

<b>APPLICATION NO.</b>	<a href="#">P18/V0447/FUL</a>
<b>SITE</b>	7 Rimes Close, Kingston Bagpuize, Abingdon, OX13 5AL
<b>PARISH</b>	KINGSTON BAGPUIZE
<b>PROPOSAL</b>	Proposed erection of a new 2 bed dwelling adjacent existing dwelling (amended car parking plan received 19 April 2018).
<b>WARD MEMBER(S)</b>	Eric Batts
<b>APPLICANT</b>	Mr & Mrs P Brown
<b>OFFICER</b>	Andy Heron

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## **RECOMMENDATION**

**It is recommended that planning permission is granted, subject to the following conditions:**

### **Standard**

- 1. Time limit - full application.**
- 2. Approved plans.**

### **Prior to commencement**

- 3. Boundary walls and fences.**
- 4. Sustainable drainage scheme.**
- 5. Tree protection.**

### **Prior to occupation**

- 6. Car parking.**

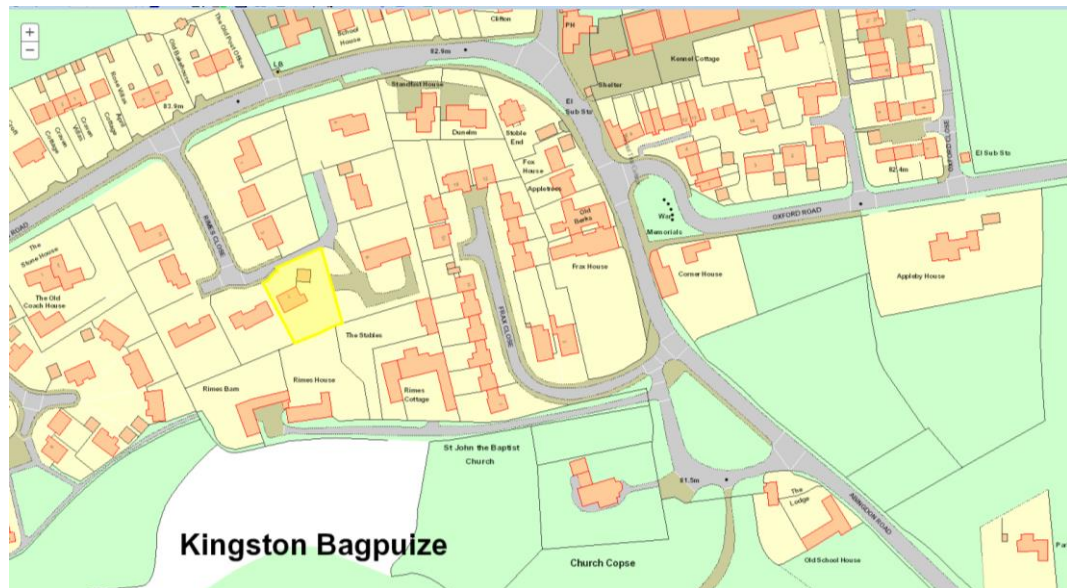
### **Compliance**

- 7. Materials as specified.**
- 8. Permitted development restriction on extensions and outbuildings.**

## **1.0 INTRODUCTION AND PROPOSAL**

1.1 This application is referred to planning committee following a call-in request from one of the local members, Councillor Eric Batts. Councillor Batts has raised concerns with the impact of development on the nearby lime trees that are protected by a tree preservation order (TPO). Councillor Batts also considers the development would harm the character and appearance of the conservation area to the south.

1.2 The site is situated to the east of a large detached dwelling which is within a 1970's residential estate in Kingston Bagpuize. Kingston Bagpuize is a larger village within the Abingdon-Oxford Fringe Sub-Area. A site location plan is provided below:



- 1.3 The site currently consists of residential garden land. A detached flat-roof double garage is located to the north-eastern area. Mature, TPO (tree preservation order) listed lime trees are situated to the eastern boundary. The surrounding street-scene is characterised by large, detached pitched roof dwellings set within spacious plots.
  - 1.4 The application follows a previous application (P17/V2831/FUL) for a larger three bedroom house that was refused on 20<sup>th</sup> December 2017. This current application seeks to address the previous concerns with regard to the overbearing impact on the character and appearance of the area.
  - 1.5 Planning permission is now sought for the erection of a new 2 bed detached dwelling adjacent to the east of 7 Rimes Close. The proposal would involve the demolition of the existing garage. The development is proposed to resemble the original dwelling with an interlocking concrete tiled pitched roof. The building will measure 9.51 metres by 6.05 metres with a maximum height of 6.85 metres. The dwelling would be in-line with the building line and height of 7 Rimes Close.
  - 1.6 The dwelling would be constructed of brick to match the neighbouring dwellings, it is also proposed to be finished with Redland slate grey tile hanging on the ground and first floor north and south elevations. Vehicle access will be to the north-west via Rimes Close. On-site car parking spaces will be available for two vehicles at the proposed dwelling, with a further two spaces at no. 7. Extracts from the application plans are **attached** at Appendix 1.
- 2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 2.1 A summary of the responses received is set out overleaf. Comments made can be viewed in full online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

