

This Application is based on plans which have been amended to meet the specific requirements of the Appeal. The Applicant is seeking what was then described as a 'visually balanced' decision. This Application is a result of a meeting with the Inspector which was agreed with the Council. The Officer and those with minor doubts of the Inspector, that the potential harm to trees which concerned the Inspector would not arise. The Inspector's only other concern had been about the future of the Year hedge along the southern boundary. By changing the siting of the replacement garage, the screen drive has been moved to a position where this is no longer an issue.

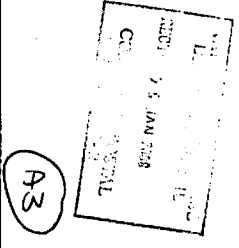
The changes being proposed to Northcourt Lane, to which a Section 106 will apply, are the same as those found acceptable to the Inspector.

These new proposals have carefully addressed the reasons why the Appeal was dismissed.

DESIGN CONSIDERATIONS
NEW HOUSE IN THE GROUNDS OF LONGHALL HOUSE, ABRINGTON

1. The large garden in which Longwall House sits has an area of 0.208 hectares with an average width of 44 metres and length of 87 metres. Longwall House sits in the north east corner leaving a large area to the south west which doesn't have any direct benefit to the existing house. It's within this area that the new house is proposed.
2. The new house is very similar to the existing in terms of its form, layout, cross sections and materials. The two houses together will have a strong identity within the site but remain very distinct from without. The existing house won a commendation in the WHDCC Millennium Design Awards.
3. The slab level of the end room of the north wing of the proposed house adjacent to the wall along Northcourt Road is set at exactly the same level as Longwall House so that the ridge of the roof will have an 'idle impact' from Northcourt Road as the existing property. Further back into the site, the slab level of the proposed house rises to match the natural site levels which fall away towards the west. As a result, there is only a small rise in the roof level required to ensure the house remains below the sight lines over the wall from Northcourt Road. The proposed house sits comfortably within a rural Zone which the Arboriculturalist has identified around the trees which are to remain.
4. The new proposals take account of the recommendations in the Arboriculturalist's survey which refers to the previous proposals. The survey establishes which trees are of value for the mid and long term and which trees should be removed now for good management reasons. The survey also shows the measures for protecting the retained trees during the building works. The proposed house sits comfortably within a rural clearing amongst the other established trees of value and doesn't impinge on any of the Root Protection Zones.
5. Viewed from Northcourt Road, the appearance of the site over the stone wall will continue to be perceived as a garden landscape viewed from Northcourt House. Even with two houses on the site, the low density and informality of the layout is still clearly consistent with the rest of the Conservation Area.
6. The new proposals do not detract from the setting of the existing house or the adjacent listed buildings. On the contrary, the form of the new house complements the existing houses by forming an E shaped development. The proposals ensure that the privacy of the south facing garden to Longwall House and the small north facing garden to the 'Shakles' will be maintained.
7. The measures to calm traffic and improve visibility from the entrance in the direction of Northcourt Road are the same as those which were granted planning permission for Longwall House. The Appeals Inspector considered that these proposals would represent a Highway safety gain sufficient to offset the increased use of the junction. Having regard to the relatively modest level of traffic increases along the site, the Inspector's measures, if anything, reinforce the nature of the site by removing it, widening the verge and introducing granite blocks to form a barrier rather than concrete blocks.
8. The existing garage block to Longwall House will be demolished and a new single building will be built to provide a double garage and space for garden storage. This allows the drive to be moved northwards beyond the root protection zone of the Year hedge. The extent of hard landscaped areas for cars is kept to a minimum consistent with ensuring they can manoeuvre easily and turn around on site.

1:20 = 1.2m
1:50 = 3m
1:100 = 6m
1:200 = 12m
1:500 = 30m
1:1250 = 75m
1:12500 = 150m



GRAEME JONES RIBA

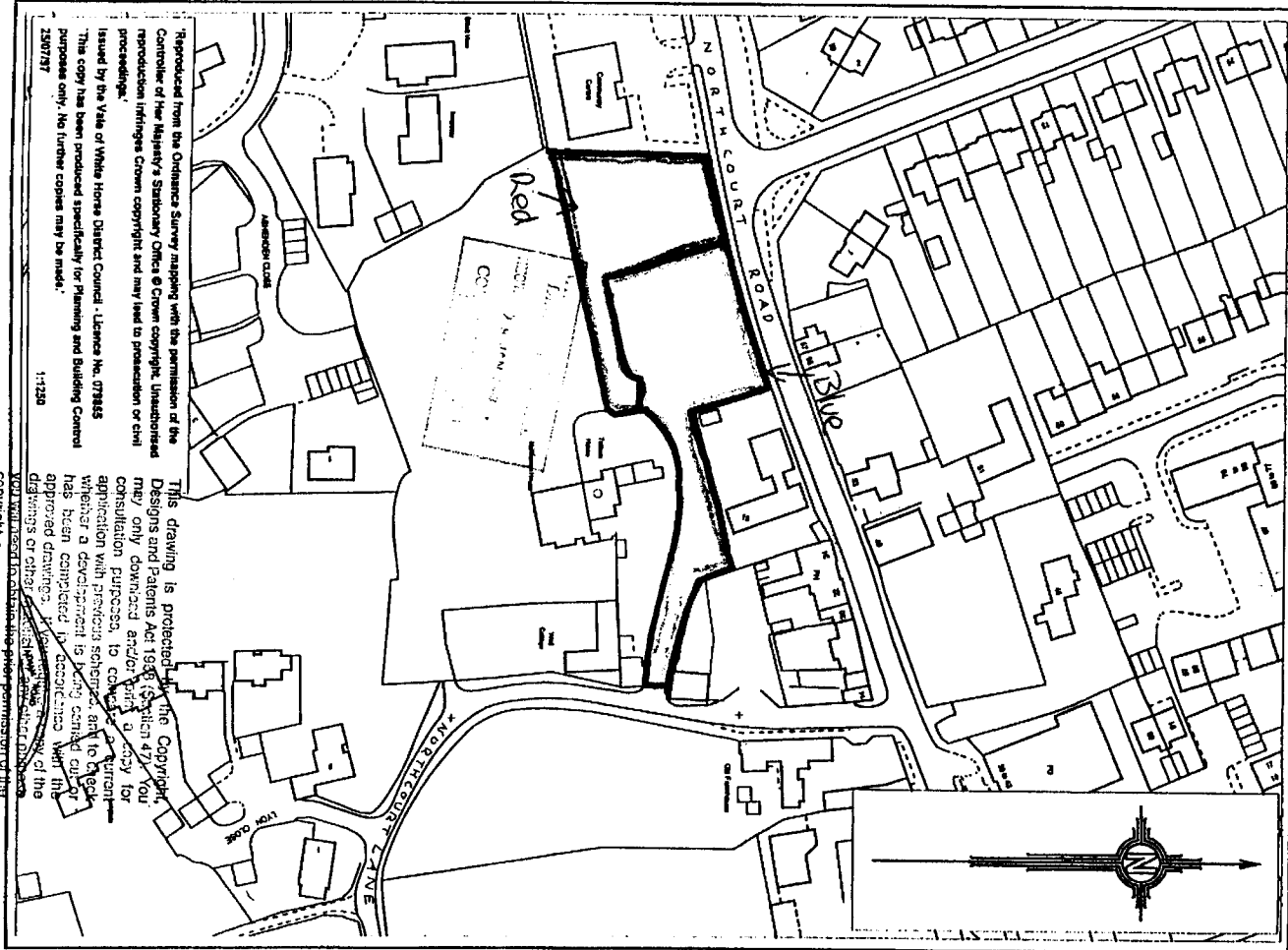
Unit 22 The Nursery Sutton Courtenay Abington Oxon
OX14 4UA UK Tel 01235 848046 Fax 01235 848047

