

APPLICATION NO.	P16/V1281/O
APPLICATION TYPE	OUTLINE
REGISTERED	18.5.2016
PARISH	KENNINGTON
WARD MEMBER(S)	Edward Blagrove Bob Johnston
APPLICANT	Mrs K. Banks
SITE	20 Meadow View Road Kennington, OX1 5QU
PROPOSAL	Proposed dwelling
AMENDMENTS	None
GRID REFERENCE	428171/194692
OFFICER	Abbie Barnes

1.0 INTRODUCTION

1.1 The site lies within the built up area of Kennington, located on a residential housing estate. No 20 Meadow View Road is a semi-detached two storey dwelling. There is one off street car parking space located to the front of the dwelling. The site is located on a curve in the road. The locality contains a mix of semi-detached houses and maisonette flats of similar scale and appearance. There is a gap of approximately 7.5 metres between no.20 and the neighbouring side property, a two storey building of flats, no 16/18 Meadow View Road. The area is currently side garden space serving no.20. A copy of the site location plan is **attached** at appendix 1.

1.2 This application comes to committee because Kennington Parish Council objects.

2.0 PROPOSAL

2.1 This application is in outline with all matters reserved apart from access. The application is for the construction of a two storey two bedroom detached dwelling. Two car parking spaces are proposed in front of the proposed dwelling and two car parking spaces would be provided to the front for the existing dwelling.

2.3 Although the details of the proposed dwelling are reserved, illustrative plans have been produced to demonstrate the size of a dwelling for the site. On these plans the proposed dwelling would measure approximately 4.4 metres wide and 8.2 metres deep. It would be set off the boundary with no.16/18 by 1.0m and 1.0m from the boundary with no 20. The rear garden will have a depth of 10.5 metres, providing an area of private amenity space measuring approximately 50 square metres. This meets the requirements set out within the Council's Adopted Design Guide for a two bedroom dwelling. Private rear amenity space measuring 100 square metres will remain for the existing dwelling. A copy of the block plan is **attached** at appendix 2

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Kennington Parish Council	Object Risk to highway safety due to the location of the site on the curve in the road
Highways Liaison Officer	No objections subject to conditions. Access and visibility splays in accordance with the approved plan .
Neighbours	One letter from the occupier of no.81 Poplar Grove has been received.

	Object Loss of light, privacy and view. Concerns in relation to highway impact.
Thames Water	No objections.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/V2750/O](#) - Withdrawn (27/01/2016)

Outline application (all matters reserved apart from access), for the erection of one dwelling. This application was withdrawn due to concerns over the safety of the proposed access.

5.0 **POLICY & GUIDANCE**

5.1 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 the direction on 1 July 2009.

- DC1 - Design
- DC14 - Flood Risk and Water Run-off
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses
- GS1 - Developments in Existing Settlements
- H11 - Development in the Larger Villages

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 final report 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 3 | Settlement hierarchy |
| Core Policy 4 | Meeting our housing needs |
| Core Policy 37 | Design and local distinctiveness |

Supplementary Planning Guidance

- Design Guide – March 2015

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

National Planning Policy Framework (NPPF) – March 2012

Relevant paragraphs from the NPPF are:-

- 14 – the principle of sustainable development
- 32 – the severe harm test for traffic impact
- 49 – five year housing supply

National Planning Practice Guidance 2014 (NPPG)

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.

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 main planning considerations in the determination of this planning application are:

- The principle of the development
- The impact upon the character of the site and the surrounding area
- The impact upon adjacent neighbouring uses
- The impact upon the highway network
- The impact upon the highway network

6.2 The Principle of Development

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 2031: Part 1- Strategic Sites and Policies and its supporting evidence base

6.4 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.

6.5 Under the current local plan Kennington falls under policy H11. The district currently does not have a five year housing supply and as such Policy H11 is not consistent with the NPPF. The NPPF therefore takes precedence, which has a presumption in favour of sustainable development. Paragraph 14 is engaged and planning permission should be granted unless the adverse impacts significantly and demonstrably outweigh the benefits of the proposal.

