

APPLICATION NO.	P15/V1480/O
APPLICATION TYPE	OUTLINE
REGISTERED	23.6.2015
PARISH	BLEWBURY
WARD MEMBER(S)	Janet Shelley Reg Waite
APPLICANT	Mr M Butterfield
SITE	Upperton, The Pilgrim's Way, Blewbury, OX11 9NG
PROPOSAL	Outline application for subdivision of existing site and erection of a single storey 3-bedroom dwelling
AMENDMENTS	None
GRID REFERENCE	453196/185456
OFFICER	Kayleigh Mansfield

SUMMARY

The application is referred to Planning Committee as Blewbury Parish Council object to the proposal.

The application seeks outline planning permission with all matters reserved other than access, siting and scale, for the subdivision of the existing site and erection of a single storey 3-bedroom dwelling.

The application is recommended for approval as the principle of a dwelling on this site can be accommodated without causing harm to the character of the areas, landscape or the amenities of neighbouring dwellings. It can be accessed safely and is in a sustainable location. As such, the proposal complies with the provisions of the Development Plan and the NPPF

1.0 INTRODUCTION

- 1.1 The application relates to an existing plot along Pilgrims Way in Blewbury. The site as it stands is 0.2 acres which will be split so both sites will become 0.1 acres. Vehicular access is proposed from Pilgrims Way off London Road. Pedestrian access is obtained in the same manner. A site location plan is **attached** at Appendix 1.
- 1.2 The site falls within the North Wessex Downs Area of Outstanding Natural Beauty.
- 1.3 The site is largely level and is bounded to the east (Upperton) and to the north by residential development. To the west and the south is open countryside although the site is contained by mature vegetation.
- 1.4 The existing dwelling would retain parking for 3 vehicles and the proposal does not compromise private amenity space for the existing dwelling.

2.0 PROPOSAL

- 2.1 The application seeks outline planning permission with all matters reserved other than access, siting and scale, for the erection of a single storey three bedroom dwelling, designed as an 'L-shape' structure. Vehicular access will be maintained as the existing and the proposal provides two parking spaces for the dwelling with adequate room for turning. An existing plan is **attached** as Appendix 2. A proposed plan is **attached** as Appendix 3.

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.

Blewbury Parish Council	OBJECTION <ul style="list-style-type: none"> • Located in the AONB • Detrimental impact on character of the landscape • Infilling in Blewbury not usually allowed • Outside of the village envelope • Intrusive on existing properties • Harm to character and appearance of the area.
Neighbour Object x38	OBJECTION <ul style="list-style-type: none"> • Located in the AONB • Drainage • Outside of village envelope • Ontraty to character of Blewbury • Visual intrusion • Road safety • Road is classified as a private footpath • Unsuitable for more traffic • Increased pollution • Destruction of wildlife • Creeping urbanisation • Concerns regarding precedence
Drainage Engineer	NO OBJECTIONS – Subject to conditions
County Archaeologist (VWHDC) - No strong views	NO OBJECTION
Highways Liaison Officer (Oxfordshire County Council) - No strong views	NO OBJECTION
Thames Water Development Control - No strong views	NO OBJECTION
Countryside Access - No strong views	NO OBJECTION
Neighbour No Strong Views x1	NO OBJECTION – concerns regarding: <ul style="list-style-type: none"> • Footpath not suitable for extensive use • Potential enlargement

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/V1675/DIS](#) - Approved (05/09/2014)

Discharge condition 3 (external materials) and condition 6 (arboricultural method statement) of planning permission P14/V1005/HH.

Renovation, alteration and extension and the construction of a garage building / garden store to include the demolition of existing extensions and outbuildings.

[P14/V1005/HH](#) - Approved (10/07/2014)

Renovation, alteration and extension and the construction of a garage building / garden

store to include the demolition of existing extensions and outbuildings.

[P14/V0122/PEO](#) - Other Outcome (24/02/2014)

Extension and refurbishment of Upperton *SITE MEETING*

[P07/V0963/LDE](#) - Other Outcome (01/05/2008)

Application for a certificate of lawfulness for general builders yard for storage of building materials/equipment.

[P75/V1145](#) - Approved (16/05/1975)

Lounge/dining room extension.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse 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

H11 - Sub-division of dwellings in built up area

NE6 - The North Wessex Downs Area of Outstanding Natural Beauty

5.2 **Blewbury Neighbourhood Plan**

Area designation approved and working towards pre-submission draft. No weight can currently be afforded to this draft.

