

<b>APPLICATION NO.</b>	<a href="#">P14/V0338/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	24.2.2014
<b>PARISH</b>	ST HELEN WITHOUT
<b>WARD MEMBER(S)</b>	Catherine Webber
<b>APPLICANT</b>	Mr Binning
<b>SITE</b>	Land adjacent to Elm Tree Walk Shippon Oxon
<b>PROPOSAL</b>	Proposed 2no. dwellings and works there to.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	448099/198145
<b>OFFICER</b>	Miss H Bates

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1.0 **INTRODUCTION**

- 1.1 The site is located within the village of Shippon in the Oxford Green Belt. To the north and east of the site are residential properties, with a track and parking area to the south. Elm Tree Walk runs along the west boundary of the site. The site is also located within the Lowland Vale. The site plan is **attached** at appendix 1.
- 1.2 The application comes to committee because the Parish Council's response is contrary to the recommendation of the application.

2.0 **PROPOSAL**

- 2.1 This application seeks planning permission for the erection of two detached dwellings on the site, together with two detached garages. Access for one of the dwellings would be taken from Elm Tree Walk to the west, with the access for the other taken from the track / parking area to the south. The application plans are **attached** at appendix 2.
- 2.2 This application follows a withdrawn application for a similar proposal which was recommended for refusal; ref: P13/V2334/FUL.
- 2.3 In addition, planning application P02/V1528/O for two detached dwellings and garages on the site was also refused in 2002 and was subsequently dismissed at appeal in 2003.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **St Helen Without Parish Council** – Fully support this application for the following reasons:
1. The National Planning Policy Framework and the Vale of White Horse Local Plan 2011 adopted in 2006 GS3, allows for limited infilling as exceptions for development in villages in the Green Belt. Shippon is a named village with a brown line defining the village and the site is within this area. The proposal is not considered to be detrimental to the openness of the Green Belt. There is already housing development on 3 sides of the site and the frontage abounds the road of Elm Tree Walk.
  2. The applicant has agreed to the changes requested by the parish council which will maintain the rural appearance of this section of Elm Tree Walk: a) there will be no road widening, the road will remain the same width as at present; b) the verge will remain as present and not turned into a footpath; c) the stone walls will be retained in their present positions. This narrow section of Elm Tree Walk provides a considerable reduction in the speed of traffic along this road.

3. The Vales policy has restricted all development within the village to infilling of 1 or 2 houses and therefore a considerable precedent has been set i.e. Carlton House, former Stonewall, former Catholic Church, 80 Barrow Road.
4. Shippon is a sustainable village which could accommodate further appropriate development.

3.2 **Highways Liaison Officer (Oxfordshire County Council)** – No objections, subject to conditions.

3.3 **Drainage Engineer (Vale of White Horse District Council)** – No objections, subject to conditions.

3.4 **County Archaeologist (VWHDC)** – No objections

3.5 **Forestry Team (Vale of White Horse)** – No objections, subject to conditions

3.6 **Waste Team** – No objections

3.7 **Neighbour No Strong Views (2)** – Two representations have been received from neighbouring properties, raising no objections to the scheme in principal but raising the following points:

- Assurance sought that supply and access to stop cocks are not affected by the development;
- Any diversions of services should be agreed with occupants of White House Close;
- It is understood that previous applications on the site were rejected on grounds of the site being within the Green Belt

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

4.1 [P13/V2334/FUL](#) – Withdrawn (19/12/2013)

Proposed 2 no. new houses, car parking and amenity spaces. Works to provide new pedestrian footpath connection.

4.2 [P02/V1528/O](#) – Refused (21.11.2002) Dismissed at appeal (12.09.2003)

Residential development of two detached dwellings and garages.

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

##### 5.1 **National Planning Policy Framework**

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. This means approving proposals that accord with an adopted local plan, or, where relevant policies of the adopted local plan are out-of-date, to grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

5.2 Paragraph 79 of the NPPF confirms that the Government attaches great importance to Green Belts and goes on to state that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

