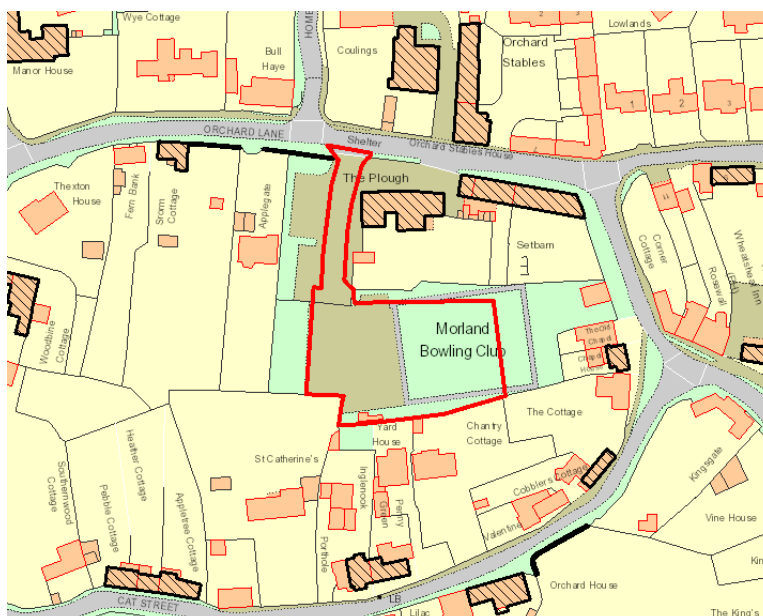


<b>APPLICATION NO.</b>	<a href="#">P24/V2077/FUL</a>
<b>SITE</b>	Land to the rear of Orchard Farmhouse Orchard Lane East Hendred, OX12 8JW
<b>PROPOSAL</b>	Single Self Build Dwelling (BNG exempt). (Additional Information received 11 October 2024 - Design and Access Statement, Heritage Statement, Tree Survey, Sustainable Construction checklist) (Amended site plan relocating dwelling and additional information received 29 November 2024).
<b>AMENDMENTS</b>	Yes
<b>APPLICANT</b>	Alexander Gilbert
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	27.9.2024
<b>TARGET DECISION DATE</b>	23.1.2025
<b>PARISH</b>	EAST HENDRED
<b>WARD MEMBER(S)</b>	Sarah James
<b>OFFICER</b>	Sarah Green

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## 1.0 INTRODUCTION

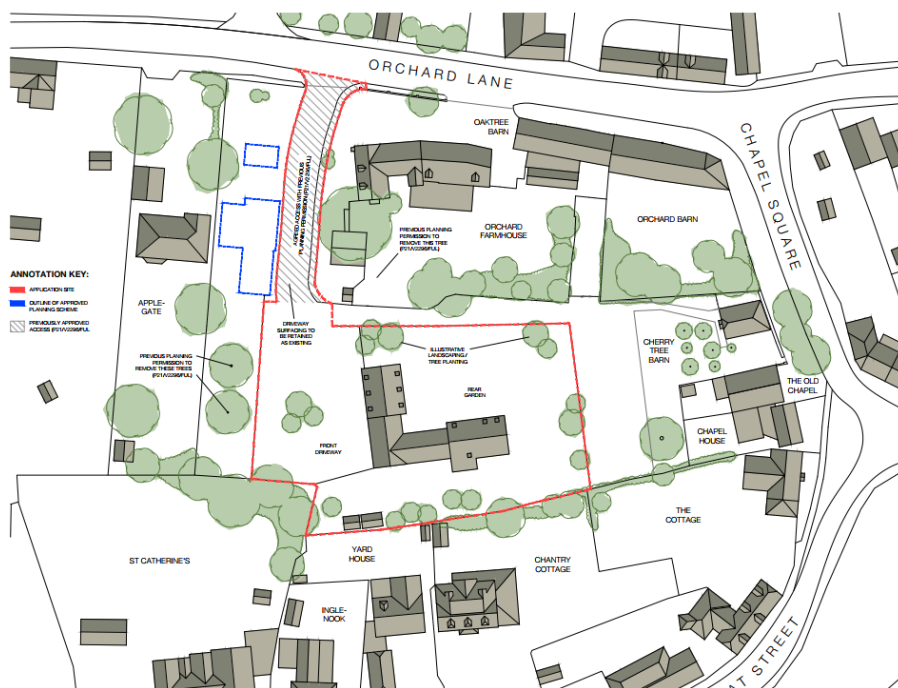
- 1.1 This application is referred to planning committee at the request of Councillor Sarah James.
- 1.2 The site lies within East Hendred and was formerly used as a bowling green by Morlands Bowls Club. Access to the site is via Orchard Lane to the north besides what was formerly The Plough public house. The site lies within the East Hendred Conservation Area and a number of listed buildings surround the site (shown hatched in the plan below). The village is also within the North Wessex National Landscape (formerly Area of Outstanding Beauty).



