

APPLICATION NO.	P15/V2397/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	7.10.2015
PARISH	EAST CHALLOW
WARD MEMBER(S)	Yvonne Constance
APPLICANT	Mr & Mrs Gerring
SITE	The Barn Park Farm East Challow Wantage, OX12 9TU
PROPOSAL	Erection of two new detached residential dwellings with associated parking.
AMENDMENTS	None
GRID REFERENCE	438131/188233
OFFICER	Hanna Zembrzycka-Kisiel

This application comes to Committee due to an objection from East Challow Parish Council. There were also two letters of objections received from local residents. The application seeks planning permission for the provision of two detached dwellings.

The main issues to consider in determining the application are:

- Whether the principle of development is acceptable,
- Impact upon the heritage assess,
- Impact upon the neighbouring properties,
- Impact upon the highway safety
- Impact upon the ecology, drainage

The principle of housing on this site is considered to be acceptable, particularly in light of the extant consent and the lack of a five year land supply. Government advice in the NPPF is also relevant as it is considered more up to date and relevant to the assessment of this scheme than the housing policies of the adopted Local Plan 2011 and the emerging Local Plan Part One 2031. The impact on traffic is not considered so severe that it would warrant objection. The impact upon the Heritage assets is also considered acceptable. Through the use of Grampian style conditions, the impact of this development on flood risk and sewer capacity can be mitigated.

Overall, the proposal is considered sustainable development meeting the three roles (economic, social and environmental) referenced in the NPPF. Accordingly, the application is recommended for approval subject to conditions.

1.0 INTRODUCTION

- 1.1 The site is located to the eastern side of Main Street, East Challow. The plot is enclosed by a low stone wall to the north and east with tall hedges to all sides. The existing house, 'The Barn', lies to the south. The application site is located within the Lowland Vale, a local landscape designation. The site sits in proximity to two listed buildings, St Nicholas Church and the Barn, Park Farm.
- 1.2 The new dwellings will use the existing access off Main Street that leads to Park Farm and The Barn. The site has strongly defined boundaries, which provide sufficient screening. The location Plan is **attached** at appendix 1.

2.0 **PROPOSAL**

2.1 The application seeks planning permission for the construction of two, detached properties. The proposed dwellings will be located to the north of The barn, Park Farm.

2.2 The scale, massing and design of the buildings will respect the local residential context in terms of form, scale and materials palette. The houses will be situated with generous distances to of neighbouring properties to avoid any overlooking issues. The design uses traditional character, form, modelling and detailing to provide a strong sense of identity and site character. The site can be accessed safely and appropriately from Main Street. The proposed elevation plans are **attached** at appendix 2.

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.

East Challow Parish Council	<p>Objects. Their main concerns on the original scheme may be summarised as follows:</p> <ul style="list-style-type: none"> • East Challow is an unsustainable location for further housing development due to lack of facilities or bus services • Impact upon the heritage asset • Site is within protected open land • Increase in traffic on local roads • Foul Sewer capacity/ Drainage impact
Neighbours	<p>1 letter of objection from a residents has been received. The main concerns raised may be summarised as follows:</p> <ul style="list-style-type: none"> • The proposal will have an adverse impact upon the Grade II Listed Building. <p>1 letter raising the concerns relating to the drainage issue within the locality has also been received</p>
Oxfordshire County Council Highways	No objections subject to conditions
Oxfordshire County Council Archaeology	No objections
Thames Water Development Control	<p>No objections</p> <ul style="list-style-type: none"> • Requests Grampian style condition relating to foul sewers requiring a drainage strategy to be agreed prior to work commencing and for the agreed strategy to be implemented prior to occupation • No conditions required related to surface water drainage
Drainage Engineer	No objections , subject to pre-commencement conditions relating to strategy for surface water drainage from the site and strategy for foul drainage

Countryside Officer	No objections <ul style="list-style-type: none"> • Conditions necessary to secure biodiversity mitigation, compensation and enhancement and updated badger survey with associated mitigation
Conservation Officer	No overall objection following receipt of amended plans
Forestry Officer	No overall objections, subject to conditions

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P09/V1904/LB](#) - Approved (05/02/2010)

Installation of a pair of windows on east elevation at second floor level and replacement of existing roof window on southern elevation with a conservation type velux roof window

[P07/V1769/LB](#) - Other Outcome (13/04/2008)

Erection of single storey extension to existing garage. Part conversion of garage to form granny annex.

[P08/V0262](#) - Approved (26/03/2008)

Part demolition of existing garage, conversion and extension to form annex to Park Farm. Erection of new double garage.

[P07/V1710](#) - Refused (04/01/2008)

Erection of single storey extension to existing garage. Part conversion of garage to form granny annex.

[P99/V0018/O](#) - Refused (25/02/1999) - Refused on appeal (14/07/1999)

Re-submission of Application ECH/3071/9-X for the erection of a dwelling with access.

