

<b>APPLICATION NO.</b>	<a href="#">P13/V1721/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	6.8.2013
<b>PARISH</b>	KINGSTON LISLE
<b>WARD MEMBER(S)</b>	Yvonne Constance
<b>APPLICANT</b>	Lonsdale Estate
<b>SITE</b>	Land at Marfield Kingston Lisle , OX12 9QR
<b>PROPOSAL</b>	Erection of 4No. new dwellings and the demolition of 1No. agricultural barn on the land at Marfield, Kingston Lisle.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	432806/188174
<b>OFFICER</b>	Mrs Charlotte Brewerton

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## 1.0 INTRODUCTION

- 1.1 This application comes to planning committee as the Parish Council supports the proposal and the Officer recommendation is for refusal.
- 1.2 The site was subject to a previous planning refusal at committee in May 2013, reference P13/V0530/FUL. This application sought to develop 2 detached dwellings on the site and committee found support for the officer's recommendation that the site would constitute ribbon development rather than infill development. There has been no change to the site or to planning policy since this decision.
- 1.3 This application site measures 0.3ha and is at the northern end of Kingston Lisle, part of a group of settlements located in the Uffington-Wantage basin. The basin forms part of the Lowland Vale.
- 1.4 The site mainly consists of an area of paddock land, bounded on three sides by mature vegetation and thick hedge line. The boundary to the east is less solid and is demarcated more by a change to arable land. A former cattle shed structure is in situ at the southern end of the site, which is in a poor state of repair.
- 1.5 To the south of the site lie 4 pairs of semi detached dwellings in linear formation. They benefit from front parking, an area of garden space and enclosed, long rear gardens. To the north of the site lies one large detached dwelling, set in substantial grounds, known as Oakfield.
- 1.6 The site is not within the Kingston Lisle Conservation Area and contains no listed buildings. A copy of the site location plan is **attached** at **Appendix 1**.

## 2.0 PROPOSAL

- 2.1 The proposal is for 4 new dwellings, consisting of a pair of semi detached, three bedroom dwellings, and two larger detached properties, one three bed and one four bed. Each property would have a single storey, two bay garage situated at the front boundary. Materials include clay roof tiles, brick and render external appearance. detailed plans and elevations can be seen **attached** at **Appendix 2**.

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **Kingston Lisle and Fawler Parish Council** - *The Parish Council support the*

*application as currently put forward*

*It should be noted that the site is not within the Kingston Lisle conservation area and as such the Parish Council has taken a view set out below which might have differed had it been within the conservation area.*

*The current proposal is for four dwellings as set out in the proposals that have been presented to the District Council. The proposal reflects that originally discussed by the applicant under the now defunct IHSS policy.*

*The Parish Council has noted that the – District Council as the relevant planning authority has provided contradictory advice over a period of time to both the applicant and the Parish Council that has led to confusion for all concerned. As a result the applicant has been obliged to change the applications submitted on at least two occasions to meet concerns that have been raised by the relevant planning authority.*

*Once again response is made on behalf of the Parish Council after consideration by three Councillors, representing a quorate and majority decision of the Council. As before two councillors were unable to participate in discussions because of an actual or potential conflict of interests.*

*Turning now to the proposal advanced by the applicant this is supported by the Parish Council and residents of the village for the following reasons:*

- The benefit of limited organic growth for both the village and hence the wider community in South Oxfordshire.*
- The need for sustainability of village life by a balanced population – NB ours is an increasingly aged population.*
- The proposed properties, if built in accordance with the submitted plans, look attractive and, it is generally considered that they will improve the overall aspect of the village.*
- Given the current limited use of the land there will be no substantial loss of agricultural land given the size of the location of the proposed development.*
- including the demolition of an unsightly barn*

*The Parish Council and majority of residents who have expressed views all are in agreement that, as this will lead to an increase in relatively small increase in the village population which will aid the future sustainability of the village and be beneficial NB it should be noted that whilst this application is viewed positively any further immediate (short term) or substantial development in the future would not necessarily be viewed as beneficial.*

*The Parish Council has sounded out the views of local residents and the residents most affected by any development namely the Sadler and the Elbrow families.*

*There is widespread support for the development which, if allowed, will allow the village to grow and bring in new families to a village with a rising age profile*

*It is noted that representations have been made by the Sadler's that the Parish Council endorses and need not be repeated in this document. It is understood that the Elbrows*

*have not commented on this application but their concern is only about trees on their shared boundary and the safe removal of any asbestos found in the old shed which will need demolishing if the proposal goes forward.*

*Turning to Vale of White Horse Local Plan policies it would appear that this development engages the following policies:*

*H12 - Development in the smaller villages*

*H13 - Development elsewhere*

*DC1 - Design*

*DC6 - Landscaping*

*DC7 - Waste collection and recycling*

*DC9 - Impact of development on neighbouring uses*

*NE9 - Lowland Vale*

*The location of the development is considered by the Planning Authority to lie outside the built-up area of the village as the site lies well to the north of the main part of the village. It is part of a continuum that has grown organically along the thoroughfare road in the heart of the village over the past three hundred years.*

