

APPLICATION NO.	P16/V0370/FUL
APPLICATION TYPE	FULL APPLICATION (MATERIAL MINOR AMENDMENT)
REGISTERED	11-02-2016
PARISH	SHRIVENHAM
WARD MEMBERS	Simon Howell Elaine Ware
APPLICANT	Linden Homes Thames Valley
SITE	Land off Colton Road, Shrivenham
PROPOSAL	Minor material amendment to P14/V2757/FUL (Residential development of 68 new homes, public open space and new site accesses) for redesign of plots 19 - 22.
OFFICER	Peter Brampton

SUMMARY

This application is referred to planning committee as Shrivenham Parish Council objects.

The application seeks a Material Minor Amendment to planning permission P14/V2757/FUL, which permitted the erection of 68 houses on the site. The amendment seeks to alter the house types to be used on 4 of the approved plots.

The main issues are:

- Whether the proposed new house types will have a materially different impact on the character of the development and its relationship with the surrounding area
- Whether the proposed new house types will have a material impact on the overall approved housing mix
- Whether adequate car parking has been provided

This report seeks to assess the application details against the national and local planning policy framework where relevant and all other material planning considerations.

It is considered that the proposed changes to the previously approved scheme do not materially change the overall impact of this development. The changes caused by the introduction of new house types are not considered material. There are material concerns about the increased impact on neighbouring properties.

Therefore, the application is recommended for approval.

1.0 INTRODUCTION

- 1.1 This application relates to land to the western edge of Shrivenham, immediately adjacent to the existing built limits and around 700 metres from the High Street. The site is around 2.83 hectares in size, with a slight fall towards Colton Road to the south and to the A420 to the north.
- 1.2 Existing residential development bounds the site to east and south. Mature vegetation and the A420 lie to the northwest, with agricultural land to the west. It is understood that initial site clearance operations have begun in preparation for the applicant commencing construction in the coming months.

1.3 Relative to the approved scheme, the existing residential development to the south and east is lower density, being a mixture of detached, semi-detached and terraced housing.

1.4 A location plan for the site is **attached** as Appendix One.

2.0 PROPOSAL

2.1 This application seeks a material minor amendment to Plots 19-22 of the approved scheme. These four plots sit at the end of the Farleigh Road, which is a small cul-de-sac of 8 bungalows. Accordingly, the 2014 permission proposed four bungalows for these four plots to ensure some consistency with the existing neighbours.

2.2 The applicant now seeks to replace these approved bungalows with a chalet style 1 ½ storey bungalow that reflects the company’s standard housetypes. The table below summarises the differences between the approved and proposed housetypes.

	Approved	Proposed
No. of bedrooms	2	2
Maximum width	8.2 metres	8.2 metres
Maximum depth	10 metres	9.88 metres
Maximum height	5.92 metres	6.5 metres
Ground floor footprint	79 square metres	73 square metres

2.3 It will be necessary to complete a deed of variation to the original Section 106 to tie this new application into the same requirements as the original scheme.

2.4 It is also necessary to consider the conditions applied to the original permission and provide an update on those pre-commencement conditions on the 2014 permission, some of which have been agreed under P15/V2293/DIS (See Section 4). At the time of writing this report, progress on pre-commencement conditions can be summarised thus:

- Condition Three – Materials – Approved under P15/V2293/DIS
- Condition Four – Boundary Walls and Fences – Approved under P15/V2293/DIS
- Condition Six – Landscaping – Approved under P15/V2293/DIS
- Condition Eight – Tree Protection – Approved under P15/V2293/DIS
- Condition Nine – Surface Water Drainage – *Details submitted under P15/V2293/DIS but not yet approved*
- Condition Ten – Foul Water Drainage – *Details submitted under P15/V2293/DIS but not yet approved*
- Condition Thirteen – Archaeological Written Scheme of Investigation – Approved under P15/V2293/DIS
- Condition Fourteen – Programme of Archaeological Work – Approved under P15/V2293/DIS
- Condition Fifteen – Construction Traffic Management Plan – Approved under P15/V2293/DIS
- Condition Twenty Six – Slab Levels – Approved under P15/V2293/DIS
- Condition Twenty Seven – Speed Control Measures – Approved under P15/V2293/DIS

2.5 Officers are mindful that work is well underway on site whilst the pre-commencement conditions in relation to foul and surface drainage remain outstanding. There is a current enforcement investigation on the site as a result. However, it is understood

informally that Thames Water have now agreed both drainage strategies for this site. An update will be offered at the committee meeting.