- 1.3 Planning permission and listed building consent was granted in October 2022 for The Plough (now Orchard Farmhouse) and the former Oak Room (now Oak Tree Barn) to be converted into dwellings and for a new dwelling to be erected to the west of The Plough. It also included a new clubhouse for the Bowls Club to be erected to the east of the bowling green in place of use of the Oak Room and the repair of the Cob Wall to the front along Orchard Lane. Works to convert The Plough and Oak Room to dwellings are underway.
- 1.4 Planning permission was sought earlier last year (ref: P24/V0850/FUL) for the erection of a new dwelling on the application site. That application was withdrawn following officer feedback concerning the lack of justification for loss of the bowling green and the inappropriate scale and design of the proposed dwelling.

## 2.0 PROPOSAL

- 2.1 This application is seeking planning permission to erect a single dwelling again on the site. The dwelling in this proposal has been designed in the style of a series of joined up barns in an L-shape which vary between single storey and one and half storey in height. The maximum height of the building would be 7.2 metres. It would be constructed in a mix of brick and timber cladding with a tile roof. A Bowls Needs Assessment report was also submitted with the application.
- 2.2 Following consultation comments, an amended site plan was submitted which has moved the dwelling 3.5m further north within the plot. The proposed site plan is shown below. The agent also submitted additional comments on the consultation responses along with an addendum to the Bowls Needs Assessment. These matters were re-consulted upon with relevant parties and members of the public. Extracts of the proposed plans are **attached** at Appendix 2.



3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full versions of the representations can be found on the planning application pages on the council’s website at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

3.1 **Publicity**

The application was publicised in accordance with the relevant procedures for the type of application, including a site notice.

3.2 **Statutory Consultee responses**

Representation	Comments
<b>East Hendred Parish Council</b>	<p><b>Original</b> - Holding objection. welcomes revised proposal. Reduction in footprint and massing is improvement and would benefit Chantry Cottage and Yard House. Change in design is very appropriate and beneficial to conservation area status But feel further alteration to change orientation of dwelling would benefit neighbours so place holding objection on this basis. Also note case made to demonstrate there is no need for a local bowling green contains several errors.</p> <p><b>Amendment</b> – withdraw holding objection welcome the move away from the resident buildings and note the changes made and believe the design has improved</p>
<b>Highways Liaison Officer (Oxfordshire County Council)</b>	No objection subject to conditions relating to parking and cycle parking

3.3 **Council - professional officer comments**

Representation	Comments
<b>Heritage Officer</b>	<ul style="list-style-type: none"> <li>Proposed dwelling is more modest in scale and design and better responds to the context of the site</li> <li>The development of this plot would erode this openness of conservation area and be contrary to the established patterns of domestic residential development in this area.</li> <li>However, it is noted that the scale of the proposed dwelling, its more agricultural design and the removal of the proposed numerous large outbuildings does reduce the impact of the development on the character of the area.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Considered to result in a low-level of less-than-substantial harm to the significance of the Conservation Area</li> <li>• should be satisfied that there are public benefits to the proposal that outweigh the identified low level of harm.</li> <li>• there would be no harm to nearby listed buildings</li> </ul>
<b>Ecology Team</b>	No objection subject to conditions
<b>Drainage</b>	No objection subject to condition
<b>Forestry Officer</b>	<p><b>Original</b> – no objection in principle Concerned RPA of T15 Yew tree is not accurate and risk roots have developed under access drive. Need confirmation of whether access drive will be resurfaced or not, to know if further tree information required.</p> <p><b>Amendment</b> – no objection Suggest landscaping condition.</p>
<b>Env. Protection Team</b>	No objection
<b>Leisure</b>	<p><b>Original</b> - Morland Bowls Club is not listed within draft leisure facility assessment and strategy 2024. Assessment report noted that future predicted need can be met within existing club capacities Contradicting information has been provided by former members of bowls club regarding certain elements of needs assessment Not satisfied that further mitigation is not justified. other clubs need improvements Mitigation should be provided towards bowls in the area for loss of bowls facility</p> <p><b>Amendment</b> - The assessment report notes that future predicted need for bowl can be met within existing club capacities It is disappointing that no mitigation is proposed as part of this planning application for the loss of the former bowls facility, considering local clubs have highlighted requirements for funding to support their facilities. Leisure agrees that the needs assessment highlights there is adequate provision, as shown in the LFAS and therefor have no objections to the application.</p>
<b>Waste Management Officer</b>	Sufficient space to store set of bins. Collection will be at curtilage of property with Orchard Lane

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<p><b>County Archaeologist (Oxfordshire County Council)</b></p>	<p>Lidar data and previous information contained within a heritage statement undertaken on the site illustrate that it has been subject to past ground disturbance that its likely to have resulted in significant previous below-ground truncation. As such, there are no archaeological constraints to this scheme.</p>
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### 3.4 Public responses

