

APPLICATION NO.	P15/V1152/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	18.5.2015
PARISH	RADLEY
WARD MEMBER(S)	Edward Blagrove Bob Johnston
APPLICANT	Mrs J Thomas
SITE	1a Foxborough Road, Radley, Abingdon, OX14 3AB
PROPOSAL	Conversion of dwelling at No1a to 2 self-contained dwellings.
AMENDMENTS	None
OFFICER	Charlotte Brewerton

SUMMARY

This application is for the sub-division of an existing semi-detached dwelling to create a one-bedroom flat and a three-bedroom dwelling. The application comes to committee because Radley Parish Council objects. The proposal is for a new dwelling and, in view of the current lack of a five-year supply of housing land, paragraph 14 of the NPPF is engaged which means planning permission should be granted unless the adverse impacts significantly and demonstrably outweigh the benefits. The following issues are relevant:-

- The location of the site in Radley village which has a relatively reasonable range of services and facilities
- The impact on the character and appearance of the area, which is considered to be acceptable
- The proposal will lead to no additional overlooking or overshadowing and the impact on neighbours is considered to be acceptable
- Access and parking are satisfactory

Officers consider that the adverse impacts do not significantly or demonstrably outweigh the benefits. The application is recommended for approval.

1.0 INTRODUCTION

1.1 The application site is part of the property known as no.1A Foxborough Road. This property was formed from the sub-division of the original property, no.1 Foxborough Road, following the grant of planning permission in 2013 (ref P12/V443/FUL). No.1 and no.1A lie on the corner of Foxborough Road and Whites Lane at the west edge of the village. In terms of scale the building is a chalet bungalow, with a low eaves and rooms in the roofspace. To the north lies no.4 Whites Lane, while to the east lies no.3 Foxborough Road. A site location plan is **attached** at appendix 1.

2.0 PROPOSAL

2.1 The application is retrospective and is to sub-divide no.1A into a ground floor one-bedroom flat and a three bedroom dwelling with ground and first floor accommodation. The proposed flat would have an amenity area to the rear (on the north side of the building) and its own separate pedestrian access to Whites Lane. No external changes are proposed. Extracts from the application drawings are **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Radley Parish Council	Object for the following reasons:- <ul style="list-style-type: none"> • Over-development of the site • Lack of parking and manoeuvring space leading to parking on Foxborough Road • Insufficient amenity space • Harm to neighbours amenities • Overlooking of no.4 Whites Lane
Local Residents	10 neighbours have written to object to the application and two have written in support. The grounds for objection can be summarised as follows:- <ul style="list-style-type: none"> • Over-development of the site • The original dwelling has already been over-extended through permitted development, and then sub-divided, and this only increases the impact on neighbours • A previous application for three dwellings has been refused • Increased use of a dangerous access close to a sharp bend and a junction • There is insufficient space for cars required to park and turn safely • The amenity space for the flat is too small and will be overlooked • Too much noise and disturbance for neighbours • This will create further potential for extension and possible sub-division • The applicant should not benefit from seeking retrospective planning permission (this is not a material planning consideration)
Highways Liaison Officer (Oxfordshire County Council)	Following the submission of an amended drawing showing adequate parking and manoeuvring space, the highways liaison officer has no objections subject to conditions.
Thames Water Development Control	No objections

4.0 **RELEVANT PLANNING HISTORY**

4.1 [VE12/175](#) - ()

Extension being built in accordance to Building Control plans which differ from those granted planning permission -

[VE12/160](#) - ()

Change of flat roof into hipped roof and new dormers.

[VE12/099](#) - ()

Change of use from dwelling to B&B.

[P13/V2446/DIS](#) - Approved (13/01/2014)
Discharge of condition 6 relating to planning application P12/V2443/FUL

[P12/V2443/FUL](#) - Approved (17/01/2013)
Division of extended dwelling into two units

[P12/V0949](#) - Approved (21/06/2012)
Proposed roof extension and alterations including flat roof to hipped roof and new dormers.

[P11/V0990](#) - Refused (07/07/2011)
Change of use 1 dwelling into 2. Proposed extension at first floor to provide additional living accommodation and internal alterations.

[P09/V2095](#) - Refused (24/12/2009)
Demolition of existing 4 bedroom bungalow. Erection of a 1 1/2 storey chalet bungalow and a pair of 3 bedroom two storey semi-detached houses. (Re-submission)

[P09/V1665](#) - Other Outcome (24/09/2009)
Demolition of existing 4 bedroom bungalow. Erection of 1 1/2 storey chalet bungalow and pair of 3 bedroom semi-detached houses.

[P08/V2580](#) - Refused (23/04/2009)
Demolition of existing 4-bed bungalow. Erection of 1 1/2 storey bungalow and pair of semi-detached houses.

[P97/V0775](#) - Refused (09/10/1997) - Refused on appeal (24/02/1998)
Erection of one dwelling.

[P93/V0478](#) - Approved (16/12/1993)
Erection of a conservatory.

[P67/V0081](#) - Refused (30/01/1967)
Stationing of one caravan

[P64/V0090](#) - Approved (27/04/1964)
Stationing of one caravan.

