

APPLICATION NO.	P15/V1938/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	14.8.2015
PARISH	ABINGDON
WARD MEMBER(S)	Alice Badcock Mike Badcock
APPLICANT	Mrs Zina Lambourne
SITE	219 Saxton Road, Abingdon, OX14 5HQ
PROPOSAL	To separate the existing dwelling into two properties by creating a new entrance through the garage
AMENDMENTS	None
OFFICER	Hanna Zembrzycka-Kisiel

SUMMARY

This application comes to planning committee as Abingdon Town Council objects to the application.

The proposal seeks to divide the existing dwelling into two separate units: 2-bedroom and 1-bedroom dwellings. It is proposed to separate and subsequently convert the existing ground floor internal garage, first floor side extension and two storey rear extension into a 1-bedroom property with associated parking to the front, and amenity space to the rear

The Town Council object on grounds that the proposed new 1-bedroom property would not provide suitable living accommodation and there will be no sufficient off-street parking provision.

In view of the lack of a five year supply of housing land, paragraph 14 of the NPPF is engaged. The main considerations in the assessment of this application are:

- The principle of development
- The impact of the design on the character of the site and the surrounding area
- The impact upon neighbouring amenity
- The impact upon the highway network
- Other considerations

The proposal would not result in any harm to the character of the surrounding area, as well as will have no harmful impact upon the residential amenities of the neighbouring properties, as the ground floor internal garage, first floor side extension and two storey rear extension, which are proposed to be separated from the main dwelling and converted into a separate, single bedroom property are already in situ.

The application is therefore recommended for approval.

1.0 INTRODUCTION

- 1.1 No. 219 Saxton Road is an end of terrace located within an established residential estate in south Abingdon. The street is characterised by rows of terraced dwellings. Many of the dwellings have off-street parking created at the front of the properties.

Abingdon Town Centre is approximately 550 metres away, and bus stops within walking distance. The site is not located within any designated area of special control.

1.2 A location plan can be seen **attached** at appendix 1.

2.0 **PROPOSAL**

2.1 This application seeks planning permission for a subdivision of the existing three bedroom dwelling, into two separate properties. It is proposed to create a one two-bedroom property, and one single bed property. The existing first floor side and two storey rear extensions (which are proposed to be separated from the main dwelling) were granted planning permission in 2006, reference number P06/V1636/FUL.

2.2 It is proposed to separate and subsequently convert the existing ground floor internal garage, first floor side extension and two storey rear extension into a 1-bedroom property with associated parking to the front, and amenity space to the rear. The application plans are **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Abingdon Town Council	Object Recommend refusal due to lack of adequate parking, and adequate and suitable living accommodation.
Highways Liaison Officer (Oxfordshire County Council)	Holding objection due lack of details regarding how the additional parking space will be accessed. Further details are awaited and an update will be provided at the meeting.
Thames Water Development Control	No objections
Drainage Officer	No objections

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/V1237/PEM](#) - Other Outcome (23/06/2015)

To separate the dwelling into two properties by creating a new entrance in the existing garage.

[P76/V0784](#) - Other Outcome (13/03/2013)

Erection of car port. 219 Saxton Road, Abingdon

[P06/V1636](#) - Approved (28/11/2006)

Alterations to form new kitchen and utility room. Proposed additional Bedroom

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework 2012 (NPPF)**

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

5.3 **The 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
H10 - Development in the Five Main Settlements

5.4 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:-

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 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 37	Design and local distinctiveness

5.5 Supplementary Planning Guidance

- **Design Guide – March 2015**

5.6 No Neighbourhood Plan has been adopted for Abingdon at the time of writing this report.

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)

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 principle of development
- The impact of the design on the character of the site and the surrounding area
- The impact upon neighbouring amenity
- The impact upon the highway network
- Other considerations

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 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 Abingdon is considered to be a larger town within the district that can accommodate new housing subject to its size, scale, mass, layout, and orientation. In terms of sustainability the site is relatively close to the town centre, easily accessed on foot, and also has relatively easy access to services and facilities. The application site is situated within a location that would normally allow for infill development provided the development would be in accordance with the provisions of Policy H10 in the Local Plan.

