

APPLICATION NO.	P16/V0734/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	23.3.2016
PARISH	MILTON
WARD MEMBER(S)	Michael Murray
APPLICANT	Mr David Brown
SITE	The Pack Horse, Abingdon Road, Milton Hill, Abingdon, OX13 6AG
PROPOSAL	Installation of giant umbrella to south elevation of pub and retractable roof system with bi-fold doors to east elevation. Create doorway from window to gain access to roof system from dining room and reduce size of adjacent window.
AMENDMENTS	None
GRID REFERENCE	447767/190221
OFFICER	Sally Appleyard

SUMMARY

The application is referred to committee as Milton Parish Council objects.

The application seeks planning permission for the erection of giant umbrella over an existing outdoor seating area to the south of the main building, and the installation of a retractable roof system with bi-fold doors to the east elevation.

The main issues are:

- The impact on the visual amenity of the area, which is considered acceptable.
- The impact on the amenities of neighbouring properties, which is considered acceptable.
- Whether there is adequate off-street parking within the site, which it is considered there is.

The application is recommended for approval.

1.0 INTRODUCTION

1.1 The Pack Horse Inn is a public house located in the open countryside on the western side of the A4130 Abingdon Road, south of the village of Steventon and north-west of the village of Harwell. Neighbouring properties are located to the south of the site with vehicular access obtained from Abingdon Road to the east. A copy of the site plan is **attached** at Appendix 1.

1.2 The application comes to committee as Milton Parish Council objects.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of giant umbrella over an existing outdoor seating area to the south of the main building, and the installation of a retractable roof system with bi-fold doors to the east elevation. The proposal also involves the alteration of the existing ground floor window on the north elevation, and a new doorway on the north elevation to create an access from the main building to the proposed retractable roof system.

2.2 A copy of the application plans is **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Milton Parish Council	Objects. The Parish Council supports the neighbours in objecting to this application. The Council considers that action should be taken to reduce the noise nuisance to neighbours.
Health & Housing - Env. Protection Team	No objections.
Neighbour Representations	Three letters of objection have been submitted. The grounds for objection are:- <ul style="list-style-type: none"> • Noise pollution • Light pollution • Overlooking

4.0 **RELEVANT PLANNING HISTORY**

4.1 There have been a number of planning applications submitted on the site, the most recent of which are:

[P11/V2596](#) - Approved (16/12/2011)

Two proposed extensions, extension to patio area to include new fencing to match existing, alterations to kitchen yard area and new smoking canopy.

[P03/V1693/A](#) - Refused (23/10/2003)

New Signage (Part 2)

[P03/V0660](#) - Approved (05/06/2003)

Alterations and single storey extension to improve toilet and kitchen accommodation. Re-modelling existing public spaces and improving restaurant facilities.

[P02/V0135](#) - Refused (14/03/2002)

Demolition of rear extension and three outbuildings. Erection of rear extension to public house and side extension for twenty bedrooms. Additional parking. Landscaping and ancillary works.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of white Horse 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
DC5	Access
DC9	The Impact of Development on Neighbouring Uses

5.2 **Emerging Local Plan 2031 Part 1**

The draft local plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan.

Policy No.	Policy Title
Core Policy 37	Design and local distinctiveness
Core Policy 39	The Historic Environment

5.3 National Policy Framework 2012 and National Planning Practice Guidance 2014

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. The local plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and should therefore be given appropriate weight. The NPPG provides supplementary guidance to the NPPF.

5.4 Supplementary Planning Guidance

Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-

- *Responding to Local Character (DG103)*
- *Consider your neighbours (DG104)*
- *Scale, form and massing (DG105)*
- *Design considerations (DG106)*
- *Side extensions (DG109)*

5.5 Milton Neighbourhood Plan 2015

Milton does not currently have a neighbourhood plan.

5.6 Environmental Impact

This proposal does not exceed 150 dwellings and the site area is under 5ha. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

5.7 Other Relevant Legislation

- 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.
- Equality 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 issues in determining this application are the impact on the visual amenity of the area, the impact on the amenities of neighbouring properties, and the impact on highway safety.

6.2 Impact on visual amenity

Adopted local plan policy DC1 requires the development to be of a scale, layout, design that does not adversely affect those attributes that make a positive contribution to the character of the locality.

6.3 The proposal will be viewed within the context of the existing building and the surrounding area. It is considered that the proposed giant umbrella and retractable roof

system are subordinate additions and the design, scale and massing are appropriate to the existing property. It is not considered that the proposal would appear out of place within the street-scene or harm the visual amenity of the locality. As a result, it is considered that the proposal complies with Local Plan Policy DC1.

6.4 Impact on neighbours

Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy or cause visual intrusion for neighbouring properties. It also seeks to protect neighbouring properties from noise or disturbance.

- 6.5 A number of neighbouring properties to the south of the site have raised objections on the grounds that the proposal will result in increased noise levels, increase light pollution, and will have a harmful impact on the neighbouring properties in terms of overlooking. The parish council have supported the neighbour's objections regarding increased noise levels.
- 6.6 The proposed umbrella and retractable roof system are to be positioned in areas which are already being used as outdoor seating areas, in which there is existing outdoor lighting in close proximity to the main building. As such, it is not considered that the proposal will significantly intensify the existing lighting and noise situation and therefore will not significantly harm the amenities of the neighbouring properties.
- 6.7 The environmental protection team has been consulted on the application, and have raised no objections to the proposal.
- 6.8 The neighbouring property to the south has raised an objection to the proposal on the grounds of overlooking. The existing seating area to the south over which the umbrella would be positioned is at ground floor level; the boundary treatment between the site and the neighbouring dwelling to the south (which is approximately 25.0 metres away from the seating area) consists of an approximately 1.8m high brick wall and vegetation. Officers therefore consider that no existing overlooking from the seating area to the neighbouring property occurs, and the proposed installation of the umbrella would not alter this situation.
- 6.9 Whilst there may be an element of overlooking the other way from the upper floor windows of the neighbouring dwelling to the public house, this is an existing situation and it is not considered that the proposed alterations to the public house will have a harmful impact that significantly alters the current situation.
- 6.10 It is not considered that the size and position of the proposed giant umbrella and retractable roof system would have a harmful impact on the amenities of neighbouring properties in terms of overshadowing, overlooking, dominance or noise. As such, it is considered that the proposal complies with the requirements of Local Plan Policy DC9 and the provisions of the NPPF.
- 6.11 Impact on 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. Paragraph 32 of the NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".
- 6.12 It is not considered that the proposal will have a harmful impact on highway safety as the existing parking and access arrangements will not be affected as a result of the proposal. Therefore the proposal complies with the requirements of Local Plan Policy DC5 and the provisions of the NPPF.

7.0 **CONCLUSION**

7.1 The proposed development does not harm the visual amenity of the locality, the amenities of neighbouring properties and does not impact highway safety. The proposal therefore complies with the provisions of the development plan, in particular policies DC1, DC5 and DC9 of the adopted Vale of White Horse Local Plan, the council's Residential Design Guide as well as with the National Planning Policy Framework.

8.0 **RECOMMENDATION**

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

Commencement of works within three years.

Development in accordance with the approved plans.

Materials to be in accordance with those specified in the application.

Author: Sally Appleyard

Contact: sally.appleyard@southandvale.gov.uk