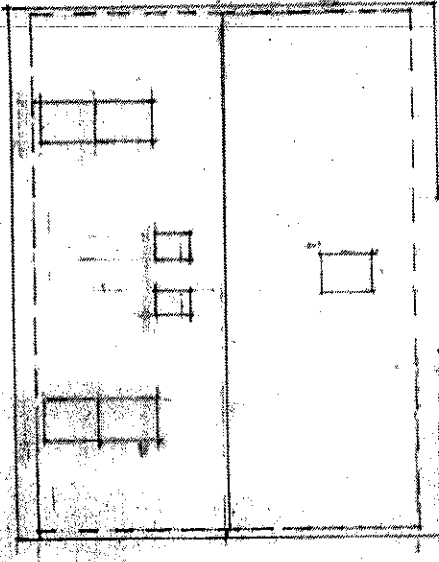
1:20 = 1.2m
 1:50 = 3m
 1:100 = 6m
 1:200 = 12m
 1:500 = 30m
 1:1250 = 75m
 1:2500 = 150m



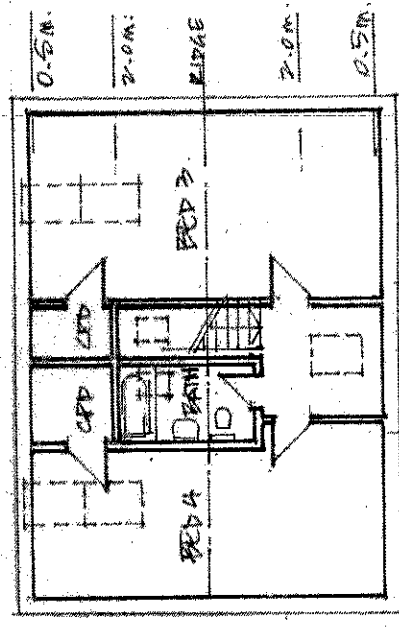
GROUND FLOOR



LOWER GROUND FLOOR



ROOF PLAN



FIRST FLOOR

1 2 3 4 5 10 m 1:100 A3

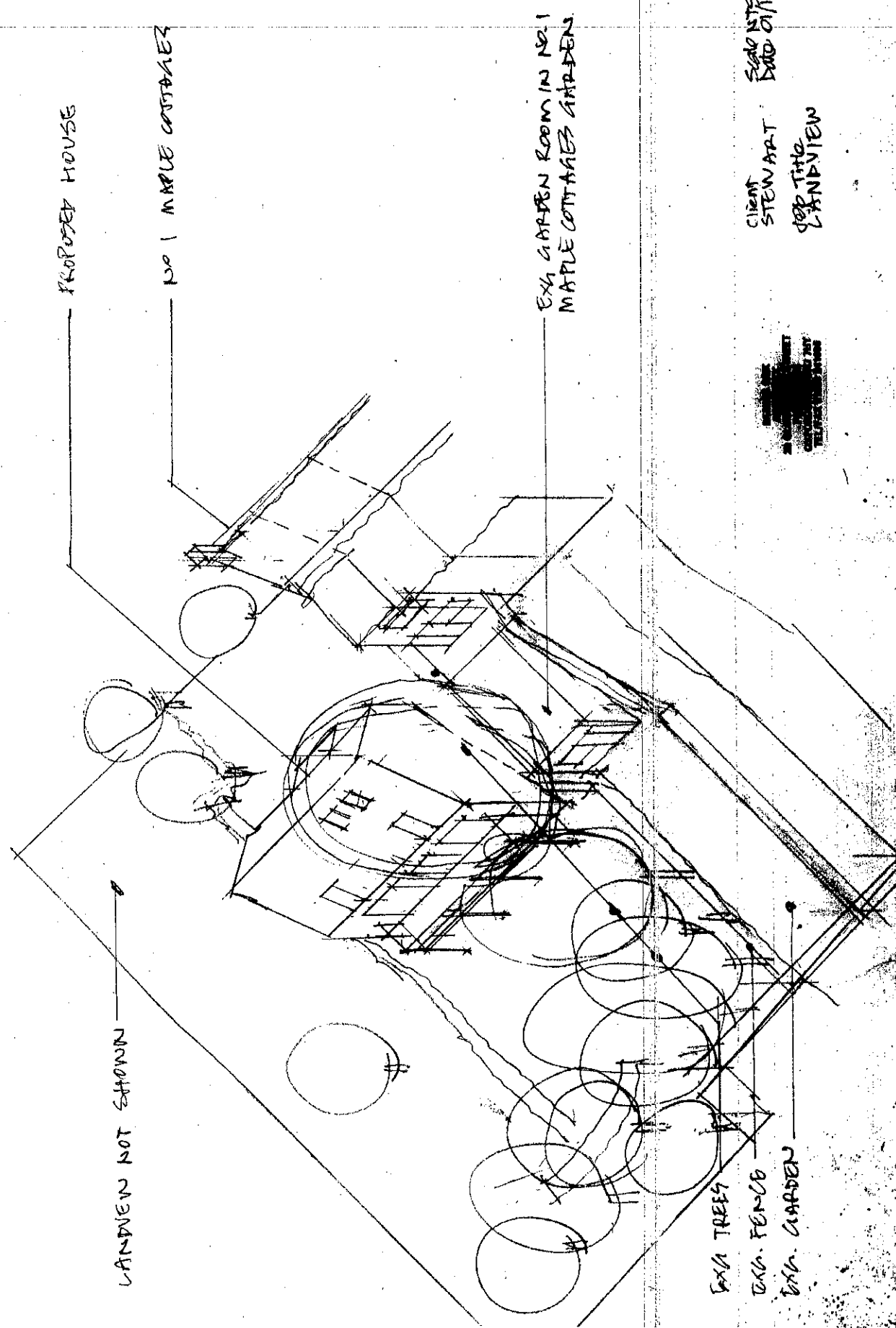
DENNIS COX ARCHITECTS
 20 CLAYDON ROAD
 FARMINGDALE
 OXFORDSHIRE, OX7 7JY
 TEL/FAX 01887 24006

Client: **STEWART**
 Job: **LANDVIEW**
 District Council

Scale: **1:100**
 Date: **10/10**
 Drawn:

Drawing title: **NEW HOUSE FLOOR LAYOUTS**
 10500 08

REF: 67011



PROPOSED HOUSE

NO. 1 MAPLE COTTAGES

EX. GARDEN ROOM IN NO. 1
MAPLE COTTAGES GARDEN

LANDVIEW NOT SHOWN

EX. TREES

EX. FENCE

EX. GARDEN

CURRENT
STEWART
TOP TITIC
LANDVIEW

EX. GARDEN ROOM IN NO. 1
MAPLE COTTAGES GARDEN

10500 / SK02

RECEIVED 19/02/11

