

APPLICATION NO.	P15/V0096/FUL & P15/V0097/LB
APPLICATION TYPE	FULL APPLICATION & LISTED BUILDING
REGISTERED	20.1.2015
PARISH	UFFINGTON
WARD MEMBER(S)	Robert Sharp
APPLICANT	Mr Paul Baily
SITE	The Laurels, Broad Street, Uffington, Faringdon, SN7 7RA
PROPOSAL	Erection of a new dwelling to the rear of The Laurels.
AMENDMENTS	None
GRID REFERENCE	430419/189455
OFFICER	Hanna Zembrzycka-Kisiel

SUMMARY

This application comes before the planning committee as Uffington Parish Council have objected to the scheme based upon Heritage issues, parking provision, size and design, and the Uffington, Woolstone and Baulking Neighbourhood Plan.

This application seeks planning permission and listed building consent for one new dwelling on the land to the rear of The Laurels, a grade II listed dwelling.

The main issues are:

- Scale, massing and design
- Impact upon heritage assets
- Impact upon neighbouring amenity
- Highways implications
- Trees
- Other considerations

The application is recommended for approval

1.0 INTRODUCTION

- 1.1 The application site is located within the rear garden of The Laurels, a grade II listed building and one of local heritage importance within the village of Uffington.
- 1.2 The Laurels comprises an early 19th century residence, which has been extended twice; at the end of the 19th century and again in 1995.
- 1.3 The existing site extends to 0.48 HA and is divided into 3 distinct areas:- the existing house with surrounding formal gardens, an open lawn area and a rough grassed paddock area.
- 1.4 The lawn and paddock is enclosed on two sides with a belt of mature mixed native trees (Oak, Ash, Sycamore and Beech) and abuts a woodland path (Public) on its Northern edge.
- 1.5 The existing property is bounded to the South by Broad Street with a brick wall at the back of the pavement line, 1200mm high rising to 1800mm high at its eastern end. The wall partly retains the ground to the front of the house (approx. 600mm) and is set on top with a mature Laurel Hedge and other shrub planting.

- 1.6 There are 3 entrances on this side. The first crosses over the footpath on the western end to access an opening through the existing brick garden wall to an informal gravelled area adequate for parking approx. 3 cars. The second is a central pedestrian path to the front entrance door to the house. The third is via a right of way across a shared area of paving adjoining the neighbouring White Horse, former Public House and forms the principal vehicular access to the site leading to a raised gravel driveway and turning area with a timber framed outbuilding used as a Car Port for 2 cars.
- 1.7 The site is bounded by a public footpath through mature woodland trees along the North side with open fields beyond. The western boundary abuts The Old post Office House and is defined by mature hedging and trees.
- 1.8 The site is not located within any designated area. A site plan is **attached** at Appendix A.

2.0 **PROPOSAL**

- 2.1 This application seeks planning permission to construct a two storey dwelling to the rear of The Laurels.
- 2.2 The proposal seeks to sub divide the existing site, and create a site measuring 0.20Ha with a new driveway extending to the rear. A new access would be created at the front of the Laurels boundary wall and the existing Laurels access closed off.
- 2.3 The proposed new house is located within the area of paddock to the North of the existing house and the access driveway runs down the Eastern boundary, principally utilising the existing driveway.
- 2.4 The new dwelling would measure 246 sq.m in floor area together with a double garage containing a Bio-fuel boiler plant and fuel store.
- 2.5 Construction of a new 3m wide access driveway is proposed which utilises the existing gravel driveway extended to the north to serve the new garage and enclosed courtyard. The 2 existing vehicular access ways are to be closed off and replaced with a single new access.
- 2.6 The existing front boundary wall is currently affected by the roots of an existing Sycamore and the higher section of wall to the East has been affected. It is proposed to remove the Sycamore and re-build the wall affected together with formation of the new access to match, re-using the existing bricks and coping stones.
- 2.7 Proposed plans can be seen **attached** at Appendix B

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Below is a summary of the responses received to the original plans. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk

<p>3.1 Uffington Parish Council (07/10/2015)</p>	<p>Object Heritage Issues Parking Size and design Neighbourhood Plan (Uffington, Woolstone and Baulking) A full copy of their comments is attached at</p>
--	---

