APPLICATION NO. P19/V0411/O
SITE 70 High Street Cumnor Oxford, OX2 9QD
PARISH CUMNOR
PROPOSAL Erection of infill dwelling

(Revised access drawing PA03 rev A and copy Highway record received 22 March 2019)

(Revised access drawing PA03 rev B received 1 May 2019)
WARD MEMBER(S) Allison Jenner
Judy Roberts
APPLICANT Mr J Gee
OFFICER Susannah Mangion

RECOMMENDATION
It is recommended that outline planning permission is granted subject to the following conditions:

Standard
1. Commencement 3 yrs - Full Planning Permission
2. Approved plans

Prior to commencement
3. Commencement – Reserved Matters
4. Materials – submission of details
5. Surface water drainage details
6. Foul water drainage details
7. Landscaping scheme – submission of details

Prior to occupation
8. Visibility splays
9. Access, parking and turning in accordance with plans
10. Landscaping scheme – implementation

Informatives
11. Works within the Highway
12. CIL
1.0 INTRODUCTION AND PROPOSAL

1.1 This application comes to committee because it has been called in by the ward councillor due to concerns that the site is agricultural land in the Green Belt which does not qualify for infill development.

1.2 The application site consists of a 1.5 storey chalet bungalow farm house together with paddock land to the south. The site is on the east side of High Street, Cumnor. The land proposed for development currently comprises the paddock land which lies between the existing dwelling at 70 High Street and the dwelling at 66 High Street. Open countryside is located to the north and to the east. Opposite the application site is Cumnor Village Hall. 70 High Street, which occupies a plot of approximately double the width of nearby dwellings, is the end of the linear development that extends along the High Street to the south.

The application site extends to approximately 1000 square metres. Whilst there is an existing access to 70 High Street, a new access from the High Street is proposed to serve the new dwelling. With the exception of 70 High Street itself, heading into Cumnor village all of the dwellings on this stretch of the High Street are road-fronting with parking and driveways to the front and with gardens extending to the rear. The predominant scale of dwellings in the area is 1.5 storey height.

A site location plan is below.

1.3 The site is situated on the edge of the village of Cumnor and within the Oxford Green Belt. Immediately adjacent to the site to the south, the remaining part of Cumnor village is inset from the Green Belt. The Cumnor Conservation Area is located to the west of the application site, whilst a grade II listed
building (New Farm) is situated approximately 50 metres to the north-west of the site.

1.4 The application seeks outline planning permission with approval of details relating to access and layout for the erection of one dwellinghouse. The dwelling is proposed to be positioned centrally to the plot in-line with numbers 66 and 70 High Street. Parking would be provided to the front of the dwelling. A new access would be formed from the High Street, facilitated by the removal of the existing hedgerow and the existing pavement would be extended to join up with the proposed new access. New trees and hedges would be planted to replace the loss of the two existing trees and the existing hedge.

1.5 Amended plans have been submitted to address the tree and access concerns, following discussions with the relevant officers. Extracts from the plans are attached at Appendix 1.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

<table>
<thead>
<tr>
<th>Cumnor Parish Council</th>
<th>Initial Objection:</th>
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<tr>
<td></td>
<td>• Infill inappropriate within Green Belt in open countryside</td>
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<td></td>
<td>• visual impact on Conservation Area and grade II listed New Farm</td>
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<td></td>
<td>• access concerns</td>
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<td>Objection withdrawn following amendments submitted 1 May 2019.</td>
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<tr>
<th>Neighbours</th>
<th>Objections have been received from 3 neighbours which can be summarised as follows:</th>
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<tr>
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<td>• outside village boundary on agricultural land, within the Green Belt and without ‘very special circumstances’</td>
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<td>• impact on the area and neighbour amenity</td>
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<td>• highway too narrow for a footway</td>
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<td></td>
<td>• boundary between 66 High Street and the site is fencing, not hedging</td>
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<td></td>
<td>• concerns about visibility for new access without removal of land from 66 High Street.</td>
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<td>• P79/V0783/O limits occupation of 70 High Street to a person wholly or lastly employed in agriculture</td>
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<tr>
<td>Oxfordshire County Council Highways</td>
<td>No objection subject to planning conditions.</td>
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<td>Drainage Engineer</td>
<td>No objection subject to pre-commencement planning conditions.</td>
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<tr>
<td>Forestry Team</td>
<td>Initial comments: Concerns regarding loss of a tree and existing hedge is lost. Comments in respect of 1st amended layout: Sufficient space for two trees to replace lost trees. Loss of existing hedge, not reflected in the drawings. Comments in respect of 2nd amendment: No objection subject to landscaping condition.</td>
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3.0 **RELEVANT PLANNING HISTORY**

3.1 **P18/V2082/LDP** - Refused (12/10/2018)
Construction of garage/outbuilding to side of dwellinghouse and formation of hardstanding for turning/access area in conjunction with use of outbuilding.