Representation	Comments
<p>Sport England</p>	<p><b>Original</b> - no objection                      reviewed the needs assessment and found the report to be very comprehensive and has followed an appropriate methodology to show that the current demand within VoWHDC for flat green bowling can be met at other facilities despite the loss of the site.                      Notwithstanding this, we do take issue with the final statement where the applicants state further mitigation is not justified. We are not sure this has been proven. However, this is something for VoWHDC to consider.</p> <p>Further comments received – brought to Sport England attention that some information submitted to justify the loss of the bowling club may be inaccurate. Ask this issue is addressed then Sport England can review its position. Until then must change position to one of objection.</p> <p><b>Amendment</b> – no objection.                      have reviewed this very carefully against the concerns raised by a third party and the original needs assessment. While we do not agree with the applicant’s contention that there is no need for any mitigation, this is a decision for the local planning authority to make, however, we believe the applicants have demonstrated that the bowling green and club house are not required for grass sport</p>
<p><b>Neighbour</b></p>	
<p>Objections</p>	<p><b>Original (5)</b></p> <ul style="list-style-type: none"> <li>• Siting of dwelling will be oppressive to neighbours</li> <li>• Loss of open aspect and privacy to neighbours due to proximity and bulk of dwelling</li> </ul>

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	<ul style="list-style-type: none"> <li>• View towards conservation area from the junction of Chapel Square and Cat Street will be obscured.</li> <li>• Object to trees on boundary</li> <li>• Welcome reduction in vertical size and scale and avoidance of first floor windows but object to size and proximity to neighbours an impact on residential amenity</li> <li>• Loss of feeling of open space in garden</li> <li>• Moving 3-4m further away from rear boundary of Chantry Cottage and Yard House would significantly reduce its negative impact on neighbour amenity</li> <li>• Displace existing bowling green</li> <li>• Central part of east Hendred conservation area was subject to appeal rejected by planning inspector in 2008</li> <li>• Carefully consider if application is BNG exempt</li> <li>• False information/inaccuracies provided regarding Morlands Bowls Club and its closure</li> </ul> <p><b>Amendment (1)</b></p> <ul style="list-style-type: none"> <li>• Whilst we appreciate the decision to move the proposed house further away from our boundary, our previous comments and concerns with this application still remain</li> </ul>
Support	<p><b>Original (3)</b></p> <ul style="list-style-type: none"> <li>• Believe will blend in with other properties and positive addition to Orchard Lane</li> <li>• New design appropriate for site</li> <li>• Encourage possibility of local families being able to stay in village and sustain village amenities</li> </ul>

4.0 **RELEVANT PLANNING HISTORY**

Application Number	Description of development	Decision and date
<p><b>This site only</b>  <a href="#">P24/V0850/FUL</a></p>	<p>Erection of single self-build detached dwelling (BNG exempt). New detached single storey outbuilding to provide gym and games room. New one and a half storey garage / home office with self-contained guest annex.</p>	<p>Withdrawn            (10/06/2024)</p>

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### Wider site, including Plough and Oak room

<a href="#">P24/V0584/S73</a>	Variation of condition 2 (Approved plans) on application P21/V2296FUL (updated phasing plan received 13 May 2024)(Amended plans received 5 August 2024 _ updated window details)	Approved (27/08/2024)
<a href="#">P24/V0658/S73</a>	Variation of condition 2 (Approved plans) on application P21/V2297/LB.(Amended plans received 5 August 2024 - updated window details).	Approved (27/08/2024)
<a href="#">P23/V1868/DIS</a>	Discharge of conditions 4 (Mezzanine Floor), 6 (Archaeological Watching Brief), 12 (Hard Surfacing and New Trees) 14 (Tree Protection), 18 (Drainage Details (Surface Water)) ,19 (Drainage Details (Foul Water)) on application ref. P21/V2296/FUL	Approved (20/09/2023)
<a href="#">P23/V1311/DIS</a>	Discharge of conditions 6 (Archaeological Watching Brief), 10 (Car Parking Spaces), 12 (Landscaping Scheme (Submission)), 13 (Landscaping Scheme (Implement)), 14 (Tree Protection), 16 (railing details), 18 (Drainage Details (Surface Water)), 19 (Drainage Details (Foul Water)), 20 (Boundary Details) of P21/V2296/FUL and conditions 5 (railing details) and 6 (boundary details) of P21/V2297/LB	Approved (07/07/2023)
<a href="#">P23/V0806/S73</a>	Variation of conditions 2 (Approved plans) & 10 (Car Parking Spaces) on planning application P21/V2296/FUL	Withdrawn (30/05/2023)
<a href="#">P21/V2297/LB</a>	Resubmission (within 12 months of original submission) of Planning and Listed Building applications (P20/V2382/FUL and P20/V2383/LB) - proposed restoration of the Listed Plough Inn to its former state as a residential dwelling with additional enabling works. Conversion of the Listed Oak Room into a residential property. Demolition of existing storage building and construction of a new clubhouse for the Bowls Club and introduction of a new pedestrian gate. Erection of a new house. Repair of existing Listed Cob Wall. Erection of single detached car port to serve the new dwelling (As amended by	Approved (07/10/2022)

