

<b>APPLICATION NO.</b>	<a href="#">P15/V1243/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	16.6.2015
<b>PARISH</b>	GROVE
<b>WARD MEMBER(S)</b>	Ben Mabbett Chris McCarthy
<b>APPLICANT</b>	Bellwood Projects Ltd.
<b>SITE</b>	8 Wick Green, Grove, Wantage, OX12 0AR
<b>PROPOSAL</b>	Proposed new dwelling, car parking and works there to.
<b>AMENDMENTS</b>	None.
<b>GRID REFERENCE</b>	439884/190563
<b>OFFICER</b>	Sarah Green

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## SUMMARY

- The application is referred to planning committee due to an objection from Grove parish Council.
- The application is for a new dwelling, fronting Denchworth Road. It follows a refusal of a scheme in 2014 which was considered to have a harmful impact on the character of the area.
- The main issues are therefore whether this new scheme would have a harmful impact on the character of the area, residential amenity and the highway network.
- Officers consider that the design of this scheme would not have a significantly harmful impact to justify a refusal, and it would have an acceptable impact on residential amenity and the highway.
- The application is recommended for approval subject to conditions

## 1.0 INTRODUCTION

- 1.1 The application is referred to planning committee due to an objection from Grove parish Council.
- 1.2 The site is located off Denchworth Road. It is currently part of the garden of No 8 Wick Green which is a semi-detached property. To the other side of the site is a recently completed development of 4 dwellings at Walnut Tree Cottages. A location plan is **attached** at Appendix 1.
- 1.3 Planning permission was refused last year for a single dwelling on the site as its design and layout was considered to harm the visual amenity of the area. That refused dwelling was gabled fronted and was sited forward of the existing property No 8 by 4m.

## 2.0 PROPOSAL

- 2.1 This application seeks permission for a single 3 bedroom dwelling on the site. It would be 8.1m in height with eaves of 4.3m and would have a two storey rear gable. This property would be sited forward of No 8 by 2m and forward of No 1 Walnut Tree Cottage by 1.7m.
- 2.2 Parking for 2 cars would be provided in the frontage along with a formal parking area for No 8 as well. A new access would be made to Denchworth Road. The plan has been updated during the application to reflect the comments of the highway officer. It is

**attached** at Appendix 1.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Below is a summary of the responses received to the scheme. A full copy of all the comments made can be viewed online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

Grove Parish Council	Object “We feel that this additional building is over-development of the site.”
County Archaeologist (OCC)	No archaeological constraints
Thames Water Development Control	No objection
Countryside Officer (South Oxfordshire & Vale of White Horse)	No objection
Vale - Highways Liaison Officer (Oxfordshire County Council)	No objection in principle subject to conditions. Amendments are acceptable.
Neighbour Object (2)	Strongly object. Still in front of building line, development turned 90 degrees, cramped plot, garden grabbing, adverse visual effect from opposite side of road, trees give screening to existing property, Greyfriars will be overlooked, loss of privacy, parking area have detrimental visual impact, overspill of parking make getting in and out properties (Greyfriars and Poplars Farm) more difficult, out of character, impact on entrances to houses opposite in conservation area, number of mature trees were lost when main site was developed, parking at No 8 not used resulting in narrowed road and kerbside vehicles
Neighbour No Strong Views (1)	Seems like it will be consistent with adjacent development of Walnut Tree Cottages so believe with complement surrounding area. only observation is seems to protrude forward from surrounding dwellings. Would look better if set back.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/V1534/FUL](#) - Refused (27/08/2014)  
Erection of new dwelling, car parking and works there to.

[P14/V0799/FUL](#) - withdrawn (11/06/2014)  
Proposed new dwelling and 2 new car parking spaces.

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

DC9 - The Impact of Development on Neighbouring Uses

H10 - Development in the Five Main Settlements

HE1 - Preservation and Enhancement: Implications for Development

HE4 - Development within setting of listed building

## 5.2 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:-

Core Policy 1	Presumption in favour of sustainable development
Core Policy 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 5	Housing supply ring-fence
Core Policy 15	Spatial strategy for South East Vale sub-area
Core Policy 37	Design and local distinctiveness
Core Policy 39	The historic environment
Core Policy 42	Flood risk
Core Policy 44	Landscape

## 5.3 Supplementary Planning Guidance

- Design Guide – March 2015

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

## 5.5 National Planning Practice Guidance 2014 (NPPG)

## 5.6 Neighbourhood Plan

Grove does not have a neighbourhood plan currently

## 5.7 Environmental Impact

This proposal does not exceed 150 dwellings and the site area is under 5ha. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

## 5.8 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)

## 5.9 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.

## 5.10 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**

6.1 The main planning considerations are the following:

1. Principle of development
2. Design and layout
3. Residential amenity
4. Highway safety and parking
5. 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 SHMA 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 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a 5 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. Having a deliverable 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 year housing supply, the proposal is acceptable in principle unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.

