

APPLICATION NO.	P13/V0505/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	7.3.2013
PARISH	SHRIVENHAM
WARD MEMBER(S)	Simon Howell Elaine Ware
APPLICANT	Mr Stuart Spencer
SITE	67 High Street Shrivenham Swindon, SN6 8AW
PROPOSAL	Erection of a new four bed, two storey dwelling and double garage on land adjacent to 67 High Street.
AMENDMENTS	23.4.2013
GRID REFERENCE	423791/188778
OFFICER	Katie Rooke

1.0 INTRODUCTION

- 1.1 The site is located within the built-up area of Shrivenham in the lowland vale. Other residential properties are located to the south and west of the site, with highways adjoining the north and east boundaries. Vehicular access to the site is obtained from Fairthorne Way to the east. A copy of the site plan is **attached** at appendix 1.
- 1.2 The site lies adjacent to Shrivenham Conservation Area, the boundary of which runs along the north boundary. The Pound, a Grade II listed structure, is located at the northern side of the site
- 1.3 This application comes to committee at the request of the ward member, Councillor Elaine Ware

2.0 PROPOSAL

- 2.1 This application seeks planning permission for the erection of a four bedroom detached dwelling and detached garage on garden land to the west of no.67 High Street. Vehicular access for the new dwelling will be shared with no.67 and will be taken from the existing access off Fairthorne Way.
- 2.2 Further to the submission of the application, the proposed plans have been slightly altered with the size of dormer windows reduced, the gravel driveway moved further away from The Pound, and boundary proposals clarified. The size and position of the proposed dwelling has remained the same and a re-consultation on the revised plans was not considered to be necessary. The application is therefore being considered on this amended basis. A copy of the application plans is **attached** at appendix 2.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 The ward member, Councillor Elaine Ware, has requested that the application

be taken to the planning committee for the following reasons:

- The owner of the land [Peter Saunders] is a serving parish councillor and one of the residents affected by the proposal [Simon Howell] is also a serving parish councillor and a vale district councillor.
- The application is considered to be controversial by many local residents and as such any decision taken by the parish council may be open to criticism and could call the integrity of the council into question.
- The general presumption [of residents] is that the application will be approved regardless of their comments and that is why the parish council is reluctant to make any comments.

3.2 **Shrivenham Parish Council** states “No comment – As the owner of the land is a serving Parish Councillor and one of the residents directly affected by the proposal is also a serving Parish Councillor and a Vale District Councillor any decision taken by the Parish Council may be open to criticism and could call the integrity of the Council into question”.

3.3 **Conservation Officer** raises “no objection in principle to development on the site as to a certain extent the historic setting of The Pound has been compromised by modern development”. Initial concerns regarding the amount of green space around The Pound, what boundary treatments were proposed, and the design of the dormer windows have been addressed as part of the amended plans.

3.4 **Landscape Officer** has made the following points;

- The treatment of the northern boundary adjacent to High Street / Townsend Road is important.
- A 1.8 metre high brickwork boundary wall is proposed between the existing dwelling and the new development. The height of the wall and material would not be appropriate in the front garden between the vehicle access point and the High Street.
- It is good to retain the existing conifer and laurel hedge adjacent to The Pound.

3.5 **County Highway Liaison Officer** raises no objections, subject to conditions, making the following points;

- Although relatively close to the roundabout, the access as existing is far enough away not to raise any significant highway safety concerns.
- Drivers using the access have a clear view of all arms of the roundabout when leaving the existing property.
- The relatively low number of additional vehicular movements associated with just one additional property is also therefore unlikely to raise any significant concerns.
- The access as existing is three metres wide. In order to avoid any undesirable vehicle movements in the access, it is recommended that this be widened to a minimum of 4.1 metres (the minimum required for two vehicles to pass – Manual for Streets).

3.6 **Drainage Engineer** raises no objections.

