
Appeal Decision

Site visit made on 30 November 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2020

Appeal Ref: APP/V3120/W/20/3254021

17 Bow Bank, Longworth, Abingdon OX13 5ER

- 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 Thomas Belcher against the decision of the Vale of White Horse District Council.
 - The application Ref P20/V0862/FUL, dated 20 March 2020, was refused by notice dated 4 June 2020.
 - The development proposed is described as the 'demolition of store and erection of a two storey side extension to create two flats'.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) Whether the proposal would constitute sustainable development having regard to the relevant local and national policies; and
 - ii) The effect of the proposal on highway safety having regard to vehicular parking, access and waste/recycling collection.

Reasons

Principle of development

3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) sets out that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan includes the Vale of White Horse Local Plan 2031 Part 1, Strategic Sites and Policies, Adopted December 2016 (LPP1) and the Longworth Neighbourhood Plan, adopted 12 October 2016 (NP).
4. Core Policy 3 of the LPP1 identifies Longworth towards the bottom end of its settlement hierarchy as a 'smaller village' because it has a limited range of services and facilities to support further growth. Development in such locations is likely to be reliant on the use of private vehicles, generating unsustainable travel patterns. However, some limited growth can be acceptable to help maintain the vitality of rural communities, such as pubs and schools. Both of these community facilities exist in Longworth.

5. Pursuant to this, Core Policy 4 of the LPP1 sets out a policy for housing supply. It details that limited infill development may be appropriate within the existing built areas of smaller villages and will be supported where they are in keeping with local character and are proportionate in scale and meet local housing needs, and/or provide local employment, services and facilities. Policy 1 of the NP makes similar stipulations and the supportive text goes on to define the meaning of infill within Longworth through five criteria, including specifying the type of housing that will be acceptable on any single site. This is important to assist the interpretation of this housing supply policy. It states that development must consist of no more than 2 detached homes; 1 pair of semi-detached home and 1 detached home; or 1 terrace of up to 3 homes.
6. The proposed development of 2 flats would clearly fail to comply with the development plan's definition for limited infill within Longworth. This is a matter of common ground between the parties. Consequently, the proposal would be contrary to the adopted spatial strategy for the area which seeks to restrict development given the limited access to services and facilities. I afford this significant weight as part of the plan-led system which seeks at every level to achieve sustainable development.
7. The appellant considers that the NP definition is unnecessarily restrictive, and that the proposal would help meet a housing need. However, I have very limited evidence to indicate if the proposal would meet a recognized housing need for the community, such as a recent parish survey. The NP refers to a community view that accommodation for downsizing and family homes is desired. This is relevant when considering the development plan as a whole. However, the proposed 1-bedroom accommodation would not itself be suitable for family occupation and, as such, would not help to support the nearby village school. Furthermore, I have little evidence that the 1-bedroom flats would be suitable for downsizing or indeed people moving out of a home within this rural community. As such, I afford these matters limited weight based on the evidence before me.
8. Furthermore, the appellant states that the principle of the development has been established by the extant approval¹ of a 2-storey attached dwelling at the site. The main parties disagree as to whether the extant planning approval meets the NP definition of infill development. However, even if I were to conclude that the extant approval doesn't meet the definition of infill, it is a materially different scheme to the one before me. The extant scheme provides accommodation that would be suitable for family occupation and, as such, clearly meets an identified need within the NP. Furthermore, it would help to support the village school which adds to the area's vitality. Therefore, I afford the extant approval little weight in regard to the principle of this proposal.
9. The National Planning Policy Framework sets out the objective of significantly boosting the supply of homes, the need to make an efficient use of land and to support windfall sites. However, the addition of 2 homes would make little meaningful difference and in rural areas decisions need to be responsive to local circumstances and support housing developments that reflect local needs. Whilst the proposal may help support the vitality of the rural community to a degree, I have little evidence that the proposal meets a local need. As such,

¹ LPA ref: P18/V1521/FUL

the proposal would perpetuate unsustainable travel without sufficiently evidenced mitigatory support to the rural community.

10. Therefore, in conclusion on the first main issue the proposal would not constitute sustainable development having regard to the relevant local and national policies. As such, the proposal would be contrary to Policy 1 of the NP.

Highway safety

11. Core Policies 33, 35 and 37 of LPP1, along with Policy DP16 of the Vale of White Horse Local Plan 2031 Part 2, Detailed Policies and Additional Sites, Strikethrough Version, February 2019 (LPP2) seek to promote sustainable transport, including through high quality design. The policy seeks to ensure adequate vehicular parking is provided by new developments. In rural areas of Oxfordshire, such as the appeal site, there is a significant reliance on private vehicle use due to the limited level of services and facilities including public transport. Whilst the proposal would make allocated vehicular parking provision to meet the needs of the existing and proposed homes it would not provide the required unallocated space. As such, the proposal would conflict with the development plan, most specifically Core Policy 35 (vii). Again, mindful of s38(6) of the 2004 Act I afford this significant weight. Furthermore, the highway officer has raised objection to the proposals, and I place significant weight on their expert views.
12. The appellant sets out that the proposed parking provision would be sufficient. However, I have little evidence to support this. They state that very few dwellings in Bow Bank have additional on-site provision for visitors. Whilst this may be the case, I am mindful that Bow Bank is a circa twentieth century housing development. It was planned in a different context in terms of travel behaviour and sustainability. Furthermore, the additional unallocated space would be suitable for use, not just by visitors, but also by any occupier of the development where vehicle ownership is greater than the allocated spaces. In this village context I consider it quite likely that this may occur, for example if a flat is occupied by 2 adults, each may well own a vehicle to access wider services and facilities beyond the village. The parking standards are demonstrative that the demands for parking from 2, 1-bedroom flats are different to the extant scheme for a single house.
13. The appellant also states that there is capacity for on-street parking to meet any unmet needs. From my site observations I have seen that there are a number of opportunities for parking within Bow Bank without causing obstruction to the turning head, private driveways or the free flow of traffic. However, I have very little evidence to indicate the existing level of demand for these limited number of spaces. Rather, the public representations express concern over the proposed vehicular parking provision and the potential for existing alleged on-street parking issues to be exacerbated. The appellant states that very few houses have on-site provision for visitors, which in turn indicates an existing demand for on-street parking spaces. Given the proximity of the site to the turning head, drivers are likely to cause obstruction to the highway if safe and convenient parking is not available. As such, based on the information before me I do not consider that there are sufficiently evidenced material considerations to outweigh the sub-standard parking provision.
14. I note that the proposed parking layout is virtually identical to the extant planning approval for the site. This does not facilitate dedicated pedestrian

access to the properties, or a separate and convenient location for waste and recycling receptacles on collection days. However, even though the proposal would result in an additional unit, the fall-back position generated by the extant planning permission leads me to conclude that of themselves these would not represent grounds for dismissing the scheme. Nonetheless, this does not mitigate the inadequate parking provision.

15. Therefore, in conclusion on this main issue the proposal would harm highway safety having regard to vehicular parking. As such, the proposal would be contrary to Policies CP33, CP35 and CP37 of LPP1 and Policy DP16 of LPP2.

Other matters

16. The appellant highlights that the proposal would meet relevant space standards and provide gardens to each flat. However, I consider that this is an expectation of development. Furthermore, I note some public support for the proposals stating that they would improve the character and appearance of the area. However, I find little evidence in the scheme to support this assertion, rather, I find that the proposals would broadly maintain and preserve the area. As such, these are neutral considerations in any planning balance.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR