

APPLICATION NO.	P16/S1971/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	28.6.2016
PARISH	GARSINGTON
WARD MEMBER(S)	Elizabeth Gillespie
APPLICANT	Mr Simon Edwards
SITE	4 Elm Drive Garsington, OX44 9AG
PROPOSAL	Demolition of existing internal and external walls and the erection of a replacement dwelling.
AMENDMENTS	As amended by drawings received 11th August 2016, to reduce the ridgeline and the width of the first floor element (As amended by drawings received 12th September to amend the roof)
GRID REFERENCE	457424 / 202781
OFFICER	Roseanne Lillywhite

1.0 **INTRODUCTION**

1.1 This application has been referred to planning committee because the views of Garsington Parish Council differ from the officer's recommendation.

1.2 Number 4, which is shown on the OS extract **attached** at Appendix 1, is currently a 3-bedroom bungalow fronting onto Elm Drive. The property has a small front garden area and front driveway.

1.3 The property falls within the Oxford Green Belt.

2.0 **PROPOSAL**

2.1 The proposal involves the demolition of the majority of external and internal walls of the existing bungalow (as confirmed by Demolition plan drawing 08 Rev 01), and the erection of a new two storey dwelling.

2.2 The scheme has been amended to reduce the height and width of the first floor and also the roof has been amended to be fully pitched.

2.3 The plans accompanying the application are **attached** at Appendix 2. Full copies of the supporting documentation and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Garsington Parish Council – Objection – not in-keeping with the row of bungalows

Forestry Officer - No objections subject to condition

OCC (Highways) - No objections subject to conditions

Neighbour - Object (96 Oxford Road) – harmful impact upon loss of light and privacy and not in-keeping with the established street scene

Neighbour Object (90 Oxford Road) – encroachment of development, overlooking by high level windows and concerns proposal is to make profit.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P90/N0625](#) - Approved (22/10/1990)

Extension to enlarge main bedroom, provide en suite bathroom and provide a dining room.

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy policies;**

CS1 - Presumption in favour of sustainable development

CSEN2 - Green Belt protection

CSQ3 - Design

5.2 **South Oxfordshire Local Plan 2011 policies;**

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

D4 - Reasonable level of privacy for occupiers

G2 - Protect district from adverse development

GB4 - Openness of Green Belt maintained

H4 - Housing sites in towns and larger villages outside Green Belt

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008

5.3 **National Planning Policy Framework**

National Planning Policy Framework Planning Practice Guidance

6.0 **PLANNING CONSIDERATIONS**

6.1 **The main issues in the consideration of this application are;**

- **The principle of development in terms of housing policy**
- **Impact upon the Green Belt**
- **Impact on character of the area**
- **Impact upon the amenities of the occupants of nearby properties**
- **Parking provision**

6.2 **The principle of development in terms of housing policy**

The proposal is a replacement dwelling. The supporting text to saved Policy H12 of the South Oxfordshire Local Plan 2011 (SOLP), which allows for replacement dwellings outside settlements, states that, “permission will normally be granted for replacement dwellings, subject to amenity, environmental and traffic considerations.”

These issues will be covered in more detail below.

6.3 **Impact upon the Green Belt**

The fundamental aim of Green Belt policy is to prevent urban sprawl, by keeping land permanently open. This is set out in Section 9 of the National Planning Policy Framework (NPPF). This states the five purposes of the green belt, which are the following;

- to check the unrestricted urban sprawl of large built-up area
- to prevent neighbouring towns merging into one another
- to assist in safeguarding the countryside from encroachment
- to preserve the setting and special character of historic towns

- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

In addition there is the presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt.

6.4 The NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt, except for the following purposes;

- agriculture and forestry
- appropriate facilities for outdoor sport and outdoor recreation, for cemeteries and other uses of land which preserve the openness of the Green Belt and don't conflict with the purposes of including land in it
- **the extension or alteration of a building where is it the same use as the existing and is not materially larger**
- limited infilling in village, and limited affordable housing for local community needs under policies set out in the Local Plan or;
- limited infilling or partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The first step in assessing the impact on the Green Belt, is to consider whether the proposal constitutes inappropriate development or not. If it is established that the development is not inappropriate, then the second step is to consider whether the development harms the openness of Green Belt. As the proposal relates to a replacement dwelling, I consider it can be considered under the highlighted section above. However, if the dwelling was not a replacement, but was a new dwelling, this would be considered as an infill plot, and therefore also acceptable. This is because it is closely surrounded by buildings in a village where infill is acceptable in principle.