- 3.7 **Thames Water** raises no objections and has provided wording for informatives regarding waste and surface water drainage.
- 3.8 **Neighbours** Three letters of support have been received from one resident, which make the following points;
- The garden where the dwelling is proposed is very large and is suitable and adequate for the proposed house.
 - Why is the proposed entrance not shown coming from Townsend Road?
 - The Pound is not a building it is a stone wall, and it will not be effected by the proposal.
 - Both the existing and proposed dwellings would have adequate gardens.
 - The existing access is capable of serving the dwellings.
- 3.9 13 letters of objection have been received, which make the following points;
- Large development that takes up a significant proportion of the land.
 - Will over dominate the surrounding area.
 - Will have a visual impact on The Pound, a grade II listed building.
 - Traffic movements will be increased close to the junction of the High Street and Fairthorne Way.
 - New building appears shoehorned in making a more cramped feel to the whole site.
 - Proposal will overshadow The Pound.
 - Rear elevation is full of windows which will overlook neighbouring gardens.
 - Land is elevated in relation to the properties in Cox's Road and could dominate those properties in Cox's Road and Salop Close that back onto the site.
 - The proposal will need the removal of several semi-mature trees.
 - Proposal will harm the rural village feel of Shrivenham.
 - The building would encroach onto a recognised access lane behind the properties on Salop Close which is used.
 - Very little in the application detailing specifically the actions to be taken to protect The Pound during construction and movement of materials.
 - Concern that the gate access from the High Street may be used for plant and equipment access, damaging The Pound.
 - In 1992 a previous application was rejected.
 - There would be extra refuse bins to clutter up the pavement.
 - Shrivenham Conservation Area borders the application site and the proposal will have a negative impact on this historic central part of Shrivenham.
 - Boundary wall between the proposed dwelling and no.67 is out of keeping with the surroundings.
 - Gravel driveway will create unnecessary noise pollution.
 - Not in keeping with the character of the village High Street, in particular the Water Pump and the Memorial Hall.
 - Currently three or four large developments in the vicinity that have either started or are about to be given the go ahead. Therefore there are no housing needs or requirements for an additional house.
- 3.1 Shrivenham Parish Council have forwarded two letters of objection which were
0 sent directly to the parish. These letters were also sent to the local planning

authority and have been included in the summary under section 3.10 above.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P07/V1243](#) - Approved (05/11/2007)

Erection of a new porch and addition of first floor to granny annexe.

4.2 [P92/V0622/O](#) - Refused (05/11/1992)

Erection of a dwelling. (Site area 0.10 hecets).

Reason for refusal, "That the proposed access would lack adequate vision to the detriment of road safety".

4.3 [P85/V0834](#) - Approved (22/02/1985)

Demolition of existing single storey extensions and erection of extensions to provide additional living accommodation, granny flat, access way and garage. Formation of new vehicular access.

5.0 **POLICY & GUIDANCE**

National Planning Policy Framework

5.1 The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. The adopted Vale of White Horse Local Plan was not adopted in accordance with the Planning and Compulsory Purchase Act 2004, so paragraph 215 of the NPPF applies. The local plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and should therefore be given appropriate weight, except for Policy H11 which has little weight because the council does not currently have a five year supply of housing land.

5.2

At the heart of the NPPF is a presumption in favour of sustainable development (paras. 14 and 49). Paragraphs 34 and 37 encourage minimised journey lengths to work, shopping, leisure and education, and paragraphs 56 – 66 seek to promote good design and local distinctiveness and integrate development into the natural, built and historic environment. Paragraphs 126 – 141 refer to the need to conserve and enhance the historic environment, including

5.3

conservation areas.

Paragraphs 47 – 49 require local planning authorities to identify a five year supply of housing land. Where this cannot be demonstrated, relevant local plan policies for the development of new housing should not be considered up-to-date until the shortfall is rectified.

Vale of White Horse Local Plan (adopted July 2006)

5.4 Policy H11 states that residential development within the built up areas of defined settlements (including Shrivenham) will be permitted provided the scale, layout, mass and design of new dwellings would not harm the form, structure or character of the area.