	Appendix C.
Conservation Officer Vale (03/03/2015)	No objections Subject to sample materials and render, details of flues, vents, bin storage, joinery, external lighting, hard and soft landscaping.
Countryside Officer South Oxfordshire & Vale of White Horse (12/03/2015)	No objections. Subject to the details of the Phase 1 Habitats Survey report being followed
Drainage Engineer Vale of White Horse District Council (01/10/2015)	No Objections Suggested Conditions: Ground water investigation and soil infiltration tests required and SUDS
Thames Water Development Control (09/02/2015)	No objections Surface water is the responsibility of the developer. No objection to sewerage infrastructure or water infrastructure capacity.
County Archaeologist (11/04/2015)	No Objections There is considerable archeological potential in this location. Subject to a watching brief condition and written scheme of investigation we have no concerns.
Highways Liaison Officer Oxfordshire County Council (11/03/2015)	No objections to principle of development Existing access is substandard. Condition requiring details of vehicular access, visibility splays, access stopped up, no surface water discharge
Countryside Access (19/02/2015)	No objections Does not appear to affect any Public Rights of Way.
Neighbour (1)	No strong Views Some concerns over Drainage Ditch Privacy and screening from the trees, mature trees onsite should be kept and a tree preservation placed upon itNo dig zone east and west of site.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P99/V1180/LB](#) - Approved (19/10/1999)
Conversion of outbuildings to ancillary accommodation.
- 4.2 [P99/V1179](#) - Approved (19/10/1999)
Conversion of outbuildings to ancillary accommodation.
- 4.3 [P97/V0042/LB](#) - Approved (25/02/1997)
Demolition of rear two storey extension and erection of a larger two storey extension forming kitchen and two

bathrooms. Internal alterations and installation of roof lights.

- 4.4 [P95/V1246](#) - Other Outcome (14/09/1995)
Demolition of existing house and stables. Erection of three detached houses with garages. (Alternative layout).
- 4.5 [P73/V0150](#) - Approved (12/09/1973)
Conversion of outbuilding to garage and drive.
- 4.6 [P73/V0149/O](#) - Approved (11/04/1973)
Outline application for vehicular access and conversion of outbuilding to garage.
- 4.7 [P72/V0159](#) - Refused (16/06/1972)
Site for two dwellings and garages.
- 4.8 [P72/V0158](#) - Refused (16/06/1972)
Site for dwelling house and garage. Pt. OS 127a Uffington.
- 4.9 [P72/V0157](#) - Refused (16/06/1972)
Site for dwelling and garage.
- 5.0 **POLICY & GUIDANCE**
- 5.1 Vale of White Horse District Council Local Plan 2011 policies
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
DC5	Access
DC6	Landscaping
DC7	Waste Collection and Recycling
DC9	The Impact of Development on Neighbouring Uses
H11	Development in the Larger Villages
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 the 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:

Policy No.	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 2	Co-operation on unmet housing need for Oxfordshire
Core Policy 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 5	Housing supply ring-fence
Core Policy 7	Providing supporting infrastructure and services
Core Policy 20	Spatial strategy for Western Vale Sub-Area
Core Policy 22	Housing mix
Core Policy 23	Housing density
Core Policy 24	Affordable housing
Core Policy 33	Promoting sustainable transport and accessibility
Core Policy 35	Promoting public transport, cycling and walking
Core Policy 36	Electronic communications
Core Policy 37	Design and local distinctiveness
Core Policy 38	Design strategies for strategic and major development sites
Core Policy 39	The historic environment
Core Policy 42	Flood risk
Core Policy 43	Natural resources
Core Policy 44	Landscape
Core Policy 45	Green infrastructure
Core Policy 46	Conservation and improvement of biodiversity

5.3 Neighbourhood Plan

Uffington, Woolstone and Bulking Neighbourhood Plan has had their areas designated by Vale of White Horse DC however they are at their very early stage of preparing their policies and as such this plan holds very little weight in the determination of this application.

5.4 Supplementary Planning Guidance

- Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-
Responding to Site and Setting

- Character Study (DG6) and Site appraisal (DG9)

Establishing the Framework

- Existing natural resources, sustainability and heritage(DG10-13, 15, 19)
- Landscape and SUDS (DG14, 16-18, 20)
- Movement Framework and street hierarchy (DG21-24)
- Density (DG26)
- Urban Structure (blocks, frontages, nodes etc) DG27-30

Layout

- Streets and Spaces (DG31-43)
- Parking (DG44-50)

Built Form

- Scale, form, massing and position (DG51-54)
- Boundary treatments (DG55)
- Building Design (DG56-62)
- Amenity, privacy and overlooking (DG63-64)
- Refuse and services (DG67-68)

- Open space, sport and recreation future provision – July 2008
- Sustainable Design and Construction – December 2009

- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006
- Planning and Public Art – July 2006

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

5.6 **National Planning Practise Guidance 2014 (NPPG)**

5.7 **Other Relevant Legislation**

- 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
- Localism Act (including New Homes Bonus)

5.8 **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.

