
Appeal Decision

Site visit made on 8 November 2017

by G P Jones BSc (Hons) MA MRTPI

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

Decision date: 17th November 2017

Appeal Ref: APP/V3120/W/17/3179026

Land between Town Furlong and Cradle Barn, Kingston Rd, Frilford OX13 5NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs E Silverwood against the decision of Vale of White Horse District Council.
 - The application Ref P16/V2940/O, dated 21 November 2016, was refused by notice dated 1 February 2017.
 - The development is described as outline application for new houses. As amended by revised plans received 17 January 2017 showing reduced site area and reduction in number of dwelling to 3.
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Decision

1. The appeal is dismissed.

Preliminary and procedural matters

2. Prior to its determination by the Council the planning application was amended, and it is that amended scheme which I am considering. Therefore in the banner heading I have used the amended description of development as provided on the Council's decision notice.

Main Issues

3. I consider that the main issues are:
 - whether the appeal site is an appropriate location for housing with regard to the development plan and the National Planning Policy Framework (the Framework);
 - the effect of the proposal on the character and appearance of the area, having regard to its location and the Illustrative site plan;
 - whether future occupants of the proposed development would have acceptable access to employment opportunities, facilities and services.

Reasons

Accordance with the development plan and the Framework

4. The Vale of White Horse District Council Local Plan 2031 Part 1 Strategic Sites and Policies (LPP1) was adopted in December 2016. Core Policies 3 and 4 of LPP1 set out the settlement hierarchy and housing allocations for various

settlements, and Core Policy 8 relates to the Abingdon-on Thames and Oxford Fringe Sub-Area. In Policies CP3 and CP8 of LPP1 Frilford is designated as a fourth tier 'smaller village', where any development should be modest in scale and proportionate and primarily be to meet local needs.

5. In terms of the smaller villages Policy CP4 of LPP1 states that limited infill development may be appropriate within the existing built areas or if allocated within an adopted Neighbourhood Plan or future parts of the Local Plan 2031. The appeal site lies some distance away from the core part of Frilford with there being open space between the main part of the settlement to the north-east and the line of ribbon development bordering this side of Kingston Road. Therefore despite the presence of existing housing on either side I do not consider that the site lies within the main existing built area. In addition, there is no emerging Neighbourhood Development Plan and the Local Plan Part 2 is at an early stage. Consequently, although limited infill housing in smaller villages is acceptable in principle, the nature of this proposal is such that it would be contrary to Policy CP4 of LPP1.
6. The proposal would not be sited within or adjacent to one of the larger settlements within the hierarchy as defined in LPP1 CP3 and neither would it be within a strategic allocation for housing growth. In this regard it would conflict with the Council's strategy for housing growth as detailed in LPP1 Policies CP3, CP4 and CP8. Taken together these policies seek, among other matters, to restrain new housing development in the open countryside and guide development towards larger settlements in the settlement hierarchy and allocated sites as defined in LPP1, and to within existing built areas in smaller settlements. LPP1 has been adopted relatively recently, and I afford considerable weight to the conflict with its relevant policies that I have identified.

Character and appearance

7. The appeal site comprises an area of grassland that forms part of a larger field and which would be accessed off Kingston Road; the A415. Although an outline application with all matters reserved except access, an Illustrative site plan, reference 16-1689/100 A, has been provided. As depicted on this plan the proposed three dwellings would be orientated with their end elevations facing towards Kingston Road. This layout would be at odds with the existing housing that lies along this stretch of Kingston Road, with the exception of Cradle Barn which is set within a considerably more spacious plot. The other nearby dwellings are set within spacious plots and have front elevations that face towards the road.
8. The proposal would inevitably entail opening up the site by removing at least some of the line of semi-mature trees that border Kingston Road. In addition, the Council considers that the proposal would give rise to pressure in the future to remove the more considerable band of mature trees that border the site to the west. Due to the scale and age of these trees and their orientation in relation to the likely location of the proposed dwellings, I concur with the Council's views in this regard. The loss of this band of trees would adversely affect the character and appearance of the local landscape.
9. There is existing built development on either side of the appeal site and the derelict Manor Farm/Bothwell Nurseries buildings are located in the field immediately to the rear. The proposed development would open up views into

the site, and would represent built development on part of a field where none previously exists. However, due to the surrounding built development the principle of housing on the front part of this site, broadly in line with the existing housing, would be acceptable in terms of its effect on the character and appearance of the area.

