

APPLICATION NO.	P13/V0606/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	20.3.2013
PARISH	KINGSTON BAGPUIZE
WARD MEMBER(S)	Melinda Tilley
APPLICANT	Mr & Mrs P Weaving
SITE	Land at Town Pond Lane Kingston Bagpuize With Southmoor Oxon, OX13 5HS
PROPOSAL	Erection of 2x3 bed chalet bungalows with detached garages and vehicular access (Re-submission of withdrawn application P12/V2649/FUL).
AMENDMENTS	None
GRID REFERENCE	439902/197685
OFFICER	Stuart Walker

1.0 INTRODUCTION

- 1.1 This application relates to land at Town Pond Lane, Kingston Bagpuize With Southmoor which lies on the southern edge of the village adjoining the existing built-up area.
- 1.2 The site is currently an open agricultural field, measuring 0.33 ha in area on the south side of the lane. The site is located within the North Vale Corallian Ridge landscape. It is bounded to the north by a stone wall and modern residential development. To the east lies a pumping station and Trafalgar Square Cottage, a grade II listed building. The south and west boundaries are defined by existing hedgerows.
- 1.3 The application comes to committee because Kingston Bagpuize With Southmoor Parish Council objects and seven letters of objection have been received.

2.0 PROPOSAL

- 2.1 The proposed scheme seeks to construct two x three bedroom dwellings of one-and-a-half storeys, with an access made from Hanney Road. The design of the dwellings aims to be consistent with neighbouring properties in terms of plot size, massing, style and detailing drawing on local vernacular. Each property however has been individually designed, typical of the general character of the area.
- 2.2 The application drawings are **attached** at appendix 1.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **Kingston Bagpuize With Southmoor Parish Council:** objection. Their full comments are **attached** at appendix 2.
- 3.2 **County Highway Officer:** no objection, subject to conditions.
- 3.3 **Drainage Engineer:** no objection, subject to condition.
- 3.4 **Design and Conservation Officer:** "This application is the resubmission of an application that was withdrawn following comments made by Officers on a similar scheme and in particular the impact the proposed development would have on the adjoining listed building.

A local resident has recently requested the Council to consider designating Town Pond Lane a conservation area. One of the Councils Conservation Officer Mr Audley-Miller has assessed this request and considers that although the area has a pleasant and rural character it does not have special architectural or historic interest the essential requirement for the designation of a conservation area. To designate Town Pond a conservation area would in his opinion be contrary to government advice in the NPPF. I have visited the area and agree with this assessment.

Since the previous application was withdrawn discussions have been held between the Council and the applicant to try and overcome the concerns with the previous application. As a result of these discussions the application has been amended; plot 2 has been moved forward alongside the pumping station which it now screens and its garage has been relocated between it and plot 1. Plot 1 has been realigned so that it is parallel with plot 2 and its garage has been moved forward. These amendments have considerably reduced the impact of the development on the setting of the listed building.

In view of the Councils lack of a five year housing land supply para 14 of the NPPF is relevant. This states that where policies are out of date planning permission should be granted unless any adverse impacts would be so significant as to outweigh the benefits or specific policies in the NPPF indicate development should be restricted,

When considering the impact of an application on the significance of a designated asset the more important the asset the greater the weight should be given to its conservation. In this particular case the proposed development will not have a direct impact on the historic fabric of Trafalgar Square Cottage. With regard to the setting of Trafalgar Square Cottage the proposal, as amended, will have less that significance harm on the setting which is out weighted against the public benefit of providing housing in an area of shortage.

Recommendation: planning permission is granted subject to the LPA agreeing details of external materials; the treatment of all boundaries. Consideration should also be given to the withdrawal of permitted development rights within the grounds of the dwellings.”

3.5 **Waste Management Team:** no objection.

3.6 **Landscape Officer:** “This field forms part of the open nature setting of the adjacent Trafalgar Square Cottage and views out to the wider landscape are also obtainable and form part of the character of the area. The property on the northern side of Town Pond Lane visually forms the built edge of the village, with the properties on the southern side of Town Pond Lane creating the transition from the village to the open countryside. If the proposed development is approved, the treatment of the site boundaries and entrance will be especially important to restrict urban features such as close board fencing on this sensitive transition from village to countryside.”

