

APPLICATION NO.	P15/V2406/FUL & P15/V2407/LB
APPLICATION TYPE	Full Application & Listed Building Consent
REGISTERED	15.10.2015
PARISH	UPTON
WARD MEMBER(S)	Janet Shelley Reg Waite
APPLICANT	The Trustees of FG Napper deceased
SITE	Owlscoote Manor Farm, High Street, Upton, Didcot, OX11 9JE
PROPOSAL	Removal of all non-historic buildings; conversion of the listed former granary and store at the front of the site to a single dwelling (with detached annexe as exists); setting out of gardens to granary conversion and existing dwelling; alterations to existing dwelling to remove modern additions; provision of access to serve new dwellings; erection of 3 new dwellings with gardens and garaging; and other associated works.
AMENDMENTS	As amended by the agents email dated 28 January 2016 and 03 February 2016 showing a reduction in the height of the proposed dwellings, the layout of the development and revised plan showing highway alterations and Flood Risk Modelling.
GRID REFERENCE	451593/186856
OFFICER	Charlotte Brewerton

SUMMARY

This application seeks listed building consent and planning permission for demolition of non-historic buildings, conversion of the listed Granary Barn to a dwelling and the construction of 3 new dwellings to the rear of Owlscoote Manor in the village of Upton.

This application comes to planning committee as the Parish Council have objected on grounds of increased flooding, and overbearing and dominant dwellings. They also have some concerns over the possibility of this development setting a precedent outside of the built limits of the settlement. There have also been a number of objections to the proposal on grounds of it being out of character, overbearing design and dominant outlook, highways and access issues, concerns with flooding, not in keeping, loss of privacy and amenity.

The main considerations to this scheme are:

- The principle of development
- The impact upon the setting of the adjacent Listed Buildings, the character of the site and the surrounding area
- The impact upon adjacent amenity
- The impact to Highways Safety
- Flooding Issues
- Other considerations

There are no technical constraints to the proposed development. Revised plans have been submitted to overcome objections from the Conservation Officer, Highways concerns and Flooding issues. Officers are therefore satisfied that there would be no significant or

demonstrable harm to the site or the surrounding area. Whilst the proposal is not in accordance with Policy H12 of the Local Plan this policy carries little weight given that the Council do not at present have a 5 year housing supply and therefore the precedence of the NPPF and the presumption in favour of sustainable development is valid.

The recommendation is therefore for Approval.

1.0 INTRODUCTION

- 1.1 The site is located in the village of Upton on the site to the rear of Owlsote Manor, a Grade II listed dwelling with modern additions to the side and rear and a number of single storey outbuildings beyond.
- 1.2 The Granary Barn sits adjacent to Owlsote Manor and is also Grade II listed in its own right. It was once located within the curtilage of Owlsote Manor but is now a redundant farm building.
- 1.3 The Manor House and Manor Farm sit to the east of Owlsote and is also Grade II listed occupying a large site, with a number of smaller more modern dwellings known as Netherbrook, Redwood House and Orchard House adjacent to the western boundary of the site. These dwellings are considered to be large dwellings sat within the middle of their plots with good sized rear gardens.
- 1.4 The land to the rear of Owlsote manor is a mix of listed buildings, Spring Cottage and Springside, both Grade II listed, and more modern houses, Tadpoles and Stream Cottage. The land to the rear steps down with Spring Road, a single lane farm track considerably lower than the adjacent dwellings.
- 1.5 The site is located within Flood Zones 2 & 3 with a buried culvert running through the middle of the site. The site is not located within any designated area.
- 1.6 A site location plan is **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 This application seeks planning permission and listed building consent for the demolition of all the modern additions and non-historic elements to the listed building known as Owlsote Manor. In addition permission and consent are sought for the conversion of the adjacent listed granary barn and the construction of 3 new dwellings to the rear of Owlsote Manor.
- 2.2 The scheme would involve the removal of single storey additions and detached outbuildings to the rear of the Grade II listed dwelling. The demolition plan is **attached** at Appendix 2.
- 2.3 The Granary Barn is proposed to be converted into a 5 bed dwelling with parking and amenity space. There is an existing separate access to this site and limited external changes. Proposed plans can be seen **attached** at Appendix 3.
- 2.4 The proposed new dwellings to the rear of the site include 3x Four bed dwellings with associated car parking and garaging. They would measure between 8.15m and 8.78m in height having been reduced from 9.5m, 9.3m and 8.9m tall. The design approach is that of converted barns laid out in a farmyard complex. Access is via the front of Owlsote Manor which is to be widened and the driveway extended to the rear of the site.