**P17/V1298/DIS** - Approved (23/06/2017)
Discharge of condition 5 (access and vision splay) on application P16/V3213/FUL

Change of use of paddock to allow two shepherd huts to be used for short-term holiday accommodation. Retrospective.

**P16/V3213/FUL** - Approved (27/04/2017)
Change of use of paddock to allow two shepherd huts to be used for short-term holiday accommodation. Retrospective. Amended red line plan received 11 April 2017.

**P00/V0722** - Approved (04/07/2000)
Extension to form office/cloakroom.

**P80/V6878/RM** - Approved (15/12/1980)
Erection of farm foreman's house. (Site area 0.98 acres).

**P79/V0783/O** - Approved (30/07/1980)
Erection of agricultural dwelling. (Site area 0.9 acre).

### 3.2 Pre-application History

**P18/V1121/PEM** - Other Outcome (08/07/2018)
**SITE MEETING & FOLLOW UP LETTER**
One semi-detached house, each with 2 bedrooms

### 4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposed development is neither of a sufficient scale, nor within a location of sufficient environmental sensitivity, to require an EIA.

### 5.0 MAIN ISSUES

5.1 The relevant planning considerations are considered to be the following:

- Principle of the development including Green Belt policy
- Design, layout and impact on local character
- Landscape and trees
- Heritage considerations
- Highway safety
- Impact on neighbouring amenity
- Other matters, including drainage, Community Infrastructure Levy (CIL) and Section legal 16 agreement

5.2 **Principle of development including Green Belt policy**

Cumnor is categorised as a larger village within the development plan. Planning policy indicates that in larger villages there is a presumption in favour of sustainable development within the existing built area, which includes allowance for infill development.

5.3 The site is within the Green Belt and so Core Policy 13 of the Vale of White Horse Local Plan Part 1 applies. The policy allows for development within a village that is inset from the Green Belt and within the existing built area of the village. This policy also sets out that the construction of new buildings within the Green Belt is considered ‘inappropriate development’ unless it falls within one of the exceptions listed in the policy, none of which applies to the current proposal.

5.4 However, in recent months, and since the adoption of the Vale of White Horse Local Plan Part 1, officers have become aware of appeal decisions that interpret the meaning of limited infilling in villages in the green belt in a way that conflicts with the council’s previous determination of a green belt inset boundary. Paragraph 145 of the NPPF provides for an exception to
‘inappropriate development’ to include limited infilling in villages. The NPPF therefore supports infill development as taking place within village locations and without the restriction imposed by Core Policy 13 of the Vale of White Horse Local Plan Part 1.

5.5 Within the development plan, this site is not identified as being within the existing built area of the village and inset to the Green Belt. Rather the site adjoins this inset boundary. However, on visual inspection, the extent of the village boundary would be expected to include 70 High Street. For example, the site lies opposite Cumnor Village Hall and the speed limit outside 70 High Street remains at 30 mph.

5.6 A recent appeal decision concerning similar circumstances at Netherton Road in Appleton suggests that where the site is not actually outside the village, and thus not within open countryside, such a proposal would not conflict with the aims of the settlement hierarchy and strategy policies.

5.7 Since the site is bounded by existing housing of a linear form to either side, officers consider the proposal to comprise infill development despite being technically outside the village boundary, as defined within the development plan.

5.8 The significance of the defined village boundary has been considered in a number of appeal and court decisions. The court decision of Wood v the Secretary of State for Communities and Local Government, 2014, established that it is necessary to consider whether, as a matter of fact on the ground, a site appears to be ‘within’ a village. The judgment also made clear that lying beyond an identified settlement boundary is not a determinative factor as to whether the development is appropriate infill development having regard to the NPPF.

5.9 In terms of its relationship to the wider village context, the application site is physically connected to the village of Cumnor and this end of the High Street forms a linear extension that is part of the overall settlement. Officers consider that there is no clear sense that the site is within an area divorced from the village.

5.10 In the context of the appeal decisions presented with the application, officers consider the current proposal would comprise ‘limited infilling within a settlement’ and would not be inappropriate development in the Green Belt.

5.11 Design, layout and impact on local character
The proposed dwelling would follow the established building line of properties along this section of the High Street. Officers consider the plot width, the siting and the footprint of the proposed dwelling to be in-keeping the surrounding properties. The proposed 1.5 storey form also gives consistency to the general character of this part of Cumnor village.
5.12 **Landscape and trees**
Two trees will be lost as a result of the proposal, but it is proposed to plant replacement trees to either side of the driveway. New hedges will be planted to separate the new dwelling from its neighbours. Along the site frontage a new hedge will be planted to replace the hedge to be removed to enable the creation of the new access.