5.5 Policy DC1 refers to the design of new development, and seeks to ensure that

development is of a high quality design and takes into account local distinctiveness and character.

- 5.6 Policy DC5 seeks to ensure that a safe and convenient access can be provided to and from the highway network.
- 5.7 Policy DC9 refers to the impact of new development on the amenities of neighbouring properties and the wider environment in terms of, among other things, loss of privacy, daylight or sunlight, and dominance or visual intrusion.
- 5.8 Policy HE1 relates to development within or affecting the setting of a conservation area, and seeks to ensure that development preserves or enhances the established character and appearance of the area.
- 5.9 Policy HE4 relates to development within the setting of a listed building and seeks to ensure that the scale, design and form of the proposal respect the characteristics of the building in its setting.
- 5.1 Policy NE9 seeks to ensure that development in the Lowland Vale will not have an adverse effect on the landscape, particularly on the long open views within or across the area.

Supplementary Planning Guidance – Residential Design Guide (adopted 2009)

- 5.1 Section 3.8 outlines how to protect neighbouring properties, specifically stating that “Facing habitable room windows on upper floor should normally be at least 21 metres apart” (p.98) and “Habitable room windows should normally be at least 12 metres away from the flank wall of a neighbouring property” (p.99).

6.0 PLANNING CONSIDERATIONS

- 6.1 The main issues in determining this application are whether the principle of development is acceptable, the impact on the visual amenity of the area and whether the proposal preserves or enhances the character or appearance of the adjacent conservation area, the impact on the setting of the listed Pound structure, the impact on the amenities of neighbouring properties, and whether adequate parking is available for the existing and proposed dwelling.

Principle of development

- 6.2 Shrivenham is identified in the local plan as a village that can accommodate new housing development. The principle of developing the site is therefore considered acceptable. The previously refused application on the site (P92/V0622/O) for a new dwelling was refused on the grounds of highway safety owing to a lack of adequate visibility from a proposed new access. No objections were raised in respect to the principle of development, and the reason for refusal now appears to have been overcome by utilising the existing access to the site.

Impact on visual amenity

- 6.3 The site is surrounded on three sides by other residential properties. Positioned

approximately 13.6 metres back from the north boundary of the site, and partly screened by existing vegetation, the proposed dwelling will not appear out of place within the street scene or harmful to the visual amenity of the area.

- 6.4 Whilst the development will be visible from the adjacent conservation area, this is not reason in and of itself to refuse the application. The separation of the dwelling from the road by The Pound and associated vegetation, and its relationship in respect to the position of other dwellings in the vicinity, is such that it is considered that the character and appearance of the adjacent conservation area will be preserved.
- 6.5 In order to ensure the materials used in the construction of the property are acceptable, and the slab levels and landscaping are appropriate it is considered reasonable and necessary to condition these elements.

6.6 Impact on the setting of the listed building

The Pound, located at the northern side of the site, is a Grade II listed structure. It is the opinion of the conservation officer that the historic setting of this structure has already been compromised by modern development. The new dwelling is positioned approximately 6 metres away from The Pound at its nearest point, and a green buffer is being maintained. Whilst the proposed development will alter the setting of The Pound, this alteration is not considered to be harmful and would not justify refusing the application. Moreover, the application represents an opportunity to secure a scheme of restoration for The Pound to improve this heritage asset, and this can be ensured by condition.