5.9 **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 in the determination of this application are:

- The scale, massing and design of the development and its impact upon the character of the surrounding area.
- The impact of the proposal upon the heritage assets of the main listed building.
- The impact upon neighbouring amenity
- The impact upon highways network
- Other considerations

6.2 **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).

6.3 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 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that 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.
- 6.7 Uffington is considered to be a larger village with the ability to accommodate limited new development within its built up areas. It has services and facilities that ensure it is in a sustainable location and provided that the new development is appropriate to scale, mass, design and surrounding character limited new buildings are considered to be acceptable.
- 6.8 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 three 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.
- 6.9 **Design & Layout**
The NPPF provides that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 60). It gives considerable weight to good design and acknowledges it is a key component of sustainable development.
- 6.10 A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, DC9). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district.
- 6.11 The Parish Council have objected to the current proposal on grounds of scale and mass and the impact this could have on the character of the surrounding area. They state that development should be planned in accordance with the Neighbourhood plan and not piecemeal as this application suggests.
- 6.12 The proposed new dwelling is to be located to the rear of The Laurels, between the existing mature tree cover bounding the east and west boundaries.
- 6.13 Its setting is located well back from the highway and traditional dwellings situated along Broad Street. This position set back from the main street helps to ensure that it would

not be visually prominent. The proposed scale and mass, although two storey, would appear as a dwelling with additional accommodation in its roof space, chalet style, rather than a full two storey height. Whilst the proposed design is modern in its approach, the one and a half storey scale would be well contained and its simple clean linear form and proportions that would be fit comfortably on the site. Officers consider that the design would not overwhelm or dominate the site and that its proposed materials, whilst traditional in appearance, would be a mix of weatherboarding and stone making reference to adjacent historic dwellings. Officers consider that the materials would assist in ensuring that it would not detract from the surrounding character.

- 6.14 When assessing the proposal Officers are mindful of Sherbourne House and Slade to the east of the development site along Green Lane. Whilst the majority of dwellings are frontage development along Broad Street, with long rear gardens, the plots to the east create a context of development in depth in which to compare any new development in this rearward plot.
- 6.15 A new dwelling situated in the proposed location would therefore not appear out of character with adjacent buildings. There are surrounding properties in which to assimilate a new dwelling so that it would not appear conspicuous in its plot but would form part of the built form and context in this village setting.
- 6.16 Overall, the design is a stark contrast to the traditional appearance of The Laurels but its distance from the listed building would ensure that it would not detract from the setting of this heritage asset. The proposed size, scale and mass allow the proposed dwelling to sit comfortably upon the site retaining a good amount of garden and private amenity space with gaps surrounding the property akin to that of adjacent plots.
- 6.17 Officers therefore consider that in terms of the scale, massing and design there would be no visual harm to the surrounding character and its building form is well suited to this contained site in accordance with Policy.
- 6.18 **Impact upon the Listed Building**
Policy HE4 permits development within the setting of a listed building provided that it can be shown that the siting, scale, design, form, finishes and materials respect the character of the building in its setting including any visual, functional, historic or architectural relationship it has.
- 6.19 The agent has advised in their Design & Access statement that the land currently proposed for the siting of a new dwelling was only associated with the main listed house from 1920 onwards. The site is currently a paddock area with overgrown grass and shrubs. The site is well contained on its north, east and western boundaries by mature trees and is well separated from the main listed dwelling which retains its formal landscaped gardens, an area of lawn and main listed heritage asset, being the main frontage of the dwelling house.
- 6.20 The Conservation Officer is satisfied that there would be no historical, architectural or functional impact to the main listed dwelling. A condition suggesting samples of materials, render and hard and soft landscaping is requested which Officers consider to be reasonable given the location of the site.
- 6.21 Overall the details as laid out in the application would not result in harm to the historic or architectural merits of the listed building or to its setting in terms of function, historic relationship or architectural detailing nor would it compromise its statutory listing. It is therefore in accordance with Policy.

6.22 Impact upon neighbouring amenity

Policy DC9 permits development that would not have a harmful impact upon surrounding neighbouring uses in terms of privacy and overlooking, loss of light, noise, vibrations, smells, gases or other emissions.

6.23 One neighbour has submitted their concerns with regards to overlooking and privacy but has not objected to the scheme in principle.