*There is limited land available in the village to comply with the normal in-filling criteria with only one piece of land identified under the defunct IHSP which can only accommodate one dwelling. If the village is to grow it will have to be at the fringes of the village as there is no other land available unless there is demolition of any existing building or structures.*

*The land whilst in current agricultural use, if developed, will not result in any diminution of employment or businesses in the village. Had this been the case then the decision to support the development would perhaps have been different.*

*It is perhaps worth noting that as a smaller village under the previous planning policy development of up to 4 houses over year was considered desirable and sustainable.*

### **Matters to Consider in Granting Permission**

*The following observations are made in relations to matters of general concern to development in the village and which if addressed should not impede the grant of planning permission.*

*Firstly, any development should take account of our concerns regarding the question of sewage. We are particularly concerned that there appears to be mismatch between publically expressed views of Thames Water's management and technical staff (those who liaise with the planning department) and the staff called out on what is now a weekly visit to repair the temperamental sewage plant situate in the village.*

*Put simply, Thames Water despatches staff to repair and maintain a system that clearly is not working as evidenced by the need to continuously repair plant and which as such appears to be unable to cope with current levels of waste disposal. This matter needs to be addressed but if it can be resolved such as the installation of a septic tank it should not stop the proposal going forward*

*Any development should be in keeping with the general building scheme of a Downland village and, in particular the conservation area designated in the village 'proper' and not detract from any listed building in any aesthetic manner. We believe that the current proposals meet these concerns and will add to the general character of the village and*

*be an improvement on what is currently found on the land.*

*There should be no drainage or run off for surface water onto the highway due to flooding incidents in the village in the past affecting residents. This can be addressed through adequate drainage on the land.*

*No development should be built that does not have adequate parking facilities due to on-going problems with on road/verge parking in the village. This again is met by the current design contained in the application.*

*In addition, a further concern has arisen due to complaints of speeding in the village namely, the sighting and location of access to the development. Leaving aside questions concerning highway regulations on drive space and visibility, the increased number of cars using the village needs to be considered. This includes what can be expected to be at least 8 new cars in a village (two if not more cars for each couple in residence in a dwelling. Once again if the issue can be addressed there is no reason why the development should not go forward.*

*In conclusion Kingston Lisle & Fawler Parish Council supports the proposed development and has considered all relevant factors.*

- 3.2 **Thames Water Development Control** - No objections
- 3.3 **Oxfordshire County Council Highways Officer** – The Design and Access statement for this application relates to the previous proposal. There is no information or justification for the new access which is much closer to the change in speed limit and could have an impact on highway safety.
- 3.4 **Oxfordshire County Council Archaeologist** - Application area contains visible earthwork. Due to the steepness of the earthwork this has been classified as a Roman Barrow. Pottery has been found within the application area and as such this development may disturb important archaeological features dating to the Romano British Period. We would therefore suggest that should planning permission be granted the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action to be maintained during the period of construction. This can be secured by condition.
- 3.5 **Forestry Team (Vale of White Horse)** - The application includes a design and access statement that fails to correspond with the proposed site plan. The date on the cover of the statement is 2012 but the page footers are noted as 2013. The text and some illustrations refer to the construction of two new houses and include the provision of a ha-ha as a boundary feature. The proposed site plan (drg no.387JL CD112f and dated 01/03/2013) has four houses and completely different boundary treatments. There are a number of mature and maturing trees on the site, the majority of which enhance the character of the area and contribute to the visual amenity when the site is viewed from along the road. Whilst the applicant makes some reference to the trees its is largely as an indication on the plan rather than as the subject of any specific assessment. Some of the trees are shown on the plan to be removed but there is an intention to retain those that are adjacent to the road. The creation of a new access is likely to have an impact on the adjoining trees but it is not possible to make an accurate assessment of the likely root severance. The applicant will need to submit a tree survey and an arboricultural implication assessment as is practicable, to assist in a more speedy progression, but a notation on the plan states that the positions of the existing trees are only approximate. It would not in my opinion, be appropriate to condition the

arboricultural information to be presented after the application has been determined. I am concerned that the proposed layout will not enable the applicant to retain as many trees as intended and it may be necessary to alter the positions of the driveways and garages. I look forward to commenting on the application when the required information is submitted.

- 3.6 **Landscape Architect** - Vale of White Horse DC - Not enough information submitted to assess the landscape implications of this application. A plan is required showing the trees to be removed and the trees to be retained with the proposed tree protection measures for the construction of the development. A landscape planting plan is also required showing the positions of new trees and shrubs with sizes and densities of plants listed.
- 3.7 **Neighbour** - Two letters of concern have been received from neighbours not objecting to the proposal but raising concerns over drainage issues, possible inaccuracies on the submitted plans and the shown boundaries.