Client MR BILL IMPEY

Project NEW HOUSE IN THE GROUNDS OF Ref 443/04
LONGHALL HSE NORTHCOURT LANE AB

Drawing LOCATION PLAN Ref L1

Scale 1:1250 Date 24/01/08 Drawn GRJ



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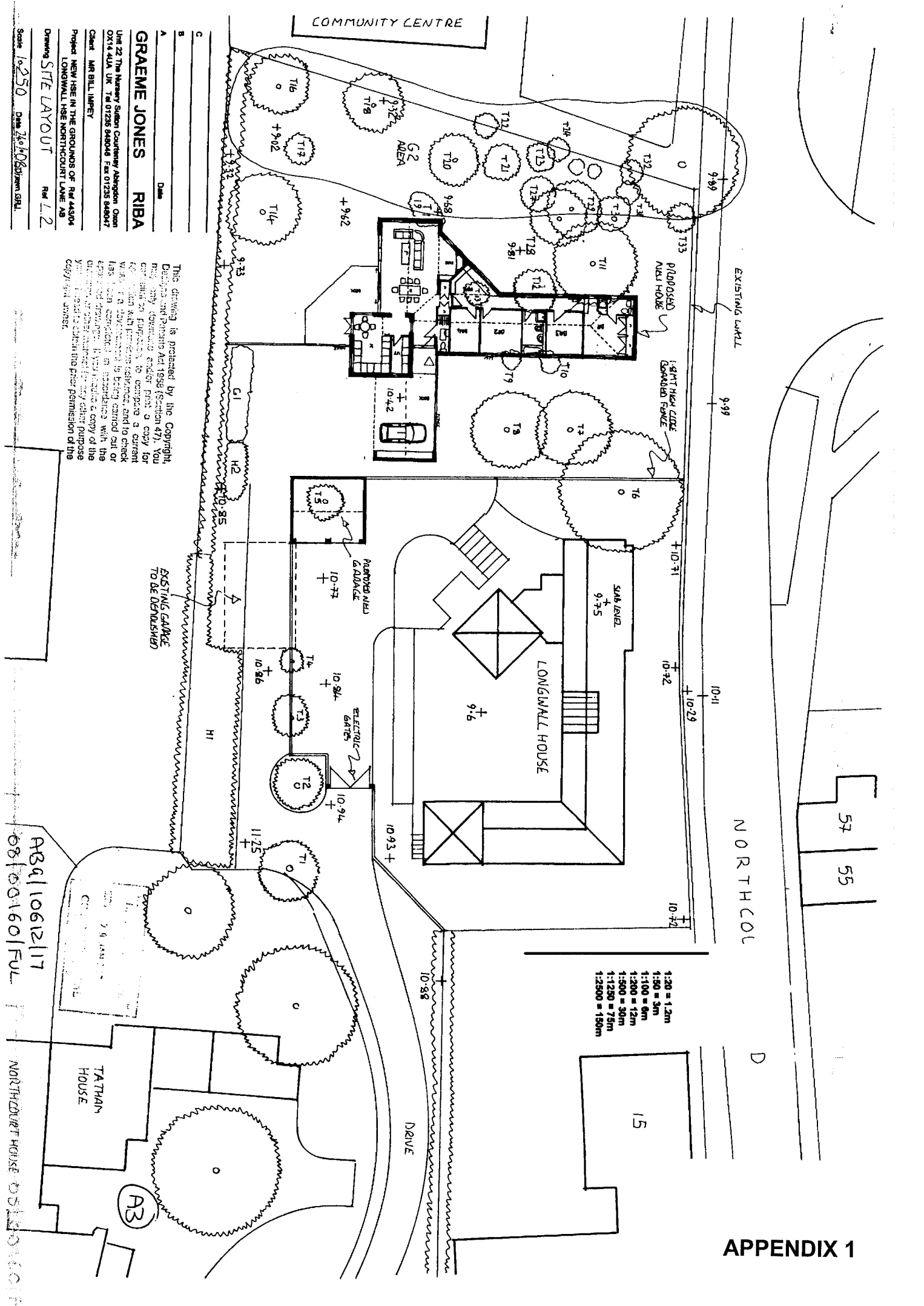
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Scale 1:250 Date 26/08/2011
 Drawing SITE LAYOUT Ref 1.2

Client MR BILL IMPREY
 Project NEW HSE IN THE GROUNDS OF RAF A4304
 LONGWELL HSE NORTHGOURT LANE AB

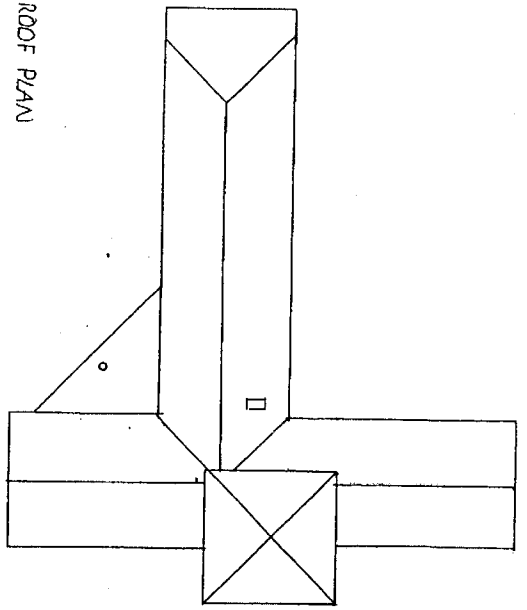
Unit 22 The Nursery Station Canterbury, Ashington, Ocean
 OX14 4JA UK Tel 01226 840048 Fax 01226 840041

GRAEME JONES RIBA

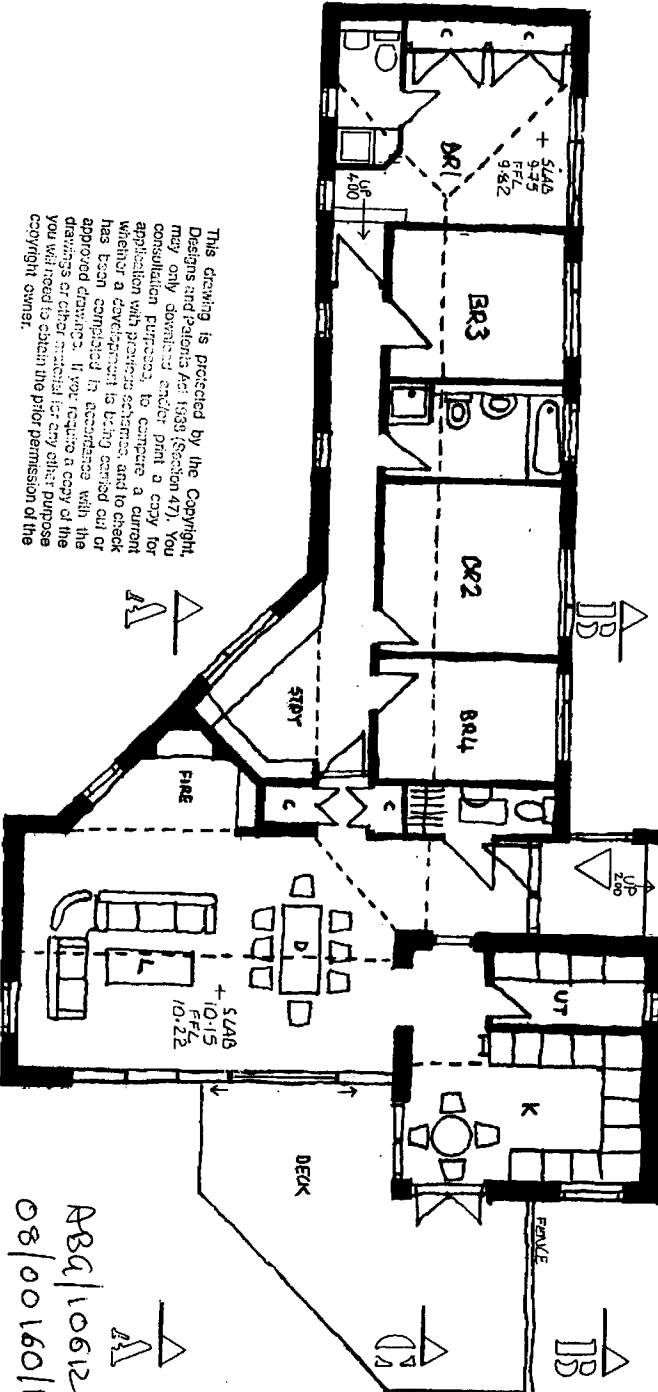


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AB94/10612/117
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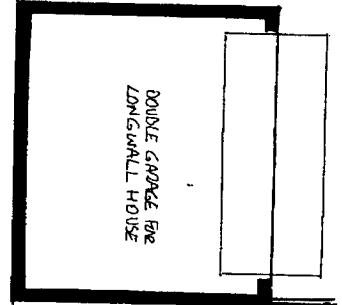


