

APPLICATION NO.	P16/V0350/O
APPLICATION TYPE	OUTLINE
REGISTERED	9.2.2016
PARISH	CUMNOR
WARD MEMBER(S)	Dudley Hoddinott Judy Roberts
APPLICANT	Oxford and District Building Services Limited
SITE	37 Robsart Place, Cumnor, Oxford, OX2 9QT
PROPOSAL	Outline application for the construction of a single dwelling
AMENDMENTS	None
GRID REFERENCE	446297/203704
OFFICER	Sarah Green

SUMMARY

- The application is referred to planning committee due to the objection from Cumnor Parish Council.
- The application is for outline permission for a single dwelling.
- Officers consider that the proposal is acceptable as it would not give rise to significant and demonstrable harm.
- The application is recommended for approval.

1.0 INTRODUCTION

The application is referred to planning committee due to the objection from Cumnor Parish Council.

- 1.1 The site is located within the built up area of the village of Cumnor. A location plan is **attached** at Appendix 1. It was formerly part of the garden to the side of No 37. The site is roughly triangular in shape and borders the side boundary of No 37 and the side boundary of No 36b.

2.0 PROPOSAL

- 2.1 The application seeks outline approval, with all matters reserved (appearance, layout, scale, access, and landscaping), for a detached 2 bed dwelling on the site. An indicative block plan has been submitted and is **attached** at Appendix 2. The application area is larger than the area currently fenced off on site. The agent has confirmed that the red line area is the correct site area for the application to be determined on.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

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

Cumnor Parish Council	Objection “There is insufficient information to demonstrate that a new dwelling would not harm the privacy of the neighbouring property 36b Robsart Place. The applicant appears to have commenced work without receiving planning permission and has not taken pre application advice.”
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Neighbours	Four letters have been received raising the following objections:- <ul style="list-style-type: none"> • Overdevelopment • No local need • Impact on neighbours amenity, lack of privacy • Impact on bats, services • Impact on highway safety • Lack of parking in area
Highways Liaison Officer (Oxfordshire County Council)	No objection in principle

4.0 **RELEVANT PLANNING HISTORY**

4.1 None

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.

DC1 - Design

DC5 - Access

DC6 - Landscaping

DC9 - The Impact of Development on Neighbouring Uses

H11 - Development in the 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. 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:-

Core Policy 1 Presumption in favour of sustainable development

Core Policy 3 Settlement hierarchy

Core Policy 4 Meeting our housing needs

Core Policy 8 Spatial Strategy for Abingdon & Oxford Fringe sub-area

Core Policy 23 Housing density

Core Policy 33 Promoting sustainable transport and accessibility

Core Policy 35 Promoting public transport, cycling and walking

Core Policy 37 Design and local distinctiveness

Core Policy 42 Flood risk

Core Policy 44 Landscape

5.3 **Supplementary Planning Guidance**

• Design Guide – March 2015

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

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

5.6 **Neighbourhood Plan**

There is no neighbourhood plan designation area for this area.

5.7 **Environmental Impact**

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

5.8 **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)

Human Rights Act 1998

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.

Equalities Act 2010

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 considerations are the following:

- The principle of development
- Design and layout
- Residential Amenity
- Parking and Highway Safety

6.2 **Principle of development**

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 currently have a five year housing land supply.

6.3 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.

- 6.4 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. This site is located within the built up area of Cumnor, where new residential development would be acceptable under the adopted local plan. The principle of development in this village is therefore acceptable.
- 6.5 **Design and Layout**
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). The application is in outline and therefore the details of scale, appearance and layout are not before members. The submitted indicative block plan shows an outline for a dwelling. It shows it in a similar alignment to nos. 37 and 38, in terms of its set back from the street and is set off the boundaries by approximately a metre.
- 6.6 The site is part of a modern housing estate of principally semi-detached houses and terraces. Unlike the surrounding houses it would be a detached house, but in light of the support for creating mixed and inclusive communities in paragraph 50 of the NPPF, this factor is not considered to be harmful in itself. Your officers acknowledge that this is a relatively small site and as such a dwelling would need to be carefully designed to take account of the constraints. However, based on the indicative plan, there would be room for two parking spaces to the front, and some amenity space to the side and a small space to the rear. Combined, the amenity spaces would be approximately 60sqm, which is over the recommended 50sqm set out in the design guide for a two bedroom dwelling. Officers consider that on balance, a small two bedroom house could be built on the site without resulting in significant and demonstrable harm to the street scene or character of the area.
- 6.7 **Residential Amenity**
Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy or cause visual intrusion for neighbouring properties.
- 6.8 The proposed property would sit between no.37 and no.36b. The development would bring a building closer to no.36b and given the angle and proximity, there could be the potential for overlooking of the garden of no.36b if habitable room windows were proposed at first floor in the rear elevation or if the proposed dwelling were set back in the plot too far. Your officers consider that with a careful design a dwelling could be constructed to prevent any direct overlooking of the garden of no.36b. The exact design and siting of the dwelling will be considered at reserved matters stage.
- 6.9 The indicative plan shows that a dwelling can be sited so as not to project past either the front or rear elevations of both neighbouring properties. Therefore it would not impact upon the outlook from the main elevations of these properties. In terms of the impact on the side elevations no.36b has a first floor side window to a bathroom which is obscure glazed while no.37 has two secondary windows at first floor. Both neighbouring properties are set off the side boundaries by approximately one metre, and there is space for the proposed dwelling to also be set off the boundaries by a similar distance, which is acceptable in planning terms. Overall your officers consider that, whilst there will be an impact on both neighbours, it will be possible to design a new dwelling that will have an acceptable impact.

6.10 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.

- 6.11 The highway officer has reviewed the application and visited the site. He has not raised any objection to the proposal. He has commented that it will be important to ensure that two off street parking spaces are accommodated in accordance with parking standards. The indicative plan shows that there is space for these to be accommodated.

7.0 CONCLUSION

- 7.1 This application has been assessed against the National Planning Policy Framework (NPPF), relevant saved policies in the local plan and all other material planning considerations. While the council lacks a five year supply of housing land paragraph 14 of the NPPF states that sustainable development should be permitted unless the adverse effects significantly and demonstrably outweigh the benefits.

- 7.2 The proposal would provide a new dwelling in a location identified with a reasonable number of services and facilities. Officers consider that this is a balanced case. Although the application is in outline, with a careful design a dwelling could be accommodated on the site. It would have some impact upon the neighbouring properties however this impact is considered to be acceptable in planning terms.

- 7.3 Overall, and in view of the emphasis in the NPPF, the development is considered to amount to sustainable development, and whilst there will be some limited adverse impacts, these do not significantly and demonstrably outweigh the benefits. Consequently, the application is recommended for approval subject to conditions

8.0 RECOMMENDATION

- 8.1 **Grant outline planning permission subject to the following conditions:**

1. **Content of reserved matters.**
2. **Date for submission of reserved matters.**
3. **Time limit – outline applications.**
4. **Approved plan.**
5. **Submission of drainage details (surface and foul).**

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