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| <b>APPLICATION NO.</b>  | P08/E1324                               |
| <b>APPLICATION TYPE</b> | FULL                                    |
| <b>REGISTERED</b>       | 05.01.2009                              |
| <b>PARISH</b>           | CHINNOR                                 |
| <b>WARD MEMBER(S)</b>   | Mr Geoff Andrews<br>Mr Christopher Hood |
| <b>APPLICANT</b>        | Mr David Chavasse                       |
| <b>SITE</b>             | 32 Thame Road Chinnor                   |
| <b>PROPOSAL</b>         | Single storey dwelling in garden.       |
| <b>AMENDMENTS</b>       | None                                    |
| <b>GRID REFERENCE</b>   | 475084/201372                           |
| <b>OFFICER</b>          | Mr T Wyatt                              |

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1.0 **INTRODUCTION**

1.1 This application is referred to Committee as the Officer’s recommendation conflict with the views of the Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as **Appendix A**) comprises part of the large garden associated with an existing bungalow, 32 Thame Road. This bungalow was granted planning permission in April 2003 as a conversion from a redundant storage building. The site is currently a level area of lawn lying between the side elevation of the existing bungalow and the garden boundaries with Number 26, 28 and 30 Thame Road to the south east and south west. There are several young trees within the site and a more mature Walnut in the north western corner.

2.0 **THE PROPOSAL**

2.1 The application seeks permission for the construction of a new single storey dwelling within part of the existing garden area of 32 Thame Road. The proposed dwelling would be 8 metres deep, 11 metres wide and 5.5 metres high and would comprise three bedrooms. The design of the dwelling is simple and the proposed materials would comprise red brick and clay tile to match the existing bungalow. A rear garden of approximately 23 metres wide and 9 metres deep would be provided for the proposed dwelling whilst a large garden area would be retained to the rear of the existing bungalow. Access would be via the existing private drive serving Number 32.

2.2 A copy of the plans and design and access statement accompanying the application are **attached** as Appendix B.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Chinnor Parish Council** – The application should be refused: ‘overdevelopment-shared drive a concern. Extending village envelope’.

3.2 **OCC Highway Liaison Officer** – No objection subject to a condition requiring the retention of parking and turning facilities for two vehicles.

3.3 **Forestry Officer** – No objections subject to a tree protection condition.

- 3.4 **Contaminated Land Officer** – Conditions to investigate for and, if necessary, remediate any contamination should be attached to any planning permission.
- 3.5 **Waste Management Officer** – Refuse and Recycling provision needs to be made for the collection and storage of waste.
- 3.6 **Environmental Health Officer** – No objections.
- 3.7 **Neighbours** – No correspondence has been received.
- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 P08/E0932/O - Erection of single dwelling in garden of 32 Thame Road. Withdrawn prior to determination on 07 October 2008
- 4.2 P03/N0135 - Change of use from redundant storage building to dwelling. Planning Permission granted on 09 April 2003.
- 4.3 P01/N0209 - Erection of storage building without compliance with Condition 3 of planning permission P99/N0598. (That the building shall be used only for storage purposes in connection with the existing agricultural/retail use as specified in the application and for no other purpose whatsoever). Planning Permission granted on 04 May 2001.
- 4.4 P99/N0598 - Storage building for use in connection with adjoining nursery. Planning Permission granted on 29 September 1999.
- 4.5 P98/N0490/O - Residential development of three houses with garaging off new private drive. Refusal of Outline Planning Permission on 21 October 1998 and appeal dismissed on 18 February 1999.
- 5.0 **POLICY AND GUIDANCE**
- 5.1 Adopted Structure Plan 2016 Policies:  
-G1, G2, G3, T1, T2, T8, H1, H3
- 5.2 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):  
-G1, G2, G6, C1, C4, C9, EP8, D1, D2, D3, D4, D6, D8, D10, H4, H5, H6, T1, T2
- 5.3 Government Guidance:  
-PPS1, PPS3, PPS23
- 5.4 Supplementary Planning Guidance  
-South Oxfordshire Design Guide 2008 (SODG)  
-South Oxfordshire Landscape Assessment (SOLA)
- 6.0 **PLANNING ISSUES**
- 6.1 The planning issues that are relevant to this application are:
1. The principle of the development
  2. The impact on the character and appearance of the site and surrounding area
  3. The impact on the amenity of neighbouring occupiers
  4. Sustainability
  5. Highway considerations
  6. The impact on trees
  7. Other material considerations