ROOF PLAN



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ABC/10612/17
08/00160/FUL



DOUBLE GARAGE FOR LONGWALL HOUSE

- 1:20 = 1.2m
- 1:50 = 3m
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- 1:2500 = 150m

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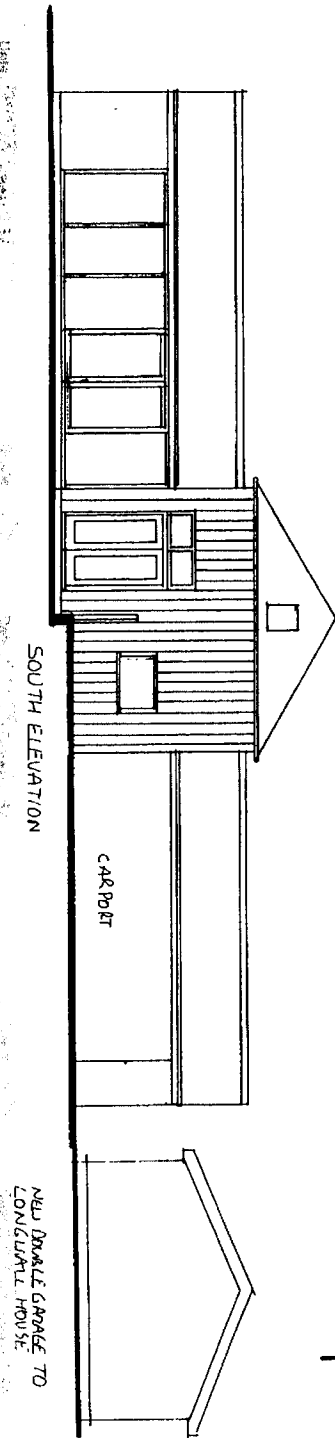
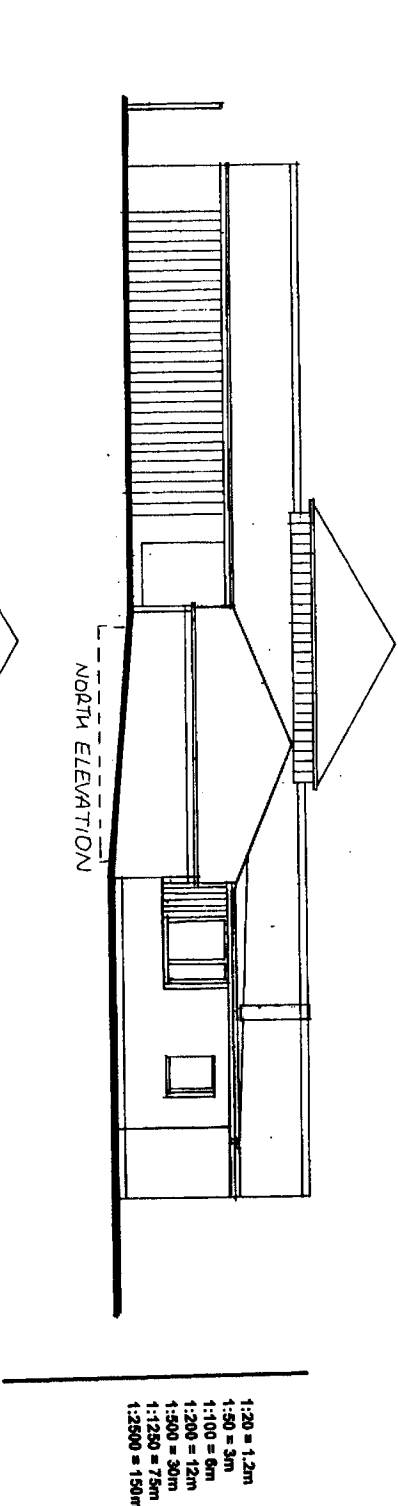
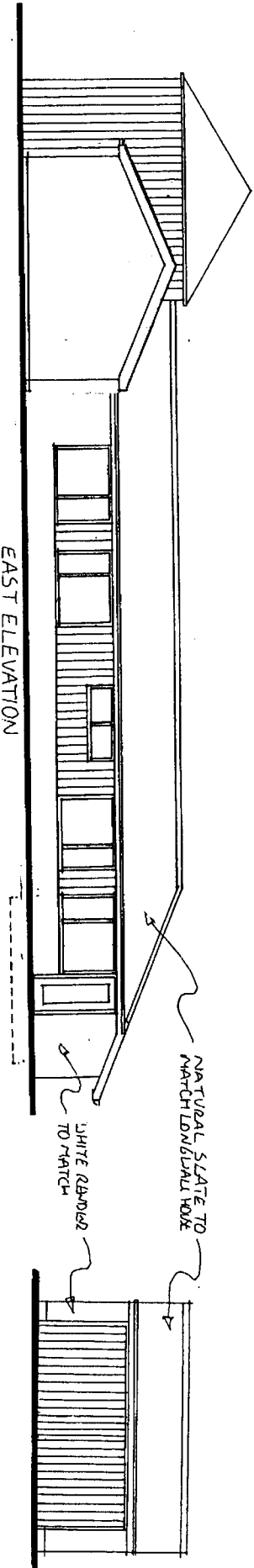
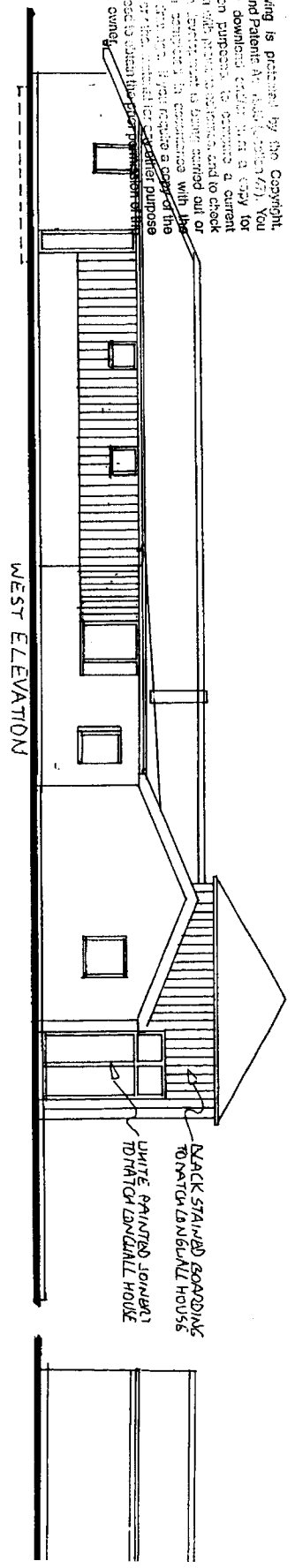
Unit 22 The Nursery Sutton Courtenay Abingdon Oxon
OX14 4UA UK Tel 01235 848048 Fax 01235 848047

Client MR BILL IMPEY

Project NEW HSE IN THE GROUNDS OF Ref 44304
LONGWALL HSE NORTHCOURT LANE AB

Drawing PLAN OF HOUSE AND ROOF PLAN Ref L4
Scale 1/200

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OX14 4UA UK Tel 01235 848046 Fax 01235 848047