6.6 Kennington is recognised as a relatively sustainable location, It is categorised as a large village and has a good bus service to Oxford.

6.7 The impact upon the character of the site and the surrounding area

Design and Layout

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.

- 6.8 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.
- 6.9 This outline application relates to access only with all other matters reserved. The illustrative plans show that the proposed dwelling can be set off of each side boundary, therefore maintaining a gap in keeping with the existing surroundings. The dwelling will continue the front building line of the existing dwellings. The siting of the dwelling in the plot and how it relates to the street is therefore considered acceptable. The plans also show that an amenity space of 50sq.m can be achieved for the proposed dwelling, which meets the requirements for a two-bedroom dwelling. The existing house would have an amenity area of over 100sq.m.
- 6.10 Officers consider that there would be no significant or demonstrable harm to the site or the surrounding area.
- 6.11 The impact upon adjacent neighbouring uses
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.
- 6.12 There has been one letters of objection from no 81 Poplar Grove which is a residential dwelling located to the rear of the site. The objections relate to a loss of light, privacy and view.
- 6.13 Although this application relates to access only, based on the submitted illustrative block plan an assessment has been made in relation to the impact on the amenities of neighbouring properties with regards to the position and siting of the new dwelling. The proposal will not encroach beyond a 40-degree line to the rear of the neighbouring properties. The neighbouring property (no.16/18) do not have any side windows serving habitable rooms. The rear of the proposed dwelling will fall in line with the rear elevation of the existing dwellings and will include a rear single storey and side projection. No 20 has two first floor side windows which do not serve habitable rooms.
- 6.14 No 81 Poplar Grove is located to the rear of the application site. It is located approximately 38 metres away from the position of the proposed dwelling. Given this distance, it is considered that the proposal would not have a harmful impact on the amenities of no 81 Poplar Grove.

Officers consider that the distance and relationship between the new dwelling and the existing neighbouring dwellings would not be harmful to neighbouring amenity in terms of dominance, overshadowing or an overwhelming presence or a loss of light to result in significant or demonstrable harm.

- 6.15 The impact upon the highway network
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) states: “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

- 6.16 A previous planning application for a dwelling on the site was withdrawn due to concerns over the safety of a new access (P15/V2750/O). The site is located on a curve in the road. The parish council is concerned about the safety of the proposed access, particularly the visibility to the south.
- 6.17 To support the current proposal the applicant has commissioned a respected firm of local highways consultants. The consultants carried out an automated speed survey on the road for a week in February 2016. This survey demonstrates that the vast majority of vehicles passing the site are travelling at approximately 20mph, and not at the speed limit of 30mph. Based on this evidenced low traffic speeds the applicant’s highways consultant has proposed reduced visibility splays in accordance with national standards. Given the quantitative data that has been collected to support the case the county highways officer has no objection to the proposed access with the indicated visibility splays.
- 6.18 Officers cannot demonstrate that the proposal would result in severe harm to the highway or pedestrian safety and subject to a condition ensuring the parking is laid out and retained as such in accordance with the submitted plan, officers consider the development acceptable in highways terms
- 6.19 Other Considerations
A condition has been imposed requesting full details of a sustainable drainage system. All other matters which include appearance, layout, scale and landscaping are kept as reserved matters.

7.0 CONCLUSION

- 7.1 For the reasons outlined above officers consider that the proposed new dwelling would not amount to significant or demonstrable harm to material planning considerations. The provision of one additional dwelling in this location would be in a sustainable location and in terms of the NPPF would assist with the housing supply issue, albeit in a minor way. Officers therefore recommend this application for approval.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission, subject to the following conditions:**

1. **Time limit - outline application.**
2. **Standard outline condition (excluding access).**
3. **Approved plans – in accordance with approved plans.**
4. **Access in accordance with the specified plan.**
5. **Car parking in accordance with the approved plan.**
6. **Submission of a sustainable drainage scheme.**
7. **Permitted development restriction for extensions and outbuildings.**

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