Materials would include plain clay tiles, timber weatherboard cladding over a brick plinth

2.5 and red brick finishes. Revised proposed elevations and a layout plan are **attached** at Appendix 4.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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.

3.1	Upton Parish Council	<p>Object (18/11/2015) Flooding issues and lack of alleviation plan. Overbearing dwellings. Stream maintenance and no foul water drainage plan evident.</p> <p>No objections to restoring the stream, grain barn restorations, Owlscoote modifications and no. of proposed dwellings at the rear.</p> <p>Reservations over the extension of village boundary but do regard village infill location.</p> <p><u>Revised Plans</u> Object (24/02/2016) Overdominance on Listed Buildings. Revisions are insufficient to overcome objections. Intrusion into open countryside from revised plot locations.</p>
3.2	Conservation Officer Vale	<p>Original Objection (01/12/2015) Concerned that the 2 storey barnlike dwellings will overdominate the site and the setting of the Listed building. To overcome revise layout and reduce height. Recommend refusal based on these elements however Granary restoration and alterations to Owlscoote Manor supported.</p> <p><u>Revised Plans</u> Improved layout however the dwellings are still high and dominant in relation to the Listed Buildings. Single storey structures or 1.5 storeys would lessen impact. On balance No Objections subject to conditions.</p>
3.3	Highways Liaison Officer (Oxfordshire County Council)	<p>No objections (29/02/2016) based on amended plans and submission of tracking plan and widening of entrance, subject to conditions.</p>
3.4	Environment Agency (Lesley Tims & Cathy Harrison)	<p>Original Objection (14/12/2016) Opening up of culvert has potential to increase floodrisk. Overcome by submitting a Flood Risk Assessment.</p> <p><u>Revised Modelling and clarification</u> Objection removed (05/02/2016) Models confirm outputs indicate negligible differences upstream and small improvements downstream.</p>
	Drainage Engineer	<p>Original Objection (02/11/2015)</p>

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3.5	(Vale of White Horse District Council)	Based on flood risk grounds. Confirm agreement with Environment Agency. Revised modelling (23/02/2016) No objection based upon the removal of objection from Environment Agency. Attach condition.
3.6	County Archaeologist (VWHDC)	No Objections – There are no constraints to development on this site.
3.7	Architects Advisory Panel	Basic layouts and principles agreed. Consider using matching dark stain boarding as per unit 3. No issues of landscaping or overlooking.
3.8	Neighbour Object (4)	<ul style="list-style-type: none"> • Construction impact • Increased flooding • Scale and height of new builds • Does not meet local housing need • Outside of village boundary • Number of dwellings not in accordance with Local Plan • Blocking of a view • Loss of light and overbearing • Overlooking from Granary • Size of dwellings too large • Waster water and drainage issues.
3.9	Neighbour Approve (1)	<ul style="list-style-type: none"> • The opening up of the culvert would improve the situation with regards to flooding. • Revised plans overcome previous concerns with regards to height and dominance. • Relocation of plots welcome • Sympathetic and remove unsightly farm buildings • In keeping with character of village
3.10	Neighbour comments (5)	<ul style="list-style-type: none"> • Removal of old buildings a positive step • Extension of village boundary a concern • Culvert may not stop all flooding problems • Traffic issues from increased use of one entrance.

4.0 **RELEVANT PLANNING HISTORY**

4.1 None relevant upon this site.

5.0 **POLICY & GUIDANCE**

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

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

DC6 - Landscaping

DC7 - Waste Collection and Recycling

- DC9 - The Impact of Development on Neighbouring Uses
- GS1 - Developments in Existing Settlements
- H12 - Development in the Smaller Villages
- HE10 - Archaeology
- HE11 - Archaeology
- HE4 - Development within setting of listed building
- HE5 - Development involving alterations to a listed building
- 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 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 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 23	Housing density
Core Policy 37	Design and local distinctiveness
Core Policy 39	The historic environment
Core Policy 42	Flood risk
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:-
Responding to Site and Setting

- Character Study (DG6) and Site appraisal (DG9)

Built Form

- 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)

- Sustainable Design and Construction – December 2009
- Flood Maps and Flood Risk – July 2006

5.4 National Planning Policy Framework (NPPF) – March 2012

5.5 National Planning Practice Guidance 2014 (NPPG)

5.6 Neighbourhood Plan

There is no adopted Neighbourhood Plan for Upton.

