

<b>APPLICATION NO.</b>	<a href="#">P20/V2125/FUL</a>
<b>SITE</b>	April Cottage 39 Stallpits Road Shrivenham Swindon, SN6 8BG
<b>PARISH</b>	SHRIVENHAM
<b>PROPOSAL</b>	Development of four dwellings to the rear of April Cottage.(Amended plans, tree survey and transport technical note received 26 November 2020 - includes reduction in dwelling numbers to four).
<b>WARD MEMBER(S)</b>	Simon Howell Elaine Ware
<b>APPLICANT OFFICER</b>	MRJ Homes Ltd Sarah Green

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## **RECOMMENDATION**

Planning Permission is granted subject to the following conditions:  
Standard

1. Commencement 3 yrs - Full Planning Permission
2. Approved plans

### **Pre-commencement**

3. Surface water drainage details submission
4. Foul water drainage details submission
5. Landscaping scheme submission
6. Tree protection including updated protection plan showing utility routes
7. External and internal boundary treatments submission
8. Slab and ridge levels submission

### **Pre-construction above slab level**

9. Details of materials

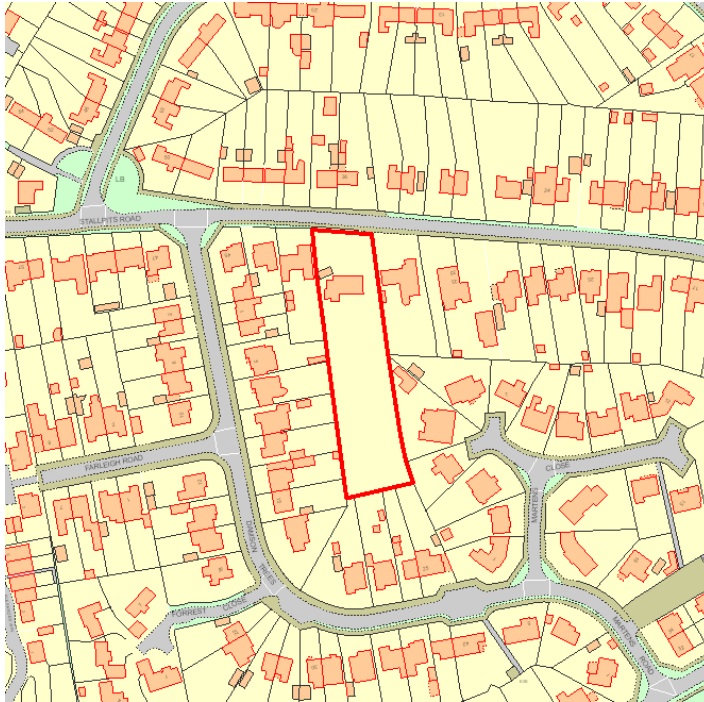
### **Pre-occupation**

10. Access and visibility splays in accordance with plans
11. Parking and turning space in accordance with plans
12. Refuse collection point provided
13. Removal of permitted development rights for Classes B and C (roof enlargements or alterations)

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to committee at the request of Local Ward Councillors Elaine Ware and Simon Howell.

- 1.2 The site is located within Shrevenham. The existing dwelling, April Cottage, sits towards the front of the site, with the plot behind extending back nearly 80 metres. The site is surrounded on all sides by other residential development as shown in the location plan below. The site was covered with mature vegetation, however this was removed prior to the submission of the pre-application enquiry.



- 1.3 The application is seeking planning permission for 4 dwellings on the rear of the plot. The existing dwelling would remain and an access drive down the eastern side would be created to the new dwellings. Two would be bungalows, orientated to back onto the dwellings along Damson Trees to the west, and two would be one and half storeys and orientated to back onto the dwellings along Damson Trees to the south. During the application process, the proposal has been amended to reduce it from 5 dwellings to 4 dwellings. Two of the dwellings have also been amended to be single storey only. Additional information such as a highways technical note and tree survey have also been submitted. Extracts of the plans are **attached** at Appendix 1. The full set of plans and supporting documents are available on the website at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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](http://www.whitehorsedc.gov.uk)

