

APPLICATION NO.	P15/V2623/O
APPLICATION TYPE	OUTLINE
REGISTERED	18.11.2015
PARISH	MILTON
WARD MEMBER(S)	Stuart Davenport
APPLICANT	Mr Bulmer
SITE	Land off Blackbird Lane, Milton
PROPOSAL	Outline planning permission for one dwelling and open fronted timber framed cart shed
AMENDMENTS	None
GRID REFERENCE	448883/192307
OFFICER	Kayleigh Mansfield

SUMMARY

- The application seeks outline planning permission for a single dwelling and carport.
- All other matters are reserved and therefore the only factor to consider in determining this application is whether the principle of a dwelling on this site is acceptable.
- The application is recommended for approval because it is considered that a single dwelling could be erected on this site without causing harm to the character of the area, landscape value of the Lowland Vale or the amenities of neighbouring properties. It can be accessed safely and is in a sustainable location in close proximity to Milton Park. As such, the proposal complies with the provisions of the Development Plan and the NPPF.
- The application is referred to Planning Committee because Milton Parish Council object to the proposal

1.0 INTRODUCTION

- 1.1 The application site is a linear plot, approximately 0.25 acres. It is sited to the north of an un-adopted road which runs to the east of School Lane. A site location plan is **attached** at Appendix 1.
- 1.2 The site to the south east of Milton, south of Willow lane and North of Blackbird Lane.
- 1.3 The site is within the Lowland Vale landscape designation and Blackbird Lane is a public footpath. There are no other known planning constraints or restrictions applicable to this application.

2.0 PROPOSAL

- 2.1 The application site seeks outline planning permission for a single new dwelling, with all matters reserved. The dwelling is proposed to be a three bedroom detached property.
- 2.2 An open ended cart shed is proposed to the rear of the site as an ancillary use to the dwelling.
- 2.3 The site is predominantly surrounded by residential land uses. However, directly

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adjacent to the West of the site is a wood yard with container storage. This is a lawful use, granted by permission: P12/V2086/FUL

2.4 Planning permission was awarded to the adjacent site to the East for a single new dwelling, determined by committee on 8th April 2015 (P14/V2468/O)

2.5 Details regarding layout, scale and appearance of the development, the landscaping of the site and the means of access to and within the site and associated parking are reserved matters.

2.6 A proposed block plan is **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

Milton Parish Council : Objection	<i>“Following the recent Planning Permission for another house at the end of Blackbird Lane the Parish Council consider that the lane is not suitable for further traffic.”</i>
Countryside Access: No objection – Subject to conditions	<ul style="list-style-type: none"> • No obstruction of right of way. • No alterations to the route alterations. • Permission required for construction access – separate process.
Highways Liaison Officer: No objection – Subject to conditions	<ul style="list-style-type: none"> • Details to be submitted: New vehicular access • Details to be submitted: Turning Area & Car Parking
Countryside Officer: No objection	
Drainage Engineer No objection – Subject to conditions	<ul style="list-style-type: none"> • Details to be submitted: Sustainable drainage scheme
Neighbour 3 letters of comment have been received.	<p>No objections have been received in relation to the principle of this application. However for completeness concerns are summarised below:</p> <ul style="list-style-type: none"> • Screening not to exceed 18” above boundary fence • Neighbour impact during construction • Property potentially being damaged • Interrupted mains services

4.0 **RELEVANT PLANNING HISTORY**

4.1 The applicant did not engage in pre-app discussions. However the application was withdrawn and resubmitted and amended further to the advice of officers.

[P15/V1962/O](#) - Withdrawn (04/11/2015)

Outline application (with all matters reserved) for erection of one dwelling.

[P14/V2468/O](#) - Approved (09/04/2015)

Outline planning permission for single dwelling.

[P97/V0854/O](#) - Refused (07/08/1997)
Residential development.

[P78/V0440/O](#) - Refused (17/07/1978)
Erection of two 4 x bedroom detached houses and garages. (Site area approx 0.486 hectares).

[P74/V0333/O](#) - Refused (02/09/1974)
2 dwellings. land off school lane, Milton.

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
DC9	The Impact of Development on Neighbouring Uses
H11	Development in Larger Villages
NE9	Lowland Vale

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 unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. Whilst the plan has been through Examination the Inspector's report has not been received and the objections to it remain unresolved. 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 37	Design and local distinctiveness
Core Policy 44	Landscape

5.3 **Supplementary Planning Guidance**

- Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-

Design Principle	Principle Title
Responding to Site and Setting	<ul style="list-style-type: none"> • Character Study (DG6) • Site appraisal (DG9)
Establishing the Framework	<ul style="list-style-type: none"> • Existing natural resources, sustainability and heritage (DG10-13, 15, 19) • Landscape and SUDS (DG14, 16-18, 20) • Density (DG26)
Layout	<ul style="list-style-type: none"> • Streets and Spaces (DG31-43) • Parking (DG44-50)
Built Form	<ul style="list-style-type: none"> • 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)

- 5.4
- 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 Practice Guidance 2014 (NPPG)**

5.7 **Neighbourhood Plan**

Milton Parish have not provided a Neighbourhood Plan.