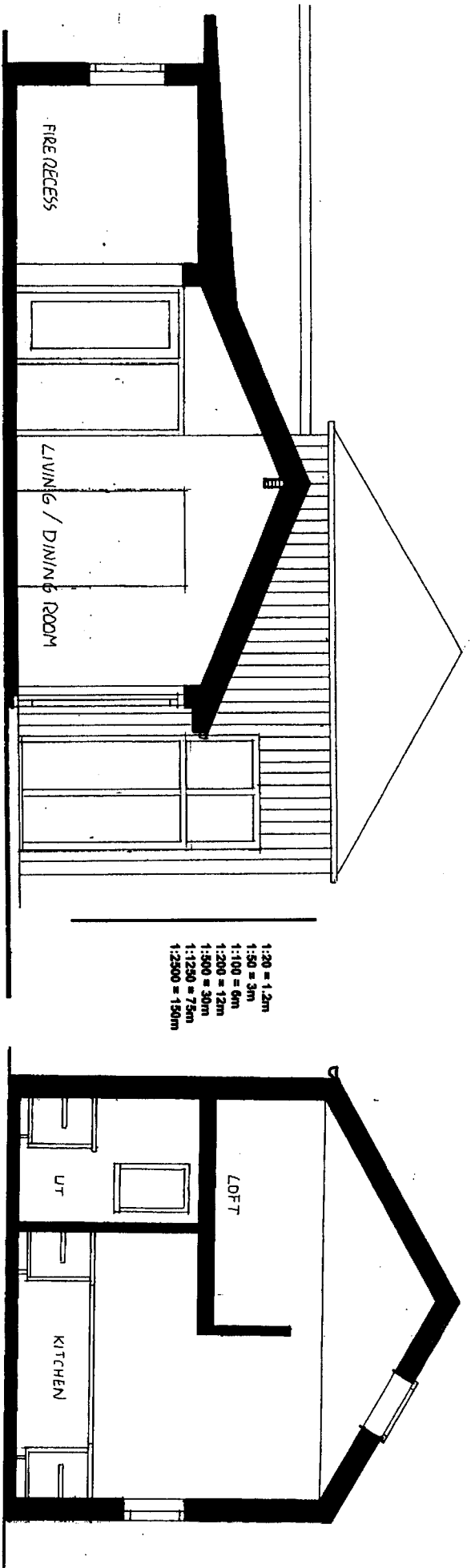
Client MR BILL JIMPEY

Project NEW HSE IN THE GROUNDS OF Rf/ 443/04
LONGWALL HSE NORTH-COURT LAINE AB

Drawing ELEVATIONS OF PROPOSED HOUSE AND GARAGE Ref L5

Scale 1/100 Date 22/01/08 Drawn RJS

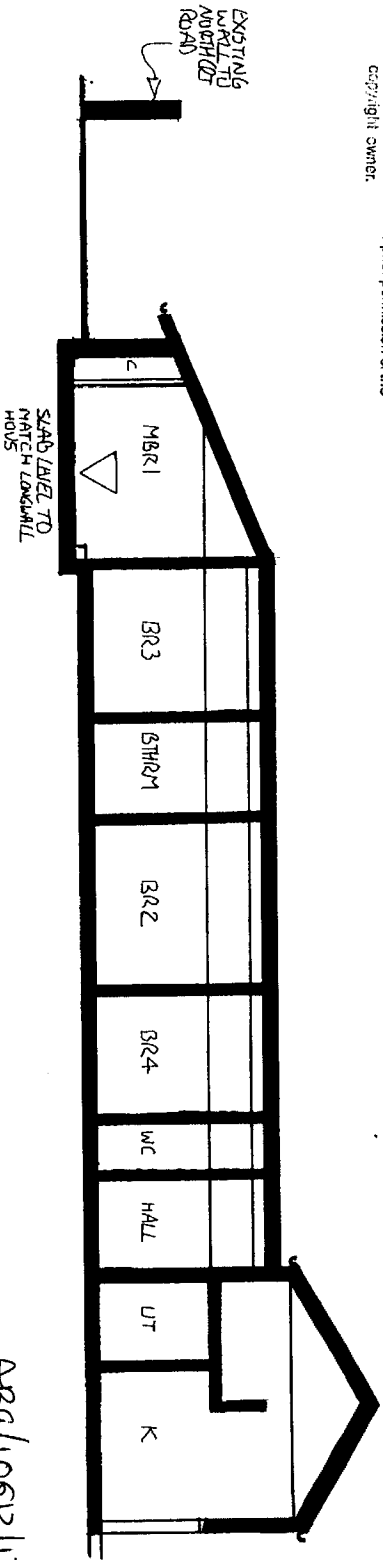
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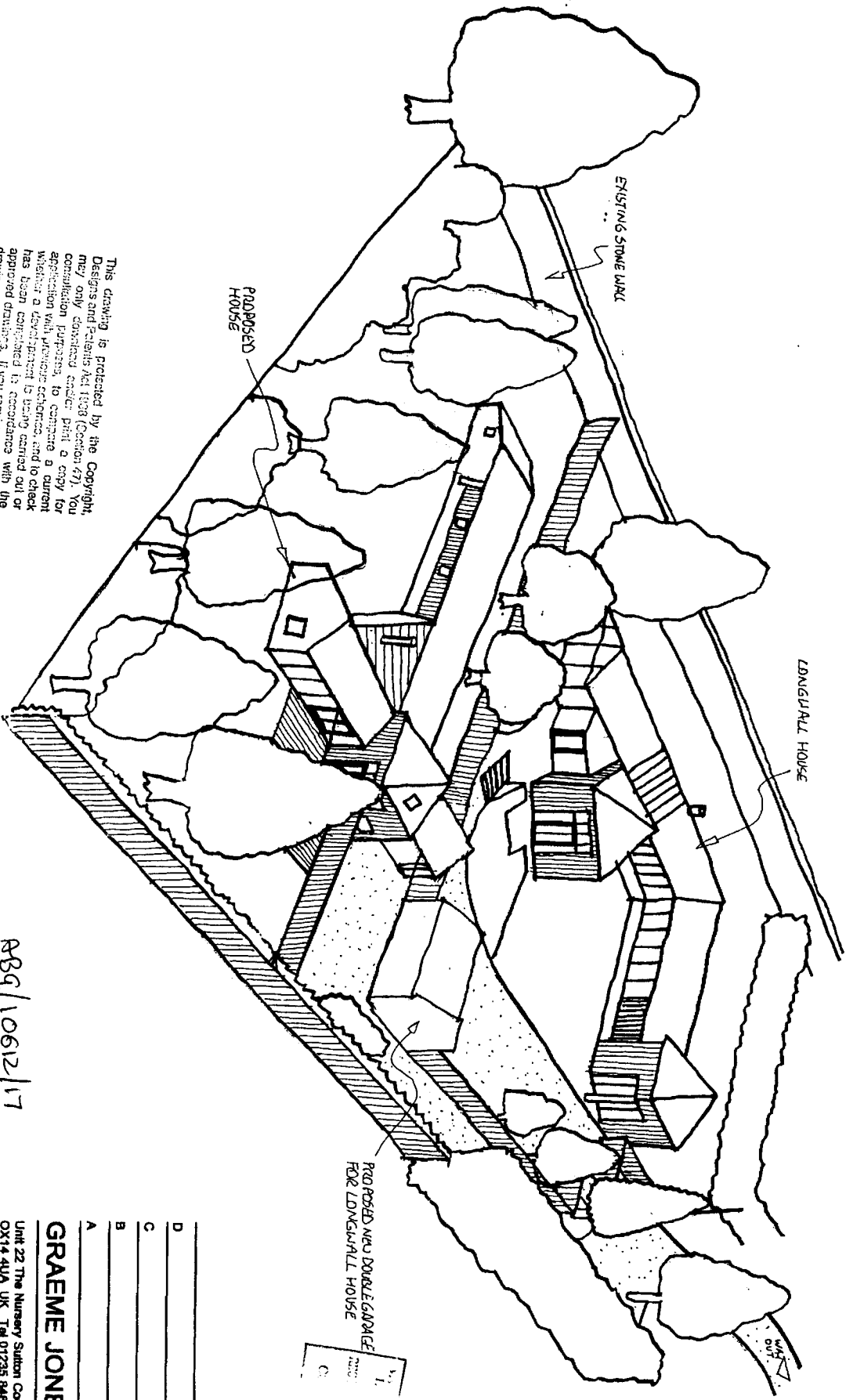


