

<b>APPLICATION NO.</b>	<a href="#">P22/V1890/FUL</a>
<b>SITE</b>	Cedar Glen Harris's Lane Longworth Abingdon, OX13 5EH
<b>PARISH</b>	LONGWORTH
<b>PROPOSAL</b>	Erection of a new 4 bedroom detached dwelling.  (As amended by site plan received 22 August 2022, additional drainage information received 1 September 2022, amended and revised information received 14 September, additional plan received 28 September 2022 and additional information (highways technical note) received 13 October 2022) and revised site plan and visibility splays rec 23 November 2022).
<b>WARD MEMBER(S)</b>	Jerry Avery
<b>APPLICANT</b>	Kilkenny & Gomm Developments
<b>OFFICER</b>	Susannah Mangion

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### **RECOMMENDATION**

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

#### **Standard:**

- 1. Commencement 3 years**
- 2. Approved plans**

#### **Compliance:**

- 3. Ecology implementation**
- 4. Surface water drainage Implementation**
- 5. Foul drainage implementation**
- 6. Landscaping implementation**
- 7. Tree protection (implementation as approved)**
- 8. Materials in Accordance with Application**
- 9. Access, Visibility, Parking & Turning**
- 10. Gates, bin and cycle store**
- 11. Obscure glazing**

#### **Informatives:**

- 12. Bats Informative**
- 13. Works within the Highway**
- 14. CIL: General Consent (Vale)**

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1** This application is being considered at Planning Committee at the discretion of the Planning Manager.

- 1.2 The application site is lies to the east of Harris's Lane in Longworth and is 0.26ha in area. It comprises the northern half of a former residential plot of a dwelling known as Cedar Glen. Cedar Glen was a 3-bedroom detached bungalow of brick with a plain tile roof, which has since been demolished, along with its associated outbuildings. Other buildings formerly on site comprised the following: a single garage with timber boarding and a corrugated tin sheet roof; a large timber framed workshop in poor condition of timber boarding and a corrugated tin roof; a greenhouse; and a timber framed shed.
- 1.3 The site of the former Cedar Glen is on the edge of one of the built-up areas of Longworth with open countryside to the south. Immediately to the south of the site is a paddock area extending to 0.35 ha. Harris's Lane comprises mainly semi-detached dwellings. To the north are dwellings on Appleton Road. To the east is the rear garden of Chestnut Cottage, beyond which is Woodland Farm.
- 1.3 On 4 May 2022 planning permission was granted (ref. P22/V0007/FUL) for the demolition of Cedar Glen and the erection of a replacement dwelling with integral garage. The replacement dwelling would be located towards the southern boundary of the Cedar Glen site and would be a 4-bedroom 1.5 storey dwelling of red brick with elements of timber cladding and a pitched tiled roof.
- 1.4 The current application seeks to erect a 4-bedroom 1.5 storey detached dwelling on what is effectively the northern half of the former Cedar Glen plot. The new dwelling will be to the north of the dwelling granted permission earlier this year, in the gap between it and the neighbouring dwelling to the north, no.1 Martens Lake. The proposed materials would be buff coloured Bradstone with elements of timber cladding and a pitched roof of slate. Parking associated with the development is proposed to be located forward of the dwelling in addition to within the integral garage and the existing access in the north-west of the site would be used.
- 1.5 Amendments and additional information was submitted during the application process to preclude the need for pre-commencement conditions.
- 1.6 Extracts from the plans are **attached** at Appendix 1.
- 1.7 A site location plan is included below:



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1	<b>Longworth Parish Council</b>	Objection Proposal is not infill that accords with the Neighbourhood Plan; similar to previous proposal P19/V2607/O which was refused; previous scheme P22/V0007/FUL was supported on the understanding it was for an individual dwelling only/
	<b>Countryside Officer</b>	No objections
	<b>Drainage Officer</b>	No objections
	<b>Forestry Officer</b>	No objections
	<b>Highways Liaison Officer</b>	No objections
	<b>Neighbours</b>	No responses received

3.0 **RELEVANT PLANNING HISTORY**

- 3.1 [P22/V0007/FUL](#) - Approved (04/05/2022)  
Variation of condition 2 (approved plans) on planning application  
P20/V0797/FUL - amendments to plans and elevations

(As amplified by additional information and revised site plan received 31 March 2022)

(Demolition of existing dwelling and other outbuildings, and erection of replacement dwelling and garage)

[P21/V0076/DIS](#) - Approved (19/04/2021)

Discharge of conditions 3 (Biodiversity), 4 (Drainage Details (Surface Water)), 5 (Drainage Details (Foul Water)), 7 (Landscaping (incl boundary treatment)), 8 (Access) and 10 (Tree Protection) in application P20/V0797/FUL. (Additional information rec 29 March 2021)

Demolition of existing dwelling and other outbuildings, and erection of replacement dwelling and garage.

[P20/V0797/FUL](#) - Approved (24/06/2020)

Demolition of existing dwelling and other outbuildings, and erection of replacement dwelling and garage.(as amended by revised drawing PL-02A existing and proposed site layout and site photographs received 7 April 2020, as amplified by letter from Agent received 30 April 2020 and amended by drawings received 8 June 2020).

