

APPLICATION NO.	P15/V0762/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	31.3.2015
PARISH	LONGCOT
WARD MEMBER(S)	Simon Howell Elaine Ware
APPLICANT	Mr & Mrs R.J Lampard
SITE	Meadow View, Shrivenham Road, Longcot, SN7 7TL
PROPOSAL	Residential development and associated works for three two-storey dwellings.
AMENDMENTS	None
GRID REFERENCE	427247/190713
OFFICER	Sarah Green

SUMMARY

This application is referred to planning committee due to an objection from Longcot Parish Council.

The application seeks full planning permission for three, two-storey dwellings. It is a resubmission of an application considered and agreed by planning committee on 4 March 2015. That application is deemed to be invalid due to an ownership certificate not being correctly served. The red line boundary of this application has been amended to address this.

The main issues are:

- Scale/design and layout impact of the development – this is considered acceptable and would not result in harm to the visual amenity or any long range views across the lower landscape.
- Impact on neighbours – it would not have an adverse impact in terms of daylight, sunlight, overbearing impact and / or privacy to surrounding existing residential properties
- Access – this considered acceptable to the highway authority
- Drainage – there is no objection from the drainage officer

The application is recommended for approval.

1.0 INTRODUCTION

1.1 This application is referred to planning committee due to an objection from Longcot Parish Council.

1.2 The application site currently consists of unused agricultural land on the south western edge of Longcot. A location plan is **attached** at appendix 1. It is accessed from a field gate at the end of a private gravelled drive which currently serves five dwellings. These five dwellings and therefore the site are accessed off Shrivenham Road. The residential curtilages of Field House and Meadow View bound the south-eastern boundary, Nutford Lodge Farmhouse the south western boundary, whilst nos.6-8 Church Close bound the site to the northeast. The remaining boundaries face open countryside beyond the village. The site is approximately 0.35 hectares in size.

Vale of White Horse District Council – Committee Report – 17 June 2015

1.3 Planning permission (ref P13/V2085/FUL) was granted by planning committee in April 2014 for three single storey, two-bedroom dwellings on the site. A copy of the approved plans is **attached** at appendix 2. Car parking was proposed in attached ‘cart barns’. The permitted scheme was modern in appearance with large glazed screens. The walls were to be vertical timber boarding with some oak framing with sedum green roofs. This planning permission is extant.

1.4 Planning permission (ref P14/V2552/FUL) was granted by planning committee in March 2015 for three, two-storey 4-bedroom dwellings on the site. However since the grant of this permission in March it has been brought to the agent’s attention, following a land clarification, that an ownership notice was not served properly. Therefore this planning permission is invalid.

2.0 **PROPOSAL**

2.1 This application is therefore a resubmission of the previous application. The red line application boundary has been amended along the access road so that it no longer overlaps land at Holly Tree Cottage.

2.2 The application seeks full planning permission for three, two-storey 4-bedroom dwellings. Copies of the plans are **attached** at appendix 3. The dwellings sit within a cul-de-sac informal layout being with the design approach incorporating traditional built form proportions and having traditional architectural detailing throughout. The site is accessed from the same access point as the scheme approved in 2014. An amended site plan has been submitted which removes the refuse collection point.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Below is a summary of the responses received to the application. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

County Archaeologist (VWHDC)	No objections. Implementation of a staged programme of archaeological investigation to be undertaken in advance of development
Highways Liaison Officer (OCC)	No objection, subject to conditions A revised private road agreement may be required with OCC Parking and turning space shown Turning space for servicing/emergency vehicles is not clear Development must be SUDS compliant Garaging to be retained No surface water to highway Construction traffic management plan needed.
Longcot Parish Council	Object – comments attached at appendix 4
Neighbour Object (2)	Precedent for new build outside curtilage of village. Not infill Recent application only approved on environmental grounds and mitigating technology/action Significant increase in density of development Question access point and its narrowness, Increased traffic movements Additional bins No details of drainage Need construction management plan

	Wildlife destruction Pressure on village facilities
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3.2 Previous application responses

A number of representations were made in response to application P14/V2552/FUL. As this application is the same they are also considered relevant to this application.

Drainage engineer (VOWH)	No objection subject to the details of the sustainable drainage being submitted by condition.
Thames Water Development Control	No objection
Waste Management Officer (District Council)	No objection The existing properties on this private road present their bins on the grass verge at the entrance, next to the adopted highway. Residents in the new properties would need to present their bins at the same point.
Countryside Officer(South Oxfordshire & Vale of White Horse)	There are no existing records of protected species or habitats within the site. No objections subject to pre-commencement condition requiring reptile survey.
Forestry Team (Vale of White Horse)	Application does not pose any greater detriment to the trees on or adjacent to the site than that for which consent was granted last year (P13/V2085/FUL). Suggest similar tree protection condition.
Landscape officer (Vale of White Horse)	No objections. This application incorporates the NW boundary into the rear gardens of two properties. Pressure to formalise fence boundary. Increase in height would not have such a significant effect on any long open views covered by policy NE9.
Contaminated Land Officer	No objection based on submitted report
Environmental Protection Team	Same as contamination above

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/V2552/FUL](#) - Approved (05/03/2015) – *deemed invalid*
Residential development and works there to.

