

<b>APPLICATION NO.</b>	<a href="#">P15/V1974/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	19.8.2015
<b>PARISH</b>	EAST HENDRED
<b>WARD MEMBER(S)</b>	Michael Murray
<b>APPLICANT</b>	Mr Clive Allaway
<b>SITE</b>	1 Coulings Close East Hendred Wantage Oxfordshire, OX12 8JQ
<b>PROPOSAL</b>	Proposed erection of one dwelling.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	446054/189124
<b>OFFICER</b>	Kayleigh Mansfield

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### SUMMARY

- The application is referred to planning committee due to an objections from East Hendred Parish Council.
- The application is for the erection of a new dwelling on the site, within the residential curtilage of 1 Coulings Close.
- An application for the same development was refused by the district council and latterly dismissed at appeal. The inspector assessed the effect on the character and appearance of the street scene and effect on 3 Coulings Close in terms of overlooking of the rear garden.
- The inspector considered that the proposal would be harmful to the character of the surrounding area due to the proposed dwelling being set further forward than the adjacent dwellings.
- The inspector did not find that the proposal conflicted with Local Plan Policy, DC5 or DC9 and concluded that the site would not appear cramped or over developed.
- The main material planning issues are therefore impact on the AONB and the impact on the character and appearance of the area as per the revised siting of the new dwelling.

### 1.0 INTRODUCTION

- 1.1 1 Coulings close is a semi-detached dwelling fronting the corner of White Road and Coulings Close, in East Hendred. The application site is located to the south of 1 Coulings Close and would front White Road.  
A site location plan is **attached** at Appendix 1.  
A site block plan is **attached** at Appendix 2.
- 1.2 Dwellings on the East side of White Road are all different in style, form and layout on varying angles and as such there is not a definitive build line. The West side of White Road however is far more defined as being wide, linear plots which address the highway front on. There is therefore a notably stronger building line on this side of the road.
- 1.3 An application for a similar proposal on the site was refused in 2012 and latterly dismissed at appeal. The inspectors reasons for refusal were the impact on the

character and appearance of the area, particularly the new dwelling not being in line with the established build line along White Road.

The appeal decision and related site layout plan are **attached** at Appendix 3

2.0 **PROPOSAL**

2.1 The application site seeks full planning permission to erect a two bedroom dwelling within the residential curtilage of 1 Coulings Close.

Proposed elevations are **attached** at Appendix 4.

2.2 It is acknowledged that the new application proposed addresses the concerns of the appeal inspector by ensuring the dwelling will be in line with the other dwellings along White Road.

2.3 The proposal includes land to the rear of the site which is not in the applicants' ownership and belongs to Sovereign Housing Association. However notice has been served on the land owner.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

East Hendred Parish Council  <b>OBJECTION</b>	<ul style="list-style-type: none"> <li>• Previous application refused in July 2012</li> <li>• Appeal latterly dismissed in July 2013</li> <li>• Cramped form of development</li> <li>• Part of the application site is not in the applicant ownership. Freehold owner does not wish to dispose of this land.</li> </ul>
Neighbour x2  <b>OBJECTION</b>	<ul style="list-style-type: none"> <li>• Application site includes land of the two objecting tenants who have lived at 3 Coulings Close for 22 years.</li> <li>• Freehold owner will not sell the land</li> <li>• Will reduce the morning sunlight</li> <li>• Will harm the fresh produce growing in the garden</li> <li>• Frosted windows can still be open and will overlook</li> <li>• Both tenants have poor health, which will be excaerbated by the proposal</li> <li>• Plot too small and over crowded</li> <li>• Reduction in 1 Coulings Close private amenity</li> <li>• Noise pollution during construction</li> <li>• Parking for 1 Coulings Close will be nex to the bus stop which is dangerous.</li> <li>• Construction phase will block the road</li> </ul>
Soverign Housing Association  <b>OBJECTION</b>	<ul style="list-style-type: none"> <li>• Freehold land owner of part of the application site.</li> <li>• Was not informed by the applicant/agent of intentions</li> <li>• Does not support the application</li> <li>• No current intentions to dispose of the land</li> </ul>
Vale - Highways Liaison Officer (Oxfordshire County Council)	<b>NO OBJECTION – subject to conditions</b>
Thames Water Development Control	<b>NO OBJECTION – subject to informative</b>

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P12/V1290/FUL](#) - Refused (25/07/2012) - Refused on appeal (29/07/2013)  
Erection of a detached dwelling. (Land part of 1 Coulings Close) (Re-submission of withdrawn application P12/V0760)

4.2 [P12/V0760](#) - Other Outcome (31/05/2012)  
Erection of a detached dwelling. (Land part of 1 Coulings Close)

5.0 **POLICY & GUIDANCE**

5.1 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.

**Vale of White Horse Local Plan 2011 policies;**

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 **Supplementary Planning Guidance**

- Design Guide – March 2015

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

5.4 **National Planning Practice Guidance 2014 (NPPG)**

5.5 **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)

5.6 **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.

