

APPLICATION NO.	P15/V2934/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	14.12.2015
PARISH	EAST HANNEY
WARD MEMBER(S)	Matthew Barber
APPLICANT	Mrs Margaret Vivian
SITE	Varlins, Halls Lane, East Hanney, Wantage, OX12 0HJ
PROPOSAL	Proposed three bedroom detached dwelling with attached double garage.
AMENDMENTS	As amended by the Design & Access statement submitted by the agent on 29 February 2016 and which confirms the drainage details.
GRID REFERENCE	441891/193336
OFFICER	Charlotte Brewerton

SUMMARY

This application comes to planning committee as East Hanney Parish Council have objected to the proposal. There is also a strong objection from a neighbour with both parties objecting on grounds that the new dwelling will be out of character within the village setting and the Conservation Area, additional built form here will have an impact upon flooding in the village, this dwelling would increase density of the village and amount to overdevelopment and it would result in the removal of a number of mature trees having an impact upon its character.

The application is for a new 3 bed dwelling within the site of Varlins, an unlisted period dwelling within the Conservation Area. There is a Grade II listed barn to the south of the application site which has planning permission to be converted into a residential unit (P13/V0076/LB & P13/V0075/FUL). A new 4 bed dwelling has also been permitted on land to the west of the proposed application site (P15/V2405/FUL).

The main planning considerations of this application are:

- The principle of development
- The impact upon the character of the site and surrounding Conservation Area
- The impact upon adjacent amenity
- Other Considerations

There are no technical objections or constraints to development and Officers are satisfied that there would be no significant or demonstrable harm to the site or the surrounding conservation area as a result of permitting a new dwelling in this location. Materials and outstanding details can be conditioned and therefore Officers recommendation is for Approval.

1.0 INTRODUCTION

- 1.1 The application site is located within the grounds of an unlisted, period dwelling known as Varlins in East Hanney. Varlins is situated on a corner plot located off The Green and joining into Halls Lane.
- 1.2 Access to the site is via the new vehicular access created for the converted adjacent Grade II listed barn which runs adjacent to Halls Lane and has recently been subdivided from Varlins. A new detached house has also been permitted, also using

Vale of White Horse District Council – Committee Report – 23 March 2016

this access, to the west of the proposed application site. Varlins is to retain its own access.

1.3 To the North of the site 3 new dwellings have been permitted at Kings Farm Cottages (P14/V1633/FUL). The surrounding character is therefore residential in nature with a variety of plots sizes, styles, dwelling types and design within the immediate vicinity.

1.4 The site is located within the Conservation Area and Flood Zone 2. A site location plan can be seen **attached** at Appendix 1.

2.0 PROPOSAL

2.1 This application seeks planning permission for a detached 3 bed dwelling house with attached garage and parking area and private amenity space.

2.2 The dwelling is proposed in a ‘T’ formation with the garage and entrance element measuring 11.3m wide and 6.34m tall to its ridge. The main ridge measures 7.31m and 3.2m to the eaves.

2.3 Materials are to include red brick and feather edge weatherboarding, lead dormer windows, stone lintels and plain clay tiles.

2.4 An amended Design & Access Statement has been submitted on suggestion of the Drainage Consultant to match the foul water and surface water drainage information submitted with the detached dwelling next door.

2.5 Proposed plans can be seen **attached** at Appendix 2.

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	East Hanney Parish Council	Object Flood zone 2 and no FRA <ul style="list-style-type: none"> • Increased density in the village • This is a conservation area and not in keeping with the character • Removal of a number of mature trees
3.2	Conservation Officer Vale	No objections subject to details which can be conditioned. Minimal impact upon the openness and views across site.
	County Archaeologist (VWHDC)	No Objections
3.3	Countryside Officer (South Oxfordshire & Vale of White Horse)	No Objections
3.4	Forestry Officer	No objections subject to details in tree report are followed – Condition.
3.5	Highways Liaison Officer	No Objections
3.6	Drainage Officer	No Objections subject to details submitted prior to commencement.