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ABA/10612/17
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GRAEME JONES	RIBA
Unit 22 The Nursery Station Courtyard Abingdon Oron OX14 4UA UK Tel 01235 848048 Fax 01235 848047	
Client MR BILL IMPERY	
Project NEW USE IN THE GROUNDS OF RFD 4430A LONGWALL HSE NORTHCOURT LANE AB	
Drawing SECTIONS AA, BB and C Ref L.6	
Scale 1/50, 1/100, 1/200, 1/500, 1/1250, 1/2500	

AB



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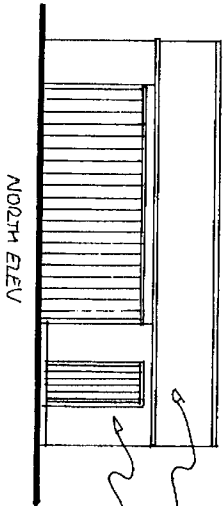
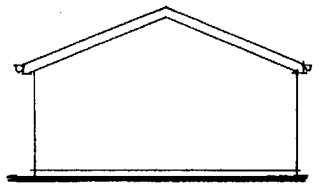
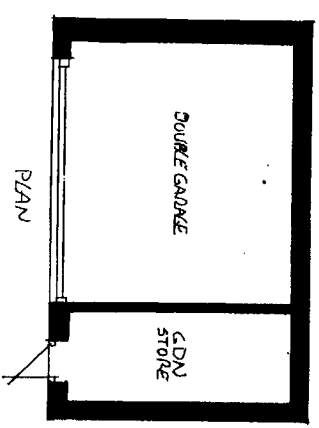
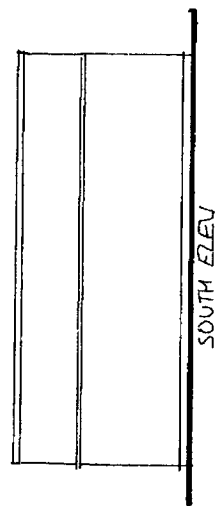
GRAEME JONES RIBA

Unit 22 The Nursery Sutton Courtenay Abingdon Oxon
 OX14 4UA UK Tel 01235 848046 Fax 01235 848047
 Client MR BILL IMPEY

Project NEW HSE IN THE GROUNDS OF Ref 44304
 LONGWALL HSE NORTHCOURT LANE AB
 Drawing SKETCH OF PROPOSALS Ref 13

Scale 1/15 Date 24/10/08 Drawn GRJ

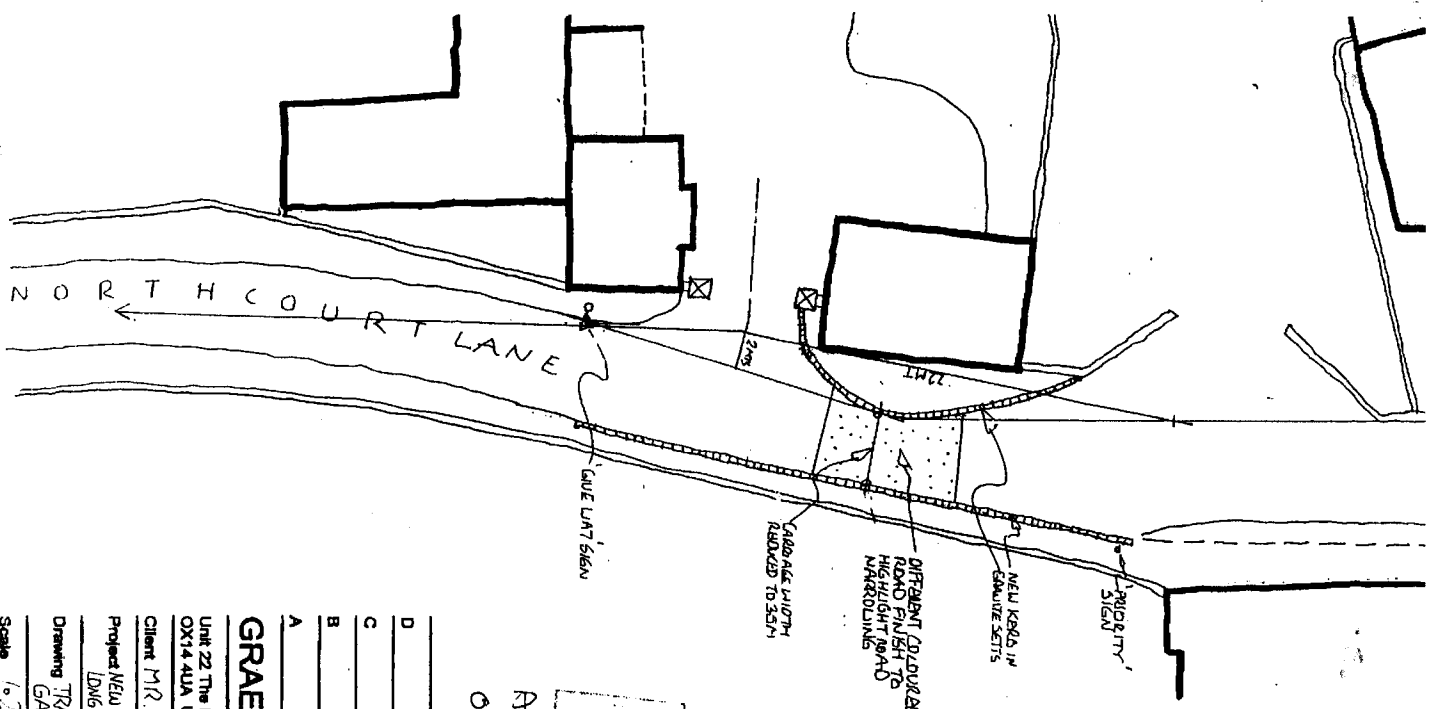
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DOUBLE GARAGE TO BE DEMOLISHED

NATURAL SLATE
WHITE REPAIR

- 1:20 = 12m
- 1:50 = 3m
- 1:100 = 6m
- 1:200 = 12m
- 1:500 = 30m
- 1:1250 = 75m
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RB4/10612/17
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93

APPENDIX 1

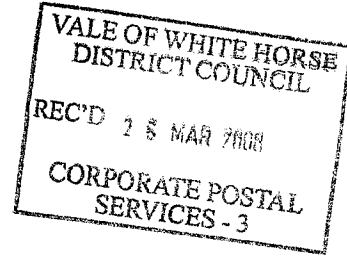
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GRAEME JONES		RIBA
Unit 22 The Nursery Sutton Courtenay Abington Oxon OX14 4UA UK Tel 01235 846046 Fax 01235 846047 Client MR W. IMPEY Project NEW HOUSE IN THE GROUNDS OF Red Lion DWG/MAIL HSE, NORTH COURT LANE Drawing TRAFFIC CALMING AND Ref 17 GARAGE TO BE DEMOLISHED Scale 1:250/800 Date 29/10/08 Drawn GRJ		

26.03.08.

GRAEME JONES ARCHITECT

My Ref : 443 PL2
Your Ref : ABG/10612/18 CA
Date : 25th March 2008

Stuart Walker Planning Officer,
VWHDC, Planning Dept.,
Abbey House Abingdon,
Oxon.,
OX14 3JN



Dear Mr Walker,

RE House in the grounds of Longwall House Northcourt Lane, Abingdon OX14 1PN

I understand that you are considering refusing our Application on the grounds that our current proposals still don't address the concerns that the Planning Inspectorates Inspector had.