### The Principle of the Development

- 6.2 The site lies between an existing bungalow and the rear of two storey dwellings fronting Thame Road. To the north west lies Chinnor Garden Centre, whilst agricultural land lies beyond the boundary of 32 Thame Road to the north east. Planning permission was refused in October 1998 for the construction of three houses on the site for the following reason:

*That the proposal would be contrary to policies G1, G2 and H1 of the Oxfordshire Structure Plan 2011 and policies G1, G5, H6 and H18 of the South Oxfordshire Local Plan. The proposed erection of three detached dwellings would constitute a form of backland development that would extend development onto open land and detract from the open nature and rural character of this site, which lies on the extreme edge of Chinnor.*

- 6.3 An appeal against this refusal was subsequently dismissed. At the time of this application Number 32 Thame Road did not exist and as such the site was entirely open and undeveloped, and development on it would have extended the built up area of the settlement. However, crucially Number 32 does now exist and this dwelling along with its large garden area now marks the edge of residential development in this part of the village. Number 32 is well related spatially to the adjacent residential development and directly abuts the rear gardens of this development. As such the proposed development of land between Number 32 and the rear of Numbers 26, 28, and 30 Thame Road, whilst constituting backland development, would not extend the built up area of the settlement and would therefore not fall to be assessed against Policy H6 of the SOLP, which places a strong restriction on new residential development outside of defined settlement areas. In light of this the principle of the development is now broadly acceptable having regard to Policy H4 of the SOLP.

### The Impact on the Character and Appearance of the Site and Surrounding Area

- 6.4 Policy H4 of the SOLP is a permissive housing policy that outlines several criteria against which this proposal falls to be assessed.
- 6.5 Criterion (i) seeks to ensure that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is a level area of lawn in private use as part of the garden of Number 32. There is no public access to the site and public views over the site are very limited due to the screening effects of adjacent development and trees. The site is not within any sensitive area in terms of its environmental or ecological value.
- 6.6 Criterion (ii) states that the design, height, scale and materials of the proposed development should be in keeping with the surroundings. The proposed dwelling is a modest bungalow in terms of overall floor area and height. It would respect the general design, materials and scale of the existing bungalow at Number 32 and would be subordinate in size, scale and height to the two storey development adjoining the site and fronting Thame Road.
- 6.7 Criterion (iii) seeks to protect the character of the surrounding area. The application site is set behind the existing two storey development fronting Thame Road. The proposed bungalow would be almost entirely screened in public views from Thame Road by the existing development and would also not be readily visible in any other public views. As such the development will not be visually prominent and will not have an adverse impact on the character and appearance of the surrounding area. As

stated above, the development would be in keeping with the character and appearance of the existing bungalow and a repetition of this form of backland development would not be harmful.

- 6.8 Criterion (iv) seeks to ensure that there are no overriding amenity, environmental or highway objections. These issues are assessed under the separate headings below.
- 6.9 Criterion (v) states that if the proposal constitutes backland development, it should not create problems of privacy and access and should not extend the built up limits of the settlement. As outlined above, Officers do not consider that the proposal would extend the built up limits of the settlement. Issues of privacy and access are assessed under the separate headings below.