3.7 **Local Residents:** Seven letters of objection and one petition with 30 signatures have been received from local residents raising the following concerns:

- Development is beyond the built up area of the village
- Impact on setting of listed building
- Visual impact on wider landscape
- Loss of open space for the village
- Highway safety / traffic generation

- Flood risk
- Precedent

3.8 17 Letters of support have been received along with one letter confirming no objection.

4.0 RELEVANT PLANNING HISTORY

4.1 [P12/V2649/FUL](#) - Withdrawn (28/02/2013)

Erection of 2 x 3 bedroom chalet bungalows with detached garages and vehicular access.

P89/V1798/O – Appeal Dismissed (22/11/1989)

Erection of 3 dwellings fronting Town Pond Lane.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse Local Plan policies;

GS2 - Development in the Countryside
DC1 - Design
DC5 - Access
DC9 - The Impact of Development on Neighbouring Uses
H11 - Development in the Larger Villages
H13 - Development Elsewhere
HE4 - Development within setting of listed building
NE7 - The North Vale Corallian Ridge
Residential Design Guide (adopted December 2009)

5.2 *National Planning Policy Framework*

The National Planning Policy Framework confirms there is a presumption in favour of sustainable development and within the overarching roles that the planning system ought to play are a set of 12 core planning principles, the following of which are directly relevant to this application:

- Be genuinely plan led
- Not simply be about scrutiny, but be a creative exercise in finding ways to enhance and improve the places in which people live their lives.
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Take full account of flood risk.
- Conserve heritage assets in a manner appropriate to their significance.

5.3 In delivering sustainable development, the framework sets out a variety of detailed guidance and the following sections are directly relevant to this application:

- Supporting a prosperous rural economy – promoting the retention and development of local services and community facilities in villages
- Delivering a wide choice of high quality homes – housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered to be up to date if a five year supply of deliverable sites cannot be demonstrated.
- Requiring good design – achieving high quality and inclusive design to contribute positively to making places better for people.
- Promoting healthy communities – planning positively for the provision and use of community facilities along with access to high quality open spaces.
- Meeting the challenge of climate change and flooding – managing risks through suitable adaptation measures to ensure flood risk is not increased elsewhere.

- vi. Conserving and enhancing the historic environment – recognising heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

6.0 PLANNING CONSIDERATIONS

6.1 *Principle of development*

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Within this context housing applications should be granted where the development plan is absent, silent or relevant policies are out of date, unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF as a whole.

- 6.2 It is clear the application is contrary to local plan policies GS2, and H11 as it is beyond the built up area of the village – a view confirmed in the 1989 appeal decision. However, whilst the council does not have a five year housing land supply, policies GS2 and H11 are inconsistent with the framework. The proposed development, therefore, needs to be considered on its site specific merits and, in particular, whether it constitutes a ‘sustainable’ form of development as defined in the NPPF.

- 6.3 Kingston Bagpuize with Southmoor is one of the larger villages within the district and scores within the top 20 in the village hierarchy. The location of the site on the southern edge of the village is reasonably close to the range of services and facilities available within the village. It is also contained to a certain extent by existing development to the north and east and could be considered to be a rounding off of the existing settlement pattern. In addition, the NPPF puts strong emphasis on housing being used to further enhance rural vitality and the proposal would help to ensure the long term provision of existing facilities. For these reasons, the proposal is considered a sustainable form of development under the terms of the NPPF.

6.4 *Visual impact*

Paragraph 109 of the NPPF says that “*the planning system should contribute to and enhance the natural and local environment*”. The site is located within the countryside on the edge of an existing settlement. The council’s landscape architect is of the view that the site is at the sensitive point of transition from the village to the open countryside, where If the proposed development is approved, the treatment of the site boundaries and entrance will be especially important to restrict urban features such as close board fencing. These requirements can be conditioned.