3.8 **Waste Team** - No objections subject to standard conditions

#### 4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P13/V0530/FUL](#) - Refused (23/05/2013)  
Construction of 2 new dwellings and the demolition of 1 agricultural barn on the land at Marfield, Kingston Lisle.

#### 5.0 **POLICY & GUIDANCE**

- 5.1 Vale of the White Horse Local Plan 2011 Policies

H12 - Development in smaller villages

H13 - Development elsewhere

DC1 - Design

DC6 - Landscaping

DC7 - Waste collection and recycling

DC9 - Impact of development on neighbouring uses

NE9 - Lowland Vale

- 5.2 The National Planning Policy Framework (NPPF) - (March 2012) confirms the presumption in favour of sustainable development.

- 5.3 The residential Design Guide (adopted Dec 2009)

#### 6.0 **PLANNING CONSIDERATIONS**

- 6.1 The key issues to consider in the determination of this application are:

- 1) Principle of the proposed development in terms of the built-up area of the village
- 2) The degree of compliance with Policy H12 and the NPPF relating to new housing

development on the edge of smaller villages.

- 6.2 The location of the proposed development is considered to be outside the limits of the built up area of the settlement of Kingston Lisle. There has been no change to Policy or to site circumstances or the classification of the village itself since the previous planning refusal in May 2013. This was considered at the previous planning committee and discussed in the Planning Officer's report, which can be seen **attached at Appendix 3**, therefore I see no need to make this point again here.
- 6.3 Setting aside the issue of the village boundary, the development has increased the proposed number of dwellings from 2 to 4, incorporating dwellings which are considered by the applicant to be more accessible to a wider range of occupants. Whilst the increased number of units would help to create a better mix of housing types within the village and are of a style that is considered to be more in keeping with the immediate form of the dwellings to the south of the site than the previous proposal, it is noted that the site still includes two larger detached dwellings. When considering the text that accompanies Policy H12, policy clearly states that 'schemes for new housing within the village will be limited to sites suitable for not more than "four small dwellings"'. The two detached properties are considered to be contrary to this policy and therefore would not 'widen housing opportunity and choice in the area'. The application is therefore considered not to comply wholly with Policy H12 of the Local Plan 2011.
- 6.4 The applicant has made reference to the fact that the increased housing in this area will address the five year housing land supply shortfall and whilst the contribution of 4 units is noted, it is considered that these would not to be so significant to be given substantial weight, particularly given the site's unsustainable location and the limited choice in housing supply.
- 6.5 The previous application accepted that the proposed design of the dwellings, although bulky in their footprint, was of a high quality, which follows through into this proposed scheme. The provision of double bay garages at the front of the plot is not in keeping with the dwellings to the south however the impact could be reduced by appropriate landscaping conditions. In addition the proposed scheme is considered to have little impact upon neighbouring amenity, biodiversity, archaeology and with some appropriate conditions landscaping and drainage issues could be overcome.
- 6.6 The site is considered to be in an unsustainable location at the northern end of the village in an area which extends the village limits of the Lowland Vale. The sporadic and ribbon style of the proposed development would constitute an undesirable intensification of the loose-knit development in the area. It is considered that the proposal would therefore harm the attractive rural character of the area, to which policy H12 clearly states 'policy will not apply to very small groups of houses and ribbons of development in the rural areas' and in addition is contrary to Policy NE9 of the Local Plan.

7.0 **CONCLUSION**

- 7.1 Whilst it is noted that the agent has considered the housing mix for the village the site is not within the built-up area of Kingston Lisle. The mix of dwellings would not satisfy Policy H12 in terms of providing small dwellings on a suitable site, nor would it protect the open rural character of the area and this part of the Lowland Vale. The proposal is therefore considered not to be a sustainable form of development and so is contrary to the NPPF and Policy H12, H13 and NE9 of the Local Plan.

8.0 **RECOMMENDATION that Planning Permission is refused for the following reasons :**

1. **Outside the main village boundary** – The proposal site does not form part of the main village proper, and is also not ‘infill, with no frontage to extend. Therefore the creep of ribbon development proposed is not considered acceptable in this location. Contrary to Local Plan Policies H12 and H13 and paragraph 55 of NPPF.
2. **Not a mix of accessible homes** – the type and mix of the dwelling proposed would not add choice or widen opportunity to the area. Policy H12 (at para 8.57) makes allowance for “...small dwellings....not overly large...three bedrooms...”. This is not the case in this application, therefore it is contrary to Local Plan Policies H12 and H13 and paragraph 50 of the NPPF.
3. **Not a sustainable location** – Kingston Lisle has only limited range of facilities and services available to prospective occupant, therefore the proposal is considered to be contrary to local plan Policy H13 (at para 8.58) the NPPF, which supports only sustainable development at paragraph 197.

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