

SUBJECT            **DEVELOPMENT APPLICATION REPORTS**            **ITEM 8**

REPORT OF        Head of Planning & Building Control

<b>APPLICATION NO.</b>	<a href="#">P11/S0014</a>
<b>APPLICATION TYPE</b>	FULL
<b>REGISTERED</b>	19.3.2012
<b>PARISH</b>	CHOLSEY
<b>WARD MEMBER(S)</b>	Mrs Pat Dawe Mr Mark Gray
<b>APPLICANT</b>	Mr Peter S Hitchman
<b>SITE</b>	Land to the rear 6-8 Honey Lane Cholsey, OX10 9NL
<b>PROPOSAL</b>	New single storey dwelling to be built on vacant land off Station Road and to the rear of numbers 6-8 Honey Lane, Cholsey. (As amended by plans received 14 May 2012)
<b>AMENDMENTS</b>	Yes
<b>GRID REFERENCE</b>	458744/186485
<b>OFFICER</b>	Miss S. Green

1.0    **INTRODUCTION**

1.1    This application is referred to the Planning Committee as the officer recommendation conflicts with the views of the parish council.

1.2    The application site is a small parcel of land situated behind Nos 6-10 Honey Lane and Nos 7-9 Station Road within the built up area of Cholsey. The site is shown on the OS extract **attached** as Appendix 1. It is enclosed on all sides by the rear gardens of the surrounding properties. It is accessed via an existing access between Nos 7 and 9 Station Road. The site is a slightly awkward shape due to the position of the various boundaries with surrounding properties.

2.0    **PROPOSAL**

2.1    The proposal is for a single storey 2 bedroom dwelling. The dwelling would essentially be L-shaped with main part of the dwelling facing towards the south west, with a lower rear projection and small porch to the front. The plans have been amended so that the main part of the dwelling would be 5.95m to the ridge with a width of 12.6m and depth of 7.1m. The rear projection would have a height of 5m with a width of 5.6m and depth of 6.5m. The rear projection is slightly set in from the north western side wall, by 0.3m. It is proposed to put solar panels on the front roof.

2.2    The dwelling would be sited such that it would be 1m from the boundary with No 10 Honey Lane. It would be a minimum of 1.1m from the boundary with the rear access behind No 7 Station Road, widening out to 2.3m. It would be 0.9m at its closest point widening to 1m with the boundary with No 4 Honey Lane. The main rear amenity space would 79 sqm.

- 2.3 Two car parking spaces would be provided with a turning space and a space for bin storage. The access would be via the existing access onto Station Road between No 7 and No 9. The proposal also includes erecting a new fence along part of the boundary with No 9 Station Road. The proposed plans are **attached** at Appendix 2. A full copy of the application documents can found on the website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Cholsey Parish Council – Object. Backland development, overdevelopment, unneighbourly, very narrow access, against parish plan

Conservation and Design Officer - Object. Proposal acceptable in design terms. Concerned over the tightness of the development within the plot. Area of very mixed residential development with little discernible grain or building pattern, however majority of houses do face the street. Consider it an overdevelopment.

OCC (Archaeology) - No strong views. Site lies within an area of archaeological potential. Recommend condition to ensure a watching brief is implemented during construction works.

Thames Water - No strong views

OCC (Highways) – No objection subject to condition for parking and manoeuvring areas. Site benefits from existing dropped access. Single track driveway for a single dwelling is a commonplace feature.

Neighbour (7) Object

- Block plan does not show neighbouring houses accurately
- Shoe-horned into site, too large for plot.
- Concerned vehicle movements would cause noise and disturbance. Turning space looks tight
- Rights of way across land to the rear of No 3-7 Station Road and No 10 Honey Lane
- Strong possibility future plans for extension into the roof would be sought.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P06/W0497](#) - Erection of one dwelling with associated alterations to existing access. - Refusal of Planning Permission on 18/07/2006. Refusal reasons were:

1) That, having regard to the two storey nature of the proposal in relation to the neighbouring properties, particularly no 9 Station Road, the proposal would represent an oppressive and overbearing form of development which would be unneighbourly and adversely affect the residential amenity of the occupiers of the neighbouring property and would appear out of keeping in the locality contrary to policies G2, G6, H4 and D1 of the adopted South Oxfordshire Local Plan and to advice set out in the South Oxfordshire Design Guide.