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	plans submitted 25 April 2022 and 21 July 2022)	
<a href="#">P21/V2296/FUL</a>	Resubmission (within 12 months of original submission) of Planning and Listed Building applications (P20/V2382/FUL and P20/V2383/LB) - proposed restoration of the Listed Plough Inn to its former state as a residential dwelling with additional enabling works. Conversion of the Listed Oak Room into a residential property. Demolition of existing storage building and construction of a new clubhouse for the Bowls Club and introduction of a new pedestrian gate. Erection of a new house. Repair of existing Listed Cob Wall. Erection of single detached car port to serve the new dwelling (As amended by plans submitted 25 April 2022 and 21 July 2022).	Approved (07/10/2022)
<a href="#">P20/V2383/LB</a>	Proposed restoration of the Plough Inn to its former state as a residential dwelling with the erection of a new garage and additional enabling works. Conversion of Oak Room into a residential property. Creation of a new club house for the bowls club with social space for the local community on the site of existing changing rooms, and introduction of a new pedestrian gate. Creation of community co-working offices and art rooms with associated works (as amended by plans received 18th December 2020)	Withdrawn (18/02/2021)
<a href="#">P20/V2382/FUL</a>	Proposed restoration of the Plough Inn to its former state as a residential dwelling with the erection of a new garage and additional enabling works. Conversion of Oak Room into a residential property. Creation of a new club house for the bowls club with social space for the local community on the site of existing changing rooms, and introduction of a new pedestrian gate. Creation of community co-working offices and art rooms with associated works.(as amended by plans received 18 December 2020).	Withdrawn (18/02/2021)
<a href="#">P13/V1453/LB</a>	Proposed new signage.	Approved (22/08/2013)
<a href="#">P13/V1058/A</a>	Externally illuminated signage.	Approved (04/07/2013)



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<a href="#">P08/V0961</a>	Erection of a single storey timber outbuilding (For Bowls Club wcs and kitchen)	Approved (17/09/2008)
<a href="#">P08/V0412/LB</a>	Re-rendering and external decoration, localised brick repairs, damp proofing and associated replastering, Kitchen and utility refit including new extract unit and internal and external door alterations	Approved (16/06/2008)
<a href="#">P96/V0231/COU</a>	Change of use of derelict barn into ladies and gents changing rooms for ancillary use with new bowling club.	Approved (04/04/1996)
<a href="#">P94/V0237</a>	Construction of a bowling green and club house.	Approved (09/03/1995)
<a href="#">P75/V0127</a>	Erection of a double garage and construction of car park.	Approved (02/07/1976)

### 5.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 5.1 This proposal does not fall within one of the identified classes of development in Schedule 2 of the EIA regulations however it is within a sensitive area (National Landscape). Given the scale and type of the development it is considered that a EIA is not required.

### 6.0 POLICY & GUIDANCE

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

#### 6.2 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
- CP23 - Housing Density
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP39 - The Historic Environment
- CP42 - Flood Risk
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

A Regulation 10A review (five-year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

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

- DP01 - Self and Custom-Build
- DP16 - Access
- DP23 - Impact of Development on Amenity
- DP28 - Waste Collection and Recycling
- DP36 - Heritage Assets

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- DP37 - Conservation Areas
- DP38 - Listed Buildings
- DP39 - Archaeology and Scheduled Monuments

### Emerging Joint Local Plan 2041

The Council has prepared a Joint Local Plan (JLP) for South Oxfordshire and Vale of White Horse, which, once adopted, will replace the existing local plans. The JLP was submitted to the Secretary of State on Monday 9 December 2024 for independent examination. In line with paragraph 49 of the National Planning Policy Framework (NPPF), decision-makers may give weight to relevant policies in emerging plans depending on several factors: the stage of preparation, the extent of unresolved objections, and the degree of consistency with the NPPF.

The starting point for decision taking remains with the policies in the current adopted plan(/s). The JLP is at an advanced stage of preparation and carries some weight. Where unresolved objections have been received on policies, limited weight should be applied, but where there are no unresolved objections, moderate weight can be applied. Full weight should only be applied, where relevant, following the outcome of the independent examination and adoption of the JLP.

### 6.3 Neighbourhood Plan

There is no Neighbourhood Plan for East Hendred.

### 6.4 Supplementary Planning Guidance/Documents

Joint South Oxfordshire and Vale of White Horse Design Guide

## 7.0 PLANNING CONSIDERATIONS

### 7.1 The relevant planning considerations are the following:

- Principle of development
- Heritage, design and character
- Residential amenity
- Access and parking
- Archaeology
- Ecology and biodiversity
- Drainage

### 7.2 Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

### 7.3 Loss of bowling green

Development plan policy 34 of LPP2 is concerned with the provision of leisure and sport facilities. Its states:

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Development of existing leisure and sports facilities will only be permitted provided that:

- i. when assessed against the Leisure Facilities Study, Local Leisure Facilities Study and / or Playing Pitch Study, it is clearly shown that the leisure and / or sport facility is surplus to requirements; or
- ii. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of scale, quantity and quality in a suitable and accessible location; or
- iii. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss; or
- iv. the proposed development is ancillary to the main use of the site and strengthens its function.

7.4 The application only needs to meet one of the above criteria, not all of them.

7.5 Although Morlands Bowls Club has ceased, the lawful use of the land is still a bowling green and therefore policy DP34 still applies.

7.6 The site is not considered to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No.595), therefore Sport England is not statutory consultee, however their comments have been sought as part of the application process.

7.7 The application submission has been supported by a Bowls Needs Assessment undertaken by a professional Sports Planning Consultant. The report seeks to evaluate the adequacy of existing facilities for bowls across the Vale of White Horse and in the site's catchment area.