6.7 **Design and Layout**

Policies DC1 and H10 require that development should be a scale, layout and design

that would not materially harm the form, structure or character of the settlement. The design guide at DG51 seeks that new development should generally reflect the scale of existing settlement.

- 6.8 The existing built form along this side of the street are either semi-detached or detached properties within larger plots. They are set back from the road. The recent new houses on the adjacent site follow this pattern. The previous scheme which was refused in 2014 had sited the dwelling 4m forward of the front of No 8. Your officers considered at the time that distance in front of the established building line when coupled with the design of that dwelling, with the gable fronting the road, resulted in a development that would have been prominent in the street scene and offered an uncomfortable relationship with No 8.
- 6.9 This new scheme has re-orientated the ridge line of the dwelling so that it follows that of the dwellings either side. The highest part of the dwelling, the ridge, will not be in front of the established building line, unlike the refused scheme. The lowered eaves line, similar to the new properties on the adjacent site, will help to reduce the prominence of the dwelling within the street. Officers acknowledge that the dwelling is sited forward of the properties either side, but its projection is half that of the refused scheme, and given the changes to the design of the dwelling to reduce its visual impact, your officers consider that it would be difficult to demonstrate that the proposal would result in significant harm to the character of the street, to justify as refusal on this point.
- 6.10 The scheme would result in the loss of the tree along the frontage, which is not protected. However a landscaping plan is suggested as a condition to ensure that replacement planting to the frontage is secured and this will need to be agreed with the council.
- 6.11 The house opposite the site is within the conservation area and is listed. Given the distance of the proposal from this property it is not considered that it would harm the setting of the listed building. It is also considered to not harm the wider character and appearance of the conservation area.
- 6.12 **Residential Amenity**  
Policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment
- 6.13 The first floor side windows to the proposed dwelling serve a landing and bathroom, not primary living accommodation. The kitchen has high level windows facing the side of No 1 Walnut Tree Cottage. This mirrors the windows on that side of No1, which also has a high level window. There would not be overlooking between the two properties.
- 6.14 No 8 has no side windows facing the site, so there would be no overlooking between the two properties. The dwelling has been sited on the plot so that neither the front nor the rear of the proposed dwelling would cross a 40 degree line from the windows of No 8 or No 1, as set out in the design guide. It would therefore not result in a loss of light or feel overbearing on either of these two properties in your officers opinion.
- 6.15 The front of the proposed dwelling is set back 16m from the road and approx. 26m from the front boundary of the houses on the opposite side of Denchworth Road, and approx. 50m from the houses themselves. Given these distances your officers consider that the proposal would not result in a harmful impact on the amenity of these residential occupiers.
- 6.16 The proposal is considered to have an acceptable impact on residential amenity and

accord with policy DC9.

**6.17 Highway Safety and parking**

Policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Paragraph 32 of the NPPF states: *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

6.18 The proposal includes off street parking for the proposed dwelling and for No 8 within the frontage. The highway officer has reviewed the scheme and states that 2 spaces per dwelling and the turning space to enable egress in a forward gear is acceptable in this location. The plan has been updated to show the correct vision splays and the drop kerb arrangement as requested by the highway officer. He therefore has no objection to the scheme subject to parking and access being provided as on plan.

**6.19 Other**

The countryside officer has no objection to the application and there are also no archaeological constraints to the scheme.

**7.0 CONCLUSION**

7.1 This application has been assessed against the National Planning Policy Framework (NPPF), relevant saved policies in the local plan and all other material planning considerations. The NPPF states that sustainable development should be permitted unless the adverse effects significantly and demonstrably outweigh the benefits.

7.2 The proposal would provide a new dwelling in a sustainable location. The design of this new scheme is considered to appropriate and does not in your officer’s opinion result in significant harm to the character of the area. It would have some impact upon the neighbouring properties however this impact is considered to be acceptable.

7.3 Overall, and in view of the emphasis in the NPPF, the development is considered to amount to sustainable development, and whilst there will be some adverse effects, these do not significantly and demonstrably outweigh the benefits. Consequently, the application is recommended for approval subject to conditions.

**8.0 RECOMMENDATION**

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

- 1. Commencement three years - full planning permission.**
- 2. Approved plans.**
- 3. Material details to be submitted for approval.**
- 4. Access, visibility splays and parking to be in accordance with plan.**
- 5. Landscaping scheme (submission).**
- 6. Landscaping scheme (implementation)**
- 7. Drainage details to be submitted for approval (surface and foul).**
- 8. Slab levels to be submitted for approval.**

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