
APPLICATION NO.	P11/E0349
APPLICATION TYPE	Full
REGISTERED	10 th March 2011
PARISH	Chinnor
WARD MEMBERS	Geoff Andrews Christopher Hood
APPLICANT	Mr Gary Paull
SITE	56 Station Road, Chinnor
PROPOSALS	Conversion of existing pool building outbuilding to a dwelling with a replacement double garage using an existing access from Station Road.
AMENDMENTS	None
GRID REFERENCE	475387/200905
OFFICER	Tom Wyatt

1.0 INTRODUCTION

1.1 This application is referred to Committee as the Officer's recommendations 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 the larger part of the existing garden area of 56 Station Road. The outbuilding proposed for conversion is located in the south east corner of the site. Access to this site is via an existing private drive between 54 and 56 Station Road.

2.0 THE PROPOSAL

2.1 The application seeks permission for the conversion of the existing outbuilding to form a four bedroom dwelling. The majority of the accommodation would be provided on the ground floor with the only first floor accommodation being within an existing first floor area of the building. The building would not be extended from its current form and the only external alterations would be alterations to ground floor openings. The rooflights shown within the roofslope are existing.

2.2 The proposal also includes a double garage opposite the building, which would be occupy a similar footprint and be sited in a similar location to an existing outbuilding. Access to the site would be via the existing private driveway and this driveway would also be retained for use by the occupiers of 56 Station Road. Two parking spaces would be provided for use in connection with the existing dwelling to the rear of its garden.

2.3 A copy of the plans accompanying the application are **attached** as Appendix B. Other documents associated with the proposal can be viewed on the council's website through the following link:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P11/E0349&TYPE=Application>

3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Chinnor Parish Council** – Objects as the proposal would ‘constitute backland development and as such would detract from the privacy and amenity to neighbours by reason of increased noise and disturbance. Substandard access which would be detrimental to the safety of users of the Public Highway’.

3.2 **OCC Highway Liaison Officer** – No objections. The proposals involve the intensification of the use of an access but include the closure of a minor access, which is a net benefit.

3.3 **Neighbours** – Two letters received. One correspondent confirms there are no objections to the proposal. The other correspondent states that there were no objections to the original swimming pool building on the understanding that it would not be granted permission to convert it to a separate dwelling. This letter also raises concerns about the shared access being via a narrow drive onto a busy road.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P00/N0467 - Conversion of detached pool building and integral garage to form new 4 bedroomed detached dwelling. Refusal of planning permission on 23rd August 2000 for the following reasons:

1. The proposal would be contrary to policy H18 of the South Oxfordshire Local Plan in that the conversion of this building to a dwelling with no proper road frontage to Station Road would constitute undesirable backland development and as such would detract from the privacy and amenity of No 54 Station Road, the adjacent property, by reason of increased noise and disturbance from the additional activity on the site.

2. The proposal, if permitted would result in the intensification of use of the existing substandard access point which would be detrimental to the safety of users of the public highway so being contrary to Policy G10 of the South Oxfordshire Local Plan.

3. That in dismissing an appeal for a bungalow in 1993 the Inspector stated:

"... I am not satisfied that problems of noise and disturbance arising from the day to day activities of the occupants could be satisfactorily controlled. The Highways Authority has raised no objections to the formation of an access between Nos. 56 and 54 and there is some evidence of limited parking having taken place in the opening in the past, however neither aspect takes account of the unacceptable level of disturbance that would ensue from vehicles and pedestrians passing closely alongside the gardens of those properties.

In my opinion the proposal runs counter to the objectives of both the Rural Area Local Plan, policies G5 and H7, and to the Government's advice given in Planning Policy Guidance (PPG3 para. 26), which state that Tandem development is generally unsatisfactory because of the disturbance and the lack of privacy to the occupants, - that is the position here."

The same issues relate to this current proposal.

The site plan relating to this application is **attached** as Appendix C.

4.2 P96/N0543/RET - Double garage and indoor swimming pool. Planning permission granted on 22nd January 1997.

4.3 P93/N0082/O – New bungalow. Outline planning permission refused on 13th April 1993 and appeal dismissed on 23rd August 1993.

5.0 **POLICY AND GUIDANCE**

5.2 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
- G1, G2, G6, EP2, EP8, D1, D2, D3, D4, D6, D8, D10, H4, H5, T1, T2

5.3 Government Guidance:
-PPS1, PPS3, PPG13, PPS23

5.4 Supplementary Planning Guidance
-South Oxfordshire Design Guide 2008 (SODG)

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 and future occupiers of the development
4. Highway considerations
5. Sustainability
6. Other material considerations

The Principle of the Development

6.2 The site lies within the built up area of Chinnor where the principle of new residential development, including backland development is acceptable having regard to Policy H4 of the SOLP.

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

6.3 The site lies in a backland position and there are limited public views into the site from Station Road. The main public views into the site are from the allotments to the rear. The proposal would not alter the physical appearance of the site to any significant extent with the only external changes to the outbuilding being new and altered window and door openings. The new double garage is sited in a similar location to the existing and is of a modest height and scale in relation to the main building to be converted. The driveway is existing and the additional parking area to the rear of 56 Station Road would not be readily visible in any public views. In light of the above, Officers consider that there will be no significant visual impact that would adversely affect the character and appearance of the site and surrounding area. Therefore, the proposal complies with Criteria (ii) and (iii) of Policy H4 of the SOLP.

The Impact on the Amenity of Neighbouring Occupiers and Future Occupiers of the Development

6.4 As outlined above, the first refusal reason attached to a previous proposal for the conversion of the outbuilding refers to undesirable backland development. This refusal reason was mainly reliant on Policy H18 of the South Oxfordshire Local Plan 1997, which stated, 'backland development which would create problems of privacy and access will not normally be permitted'. Within the current SOLP there is no specific policy solely relating to backland housing development. Instead Policy H4 allows for backland development but when considering the merits of such development Criterion (v) does seek to ensure that backland development does not create problems of privacy

and access.

- 6.5 In light of the above, the Policy concerning backland housing development has not changed significantly since the previous decision and the physical characteristics of the site and its relationship with adjoining properties has also not changed to any significant extent. However, the passage of time since the previous application has meant that the drive serving the site has now been in use for a much more considerable length of time, and it has become an established feature of the site. There are already vehicle movements along the length of the drive up to the existing outbuilding and therefore only the impact of the additional traffic movements as a result of the proposed dwelling need be considered in relation to the impact on the amenity of the neighbouring occupiers, most notably 56 and 54 Station Road.
- 6.6 Since the refusal of the previous application Officers are aware of several other planning permissions for backland housing development both within Chinnor and across the wider District. For example in the local area planning permission has been granted for backland development along Oakley Road in Chinnor. These permissions include a new detached dwelling to the rear of 24 Oakley Road (P09/E0577 approved at Planning Committee on 15th July 2009) and two detached dwellings to the rear of 20 and 22 Oakley Road (P04/E0334 approved 5th May 2004). The site plans associated with these permissions are **attached** as Appendix D.
- 6.7 In light of the long established use of the driveway, the relatively low amounts of additional traffic which will be generated by an additional dwelling and several other permissions for backland development granted since the previous refusal Officers no longer consider that it is reasonable to refuse the application based on the additional disturbance to neighbouring occupiers. The occupiers of 56 Station Road would continue to use the access and drive, and as a result, I do not consider that the use of the drive by the new dwelling would cause any significant detriment to the amenity of the occupiers of this dwelling. Nevertheless, in order to partially mitigate any increased disturbance to the occupiers of 54 Station Road and 56 Station Road it is proposed to provide acoustic fencing to both sides of the drive to limit noise impacts.
- 6.8 The dimensions of the building to be converted would not be altered and as such there would be no change to the physical relationship of the building to adjoining land. In any case the building is located a considerable distance from neighbouring dwellings. All new windows would be at ground floor level and would not overlook adjoining properties to any significant degree. The existing rooflights would remain above eye level and would not afford any overlooking. The proposed garage is also sited a considerable distance from the boundary with neighbouring properties and would have no discernible impact on neighbouring amenity.
- 6.9 The proposed dwelling would benefit from a large open garden opposite, and whilst the existing garden serving 56 Station Road would be shortened it would still be substantially in excess of the minimum garden area required for a property of its type as set out in the SODG. Overall Officers consider that the amenity of the existing properties and that of the occupiers of the proposed dwelling would be sustained at an acceptable level having regard to Policies EP2, D3, D4 and H4 of the SOLP.

Highway Considerations

- 6.10 The second refusal reason attached to the previous application (P00/N0467) relates to the intensification of the access and the subsequent impact on highway safety. The Highway Authority (Oxfordshire County Council) has been consulted on the current application and the Highway Liaison Officer has raised no objections with regard to the

increased use of this access. The previous scheme indicated that the access between 56 and 58 Station Road as well as the main access between Numbers 54 and 56 would have been retained. This would have resulted in the use of two separate accesses either side of 56 Station Road, which are in close proximity. This current scheme proposes that only a single access between 54 and 56 Station Road would be used by both the existing and proposed dwelling. This represents an improvement in highway safety terms.

- 6.11 The proposal would provide sufficient off-street parking for both the proposed and existing dwellings.

Other Material Considerations

- 6.12 The proposed double garage would require the removal of one existing tree of low value. Other trees within the garden area of the proposed dwelling would continue to have a positive impact on the environmental quality of the site, which can be appreciated in views from the adjacent allotments in particular.
- 6.13 There is no evidence of any land contamination on the site and the applicant has completed the council's contaminated land questionnaire, which confirms that contamination is not suspected on the site. As such the proposal accords with Policy EP8 of the SOLP.
- 6.14 A sustainability statement has been submitted with the application. Given that the building already exists and is in domestic use, the ability for additional sustainability measures in relation to the dwelling are limited. However, it is proposed to provide such measures as energy efficient fittings and appliances, a rainwater harvesting system and water butts. As such the proposal complies with the thrust of Policy D8 of the SOLP.

7.0 **CONCLUSION**

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

8.0 **RECOMMENDATIONS**

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

1. **Commencement – 3 years**
2. **Development to be in accordance with approved plans**
3. **Materials for new garage to match the existing outbuilding**
4. **Acoustic fencing to be provided in accordance with details to be approved prior to the first use of the building as a separate dwelling**
5. **Permitted development rights for extensions removed**
6. **No additional windows at roof level in south east and north east elevations**
7. **Sustainability measures to be provided in accordance with the submitted details**
8. **Existing access between 56 and 58 Station Road to be closed prior to the use of the building as a separate dwelling**
9. **Parking and turning areas to be provided prior to the use of the building as a separate dwelling**

Informatives

1. **Possibility of protected species**
2. **Unsuspected contamination**

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