[P95/V0094/LB](#) - Approved (05/12/1995)

Amendment to application ECH/3071/4-LB for the conversion of barn to dwelling, incorporating new access.

[P95/V0093](#) - Approved (05/12/1995)

Amendment to application ECH/3071/3 for the conversion of barn to dwelling, incorporating new access.

[P95/V1469](#) - Other Outcome (28/03/1995)

Removal of existing garage and erection of double garage

[P92/V0035](#) - Approved (16/06/1993)

Conversion of barn into single dwelling with erection of detached double garage.

[P92/V0036/LB](#) - Approved (16/06/1993)

Conversion of barn into single dwelling with the erection of a detached double garage.

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
- DC12 - Water Quality and Resources
- DC13 - Flood Risk and Water Run-off
- DC14 - Flood Risk and Water Run-off
- DC5 - Access
- DC6 - Landscaping
- DC9 - The Impact of Development on Neighbouring Uses
- GS1 - Developments in Existing Settlements
- GS2 - Development in the Countryside
- H11 - Development in the Larger Villages
- H13 - Development Elsewhere
- HE1 - Preservation and Enhancement: Implications for Development
- HE10 - Archaeology
- NE9 - The 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. 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 2	Co-operation on unmet housing need for Oxfordshire
Core Policy 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 5	Housing supply ring-fence
Core Policy 7	Providing supporting infrastructure and services
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 33	Promoting sustainable transport and accessibility
Core Policy 35	Promoting public transport, cycling and walking
Core Policy 36	Electronic communications
Core Policy 37	Design and local distinctiveness
Core Policy 38	Design strategies for strategic and major development sites
Core Policy 39	The historic environment
Core Policy 42	Flood risk
Core Policy 43	Natural resources
Core Policy 44	Landscape
Core Policy 45	Green infrastructure
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)*

- Open space, sport and recreation future provision – July 2008
- Sustainable Design and Construction – December 2009
- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006
- Planning and Public Art – July 2006

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

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

5.6 **Neighbourhood Plan**

There are no formal plans for an East Challow Neighbourhood Plan at the present time.

5.7 **Environmental Impact**

This site falls below the screening thresholds outlined in Schedule Two of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and so the council is not required to screen this proposal for the need for an Environmental Statement.

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)

5.9 **Relevant Case-law**

- Dartford Borough Council v Secretary of State for communities and local government and ORD (2016)

5.10 **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.

5.11 **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. Design and Layout
3. Impact on heritage assets
4. Residential Amenity
5. Highway Considerations
6. Drainage, trees and ecology

6.2 **Principle of development**

The general locational strategy of both the adopted Local Plan 2011 and the emerging Local Plan 2031 is to concentrate development within the five main settlements and allow small scale development within the built up areas of villages, provided 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.

6.3 East Challow is categorised as one of Vale's larger villages, and as such policy H11 of the adopted local plan would apply. This permits new housing development provided it would not harm the form, structure or character of the settlement.

6.4 However, both 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 proposed works should therefore be assessed under the NPPF where there is a clear 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 three strands. Therefore, with the lack of a 5 year housing supply, the proposed works are acceptable in principle. Unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.

6.5 **Sustainable Development**

Consideration must be given as to whether this proposal accords with the definition of sustainable development, which comprises three strands being social, economic and environmental. The NPPF makes it clear that these are mutually dependent and gains should be sought in all three areas simultaneously.

6.6 **Social and Economic**

East Challow is one of the district's larger villages so is considered to have some facilities to support an increase in the population. Under the emerging Local Plan, it is considered one of the Local Service Centres of the Western Vale sub-area and so it is likely the village will need to accommodate some of the identified housing need for the sub-area. The village does benefit from a primary school, playground, village hall, cricket club and public houses these can be reasonably reached on foot from the site. The parish council raise concern that the village lacks a shop and this is noted.