<p>2.1 <b>Shrevenham Parish Council</b></p>	<p>Amended plans - Objection</p> <ul style="list-style-type: none"> <li>• Main objections still apply. No argument showing need for housing. Contrary to core policy 3</li> </ul> <p>Original plans - Objection</p>
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	<ul style="list-style-type: none"> <li>• 863 new houses already in Shrivenham – need already being met.</li> <li>• LPP1 core policy 4 designated 500 for Shrivenham.</li> <li>• Already more than 5 year supply</li> <li>• LPP2 not identified any further housing for western Vale. 1550 houses granted by Swindon BC</li> <li>• Houses will overlook bungalows</li> <li>• Not suitable for ageing population – bin collection at end of road</li> <li>• Design not innovative as far as sustainability concerned</li> <li>• Not sustainable – resident will drive to work</li> <li>• Nothing to improve biodiversity/climate change/pollution</li> <li>• Should take account of neighbourhood plan</li> <li>• Core policy 3 limits unallocated development to providing for local needs and to support employment, services and facilities</li> <li>• Contrary to development plan, is not plan led, harm to spatial strategy for growth</li> </ul>
<p><b>Neighbour Objections</b></p>	<p>Amended plans – (13 households)</p> <ul style="list-style-type: none"> <li>• Disruption of construction to residents</li> <li>• Pleased density and scale reduced but still lack of need</li> <li>• Should provide planting already removed</li> <li>• 2 storey out of character for area</li> <li>• Unnecessary development</li> <li>• Access/drive not wide enough for fire/refuse lorry</li> <li>• Fencing along boundary will harm hedge</li> <li>• Archaeology assessment needed</li> <li>• Overdevelopment still</li> <li>• Loss of hedge to frontage change character</li> <li>• Widening of access impact pedestrian safety</li> </ul> <p>Original Plans – (22 Households)</p> <ul style="list-style-type: none"> <li>• Noise/timing of construction works disruptive</li> <li>• Congestion on Stallpits Road</li> <li>• No need for more housing in Shrivenham</li> <li>• Noise and disruption to elderly residents</li> <li>• No need to remove trees</li> <li>• Size, scale, density out of character</li> <li>• Noise impact of dense development</li> <li>• Overlooking of neighbours</li> <li>• Insufficient parking</li> <li>• Lack of local infrastructure/services</li> <li>• Loss of landscaping already</li> <li>• Too dense</li> </ul>

	<ul style="list-style-type: none"> <li>• Light pollution</li> <li>• Damage created to road surface</li> <li>• Increase in traffic</li> <li>• Should be bungalows</li> <li>• Increase in development has brought increase in crime</li> <li>• Overdevelopment</li> <li>• Stallpits Road narrow and unsuitable</li> <li>• Loss of wildlife to area</li> </ul>
<b>Neighbour comments</b>	Amended Plans – (1 household) <ul style="list-style-type: none"> <li>• More sensible plans but prefer plot 1 and 2 re-orientated round and electric charging points.</li> </ul>
<b>Drainage Engineer</b>	No objection subject to conditions on surface and foul water
<b>Highways Liaison Officer (Oxfordshire County Council)</b>	No objection following amendments. Suggest conditions on access, vision splays, parking, crossing improvements
<b>Waste Management Officer</b>	No objections
<b>Forestry Team</b>	No objection following amendments, subject to conditions on tree protection and landscaping.
<b>Thames Water Development Control</b>	No comments received

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [P85/V0268](#) - Approved (19/04/1985)

Removal of existing flat roof and replacement with pitched roof.

#### [P75/V0204](#) - Approved (20/06/1975)

Extension of bedroom study and utility room.

#### [P61/V0067](#) - Refused (11/01/1961)

Use of land for erection of houses.

#### [P57/V0007](#) - Approved (10/02/1957)

Use of land for building.

### 3.2 **Pre-application History**

#### [P20/V1258/PEM](#) - (09/07/2020)

Residential Development for 6 dwellings (1.5 storey height) access via Stallpits Road.

#### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 This proposal does not fall within one of the identified classes of development in Schedule 2 of the EIA regulations and is not in a sensitive area. A screening opinion under the Regulations is therefore not required.

#### 5.0 **MAIN ISSUES**

The relevant planning considerations are:

- **Principle**
- **Design and Character**
- **Residential Amenity**
- **Access and Parking**
- **Other matters**

#### 5.1 **Principle**

Core Policy 3 ‘Settlement Hierarchy’ of LPP1 classifies the settlements according to their role and function. Core Policy 4 ‘Meeting our Housing Need’ of LLP1 specifies the scale and location of new housing ensuring development is built in the most appropriate locations.