6.24 The proposed dwelling is set deep within the proposed plot and the trees currently on site are to be retained and maintained. Officers consider that the proximity of the proposed dwelling from neighbouring adjacent properties, namely The Laurels, The Old Post House, Slade and The White Horse, all approximately 75m away from facing windows would not result in issues of overlooking. This assessment has been determined based upon its orientation, design, and boundary treatments that will ensure significant levels of overlooking and loss of privacy are not demonstrable in accordance with Policy.

6.25 Impact upon highways

Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The NPPF (Paragraph 32) requires plans and decision to take account of whether:-

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

6.26 Paragraph 32 states: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

6.27 The plans show that the existing access at the front is to be closed off which the highways officer considers acceptable. The existing shared access with the White Horse is to be given back to this site and a new access proposed at the front of the site.

6.28 The existing sycamore tree will need to be removed so that access here is achievable and visibility splays improved. Officers have no concerns in principle and on submission of further vehicular details and visibility splays there would appear to be no 'severe' harm to the highway network through the insertion of this access. Officers consider that an appropriate condition can ensure details are forthcoming prior to development and this is reasonable in this instance.

6.29 The Parish Council have concerns over the parking provision of both sites and the increased pressures on parking along Broad Street at present. The laurels has adequate levels of parking shown in the outbuilding which is an existing arrangement and sufficient for this dwelling.

6.30 The new dwelling would have two off street parking spaces in the proposed garage and parking and turning on site. Therefore there are no concerns with regards to parking provision at this site. The proposal is considered to be in accordance with Policy.

6.31 Impact upon Trees

The site is well contained and bounded on 3 sides by mature trees. The plans show that the large sycamore at the front of the site would need to be removed in order to

achieve the access required. Our Forestry Officer is satisfied that the loss of this tree, although regrettable would not result in significant harm to the surrounding character.

- 6.32 Whilst some of the canopy splays have been under represented on the plans these trees have been subject to heavy pruning and therefore this would not be a constraint to development on this site. The mature trees do separate this site from the open countryside beyond and therefore Officers would wish to retain the majority of them as they do make a positive contribution to the overall site.
- 6.33 A condition has been suggested that seeks to protect these trees during construction which is considered reasonable and necessary.
- 6.34 Overall Officers consider that there would be no significant harm to the trees and that they could be retained alongside this development in accordance with Policy.

Other Considerations

6.35 **Ecology**

The Countryside Officer has advised that there would be little detrimental impact upon protected species if works are carried out in accordance with the Ecology report. This can be conditioned and is acceptable.

6.36 **Drainage**

The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). It states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (Paragraph 109).

- 6.37 Neighbours are concerned with the drainage ditch to the rear of the proposed property and the impact this would have on flooding to their property. Whilst the upkeep of the ditch should be maintained, this is a civil matter. Officers consider that the drainage details are acceptable subject to suggested conditions. It is the responsibility of the developer to manage surface water drainage.

6.38 **Rights of Way**

The proposal would not affect the public right of way to the north of the site and is therefore not a constraint to development in accordance with policy.

6.39 **Archaeology**

Policy HE9 of the Local Plan states that where reasonable grounds for believing that important archaeological remains may be disturbed or otherwise adversely affected by a development proposal the applicant will be required to carry out an archaeological field evaluation of the site and its setting before the planning application is determined.

- 6.40 The Archaeological officer has advised that there is considerable potential for archaeological remains in this location however having assessed the proposal he has suggested conditions that require a watching brief be carried out during development rather than this be a constraint to development. This is considered to be reasonable.

7.0 **CONCLUSION**

- 7.1 The proposed new dwelling would be set far back within its plot so that it would not be visually prominent or detract from the character of the street scene and the adjacent listed building.

- 7.2 Its design, although modern, would use materials that are sympathetic to its historic setting and its scale, size, mass, location, orientation would ensure that there would be no undue harm to adjacent neighbouring amenity, the highway network, existing trees, public rights of way, drainage, ecology and archaeological issues.
- 7.3 Officers are therefore satisfied that the proposed new dwelling would constitute sustainable development and would be in accordance with Planning Policy of the Local Plan, the emerging Local Plan and the NPPF.

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. Submission of details (render, rain water goods, bin stores).
4. Submission of joinery details.
5. Scheme of archaeological investigation.
6. Archaeological watching brief.
7. Access (details not shown).
8. Visibility splays (access).
9. Closure of existing access.
10. No drainage to highway.
11. Landscaping scheme submission.
12. Landscaping scheme (implementation)
13. Tree protection.
14. Retain existing hedgerow/trees bound.
15. Materials (samples).
16. Slab levels (dwellings).

Author: Hannah Zembrzycka-Kisiel

Email: hannah.zembrzycka-kisiel@southandvale.gov.uk