- 6.5 From the wider landscape, the proposed development would be set against the backdrop of the existing built-up area and would not appear prominent in the landscape or out of keeping. Whilst the proposed development would certainly be visible from existing housing in Town Pond Lane, the impact of a proposal on a private view is not a material planning consideration.

- 6.6 The NPPF is explicit in seeking a high quality outcome for good design in terms of layout and building form as a key aspect of sustainable development. Each dwelling is considered to sit comfortably within its plot and sufficient outdoor amenity space and on-site parking is provided for each. Their design is considered to be high quality, with the use of sympathetic materials, pitched roofs and traditional gables. The proposed design and articulation also assist in reducing their bulk and mass more akin to cottage style dwellings. Overall, the scheme is considered to be visually acceptable and is not an overdevelopment of the site.

6.7 *Impact on neighbours / amenity*

The proposed residential development would not have any harmful impact on residential amenity of adjacent houses in terms of overshadowing, light pollution, over-dominance or loss of privacy. Amenity standards within the council's residential design guide have been observed. The field is not a public open space. Officers consider the proposal is thus acceptable in amenity terms.

6.8 *Highways / parking*

Adequate visibility can be achieved at the new access to ensure pedestrian and highway safety. Any additional traffic resulting from this development would not be so significant to warrant refusal on highway safety grounds. There is sufficient off street parking to meet the needs of each dwelling. The County Engineer raises no objections to the proposal subject to a number of conditions and a financial contribution to relocate the 30mph signage.

6.9 *Drainage / local services*

The site is considered large enough to deal with surface water without causing surface water runoff to the highway or onto neighbouring properties and can be controlled through planning conditions. In respect of foul drainage, the new dwellings will be connected to the main sewer, which is acceptable in principle and the drainage engineer has raised no objection subject to conditions. The proposal will also have no adverse impact on local services to warrant refusal.

6.10 *Heritage Assets*

The framework states that account should be taken of the desirability to sustain and enhance heritage assets. Officers consider the proposed development will not have a direct impact on the historic fabric of Trafalgar Square Cottage. With regard to its setting, any impact will have less than significant harm and is out weighted against the public benefit of providing housing in an area of shortage.

6.11 *Precedent*

With regard to precedent, whilst this can be material where other sites suitable for similar development can be identified in the locality, members will be aware that each proposal must be considered on its own merits. Officers consider, therefore, that the issue of precedent is not such as to warrant refusal of this application.

7.0 **CONCLUSION**

7.1 It is accepted the proposal does not accord with the housing supply policies of the development plan. However, the proposal needs to be considered in the light of the current shortfall in the council's five year housing land supply which should be afforded significant weight. The site is considered to be suitable for residential development as an exception to policy which can be delivered quickly to address the current housing shortfall. The proposal will not be harmful to heritage assets, the character of the area, residential amenity or highway safety and, therefore, complies with the national planning policy framework, and with relevant policies of the development plan.

8.0 **RECOMMENDATION**

8.1 **It is recommended that authority to grant planning permission is delegated to the head of planning in consultation with the committee chairman and vice-chairman subject to completing a section 106 agreement with the county council to secure contributions towards highway improvements, and to the following conditions:**

1 : TL1 - Time limit - Full Application (Full)

2 : Approved plans

3 : MC2 - Materials (Samples) (Full)

- 4 : HY6[I] - Access, Park. & Turn. in accord. Plan.**
- 5 : LS1 - Landscaping Scheme (Submission) (Full)**
- 6 : LS2[I] - Landscaping Scheme (Implement) (Full)**
- 7 : LS5[I] - Retain Exist. Hedgerow/Trees Bound(Full)**
- 8 : MC24 - Drainage Details (Surface and Foul(Full)**
- 9 : RE2 - PD Restriction on Dwels. Exten/Outbld.(F**
- 10 : RE6 - Boundary Details (Det.notShown)(Full)**
- 11 : RE17 - Slab Levels (Dwellings) (Full)**

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