[P13/V2085/FUL](#) - Approved (25/04/2014)
Residential development and associated works (As clarified by Phase 1 Geo-Environmental Appraisal & Archaeological Evaluation accompanying email from agent dated 5 February 2014 & Glanville Drainage Strategy & associated drawing accompanying email from agent dated 19 March 2014)

[P10/V0725/O](#) - Refused (24/06/2010) - Refused on appeal (06/07/2011)
Outline application for the erection of two new dwellings

[P06/V1150/O](#) - Refused (22/08/2006) - Refused on appeal (04/05/2007)
Outline application for the erection of one dwelling.

[P01/V1195/O](#) - Approved (11/10/2001)
Erection of one dwelling.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse District Council Local Plan 2011**

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

DC1 - Design
DC5 - Access
DC6 - Landscaping
DC9 - The Impact of Development on Neighbouring Uses
GS2 - Development in the Countryside
H12 - Development in the Smaller Villages
HE10 - Archaeology
HE9 - Archaeology
NE9 - The Lowland Vale

5.2 As the local planning authority does not currently have a five year supply of housing land, the housing supply policies of the adopted local plan, including policy H12, have little weight. Proposals have to be assessed in light of the presumption in favour of sustainable development contained in the NPPF.

5.3 **Emerging Local Plan 2031 Part 1;**

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

CP3 – Settlement Hierarchy
CP4 – Meeting Our Housing Needs
CP20 – Spatial Strategy for Western Vale Sub-Area
CP37 – Design and Local Distinctiveness
CP40 – Sustainable Design and Construction
CP42 – Flood risk
CP44 – Landscape

5.4 **Supplementary Planning Guidance**

- Design Guide – March 2015

5.5 **National Planning Policy Framework, March 2012 (NPPF) Planning Practice Guidance, March 2014**

5.6 **Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Equality Act 2010

- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)
- Written Statement made by the Minister of State for Housing and Planning (Brandon Lewis) on 28 November 2014

Human Rights Act

- 5.7 The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equalities

- 5.8 In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

- 6.1 The relevant planning considerations in the determination of this application are:

1. Principle of development
2. Landscape visual impact
3. Design
4. Highways
5. Neighbour amenity
6. Trees
7. Drainage
8. Archaeology
9. Ecology
10. Contamination
11. Other

6.2 Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.3 Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.

- 6.4 Paragraph 47 of the NPPF expects local planning authorities to "use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area"... The authority has undertaken this assessment through the April 2014 SHMAA (Strategic Housing Market Area Assessment) which is the most up-to-date objectively assessed need for housing. In agreeing to submit the emerging Local Plan for examination, the council has agreed a housing target of at least 20,560 dwellings for the plan period to 2031. Set against this target the council does not have a five year housing land supply.

- 6.5 Paragraph 49 of the NPPF states "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites". This means that the relevant housing policies in the adopted local plan are not considered up to date and the adverse impacts of a development would need to significantly and demonstrably outweigh the benefits if the proposal is refused. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.
- 6.6 Policy GS1 of the adopted local plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages.
- 6.7 Under the current adopted local plan 2011 Longcot is classified as a smaller village and as such policy H12 would apply. This allows for new housing development of not more than four dwellings within the built up area of the settlement. The emerging local plan 2031 also allocates Longcot as a smaller village and would support limited infill development within the existing built up areas of the settlements.
- 6.8 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a five-year housing supply. Consequently the proposal should be assessed under the NPPF where there is a presumption in favour of sustainable development. Sustainable development is seen as the golden thread running through the decision making process.
- 6.9 It is material that full planning permission was granted by planning committee for three single storey, 2-bedroom dwellings, under reference P13/V2085/FUL on the same site last year. This establishes that the principle of developing the site for residential use is acceptable unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.
- 6.10 Landscape visual impact
The site is on the edge of the village. Policy NE9 seeks to protect the Lowland Vale area from development that would have an adverse impact on the landscape, particularly long open views from higher land.
- 6.11 Views of the site are not readily available from the roads to the south or the east given the boundary treatment associated with the surrounding plots and existing buildings. Public footpaths lie to the north and west but again views are restricted or obscured by existing boundary vegetation.
- 6.12 The approved scheme is for flat roof single storey dwellings that had limited height. At the time the landscape officer in response to that application noted "these buildings would not be prominent in the views from the public footpath network" and also "the proposed development would be seen against the existing development of Longcot". The single storey nature of the approved scheme minimised the wider visual impact of the development.
- 6.13 This application is for two storey dwellings. The maximum ridge heights would be 9.2m, whilst the maximum eaves would vary from 4.6 to 5.3m. This proposal would have a greater visual impact than the approved scheme. However, the test in this case is

whether the proposed 2-storey height would result in causing 'significant and demonstrable' harm to the visual amenity of the landscape area in terms of open views.