7.8 The assessment followed the approach set out in Sport England's guidance document 'Assessing Needs and Opportunities Guide (ANOG, 2013)' and considered the quantity of provision in the catchment area, the quality of provision in the catchment area, the accessibility and availability of provision in the catchment area and the demand.

7.9 The catchment area used was a 20 minute drivetime catchment of the application site, which is the same as that used by the Council in its own Leisure Facility Assessment and Strategy 2024. The assessment was based on existing evidence bases, site visits and consultation with clubs, and discussions with local league representatives. The clubs assessed included Harwell, Milton Hill, Wantage, Didcot, Hagbourne, Abingdon, Kingston Bagpuize and Southmoor.

7.10 Overall the submitted assessment indicated that there is adequate alternative provision to meet the current demand and sufficient spare capacity to meet projected future demand within the catchment area of the application site.

7.11 This outcome concurs with results within the Council's own recent Leisure Facility Assessment and Strategy 2024. This looked at provision across the

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whole of the Vale of White Horse district. It concluded that future demand for bowls can be met within the existing clubs identified within the report (East Hendred was not one of them). The same report covering South Oxfordshire district also found the same thing, that existing clubs can meet the demand for bowls. Therefore the bowling green at East Hendred is not necessary to meet the required leisure supply or demand within the local area or wider districts. As such the application would accord with criteria i) of policy DP34.

- 7.12 Comment was raised by Sport England and the leisure team about whether mitigation should be sought for other clubs due to the loss of the East Hendred green. Policy DP34 does not require mitigation be provided if a facility is surplus to requirements. The above assessments indicate that other clubs are not at capacity and therefore would not be subject to undue burden by the addition of new members. Whilst it is noted that they may wish to enhance and improve their existing facilities, there is no planning justification to request monies from this application for it.
- 7.13 Other comments have been received regarding how the closure of Morlands Bowls Club came about and that inaccuracies are contained within the Needs Assessment report regarding this element. However, irrespective whether the club is ceased or was still operational, the same Needs Assessment would have been required and the same criteria would have been assessed for planning purposes. Therefore whilst it is acknowledged the club has ceased (irrespective of how) this would unlikely change the outcome. Overall it has been shown that the bowling green at East Hendred is surplus to requirements and its loss would comply with policy DP34.
- 7.14 *New dwelling*  
East Hendred is identified as a larger village within policy CP3 of LPP1 and therefore under policy CP4 new housing within the existing built-up area is supportable in principle subject to meeting other relevant planning policies.
- 7.15 *Self build*  
The application is for a self build dwelling. Policy DP1 supports self and custom building and the supporting text of the policy makes clear that this support is subject to compliance with policies CP3 & CP4. This application would therefore comply with policy DP1.
- 7.16 The Self-build and Custom Housebuilding Act 2015 (as amended) requires local planning authorities to give permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area. The council has not met demand for self-build and hence there is a shortfall in respect of this type of housing. Therefore, the self build nature of the application would contribute to this, and this would be a benefit of the proposal.
- 7.17 **Heritage, design and character**  
Policy CP37 of LPP1 requires development to be of high quality, visually attractive design that responds positively to the site and its surroundings with appropriate scale, height, details and materials. Policy CP44 seeks to protect

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the districts landscapes from harmful development. Policies CP39 and DP36 of LPP1 & LPP2 state that proposals that affect heritage assets (designated and non-designated) must demonstrate that they preserve or enhance the significance of the asset.

- 7.18 Applications that affect conservation areas and their settings are controlled by policy DP37 of LPP2. Policy DP38 concerns applications that affect listed buildings and their settings. Policy DP37 requires development to preserve or enhance the character of the conservation area. Development is also expected to demonstrate that it contributes to the conservation area's special interest and its relationship within its setting, considers important views within, into or out of the conservation area and respects its local character and distinctiveness, amongst other considerations. Policy DP38 requires development to respect, preserve or enhance features within the setting that contribute to the special interest and significance of the building.
- 7.19 The East Hendred Conservation Area Appraisal was adopted in July 2008. This notes the contribution open spaces make to the conservation area and includes the garden plots enclosed by Orchard Lane and Cat Street which surround the site.
- 7.20 The Heritage Officer has provided the following comment:  
*“The application site lies to the rear of the Grade II listed The Plough, former public house, currently being converted to a residential dwelling. The site is open and free of built form, forming the car parking and green to the village bowls club. It is legible as an open space to the rear of built form that sits along the main thoroughfares through the village – Orchard Lane, Cat Street and Chapel Square. As previously noted, the topography of the site is such that large built form has the potential to be viewed above existing built form of The Plough when perceived in views from Orchard Lane and against the smaller vernacular cottages at the eastern end of Cat Street, albeit that relationship will be limited to glimpsed views.*
- This proposal is for an L-plan building of one and two-storeys, designed in a barn style with brick and timber cladding and slate roof. The overall ridge height is reduced from the previous proposal and the massing of the building has been changed. Although it is wider across the site, it is lower in scale and will sit more comfortably in the context of The Plough and other dwellings. The large proposed additional outbuildings and garages have also been removed which is welcomed as this retains a greater sense of the openness of the application site and removes cluttered built form from views through the site. Overall, the proposed dwelling is more modest in scale and design and better responds to the context of the site”*
- 7.21 In relation to the loss of open space within the conservation area it is acknowledged that development of this site for a dwelling, or any building, would erode the sense of space to the rear of properties along Orchard Lane and Cat Street. It is a remaining open space within the conservation area that

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illustrates its historic plan form and pattern of development. A residential plot here would not strictly conform with the main settlement pattern in this part of the village, where all dwellings face onto the road and would to a degree erode the openness of the site. However the design of the building reflects the character of ancillary style structures which would be found more typically to the rear of large plots such as this. Its scale and massing is considered appropriate in context with the surrounding buildings.