3.7	Neighbour Object (1)	<ul style="list-style-type: none"> • Destroying the character of the original house • Removal of trees harmful • Out of character to the setting • Overdevelopment in a Conservation Area • Village setting destroyed • Flooding Issues
3.8		

4.0 RELEVANT PLANNING HISTORY

4.1 [P15/V2405/FUL](#) - Approved (19/11/2015)

Proposed 4 bedroom detached dwelling with associated landscaping.

4.2 [P15/V1065/FUL](#) - Approved (06/07/2015)

Proposed 4 bedroom detached dwelling with associated landscaping(as amended by the agents email dated 16 06 2015 and updated tree report and plan 13070-P10b which shows a revised driveway layout to retain T3).

4.3 [P13/V0076/LB](#) - Approved (14/03/2013)

Proposed conversion of existing listed barn and outbuilding to single dwelling and annex with new vehicular access

4.4 [P13/V0075/FUL](#) - Approved (14/03/2013)

Proposed conversion of existing listed barn and outbuilding to single dwelling and annex with new vehicular access.

5.0 POLICY & GUIDANCE

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

DC1 - Design

DC5 - Access

DC6 - Landscaping

DC7 - Waste Collection and Recycling

DC9 - The Impact of Development on Neighbouring Uses

HE1 - Preservation and Enhancement: Implications for Development

H11 – Development in Larger Villages

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. 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:-

Core Policy 1 Presumption in favour of sustainable development

Core Policy 4 Meeting our housing needs

Core Policy 7 Providing supporting infrastructure and services

Core Policy 23Housing density

Core Policy 33Promoting sustainable transport and accessibility

Core Policy 35Promoting public transport, cycling and walking

Core Policy 37Design and local distinctiveness

Core Policy 39The historic environment

Core Policy 42Flood risk

Core Policy 43Natural resources

Core Policy 44Landscape

Core Policy 46 Conservation and improvement of biodiversity

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)

Establishing the Framework

- Existing natural resources, sustainability and heritage (DG10-13, 15, 19)
- Landscape and SUDS (DG14, 16-18, 20)
- Movement Framework and street hierarchy (DG21-24)
- Density (DG26)
- Urban Structure (blocks, frontages, nodes etc) DG27-30

Layout

- Streets and Spaces (DG31-43)
- Parking (DG44-50)

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)

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

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

5.6 East Hanney does not yet have an adopted Neighbourhood Plan.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main considerations in the determination of this application are:

- The principle of development
- The impact upon the character of the site and surrounding Conservation Area
- The impact upon adjacent amenity
- 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 with Policy H11 permitting development within the built up limits of larger villages in the district subject to criteria.
- 6.7 East Hanney is considered to be a larger village within the district with some services and facilities which assist in allowing further growth. In this regard its locational hierarchy is considered to be sustainable with the ability to access a variety of transport modes having good links with other villages and the wider area. The site is well contained and considered as an 'infill' plot within a residential enclave. As such the proposed development would not result in isolated or sporadic development within the village and provided it would not harm the surrounding character and its scale, mass and design are acceptable a single dwelling in this location could be considered favourable when assessed against the Local Plan.
- 6.8 However, 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 character of the site and surrounding Conservation Area
Policy HE1 of the Local plan states that development or other works within or affecting the setting of a Conservation Area will not be permitted unless they can be shown to preserve or enhance the established character or appearance of the area. Regard will be given to the relationship, setting, views into, within or out from the Conservation Area, whether the development respects the context, siting, scale, height, form and massing and whether the design, detailing and choice and quality of materials preserve or enhance the areas character.
- 6.10 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.

6.11 The Conservation Officer has advised that the location of the proposed dwelling would not have a significant impact upon the setting of the Conservation Area or upon open and long views of this site. Officers consider that the form of the dwelling with low eaves and ridge levels reduces the opportunity for this dwelling to be viewed as a bulky addition to the village and would preserve the character of the surrounding Conservation Area.