- 6.14 The two-storey height of the development would mean the proposed development would be seen above the existing boundary vegetation from public viewpoints. However, the existing houses towards the south, having similar or greater roof heights, can currently be seen in such views. The proposal would therefore be seen against this backdrop of other residential development. In addition, the bulk and mass has traditional proportionality and there is generous spacing between the properties thereby allowing views through. Officers consider it would be difficult to sustain that the development was therefore significantly and demonstrably harmful to the visual amenity or would have a significant effect on any long range views across the lower landscape.
- 6.15 This proposal also incorporates the north western boundary vegetation into the rear garden of the properties. Officers consider that the retention and provision of additional planting within and on the boundaries of the site could be appropriately ensured by conditions, as can the type of boundary treatments within the site. This would add the assimilation of the development into the soft landscape setting.
- 6.16 Design
Policies DC1, H11 and H12 require that development should be a scale, layout and design that would not materially harm the form, structure or character of the settlement.
- 6.17 In terms of spatial layout the proposed units have been arranged around an informal cul-se-sac, set within spacious plots that allow the expanse of soft landscaped frontages and significant space between buildings, with car parking not dominating the frontages. This creates a verdant appearance to the development.
- 6.18 In terms of bulk and mass the proposed units vary in shape but have incorporated traditional proportionality with traditional roof forms, traditional roof pitches, low eaves, half dormers and subservient wings.
- 6.19 In terms of architectural detailing the approach is traditional with brick plinths, exposed eaves, half dormers, protruding window cills and headers, chimney stacks, and weather-boarding.
- 6.20 It is noted that Longcot has a mixture of housing designs and styles. The dwellings to the south of the site are two storey, at a scale and of a design not that dissimilar to the proposal. In light of the above, officers consider, given the immediate setting of the site, it would be difficult to sustain that the design of the dwellings were out of character, and contrary to policies DC1, H10 and H11. It is considered that the design approach would preserve the key characteristics of the area.
- 6.21 In the approved scheme, the dwellings were designed to code level 5 of the Code for Sustainable Homes. This application sets out that the dwellings would be the equivalent of code level 4. There is no policy in the current local plan that requires buildings to be to a certain level. The emerging local plan core policy 40 will seek all developments to incorporate climate change adaptations and design measures, wherever practicable. The supporting text to that policy however says that through the Housing Standards Review, the government will put less emphasis on the Code for Sustainable Homes and will instead look for equivalent standards through building regulations. The design and access statement sets out the measures that have been incorporated into this scheme. Officers consider these are acceptable for this

application and certainly the issue does not cause significant and / or demonstrable harm.

6.22 Highways

Policy DC5 requires that new developments should provide for safe and convenient access. The principle of three additional dwellings taking access off the existing access point is already established by the approved permission. The county highway officer has no objections to the proposal subject to conditions relating to parking, turning and drainage.

6.23 A four bedroom dwelling in this location requires three car parking spaces to meet the council's adopted parking standards. The proposal provides for this, with additional spaces for visitors on the site. The garages also meet adopted size standards.

6.24 The highway officer has commented that as the development appears to be over 50m from the nearest point on the highway, turning space for servicing/emergency vehicles should be shown. The agent has confirmed that there is capacity for service vehicle turning within the site. The highway officer agrees that it can be achieved however to ensure this a condition is suggested to submit the vehicle swept paths for approval.

6.25 This application shows an increase of six bedrooms over the approved scheme. However it is considered that the number of vehicle movements associated with the proposal are unlikely to cause significant harm to the highway network. The proposal is therefore considered to comply with policy DC5 and the NPPF.

6.26 Neighbour amenity

Policy DC9 sets out that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties.

6.27 The proposed dwellings are set off the boundaries with Church Close, Meadow View, Field House and Nutford Lodge Farmhouse.

6.28 In terms of plot 1 it is over 30m away from the rear of Field House, which is in excess of the 21m distances between windows required by the residential design guide. Plot 1 is also positioned and orientated such that it would not result in the adverse impact to Nutford Lodge Farmhouse.

6.29 The side of plot 2 is single storey where it is closest to Meadow View and there are no windows along this side elevation towards this neighbour. Plot 2 is around 26m from the rear elevation of no.6 Church Close and further from no.7 Church Close. This is more than the recommended distances.

