



Appeal Decision

Site visit made on 16 June 2020 by Alex O'Doherty LLB(Hons) MSc

Decision by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2020

Appeal Ref: APP/Q3115/W/19/3243590

Town Farm Cottage, Brook Street, Kingston Blount, Chinnor OX39 4RZ

- 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 & Mrs Clark against the decision of South Oxfordshire District Council.
 - The application Ref P19/S2062/FUL, dated 18 June 2019, was refused by notice dated 27 November 2019.
 - The development proposed is formation of new access and driveway.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural matter

3. The Council has referred to emerging policies in the publication version of the South Oxfordshire Local Plan 2011 – 2034 published in 2019 (the emerging local plan). However, these policies do not indicate a significant change from the adopted policies. Furthermore, the Plan has yet to be examined, and consequently any conflict with them has been given limited weight.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

5. The appeal site is located where development stemming from Kingston Blount becomes very sporadic and is on the edge of the built up limits of the settlement, extending into the open countryside. Apart from Stert Cottages, little built development can be seen. Thick, substantial hedgerow extends from the appeal site in both directions, with less dense greenery opposite. Whilst accesses exist nearby, these are infrequent and informal, mostly consisting of rough tracks onto fields. The lack of any landscape designation does not diminish the attractiveness of this countryside location.
6. The proposed new access would necessitate the removal of a wide area of hedgerow, creating a significant gap. The proposed access would be formed

from tarmac and gravel with some granite setts and would extend for a significant distance through the paddock/field and be visible through the proposed gap in the hedge. As a result, its urbanising features would be incongruous within this countryside setting, materially harming its rural character and appearance.

7. The appellants have suggested that a hedgerow could be planted on the north-eastern edge of the access way (with associated net biodiversity improvements). Furthermore, trimming of other parts of the hedgerow would be limited to enable the provision of a satisfactory visibility splay, and any gate or fence would be typical of others in the area. However, it would take some time for a new hedge to establish, and the other identified benefits would be of limited value in offsetting the harm caused by the removal of the hedgerow abutting the road, and the installation of the new access. The proposal would create a new means of access to Town Farm Cottage that would solely be in the ownership of the occupiers. However, as this would offer mainly private benefits, this has been given limited weight.
8. Consequently, I conclude that the limited benefits would not outweigh the considerable unacceptable and harmful effect the proposal would have on the character and appearance of the surrounding area. Therefore, the proposal would be contrary to policies D1, C4, C9, G2, and G4 of the South Oxfordshire Local Plan 2011 (adopted January 2006) and policies CSEN1 and CSQ3 of the South Oxfordshire Core Strategy (adopted December 2012) ('Core Strategy'), and emerging policies ENV1, ENV5 and DES1 of the emerging local plan which collectively seek to protect the district's distinct landscape character and key features. The proposal also conflicts with paragraph 127 c) of the National Planning Policy Framework which aims to ensure that developments are sympathetic to local character.
9. Based on the evidence provided, the proposal would not conflict with Policy CSB1 of the Core Strategy or Policy ENV3 of the emerging local plan, which aim to avoid a net loss of biodiversity, but I am required to assess the proposal against the development plan taken as a whole, and for the reasons set out above I have found conflict.

Other Matters

10. It is common ground that the proposal would not affect the setting or significance of the Kingston Blount Conservation Area or Moat Manor, a Grade II listed building. I have no evidence before me that points to a different conclusion.

Conclusion and Recommendation

11. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Zoe Raygen

INSPECTOR