5.8 **Environmental Impact**

The proposal does not exceed 150 dwellings, the site is under 5ha and is not within a 'sensitive area' as defined but the EA regulations. Consequently the proposal is beneath the threshold set in the Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended. This proposal is not EIA development and there is no requirement under the Regulation to provide a screening opinion.

5.9 **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)

5.10 **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.

5.11 **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 primary material planning issues applicable to the assessment of this outline application are:

- The principle of a new dwelling on the application site
- The acceptability of the proposed design and layout.
- The impact on the Highway network.
- The impact on neighbouring dwellings
- Drainage.
- Trees.

6.2 **Principle of development**

The general locational strategy of both the adopted Local Plan 2011 (policy GS1) 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 Milton is classified as a larger village and as such, policy H11 of the adopted Local Plan would apply. This permits new housing development on sites of up to about 0.5ha in total size, 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 3 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.

Sustainable Development

6.5 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.

Social and Economic

6.6 The application site, forms part of one of the districts larger villages which has a range of services, including a primary school, church, pub, post office, village hall, visiting library and frequent bus service to Didcot. In addition, the village is located very close to one of the district's largest employment centres, Milton Park. 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.

Environmental Role

- 6.7 In environmental terms, the site currently has the appearance of a relatively small paddock on the edge of the village. It is well defined by Blackbird Lane to the south and the curtilage boundaries of existing housing to the north and east.
- 6.8 Views of the site from the south are restricted by thick vegetation along the southern edge of the lane and the single dwelling will be seen within the context of the residential housing beyond on Willow Lane.
- 6.9 Given the existing housing along this lane, which consists of large single dwellings within spacious plots, the proposed dwelling is not considered to have demonstrable harm on the character of the area or the long open views across the Lowland Vale. In addition a further dwelling along the lane have recently been granted planning permission.
- 6.10 The existing paddock is an open, grass field with limited opportunities for biodiversity to flourish. Building a house with a garden on this site provides an opportunity to create a variety of habitats with a range of planting and landscaping.

Design and Layout

- 6.11 As previously stated, the detailed design of the new dwelling will be assessed under a separate application for reserved matters. However, the applicant is advised to use the council's recently adopted Design Guide to inform the design of the dwelling. In particular, a Character Study should be carried out to identify the structure and history of the settlement and the character of the landscape, street scene, plot size and built form.
- 6.12 The design should respond to this character and be locally distinctive whilst reflecting the existing character of the area.

Highway Considerations

- 6.13 Details of the proposed access and parking provision do not form part of this outline application, although it is clear access would be obtained from Blackbird Lane. In principle this is acceptable, The Highways Authority have requested conditions be placed on the application with respect to the new vehicular access and turning and parking within the site.

Impact on Neighbouring Properties

- 6.14 The closest neighbouring property is the Poplars, which is in excess of 40 metres from the proposed location of the new dwelling. However as this is an outline application, the impact on the residential amenities of the new dwelling will be fully assessed and determined under the reserved matters. This will include the exact site of the new dwelling, its built form, height and positioning of windows to avoid any adverse impact in terms of sunlight, daylight, overbearing and overlooking of neighbouring properties. Nonetheless it is considered that a dwelling can be located on this plot without having an adverse impact because there is sufficient space to erect a single dwelling far enough away from neighbouring properties.

Drainage

- 6.15 A sustainable drainage condition has been placed in the application to mitigate flooding concerns and the impact on adjacent neighbouring properties.

Trees

6.16 No trees within the site will be directly affected by the proposal. Landscape details are to be determined under the reserved matters.

7.0 CONCLUSION

7.1 In principle, it is considered that a single dwelling could be erected on this site without causing harm to the character of the area, landscape value of the Lowland Vale or the amenities of neighbouring properties. It can be accessed safely and is in a sustainable location in close proximity to Milton Park. As such, the proposal complies with the provisions of the Development Plan and the NPPF.

8.0 RECOMMENDATION

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

- 1. Development to commence within two years of the reserved matters approval.**
- 2. Development to be in accordance with approved plans.**
- 3. Details to be submitted: Reserved matters submitted within three years.**
- 4. Details to be submitted: New vehicular access arrangement.**
- 5. Details to be submitted: Turning area and car parking within the application site.**
- 6. Details to be submitted: Sustainable Drainage Scheme, to include soil inspection.**

Informatives:

- 1. No temporary obstructions to public right of way.**
- 2. No alterations to be made to the public right of way.**
- 3. Construction vehicle access not to be permitted without prior approval from the countryside access team.**

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