5.7 **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 relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Impact on visual amenity
3. Impact on residential amenity
4. Impact on highway safety

6.2 **Principle of development**

The general locational strategy of 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.

6.3 East Hendred 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.

6.4 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. 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.

6.5 **Sustainable Development**

Consideration must be given as to whether this proposal accords with the definition of sustainable development, which comprises three strands being social, economic and environmental. The NPPF makes it clear that these are mutually dependent and gains should be sought in all three areas simultaneously.

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, primary and pre-school, recreation and sports field and public house and 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, support for local services and will ultimately provide a sustainable location for future generations.

6.7 **Environmental Role**

In terms of the environmental strand the proposed dwelling will be viewed within the context of the existing dwellings along White Road. Given the existing housing in 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 Lowland Vale a local landscape designation and partly within the Uffington conservation area, it is visually well contained and does not constitute an important and prominent open space which contributes to the character of the area. There will be no impact upon any views across open landscapes, from public vantage points or from the street scene.

**Impact on visual amenity**

- 6.8 The appeal inspector assessed the effect on the character and appearance of the street scene. In the appeal decision the Inspector considered that the proposed house would be set forward of both adjacent properties which would disrupt the build line and would obscure the entrance to Coulings Close, detracting away from the legible and orderly layout of the street. However he concluded that the site did not appear to be unduly cramped so as to cause harm in this respect.
- 6.9 This proposal has brought the new dwelling in line with the existing build line and therefore meets the expectations of the inspector and now complies with Local Plan Policy DC1 and H11.
- 6.10 This application now includes a larger parcel of land, partly in the ownership of Sovereign Housing Association. This would provide more private amenity space for the dwelling and a more spacious plot commensurate with the character and layout of surrounding properties. It is acknowledged that this is not within the applicants ownership however land ownership is not a material planning consideration and therefore the fact that the proposal is reliant on this land to create this more spacious plot cannot be taken into consideration. The appeal inspector considered the previous scheme without the additional land and concluded that the proposal was acceptable and not cramped or overdeveloped. Officers therefore consider that this additional land, whilst advantageous, is not critical to the acceptability of this scheme.
- 6.11 In relation to the North Wessex Downs Area of Outstanding Natural Beauty, given the built up setting of the site, it is not considered that the development would not be so visually prominent, that it would detract from views from public vantage points from the wider landscape. The development of this proposal would not spoil the appreciation of the landscape quality and as such complies with Local Plan Policy NE6.

**Impact on residential amenity**

- 6.12 The appeal Inspector considered that the proposal would overlook the rear garden of 3 Coulings close, however the section of the garden in question was considered to be a “working” area and it was therefore considered that the proposed house would not be unduly harmful to the amenity of no. 3. The impact on other neighbouring properties was assessed and no harm was considered to any other dwellings.
- 6.13 The current proposal now includes this section of neighbouring garden within the red line which would overcome any potential overlooking, and leaves this neighbour with sufficient remaining amenity space. As stated above, this additional land is outside the applicants ownership therefore cannot be guaranteed. However, given the conclusions of the Inspector it is considered that the proposal is acceptable in terms of relationship to this neighbour in any case.
- 6.14 There are no side facing windows proposed on the dwelling and given the orientation and layout of the application site and its adjacent neighbours there are no concerns with respect to overlooking, over shadowing or dominance. The inspector further supports this by concluding in the appeal decision that the proposal would not cause material harm to adjacent neighbours.

**Impact on highway safety**

- 6.15 The proposed new dwelling provides off-street car parking provision of 2 spaces – this is acceptable for the proposed 2 bedroom dwelling but will require a new vehicle access arrangement, to LHA standards. A condition is recommended requiring details.

6.16 Boundary treatment at the highway boundary will need to be amended to allow for vision splays for the proposed car parking arrangements for both new and existing units. A boundary treatment condition is recommended.

6.17 The proposal will need to be SUDS compliant including the car parking provision. Therefore, there are no objections in principle subject to appropriate conditions being placed on the application.

6.18 The submitted plans show the provision of a new access and parking space for 1 Coulings Close, however this is not within the current application red line and therefore does not form part of this application. This property currently has no off street parking and the proposal would not result in the loss of any parking. It is therefore not relevant to the consideration of this application.

### **CONCLUSION**

7.0 The proposed development will not adversely harm the visual amenity of the area, the character of the AONB, 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.

### **RECOMMENDATION**

8.0 **It is recommended that planning permission is granted subject to the following**  
8.1 **conditions:**

- 1 : Time limit - Commence within three years from the date of permission**
- 2 : Development must accord with approved plans**
- 3 : Materials in accordance with application**
- 4 : Access details to be submitted prior to commencement for both existing and proposed dwellings.**
- 5 : Car parking space details to be submitted prior to commencement for both existing and propo**
- 6 : No drainage to be discharged onto adjacent highway**
- 7 : Sustainable Drainage Scheme to be submitted prior to commencement**
- 8 : Boundary details to be submitted prior to commencement**

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