He concluded in his Appeal Decision that ' there would be harm to the spaciousness and sylvan character and appearance of this part of the conservation area and the setting of the listed building'.

The Arboriculturalist Report not only shows how the development can go ahead without affecting the trees but also puts in place a management plan for the trees on the site which in the years to come will ensure the 'sylvan character' will endure. Although all the trees on the site are protected, their quality varies considerably and the report recommends which trees need to be retained and which trees ultimately need to be removed and replaced for the general good of the site as a whole. In this respect our proposals will enhance the Conservation Area in the years to come as the quality of the trees on the site is raised to a higher consistency.

With regard to the 'spaciousness' of the site which the Inspector raises, the new proposals remain as hidden from view as the existing house and the density of the development remains consistent with the rest of the conservation area.

In addition we have reduced the extent of the hardstandings to an area little more than is currently serving the single property.

You were awaiting the Highways Officers' report when I spoke to you last week, but in this respect the Inspector was unequivocal in considering our proposals were a safety gain.

I would therefore ask you to reconsider your position on this matter.

APPENDIX 1

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF REFUSAL

To

Mr A W Impey
c/o Mr Graeme Jones
Unit 22 The Nursery
Sutton Courtenay
ABINGDON
Oxon
OX14 4UA

Application No: **ABG/10612/16**

Proposal;

Demolish existing double garage. Erection of a four bedroom bungalow and detached garage block providing garaging for the new bungalow and Longwall House. (Land adjacent to Longwall House) (Re-submission)

Address:

Longwall House Northcourt Lane Abingdon Oxon OX14 1PN

DATE OF DECISION: 29th December 2005

The Vale of White Horse District Council, in pursuance of powers under the Above Act, hereby **REFUSE** to permit the above development in accordance with the plans and application submitted by you, for the reasons specified hereunder:

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 HE15 of the adopted Vale of White Horse Local Plan and to Policies HE1 and HE5 of the Second Deposit Draft 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

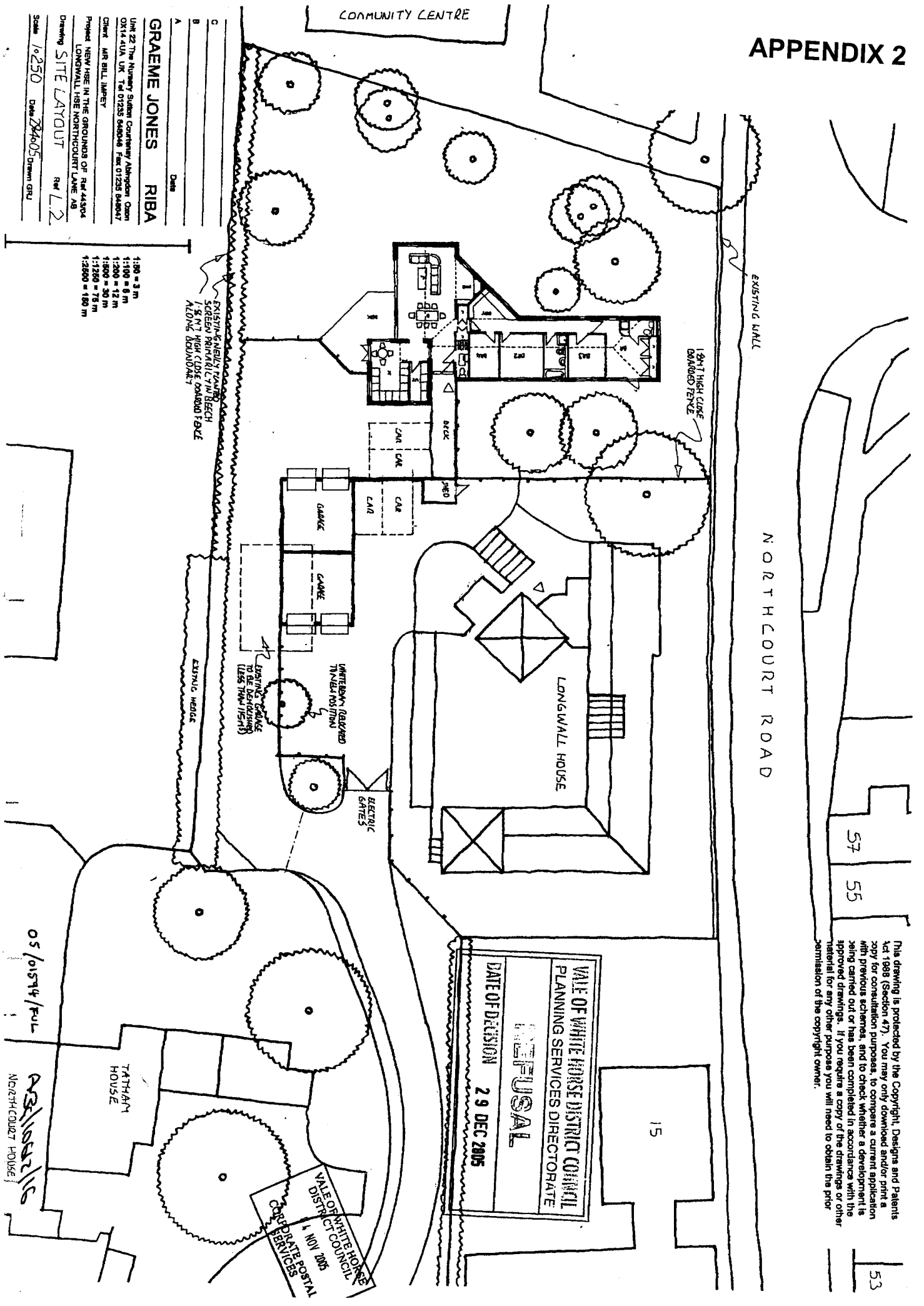
Policy D3 of the adopted Vale of White Horse Local Plan and to Policy DC5 of the
Second Deposit Draft Local Plan 2011.

Rodger Hood
Assistant Director (Planning)

APPENDIX 2

APPENDIX 2

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VALE OF WHITE HORSE DISTRICT COUNCIL
 PLANNING SERVICES DIRECTORATE
REFUSAL
 DATE OF DECISION 29 DEC 2005

VALE OF WHITE HORSE DISTRICT COUNCIL
 1 NW 005
 CORE DATA PORTAL
 CORE SERVICES

GRAEME JONES RIBA

Unit 22 The Nursery Station Courtyard, Abingdon, Oxon
 OX14 4UA UK Tel 01235 849046 Fax 01235 849047
 Client: AIR BILL, WIMPEY

