



Appeal Decision

Site visit made on 15 October 2019 by G Sibley MPLAN MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2019

Appeal Ref: APP/V3120/W/19/3234258

**New House, Churchmere Road, Sutton Courtnay, Abingdon, Oxfordshire
OX14 4AQ**

- 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 I Morgan against the decision of Vale of White Horse District Council.
 - The application Ref: P18/V1979/FUL, dated 2 August 2018 was refused by notice dated 18 April 2019.
 - The development proposed is erection of 1 house.
-

Decision

This decision is issued in accordance with Section 56(2)(b) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 19 November 2019.

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 Matters

3. Following the submission of the appeal, The Vale of White Horse District Council has adopted its Local Plan 2031 Part 2: Detailed Policies and Additional Sites (Local Plan 2) on 10 October. The policies contained in Local Plan 2 replaced the saved policies from the Vale of White Horse Local Plan 2011 that were referred to in the decision notice. Neither party have provided copies of the relevant policies contained in Local Plan 2 and as such I have determined the appeal on the basis of the information before me and the relevant policies of the National Planning Policy Framework (The Framework).

Main Issue

4. The impact of the proposed development would have on transport and highways with particular regard to the capacity of the local road network.

Reasons for the Recommendation

5. The site is located off Churchmere Road and sits within a group of dwellings. A dwelling was located on site but was demolished following flood damage.

Outline planning permission was granted in 2014 for two dwellings on the site (Council Ref: P14/V1087/O). The original dwelling was demolished but the two dwellings were not constructed, and the planning permission has now lapsed. Thus, in the absence of an extant permission, there is no fall-back position and the proposal would result in an additional dwelling on land within Sutton Courtney. The Council did not refuse the application based on the location or design of the proposed dwelling rather the impact of the traffic generated by the proposal on the local road network.

6. Churchmere Road is a small residential road which is accessed via Church Street and Appleford Road. To the north of Appleford Road is Abingdon Road which is where the Culham Bridges are located and the road narrows to a single carriageway and traffic over the bridges is controlled by traffic lights.
7. Paragraph 109 of The Framework states that *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
8. Oxfordshire County Council as the Local Highways Authority (LHA) have identified that the queuing at the signalised Culham Bridges results in blocking of the bridge and adjacent junctions. The two traffic lights are set some distance apart from each other and encompass more than just the bridges. It has been identified that this can cause long delays during peak hours as there are few alternative routes over the river in the immediate area. It is noted that because of this gridlock any additional trips would disproportionately add significantly to the delays. The LHA contend that this would have a severe impact on the local road network. Surveys of the local highway network were undertaken in 2017, after the former dwelling was demolished and the baseline evidence for the LHAs understanding of the traffic conditions did not include any traffic arising from the appeal site.
9. A number of recent appeal decisions within Sutton Courtney, for proposals of a similar scale, concluded that the Local Highway Authority's evidence identifies that the road network currently operates beyond its capacity during the peak times in the morning and evening. The evidence not only suggests that this leads to significant congestion but also results in drivers making unsuitable manoeuvres within the highway when seeking to avoid queuing traffic. The Inspectors in the two most recent appeal decisions concurred with the position of the LHA that the existing congestion is severe such that even small increases in the level of traffic would exacerbate the situation and be difficult to accommodate on the network.
10. The proposal before me would add to the identified congestion. No evidence has been provided which would lead me to doubt that the evidence provided by the LHA is an accurate reflection of traffic conditions. Similarly, nothing has been presented that would lead me to depart from the conclusions of previous Inspectors. Due to the severity of the existing situation, any development that would add traffic to the local road network would worsen the situation.
11. Therefore, whilst the proposed dwelling would only give rise to a modest increase in vehicular trips on the local road network, the proposal would contribute to the cumulative impact on the capacity of the local road network which would have a severe impact upon the local road network. Accordingly, the proposal would be contrary to paragraph 109 of The Framework, policy 02

of the Oxfordshire Local Transport Plan and Policy CP1, CP4, CP33 and CP35 of the Vale of White Horse Local Plan Part 1.

Conclusion and Recommendation

12. The proposal would involve the construction of a dwelling within the settlement of Sutton Courtnay and would add to the local supply of housing and would be acceptable in terms of its design, outward appearance and the impact on neighbouring living conditions. I attach moderate weight to the benefits of the new housing, commensurate with the small scale of development.
13. However, the benefits would be significantly and demonstrably outweighed by the harm arising in respect of the local highway network. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR