
SUBJECT DEVELOPMENT APPLICATION REPORTS ITEM 7

REPORT OF Head of Planning & Building Control

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| APPLICATION NO. | P09/W0153/O |
| APPLICATION TYPE | OUTLINE |
| REGISTERED | 27.02.2009 |
| PARISH | WHEATLEY |
| WARD MEMBER(S) | Ms Janet Carr Mr Andrew Hodgson |
| APPLICANT | Mr K Brabbin |
| SITE | 13 Station Road Wheatley |
| PROPOSAL | Demolition of existing dwelling and construction of 2 no. detached dwellings with associated parking. |
| AMENDMENTS | |
| GRID REFERENCE | 459563/205632 |
| OFFICER | Mrs K Gould (W) |

1.0 INTRODUCTION

- 1.1 This planning application is before the Planning Committee as the officer recommendation conflicts with the views of Wheatley Parish Council.
- 1.2 The site lies within the built up limits of Wheatley on the eastern side of Station Road. The site includes no 13 Station Road and its curtilage and land to the rear. There are two accesses to the site one directly from Station Road and the other from Farm Close Road via a garage court which serves properties in Farm Close Road. This part of Station Road is built on a slope with the land rising up from the north towards the south. As a result, no 13 Station Road is sited on a lower level than no 15 Station Road.
- 1.3 A narrow pedestrian footpath runs parallel to the northern edge of the site which separates the site from no 11 Station Road. A line of tall, mature leylandii grow along the northern boundary of the site. A stone wall runs along part of the front (western) boundary. No 15 Station Road lies immediately south of the site and its attached single garage lies on the joint boundary. To the east (rear) of no 13 is an area of land which is currently undeveloped which lies adjacent to the garage court. A copy of an Ordnance Survey extract is **attached**.
- 1.4 The existing character of the area is varied in terms of house type, age and styles. There are also other non residential uses in close proximity to the site. For example – the Railway Inn public house opposite the site the Co op supermarket next to no 15 Station Road.

2.0 PROPOSAL

- 2.1 The application seeks outline planning permission to demolish the existing dwelling at no 13 Station Road and to construct 2 no detached dwellings with associated parking. Access, appearance, layout and scale are to be considered at this stage with only

landscaping reserved to be considered at the reserved matters stage. The building on plot 1 would replace the existing detached dwelling fronting Station Road. The dwelling would be a 3 bed detached dwelling with 2 off street parking spaces within its curtilage. On plot 2, the dwelling would be a 2 bedroom detached dwelling with 2 off street parking spaces. Access to plot 2 would be via Farm Close Road and the access to the garage court serving properties in Farm Close Road.

- 2.2 A similar application was submitted last year and withdrawn in January 2009. A copy of the submitted plans and the supporting statement is **attached**.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Area Liaison Officer – The Local Highway Authority does not wish to object to the granting of outline planning permission. However, a similar application for full planning permission would be subject to a condition requiring parking and turning areas to be provided and retained.
- Conservation Officer – No objection to the demolition of the existing dwelling and the principle of constructing 2 no dwellings on site. Recommends that all roof lights should be omitted/ door details should be changed from flat door hoods to more traditional forms.
- Environmental Health – Contamination investigations to be carried out and remediation works to be carried out if required.
- Wheatley Parish Council – Refuse - Unneighbourly , loss of light, concern over the width of the access road to plot 2 for emergency vehicles, potential congestion on Farm Close Road (a copy of the full comments are **attached**)
- Neighbour Objectors (7) – No change from previous, withdrawn application, parking congestion in Farm Close Road, leaseholders are responsible for any damage to the surface of the forecourt – permission will not be given to plant lorries etc to access during the building process, lack of a bin store, over development, overshadowing, unsympathetic development, noise and disturbance during construction.

4.0 RELEVANT PLANNING HISTORY

- 4.1 P08/W1248/O Demolition of existing dwelling and construction of 2 no detached dwellings with associated parking – Withdrawn 19 January, 2009.

5.0 POLICY & GUIDANCE

- 5.1 Adopted Oxfordshire Structure Plan 2016

G2 – Quality and design of development
EN1 – Landscape character
H1 – The amount and distribution of housing
H3 – Design, quality and density of housing development

South Oxfordshire Local Plan:

- G2 – Protection and enhancement of the environment
G6 – Promoting good design

- EP1 – Preventing of polluting emissions
- D1 – Good design and local distinctiveness
- D3 – Plot coverage and garden areas
- D4 – Privacy and daylight
- H4 – Housing within the built up areas of the larger villages
- H7 – Range of dwelling types and size
- H8 – Dwelling densities
- H12 – Replacement dwellings
- D10 – Waste management
- D8 – Energy, water and materials efficient design

Planning Policy Statements

- PPS3 – Housing
- PPS7 – Sustainable development in rural areas
- PPS23 – Contaminated land

South Oxfordshire Design Guide

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered in the determination of this planning application are:

- i. Is the principle of residential development acceptable on this site?
- ii. If the principle of development is acceptable, does the proposal accord with policy H4 criteria?
- iii. Housing mix
- iv. Sustainability
- v. Encroachment of footpath

Principle of residential development

6.2 Wheatley is one of the larger villages in the District. It has a range of facilities and access to public transport. It is therefore one of the more sustainable locations in the District that, in principle, can accommodate new housing. New development is subject to specific criteria set out in Policy H4 of the SOLP which are discussed below.

Policy H4 criteria

6.3 Policy H4 allows for housing in the larger villages outside the Green Belt provided that:

- (i) **an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt;** The site is currently the residential curtilage of no 13 Station Road together with land to the rear of this property which is currently vacant and unkempt. The site is therefore not an important open space nor an important public view point.
- (ii) **The design, height, scale and materials of the proposed development are in keeping with its surroundings;** The site lies outside but adjoins the Wheatley conservation area where the predominant materials are stone and clay tiles. The proposed facing materials would be stone. This is considered appropriate given the variety of materials used in the locality. In light of the variety of housing styles in the locality, it is not considered that there is any particular design or style of dwelling that should be repeated in respect of the application site. It is therefore considered that the traditional design of the development is appropriate given the context of the surrounding built form. The ridge heights of the proposed new dwellings are not excessive – 7.5m and 7m. No 15 Station Road is a two storey dwelling and is located on a higher level than no 13 due to the gradient up Station Road. The dwellings in Farm Close Road are also two storey and their ridge heights are

- comparable with those of the proposed new dwellings.
- (iii) **The character of the area is not adversely affected;** The majority of the surrounding dwellings are two storey. They consist of a mix of semi detached, detached and terraced dwellings. The existing dwelling at no 13 Station Road and the development off Farm Close Road is relatively modern with little architectural merit. There is a stone wall along the frontage of no 13 Station Road. This is an attractive feature and is to be retained. The scale and design of the proposed dwellings would be in keeping with the varied character and appearance of the surrounding area. The Government's minimum density target for new residential development is 30 dwellings per hectare which is reflected in policy H8 of the SOLP. This proposal constitutes a density of some 28.5 dwellings per hectare. It is considered that any increase in density would not be appropriate in this case given the density of the surrounding development.
- (iv) **There are no overriding amenity, environmental or highway objections; Amenity/environmental** The South Oxfordshire Design Guide advises that minimum garden areas for 2 bed and 4 bed properties should be 50 sq m and 100 sq m respectively. The proposed dwellings would have private garden areas of 50sqm and 125sqm respectively thereby meeting the standard for the 2 bed unit and exceeding the Design Guide standards for the 4 bed unit.
- (v) The property most affected by the proposed development on plot 1 is no 11 Station Road. This dwelling sits perpendicular to Station Road and the narrow pedestrian footpath runs directly along its front elevation. A mature, high row of leylandii trees run along the northern boundary of the site which creates a dark and enclosed space along the footpath and currently adversely affects the amount of light reaching the ground floor and first floor windows of number 11 Station Road. The proposed new dwelling would have minimal impact on the amenity of the occupiers of this property since the single storey element of the development only would be constructed facing no 11. This single storey development would have a half pitched roof which would slope away from no 11 with a modest height of 2.2m closest to the boundary with the footpath rising to 3.8m some 3m from the boundary with the footpath. Given the existing mature leylandii which are on the boundary, this modest, single storey structure will not materially harm the residential amenity of the occupiers of no 11 Station Road. The two storey part of the proposed dwelling would be no closer to no 11 than the existing two storey dwelling. The impact on the occupiers of no 15 Station Road would be minimal given that there are only one small bathroom window proposed facing this property and there would be a gap of some 4m between the side elevation of the new dwelling and the side of no 15.
- (vi) The property most affected by the proposed dwelling in plot no 2 is 3 Hathaways. This property abuts the footpath but has minimal windows facing the development. The new dwelling would have two small dormer windows facing no 2 Hathaways. There would not be any direct overlooking into the dwelling or its private rear garden.
- Highways** Both dwellings would have 2 off street parking spaces which comply with the Council's standards regarding parking. OCC (highways) have raised no objections to the proposed access to the dwellings. Many of the neighbour's objections to the proposal relate to the proposed access to plot 2 which is via Farm Close Road and a garage court maintained by the occupiers of dwellings in Farm Close Road. The garage forecourt is private land and not public highway. The required notice has been served on the owner of the land. However, the two parking spaces for plot no 2 are dependent upon access via this area which is not public highway. Without an