Project: NEW HOUSE IN THE GROUNDS OF Ref: 44304
 LONGWALL HSE NORTH COURT LANE, VB

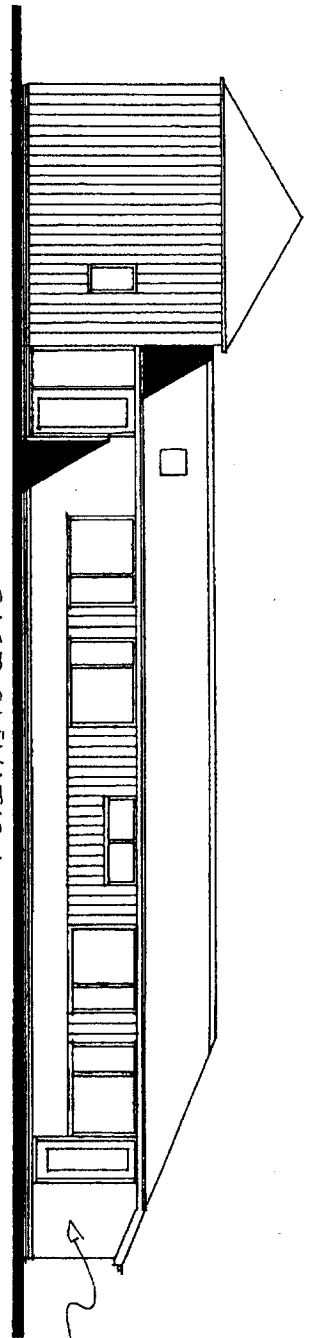
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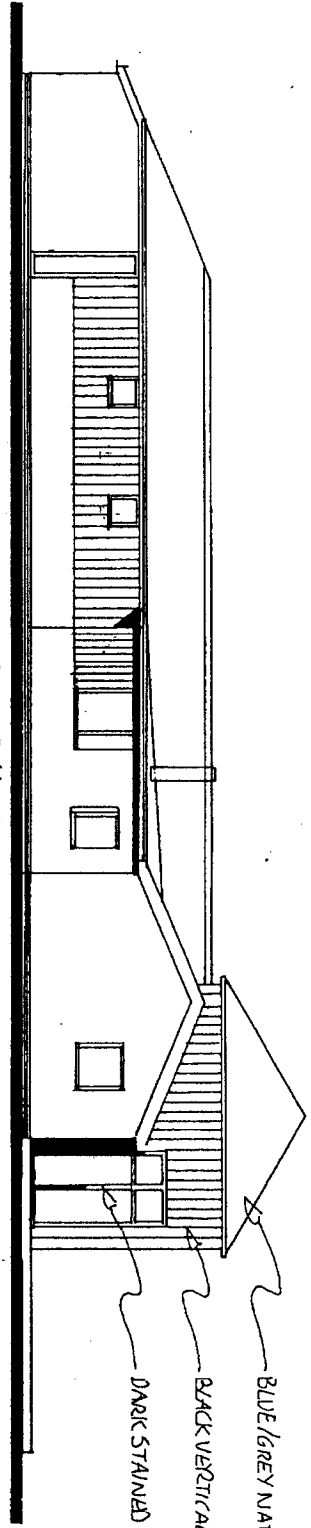
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 TATHAM HOUSE
 NORTH COURT HOUSE

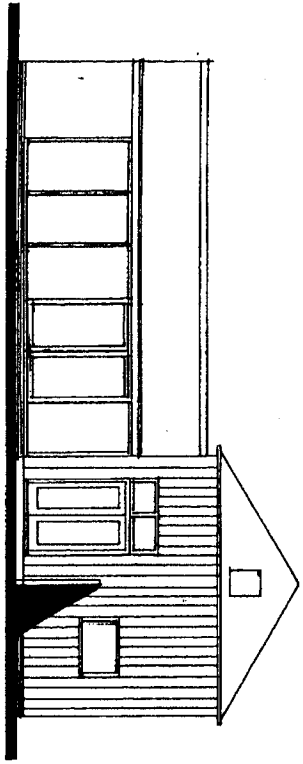
APPENDIX 2



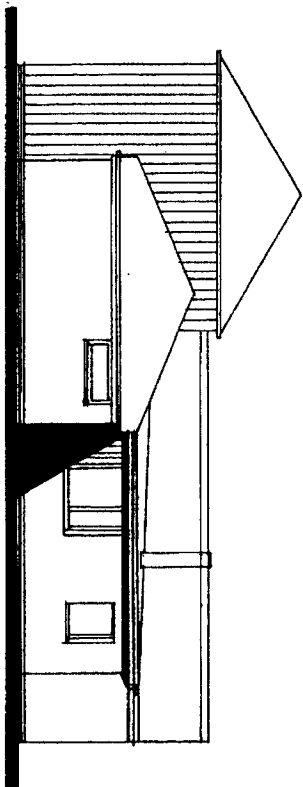
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

VALE OF WHITE HORSE DISTRICT COUNCIL PLANNING SERVICES DIRECTORATE
PLANNING
DATE OF DESIGN 29 DEC 2005

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- 1:1250 = 75 m
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BLUE/GREY NATURAL SLATES
 BLACK VERTICAL BOARDING
 DARK STAINED TIMBER JOINERY

VALE OF WHITE HORSE DISTRICT COUNCIL
 04 NOV 2005
 CORPORATE POSTAL SERVICES

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GRAEME JONES RIBA

Unit 23 The Nursery Sutton Courtenay Ashington Oxon
OX14 4UA UK Tel 01235 848046 Fax 01235 848047

Client MR BILL IMPEY

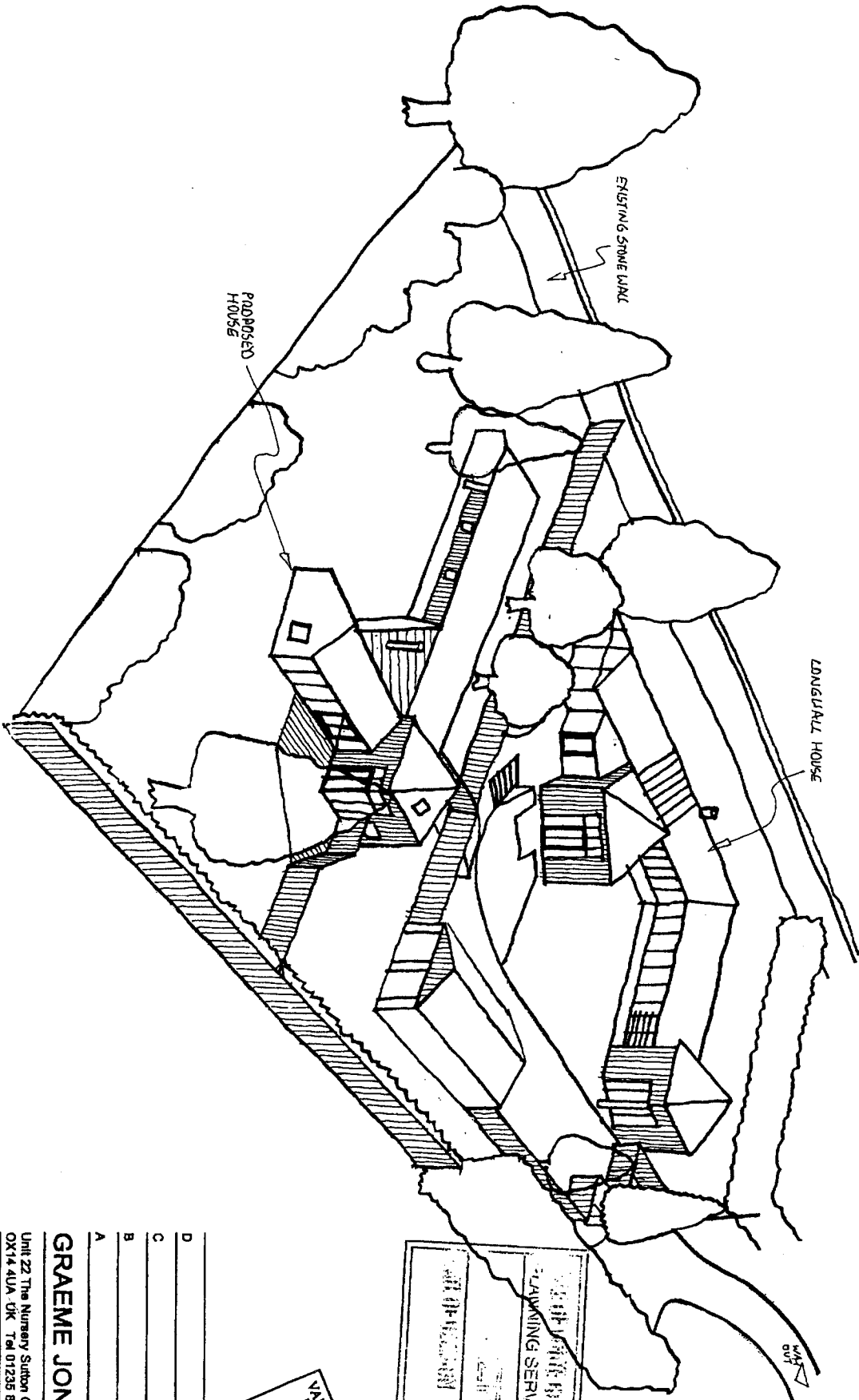
Project NEW HSE IN THE GROUNDS OF Ref 443/04
LONGWALL HSE NORTH/COURT LANE AB

