

<b>APPLICATION NO.</b>	<a href="#">P15/V2628/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	17.11.2015
<b>PARISH</b>	EAST HENDRED
<b>WARD MEMBER(S)</b>	Michael Murray
<b>APPLICANT</b>	Mr Les McDonagh
<b>SITE</b>	Geggs Corner, Newbury Road, East Hendred, OX12 8LG
<b>PROPOSAL</b>	Erection of two 5-bedroom dwellings and associated landscaping
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	445916/188369
<b>OFFICER</b>	Kayleigh Mansfield

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### **SUMMARY**

The application is referred to planning committee as 5 neighbour objections have been received regarding the development of this proposal.

The application is for the erection of a two new dwellings on the site, within the residential curtilage of Geggs Corner.

The main material planning issues are the impact upon the Heritage assets and the AONB. Impact on adjacent neighbours and highway safety must also be considered.

The application is recommended for approval as the development is considered to be acceptable and would not represent adverse harm to the Conservation area, AONB, listed buildings, highways safety or the amenity of neighbours.

### **1.0 INTRODUCTION**

1.1 The application site is within the built up area of East Hendred to the west of Newbury Road.

1.2 The site is approximately 0.6 acres and lies within the East Hendred Conservation Area and the North Wessex Downs Area of Outstanding Natural Beauty.

1.3 The site is also in close proximity to Wellshead, a Grade II Listed building.

1.4 The site is residential garden land and planning permission for a direct access from Newbury Road was granted on appeal (P15/V1676/HH).

### **2.0 PROPOSAL**

2.1 The application seeks full planning permission to develop 2 detached 1.5 storey dwellings within the residential curtilage of Geggs Corner.

2.2 The established access arrangements shared with Geggs Corner will provide safe ingress and egress onto the Highway and sufficient parking and turning space is provided within the site.

2.3 The design of both dwellings will provide high quality and comfortable living spaces. Additionally they have been designed to have ultra low energy requirements and propose to use fabric which preforms above regulation standards.

- 2.4 Mechanical ventilation, heat recovery and air source heat pumps will further increase the energy performance of these dwellings.
- 2.5 Both dwellings will be vernacular in design and will represent the form of an agricultural building. Materials proposed are to include, brick, timber frame, render and weatherboard, with red clay tiles for the roof.
- 2.6 A site plan and extracts from the application drawings are **attached** at Appendix 1.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

East Hendred Parish Council <b>NO OBJECTION</b>	Request the following: Condition requiring access to be in place prior to the development commencing: Listed building consent for the dwellings (this is not required as the proposal is not attached to the listed building). Details of waste collection. Welcome the reduction in height given the impact on the AONB.
County Archaeologist <b>NO OBJECTION</b>	
Conservation Officer Vale <b>NO OBJECTION</b>	Subject to conditions
Highways Authority <b>NO OBJECTION</b>	Subject to conditions
Drainage Engineer <b>NO OBJECTION</b>	Subject to conditions
Neighbours x5 <b>NO OBJECTION</b>	
Neighbours x5 <b>OBJECTION</b>	<ul style="list-style-type: none"> <li>• Contrary to Local Plan Policy H11</li> <li>• Back garden development</li> <li>• Development in a conservation area</li> <li>• Contrary to Local Plan Policy HE1</li> <li>• Adverse impact by increased traffic movements</li> <li>• Contrary to Local Plan Policy HE4</li> <li>• Open views blocked from Horn Lane</li> <li>• Contrary to Local Plan Policy DC9</li> <li>• Development in the AONB</li> <li>• Access not acceptable</li> </ul>

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P15/V1945/PEM](#) - Other Outcome (30/09/2015)  
Proposed 2 new dwellings in rear garden
- 4.2 [P14/V1677/LB](#) - Approved (28/10/2014)  
Structural repairs to Wellshead including underpinning.
- 4.3 [P14/V1676/HH](#) - Refused (17/10/2014) - Approved on appeal (24/03/2015)  
Structural repairs, including underpinning walls subject to subsidence. Upgrading of

vehicular access including regrading of carriageway, formation of new radiused access, creation of new grass verges, banking & formation of new stepped access. Part replacement of concrete & steel handrail. Removal of two trees. Rebuilding of boundary wall with Framptons.

4.4 [P14/V1081/PEO](#) - Other Outcome (11/06/2014)

Proposed structural repair including underpinning walls, upgrading existing vehicular access and rebuilding boundary wall.

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

HE1 - Preservation and Enhancement: Implications for Development

HE4 - Preservation and Enhancement: Implications for Development

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)**

**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)

5.5 **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.

