
Appeal Decision

Hearing held on 30 June 2015

Site visit made on 30 June 2015

by C Thorby MRTPI IHBC

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

Decision date: 29 July 2015

Appeal Ref: APP/D3125/A/14/2224439

land to the north of 71 - 81 Park Road, North Leigh, Witney, OX8 6SB

- 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 Cover Construction Co. Ltd. against the decision of West Oxfordshire District Council.
 - The application Ref 14/0529/P/OP, dated 10 April 2014, was refused by notice dated 22 July 2014.
 - The development proposed is outline application for residential development comprising 20 dwellings and open space, vehicular access and road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect on the character and appearance of the area and the planning balance having regard to the weight to be attached to the provision of housing.

Reasons

3. The appeal site is an agricultural field set on a ridge of land at the edge of the village of North Leigh. There is a well used public footpath running through the site which joins a network of paths, including a particularly attractive route across the fields leading to and from the village church which is on lower land.
4. The village edge contains a loose arrangement of houses, some of which are visible from the network of paths. Although access only is to be determined at this stage, the illustrative layout shows that a development of fairly low density, compatible with the scale and type of nearby houses, could be achieved. However, the likely location of houses on the higher land of the ridge would make the part of the development to the north west of the site appear very prominent when viewed from the footpaths in the adjacent fields. This would erode the attractive views from the paths, in particular the path leading from the church going towards the appeal site.
5. There is an existing hedgerow which would offer some screening, but the ownership is not clear and its retention is uncertain. There would be scope for new planting; however, this would take some time to establish if it were to provide an effective screen. Planting would not, therefore, overcome my concerns about the impact of the scheme.

6. There would be loss of open land which contributes towards the rural setting of the village and the character of the public footpath within the site, leading from Park Road, would be completely altered to the detriment of the enjoyment of local residents. Overall, the appeal scheme would be harmful to the character and appearance of the area contrary to the West Oxfordshire Local Plan 2011 policies BE2, BE4, NE1, NE3 and H2 which all seek to protect local character including that of the countryside.
7. *Planning balance.* At the outset of the appeal both parties agreed that the Council could not demonstrate a 5 year housing land supply. However, during the appeal process, the Council changed their position producing documents which they argued showed a 5 year housing land supply. The documents set out a figure for the full objectively assessed needs (OAN) and their derivation, a final figure including the shortfall and buffer, and details of the 5 year housing land supply based on the OAN.
8. West Oxfordshire forms part of the Oxfordshire housing market area (HMA), for which the Strategic Housing Market Assessment recommends a figure of 660 houses to be provided per year. The Council has undertaken two studies taking into account recent official household projections and have arrived at a figure of 525 homes per year. A number of factors are taken into account in the Council's studies, including past oversupply. However, two of the adjoining districts covered by the Oxfordshire HMA have objected to the housing figure which casts doubt on whether it would meet housing needs taking into account the strategic relationship within the wider housing market area. On this basis, I am not satisfied that 525 dwellings per year can be relied upon at this stage, but bearing in mind the household projections, it is possible that a figure below 660 might be appropriate.
9. The Council's updated housing land supply of deliverable sites showed that completion rates are high and around 4,418 dwellings would come forward over the next five years. The Council confirmed that there were no issues which could not be resolved for sites with outstanding planning agreements, and there was no detailed evidence submitted to demonstrate that other sites on the list were not deliverable. The supply from the identified sites would come reasonably close to meeting the higher 660 dwellings per year, plus the shortfall and 5% buffer (the shortfall and buffer are not in dispute). In these circumstances, although there is considerable uncertainty over the figures, on the evidence provided in this case, it has not been demonstrated that the Council's position on the 5 year housing land supply is unfounded.
10. With regard to points raised by local residents, the access route would be wide enough to provide reasonable visibility and although there is a sharp bend in the road and parked cars, there is no evidence that the scheme would pose a risk to highway safety. The access would, therefore, be acceptable. The houses could be arranged to avoid any intrusive overlooking and drainage could be dealt with by condition. I appreciate that a planning obligation has been submitted meeting the Council's requirements, but there would be no weight either for or against the appeal scheme arising from these matters.
11. I attach weight to the appeal scheme as it would help boost the supply of housing as sought by the National Planning Policy Framework (NPPF). In addition there would be economic and social benefit from construction jobs and an increased number of people supporting the local community. However, the

scheme would fail to meet the environmental objective of sustainable development envisaged by the NPPF. In this instance, the benefits would not outweigh the aforementioned harm and the appeal is dismissed.

Christine Thorby

INSPECTOR

Richborough Estates