7.22 The heritage officer concludes:

*“...Overall, when tested against Local and National planning policy, the application is considered to result in a low-level of less-than-substantial harm to the significance of the Conservation Area.....*

*.....The harm is considered to be at the lower end of the scale of less-than-substantial harm. This is because, whilst the visual impact of the proposal is limited given the modest scale of the proposed dwelling, it still results in the construction of a dwelling in an open back land plot which does not have a relationship with a frontage and is therefore contrary to the pattern of built form elsewhere in the designated area.”*

7.23 Paragraph 215 of the NPPF states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

7.24 Public benefits can include the provision of housing as this helps to contribute to the districts supply. The fact that this is also a self build dwelling and will contribute to the district’s current undersupply of self build properties would also weigh in favour as a benefit.

7.25 The proposed dwelling is considered to be an appropriate design for its context, appearing as more an ancillary building which will help to reduce its impact on the character of the area. There will be a loss of some openness of the site but given the height and scale of the dwelling, from outside the site and views from the roads this will be more limited in its perception. Given its location within the village it is not considered that the development would harm the wider National Landscape. Overall, it is not considered that the level of resultant low level harm to the conservation area when taken against the benefits of providing a self build dwelling is sufficient or significant enough to justify refusal of this particular application. The proposal is considered to comply with the policies of the Development Plan and the provisions of the NPPF.

7.26 To ensure that the dwelling retains its scale and design, the removal of permitted development rights are considered justified to ensure the development does not result in increased harm to the conservation area. Similarly, to prevent further built development across the site, permitted development rights for outbuildings should also be removed.

7.27 As the site is within the conservation area the trees on site are protected. It has been confirmed on the plans that the surface of the existing access driveway to the site will be retained, therefore this has addressed the original concerns of

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the forestry about the potential for below ground impact on the Yew Tree (T15). A tree protection condition is therefore not required. Full details of how the site will be landscaped can be secured by condition.

- 7.28 Regarding the comment from a neighbour about a past appeal decision in 2008 in the conservation area, this was for an extension to The Cottage, Chapel Square and it was allowed on appeal by the Inspector who considered it would not unduly harm the conservation area.
- 7.29 **Residential amenity**  
The impact of development on neighbouring properties is controlled by policy DP23 of LPP2. This policy requires development proposals to demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses arising through loss of privacy, daylight or sunlight, from dominance or visual intrusion, noise or vibration, dust, heat, odour, gases or other emissions, pollution, contamination or the use of / or storage of hazardous substances and external lighting.
- 7.30 Following comments received during the original consultation period, the plans have been amended and have re-positioned the dwelling 3.5m further north within the plot. The dwelling would now be a minimum of 8.1m from the boundary it would share with Chantry Cottage to the south and a minimum of 10.8m from the boundary it would share with Yard House. Between the proposed dwelling and the buildings on these neighbouring plots, there would be a distance of between 18-19 metres.
- 7.31 The dwelling would be part single storey and part one and half storey, with the first floor within the roof. The maximum height of the building closest to Chantry Cottage to the south would be 6.7m high. The other element along this boundary with both Chantry Cottage and Yard House would be 5.4m high. Only one rooflight would be in the roof slope towards the neighbour at Chantry Cottage which would serve an ensuite. This can be obscured glazed to ensure there is no overlooking towards the neighbours gardens. Given the height and separation distances to Chantry Cottage and Yard House and their boundaries, and that the site lies to the north of the neighbours gardens, it is considered that the dwelling would not cause overshadowing or overlooking and would not be overbearing to these neighbours.
- 7.32 With regard to the neighbours to the east, the Old Chapel and Chapel House, the dwelling would be over 40m from these dwellings and therefore there would be no overlooking between the properties. Similarly to the north the dwelling would be over 27m from the rear of The Plough, now converted to a dwelling, and over 22m from the rear of the proposed new dwelling to the west. Given the distances and positions relative to each other the proposal would not harm the amenities of these neighbouring plots. The proposal would therefore comply with policy DP23.
- 7.33 **Access and parking**  
Policies CP33, CP35, CP37 & DP16 of LPP1 and LPP2 require development to provide safe and convenient access, sufficient car and cycle parking in line with

Oxfordshire County Council standards and adequate provision for loading, unloading, circulation, servicing and vehicle turning. Development must also minimise the impact on the highway network and promote more sustainable modes of transport where appropriate.

