

<b>APPLICATION NO.</b>	<a href="#">P15/V3032/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	21.12.2015
<b>PARISH</b>	NORTH HINKSEY
<b>WARD MEMBER(S)</b>	Debby Hallett Emily Smith
<b>APPLICANT</b>	Mr Antony DiPinto
<b>SITE</b>	3 Finmore Road, North Hinksey Oxford, OX2 9AE
<b>PROPOSAL</b>	Alterations and extension to 3 Finmore Road and development of two new flats to the side of the property.
<b>AMENDMENTS</b>	None
<b>OFFICER</b>	Piotr Kulik

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## SUMMARY

This application is referred to committee as North Hinksey Parish Council objects and five neighbours object to the proposal.

The proposal is for the alterations and extension to no.3 Finmore Road and a two storey extension to the side to contain two new flats on site.

The main issues are:

- The impact on the character and appearance of the area
- The impact on highways safety

The recommendation is to grant planning permission

## 1.0 INTRODUCTION

1.1 No.3 Finmore Road is a semi-detached dwelling situated on a corner plot within a residential area in Botley. Other neighbouring properties are located to the north and south-east of the site, with the highway running along the east boundary. A site location plan is **attached** at appendix 1.

## 2.0 PROPOSAL

2.1 With regard to the existing house the proposal is to demolish an existing rear single storey extension and its replacement with a new single storey rear extension to extend the existing dining room and kitchen. The proposal is also for a loft conversion and a dormer window to create third bedroom with en-suite in the roof space.

2.2 A two storey side extension is also proposed to contain two new flats. These will consist of a 2-bedroom flat on the ground floor and a 1-bedroom flat on the first floor. The construction works include four off-street parking spaces, two for the house and one for each flat. The application plans are **attached** at appendix 2.

2.3 This is a revised scheme of a previously withdrawn planning application ref. P15/V1221/FUL followed by a pre-application advise response ref. P15/V2310/PEM.

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

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

North Hinksey Parish Council	Objects. Their concerns may be summarised as follows: <ul style="list-style-type: none"> <li>Limited amenity areas for the residents</li> <li>Inadequate number of parking spaces</li> <li>Surface and underground water issues in and around the lower part of Finmore Road and St. Paul's Crescent</li> </ul>
Neighbours	Five letters raising the following objections: <ul style="list-style-type: none"> <li>Impact upon the local area and character</li> <li>Overdevelopment</li> <li>Over dominance</li> <li>Increasing volume of traffic</li> <li>Inadequate amenity space</li> </ul>
Highways Liaison Officer	No objections, subject to conditions
Waste Team	No objections, subject to condition

#### 4.0 RELEVANT PLANNING HISTORY

- 4.1 [P15/V1221/FUL](#) - Withdrawn (09/07/2015)

Alterations and extension to 3 Finmore Road and development of 3 new flats to the side of the property.

#### 5.0 POLICY & GUIDANCE

##### 5.1 Vale of White Horse District Council 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.

Policy No.	Policy Title
GS1	Developments in Existing Settlements
DC1	Design
DC5	Access
DC6	Landscaping
DC7	Waste Collection and Recycling
DC9	The Impact of Development on Neighbouring Uses
H10	Development in the Five Main Settlements
H14	The Sub-division of Dwellings

##### 5.2 Draft Vale of White Horse Local Plan 2031 Part 1

The draft Local Plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan.

##### 5.3 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), Site context (DG7) and Landscape and*

settlement character (DG8)

*Layout*

- *Parking (DG44)*

*Built Form*

- *Scale, form, massing and position (DG51, 52 and 54)*
- *Boundary treatments (DG55)*
- *Building Design (DG56-62)*
- *Amenity, privacy and overlooking (DG63-64)*
- *Refuse and services (DG67-68)*
- *Apartments (DG69-75)*

#### 5.4 **National Planning Policy Framework (NPPF) – March 2012**

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. The following paragraphs are relevant to this application:-

7 – Sustainable development

14 – The presumption in favour of sustainable development

17 – Core planning principles

32 – Highway impact

49 – Five year supply of housing land

50 – Mixed and sustainable communities

60 – 64 – The design of new buildings

#### 5.5 **National Planning Practice Guidance 2014 (NPPG)**

This document provides supplementary guidance to the NPPF

#### 5.6 **Neighbourhood Plan**

An application has been received for a neighbourhood planning designation area but to date a draft neighbourhood plan has not been submitted to the council.