2) In seeking to minimize overlooking of neighbouring properties, the over complex roof form with its multiple hips and the construction of a first floor in a jetty style, the design of the proposed dwelling does not relate to the character of this part of Cholsey and fails to reinforce local distinctiveness contrary to policies G2 and D1 of the adopted South Oxfordshire Local Plan and advice set out in the adopted South Oxfordshire Design Guide.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Local Plan 2011 policies;

- D1 - Principles of good design
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- D8 - Conservation and efficient use of energy
- EP2 - Adverse affect by noise or vibration
- G2 - Protect district from adverse development
- G6 - Appropriateness of development to its site & surroundings
- H4 - Housing sites in towns and larger villages outside Green Belt
- T1 - Safe, convenient and adequate highway network for all users

South Oxfordshire Design Guide 2008  
NPPF

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations in respect of this proposal are the following:

**Principle of development**

- 6.2 The site lies within the built up area of Cholsey therefore housing policy H4 is the relevant policy. This is permissive of new housing development within the built up areas of the larger villages outside the Green belt, therefore the overall principle of the development is acceptable. Permission is however subject to it satisfying the sub criteria of the policy, which are considered below.
- 6.3 The NPPF also states that housing applications should be considered in the context of the presumption in favour of sustainable development.

**Loss of open space**

- 6.4 The site is currently overgrown with views from public areas confined to those down the access route. The site is not considered an important open space of public or environmental value. It would therefore comply with i) of H4.

**Design and scale**

- 6.5 The building is simple in its form and design. The materials are considered appropriate. In terms of design the dwelling is considered acceptable.
- 6.6 The plot is not a regular shape. It is narrower at the point of access and widens out further back. The development has been designed to fit the plot and make best use of the space. This has resulted in the dwelling being sited close to the site boundaries. Whilst the building does occupy a large proportion of the plot and is close to its boundaries, more than adequate amenity space will be provided, 75sqm for the two bed dwelling (the SODG recommendation is 50sqm) and the appropriate number of parking spaces can also be provided. It is noted the conservation and design officer considers it to be an overdevelopment of the plot however given the development can meet and accommodate the requirements for parking and amenity space in a satisfactory way, in your officers view, it would be difficult to sustain that the proposal is an overdevelopment of the plot on this basis. It is acknowledged the size of the dwelling in terms of footprint is at the upper limit of what could be considered acceptable here, however this needs to be balanced with the fact that the building is single storey and therefore is likely to have a larger footprint than a two storey dwelling. The future development of the plot can be controlled by removing permitted development rights

from the dwelling for extension and the erection of outbuildings within the garden. On balance therefore the proposal is considered to be acceptable in this regard.

**Character of the area**

- 6.7 The surrounding built form is varied with a mixture of building type and designs. There is little grain or building pattern, although it is acknowledged the majority of houses do generally face the street. The development will not be visible from Honey Lane. The only place the development would be visible from is Station Road through the gap between No 7 and No 9. The gap between these houses is not part of an important view within the village. The general character of the area is one of buildings of various design and form. Against this background your officers consider that the building would assimilate satisfactorily within the surrounding built form. It is therefore considered that the character of the area will not be adversely affected.

**Neighbour amenity**

- 6.8 The dwelling would be a minimum of 1m off the boundary to the north west, widening out to 2.3m. On the other side of this boundary runs a rear access to the Nos 3 to 7 Station Road and then the garden of No 7. No 7 is set away around 8-9m from the boundary. The rear projection of the proposed dwelling would have a maximum ridge height of 5m. This ridge height would be set further away from the boundary with the roof sloping down to an eaves height of 2.4m close to the boundary. Given the distances and heights your officers do not consider that the dwelling would have an oppressive or overbearing effect on No 7. There are no openings proposed in the roof, thereby there would be no overlooking towards No 7 and this can be maintained by imposing a condition withdrawing rights for openings in the roof.
- 6.9 To the north east the dwelling would be around 1m off the boundary with No 4 Honey Lane. The property at No 4 is 24m away from this boundary. The proposed dwelling would not have any material impact upon the amenities of the occupiers of this dwelling. The plans have been amended to move the proposed house off the shared boundary line. Similarly the properties of Nos 6 and 8 Honey would be over 25m away from the proposed dwelling and would not be materially affected by the proposed development.
- 6.10 To the south east, the dwelling would be sited 1m off the boundary with the rear garden of No 10 Honey Lane. Similarly to the other properties on Honey Lane, the property at No 10 would be around 30m from the proposed dwelling and would not be materially affected by the development. To the south, the area where the parking is proposed to go would be next to the boundary of No 14 Honey Lane. No 14 has a large outbuilding along this boundary. They would not be materially affected by the development.
- 6.11 To the south west the front of the dwelling would face towards the rear garden of No 9 Station Road. Currently this boundary is a brick wall with a trellis above. Views from the site are therefore currently possible into the rear garden of No 9. The amended plans have included erecting a standard 1.8m fence along this boundary (such a fence could be erected currently under permitted development rights). The fence would overcome the overlooking into No 9's garden and can be ensured by imposing a condition requiring the fence to be erected prior to the occupation of the dwelling and retained.
- 6.12 There are currently across the site 2 private rights of way. One to the rear access behind No 3 to 7 Station Road and one to the rear of No 10. A number of the neighbouring occupiers have objected to the loss of these rights of access across the site. Notwithstanding that private rights of way are not a planning issue and therefore the impact upon them cannot be considered, the plans show that access to these will be maintained by the proposal.