- 7.34 The dwelling would be accessed using the existing access point from Orchard Lane which is deemed acceptable to the Highways Authority. There is sufficient space to the front of the dwelling for the required parking of 3 cars to meet parking standards, and turning has been shown within the transport statement for a fire tender within the curtilage. A parking plan to show how the parking would be laid out, along with the landscaping of the site, can be provided by condition. It is also not clear how cycle storage will be provided on site but as there is space for a cycle store to be provided or the potential to use the existing sheds, full details can be confirmed by condition. The proposal would therefore comply with the policies of the development plan.
- 7.35 **Archaeology**  
Policy DP39 states that development will be permitted where it can be shown that it would not be detrimental to the site or setting of Scheduled Monuments or nationally important designated or non-designated archaeological remains.
- 7.36 The site is located in an area of archaeological interest. However, Lidar data and previous information submitted as part of the previous permissions relating to The Plough and Oak Room illustrate that it has been subject to past ground disturbance and that its likely to have resulted in significant previous below-ground truncation. As such, there are no archaeological constraints to this scheme and it complies with Policy DP39.
- 7.37 **Ecology and Biodiversity**  
Policy CP46 of LPP1 states that development that conserves, restores and enhances biodiversity will be permitted whilst net loss of biodiversity will be avoided. The highest level of protection is given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species). Development that harms habitats and species will not be permitted unless the need for the development outweighs the harm, it can be demonstrated that the development could not reasonably be located elsewhere or measures to prevent, mitigate or compensate for the harm are agreed.
- 7.38 The applicant has submitted an ecology report (Windrush Ecology, August 2024), which has been undertaken to an appropriate standard and details the results of a preliminary ecological appraisal (PEA) of the site and potential bat roost assessment (PRA) of the sheds. The report concludes that the sheds have negligible potential to host roosting bats and the site is unlikely to be used by protected or priority species other than for commuting. No external lighting is proposed for the development and given the site is surrounded by residential development within a village it not considered reasonable to request a detailed lighting strategy.



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7.39 As the proposal is for a self build dwelling it is exempt from the mandatory biodiversity net gain requirements. However it should still be providing ecological enhancements such as bat and bird boxes to meet Policy CP46. These can be secured by condition.

### 7.40 **Drainage**

Policy CP42 of LPP1 seeks to minimise the risk and impact of flooding by directing new development to areas with the lowest probability of flooding, ensuring that all new development addresses the effective management of all sources of flood risk and does not increase the risk of flooding elsewhere.

7.41 A drainage strategy has been provided which the drainage officer is satisfied with in principle, subject to confirmation of some detailed design aspects. The final drainage scheme can however be agreed by condition. With this condition, the application complies with Policy CP42.

### 7.42 **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. Residential development is subject to the levy unless an exemption is claimed. Self build dwellings are exempt from the levy so none will be payable for this application.

### 7.43 **Pre-commencement conditions**

In accordance with Section 100ZA (6) of the Town and Country Planning Act 1990 (as amended) the pre-commencement conditions have been agreed with the agent.

## 8.0 **Other Relevant Legislation**

### 8.1 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.

### 8.2 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.

### 8.3 Crime and Disorder Act 1998

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

### 8.4 The Planning (Listed Building and Conservation Areas) Act 1990

In determining this application the Council has had regard for its duty under Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990

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8.5 Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on the Local Planning Authority to have regard to the purpose of conserving or enhancing the natural beauty of an AONB.

### 9.0 **PLANNING BALANCE AND CONCLUSION**

9.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

9.2 A Bowls Needs Assessment has been provided which evaluates the adequacy of existing facilities for bowls across the Vale of White Horse and within the catchment area of the site. This concluded that the bowling green in East Hendred is surplus to requirements in terms of leisure provision locally with there being sufficient capacity available within other clubs to meet current and future demand.

9.3 This concurs with the Council's own Leisure Facility Assessment and Strategy 2024 that future demand for bowls can be met with the existing clubs identified in the strategy (East Hendred not being one of them). The bowling green is therefore considered surplus to requirements and the application would comply with Policy DP34.

9.4 In terms of the proposal the design and scale of the dwelling is considered appropriate for its context. The presence of a building on the site will reduce the openness of the site and the contribution it makes as an open space within the conservation area, and this will lead to less than substantial harm to the conservation area. As such the public benefits of the proposal should be weighed against the level of harm identified. The level of harm is considered to be at the lower end. The provision of new housing and of self build housing, given there is a shortfall of this type of provision, are public benefits. The proposal would also not harm neighbour amenity or highway safety and there are no other technical matters that would prevent permission from being granted. Overall therefore in the balance, it is considered that the public benefits do outweigh the low-level of less-than-substantial harm and there is no grounds to justify refusal of the application. Planning permission is therefore recommended to be granted.