10. I recognise that the proposal before me is an outline application with all matters reserved except access, and I note the appellant's stated willingness to consider a different number and layout of houses. Nevertheless, the Illustrative site plan depicts a somewhat cramped layout with both the orientation of the dwellings and the design of the internal access road being at odds with the established character and appearance of this area. This would give rise to a development that would have a detrimental visual effect on its surroundings and I have not been presented with any alternative layout.
11. Therefore I consider that the proposal that is before me would not comply with Policies CP37 and CP44 of LPP1 and also with saved LP Policies DC1 and NE9 and the Vale of White Horse Council Design Guide Supplementary Planning Document (SPD) adopted March 2015. Taken together these policies and guidance, among other things, seek to resist development that would have an adverse effect on the landscape, and ensure that the layout of development responds positively to its surroundings and local distinctiveness is respected.

Accessibility

12. The proposal is located on the outskirts of Frilford which is a small settlement. The services and facilities, including employment opportunities, are relatively limited consisting primarily of a petrol filling station with a small store attached, the large farm shop complex with recreational facilities at Millets Farm and Abingdon Preparatory School. There are bus links to the larger settlements of Wantage, Abingdon and Oxford, although at half hourly intervals at best the services are not especially frequent.
13. There is a reasonably narrow and unlit pavement initially along some of Kingston Road on the same side as the appeal site and then on the northern side of this road. During my site visit I observed that this is a busy road with a 40 miles per hour speed limit and with vehicles travelling at reasonably high speeds. I have no reason to consider that this was not a typical pattern of vehicular traffic. Due to the characteristics of the footway, the distances involved and the nature of Kingston Road it is likely that walking or cycling would not be a particularly attractive option for future occupants to access some of the services and facilities nearby, and those further distant in Marcham.
14. The appellant has highlighted a decision regarding a single dwelling on Ford Lane¹ that refers to the site being in a sustainable location and an application for five dwellings in Frilford Heath². Whilst I do not have the full details of either of these cases they are in different locations, albeit within the same general area, to the proposal that is before me and the Ford Lane case pre-dates LPP1. Consequently, I afford these other planning consents moderate weight in reaching my decision.

¹ Planning application reference P15/V0684/FUL

² Planning application reference P17/V0637/FUL

15. Despite the availability of some local services, employment opportunities and public transport links, nevertheless future occupants would be likely to be reliant on the private motor car for the majority of their day to day living requirements. Therefore the location could not be considered to be sustainable in terms of the future travel patterns of the occupiers of these dwellings. In this regard the proposal would not comply with Core Policy 35 of LPP1 or the guidance in the Framework that seeks to promote sustainable travel patterns.

Planning balance and conclusion

16. In accordance with paragraph 49 of the Framework I have considered this proposal in the context of the presumption in favour of sustainable development. In terms of its benefits, the proposal would increase the supply of housing, albeit by a modest amount, as required in paragraph 47 of the Framework. There would also be some economic and social benefits arising from the construction of the housing and some additional patronage for the limited range of local services and facilities in Frilford that the future occupants of this housing would provide, and I afford these matters a moderate degree of weight.
17. However, the proposal would be in an open countryside location outside the main built area of Frilford and would not promote sustainable travel patterns. As it is not within the main existing built up area and is not a site allocated for housing, the proposal would not accord with the development plan in this regard. These are considerations to which I accord a considerable degree of weight.
18. The layout of the proposal would be likely to give rise to a development that would be at odds with the established character and appearance of the locality. In addition, it is likely that there would be pressure in the future to remove the mature trees that lie to the west and which provide an important landscape feature.
19. For these reasons I conclude that the proposal would not represent a sustainable form of development, for which the Framework and LPP1 Policy CP1 presume in favour, and the appeal should be dismissed.

GP Jones

INSPECTOR