- 5.2 Paragraph 4.8 of LPP1 states *“The Local Plan 2031 protects and enhances the services and facilities provided by the Market Towns, Local Service Centres and our Larger Villages and ensures that any new facilities, homes and jobs are focused on these settlements”*. As well as categorising settlements, Core Policy 3 also provides a description for each type of category. Shrivenham falls within the larger village category.

- 5.3 Core Policy 4 sets out how the housing need will be met by allocated and unallocated sites. Part of the housing need is to be supplied by small ‘windfall’ or unallocated sites and these contribute to maintaining the council’s five year supply of housing. This policy gives a presumption in favour of sustainable development within the existing built up areas of market towns, local service centres and larger villages, as these have been identified as the more sustainable locations within the district. The proposal would comply with this policy on housing need.

- 5.4 Policy H1 (1) of the Shrivenham Neighbourhood Plan sets out -  
*“As appropriate to their scale, nature and location development proposals will be supported provided that they:*  
1. *are appropriately located, in accordance with core Policies CP3 and CP4 of the VWHDC Local Plan 2031 Part 1;”*

- 5.5 The proposal would therefore also comply with this criteria of the policy in officers view. The parish council and a number of residents object to the need for these 4 houses given the number of housing sites already in Shrivenham. As set out above, this site would contribute towards the windfall allocation in Core Policy 4 of LPP1. Officers also note that the plan does not prescribe maximum housing numbers.

5.6 The amended scheme now includes 2x two bedroom bungalows. This will therefore help contribute to a mix of housing in Shrivenham, meeting the aims of neighbourhood plan policies H2 and H5 by providing homes which could be occupied by the elderly or downsizing residents. The two houses are to be 3 bedroom, which has been identified as the most needed housing size under Core Policy 22 of LPP1. Overall officers are satisfied that principle of this development is acceptable and would accord with development plan policies.

5.7 **Design and Character**

Policy CP37 requires development to be of a scale, height, density, grain, massing, type, details and materials appropriate for the site and surrounding area. This is followed through into Neighbourhood Plan Policy D1, where new developments should respect the scale and appearance of the local built environment. There are also a number of detailed criteria for dwellings to incorporate unless the immediate surroundings dictate otherwise.

5.8 The immediate dwellings either side of the site on Stallpits Road and nearly all along Damson Trees are bungalows. The dwellings in Martens Close are two storey. The design of housing is however mixed. The surrounding area is made up of relatively well-proportioned plots. The application site is an abnormality to this, as it is significantly larger than its surrounding plots. Officers are aware that the site did consist of mature vegetation but prior to the submission of the pre-application enquiry or full application it was completely cleared. It is clear from the comments received that the verdant nature of the site did contribute to the character of the area.

5.9 The proposal includes keeping the existing dwelling at the front of the site. The main change to the frontage will be the alteration to the access which will be widened to meet the standards of the highway authority. This will allow for vehicles to pass each other when turning into or out of the site. Directly behind the existing dwelling will be two bungalows orientated side on so they will face the internal access drive and their rear gardens will back onto the rear gardens of Damson Trees. Both will be two bedroom and have a simple pitch roof plan form. Both will have rear gardens exceeding 130sqm. The design guide recommends a minimum of 50sqm for two bedroom properties. The amendments have reduced the number of dwellings from three to two along this part of the site, and has changed them to be single storey only. There will be no dormer windows or openings in the roof. They will therefore be more in keeping with the bungalows surrounding the site and will not appear intrusive or dominant.

5.10 At the end of the site will be two houses. These will be three bedroom. The first floor will be partly in the roof. These will have a parking area in front with a turning area. The amendments have reduced the size of the dwellings and brought them away from the side boundaries by around 3 metres. They are also a simple plan form. Both will have rear gardens exceeding 140sqm. The design guide recommended a minimum of 100sqm for 3 bedroom properties.