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 upon the setting of the adjacent Listed Buildings, the character of the site and the surrounding area
- The impact upon adjacent amenity
- The impact to Highways Safety
- Flooding Issues
- Other considerations

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 Upton is classified as a smaller village within the Vale Local Plan 2011 having limited services and facilities for growth. Within the Emerging Local Plan 2031 the village remains classified as a smaller village where development will be modest and proportionate in scale and primarily to meet local need. However limited weight can be attached to this policy at present. Policy H12 of the existing Local Plan does permit a number of small dwellings within the built up limits of the settlement showing that in terms of sustainability Upton does have the ability to access services and modes of transport to travel throughout the district and therefore limited growth in this location can be supported. Officers consider that this site would be confined and within the built limits of the village given it would be located to the rear of Owlscore manor and a number of other buildings are to be removed. However, Policy H12 of the Local Plan is no longer consistent with the NPPF due to the lack of five-year supply of housing land therefore has no material weight in the consideration of this application. The principle of this proposal will therefore be judged against its compliance with the NPPF.
- 6.8 The relevant housing policies of 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 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 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 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.
- 6.9 The impact upon the setting of the adjacent Listed Buildings, the character of the site and the surrounding area and the design of the proposed scheme.
Policy DC1 of the 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.
- 6.10 In addition Policy HE4 states that planning permission for development within the setting of a listed building will not be granted unless it can be shown that the siting, scale, design, form, finishes and material of the proposal respect the characteristics of the building in its setting, including any visual functional, historic or architectural relationships that it has.
- 6.11 *Character*
Policy NE9 of the Local Plan states that development will not be permitted if it would have an adverse effect upon the landscape and the long open views of the Lowland Vale.

The site is considered to be well contained by existing dwellings, Owlscore Manor itself

6.12 and the existing landscape boundary treatments along the rear boundary albeit that the site itself is relatively open. Long open views across the Lowland Vale are not therefore affected by the development.

6.13 The layout and form of adjacent dwellings are detached and set within larger plots with a good amount of spacing between and around dwellings. The rear boundary of Owlscoote Manor is contained by a row of mature trees with the track beyond set down from the site itself. There would be limited views into the site from Stream Road and given the set back of the dwellings within the site, along with their reduction in height, Officers now consider that there would be limited harmful impact upon the long views from around the village.

6.14 The land to the rear of Owlscoote Manor increases in height with a difference in land levels of between 0.5 -1m. The Conservation Officer had concerns that the form, layout and proposed heights of the original scheme would have a harmful impact upon the setting of the Listed Building and requested some re-design to overcome these concerns.

6.15 However, when walking around the site and looking into and out of the site itself, at the rear Officers consider that largely views of the proposed dwellings would be limited and contained by existing buildings. The distance of the setback well within the site along with the visual containment would not result in a significant change to the visual appearance of Church Way or to the front of Owlscoote Manor and the character around the Grade II listed Manor House. The proposals have limited impact upon the Manor House itself and is set some distance (approximately 37m from Owlscoote Manor) Officers consider that the relationship is acceptable.

6.16 Given that this site is within the grounds of a listed building, with a number of other listed buildings in close proximity, Officers accept that there would be some impact upon their setting but that this impact would be less than severe and not be significantly harmful to justify refusal.

Landscaping

6.17 Policy DC6 of the Local Plan permits development that include hard and soft landscaping measures that are designed to protect and enhance the visual amenities of the site and its surroundings, including where appropriate existing important landscape features and maximises the opportunities for nature conservation and wildlife habitat creation.

6.18 The site is relatively open with landscape features to the rear along Stream Road. In order to further assimilate the dwellings into their setting the Conservation Officer has requested a hard and soft landscaping condition to ensure that the details are appropriate to this site. Officers consider this to be justified and to ensure that species type and size are well suited to the site and boundary treatments would not have a harmful impact upon the significance of the listed building and its setting or the wider landscape.

Design of the proposed new builds

6.19 The NPPF also says that planning should always seek secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paras 17 and 120), and that good design is a key aspect of sustainable development and should contribute positively to making places better for people (para 56).

The Conservation Officer requested a redesign to the proposed dwellings at the rear to ensure that the historic function and setting of the listed building is not compromised.

6.20

Discussions were undertaken which resulted in an alteration to the layout and form of the dwellings to the rear so that there is a closer association with the previous and

6.21 historic function of this site.

The revised plans have considered the layout of a farming complex rather than 3 large barns with little relation to one another. Now the plans show units 1 and 2 to have a shared access more akin to a courtyard complex of barns. The height has been revised and there are varying ridge heights and elements breaking up the overall bulk and mass of the dwellings. The change in materials from red brick to a mix of timber weatherboarding upon a brick plinth and large glazed openings suggest converted barns in approach rather than overly domestic dwellings.

