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# Appeal Decision

Site visit made on 27 February 2018

**by David Murray BA (Hons) DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 March 2018**

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**Appeal Ref: APP/V3120/W/17/3187947**

**9 Hobbyhorse Lane, Sutton Courtenay, Abingdon, OX14 4BB.**

- 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 Caudwell and Sons Ltd. against the decision of Vale of White Horse District Council.
  - The application Ref. P17/V1431/FUL, dated 16 May 2017, was refused by notice dated 31 August 2017.
  - The development proposed is the erection of a dwelling and alterations to existing semi-detached dwelling (as amended by plans dated 31 July 2017)
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed dwelling on the highway network around Sutton Courtenay.

## Reasons

### *Background*

3. The appeal site comprises the side garden of a semi-detached house which lies on the eastern edge of the village of Sutton Courtenay and adjacent to the car park of the parish hall. The existing property is two storeys with brick elevations and a high pitch roof. It is proposed to demolish an existing lean-to extension and garage and erect an attached two bedroom house so that in effect the pair of 'semis' would become a terrace of three properties.

### *Policy context*

4. The development plan for the area includes saved policies in the Council's Vale of the White Horse Local Plan 2011 (LP) and the Vale of the White Horse Local Plan 2031 part1 adopted in December 2016 (LPp1).
5. The site lies in a village location and it is clear from the reason for refusal that no objection is raised by the Council to the location or form of the new house proposed but only to the effect of the traffic generation that would arise from it on the local highway network.

*Effect on highway network*

6. The site lies off a minor residential cul-de-sac, Frilsham Street, which has access from the High Street/Milton Road. In the northern part of the village the High Street has a junction with the B4016 which runs in an east-west direction. To the north of this road runs Abingdon Road which meets the A415 via the Culham bridge over the River Thames. At the point of the bridges, Abingdon Road is single carriageway in width and is controlled by traffic lights.
7. The evidence submitted by the highway authority on behalf of the Council is in respect of the existing level of congestion at Culham Bridges and the two adjacent junctions. The authority highlights that in surveys last year, at its worst, delays of over 13 minutes per car were observed at the morning peak southbound over the Culham Bridge and a queue length of over 800m. Further, the authority says that the tabled evidenced indicates that these junctions operate above a reasonable degree of saturation and therefore the traffic generation at peak times is well in excess of the junctions' practical capacity.
8. The main parties agree that the proposed house would give rise to a further 0.5 trips onto these junctions in each of the AM and PM peaks. Further, the Appellant's Transport Statement (prepared by HVJ Transport Ltd.) indicates that the dwelling proposed will generate only 4 vehicle movements per day which is said to cause a minimal effect on the highway network.
9. The time of my site visit did not coincide with a AM or PM peak and I did not experience lengthy delays or queues at the junctions in question. However, it appears to me that the issue is not about the road network generally absorbing the additional traffic over the course of the day, but that at peak times the critical junctions are already shown to be operating well over capacity and that any increase will add to the present congestion. The appellant's highway consultant suggests that there is a quicker alternative route to Abingdon via Drayton but if this route provided an efficient and effective alternative it would already be preferred by local road users. I have also taken account of the alternative means of transport available locally including bus routes and the rail station at Culham which is a reasonable cycle trip from Sutton Courtenay. However, it is likely that such factors have generally been taken account of in the setting of the low trip rate set out above.
10. Whilst I recognise that on its own the proposed dwelling would give rise to a very modest increase in vehicle trips on the local highway network, as the road and junctions at Culham Bridge have been demonstrated to be under pressure well above their technical capacity at peak periods I find that such an increase would further exacerbate this congestion. It has therefore not been demonstrated that the road network can accommodate the traffic arising from the development in the context of saved policy DC5(ii) of the LP. The Council also refers to Policies CP1 and CP4 of the LPP1 but although these deal with new housing allocations in a sustainable manner and the presumption in favour of sustainable development, they do not relate explicitly to the issue of road network capacity.
11. In terms of the National Planning Policy Framework (the Framework) I agree with the Council that the proposal conflicts with the guidance in the final bullet point of paragraph 32 that the cumulative impact of the development on the transport network would be 'severe'.

### *Other matters*

12. At application stage Sutton Courtenay Parish Council raised objection to the form of the additional house proposed, its access and visibility and the relationship with the parish hall site. However, I am satisfied that the new house proposed would fit in with the general character of the area and would not be an over-development of the site. Further, the submitted layout plan shows adequate parking spaces on the site for the proposed dwelling and the existing one. I am also satisfied that conditions could be imposed on the application site to ensure that there is reasonable visibility at the access bearing in mind that the application site lies towards the end of a vehicular cul-de-sac. Therefore, the points raised by the Parish Council do not justify the refusal of the scheme on these grounds.

### *Planning balance*

13. I have considered the appeal in the context that the government seeks to significantly boost the supply of housing and the Framework puts forward a presumption in favour of sustainable development.
14. However on the main issue I have found that there is clear evidence that part of the local highway network already operates well above its capacity and this results in congestion and significant delays to road users at peak periods. Although the traffic generation caused by the proposal would be slight it would add to the level of congestion and make it worse. The proposal would therefore conflict with the policy in the development plan that I have referred to and to the specific guidance on the Framework.
15. The Council says that it can demonstrate in excess of a five year supply of housing land at the moment and on this basis I conclude that there is not an over-riding general need for the additional dwelling that the appeal scheme would provide.
16. I conclude that the proposal does not accord with the Framework when this is read as a whole. Moreover, I find that the conflict with the development plan is not outweighed by other considerations.

### **Conclusion**

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

*David Murray*

INSPECTOR