<b>Kingston Pagpuize Parish Council</b>	Object.
<b>Oxfordshire County Council – Highways liaison officer</b>	No objection, subject to condition.
<b>Drainage officer</b>	No objection, subject to condition.
<b>Countryside officer</b>	No objection.
<b>Environmental protection team</b>	No objection.
<b>Waste management officer</b>	No objection.
<b>Forestry officer</b>	<p>No objection, subject to condition.</p> <p>I welcome the revised position of the parking spaces, the benefit is twofold; it avoids pressure for a pruning solution to address debris falling on cars and the existing roots will not be compromised by works associated with the construction of the parking spaces.</p> <p>One of the parking areas slightly breaches the root protection area (RPA) of the northern most Lime but, as this is where the existing garage is constructed, the compacted ground will already act as a constraint for root development. The consequences, therefore, of breaching the RPA at this point will not have a significant impact on the future health or development of the mature Lime.</p>
<b>Archeaology Team – Oxfordshire County Council</b>	No objection.
<b>Neighbours</b> – 3 letters of objection received. The grounds for objection concern can be summarised as:	<ul style="list-style-type: none"> <li>- Impact on the character and appearance of the surrounding area.</li> <li>- Inadequate car parking.</li> <li>- Impact on TPO listed trees.</li> <li>- Impact on neighbouring amenity.</li> <li>- Access implications.</li> <li>- Damage to private road during construction.</li> <li>- Impact on wildlife.</li> <li>- Drainage implications.</li> <li>- Noise during construction.</li> </ul>

### 3.0 **RELEVANT PLANNING HISTORY**

[P17/V2831/FUL](#) - Refused (20/12/2017)

Proposed erection of a new 3 bedroom house adjacent existing dwelling.

### 3.1 **Pre-application History**

[P17/V1546/PEO](#) - Other Outcome (09/06/2017)

Demolition of existing detached double garage, to enlarge plot area to the side of existing property to enable potential building plot.

1st part-advice from VWHDC Tree officer Tim Stringer

**\*\*SITE MEETING ONLY\*\***

### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The scale of the proposal is below relevant thresholds and the locality has no recognised specific environmental sensitivity. Therefore, an Environmental Statement is not required.

### 5.0 **MAIN ISSUES**

#### 5.1 **Principle of development**

The settlement hierarchy set out in Core Policy 3 of the Local Plan 2031 Part 1 identifies Kingston Bagpuize as a larger village within the Abingdon-Oxford Fringe sub-area. Larger villages are defined as settlements with a more limited range of employment, services and facilities. Core Policy 4 of the Local Plan 2031 Part 1 states that there is a presumption in favour of sustainable development within the existing built area of market towns, local service centres and larger villages.

The NPPF is clear that local planning authorities should look to significantly boost the supply of housing in line with the principles of sustainable development. Core Policy 4 of the Local Plan 2031 Part 1 sets out the Council's approach to delivering new homes and retaining the housing stock. New homes will be located in accordance with the settlement hierarchy outlined in Core Policy CP3.

The development is located in the settlement of Kingston Bagpuize within an area that benefits from a range of services. It would provide an additional dwelling unit in the Vale, meeting the Council's requirement for the delivery of new homes.

In view of the above the principle of development is therefore acceptable providing it accords with other relevant development plan policies.

#### 5.2 **Design and layout**

The NPPF is clear that good design is indivisible from good planning, it attaches great importance to the design of the built environment. Visual

appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Core Policy 37 of the Vale of White Horse Local Plan 2031 Part 1 states that new development must demonstrate high quality and sustainable design that relates not only to the appearance of a development, but the way in which it functions.

The surrounding area is characterised by relatively large 1970's detached dwellings set within spacious plots. The neighbouring dwellings are constructed of brick and have a generally uniform scale and appearance with pitched tiled roofs and main roof spans in the order of 7 – 8 metres.

Rimes Close is characterised by large dwellings set within spacious plots. The proposed dwelling would have a 133.79 square metre rear garden that is much smaller than neighbouring dwellings. This is considered acceptable as the garden would be above the 50 square metre size for a 2 bed dwelling as recommended by the Vale of White Horse Design Guide SPD. Furthermore, a similar 2 bed dwelling was recently approved on a key corner plot at 11 Rimes Close with a 109.2 square metre rear garden.

