

ABG/10612/17 – Mr A W Impey

Demolition of existing double garage and erection of a 4 bed bungalow with integral car port. Erection of new double garage for Longwall House (land adjacent to Longwall House).

Longwall House, Northcourt Lane, Abingdon, OX14 1PN.

1.0 The Proposal

- 1.1 This application seeks planning permission for the demolition of the existing garage and erection of a new dwelling, together with off site works for traffic calming measures in Northcourt Lane. It is a revised submission to a scheme that was refused and dismissed on appeal in November 2006.
- 1.2 The application site is part of the garden of Longwall House, a single storey dwelling constructed in 1998. Longwall House itself lies within part of the former garden of the Northcourt House, a Grade II listed building subdivided into 2 dwellings known as Tatham House and Northcourt House. This building forms the focus of the Northcourt Conservation Area, which the application site falls within.
- 1.3 The site lies within the northwest corner of the former garden of Northcourt House. At present it is heavily planted with a variety of semi-mature and mature trees, which contribute to the sylvan character of the Conservation Area and the setting of Northcourt House. The northern boundary with Northcourt Road is demarcated by a 2.5m high stone wall. Vehicular access to the site is taken from Northcourt Lane to the east. To the south lies a dwelling known as The Stables, which was granted planning permission in 1985. Northcourt Community Centre lies to the west of the application site, which is separated by a chain link fence.
- 1.4 A copy of the plans showing the location of the proposal, its design and layout together with extracts from the applicant's supporting information are attached at **Appendix 1**.
- 1.5 The application comes to Committee at the request of Councillors Laurel Symons and Angela Lawrence.

2.0 Planning History

- 2.1 The majority of the planning history relates to the three other dwellings that have been built within the former garden of Northcourt House. In respect of the application site, an application for a dwelling was withdrawn in June 2005. A further application was refused in November 2005 and dismissed on appeal in November 2006. A copy of the refused scheme and the decision notice are attached at **Appendix 2**. A copy of the Inspector's decision letter is attached at **Appendix 3**.

3.0 Planning Policies

- 3.1 *Vale of White Horse Local Plan 2011*
Policy GS5 (making efficient use of land and buildings) seeks to promote the efficient re-use of previously developed / unused land and buildings within settlements (provided there is no conflict with other policies in the Local Plan).
- 3.2 Policy H10 (development in the five main settlements) enables new housing development within the built-up area of Abingdon, provided it makes efficient use of

land, the layout, mass and design of the dwellings would not harm the character of the area and it does not involve the loss of facilities important to the local community (i.e. informal public open space).

- 3.3 Policies DC1, DC5 and DC9 (quality of new development) are relevant and seek to ensure that all new development is of a high standard of design; does not cause harm to the amenity of neighbours; and that the development is acceptable in terms of highway safety.
- 3.4 Policy HE1 (Conservation Areas: Preservation and enhancement – implications for development) provides for development within or affecting the setting of a conservation area, and confirms that the Council will only permit such development if it can be shown to preserve or enhance the established character or appearance of the conservation area.
- 3.5 Policy HE4 (Historic Buildings) states that planning permission for development within the setting of listed buildings will not be permitted unless it can be shown that the siting, scale, design, form, finishes and materials of the proposal respect the characteristics of the building in its setting.
- 3.6 The following Planning Policy Statements are also relevant: PPS1 “Delivering Sustainable Development”; PPS3, “Housing” and PPG15 “Planning and the Historic Environment”.

4.0 **Consultations**

- 4.1 Abingdon Town Council has no objections to the proposal but requests that the Conservation Officer and Oxfordshire County Council look at the plans for narrowing Northcourt Lane. There is concern regarding the narrowing impacting on the character of the lane.
- 4.2 County Engineer – “In my opinion, the previous highway reason for refusal still applies - the proposal is not part of a scheme of traffic calming in the area and would only benefit this particular access. Further, in my opinion, a Grampian condition would not be acceptable as realistically there is no identified need for traffic calming along Northcourt Lane at this time, and the Highway Authority would not agree to such works being carried out in isolation”.
- 4.3 Drainage Engineer – no objections.
- 4.4 Conservation Officer – “My considered opinion is that the proposed dwelling would fail to preserve or enhance the character and appearance of the Conservation Area because the new built form would have an adverse impact upon the spaciousness of this part of the Conservation Area. See Inspector’s report, paragraph 14”.
- 4.5 Arboricultural Officer – “The report submitted by Ringrose Tree Services does show protective fencing for the perimeter trees that was mentioned in the Inspector’s report. There would still be an issue regarding light to the proposed building in the future. Certainly the fences will go some way to allay the Inspector’s fears regarding the long term future of the surrounding vegetation”.
- 4.6 3 letters of objection have been received, which are summarised as follows:

- The previous reasons for refusal still apply and have not been addressed in this revised scheme. The proposal does not address the Inspector's concerns.
- Traffic through the narrow gateway from the existing 6 houses already causes problems. An additional property would unacceptably exacerbate these problems and will be detrimental to highway safety.
- The proposed traffic calming measures would add to the difficulty of access through the gateway and is not acceptable.
- Previous traffic calming measures proposed (in connection with other dwellings) have not been implemented.
- The proposal compromises the character of the conservation area.

5.0 **Officer Comments**

- 5.1 The main issues to consider are whether this revised proposal overcomes the reasons for refusing the previous scheme and the Inspector's decision (see **Appendices 2 and 3**).
- 5.2 The first reason for refusal related to the impact of the proposal on the Northcourt Conservation Area and the setting of Northcourt House, to which the Council has a statutory duty to ensure their character or appearance are preserved or enhanced. Whilst this scheme has relocated the dwelling further to the west in order to retain more of existing trees on site than previously, your Officers consider the proposal still fails to preserve or enhance the Conservation Area. Furthermore, the dwelling would still undermine the spaciousness of the site and will be visible from Northcourt Road.
- 5.3 In consideration of the refused scheme, the Inspector considered the issue of future occupiers' desire for sunlight (**Appendix 3**, paragraph 10). Officers consider such a threat remains given the trees to be retained are on the south and west boundaries of the site, and will significantly overshadow the proposed dwelling. Any removal of such vegetation would expose the site to the severe detriment of the sylvan character of the Conservation Area and in turn would harm the character and appearance of the Conservation Area and the setting of the listed building.
- 5.4 Consequently, your Officers consider this revised proposal does not address the Inspector's overall conclusion (paragraph 14), and that the first reason for refusal has not been overcome.
- 5.5 The second reason for refusal related to highway issues. The applicant acknowledges that the existing access is substandard and proposes off site traffic calming measures in Northcourt Lane. The County Engineer has advised that as the works do not form part of a comprehensive scheme they are not acceptable, and therefore raises an objection to the proposal.
- 5.6 In attempting to overcome this issue, the Inspector raised the prospect of using a "Grampian" style condition (paragraph 13). However, your Officers consider the use of such a negatively worded condition would not be appropriate in this case. The County Engineer has confirmed that the Highway Authority (as landowner) is unlikely to agree to such works being undertaken on the highway. Therefore, it is considered there is no reasonable prospect in this case of the required works being carried out within the life of the planning permission, which is the key test for imposing such conditions. The proposal, therefore, is still considered to have an adverse impact on highway safety, so the second reason for refusal has not been overcome either.

6.0 **Recommendation**

6.1 *It is recommended that planning permission be refused for the following reasons:*

- 1 *The proposal would add significant built development to the area, resulting in an erosion of space that contributes positively to the character and appearance of the area. As such, the proposal harms the character and appearance of the Northcourt Conservation Area and fails to preserve the setting of statutorily listed Northcourt House and Tatham House, contrary to Policies HE1 and HE5 of the adopted Vale of White Horse Local Plan 2011.*
- 2 *The proposed works to the highway have not been designed as part of a comprehensive, safety-audited scheme for traffic calming in Northcourt Lane and as such are likely to compromise highway safety. The access that exists lacks adequate vision to the north and the intensification in the use of the access resulting from the proposal would be detrimental to highway safety. As such, the proposal is contrary to Policy DC5 of the adopted Vale of White Horse Local Plan 2011.*