**Archaeology**

- 6.13 The County Archaeologist has advised that the site lies in an area of archaeological potential and has therefore recommended that a watching brief is maintained during the period of construction. This can be ensured by condition.

**Highway**

- 6.14 The Highway liaison officer has no objection to the scheme. He comments that the site benefits from an existing dropped access already and that any existing uses of the site would generate similar trip numbers to the proposed dwelling. The proposal has two parking spaces which is the number required for the size of development. Subject to a condition to retain the parking and turning area it would have an acceptable impact on the highway.

**Sustainability**

- 6.15 The D&A statement sets out a number of sustainability measures that will be incorporated into the dwelling. These include installing an underground rainwater harvesting tank in the garden and solar panels on the roof. The dwelling has also been orientated such that the main living areas are located on the south and south west side of the dwelling to make best use of the natural sunlight. As such the development would comply with policy D8.
- 6.16 The site also lies within one of the larger settlements in the district where the development plan seeks to direct new housing development towards, as it is one of the more sustainable locations within the district. In this regard the development would meet with the objectives set out in the NPPF.

**Backland development**

- 6.17 Criteria v) of H4 requires that a backland proposal does not create problems of privacy and access. As already advanced above the development would not overlook any neighbouring properties or be overbearing or oppressive to any of them.
- 6.18 No 9 and 11 Station Road have objected on the grounds of noise and disturbance from the access and parking arrangements to the proposed dwelling. The access and parking to the dwelling would run alongside the south western boundary and it is acknowledged that the sound of a car entering the site may potentially be heard from the adjoining gardens. However the site has an existing access and therefore vehicles can enter the site currently. It is considered that the movements associated with one dwelling are unlikely to cause undue disturbance to the surrounding properties. The proposal does however propose erecting a fence along the boundary which would contribute to mitigating any potential disturbance to No 9 which would be the most affected. Also of relevance is the previous application in 2006. This was for a two storey dwelling on the same site. This application was refused on the basis that its two storey nature would be overbearing and un-neighbourly, and the design of the dwelling, with its jetty style first floor, did not relate to the character of the area. The development of this backland site in principle or in terms of disturbance did not form a refusal reason.
- 6.19 It is acknowledged that this proposal is a finely balanced application. It will provide a small dwelling in a sustainable location. The awkward shape of the plot and its relationship to surrounding properties means a single storey dwelling only is acceptable here, and this has inevitably resulted in a slightly larger footprint for the building. It has however been demonstrated that the dwelling can be set off its boundaries, will have enough parking and amenity space for its size and has been designed to not be overbearing or overlook neighbouring properties. On this basis the proposal is considered on balance to be acceptable and in accordance with the relevant policies of

the development plan.

**7.0 CONCLUSION**

7.1 The application is therefore recommended for approval as it complies with the relevant policies of the development plan. It would not adversely affect the character of the area or the amenities of surrounding neighbouring occupiers. It would provide a new dwelling in a sustainable location.

**8.0 RECOMMENDATION**

8.1 **That planning permission is granted subject to the following conditions:**

1. **Commencement 3 yrs - Full Planning Permission**
2. **Planning condition listing the approved drawings**
3. **Details of slab levels relative to adjoining land**
4. **Sample of external materials for the walls and roof to be submitted for approval**
5. **Withdrawal of Permitted Development Rights Classes A -E**
6. **Parking & Manoeuvring Areas Retained**
7. **Landscaping Scheme (trees and shrubs only)**
8. **Erection and retention of fence along boundary with No 9 Station Road**
9. **Archaeology – submission of watching brief prior to commencement**
10. **Archaeology – implementation of watching brief and submission of findings**
11. **Hours of operation - construction/demolition sites**

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