
APPLICATION NO.	P15/V1444/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	16.6.2015
PARISH	MARCHAM
WARD MEMBER(S)	Catherine Webber
APPLICANT	Mr Lee Chapman
SITE	Peartree Cottage, 7 Packhorse Lane, Marcham Abingdon, OX13 6NT
PROPOSAL	Erection of single storey dwelling (As amended by drawings 14103-PE3002.A, 14103-PP005.F, 14103-PP3001.A; received on 10.08.2015. The width of the proposed dwelling has been reduced).
AMENDMENTS	None
GRID REFERENCE	445547/196700
OFFICER	Hanna Zembrzycka-Kisiel

SUMMARY

- The application is referred to planning committee due to an objection from Marcham Parish Council. 17 letters of objection have been received.
- The application is for a new dwelling, at the rear of No.7 Packhorse Lane.
- The main issues are whether the scheme would have a harmful impact on the character of surrounding area, the Marcham Conservation Area, residential amenity and the highway network.
- The proposed dwelling is of traditional design and has a low eaves height with first floor accommodation in the roof space. It is 6.5 metres in height.
- Amended plans have been submitted during the application process, reducing the length of the proposed dwelling by approximately 4.7 metres. This has improved its relationship with neighbouring dwellings.
- As site publicity is due to expire on 24 September 2015 it is recommended that authority to grant planning permission is delegated to the head of planning in consultation with the chairman and vice-chairman.

1.0 INTRODUCTION

1.1 The site is located on land to the rear garden of No.7 Packhorse Lane. The existing neighbouring properties are located to the north, south and west of the application site. To the north and west are a number of dwellings in Sweetbriar whose rear gardens adjoin the site. To the south-east are nos. 9 – 13 Packhorse Lane. To the north-east is a new housing development for two houses currently under construction. The existing access to these new dwellings would be utilised and enhanced. A location plan is **attached** at Appendix 1.

1.2 The site is located within the Marcham Conservation Area.

2.0 PROPOSAL

2.1 The application seeks planning permission for the erection of one detached three bedroom dwelling. The proposed dwelling has been designed to be of traditional form with a relatively low eaves height and first floor accommodation in the roof space.

2.2 Amended plans have been submitted during the application process, reducing the length of the proposed dwelling by approximately 4.7 metres. The amended application plans are **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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.

Marcham Parish Council	<p>Object:</p> <p>“The proposal would be an overdevelopment of the site. The close proximity to the Sweet Briars Complex would have a harmful impact on the residential amenities of the residents. The proposed materials are not in keeping with the character of the area”</p>
County Archaeologist (OCC)	No objection, subject to conditions
Thames Water Development Control	No objection, subject to informative
Forestry Team	No objection, subject to condition
Vale - Highways Liaison Officer (Oxfordshire County Council)	<p>No objections, subject to conditions</p> <p>The comments submitted by the Highways Officer state as below:</p> <p>“The access arrangements for the above proposal were considered acceptable under a previous planning application/permission and have been carried over to this application.</p> <p>In light of this they are considered acceptable for the current proposal.”</p>
Neighbour Object (17) letters have been received to the initial plans and (8) letters have been received to the amended proposal	<p>Strongly object:</p> <ul style="list-style-type: none"> - the proposal would cause loss of light and loss of privacy due to overlooking; - the proposal will increase the noise and will increase the air pollution in the area, as there will be more cars coming into the site; - the proposal is harmful to the conservation area; - it's scale is unacceptable in this location; - It is two storey not single storey dwelling; - the proposal will be placed to close to the neighbouring properties;
Neighbour comments (2)	Concerns raised in the received letters related to the impact of the proposal on the residents of the retirement apartments.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [VE06/171](#) - ()

Check height of wall and conditions re access ref no 75/06

[P15/V0843/DIS](#) - Approved (10/06/2015)

Discharge conditions 3 (materials), 4 (boundary), 5 (archaeology), 6 (archaeology), 7 (levels), 8 (landscape) and 10 (drainage) of planning permission P14/V2548/FUL.

Erection of two detached dwellings.

[P14/V2548/FUL](#) - Approved (12/02/2015)

Erection of two detached dwellings.

[P14/V0402/O](#) - Approved (09/05/2014)

Outline Application: Erection of 3 no. new dwellings, new access and associated works.

[P13/V2509/PEM](#) - Other Outcome (04/02/2014)

Residential development. *SITE MEETING*

[P05/V1171](#) - Approved (27/09/2005)

Erection of a first floor rear extension and conservatory.

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

H11 - Development in the Larger Villages

HE1 - Preservation and Enhancement: Implications for Development

NE9 - The Lowland Vale

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 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 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. Having a deliverable five year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a five 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 The application site is located within the main built up area of Marcham. Marcham is one of the larger villages within the Vale, with a reasonable range of services and facilities. There is an hourly bus service to and from Oxford. Consequently, it is considered the proposal is sustainable in terms of its economic and social aspects.
- 6.8 The environmental aspect of the proposal also needs to be assessed, which includes an assessment of the impact of the proposal on the character of the area, neighbouring properties and highway safety.
- 6.9 **Design and Layout**
Policies DC1, HE1 and H11 require that development should be a scale, layout and design that would not materially harm the form, structure or character of the settlement, and the Conservation Area. The design guide at DG51 seeks that new development should generally reflect the scale of existing settlement.
- 6.10 The site is located within the heart of the village, on the land to the rear of No. 7 Packhorse Lane. This part of the village is characterised by differing property styles and ages and there is considered to be no definitive pattern of development. Whilst properties generally front the main road, there is also development in depth to the west and east of the site. There are other residential developments under construction to the

east of the application site, which were granted planning permissions in February 2015 (reference P14/V2548/FUL).