Environmental Role

- 6.7 In terms of the environmental strand the proposed dwellings will be viewed within the context of the existing dwellings. Given the existing housing in close proximity, it is not considered that the proposed dwelling would appear out of place or compromise the visual amenity of the area. Whilst the site is within the Lowland Vale a local landscape designation, it is visually well contained and does not constitute an important and prominent open space which contributes to the character of the area. There will be no impact upon any views across open landscapes, from public vantage points or from the street scene.
- 6.8 The NPPF states local planning authorities should not refuse planning permission for buildings because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. In this case, amended plans have demonstrated mitigation of concerns regarding the impact on heritage assets and as such any impacts are now considered negligible.
- 6.9 The application site is a much larger plot than the adjacent dwellings therefore the subdivision would not have a harmful impact on the prevailing character and would still result in two relatively spacious plots. The proposal does not encroach into the central agricultural land and will still remain within the boundaries of the existing garden.
- 6.10 St Nicholas Church, a Grade II* listed building (mid/late C13) is located to the north-west of the application site. Although the church is located within a relatively close proximity, there are existing mature trees to the north-west part of the boundary, which provide screening. Therefore, it is considered in the Officers opinion that the proposed development of a new two dwellings to the rear St Nicholas Church will not adversely impact the setting of this heritage asset. The Barn, Park Farm, Grade II listed building is located to the south of the application site. The application site is separated from The Barn (located to the south) by a mature hedges on the northern boundary. The harm to this heritage assets is considered to be negligible and is outweighed by the provision of the additional dwellings, with a rural economic benefit.
- 6.11 **Design and Layout**
The NPPF and Policy DC1 seek that development should not harm the character of the area and should be of good design.
- 6.12 The boundaries of the site are fully established with large hedges and trees in most cases and there is a strong sense of enclosure when within these boundaries, that is to be retained. In each case the separation distances are large, 38.6m in relation to St Nicholas Church and 37.6m in relation to the barn.
- 6.13 The proposal for the new dwellings is considered appropriate and will not harm the character of the area. Properties surrounding the application site are a mix of built form, scale and mass, and materials used differ from one dwelling to the next. There is no established build pattern in the locality and the character and appearance is defined by the mixture of materials and design and form. Overall the proposal demonstrates good design incorporating features found locally such as timber boarding, and is therefore considered acceptable in its context.

Impact on the Heritage Assets

- 6.14 Further to the submission of the amended heritage assessment the Conservation Officer has no objection to the proposal, subject to conditions. The proposal has been slightly amended to reflect the initial Conservation Officer's comments. Further to that, the Conservation Officer has confirmed that given the fact the site is very contained within the trees/hedge screening and will therefore be viewed as within the built up area of the village, it is not considered that the proposal would have a harmful impact upon the heritage assets and would not affect views of the church or listed barn.

Residential Amenity

- 6.15 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.
- 6.16 Given the position and orientation of the proposed buildings, it is not considered in the officers' opinion that the proposal will have an adverse impact on the residential amenities of neighbouring properties in terms of sunlight, daylight, dominance and overlooking. The host dwelling (The Barn) will not be impacted by this proposal due to the orientation and the layout of the plot.

Highway Considerations

- 6.17 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.
- 6.18 Paragraph 32 of the NPPF advises that development should only be refused on transport grounds where the impact on the highway network is "severe". Further to the Oxfordshire County Council Officer's comments the agent has provided amended layout plan illustrating appropriate vision splays. The plan has been re-assessed by the highways Officer, who has confirmed that the vehicle movements associated with this development (which only consists of two dwellings) are considered to be negligible, and the provided vision splays are acceptable. Therefore there are no objections to the proposal on the highways grounds.
- 6.19 The highways officer has also no objections to the already established principle of a new access and development in this part of the site. Reasonable and relevant conditions have been applied to this application to mitigate concerns regarding highway safety.

Drainage

- 6.20 Concerns have been raised by a neighbour and the PC relating to drainage. The Council's Drainage Officer consulted on the proposal has no objections subject to appropriate conditions being imposed with the planning permission. In order to ensure that the proposed drainage connection would not have an adverse impact on the surroundings, an appropriate condition will be imposed to require full details of sustainable foul and surface water drainage to be submitted and approved in writing by the local planning authority, prior to development commencing.

Trees and ecology

- 6.21 The Council's Countryside Officer has initially objected to the proposal, subject to the potential impact upon the habitats on site for great crested newts. The submitted report

has recommended additional surveys to be completed. The recommended surveys were carried out in May 2016, and have confirmed that the mitigation proposals appear to be adequate to compensate for the loss of potential habitat caused by the proposals. Therefore there is no objection to the proposal on the grounds of harmful impact upon the biodiversity, subject to appropriate condition being imposed to planning permission.

6.22 The Council's Forestry Officer has also been consulted on the application, and has no objections to the proposal, subject to conditions.

6.23 **Other**

It has been mentioned in the Parish Council's comments that there are discrepancies between the application form and the submitted plans. This matter has been clarified in writing by the agent: *"to confirm the proposed content of the above submitted planning application is for one "four" bed detached dwelling and the other being for "two" bed detached dwelling"*.

7.0 **CONCLUSION**

7.1 The proposed development will not adversely harm the visual amenity of the area, the character of the Lowland Vale, or the amenities of neighbouring properties. It can be accessed safely, and is in a sustainable location. It will not have an adverse impact upon the heritage assets. As such, the proposal complies with the provisions of the Development Plan in particular with policies DC1, DC5, DC9, H11, HE1, HE4, GS1, and NE9 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

To grant planning permission subject to the following conditions:

1. **Approved plans.**
2. **Submission of details.**
3. **Details of materials to be submitted.**
4. **Sustainable drainage scheme.**
5. **Boundary details in accordance with plan**
6. **Garage accommodation.**
7. **Time limit - full application.**
8. **Access and parking areas.**
9. **No drainage to highway.**
10. **Tree protection.**
11. **Wildlife protection.**
12. **Surface water drainage works**

Informatives

1. **Surface Water Drainage**

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