#### 5.7 **Other Relevant Legislation**

- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Equality Act 2010

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

1. Principle of the development
2. Locational Credentials
3. Design and Layout
4. Residential Amenity
5. Traffic, Parking and Highway Safety

#### 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 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.
- 6.8 **Locational Credentials**  
The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34). The site is located within a highly sustainable location in Botley with a short walking distance to both public transport and a local shopping centre and good public transport links to Oxford.
- 6.9 **Design and 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, and DC9). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district.
- 6.11 The area is characterised by two-storey semi-detached houses, of similar form and materials. The application property is set at an angle to Finmore Road. The proposed two storey side extension will have a hipped roof, with a ridge set down slightly from that of the house, and will be set back from the existing front wall of the house by approximately one metre. It will have a bay window feature, to mirror that of the house, and materials will also match the house. Overall the design will be sympathetic to that of the existing house. Although the front corner of the extension will lie approximately two metres from the pavement, the angled relationship of the extension to Finmore Road means it will not appear dominant in the street scene.
- 6.12 The proposed single storey rear extension to the house will project approximately 2.5 metres. This accords with the design guide. The proposed dormer on the rear will be flat roofed. Views of the dormer from Finmore Road will be largely obscured by the roof over the proposed two storey side extension. Consequently it is not considered that the dormer will harm the area.
- 6.13 Each flat will have a separate entrance on the main elevation, as encouraged in the adopted design guide. The applicant has demonstrated on his revised scheme that adequate garden can be provided on site. The house would have over 100 sq.m of garden space, while the flats will have approximately 75 sq.m of shared amenity space. These comply with standards in the design guide.
- 6.14 **Residential Amenity**  
Adopted local plan 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. Protecting amenity is a core principle of the NPPF. Design principles DG63-64 of the design guide pertain to amenity, privacy and overlooking.
- 6.15 Given the position and orientation of neighbouring properties it is not considered that the amenities of these dwellings would be harmed by the proposal in terms of overshadowing, dominance or overlooking. The rear and side facing windows will provide angle views over the rear garden on no.1 Arthray Road, and over the front garden of no. 1 St Paul's Crescent. Windows in the existing house provide potential for similar views at present, and the relationships are not considered to be harmful to existing neighbours.
- 6.16 **Traffic, Parking and Highway Safety**  
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.

Paragraph 32 goes on to state: *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

6.17 A total of four parking spaces are proposed, two for the house and one for each flat. In view of the highly sustainable location this provision is considered to be adequate. The county highways liaison officer has no objections subject to conditions. He has requested a construction traffic management plan, largely to prevent construction vehicles parking on the roads. However it is not possible to use a planning condition to remove the normal right in law to park any vehicle on a public highway. Consequently officers cannot support this request.

## 7.0 CONCLUSION

7.1 In view of the council’s housing land supply shortfall, the presumption in favour of sustainable development applies and permission should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole” (NPPF paragraph 14). Paragraph 7 of NPPF identifies three mutually dependant dimensions to sustainable development; it should fulfil an economic role, a social role and an environmental role.

7.2 Overall, and in view of the emphasis in the NPPF to boost significantly the supply of housing, the development is considered to amount to sustainable development, and the adverse effects do not significantly and demonstrably outweigh the benefits. Consequently, the application is recommended for approval subject to conditions.

## 8.0 RECOMMENDATION

8.1 **To grant planning permission, subject to the following conditions:**

1. **Time limit - full application.**
2. **Approved plans.**
3. **Matching materials.**
4. **Visibility splays.**
5. **No drainage to highway.**
6. **Bicycle parking.**
7. **Sustainable drainage scheme.**
8. **Permitted development restriction on dwellings (extensions/outbuildings).**
9. **Boundary walls and fences.**

Author:	Piotr Kulik
Contact number	07717 271919
Email	piotr.kulik@southandvale.gov.uk