- 6.11 Amended plans have been submitted during the application process, reducing the length on the proposed dwelling by approximately 4.7 metres. This amendment set the north elevation of the proposed building further off of the neighbouring property to the north, increasing the distance between the two dwellings to 16.0 metres. The proposed design of the dwelling utilise traditional materials and complements the local vernacular. The proposal will have a pitched roof with the maximum height not exceeding 6.5 metres measured from the ground level. The eaves will be relatively low with the available roof space is to be used as first floor living accommodation. The proposal would not be visible from Packhorse Lane and, from adjacent properties, would be seen within the context of the existing and recent development. Given the pattern of other development in the vicinity it is considered that the proposal can be accommodated on the site without causing harm to the character or appearance of the conservation area.
- 6.12 As such the proposal is considered to comply with the requirements of local plan policies DC1, HE1 and H11 and the provisions of the NPPF, NPPG and the design guide.
- 6.13 **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.
- 6.14 According to the council's adopted design guide, a minimum distance of 12 metres is recommended between the habitable windows of a dwelling and the flank wall of a two storey neighbouring dwelling, and 21 metres between opposing habitable windows in two neighbouring two storey dwellings. The proposal is significantly lower than a normal two storey house, with an eaves height that mainly equates to that of a single storey dwelling. It will be located at least 12 metres from the elevations of the neighbouring properties to the west and south, and approximately 16 metres from the property placed to the north. Given the height and design of the proposal officers consider that this separation will be sufficient to comply with the advice in the design guide.
- 6.15 The first floor accommodation will be lit by high-level rooflights or high-level windows. High-level rooflights are shown for the west and east elevations. High-level tri-angular windows are shown in the north and west elevations. These windows will be conditioned to be installed with a sill height of not less than 1.7 metres above the finished floor level of the rooms in which they are fitted and shall be retained as such. On the south elevation the first floor windows to either side of the chimney will light a full-height void above the ground floor. There will be no views available from these windows. Thus none of the proposed first floor windows will lead to overlooking of neighbours.
- 6.16 Given the proposed height, which will not exceed 6.5 metres at the ridge level, and the distance of at least 12.0 metres off the neighbouring properties, officers consider the proposed dwelling is sufficient distance from neighbouring properties to ensure that no harmful loss of light would occur. Moreover it is not considered it would cause a visual intrusion to neighbouring properties
- 6.17 Noise from construction would be a temporary issue and would not be sufficient to justify refusal.

6.18 As such the proposal is considered to comply with the requirements of local plan policy DC9, and the provisions of the NPPF, NPPG and Residential Design Guide.

6.19 **Highway safety**

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.”*

6.20 The proposal provides three off street parking spaces within the site. A turning area and access to the site will be shared with the houses currently under construction to the north-east. Access for emergency and refuse vehicles will be via this shared access. The county highways liaison officer has been consulted and is satisfied that the access can accommodate the predicted additional traffic from the proposal.

6.21 As such the proposal is considered to comply with the requirements of local plan policy DC5, and the provisions of the NPPF, NPPG and Residential Design Guide.

Other Issues

6.22 **Trees**

The arboricultural officer has assessed the amended proposal and is of the opinion that the new dwelling will have even less of a direct impact on the trees to be retained due to the reduced footprint. He has no objections subject to a condition to secure updated tree protection details.

6.23 **Archaeology**

The site is located within an area of archaeological potential and as such conditions requiring archaeological monitoring and recording action (watching brief) to be maintained during the period of construction are necessary.

6.24 **Publicity**

The amendments to the application have been publicised by site notice with a 21-day consultation period that expires on 25 September 2015, just two days after the committee meeting. Officers would therefore recommend that, should members be minded to support the proposal, authority to grant planning permission is delegated to the head of planning in consultation with the chairman and vice-chairman, subject to the expiry of the consultation period.

7.0 **CONCLUSION**

7.1 The application is recommended for approval as the development would comply with the relevant development plan policies and the National Planning Policy Framework. The principle of the proposed development is considered to be acceptable, it would not harm the visual amenity and character of the area, the setting of the conservation area or the amenities of neighbouring properties, and there is adequate and safe access and parking provision for the site. The proposal, therefore, complies with the provisions of the development plan, in particular policies DC1, DC5, DC6, DC9, H11, HE1 and NE9. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

It is recommended that authority to grant planning permission is delegated to the head of planning, in consultation with the chairman and vice-chairman, subject to:

- i) The expiry of the publicity period for the application and the receipt of no new substantive objections; and
- ii) Conditions as follows:
 - 1. Time limit.
 - 2. Approved plans.
 - 3. Details of materials.
 - 4. Access, parking and turning in accordance with approved plans.
 - 5. Tree protection.
 - 6. Rooflight / window sill height.
 - 7. Archaeology.

Informatives:

- 1. Surface water drainage.
- 2. Trees in the conservation areas.

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