

APPLICATION NO.	P16/V0345/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	8.2.2016
PARISH	DRAYTON
WARD MEMBER(S)	Stuart Davenport
APPLICANT	Mr David Mitchell
SITE	41 Sutton Wick Lane, Drayton, Abingdon, OX14 4HH
PROPOSAL	Demolition of existing garage, workshop and ancillary accommodation, replacement with a 2 bedroom dwelling.
AMENDMENTS	30/03/16 – Amended number of parking spaces
GRID REFERENCE	448111/194585
OFFICER	Piotr Kulik

SUMMARY

This application is referred to committee as Drayton Parish Council objects to the proposal.

The proposal is for the demolition of the existing garage, workshop and ancillary accommodation followed by the replacement with a two-bedroom dwelling.

The main issues are:

- The principle of development on the site;
- The impact on the character and appearance of the area;
- The impact on the amenities and neighbouring properties; and
- Whether there is safe access and adequate off street parking provision.

The recommendation is to grant planning permission

1.0 INTRODUCTION

1.1 41 Sutton Wick Lane is an extended detached bungalow situated in a good sized plot in Drayton. Situated adjacent to a bridle path, the property has off road parking to the front, a large timber outbuilding with accommodation in its roof to the north and long rear garden. The ancillary accommodation is the subject of this application.

1.2 The surrounding area is of mixed character ranging from small 2 bedroom terraced and semi-detached houses to detached bungalows and other larger in scale properties; all on different size plots and of differing materials. A bungalow has been built on what was previously garden land attached to No.41, to the south of the site. The site is not located within any designated area. A site location plan is **attached** at Appendix 1.

2.0 PROPOSAL

2.1 This application seeks planning permission for the demolition of a large detached 'barn style' garage and workshop with ancillary accommodation over and replacement with a two bedroom detached dwelling.

2.2 The existing garage with ancillary accommodation is prominent within the street scene

and located approximately 0.6 metre from the curtilage boundary. It is a dominant structure measuring 10.1 metres by 5.37 metres with a footprint of 54.2 square metres and a ridge height of 6 metres. The application plans are **attached** at Appendix 2.

- 2.3 The proposed dwelling’s footprint would be set back from Sutton Wick Lane and in line with the adjacent dwelling at no. 41. The new structure will measure approximately 7.5 metres by 8.5 metres. The overall footprint would be of approximately 55 square metres with a ridge height of just over 6 metres.

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.

Drayton Parish Council	Object. Their concerns may be summarised as follows: <ul style="list-style-type: none"> • Over development of the site
Vale - Highways Liaison Officer (Oxfordshire County Council)	No objections, subject to conditions

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P13/V1613/HH](#) - Approved (10/09/2013)

Proposed single storey extension and extension to roof to provide additional living accommodation.

- [P07/V0452](#) - Approved (01/05/2007)

Alterations to the existing garage/workshop roof to provide additional ancillary accommodation in the form of home office and play room.

- [P01/V0484](#) - Approved (22/05/2001)

Erection of a garden room to rear. (Demolition of shed/coal shed).

- [P99/V1479](#) - Approved (11/01/2000)

Rear extension to provide additional living room, hall, kitchen etc plus two bedrooms above.

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
DC6	Landscaping
DC7	Waste Collection and Recycling
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.

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)*

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

The following paragraphs of the NPPF are relevant to this application are:

7 – Sustainable Development

14 – Presumption in favour of sustainable development

17 – Core planning principles

47 – 55 – Housing

120 – 125 – Suitability of new development for its site

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

5.6 **Neighbourhood Plan**

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.

The application has been assessed against relevant policies in the Drayton Neighbourhood Plan.

P-LF3 – Building design guidance

Annex D – Design Guidance

The application site lies within the Built Environment 'Area C' of the Neighbourhood Plan.

5.7 **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.

5.8 **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 relevant planning considerations in the determination of this application are:
1. Principle of the development
 2. Locational credentials
 3. Design and layout
 4. Residential amenity
 5. Traffic, parking and highway safety

Principle of the development

- 6.2 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 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.

Locational credentials

- 6.7 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).
- 6.8 Drayton is classified as a larger village with sufficient number of services, as for instance, village shop, primary school and two public houses. Those services as well as public transport can be easily accessed from the site.

Design and layout

- 6.9 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.
- 6.10 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). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district. The assessment below is set out in logical sections similar to those in the design guide.
- 6.11 The Drayton 2020 Neighbourhood Plan identifies 2 bedroom dwellings as one of the most popular accommodation types needed within the village. The proposed building would be of similar scale as the existing garage with ancillary accommodation although more appropriately positioned on the plot in terms of visual amenity and character.
- 6.12 The proposed dwelling would be built with low level part red multi-brickwork, white rendered walls, grey uPVC windows, plain clay roof tiles and exposed rafter feet to match the house at no. 41 Sutton Wick Lane. It will consist of a ground floor area containing kitchen/diner, living room, utility and cloakroom. On the first floor there are two bedrooms both with their own shower or bathroom and storage/wardrobes.
- 6.13 There would be an allocated bin storage area, with a timber store cycle shed on site. The proposed amenity space is just above 50 square metres, which is in line with the Council's adopted Design Guide.
- 6.14 **Residential amenity**
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.
- 6.15 A rear bathroom window on the first floor is proposed and this would be obscure glazed to prevent the impact on angled views towards neighbouring properties. No windows are proposed along the south elevation to prevent overlooking of no. 41 Sutton Wick Lane. Positioning the windows at the first floor along the north elevation with acceptable angle views would not have a harmful impact upon the property located approximately 15 metres northwards (Charles Lodge).
- 6.16 Charles Lodge, situated to the north east of the site with the bridle path running between the two sites, would have limited views of the proposed dwelling. Given its distance, the proposed height and scale and the existing boundary screening, officers consider that there would be little adverse impact upon the occupant's amenity. This dwelling will be also screened by the existing mature trees and undergrowth. Therefore, there will be no harm to neighbours through loss of light or dominance.
- 6.17 **Traffic, 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. 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.

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.”*

6.18 Oxfordshire County Council as highways authority have raised no objections to the proposal, subject to conditions. While the highway officer notes that it has not been demonstrated that a vehicle could egress from the site in a forward gear, she recognises that the property lies in a rural lane with a dead end and that as such this is unlikely to give cause for refusal on the grounds of safety, providing the highways conditions are met.

6.19 **Other considerations**

In the interest of visual amenity and the comfort of future occupants of the site, a set of planning conditions restricting provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 is to be proposed. Such an approach can be justified by a small garden provision and a prominent location of the proposed corner plot along Sutton Wick Lane. The condition is therefore considered to be reasonable and necessary.

7.0 **CONCLUSION**

7.1 For the reasons outlined in this report officers consider the proposed development would not harm the locality, neighbouring amenities, or highways safety. As such, the proposal is considered to be in line with Policies GS1, DC1, DC5, DC6, DC7, DC9, and H11 of the Local Plan. This application would be also in line with the National Planning Policy Framework provision.

8.0 **RECOMMENDATION**

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

1. **Commencement of development three years.**
2. **Development in accordance with approved plans.**
3. **Materials in accordance with application.**
4. **Visibility splay details to be submitted.**
5. **Sustainable drainage systems to be used.**
6. **Permitted development restriction.**
7. **No drainage to highway.**

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