- 2.6 Copies of the proposed plans are **attached** as Appendix Two, as well as the previously approved housetype. All plans and accompanying information are available on our website (www.whitehorsedc.gov.uk)

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.

Shrivenham Parish Council	<p>Objection. Extracts from the letter of objection are copied below:</p> <p><i>“Shrivenham Parish Council is extremely concerned about the above, which is the third application by Linden Homes to make “minor changes” to the original application agreed ... to build 68 homes off Colton Road in Shrivenham...It is our belief that Linden Homes are deliberately “nibbling away” at the original plans agreed...in a step-by-step procedure that will result in a vastly different development from the one originally agreed upon. Inevitably this will be to their pecuniary advantage and to the detriment of our village. Consequently...we voted unanimously to object most strongly to this latest application...on the basis that this, and the previous “minor alterations” amount to a concerted attempt to circumvent the planning process and to end up with a development that bears no resemblance to the one which was agreed...”</i></p>
Councillors Ware and Howell	<p><i>“We object to the latest amendment”</i></p>
Neighbours	<p>3 letters of objection have been received. The concerns raised may be summarised as follows:</p> <ul style="list-style-type: none"> • Developer gradually seeking to increase size of properties for financial gain • New houses are out of character with surroundings • Increase in floorspace of buildings will result in increase in vehicle numbers • Increase in height will dominate bungalows in Farleigh Road • Increased overlooking of Farleigh Road properties

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P15/V2648/FUL – Resolution to grant (23/03/2015)

Material Minor Amendment to planning permission P14/V2757/FUL to alter approved layout to substitute housetypes on and replan plots 1, 2, 3, 4, 5, 14, 15, 16, 17, 18, 32, 33, 38, 41, 43, 44, 45, 67 and 68 and to replan plots 30, 53-58, 65 and 66 (As amplified and clarified by Drawings and Comparison of Accommodation Schedule accompanying applicant's email received 18 February 2016)

P15/V2239/DIS – Approved (24/12/2015)

Discharge of conditions 3, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15, 19, 20, 24, 25, 26 and 27 on application ref. P14/V2757/FUL

P14/V2757/FUL - Approved (25/08/2015)

Residential development of 68 new homes, public open space and new site accesses

(as amended by covering letter, revised Design and Access Statement, revised plans, and revised technical reports received 7 April 2015 and drawings received 8 July 2015 showing agreed housetype amendments)

[P14/V0952/FUL](#) - Approved (15/08/2014)

Variation of condition 1 of outline planning permission P13/V0399/O.

[P13/V0399/O](#) - Approved (19/03/2014)

Outline application for a residential development of up to 68 new homes, public open space and new site accesses.

[P12/V2549/SCR](#) – EIA not required (22/02/2013)

EIA Screening opinion for proposed residential scheme of up to 80 dwellings.

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
DC1	Design
DC3	Design against crime
DC5	Access
DC6	Landscaping
DC7	Waste Collection and Recycling
DC8	The Provision of Infrastructure and Services
DC9	The Impact of Development on Neighbouring Uses
DC12	Water quality and resources
DC13	Flood Risk and Water Run-off
DC14	Flood Risk and Water Run-off
H15	Housing Densities
H16	Size of Dwelling and Lifetime Homes
H17	Affordable Housing
H23	Open Space in New Housing Development
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 4	Meeting our housing needs
Core Policy 20	Spatial Strategy for Western Vale sub-area
Core Policy 22	Housing mix
Core Policy 23	Housing density
Core Policy 24	Affordable housing
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 **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.