The design and overall appearance of the building will fit with the general scale and features of the surrounding area. The building is proposed to be built approximately 0.2 metres below the height of no. 7. It would also be set in-line with no.7's building line. The design is intended to replicate that of the surrounding neighbouring dwellings. These properties have a pitched roof design with a slate grey finish on the front elevation. They are also characterised by on-site car parking to the front of the dwelling. The proposed property will provide adequate amenity space, parking and privacy for the future occupants.

In view of the above the design and appearance of the proposed development is in compliance with the advice contained within the NPPF, and Core Policy 37 of the Vale of White Horse Local Plan 2031 Part 1.

### 5.3 **Residential amenity**

Core Policy 37 of the Vale Local Plan 2031 Part 1, DC9 of the Vale of White Horse Local Plan 2011 Saved Policies, and DP23 of the Draft Vale of White Horse Local Plan 2031, Part 2 are of importance with regard to the potential impact upon neighbouring amenity. Policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment.

The impact upon neighbouring amenity will be minimal as the extensions will be sufficiently distanced away from neighbouring dwellings. It is therefore considered that the criteria contained within Core Policy 37 of the Local Plan 2031 Part 1 and DC9 of the Local Plan 2011 Saved Policies will be adhered to.

Overbearing impact

The proposed dwelling will be set below the height of 7 Rimes Close and will not extend beyond the neighbouring building line. Larger properties are situated within the surrounding area. The size and layout of the development would not create an overbearing impact in this instance.

Noise

The property would be adequately distanced away from neighbouring properties. If members feel it is necessary a condition to restrict the hours of construction could prevent noise emissions to neighbouring occupants at unsociable hours.

Overall the impact upon neighbouring amenity will be acceptable as the building will be sufficiently distanced away from neighbouring dwellings. It is therefore considered that the criterion contained within Core Policy 37 of the Vale of White Horse Local Plan 2031 Part 1, DC9 of the Vale of White Horse Local Plan 2011 Saved Policies, and DP23 of the Draft Vale of White Horse Local Plan 2031 Part 2 will be adhered to.

5.4 **Visual impact**

The proposed development is situated in an urban area which is characterised by large dwellings of similar design and appearance. The development has been designed to reflect the surrounding neighbouring dwellings in terms of scale and appearance.

In view of the above the proposed development would be in accordance with the character and appearance of the area and is in compliance with Core Policy 44 of the Vale of White Horse Local Plan 2031 Part 1.

5.5 **Flood risk and drainage**

The site is not situated in flood zones 2 or 3. Therefore fluvial flooding is unlikely to occur at the site. The drainage officer has raised no objection, subject to a sustainable drainage condition to ensure the effective drainage of the site.

5.6 **Traffic, parking and highway safety**

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development. It states that transport assessments must; ensure 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 limits the significant impacts of the development. It further states that, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies, and give priority to pedestrian and cycle movements. Proposed development must have access to

high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and avoid street clutter.

Oxfordshire County Council as highway authority have reviewed the proposed plans and raise no objections. Adequate car parking and access is available for the existing and proposed dwellings. It is therefore considered that the proposed development will comply with the criteria contained within Policy DC5 of the Vale of White Horse Local Plan 2011 Saved Policies, Policy CP35 of the Vale of White Horse Local Plan 2031 Part 1, and the NPPF.

#### 5.7 **Impact on TPO listed trees**

Policy DC6 of the Vale of White Horse Local Plan Saved Policies 2011 states that proposals for development must protect and enhance the visual amenities of the site and its surroundings including existing important landscape features. Policy CP44 of the Vale of White Horse Local Plan 2031 Part 1 seeks to protect the key features that contribute to the nature and quality of the districts landscape from harmful development.

The Council's tree officer has confirmed that the dwelling has been sited to minimise the impact on the root protection areas of the TPO listed lime trees to the east. Furthermore, the proposed car parking spaces for the original and proposed dwelling would protect the trees by avoiding pressure for a pruning solution to address debris falling on cars.

The tree officer considers the proposed development would protect the TPO listed trees subject to a tree protection condition. It is therefore considered that the development accords with Policy DC6 of the Vale of White Horse Local Plan Saved Policies 2011, and Policy CP44 of the Vale of White Horse Local Plan 2031 Part 1.

#### 5.8 **Impact on nearby conservation area**

Councillor Batts has raised concerns that the development would harm the character and appearance of the conservation area to the south. The conservation area is situated approximately 68 metres to the south. Rimes House is the nearest listed building distanced 18.6 metres away. Officers consider the application is sufficiently distanced not to create a harmful impact on the character and appearance of the nearby conservation area and grade II listed building.