6.30 In terms of plot 3 the recommended distances have also been achieved to no.7 and no.8 Church Close.

6.31 Although the proposed dwellings are two storeys, given the distances involved and the fact that the boundary between the two properties will be landscaped, officers consider that the proposal would not have an adverse impact in terms of daylight, sunlight, overbearing impact and / or privacy to surrounding existing residential properties.

6.32 Trees

Policy DC6 requires proposals to include hard and soft landscaping and to protect and enhance the visual amenities of the site including where appropriate existing important landscape features. In particular there are two trees at the entrance to the site. In terms of the impact on trees on the site the forestry officer set out that this proposal does not

pose any greater detriment to the trees than the approved scheme. He advises that a similar condition to that which was imposed on that permission is also imposed on this proposal. Officers agree with this.

6.33 Drainage

The NPPF requires that developments should not increase the risk of flooding elsewhere. As part of the approved scheme a drainage strategy was submitted during the application process at the request of the drainage engineer. That showed that soakaways are not acceptable due to the impermeable nature of the local soil. A SUDS approach is therefore necessary on the site. A condition was imposed on the permission to require details of the sustainable drainage scheme before the development commenced. Such a condition would therefore be necessary on this proposal to ensure the site is appropriately drained. The council's drainage engineer set out this should be the case again and officers agree.

6.34 Archaeology

Policies HE9 and HE10 require archaeological investigation if there are reasonable grounds to believe remains may be present and does not permit development that would cause damage to such remains. An archaeological field evaluation has been undertaken on this site which revealed a number of archaeological features including pits, postholes and linear features. One feature contained medieval pottery. The other features contained Romano British pottery. A possible paved surface was also revealed. Whether this formed part of a trackway is unclear and the evidence suggests either a medieval or Roman date. This feature will require further investigation and as such the county archaeologist has recommended that should planning permission be granted an archaeological watching brief is implemented. This could be ensured by the suggested conditions and therefore the proposal is acceptable.

6.35 Ecology

The NPPF sets out that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. The countryside officer has assessed the scheme. There are no existing records of protected species or habitats from the site, and the proposals would not lead to any adverse impacts on designated sites of nature conservation value.

6.36 The habitats on the site would however provide conditions suitable for common reptiles. It is unlikely given the density of the proposed development that any of these habitats would be retained once the proposed development is completed. Therefore if reptiles are confirmed to be present then they would have to be trans-located to suitable habitats elsewhere. The officer suggests therefore that a reptile survey and mitigation strategy, if required, is carried out. This can be ensured by condition as per the previous permission.

6.37 Contamination

A contaminated land assessment was submitted with the approved scheme. This was acceptable and as such the the contaminate I and officer has no objections.

6.38 Other

With regards to refuse collection, the waste officer set out the arrangements for this will need to be the same as the existing properties. Planning permission has already been granted for three houses on this site and is extant. This application will not result in an increase in the number of bins when compared to the approved scheme, and waste collection will be the same as for the approved scheme. For clarification, the refuse collection point shown on the original plan has been removed.

6.39 With regards to other infrastructure requirements raised by neighbours, the Government's Ministerial Statement on 28 November 2014 set out that, due to the disproportionate burden of developer contributions on small scale developers, for sites of 10 units or less with a maximum combined gross floor space of 1000sqm, affordable housing and tariff style contributions should not be sought.

7.0 CONCLUSION

7.1 The principle of development on this site was established by the previous permission. Officers consider that whilst this proposal will have an increased visual impact over the approved scheme, it is not considered that this impact is of a level that would result in harm to the landscape or long range views. The design approach to the scheme is considered acceptable. It would not result in severe harm to the highway network or harm to the amenities of surrounding neighbours. In terms of the trees, ecology, archaeology and drainage aspects, subject to the suggested conditions, the development is acceptable. The application is therefore recommended for approval.

8.0 RECOMMENDATION

8.1 **To grant planning permission subject to the following conditions:**

1. **Commencement three years.**
2. **Approved plans.**
3. **Samples of all external materials to be agreed.**
4. **Slab and ridge heights to be agreed.**
5. **Landscaping scheme to be agreed.**
6. **Implementation of landscaping scheme to be agreed.**
7. **Boundary details to be agreed.**
8. **Access, parking and turning as approved.**
9. **Details of vehicle swept paths for servicing vehicles to be submitted for approval.**
10. **Garage accommodation to be retained.**
11. **No drainage to highway.**
12. **Drainage details (surface and foul) to be agreed.**
13. **Reptile survey to be agreed.**
14. **Tree protection to be agreed.**
15. **Archaeological watching brief.**
16. **Implementation of programme or archaeological work.**
17. **Construction traffic management.**

Contact officer: Sarah Green
Email: sarah.green@southandvale.gov.uk