Unit 3 appears as a long barn and sits adjacent to an existing listed outbuilding which sits on the boundary between Owlscoate and The Manor House. The dwelling is large however it's reduction in height and its position upon the site helps to reflect the previous historic function on this site.

The conservation Officer still has some reservations with the height of the proposed dwellings and would have preferred them to be 1/ 1.5 storeys in height however given the general improvement to the site and the setting of the listed building, along with the restoration of the Granary Barn and the distance of the proposed residential dwellings, on balance the revised heights, detailing, changes to materials and set back into the site would not amount to significant harm upon the surrounding character or significance of the listed building.

Officers do consider that given the step up in ground levels and the proposed height of the dwellings, albeit reduced, there may be some views of the new dwellings from the front of the site and from gaps between buildings once the single storey buildings are removed. However the use of high quality materials, their revised layout to that of a farmyard complex and largely converted barn appearance would not be significantly harm to warrant a refusal of this scheme based upon character.

Officers therefore consider that the proposal would have limited impact upon the setting of the historic building or the surrounding character in accordance with Policy. In design terms the revisions have largely overcome previous concerns raised.

Listed Building

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.

Paragraph 132 of the NPPF confirms that "When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be". The NPPF adds at paragraph 133 that proposals causing substantial harm to or total loss of significance of a designated heritage asset should be refused unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Paragraph 134 of the NPPF explains that less than substantial harm to the significance of the heritage asset should be weighed against the public benefits of the proposal.

Policy HE5 of the Local plan states that development including alterations (including

6.29 partial demolition) additions or extensions to a listed building will not be permitted if its siting, design, scale, form, finishes and materials are unsympathetic to the buildings special architectural or historic interest or if it fails to retain those features of the existing buildings which contribute to its special architectural or historic interest.

Owlscoote Manor has a number of modern additions most of which do not relate well to the main building nor have any architectural merit to the character and historic setting.
6.30 The Conservation Officer is satisfied that the removal of a number of these single storey elements would improve the significance of the heritage asset and improve the general character and setting of this part of the village.

The restoration of the granary barn has a positive outcome upon this site and would ensure the future longevity and maintenance of the building bringing it back into efficient re-use. The Conservation officer has requested a number of conditions relating to the detail to ensure that there would be no harm to either Owlscoote Manor or the Granary Barn as a result of the proposed works.
6.31

Archaeology

6.32 Policy HE9 of the Local Plan states that where reasonable grounds for believing that important archaeological remains may be disturbed or otherwise adversely affected by a development proposal the applicant will be required to carry out an archaeological field evaluation of the site and its setting before the planning application is determined.

The Archaeology Officer considers there to be no constraints to this site as a result of this development which satisfies the Conservation Officers suggestion.
6.33

Overall the works proposed to the listed elements on this site would not compromise its architectural merit or historic assets and as such Officers consider Listed Building
6.34 Consent should be granted.

Given the sustainability of this site, and in accordance with the presumption in favour of the NPPF the proposed dwellings would not amount to significant harm to the site and its setting and as such Officers do not consider that a refusal based upon its setting would stand up at appeal. Officers consider the proposal are in accordance with the design principles of the Design Guide, Local Plan Policies and the NPPF.
6.35

6.36 The impact upon adjacent amenity

Policy DC9 permits development that would not have a harmful impact upon surrounding neighbouring uses in terms of privacy and overlooking, loss of light, noise, vibrations, smells, gases or other emissions.

6.37 The dwellings are to be located to the rear of the site approximately 31m from the rear elevation of Owlscoote Manor. Unit 1 will be located approximately 8m from the boundary with Redwood House and approximately 37m from its rear elevation. Officers consider that whilst there would be some change to their outlook and adjacent properties along Church Street, the impact on private views is not a material planning consideration to which material weight can be attached. In terms of a loss of privacy, loss of light or direct overlooking, dominance or overshadowing to the occupants of these dwellings, Officers consider that the distances are such that there would be no demonstrable harm such to justify refusal.

6.38 The location within the site would not result in significant harm to the future occupants of Owlscoote manor given the set back from Unit 1 by approximately 31m to the nearest wall (garage) and approximately 39m window to window. Unit 3 is located approximately 51m from the side elevation of The Manor House. Between these

dwelling there are existing storage and outbuildings which are to be retained. Officers consider that at these distances there would be limited harm to the occupants of the Manor House and future occupants of Unit 3.

6.39 The impact to Highways Safety

Policy DC5 of the Local plan permits development that would not have a harmful impact upon traffic safety in terms of access and egress, congestion or environmental problems, circulation, turning, servicing and would not result in congestion of the site or surrounding highway network.