[P19/V2607/O](#) - Refused (21/01/2020)

Outline permission for the demolition of all existing buildings, and erection of one detached two-storey dwelling together with the erection of a pair of two-storey semi-detached dwellings with parking and associated access. (As amended by revised site layouts and illustrative street elevations showing retention of silver birch received 5 December 2019)

[P19/V1858/O](#) - Approved (09/09/2019)

Demolition of existing dwelling and other outbuildings, and erection of replacement dwelling and garage

#### 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 **Current Housing Policy and the Principle of Development**

The site is located on the edge of Longworth, a settlement identified at policy CP3 as a smaller village with a low level of services and facilities, where any development should be modest and proportionate in scale, and primarily be to meet local needs. Policy CP4 manages development in the smaller villages and states that limited infill development may be appropriate within the existing built areas of these settlements, or if it is allocated within an adopted Neighbourhood Development Plan or future parts of the Local Plan 2031. Proposals for limited infill development should be in-keeping with local character, proportionate in scale and meet local housing needs.

- 5.2 The Longworth Neighbourhood Plan is also a key consideration in respect of the proposal due to its definition of 'limited infill'. This requires development to be:

- within the built-up areas on available sites that fall between existing houses

- design must be in keeping with the majority of properties in the immediate area
- developments must retain appropriate road frontage to substantiate the proposed development and also with access direct from an existing adopted/adoptable road
- provision for off road parking for at least two vehicles per property is desirable for all developments to avoid congestion
- development must consist of no more than one of the following on any single site: 2 detached homes; 1 pair of semi-detached home and 1 detached home; 1 terrace of up to 3 homes.

5.3 Whilst the proposed site is not currently between existing houses, as explained in paragraph 1.3 above, planning permission has been granted for a replacement dwelling to be erected on the southern part of the Cedar Glen site, which is to the south of the current application site. (See fall-back position below).

5.4 With regard to character considerations of the Neighbourhood Plan policy above, the homes within the immediate vicinity of the site on Harris' Lane comprise mainly semi-detached 2-storey homes with hipped roofs. However, more widely, including on Appleton Road there is more variety of house type including bungalows and two-storey dwellings with both hipped and gabled roofs constructed using a variety of materials including brick, render and stone with tiled roofs. Officers consider the proposed scale, form, appearance and materials of the proposed dwelling to be broadly acceptable, having regard to Neighbourhood Plan requirements.

5.5 With regard to meeting local housing needs, there is no evidence of local housing needs in the Neighbourhood Plan, so officers rely upon the need expressed within the Local Plan evidence and the controls on the scale and suitability of new housing development contained within policies CP3 and CP4 of LPP1.

5.6 **Fall-back position**

Planning permission was granted on 4 May 2022 (ref. P22/V0007/FUL) for the erection of a replacement dwelling with integral garage. The new dwelling would be located on the southern part of the Cedar Glen site. The existing structures on site have been demolished, so officers consider it likely the replacement dwelling will be constructed.

5.7 The weight to be attached to a 'fallback' option has been relatively well-defined by court cases including, inter alia, *Spackman v SOS & Thamesdown BC*, *Snowden v SOS & City of Bradford MC*, *Gwinnell v SOS & LB Islington* and *Simpson v SOS and Medway Council*. In short, these cases identify that the weight to be attached to a 'fallback' option increases commensurately with the likelihood of that scheme being implemented if an alternative option, requiring planning permission, is refused.

5.8 These issues are encapsulated in the judgement of Mr George Bartlett QC with regard to the Simpson case, where he stated:

*“The essence of any fallback position is that although the proposed development might have an adverse effect, if planning permission were withheld, other uses or operations with adverse effects but not requiring planning could also be carried out, so that in the final evaluation, the proposed development ought to be judged acceptable in view of what might occur if permission for it was refused (see Snowdon v SoS). A fallback position has two elements that need to be established before it can be brought into the evaluation and used to justify the grant of permission. The first is the nature and content of the alternative use or operation. The second is the degree of likelihood of the alternative being carried out”.*