6.12 With regards to the location of the dwelling upon the plot it would retain an area of private amenity space that is appropriate to its scale and size and which in terms of plot size is characteristic of those in the surrounding area. Officers consider that it would not amount to overdevelopment of this site.

6.13 The design, scale, and mass of the proposed dwelling whilst modern in its appearance would use traditional materials to ensure that it would be appropriate within its immediate setting and the context of the surrounding area.

6.14 Officers therefore consider that there would be no significant or demonstrable harm to the site or surrounding Conservation Area to justify refusal of the application and it is therefore in accordance with Planning Policy.

6.15 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.

6.16 Given the height and scale of the proposed dwelling and the orientation of the windows the relationship to the amenity areas of Varlins and the converted barn is considered acceptable and would not result in harm. Planning permission has already been granted for a detached dwelling on the site adjacent to (west) the application site. Having checked both sets of plans there would be no windows that would result in loss of privacy or overlooking to either of their future occupants.

6.17 This is also true for the new dwelling permitted to the north of this site at Kings Farm Cottages. The new dwelling would not cause issues of dominance or overshadowing as it would not be situated directly adjacent to the property itself but is offset. There would be views of the proposed new dwelling however these are not considered to be harmful nor would there be any issues of overlooking or a loss of privacy to both future occupants.

6.18 The orientation and height and scale of the new dwelling on this site would not result in harmful loss of light to any of the other dwellings and given that they are all to be in residential use there is unlikely to be increased noise, dust, smells or gases that would cause harm.

6.19 Officers therefore consider that there would be little undue harm to adjacent amenity which is in accordance with Policy.

6.20 Other Considerations

6.21 Highways and access

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.

- 6.22 As an access has been approved for a barn conversion and a new dwelling an additional dwelling (for a total of 3) is unlikely to generate sufficient traffic to result in 'severe harm'. An existing approved access that would serve 2 existing units is unlikely to cause a highway safety risk in a low speed (narrow lane) environment. As such Officers consider the proposal would be in accordance with Policy. In addition there is adequate parking on site however a condition preventing the garage to be altered to additional living space should be placed on any grant of approval to assist with retaining the off street parking in this location.

Drainage

- 6.23 The Flood Risk Statement submitted with the application has advised that the site is located within flood zone 1, however the Council GIS maps show this site to be in flood zone 2. Notwithstanding this however, having assessed the submitted information the council drainage engineer is satisfied that the finished floor levels are acceptable and that there would be no harmful impact as a result of the proposal in terms of flooding upon this site and the surrounding area. Officers consider that details shall be conditioned and submitted prior to commencement to ensure limited flood risk. A slab level condition is also recommended.

Trees

- 6.24 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.

- 6.25 The Forestry Officer has assessed the impact upon the trees against the arboricultural report submitted with the application and has advised that as long as the works take place in accordance with this report there would be limited harm to adjacent trees. A condition can be placed on any approval to ensure that the tree protection elements are followed.

Archaeology

- 6.26 There are no archaeological constraints to this site.

Biodiversity

- 6.27 The Countryside Officer has advised that there is unlikely to be any significant ecological impact upon biodiversity from the proposed development.

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 In light of the NPPF the proposed new dwelling would add, albeit 1 additional dwelling, to the housing short fall within the district. It would not have a significantly or demonstrably harmful impact upon the Conservation Area, the surrounding character of the village setting and would not result in harm to the highway network, adjacent amenity, trees or drainage. Officers therefore recommend this application is approved.

8.0 **RECOMMENDATION**

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

1. Commencement three years - full planning permission.
2. Development to be carried out in accordance with the approved plans.
3. Removal of permitted development rights - garage conversion into accommodation.
4. Access, parking and turning in accordance with the approved plan.
5. No drainage to highway.
6. Submission of materials (samples).
7. Submission of sustainable drainage scheme (full).
8. Submission of details – any vents, flues, extracts and external lighting.
9. Tree protection details to be submitted.
10. Slab levels to be submitted.

Author: Charlotte Brewerton

Contact No: 01235 540546

Email: charlotte.brewerton@southandvale.gov.uk