- 6.40 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.

- 6.41 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."

- 6.42 Concerns have been raised by neighbours with regard to the increase in traffic generation from the proposed units at the rear of the site.

- 6.43 The existing access is to be widened by removing a section of the existing listed boundary wall to allow safer access and egress from the site. A revised tracking plan has been submitted to show access and egress by two cars side by side and access to the site by a refuse vehicle. Whilst there would be increased traffic generation by the provision of 3 new dwellings it is considered not to amount to severe harm to the highway network.

- 6.44 The agent has confirmed that the size of the garages are to be 6x6m internally without an internal partition providing enough internal space for sufficient parking of cars at each dwelling.

- 6.45 The Granary Barn has sufficient space on site to accommodate car parking and access and turning to the site is separate to that of newly proposed dwellings at the rear. Owlscoote manor itself is to have a revised parking space at the front of the site for two off street spaces plus garaging. There is to be no severe harm to the existing highway network from these arrangements. Officers consider this to be in accordance with Policy.

6.46 The impact of Flooding

For the purposes of applying the National Planning Policy Framework, "flood risk" is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.

- 6.47 Paragraph 103 of the NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant. It states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (para 109).

6.48 Both the Environment Agency (EA) and Council Drainage Officer had original concerns with regards to opening up the buried culvert on this site and reinstating it. The agent has provided the EA with sufficient modelling details which clarify that the opening of the culvert would not have a significant impact upon flooding of this site or the surrounding area.

6.49 Comments have been received from members of the public that the flood modelling data is not available on the website to view. However the Council computer system cannot run these calculations and modelling data and special software is needed, which the EA have in order to run the necessary checks. As the EA are the National Governing Body and technical professionals in this field Officers consider that their agreement of the findings are acceptable not to warrant further information or details in this instance.

6.50 The drainage officer supports this view and has withdrawn the holding objection subject to a foul drainage condition on any grant of approval. This is appropriate in this instance.

6.51 Officers consider that the support by the EA of the revised modelling and its clarification that there would be limited flood risk as a result to this development is sufficient to overcome the previous technical objections and therefore the proposal is in accordance with Planning policies with limited reasons to recommend refusal based upon flooding grounds.

6.52 Other considerations
Refuse and recycling

Policy DC7 of the Local Plan states that all new developments must make adequate provision for the sorting, storage and collection of waste arising from the site.

6.53 There is adequate spacing for the storage of waste and recycling and areas in which to present the bins at the front of each property. A refuse vehicle is shown to be able to gain access into this site and as such this element accords with planning policy.

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 Whilst there is some compromise to the open space on this site the removal of redundant modern buildings along with the efficient re-use of the Granary barn will ensure that the historic setting of this site is retained with additional dwellings set an appropriate distance away so that the setting of the site and architectural merit of the heritage asset is not compromised.

7.3 The proposed new dwellings have been reduced in height and materials to ensure that they read well within the historic function of this site and provide 3 new dwellings to the village of Upton.

7.4 Officers are therefore satisfied that proposed development would be located in a sustainable location, would not amount to significant or demonstrable harm to the site, its setting or surrounding character and would ensure that technical requirements of

highways, flooding, overlooking and dominance have been met in accordance with the Local Plan Policies and the NPPF.

8.0 RECOMMENDATION

8.1 That planning permission is granted subject to the following conditions:

- 1. Approved plans.**
- 2. Time limit – three years.**
- 3. Submission of materials (samples).**
- 4. No surface water drainage to highway.**
- 5. Access in accordance with revised plan.**
- 6. Car parking in accordance with revised plan.**
- 7. Gates set back by 6m from carriageway.**
- 8. Turning space in accordance with revised plan.**
- 9. No drainage to highway.**
- 10. Hard and soft landscaping scheme (submission).**
- 11. Landscaping implementation.**
- 12. Surface water drainage in accordance with FRA
REV:CV8121204/DB/DW/013.**
- 13. Foul water drainage details.**
- 14. Details of bin stores.**
- 15. Slab levels.**
- 16. Details of flues/vents/extracts and external lighting.**

8.2 That listed building consent is granted subject to the following conditions:

- 1. Time limit three years**
- 2. Approved plans**
- 3. Submission of sample materials/ photo montage of samples.**
- 4. Window and door details.**
- 5. New stair details and heat insulation details for the Granary Barn.**
- 6. Submission of details of lime mortar and limecrete for Granary Barn.**
- 7. Details of flues/vents/extracts and external lighting.**

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