5.13 The proposed replacement of the lost trees and hedging will enable the new dwelling to sit comfortably within the street scene and reflect the established character of the area.

5.14 **Heritage considerations**
The dwellings on this side of High Street from number 54 to 70 High Street area excluded from the Cumnor Conservation Area, although the Conservation Area extends to include the land opposite including the Village Hall.

5.16 Officers consider the addition of an infill dwelling of a similar scale and form to the existing dwellings on this side of High Street would preserve the character and appearance of the Conservation Area.

5.17 The grade II listed building, New Farm is located approximately 50 metres north west of the application site. The proposed erection of a dwelling that is in-keeping with those of the surrounding area, will not give rise to harm to the settling of the listed building and will conserve its setting.

5.18 **Highway safety**
With regard to the proposed scheme, the development is considered to accord with the relevant planning policies. The development can provide acceptable access arrangements and suitable provision for parking and turning subject to planning conditions. Officers consider there is sufficient highway land to provide a new footway to connect the access to the new dwelling with the existing infrastructure.

5.19 **Impact on neighbour amenity**
There is sufficient space on the site for a new dwelling without it appearing cramped or overbearing in relation to the neighbouring dwellings. The 1.5 storey dwelling is to be positioned on the plot so that it is in-line with the dwellings to either side at 79 and 66 High Street which will ensure there is no unacceptable loss of sunlight or daylight from overshadowing.

5.20 Floorplan and elevation details would be provided at a later stage as a subsequent Reserved Matters application, where controls will ensure the proposed new dwelling does not give rise to harm through loss of privacy or overlooking to neighbours.

5.21 **Other matters**

**Drainage**
The council’s drainage engineer has no objections subject to pre-commencement conditions in respect of surface and foul water drainage.
5.22 **Section 16 legal agreement**  
There is a historic Section 16 legal agreement on the land which requires the consent of the Council to allow the separation of the land from the surrounding land. Discussions with the Council’s legal team indicate that there would be no concern in respect of the provision of such an agreement.

5.23 **Community Infrastructure Levy**  
The development is liable for CIL. Upon Reserved Matters approval a Liability Notice will be issued to the nominated person/company liable for CIL.

6.0 **CONCLUSION**

6.1 The proposal raises key issues in terms of Green Belt policy. Officers have carefully assessed these issues and consider the proposal accords with the aims of the 2019 NPPF with regard to infill in villages, being more up-to-date than development plan policies. Officers consider the proposal is acceptable in terms of impact on the character of the area including landscape considerations, highway safety, heritage assets and the impact on neighbour amenity. Overall therefore officers support the scheme.

The following planning policies have been taken into account:

**Vale of White Horse Local Plan 2031 Part 1 policies:**  
CP03 - Settlement Hierarchy  
CP04 - Meeting Our Housing Needs  
CP07 - Providing Supporting Infrastructure and Services  
CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area  
CP13 - The Oxford Green Belt  
CP33 - Promoting Sustainable Transport and Accessibility  
CP35 - Promoting Public Transport, Cycling and Walking  
CP37 - Design and Local Distinctiveness  
CP39 - The Historic Environment  
CP43 - Natural Resources  
CP44 - Landscape  
CP46 - Conservation and Improvement of Biodiversity

**Vale of White Horse Local Plan 2011 policies:**  
DC5 - Access  
DC6 - Landscaping  
DC7 - Waste Collection and Recycling  
DC9 - The Impact of Development on Neighbouring Uses  
NE7 - The North Vale Corallian Ridge

**Vale of White Horse Local Plan 2031 Part 2:**  
A publication draft of the Vale of White Horse Local Plan 2031 Part 2 has been subject to public consultation and Examination and the Inspector’s final report (received 25 June 2019) has found the plan sound. Its policies therefore carry significant weight in decision making and the following policies are material to the consideration of this application:
CP4a – Meeting our housing needs  
CP13a – Oxford Green Belt  
DP2 - Space standards  
DP16 – Access  
DP23 – Impact of development on amenity  
DP28 - Waste collection and recycling

Vale of White Horse Design Guide (March 2015)

National Planning Policy Framework, 2019

Planning Practice Guidance

Equality Act 2010
The application has been assessed against section 149 of the Equality Act. It is considered that no recognised group will suffer discrimination as a result of the proposal.

Human Rights Act, 1998
The application has been assessed against Articles 1 and 8. The impact on individuals has been balanced against the public interest and the officer recommendation is considered to be proportionate.

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