Core Policy 39 of the Vale of White Horse Local Plan 2031 Part 1 seeks to protect the historic environment. It requires development to conserve, and where possible enhance designated heritage assets and non-designated heritage assets and their setting. Policy HE1 of the Local Plan 2011 Saved Policies and DP37 of the draft Local Plan 2031 Part 2 states that proposals for development within or affecting the setting of a conservation area will not be permitted unless they can be shown to preserve or enhance the established character of the area.

The overall, footprint, mass and scale of the proposed dwelling is considerably less than neighbouring properties. The development has been designed to fit with the general scale and features of the surrounding area.

The development will preserve the character and appearance of the surrounding conservation area, and the setting of the grade II listed Rimes House. In view of the above the proposed development is in compliance with Policies HE1 of the Vale of White Horse Local Plan 2011 Saved Policies, Core Policy 39 of the Vale of White Horse Local Plan 2031 Part 1, and Policy DP37 of the Draft Vale of White Horse Local Plan 2031 Part 2.

#### 5.9 **Impact on local wildlife**

Local concerns have been raised with regards to the impact of the development on local wildlife. The site is not a designated wildlife area. The Council's ecologist has reviewed the application and confirmed that there would be no harmful impact on protected species or their habitat. The proposed development is in compliance with Core Policy 46 of the Vale of White Horse Local Plan 2031 Part 1.

#### 5.10 **Community Infrastructure Levy (CIL)**

Policy CP7 of the Vale of White Horse Local Plan 2031, Part 1 states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st November 2017. Planning applications which are decided after 1st November 2017 may be liable to pay the levy.

The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) is 57m<sup>2</sup>. Under the Community Infrastructure Levy Charging Schedule adopted by Vale of White Horse Council and the government Community Infrastructure Levy Regulations, new dwellings and new residential development of 100m<sup>2</sup> or more will be liable to pay the Community Infrastructure Levy. In this instance the site is within zone 1 under which the chargeable rate is £131.33 per m<sup>2</sup>.

As such this application is CIL Liable.

#### 5.11 **Sustainable development**

When considering development proposals, the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. The proposed dwelling would have a minimal impact upon the local services which operate in Kingston Bagpuize. The environmental considerations have been assessed in terms of design and the impact on the character and appearance of the area, and for



the reasons given above are considered acceptable. Social considerations overlap those of environmental in terms of amenity. As these have been found acceptable the development is considered to constitute sustainable development.

## 6.0 **CONCLUSION**

6.1 The proposal will not unduly harm the character and appearance of the surrounding area, nor impact upon neighbouring amenity and highway safety. It is recommended that the application be approved.

This decision has been considered using the relevant policies related to the proposal. These are listed below.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises;

- The Local Plan 2031 Part 1
- The Local Plan 2011 Saved Policies
- The Oxfordshire Minerals and Waste Local Plan 2031
- Neighbourhood Plans for; Drayton, Coxwell, Blewbury, Faringdon, Great Coxwell, and Longworth.

Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF)
- The National Planning Policy Guidance (March 2014) (NPPG)
- Vale of White Horse Design Guide Supplementary Planning Document (SPD) (March 2015)
- Vale of White Horse Updated Infrastructure Delivery Plan (IDP) (December 2016)
- Draft Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites

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.

The Vale of White Horse Local Plan 2031 Part 1 policies which are relevant to the proposed development consist of:

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP07 - Providing Supporting Infrastructure and Services

- CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP46 - Conservation and Improvement of Biodiversity

The Vale of White Horse Local Plan 2011 Saved Policies which are relevant to the proposed development consist of:

- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses

The Local Plan 2031 Part 2: Detailed Policies and Additional Sites complements the Part 1 plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries. It contains policies for the part of Didcot Garden Town that lies within the Vale of White Horse District, and detailed development management policies to complement the Local Plan 2031 Part 1, which replace the saved policies of the Local Plan 2011. It also allocates additional development sites for housing.

Paragraph 216 of the NPPF states that decision-takers may give weight (unless material considerations indicate otherwise) to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The Vale of White Horse District Council submitted the Local Plan 2031 Part 2: Detailed Policies and Additional Sites to the Secretary of State on Friday 23 February 2018 for independent examination. The examination will be held shortly.

Overall, taking into account the current stage of preparation, the emerging Local Plan 2031, Part 2 now attracts limited weight.

The Draft Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites policies which are relevant to the proposed development consist of:

- CP4a – Meeting our housing needs
- DP2 – Space standards

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DP16 – Access

DP23 – Impact of development on amenity

DP28 – Waste collection and recycling

DP37 – Conservation areas

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