Impact on neighbours

- 6.7 Given the position and orientation of neighbouring properties it is not considered that the amenities of these dwellings would be harmed by the proposal in terms of overshadowing, dominance or overlooking.
- 6.8 Situated a minimum of 24.5 metres away from the dwellings to the west of the site (3 and 4 Salop Close) the development will not cause harmful overshadowing of these properties and, whilst visible from the rear gardens of these neighbours, will not compromise residential amenity in terms of dominance. Angled views over the rear garden of 4 Salop Close will be possible from the first floor windows in the rear (south) elevation of the new dwelling, but, given the intervening distance, this is not considered harmful.
- 6.9 Although the slab level of the site is higher than the ground upon which 5 Coxs Road to the south is situated, the proposed dwelling is located a minimum of 20 metres away from the boundary with 5 Coxs Road and could not be justifiably be refused on the grounds of dominance of this neighbour. The proposed single storey garage is positioned closer to the southern boundary of the site (15 metres) but given its size will not dominate the garden of no.5. The proposed rear first floor windows are situated a minimum of 32 metres away from the rear windows in no.5, and it is not considered that harmful overlooking would be caused.
- 6.1 In respect to the impact on 67 High Street, the east gable of the proposed

0 dwelling is situated approximately 13 metres away from a west facing first floor bedroom window. It is not felt that harmful overshadowing or dominance of this opening would be caused.

6.1 In order to prevent potential harmful overlooking of neighbouring gardens it is
1 considered reasonable and necessary to condition that the proposed first floor windows in the east and west elevations of the new dwelling, which are to serve a bathroom and en-suite, be obscure glazed. It is also considered necessary to remove permitted development rights in respect to extensions and outbuildings in order to protect residential amenity of neighbouring properties.

Impact on highway safety

6.1 The County Highway Liaison Officer has visited the site and considers that the
2 position of the access is acceptable in terms of its position and use for two dwellings. It is felt, however, that the access should be widened in order that two vehicles can pass. The proposed parking and turning space being provided for the new dwelling is considered sufficient for the size of dwelling proposed. A condition is suggested to ensure the access at the northern side of the site adjacent to The Pound is not utilised for vehicular movements in association with the new house, as visibility at the junction with High Street is not acceptable.

7.0 CONCLUSION

7.1 The principle of the proposed development is considered acceptable, it will preserve the character and appearance of the adjacent conservation area, it will not harm the setting of the listed Pound at the northern end of the site or the amenities of neighbouring properties, and there is adequate car parking on the site. The proposal, therefore, complies with the provisions of the development plan, in particular policies H11, DC1, DC5, DC9, HE1, HE4 and NE9 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 RECOMMENDATION

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

1 : TL1 – Time limit

2 : List of approved plans

3 : MC2 - Materials (Samples)

4 : Prior to the occupation of the new dwelling the grade II listed Pound at the north side of the site shall be restored in accordance with a scheme of restoration which shall first be submitted to and approved in writing by the Local Planning Authority. The scheme should include a schedule of repairs and a method statement, and incorporate details of removal of ivy, stonework repairs and reinstatement of a gate which originally existed.

5 : Prior to the commencement of the development full details of the materials to be used in the construction of the dividing boundary wall between the new dwelling and no.67 High Street, shown on drawing number A126/PO2 rev.A, shall be submitted to and approved in writing by the Local Planning Authority. The boundary wall shall only be constructed in accordance with the approved details.

6 : HY1 – Access (Details not shown)

7 : HY7 – Car parking

8 : HY11[I] - Turn. Space in accor. Spec. Plan

9 : HY19 – No drainage to highway

10 : HY16 – No access from specified road

11 : RE11 - Garage Accommodation

12 : LS1 - Landscaping scheme (submission)

13 : LS2 – Landscaping scheme (implementation)

14 : Notwithstanding any details shown on the approved drawings, the new first-floor windows on the east and west elevations shall be glazed with obscured glass and shall be fixed shut, apart from a top-hung opening vent only. Thereafter, the windows shall remain obscure glazed with top-hung opening vents only. Notwithstanding the provisions of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or the equivalent provisions of any order revoking and re-enacting that Order), no additional first-floor windows shall be inserted in the east and west elevations of the dwelling without the prior grant of planning permission.

15 : RE3 - PD Restriction Single Dwell Ext/Outbls

16 : RE18 – Slab levels (single dwellings)

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