5.3 Paragraph 88 of the NPPF states "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

- 5.4 As outlined in paragraph 89 the construction of new buildings should be regarded as inappropriate in the Green Belt, with the exception of, among other things, limited infilling in villages.
- 5.5 **National Planning Policy Guidance (2014)**  
Paragraph 034 (reference ID: 3-034-20140306) states that “Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development in the Green Belt.
- 5.6 **Vale of White Horse Local Plan (adopted July 2006)**  
Policy GS3 states that development within the Oxford Green Belt will only be permitted if it does not conflict with the purposes of including land in the Green Belt and if it preserves its openness and the special character of Oxford and its landscape setting, with infilling in various villages, including Shippon, limited to schemes of 1 or 2 dwellings. This policy is partially consistent with the NPPF and as such should be afforded appropriate weight. It is partially consistent due to the reference to ‘buildings’ in the NPPF rather than ‘dwellings’ as in policy GS3.
- 5.7 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.
- 5.8 Policy DC5 seeks to ensure that a safe and convenient access can be provided to and from the highway network.
- 5.9 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.
- 5.10 Policy NE9 states that development in the lowland vale will not be permitted if it would have an adverse impact on the landscape, particularly on the long open views within or across the area.
- 5.11 These policies are consistent with the NPPF and therefore should be given full weight.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The main issues in determining this application are considered to be: i) whether the proposal constitutes inappropriate development in the Green Belt and ii) the impact of the proposal on the visual amenity of the area, the amenities of neighbouring properties and on highway and parking issues.

6.2 **Whether the proposal constitutes inappropriate development in the Greenbelt**

In dismissing the previous appeal on the site in 2003 the Planning Inspector concluded that the proposal for two dwellings amounted to inappropriate development in the Green Belt and that there were no very special circumstances sufficient to outweigh the presumption against such development. Specifically the Inspector stated,

“In my opinion, the fact that only 2 dwellings are proposed does not of itself mean that construction of 2 dwellings on the paddock amounts to infilling in terms of policy G4 [previous relevant policy]. If that argument was to be accepted it could justify proposals for one or 2 dwellings on even more extensive areas of open land. Accordingly I have concluded that the appeal proposal amounts to inappropriate development in the green belt. By definition this is harmful to the Green Belt”.

6.3 The only change which is considered to have occurred in the intervening period between the dismissed appeal and this application is the council's lack of a five year housing supply. It is acknowledged that the council currently lacks a five year supply of housing and, therefore, housing policies of the local plan are not up to date or consistent with the national framework. However the other policies referred to above, including policy GS3, remain consistent and applicable to the consideration of this proposal.

6.4 The lack of a five year housing supply is not considered to amount to very special circumstances which would override the previous refusal of housing on the site. The Secretary of State, Eric Pickles, confirmed in a written statement to Parliament on 2 July 2013 that the issue of unmet housing demand is unlikely to outweigh harm to the green belt and other harm to constitute the very special circumstances to justify such development. This stance was reiterated and confirmed not only within the recently issued National Planning Policy Guidance (2014) but also in a written ministerial statement from Communities and Local Government Minister Brandon Lewis in January 2014:

"I also noted the Secretary of State's policy position that unmet need, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the Green Belt and other harm to constitute the 'very special circumstances' justifying inappropriate development in the Green Belt. The Secretary of State wishes to re-emphasise this policy point to both local planning authorities and planning inspectors as a material consideration in their planning decisions."

6.5 The purpose of Local Plan Policy GS3 is to allow limited development on appropriately sized plots within settlement boundaries which would still preserve the openness of the Greenbelt. Not all open plots with the named villages will be appropriate plots to accommodate 'limited in-fill'. It is considered that the land in question is of sufficient size to accommodate more than two dwellings. Given the size of the site, the fact that two dwellings are proposed is not felt to amount to limited infilling in relation to policy GS3. The proposal is considered to constitute inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. As the inspector above indicates, allowing two dwellings on a large plot able to accommodate more would set an undesirable precedent for even larger areas of land within the Green Belt to potentially be developed with one or two dwellings.

6.6 In respect as to whether there are any very special circumstances to outweigh the general presumption against inappropriate development it is not considered, as outlined above, that the lack of a five year housing supply would justify the proposal contrary to policy.

6.7 **Impact on visual amenity, neighbour amenity and highway issues**

The proposed dwellings are quite large. However, as they will be set between existing dwellings it is not considered that the visual amenity of this part of the village would be harmed. The position and orientation of the proposed dwellings is such that it is not considered that the amenities of neighbouring properties would be harmed in terms of overshadowing, dominance or overlooking. Subject to appropriate conditions, the new accesses are considered suitable by the County Highway Engineer, and adequate parking is proposed within the site for the properties. These matters are not, however, felt to outweigh the general presumption against inappropriate development in the Green Belt.

7.0 **CONCLUSION**

7.1 The proposed development is not considered to constitute limited infilling and there are not considered to be any very special circumstances to outweigh the general presumption against inappropriate development in the green belt. The proposal is therefore considered to be contrary to policy GS3 of the adopted local plan and the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

**Refuse planning permission for the following reason:**

In the opinion of the Local Planning Authority the area of land could accommodate more than two dwellings and it is considered that the fact that only two dwellings are proposed does not of itself mean that the construction of two dwellings on the land amounts to limited infilling. As such the proposal is considered to be contrary to policy GS3 of the adopted Vale of White Horse Local Plan and the provisions of the National Planning Policy Framework.

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