Drawing ELEVATIONS Ref L.5

Scale 1/100 Date 29/12/05 Drawn GRJ

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VALE OF WHITE HORSE DISTRICT COUNCIL
 PLANNING SERVICES DIRECTORATE
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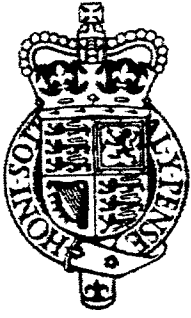
GRAEME JONES RIBA

Unit 22 The Nursery Sutton Courtenay Abingdon Oxon
 OX14 4UA UK Tel 01235 848046 Fax 01235 848047
 Client MR BILL IMPEY

Project NEW HSE IN THE GROUNDS OF Ref 44304
 LONGWALL HSE NORTH COURT LANE AB

Drawing SKETCH OF PROPOSALS Ref L3

Scale NTS Date 29/10/05
 05/10/05
 AS/MS/AL/MS



Appeal Decision

Site visit made on 23 October 2006

by **Philip A Goodman BA(Hons) DMS MRTPI**

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

The Planning Inspectorate
4/F1 Eagle-Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
Tel: 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date: 9 November 2006

Appeal Ref: APP/V3120/A/06/2020267

land adjacent to Longwall House, Northcourt Lane, Abingdon, Oxfordshire OX14 1PN

- 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 A W Impey against the decision of Vale of White Horse District Council.
- The application Ref ABG/10612/16, dated 2 November 2005, was refused by notice dated 29 December 2005.
- The development proposed is demolition of existing double garage and erection of a 4 bedroom bungalow along with a detached garage block providing garaging for the new bungalow and Longwall House and new shed for Longwall House.

Decision

1. I dismiss the appeal.

Clarification

2. For the avoidance of doubt I make clear that, notwithstanding the description of development, which includes the demolition of the existing double garage, the appeal concerns an application for planning permission alone. Any demolition and the rest of the development could not take place until an application for Conservation Area Consent had been submitted to and approved by the Council.

Reasons

3. The appeal site lies close to the heart of the Northcourt Conservation Area and to two statutory Grade II listed buildings. Northcourt House and Tatham House, the latter formed from a subdivision of the main three-storey Northcourt House. I have not been supplied with the listing particulars.
4. The main issues are the impacts of the proposed development on the character and appearance of the conservation area and the setting of the nearby listed buildings, and on highway conditions along Northcourt Lane.
5. Since the application was determined the Council adopted the Vale of White Horse Local Plan 2011 in July 2006. Relevant policies include HE1, HE4 and DC5 and mirror those in the former local plan referred to in the decision notice. In brief they aim to ensure that new development preserves or enhances the character or appearance of conservation areas, respects the setting of listed buildings, and provides safe and convenient access.
6. The appeal site would be created by subdividing the plot of Longwall House, a low profile single storey dwelling constructed in 1998 within the original grounds of Northcourt House.

In terms of its design, although somewhat smaller, the proposed bungalow would echo the L-shaped plan, form and style of Longwall House which I note was commended in the Council's Millenium Design Award Scheme of 2001. In isolation from its wider context I consider that the proposed scheme has some intrinsic design merit and would make more efficient use of already developed land within the settlement.

7. The Conservation Area is fairly extensive and in the vicinity of the appeal site it is mainly characterised by the various dwellings and the mature tree-scape clustered around Northcourt House. Northcourt Lane has a semi-rural character by reason of its narrow, winding nature, mature hedgerows and trees, and relatively closed off vistas. The site itself is bounded by mature trees on three sides which form part of the area's attractive sylvan character as seen from Northcourt Road and in glimpsed views from adjoining dwellings in the original grounds of Northcourt House.
8. Adopted local plan policy HE1 makes clear that development proposals within a conservation area will not be permitted unless they can be shown to preserve or enhance the established character or appearance of the area. This is a high test which reflects the similar statutory duty on decision makers. The single storey development would be low profile and sited in a clearing in the existing garden to assist its visual assimilation into its setting. I accept that on plan the proposed four bedroom dwelling would appear in available public views to have only a limited impact on the spaciousness of this enclosed part of the conservation area, which was the Council's primary concern. However, local residents have also questioned whether the pre-existing landscaped character has been shown to be preserved by the scheme and to my mind, given the importance of the landscaped setting to the character of the conservation area and the setting of the listed buildings, this is a concern deserving of closer analysis.
9. The application states that the bungalow is proposed to be set down by nearly a metre below the existing ground levels level with the Longwall House. The excavated footprint would be relatively close to the tree canopies and roots of quite large mature trees on the site's western and eastern boundaries. Near its southern boundary the proposed driveway access would be sited south of the replacement 2 + 2 car garage and would run very close to the established yew hedge which currently overhangs by nearly 5m. As such the proposals would require substantial pruning of the yew hedge and would involve the clearance of at least some mature trees on or near the joint boundaries with Tatham House and The Stables.
10. In the absence of an arboricultural survey and levels details I am unable to conclude with confidence that the root system, water table and long term health and survival of the mature tree and hedge planting on these three boundaries would be safeguarded during and after the process of development, bearing in mind the need for service runs, the likely compaction of the driveway and turning areas and future occupiers likely desire for sunlight. In the event that the trees and hedgerows did not survive in the longer term, then the spaciousness of the former grounds of Northcourt House would have been more obviously diminished by a development which would become more apparent from the neighbouring dwellings, if not from Northcourt Road itself. As a result there has not been a clear demonstration that these important aspects of the conservation area's character and the setting of the listed buildings would be preserved. I conclude therefore that the proposal would not accord with the aims of local plan policies HE1 and HE4.

11. Turning to the second issue, the visibility splays at the shared access to and from Northcourt Lane are already materially substandard by comparison with accepted standards though I note that there is no recorded accident record related to it. I saw too that the lane itself is narrow and winding and hence the speed of passing traffic is self-regulated to a degree, notwithstanding its use as a rat-run during peak periods.
12. However, the development proposes a total of eight (ie an extra four) off-street garaging/parking spaces and other potential parking space off a driveway shared by 5 dwellings. Inasmuch as PPG3 has been prayed in aid by the appellant, I note that such a combined level of garaging/parking is in excess of the expectations in PPG3 and 13 to reduce reliance on the motor car and encourage modal choice by limiting the level of car parking. This leads to a larger garage and related parking/circulation areas than would otherwise be necessary to meet current parking standards which in turn increases the ratio of built form and paved areas to open space and greenery within the site. The level of garaging/parking provision also means that there is a potential for a material increase in the turning movements at the substandard junction with Northcourt Lane.
13. The appeal papers included a Section 106 unilateral undertaking whereby the appellant undertakes to lodge a sum (akin to a bond) of £3,000 with the County Council as local highway authority to be used to implement a kerbside build-out and road narrowing scheme so as to slow passing vehicle speeds and improve visibility. In my view this, or a similar scheme, would improve the visibility for exiting vehicles and would represent a highway safety gain sufficient to offset the increased use of the junction having regard to the relatively modest level of traffic movements along Northcourt Lane. I also consider that, had I been otherwise minded on the conservation issue, the lack of a comprehensive scheme of traffic calming along the length of the lane is not sufficient reason, on its own, to withhold planning permission for one dwelling. In my judgment, notwithstanding previous failed attempts, a 'Grampian' style (ie negative) condition could have secured that any approved development could not proceed unless and until a scheme acceptable to the County Council had been approved and implemented with the assistance of the Section 106 planning obligation bond.
14. Nevertheless I have been led to the overall conclusion that there would be harm to the spaciousness and sylvan character and appearance of this part of the conservation area and the setting of the adjoining listed buildings, that this would be contrary to the development plan and national policy, and that the acknowledged design and sustainability merits of the scheme in terms of the efficient use of land do not outweigh the harm identified in this regard.
15. For the reasons given above and having regard to all other matters raised, I conclude, on balance, that the appeal should be dismissed.

Philip A Goodman

Inspector

APPENDIX 3