5.6 **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 applicable to this application are as follows:

- Development principle
- Impact on neighbours
- Impact on highway safety

6.2 **Principle of Development**

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.

- 6.3 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 public transport facilities. 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 dwellings will be viewed within the context of the existing dwellings on Horn Lane and Newbury Road. Given the existing housing in close proximity, it is not considered that the proposed dwellings would appear out of place or compromise the character and appearance of the area. Whilst the site is within the AONB and East Hendred Conservation Area, it is visually well contained and does not constitute an important or 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.
- 6.8 The NPPF states local planning authorities should not refuse planning permission for buildings because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits). In this case, amended plans were submitted as part of this application, further to pre-application feedback. The revised proposal demonstrates mitigation of concerns regarding the impact on heritage assets, as per the Conservation Officers’ pre-application response. As such the impacts are now considered acceptable and the Conservation Officer now supports this application. The application site is a much larger plot than the adjacent site. The subdivision would not have a harmful impact on the

prevailing character and would still result in two relatively spacious plots, providing sufficient private amenity space for three dwellings. The proposal does not encroach upon the open countryside to the west, and will still remain within the boundaries of the existing garden. Objections have been raised by local residents regarding the tandem form of development. It is the opinion of officers that the development of this proposal will not harm the form of the village on these grounds. There are a number of tandem developments along Newbury Road and Horn Lane and it is not considered that new housing in this location will compromise the villages' form.

- 6.9 Wellshead and Framptons are sited in excess of 40.0 metres from the proposed dwellings and therefore provide negligible concerns with respect to harmful impact on heritage assets. As the application site is on higher ground, careful consideration has been given to the height of the dwellings (ridge height of max 7.0 metres), as to not compromise the merits of both listed buildings. The application site is set back from the highway, and as such provides no impact on views from Newbury Road. The harm to these heritage asset is considered to be negligible and is outweighed by the public benefit of two additional dwelling within the village.
- 6.10 Careful consideration has been given to measures to conserve energy, and the use of other resources. Both dwellings are designed to focus on energy efficiency, delivering buildings with ultralow energy requirements which will be achieved through a fabric first approach. This approach focuses on creating an air tight construction with details such as high performance double glazing and solar protection on south facing windows.
- 6.11 The NPPF and central government attach great importance to the design of the built environment and proposals should contribute positively. The NPPF states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness, which this proposal is considered to achieve.
- 6.12 **Impact on Neighbours**  
All neighbours are in excess of 21.0 metres from the application site boundaries, there are therefore no concerns with respect to overlooking, loss of light and dominance on adjacent dwellings. Neighbour objections have generally related to the impact on the form of the village, and impact on heritage assets, which have been addressed earlier in this report. Permitted Development rights have been restricted to retain the open character of the site and remove the opportunity of further development which may impact on neighbour amenity.
- 6.13 **Impact on Highway Safety**  
Previous iteration (**P14/V1676/HH**) for this proposal on the site resulted in an improved access being agreed with Oxfordshire County Council as Local Highways Authority, the details of which were recorded during the application process. These improvements included realigning the access point on the Newbury Road so that it is perpendicular (to facilitate access and egress with cars parked opposite), and improvements to the adjacent bank, to include pedestrian steps.
- 6.14 The appeal inspector concluded the proposed works to the access arrangements were necessary. Whilst it was acknowledged that the proposed access would alter an historic access, realigning it and giving it a more balanced appearance than at present would be preferred. The access would sit between the two listed buildings and in this respect, would preserve the existing relationship between them.

The Inspector allowed the appeal and it is the opinion of the Highways Engineer that

6.15 these improvements and the associated details are appropriate and should be attached as a condition to this permission.

7.0 **CONCLUSION**

7.1 The proposed development will not adversely harm 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, HE1, HE4, 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.

8.0 **RECOMMENDATION**

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

- 1. Three year commencement time limit.**
- 2. Development in accordance with approved plans.**
- 3. Submission of details: joinery details.**
- 4. Submission of details: external ducts and flues.**
- 5. Submission of details: landscaping scheme.**
- 6. Submission of details: materials.**
- 7. Submission of details: sustainable drainage scheme.**
- 8. Submission of details: access improvements.**
- 9. Submission of details: slab levels.**
- 10. Submission of bin storage and collection details.**

Author: Kayleigh Mansfield

Email: [kayleigh.mansfield@southandvale.gov.uk](mailto:kayleigh.mansfield@southandvale.gov.uk)