[P62/V0030](#) - Refused (26/11/1962)
Stationing of the caravan.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework, 2012**

The NPPF introduced the presumption in favour of sustainable development. Sustainable development comprises three mutually dependent aspects, economic, social and environmental. The following paragraphs of the NPPF are relevant to this application

17 – core principles
49 – housing supply
50 – choice and inclusivity of new housing
55 – sustainable housing in rural communities
120 – impact of development on general amenity

5.2 **Planning Practise Guidance, 2014**

5.3 **Vale of White Horse Local Plan 2011** policies;

DC1 - Design
DC5 - Access
DC9 - The Impact of Development on Neighbouring Uses

5.4 **Draft Vale of White Horse Local Plan 2031, Part 1**

The emerging local plan is in draft form and is not sufficiently advanced for its policies to have material weight at this time.

5.5 **Design Guide (SPD adopted March 2015)**

DG48 –On-plot parking
DG63 – Amenity
DG72 – Apartments' amenity

5.6 **Other Relevant Legislation**

- Written statement by Secretary of State on sustainable drainage systems (18 Dec 2014)
- Written statement by the Secretary of State on car parking (25 March 2015)
- Planning (Listed Buildings and Conservation Areas Act) 1990
- 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

5.7 **Human Rights Act**

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.

5.8 **Equalities**

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**

The main considerations are:-

- The principle of development
- Economic and social sustainability
- Impact on the character and appearance of the area
- Impact on neighbours
- Impact on highway safety

6.1 **The 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).

- 6.2 The application is for the creation of a new dwelling. The council does not currently have a five-year supply of housing land. Paragraph 49 of the NPPF states that in the absence of a five-year supply local plan housing supply policies are not up-to-date and paragraph 14 of the NPPF is engaged. This means there is a presumption in favour of granting planning permission unless the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 6.3 **Economic and Social Sustainability**
Radley village is classified as a larger village and has a relatively good range of facilities including a shop, a primary school, a pub and a village hall. It also has a regular bus service that runs between Oxford and Abingdon and a train station. The proposal therefore scores relatively well in terms of the economic and social aspects of sustainable development. In terms of the environmental aspect this can be examined in terms of the impact of the proposal on the character and appearance of the area, the impact on neighbours, and access and parking.
- 6.4 **Impact on the Character and Appearance of the Area**
Policy DC1 of the adopted local plan requires new development to be acceptable in terms of design and layout. The adopted design guide requires, for apartments, 15 sq.m of amenity space per bedroom. The proposal involves no material change in the appearance of the existing building.
- 6.5 The main external change is the creation of a new amenity area on the north side of the building. This amenity area will be approximately 20sq.m in area. This meets the requirement in the design guide for a one-bedroom flat, which is 15 sq.m. The two other dwellings, no.1 and no.1A, will have approximately 100sq.m each, which also meets the adopted standard. When assessed on these measures the proposal is not an over-development of the site.
- 6.6 **Impact on Neighbours**
Policy DC9 of the adopted local plan states that new development should not cause harm to neighbours through overlooking, loss of light, or noise and other forms of disturbance. The proposal will not change the number and position of existing windows. Consequently, although the proposal is for the creation of an additional dwelling, there will be no additional potential for overlooking of neighbours.
- 6.7 The existing building has been extended in the past under permitted development rights, including the insertion of dormer windows in the north elevation facing White Lodge. The previous planning permission for the additional pitched roof on the property (P12/V0949) removed permitted development rights for any additional dormer windows or rooflights within the roof. This application does not alter this restriction which will still apply. The proposed new dwelling is a flat and, as such, will have no permitted development rights in itself.
- 6.8 The proposal will not change the size of the existing building. Therefore there will be no greater overshadowing. The addition of a new dwelling does have the potential to generate more noise and disturbance. As the dwelling will be only one-bedroom in size, the likely change is not considered to be great enough to warrant refusal of the application.
- 6.9 **Impact on Highway Safety**
Policy DC5 of the adopted local plan requires new development to show safe access and parking. Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the impacts are severe. The site lies close to a

sharp bend and a road junction. A one-bedroom flat requires one car parking space.

- 6.10 The highways liaison officer is aware of the proximity of the existing access to the bend and junction. However he considers that the addition of relatively limited traffic from a one-bedroom flat will not cause severe harm to the safety of the existing access. He did request more information on parking. The applicants have produced a parking plan showing two parking spaces for each dwelling and one space for the proposed flat. The plan also shows visitor parking and sufficient space for turning of vehicles do they emerge in forwards gear. Following the submission of this additional information the highways liaison officer has no objections subject to conditions.

7.0 **CONCLUSION**

- 7.1 In view of the lack of a five-year supply of housing land, paragraph 14 of the NPPF is engaged and there is a presumption in favour of granting planning permission unless the adverse impacts significantly and demonstrably outweigh the benefits. The proposed dwelling is relatively well located in terms of access to employment opportunities, to local services, and to public transport. The proposal causes no harm to the wider area, and any additional impact on neighbours will not amount to significant or demonstrable harm. Access and parking arrangements are acceptable. Consequently there are no adverse impacts that significantly or demonstrably outweigh the benefits and the presumption to grant planning permission is upheld.

8.0 **RECOMMENDATION**

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

1. **Approved plans.**
2. **Car Parking (full).**

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