9.5 Abbreviated versions of the recommended conditions are listed below and shown in full in Appendix 1.

### 10.0 **RECOMMENDATION**

#### **Planning Permission**

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

#### **Pre-commencement**

- 3. Drainage Details (surface water)**
- 4. Schedule of Materials**

5. Landscaping scheme
6. Boundary details
7. Car parking and turning plan

**Pre-slab level**

8. Ecological enhancements – bird and bat boxes

**Pre-occupation**

9. Bicycle storage

**Compliance**

10. Obscured glazing to rooflight on south elevation
11. Removal permitted development rights for alterations and extensions – Classes A, B C
12. Removal permitted development rights for outbuildings – Class E

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## Appendix 1

### Recommended Conditions (full text):

Sequence	Description	Details
1	Commencement 3 yrs - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, HTS-TCP-01D, 015.00C, 016.00B, 010.01B, 011.01B, 012.01, E001.01F, E005.01G and 005.01J, except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Drainage Details (Surface Water)	<p>Prior to the commencement of development, a full surface water drainage scheme based on full infiltration unless evidenced exhausted, including details of the size, position and construction of drainage works, shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall be designed on percolation testing results and to accommodate a 1 in 100 year storm + 40% Climate Change and shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved.</p> <p>Reason: To ensure the proper provision of surface water drainage and to ensure that the flooding is not exacerbated in the locality. (Policy CP42 of the adopted Local Plan 2031 Part 1).</p>
4	Schedule of Materials	<p>Prior to the commencement of development, a schedule of all materials to be used externally in the construction shall be submitted to and approved in writing by the Local Planning</p>

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		<p>Authority. The development shall be built using only the approved materials.</p> <p>Reason: In the interest of visual amenity and the setting of listed buildings and the character and appearance of the Conservation Area (Policies CP37 and CP39 of the adopted Local Plan 2031 Part 1 and Policies DP36, DP37 and DP38 of the adopted Local Plan 2031 Part 2).</p>
5	Landscaping Scheme	<p>Prior to the commencement of development a scheme for the landscaping of the site, including the planting of live trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include hard surfacing materials, schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations.</p> <p>The scheme shall be implemented prior to the first occupation of the development hereby approved. Thereafter, the landscaped areas shall be maintained for a period of 5 years. Any trees or shrubs which die or become seriously damaged or diseased within 5 years of planting shall be replaced by trees and shrubs of similar size and species to those originally planted.</p> <p>Reason: In the interest of visual amenity and the setting of listed buildings and the character and appearance of the Conservation Area (Policies CP37 and CP39 of the adopted Local Plan 2031 Part 1 and Policies DP36, DP37 and DP38 of the adopted Local Plan 2031 Part 2).</p>
6	Boundary details	<p>Prior to the commencement of development details of the external boundaries for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be fully completed prior to the occupation of the dwelling.</p> <p>Reason: Reason: To safeguard the amenities of the occupiers of the adjoining properties and the setting of listed buildings and the character and appearance of the Conservation Area (Policies CP37 and CP39 of the adopted Local</p>

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		Plan 2031 Part 1 and Policies DP23, DP36, DP37 and DP38 of the adopted Local Plan 2031 Part 2).
7	Car parking and turning plan	<p>Prior to the commencement of development a car parking and turning plan shall be submitted to and approved in writing by the Local Planning Authority. The parking and turning plan shall include at least 3 car spaces to current parking standards and turning area for the fire tender as shown in the submitted transport statement. Thereafter, the spaces and turning space shall be kept permanently free of any obstruction to such use.</p> <p>Reason: In the interest of highway safety (Policies CP35, CP37 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).</p>
8	Ecological enhancements – bird and bat boxes	<p>Prior to the commencement of the development above new slab level, details (including specification, position, height, orientation) of a scheme of biodiversity enhancements to be provided, shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed in conjunction with a suitably qualified ecologist and bird/bat boxes shall be integrated into the fabric of the development. The biodiversity enhancement features shall be based on the 'Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment' report dated August 2024. Thereafter, the development shall be implemented in full in accordance with the approved details prior to the occupation of the development and retained in situ thereafter.</p> <p>Reason: To secure biodiversity enhancements onsite (Policy CP46 of the adopted Local Plan 2031 Part1)</p>
9	Bicycle storage	<p>Prior to the occupation of the new development, provision for storing bicycles on the site shall be made in accordance with the details which shall first have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To encourage the use of sustainable modes of transport (Policies CP33, CP35 and CP37 of the adopted Local Plan 2031 Part 1).</p>

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10	Obscured glazing to rooflight on south elevation	<p>Notwithstanding any details shown on the approved drawings, the new first-floor rooflight on the south elevation shall be glazed with obscured glass. Thereafter, the rooflight shall remain obscure glazed.</p> <p>Reason: To protect the privacy of adjacent dwellings (Policy DP23 of the adopted Local Plan 2031 Part 2).</p>
11	Removal permitted development rights for alterations and extensions – Classes A, B C	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), the enlargement, improvement or other alteration of any dwellinghouse or its roof as described in Schedule 2, Part 1, Classes A, B and C of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.</p> <p>Reason: To safeguard the amenities of the occupiers of the adjoining properties and the setting of listed buildings and the character and appearance of the Conservation Area (Policies CP37 and CP39 of the adopted Local Plan 2031 Part 1 and Policies DP23, DP36, DP37 and DP38 of the adopted Local Plan 2031 Part 2).</p>
12	Removal permitted development rights for outbuildings – Class E	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the provision within the curtilage of the dwelling of any building, enclosure or swimming pool as described in Schedule 2, Part 1, Class E of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.</p> <p>Reason: To safeguard the setting of listed buildings and the character and appearance of the Conservation Area (Policies CP37 and CP39 of the adopted Local Plan 2031 Part 1 and Policies DP36, DP37 and DP38 of the adopted Local Plan 2031 Part 2).</p>