

APPLICATION NO.	P15/V1104/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	2.6.2015
PARISH	SHELLINGFORD
WARD MEMBER(S)	Robert Sharp
APPLICANT	Mrs Lynda Johnson
SITE	Woodlands, Fernham Road, Shellingford, SN7 7PU
PROPOSAL	Change of use of agricultural land to residential use.
AMENDMENTS	None
GRID REFERENCE	431597/193583
OFFICER	Katie Cook

SUMMARY

The application is referred to committee for the following reasons:

- Further to a Parish meeting an objection was received written on behalf of several members of the Parish.
- The land which forms part of this application is owned by an elected member of the council, Councillor Robert Sharp.

The proposal is for the change of use of agricultural land to residential use.

The main issue is:

- The impact on the visual amenity of the area.

The recommendation is for approval.

1.0 INTRODUCTION

1.1 The property, a semi-detached dwelling, is located on the north / north-west side of Fernham Road from which vehicular access to the site is obtained. To the north and north-east of the site is agricultural land. The site is located within the Lowland Vale, an area of local designation. A copy of the site plan is **attached** at appendix 1.

1.2 The application comes to committee as the land which forms part of this application is owned by an elected member of the council, Councillor Robert Sharp.

1.3 An objection written on behalf of several members of the Parish has also been received.

2.0 PROPOSAL

2.1 This application seeks planning permission to change the use of an area of agricultural land of approximately 90 square metres immediately adjacent to the existing garden of the property to residential curtilage. A copy of the application plans is **attached** at appendix 2.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

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

3.2	Shellingford Parish Meeting	<p>Further to the Parish Meeting held on 17 June 2015, an objection written on behalf of several members of the parish was received.</p> <p>Their objections may be summarised as follows:</p> <ul style="list-style-type: none"> • As part of a previous, larger planning application the proposed area which forms part of the application was refused permission by the council and at appeal. [Application reference P14/V0885/FUL – ‘Change of use from agricultural to residential and erection of two semi-detached four bedroom dwellings with garages. (Re-submission of withdrawn application P13/V0357/FUL)']. • The proposal will set a precedence for further development both on the proposed new residential area at Woodlands and the surrounding agricultural land. • Road safety concern. The existing access does not comply with regulations regarding access set back and line of site. Increased vehicle usage will make an already dangerous area even worse.
	Neighbours	<p>Two letters of support have been received. The points raised may be summarised as follows:</p> <ul style="list-style-type: none"> • The homeowners will benefit considerably from what is an unusually shaped garden. • There will be no impact on any villagers, nor will the distance between the conservation area and the houses on Fernham Road be compromised. • Works to the property have added character to the village and the very small and relatively insignificant addition of agricultural land to the garden will only add to that.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P13/V2426/HH](#) - Approved (20/12/2013)
Rear extension

4.2 [P13/V0757/HH](#) - Approved (17/06/2013)
Two storey rear extension, single storey side extension and alterations.

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.

Policy No.	Policy Title
DC1	Design
H25	Garden Extensions
NE9	Lowland Vale

5.2 **Emerging Local Plan 2031 – Part 1**

The draft Local Plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where

relevant, the saved policies (listed above) within the existing Local Plan.

Policy No.	Policy Title
Core Policy 37	Design and local distinctiveness

5.3 Supplementary Planning Guidance

- Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-

- *Boundary treatments (DG55 and DG81)*
- *Amenity (DG63)*
- *Landscape (DG77)*

5.4 National Planning Policy Framework (NPPF) – March 2012.

5.5 Planning Practice Guidance 2014.

6.0 PLANNING CONSIDERATIONS

6.1 The main issue in determining this application is the impact on the visual amenity of the area.

Impact on visual amenity

6.2 Policy DC1 of the adopted Local Plan 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.

6.3 Policy H25 of the adopted Local Plan refers to extensions to residential gardens, and seeks to ensure that such proposals will not have a detrimental effect on, among other things, the landscape or setting of the settlement or the character of the area, important open areas within a settlement, the amenity of the adjoining residents and users of public rights of way.

6.4 Policy NE9 of the adopted Local Plan refers to development within the Lowland Vale, outlining that development will not be permitted if it would have an adverse effect on the landscape, particularly on long open views within or across the area.

6.5 The proposed conversion of a small area of agricultural land to residential curtilage will not appear out of place within the street scene or be detrimental to the visual amenity of the area. The proposal will not have an adverse impact on the landscape of the Lowland Vale.

6.6 Rounding off the existing curtilage, the extended garden is considered to be proportionate to the size of the dwelling it serves.

6.7 It is unclear from the information provided what boundary treatments will be used to enclose the land, and accordingly it is considered reasonable and necessary to condition that details be provided.

6.8 In order to protect the visual amenity of the area and to ensure the development avoids an overdeveloped or cluttered appearance it is considered reasonable and necessary to remove permitted development rights in respect to the erection of outbuildings.

Other considerations

- 6.9 The size of the curtilage created is not considered to set a precedence for future residential development. Were permission subsequently to be sought for a new dwelling on the site this would be assessed on its own merits, taking into account the recently dismissed appeal on the adjacent land for two dwellings.
- 6.10 The proposed development is not altering the existing access provision into the site, and the application could not be reasonably or justifiably be refused on the grounds of impact on highway safety.

7.0 **CONCLUSION**

- 7.1 The proposal will not harm the visual amenity of the area, and therefore complies with the provisions of the development plan, in particular policies DC1, H25 and NE9 of the adopted Vale of White Horse Local Plan. The proposal is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

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

1. **Time limit - full permission.**
2. **Planning condition listing the approved drawings.**
3. **Notwithstanding any details shown on the approved drawings, prior to the first use of the land as residential curtilage full details of the how the site's external boundaries shall be enclosed shall be submitted to and approved in writing by the Local Planning Authority. The agreed means of enclosure shall subsequently be installed and maintained.**
4. **Notwithstanding the provisions of Class E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), there shall be no ancillary buildings or structures erected within the new curtilage of the dwelling without the prior grant of planning permission.**

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