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

CP15 – Spatial Strategy for South East Vale Sub-Area

CP33 – Promoting sustainable transport and accessibility

CP37 – Design and local distinctiveness

CP42 – Flood Risk

CP44 - Landscape

5.4 **Supplementary Planning Guidance**

- Design Guide – March 2015
- Parking Standards SPG

5.5 **National Planning Policy Framework (NPPF) – March 2012**

5.6 **Planning Practice Guidance 2014 (PPG)**

5.7 **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)

Human Rights Act

5.8 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

5.9 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 relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Design and layout
3. Residential amenity
4. Highway Safety and parking
5. Flood Risk and Surface/Foul Drainage

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

6.3 The general locational strategy of the both the adopted Local Plan 2011 and the emerging Local Plan 2031 is to concentrate development within the five main settlements and allow small scale development within the built up areas of villages, provided 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.

6.4 Blewbury is categorised as one of Vale's larger villages, and as such policy H11 of the adopted local plan would apply. This permits new housing development provided it would not harm the form, structure or character of the settlement.

6.5 However, both 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 proposed works should therefore be assessed under the NPPF where there is a clear 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 three strands, social, economic and environmental. Therefore, with the lack of a 5 year housing supply, the proposed works are acceptable in principle. Unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.

6.6 Social and Economic

The application site, forms part of the village which has a range of services, including a village store and hall, school, public house and a bus service. As such the proposal is considered to be in a sustainable location in social and economic terms. House building also brings social and economic benefits in terms of job creation and support for local services. Furthermore the NPPF seeks to develop a mix of housing to meet the needs of different groups in the community, such as single dwellers and older residents.

6.7 Environmental Role

In terms of the environmental strand the proposed dwelling would be seen within the context of the existing dwellings on the site and the village beyond when viewed from the wider area. Given the existing housing in the close proximity it is not considered that the proposed dwelling would appear out of place or compromise the visual amenity of the area. Whilst the site is within the AONB it is not considered the development of this proposal will compromise the natural beauty of the landscape. The site is heavily screened on the west and south boundary with mature landscaping and would therefore not compromise views into or out of the rural landscape. Any impacts on the landscape are not considered to be so significant and demonstrably harmful to justify refusal given the visual containment of the site.

6.8 In addition, although outline, the scale of the dwelling is included in the application which states that it will be single storey which would also help reduce its prominence in the landscape.

6.9 It is considered reasonable and necessary to remove permitted development rights given the sensitive location of the site within the AONB to ensure that any additions to the property are appropriate to its setting.

6.10 Highways Considerations

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.”*

6.11 The County highways officer is satisfied with the principle of a dwelling in this location accessed from Pilgrims way, however had some concerns with regards to vehicles reversing onto the private road. He is however is comfortable with these concerns to be appropriately conditioned in relation to the submission of turning space on site. Additional comments have been made regarding the proposed gate, whilst it could be viewed that the gate would be an obstruction, it is not considered that the harm of this element of the proposal to be severe enough to warrant refusal. Again a condition in relation to boundary treatment is recommended.

6.12 Impact on neighbours

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. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.

- 6.13 As this application is outline neighbour impact in terms of over looking or dominance cannot be assessed. It is however considered that a dwelling could be accommodated on the site without harm to the neighbour subject to the reserved matters details. Given the modest height footprint of the dwelling it is not considered to be dominant when considering its proximity to Upperton. Given the orientation of both dwellings there are no concerns with respect to over shadowing as it is proposed to be single storey. All other neighbouring properties are over 35.0 metres from the proposed siting of the new dwelling and therefore will not have their residential amenity impacted.

Drainage

- 6.14 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103).
- 6.15 Initially the drainage engineer provided a holding objection. The applicant had not at this point provided information on how foul water will be disposed of. Further information of the proposed method of disposal was subsequently submitted and the drainage engineer has now removed his objection and provided the following condition: *“Prior to the commencement of the development, a fully detailed sustainable drainage scheme for foul and surface water of the development, including soil porosity test results, shall be submitted to, and approved in writing by the District Planning Authority. The approved scheme shall be implemented prior to the occupation of any dwelling to which the scheme relates. Reason: To ensure the effective drainage of the site and to avoid flooding.”*

7.0 CONCLUSION

- 7.1 The proposed development will not harm to the visual amenity of the area, the character of the Lowland Vale, or the amenities of neighbouring properties. It can be accessed safely, and is in a sustainable location. As such, the proposal complies with the provisions of the Development Plan in particular with policies DC1, DC5, DC9, H11 and NE6 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.
- 7.2 Overall, and in view of the emphasis in the NPPF, the development is considered to amount to sustainable development. Consequently, the application is recommended for approval subject to conditions.

8.0 RECOMMENDATION

It is recommended that outline planning permission is granted subject to the following conditions:

- 1. Time Limit – outline planning permission.**
- 2. In accordance with approved plans.**
- 3. Submission of access details.**
- 4. Removal of permitted development rights for extensions and outbuildings.**
- 5. Full details of parking on site.**
- 6. Submission of a construction traffic management.**
- 7. Submission of details of turning space on site.**
- 8. Full details of foul and surface water drainage.**
- 9. Sustainable drainage scheme.**
- 10. Submission of full details of boundary treatment.**

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