appropriate right of way over this land, the parking spaces would become redundant. Therefore, a condition has been recommended which would require the proposed parking and turning areas to be provided and maintained. Failure to comply with this condition would be a breach of any planning permission. Access by emergency vehicles has also been raised by local residents.

- (v) **If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of settlements.** Plot no 2 constitutes backland development. As referred to above, concerns have been raised by local people over the potential difficulty in accessing the site due to parked cars along the access to the garage court. However, two off street parking spaces have been proposed for this dwelling which, provided they are retained, will not necessitate additional parking in the garage court. The proposal does not extend the built up limits of Wheatley.

Housing Mix

- 6.4 Policy H7 of the South Oxfordshire Local Plan seeks a mix of dwelling types and sizes to meet the needs of current and future households in the district in new residential developments. This proposal would provide 1 no 2 bed dwelling and 1 no 3 bed dwelling thereby providing the required mix of dwelling sizes.

Sustainability

- 6.5 Policy D8 of the South Oxfordshire Local Plan seeks that all new development demonstrates high standards in the conservation and efficient use of energy, water and materials through its siting, landscaping, building design, use of materials, layout and orientation of buildings. The South Oxfordshire Design Guide advises that all new residential development for 4 units or under should reach a one star Code rating up to 2010. In the Design and Access statement accompanying the planning application, it is stated that a number of sustainable features will be incorporated into the architecture of the dwellings including air source heat pumps and passive environmental controls. A condition has been recommended which would require the sustainable features set out in the Design and Access statement to be incorporated in the development and for Code Level 1 (minimum) to be achieved.

Encroachment of footpath

- 6.6 Both dwellings would abut the footpath which runs along the northern boundary of the site. This is well used by local people including school children. This footpath should remain unobstructed. The Parish Council have raised a concern that windows could potentially open over the footpath and cause encroachment of the footpath. A condition has been recommended which seeks to prevent any windows or doors from opening out over the footpath.

7.0 CONCLUSION

- 7.1 The principle of residential development is acceptable on this site. The design and scale of the two new dwellings would be in keeping with the surrounding development and the development would not be unneighbourly.

8.0 RECOMMENDATION

8.1 That Outline Planning Permission be granted subject to the following conditions:

- 1. Commencement - Outline Planning Permission**
- 2. Submission of reserved matters within 3 years.**
- 3. Materials as on plan**
- 4. No windows, doors or other openings**
- 5. Withdrawal of PD (Part 1 Class A) - no extension/alteration**
- 6. Contamination (investigation)**
- 7. Hours of operation**
- 8. External Lighting - Specific**
- 9. Landscaping (including access road and hardstandings)**
- 10. Sustainable features to be incorporated into the approved scheme**
- 11. No encroachment over adjacent footpath**

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