#### The Impact on the Amenity of Neighbouring Occupiers

- 6.10 The bungalow would only extend to 5.5 metres in height and would be set in approximately 7 metres from the boundary with the garden area of Number 26 Thame Road to the south east and 8 metres from the boundary with the garden areas of Numbers 28 and 30 Thame Road to the south west. The neighbouring dwellings also have reasonably generous garden areas, and the proposed bungalow will not result in any significant overshadowing or overbearing effects on these properties. In addition, overlooking from the dwelling into the adjoining garden areas would be prevented by the existing close board fencing separating the site from the adjoining gardens.
- 6.11 The main impact from the development is on Number 32 Thame Road as the proposed dwelling lies behind the building lines of the existing bungalow and would be in close proximity to the rear and side elevation of the existing property. No windows are proposed in the north east side elevation of the dwelling and as such overlooking towards the existing property would not be significant. A laurel hedge has already been planted on the boundary between the proposed and existing dwellings and in time this hedge will form a substantial boundary between the properties helping to ensure a high level of privacy.
- 6.12 There are windows in the rear elevation of Number 32 and also a conservatory within 8 metres of the proposed development. These windows will lose some light as a result of the development. However, the proposed dwelling due its modest size and height would not be unduly overbearing and would not affect the outlook from the majority of windows and rooms associated with the existing dwelling. Number 32 would still benefit from a large rear garden, the majority of which would be similarly unaffected.
- 6.13 The rear of Number 32 would overlook part of the front, and the blank side elevation of the proposed dwelling. The proposed rear garden for the dwelling would be of reasonable size, and would comply with the standards outlined in the SODG, and this area would be protected from any significant overlooking from neighbouring dwellings.

#### Sustainability Issues

- 6.14 The Design and Access Statement states that the dwelling will achieve Code Level 1 of the Code for Sustainable Homes, as sought through the guidance contained within the SODG. A number of measures are proposed for the efficient use of energy and water, including high levels of insulation, restricted flow taps, underfloor heating, clothes drying facilities in the garden, and highly efficient white goods. These measures can be secured by condition.

### Highway Considerations

- 6.15 The proposal will use the existing access drive to Number 32, which is only wide enough for a single vehicle. The proposal includes parking space for 2 vehicles to the front of the dwelling and turning would be available on the access drive. The Highway Authority has commented that the development is unlikely to have a material impact on the highway and that the visibility at the access is acceptable.

### Impact on Trees

- 6.16 The proposal will require the removal of several young plants, which do not make a significant contribution to the site or surrounding area in visual or environmental terms. A more significant walnut tree in the north western corner of the site is to be retained, and this tree will continue to make a positive contribution to the appearance of the site, and will also help to soften the development when approaching from the private access road and when viewed from the neighbouring dwellings to the south west. The Council's Forestry Officer has not raised any objections to the proposal.

### Other Material Considerations

- 6.17 Taking a precautionary approach to the issue of contamination, the Council's Contaminated Land Officer has requested that conditions be imposed on any planning permission to require the investigation and, if necessary, remediation of any contamination on the site.
- 6.18 Due to the narrow nature of the access road there is limited space for the provision of a collection point for waste and recyclables. However, space does exist and a condition is recommended that requires details for the management of waste on the site.

## 7.0 **CONCLUSION**

- 7.1 The application proposal is in accordance with the relevant development plan policies and national planning policy, as the proposal would not harm the character and appearance of the site and the surrounding area, and would not be detrimental to the amenity of neighbouring occupiers or highway safety.

## 8.0 **RECOMMENDATIONS**

- 8.1 **That planning permission be granted, subject to the following conditions:**

- 1. Commencement – 3 years**
- 2. Samples of materials to be approved**
- 3. Details of hardsurfacing to be approved**
- 4. Floor levels to be approved**
- 5. Hedge on north east boundary to be maintained at 2 metres high**
- 6. Tree protection measures to be approved**
- 7. Sustainability measures to be approved**
- 8. Retention of parking and turning area**
- 9. Contaminated land assessment to be approved**
- 10. Contaminated land remediation to be approved if necessary during development**

- 11. No new openings in north east or south west elevations**
- 12. Permitted development rights for extensions and outbuildings restricted**
- 13. Details of provisions for refuse and recycling storage and collection to be approved**

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