6.8 However, 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.

6.9 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.

6.10 **Design & Character**

Policy DC1 of the adopted local plan permits development which would not have a harmful impact upon the character and local distinctiveness of an area and in terms of its layout, scale, mass, design and detailing would not detract from the positive contribution its character has in the wider surrounding area.

6.11 It is considered in the Officers' opinion that the proposed sub-division would not result in any harmful impact upon the character of the area, as the ground floor internal garage, first floor side extension and two storey rear extension are already in situ. The impact of the extensions upon the character of the surrounding area has been assessed under planning application reference P06/V1636/FUL.

6.11 The only external changes proposed to the existing building, are the alteration to the existing front and rear elevation's fenestration, which include blocking up the existing garage door, and introducing a new pair of front doors and ground floor window on the front (north) elevation, and the proposed new French window to the rear of the property.

6.12 As such the proposal is considered to comply with the requirements of local plan policy DC1 and the provisions of the NPPF, NPPG and the design guide.

6.13 **Amenity**

Policy DC9 of the adopted local plan permits development that would not have a harmful impact upon surrounding neighbouring uses in terms of privacy and overlooking, loss of light, or other forms of disturbance.

6.14 This aspect of the proposal also has been assessed under previous planning permission reference P06/V1636/FUL. In order to protect the privacy of adjacent dwellings, the proposed roof light of the east elevation roof slope is to be conditioned to be installed with a sill height of not less than 1.7 metres above the finished floor level of the room in which they are fitted and shall be retained as such.

6.15 There are no new extensions to be constructed, therefore it is not considered in the Officers' opinion that the proposed subdivision and subsequent conversion of the existing garage and the existing extensions into a separate unit, would result in a harmful impact upon the residential amenities of the neighbouring properties in terms of overlooking, overshadowing of dominance.

6.16 **Highways**

Policy DC5 of the adopted local plan permits development that would not have a harmful impact upon traffic safety in terms of access and egress, and would not result in congestion of the site or surrounding highway network. Under the NNPF, the officers need to be satisfied that the proposal would not result in significant and demonstrable harm to the highway network

6.17 Abingdon Town Council has objected to the proposals on the grounds that there is no additional off-street parking provision proposed as a part of this application.

6.18 At present the application site benefits from three off-street parking spaces located partly in a garage to the rear of the property and one space to the front of the property.

The application includes the addition of one space to the front of the existing property to serve the existing dwelling. As a result the proposal would benefit from 1 space for the proposed new dwelling and 3 spaces for the existing dwelling, which is considered acceptable in his sustainable location.

- 6.19 The county highways officer has raised a holding objection regarding the feasibility of the additional parking space given the traffic calming hump adjacent to the property. Further information has been requested to demonstrate how this will work and an update will be provided at the meeting.
- 6.20 In any case officers are mindful of the current test for highway considerations, that severe and demonstrable harm must be identified to justify refusal. Given that the site is located within walking distance of the town centre, with access to public transport to Oxford, officers consider that even if the additional space cannot be delivered, the existing property would still benefit from 2 spaces to the rear. Refusal on lack of parking could not therefore be justified.
- 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 the Design Guide.

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 or the amenities of neighbouring properties, and there is adequate and safe access and parking provision on the site.
- 7.2 The proposal, therefore, complies with the provisions of the development plan, in particular policies DC1, DC5, DC9 and H10. The development is also considered to comply with the provisions of the National Planning Policy Framework, National Planning Practise Guidance and Design Guide.

8.0 RECOMMENDATION

To grant planning permission subject to the following conditions:

- 1. Time limits – standard full application**
- 2. Application in accordance with the approved plans**
- 3. Full details of the parking and access to be provided**
- 4. Materials in accordance with the application.**

Informatives:

- 1. Surface water drainage**

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