- 5.11 The reduction in the number of dwellings on the site and the reduction in the size of the houses, has provided more space around the dwellings and the parking and public areas. The dwellings will not appear cramped in their plots. Although the plots may be slightly smaller than those immediately surrounding, they would all meet the recommended garden sizes and provide sufficient parking, and also some opportunity for planting along the access driveway and in gardens. Officers consider it would be difficult to justify the proposal is an overdevelopment of the site. The buildings have been altered in design to be more respectful to the area.
- 5.12 To retain the visual amenity of the development and its lower key appearance, it suggested that permitted development rights for any enlargement or alterations to the roofs are removed. Exact details of slab levels and ridge heights can also be confirmed by condition.
- 5.13 The amendment has included a tree survey and arboricultural impact assessment. The proposed development will require the removal of a section of hedge from the front of the site to widen the access and also some trees located adjacent to the East and South boundaries as shown at section 3.2 of the submitted report. These trees have been categorised in accordance with BS 5837 as being category C of low arboricultural quality and therefore should not be considered a constraint to the proposed development. The forestry officer has reviewed the proposal and does not raise any objection to the proposal subject to tree protection measures and new landscaping being planted.
- 5.14 The existing hedges which run along the boundaries are intended to be kept and tree protection measures have been included to protect them during construction. An updated plan can be submitted by condition to include the utility routes to ensure these will not compromise protecting the trees. Indicative planting has been shown on the site plan. This will help to mitigate some of the loss as well as soften the development. Full details of this can be secured by condition prior to commencement to ensure that it designed to be compatible with underground drainage and service runs as well as being visually acceptable. Whilst a similar level to the previous coverage of planting cannot be achieved in line with neighbourhood plan policy HE2a, it can be ensured that what is, is of high quality and can establish to maturity and provide for biodiversity.
- 5.15 Overall officers are satisfied the development would not result in harm to the character of the area and that new planting can be achieved. It would therefore comply with Core Policies CP37, CP44 and CP46 of LPP1 and Neighbourhood Plan Policies D1 and H3.
- 5.16 **Residential Amenity**  
Development Policy DP23 and Neighbourhood Plan Policy H1 seek developments to not result in significant adverse impacts on the amenity of neighbouring uses. The council's Design Guide SPD 2015 seeks any direct facing windows should be at least 21 metres apart to ensure no harm to

privacy. A minimum distance of 12m is recommended between habitable windows and flank walls.

- 5.17 Having measured the plans and correlated with the block plan, the rear of the houses (plots 4 and 5) would be over 35m from the rear of No 21-25 Damson Trees to the south. There would not be any harmful overlooking towards these properties. The side of plot 4 would be set off the boundary by 3m and over 21m from the rear of No 13 Damson Trees to the west. The side of plot 5 would be set in 3m from the boundary with No 5 Martens Close. The front elevation of plot 5 would be approximately in line with the southern rear corner of No 5 Martens Close and around 11m from it. Given this and the angle of No5 relative to plot 5, the rear elevation of this neighbour would therefore not be looking towards the side of plot 5 but rather towards the parking and turning area of the development. The built form of plot 5 would therefore not be overbearing on this neighbour. There are no first floor side windows in either plots 4 or 5 so there would be no direct overlooking to side neighbours.
- 5.18 Plots 2 and 3 will both be single storey properties with a ridge height of 6 metres. Their rear elevations would be over 8.5m from the rear boundary and between 26 -28m from the rear elevations of Nos 5-9 Damson Trees. Given they are single storey and no windows in the roof, there will be no overlooking and will not be overbearing to these neighbours. The front elevations of plots 2 and 3 will be over 7 metres from the eastern site boundary and the garden boundaries of No 5 and 6 Martens Close, and No37 Stallpits Road. Given the depth of these gardens and orientation of properties, and that plots 2 and 3 will be single storey it is not considered that the development would cause overlooking to these neighbours.
- 5.19 It is set out in the supporting documents that it is intended for the hedge boundaries around the site to be kept and new planting to fill in the gaps. Tree protection measures will be used to protect the existing ones during construction and this has been shown on the tree protection plan, referred to above. Full details of all boundaries treatments and landscaping will be required by condition to ensure they are acceptable and not harmful to neighbours.
- 5.20 Overall officers are satisfied the development would not result in harm to the amenities of neighbouring properties. It would therefore comply with Development Policy DP23 and Neighbourhood Plan Policy H1, as well as with the council's Design Guide SPD 2015.
- 5.21 **Access and Parking**  
Local Plan Policies CP33, CP35 and DP16 seek to ensure that the impacts of new development on the strategic and local road network are minimised, adequate parking is delivered, and provision made for servicing and vehicle turning.
- 5.22 The highways technical note with the application has been amended following the advice of the highway officer. The proposed access onto Stallpits Road, the private access driveway, and parking and turning arrangements are acceptable