5.7 **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**

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

1. Design, layout and visual impact
2. Housing Mix
3. Residential Amenity for future occupiers
4. Amenity for existing neighbours

Design, layout and visual impact

6.1 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.

6.2 A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, DC9, DC12 and DC20). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district.

6.3 The key aspect to officers' assessment of this application is whether the new housetype has a materially greater impact that would justify a different recommendation to the previous approval. Whilst acknowledging local objections, officers conclude it does not.

6.4 As outlined in Section Two, the footprint of the new building is no wider nor deeper than that previously approved. Of course, the building is bulkier due to the provision of first floor accommodation and this has led to a height increase of around 0.6 metres and a general increase in the bulk of the roof. However, the overall design approach remains similar and the building is well-proportioned and does not appear unduly "top heavy".

6.5 The new buildings will project forward of and above the smaller, single-storey, bungalows on Farleigh Road. A pedestrian footpath links Farleigh Road into the new development and officers acknowledge that the relationship between old and new is

rather awkward. However, the visual impact will be localised to the immediate surroundings and the change in impact from the approved scheme is minor.

6.6 Officers acknowledge local concern at the number of non-material and material amendment applications that have been received for this development since its original permission. This reflects the change in developer since that original permission was

granted and the applicants desire to use their stock house types on the site. It is acknowledged that the resultant development will appear quite different to that originally approved. However, the applicants are entitled to make these applications and the council must judge each on its individual merits.

- 6.7 In this instance, the changes proposed are acceptable and do not alter the overall scheme significantly, including when assessed cumulatively with the other post-permission applications, including the material minor amendment supported by this committee in March 2016.

Housing Mix

- 6.8 Unlike the previous, more substantial, material minor amendment considered by the planning committee in March, this proposal continues to offer two-bedroom dwellings in line with the approved housing mix and there are no objections on this point.

Residential amenity for future occupiers

- 6.9 In terms of amenity space for future occupiers of the site, the Design Guide recommends that two-bed dwellings should benefit from at least 50 square metres of private amenity space. All four properties will continue to benefit from gardens comfortably in excess of this guideline.

Amenity for existing neighbours

- 6.10 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.
- 6.11 Given the manner in which the bungalows project forward of the adjacent houses in Farleigh Road there are no particular concerns that the new dormer windows will allow significantly increased overlooking of Nos. 7 and 8 Farleigh Road, particularly given these properties benefit from large rear gardens. Similarly, any loss of outlook will be minimal and restricted to the front, public facing, façade of these neighbours.
- 6.12 As the bungalows lay west of Farleigh Road, only some late afternoon/early evening sunlight will be lost to existing neighbours. Again, this will mainly be to the front gardens, with the private rear gardens unaffected.

7.0 CONCLUSION

- 7.1 The proposed changes to the approved scheme with this material minor amendment are not considered to have a material impact on the overall impact of this previously approved scheme. The changes largely involve the introduction of new house types that are comparable in quality to those previously approved. The character of the area will not be materially affected by these changes, nor will there be any materially different impact on neighbouring amenity or highway safety.
- 7.2 A number of conditions are recommended that relate solely to the changes proposed in this application. An informative will be placed on the decision notice making clear that all conditions placed on the original 2014 permission (P14/V2757/FUL) remain relevant and in force.

8.0 **RECOMMENDATION**

It is recommended that authority to grant planning permission is delegated to the head of planning subject to:

1. A Deed of Variation to the previously completed S106 agreement being entered into with the district and county council in order to tie this approval into the same requirements as that agreement; and
2. Conditions as follows:
 1. Commencement within 18 months of original permission (25 August 2015).
 2. Approved plans.
 3. Materials as approved under reference P15/V2293/DIS.
 4. Boundary walls and fences as approved under reference P15/V2293/DIS.
 5. Removal of permitted development rights for all extensions.
 6. Obscure glazing for Plots 20 and 21 first floor windows.
 7. Access, parking and turning as approved under reference P15/V2293/DIS.

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