- 5.9 In this case, it is relevant as part of the decision-making process to consider that the applicant can construct a replacement dwelling to the south of the current application site, which creates a gap into which an infill dwelling could then be erected. The current proposal is for that infill dwelling. This would then comply with the Neighbourhood Plan requirement for infill to be between existing houses.
- 5.10 Consequently, officers consider that the existence of the ‘fallback’ position and the distinct likelihood of the home already permitted being erected, should be given weight in the decision-making process.
- 5.11 The existence of the fall-back means the current application is crucially different to the former refused application referred to be the Parish Council, P19/V2607/O. This former application was for the redevelopment of the whole Cedar Glen site to provide three dwellings. It was not an application for infill development, whereas officers consider the current application is for infill development. This explains the different stance officers have adopted.
- 5.12 **Design and Layout**  
Policy 2 of the Longworth Neighbourhood plan seeks to ensure the scale and layout of development proposals (amongst other considerations) maintains and enhances the character of the village. Policy CP37 requires new development to be of a high-quality design that responds positively to the site and its surroundings. The NPPF also gives weight to the need for good design and the JSVDG gives further advice in respect of good design principles.
- 5.13 The proposed dwelling would be of comparable form and scale to the dwelling already granted permission on the southern side of the site and the density of development would be in-keeping with that of the locality. The form of the dwelling would be articulated with a lower element over the integral garage and it includes gabled projections. The varying eaves heights, which are set low to the front elevation, would help moderate the visual impact of the building. Officers consider the dwelling would appear broadly sympathetic to the character and appearance of the area.
- 5.14 **Residential Amenity**  
Policy DP23 requires that development will not result in significant adverse impacts on the amenity of neighbouring uses. Officers are satisfied the distance of the proposed dwelling from the dwellings to the north and the home which

has been permitted to the south of the site would ensure there is no visual dominance or unacceptable loss of light.

- 5.15 There would be no side facing windows to the north elevation of the proposed home. Side facing windows to the south elevation would serve an en-suite and a secondary bedroom window, also benefitting from a rear-facing window. Both side facing windows to the first floor south elevation would need to be conditioned to be obscure glazed to ensure there is no overlooking or loss of privacy in relation to the permitted dwelling to the south, particularly as the permitted dwelling benefits from a side facing first floor bedroom window to its north elevation. Views from this permitted window it will be towards the side elevation of the proposed dwelling and, in view of the separation between the two (approximately 6m), officers do not consider the relationship to be problematic.
- 5.16 **Landscape and Visual Impact**  
Policy CP44 requires that development should preserve and promote local distinctiveness and diversity. The silver birch tree to the site frontage is proposed to be retained and tree protection measures are proposed to be put in place during development. Supplementary planting comprising six fruit trees and mixed native hedging is proposed to be undertaken on site and the council's Forestry Officer had no objection to the proposal, subject to the development being undertaken in accordance with the submitted Arboricultural Method Statement, Tree Protection and Planting plans. These elements would be controlled by conditions.
- 5.17 **Flood Risk and drainage**  
Policy CP42 seeks ensure development provides an appropriate, sustainable drainage strategy. The council's Drainage Engineer had no objection to the development subject to implementation of the proposed drainage scheme which would be controlled by conditions .
- 5.18 **Traffic, parking and highway safety**  
Policies CP35 and CP37 of LPP1 and policy DP16 of LPP2 require safe access and adequate parking. The proposal demonstrates adequate off-road parking provision and turning space and the Highways Liaison Officer is satisfied with the access arrangements. There is sufficient space for cycle storage to be accommodated on site, details of which can be required to be provided by pre-occupation condition.
- 5.19 **Biodiversity**  
Biodiversity policy CP46 seeks to protect and enhance biodiversity. The council's Countryside Officer considers the scheme is acceptable subject to a condition to implement the submitted biodiversity and mitigation enhancement strategy. This would minimise the impacts of development on, and secure net gains for biodiversity.
- 5.20 **Waste Management**  
Policy DP28 of LPP2 requires sufficient space for the provision of refuse and recycling storage. Officers consider there is sufficient space for bin and

recycling storage to be accommodated on site, details of which can be required to be provided by pre-occupation condition.

6.0 **CONCLUSION**

6.1 Officers consider the principle of the development to be acceptable and generally in-line with development plan policy in respect of infill development within Longworth. The proposed dwelling is of a scale and form which is broadly sympathetic to the character of the local area does not give rise to unacceptable concerns regarding amenity impacts, biodiversity or the landscape. The access and proposed parking provision is acceptable, and the proposal accords with the aims of the development plan and the National Planning Policy Framework.

The following planning policies have been taken into account:

**Vale of White Horse Local Plan 2031 Part 1 (LPP1)**

*(A Regulation 10A review for Local Plan Part 1 (LPP1) was completed in December 2021, evaluating LPP1's policies for their consistency with national policy, considering current evidence and any relevant changes in local circumstances. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.)*

CP01 - Presumption in Favour of Sustainable Development

CP03 - Settlement Hierarchy

CP04 - Meeting Our Housing Needs

CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe

CP33 - Promoting Sustainable Transport and Accessibility

CP35 - Promoting Public Transport, Cycling and Walking

CP37 - Design and Local Distinctiveness

CP39 - The Historic Environment

CP42 - Flood Risk

CP44 - Landscape

CP46 - Conservation and Improvement of Biodiversity

**Vale of White Horse Local Plan 2031 Part 2 (LPP2)**

DP02 - Space Standards

DP16 - Access



DP23 - Impact of Development on Amenity

DP28 - Waste Collection and Recycling

DP29 - Settlement Character and Gaps

**Neighbourhood Plan**

This Longworth Neighbourhood plan was made (adopted) as part of the district council's development plan on 16 October 2016.

Policies:

Policy 1

Policy 2

**Joint South Oxfordshire and Vale of White Horse Local Plan, 2022**

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