from a highway safety perspective. The 3 bedroom houses each have 3 parking spaces and the 2 bedroom bungalows 2 spaces, plus there is an additional space for visitors. The width of the internal road at 4.1m is wide enough for two cars to pass, a passing bay has also been provided to enable a car and larger vehicle to pass. A turning area has been designated at the end and can be conditioned to ensure it is kept free from obstruction. The development will therefore accord with Local Plan Policies CP33, CP35 and DP16.

5.23 The highways technical note also includes a non-motorised user audit of the local area and the Highway Street. It has recommended that there are potentially three crossing points which could benefit from improvements. Officers, in consideration of these, are mindful that any works should be proportionate to the development and directly required to make the application acceptable in planning terms. All conditions are required to meet the six tests for conditions as set out in the National Planning Policy Framework. Given in this case that the crossings indicated are over 80m or more from the site and not on the most direct route to bus stops or the village centre, it cannot be said that the development would have a direct impact upon the usage of such crossings. Such a condition would therefore fail the six tests.

5.24 **Other matters**

There are a number of objections relating to the disruption of construction traffic during development. Given the small scale of development it would not be reasonable for a construction traffic management plan to be required in this case. Any obstruction of a highway is covered under the relevant highway legislation. In terms of noise disruption, it is generally accepted that there will be some short term disruption related to small construction sites. However it is expected construction workers should follow a code of practice that includes working within reasonable hours. For any unreasonable noise, this would ordinarily be covered under the relevant environmental health legislation for noise nuisance.

5.25 The site is not within a flood zone. The drainage officer has raised no objections subject to drainage details being agreed prior to commencement by condition.

5.26 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a levy charged on new development in the Vale. The money raised will be used to fund infrastructure to support growth in the district. Parishes with a made neighbourhood plan will receive 25% of the CIL revenues in their parish or up to 15% if they do not. This application is subject to the levy, estimated to be just over £95,100.

5.27 Pre-commencement conditions

These have been agreed with the agent in accordance with Section 100ZA (6) of the Town and Country Planning Act 1990

## 6.0 **CONCLUSION**

- 6.1 The site is located within Shrivenham, designated as a larger village due to its level of services and facilities it offers. Larger villages are considered acceptable locations for new housing development. In this case the proposal will also be providing bungalows, a mix of dwellings that is sought by the neighbourhood plan. It is therefore considered that it will be contributing towards a need for Shrivenham. This weighs in favour of the development.
- 6.2 The site is within the built up area and the amended scheme is considered acceptable in terms of its impact on the character of the area and on neighbouring residents. There are no objections from technical consultees. Therefore on this basis officers recommend the application for approval.

The following planning policies have been taken into account:

### **Development Plan Policies**

Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP20 - Spatial Strategy for Western Vale Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP42 - Flood Risk
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:

- DP02 - Space Standards
- DP16 - Access
- DP23 - Impact of Development on Amenity
- DP28 - Waste Collection and Recycling

### **Shrivenham Neighbourhood Plan**

Following the independent examination of the Shrivenham Neighbourhood Plan, the district council has agreed that the plan should now proceed to referendum.

The neighbourhood planning referendum was due to take place on Thursday 26 March 2020. Regulations linked to the Coronavirus Act 2020 postpones neighbourhood planning referendums until 6 May 2021. In response to these delays, Government guidance has been updated and as a consequence the Shrivenham Neighbourhood Plan can be given significant weight in decision-making. The relevant policies include:

- Policy H1: General requirements for development
- Policy H2: Housing Mix
- Policy H3: Sites within the built up area.

Policy H5: Housing for elderly and younger residents

Policy D1: Design

Policy D3: Provision of support for electric vehicles in new development, extensions and change of use

Policy P1: Car Parking and Layout

Policy HE2a: Green environment – existing trees

Policy HE2b: Green environment – new planting

Policy HE4: Biodiversity

### **Supplementary Planning Guidance/Documents**

Vale of White Horse Design Guide 2015)

### **National Planning Policy Framework and Planning Practice Guidance**

#### **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.

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