6.5 **Impact upon openness** - In the context of the wider visual amenity of the Green Belt, the position of the proposed dwelling within the built-up frontage of Elm Drive, will not, in my opinion, mean that the wider openness of the Green Belt will be materially harmed. It is noted, however, that the erection of a two storey dwelling, as a replacement to a bungalow, will have some impact upon openness. However, the NPPF does not consider infill or replacement of existing buildings, to be inappropriate forms of development. As such, there is an acceptance that there will some limited impact as a result of having new buildings.

6.6 **Impact on character of the area.**

The design and materials of the replacement dwelling are in-keeping with the character of Elm Drive and match closely with the original bungalow. Amended plans were sought to reduce the height of the new dwelling which has reduced the impact upon the street scene. The roof has also been amended to be fully pitched rather than the originally submitted part flat roof. This has also reduced the bulk of side views of the property and has reduced the depth at the rear. Consideration has been given to the fact, that Elm Drive comprises a variety of property types from bungalows to two storey detached and semi-detached properties. The street scene is therefore, not materially harmed by the addition of the proposed two storey dwelling.

6.7 **Impact upon the amenities of the occupants of nearby properties**

Comments have been received from occupiers of two neighbouring properties which are located along Oxford Road, and adjoin the application site. A summary of their concerns are listed below;

6.8 **96 Oxford Road**

- loss of privacy and light
- not in-keeping with bungalows along Elm Drive

6.9 **90 Oxford Road**

- encroachment of development
- overlooking by high level windows
- concern dwelling is to make a profit

I will take each point in turn below;

6.10 **Loss of privacy and light**

The property of 96 Oxford Road lies to the side of the proposal, so its rear garden backs onto the south west of the application site. The upper floor side facing windows will be obscure glazed, so there would be no issue of privacy loss. With regards to loss of light, the proposal will extend just over a metre beyond the existing bungalow and the ridge has been considerably reduced in height in order to minimise the impact upon this neighbour. Therefore, in my opinion, there would be some loss of light, but this is not significantly harmful to refuse the planning permission. However, conditions to remove all permitted development rights will be added to this permission, to restrict future extensions to the dwelling to protect neighbour amenity.

Not in-keeping with bungalows along Elm Drive

As mentioned in section 6.8 of this report, Elm Drive contains a mixture of two storey properties and bungalows. Whilst it is noted, the two adjoining properties are bungalows, in the wider street scene, there is a two storey property at number 8 Elm Drive and further up the road lies a row of 10 semi-detached properties. Opposite the proposal is a bungalow, but two along from this is another two storey property. Therefore, I consider the location of a two storey property acceptable in this location, as there is clearly a mix of properties along Elm Drive.

Encroachment of development

This is an existing residential area and as covered above, the principle of infill or replacement dwellings is acceptable in this location.

Overlooking by high level windows

As covered above in section 6.11 the upper floor side facing windows will be obscure glazed. Overlooking concerns are raised by the occupier of number 90 Oxford Road, which is located to the rear of the proposal. However, this property is located a distance of over 32 metres away from the boundary and at this distance, I do not consider there would be any privacy issues.

Concerns dwelling is to make a profit

This is not relevant to this application, as the council has a duty to assess a proposal on its own merits against council policies, so we cannot take into account the intentions of the applicant.

6.11 **Parking provision**

The council's standards set out in Appendix 5 of the SOLP, state that for a 4 + bedroom property, the maximum number of off-street parking spaces is 2+ spaces. The submitted Block plan clearly shows there will be two spaces available with the integral garage creating a third space. In conjunction with the attached conditions, to ensure the parking shown is implemented, if permission is granted, the proposal meets with the council's standards.

6.12 **Community Infrastructure Levy (CIL)**

The council's CIL charging schedule has recently been adopted and will apply to relevant proposals from 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development.

The CIL charge applied to new residential development in this case is £150 per 140 square metres of additional floor space (Zone 1). 15% of the CIL payment will go directly to Garsington Parish Council (in the absence of an adopted Neighbourhood Plan) for sending towards local projects.

7.0 **CONCLUSION**

7.1 It is recommended that planning permission is granted, because the development is a replacement dwelling in a settlement where such development is acceptable. The development is also acceptable in terms of its impact upon the overall street scene and not materially harm the openness or visual amenity of the Green Belt and will not be unneighbourly.

Conditions are proposed relating to highways matters and landscaping, to ensure adequate parking provision is provided and trees are provided to help screen and soften the proposal. Subject to these conditions, the proposal accords with the relevant development plan policies.

8.0 **RECOMMENDATION**

8.1 **To grant planning permission subject to the following conditions:**

1. **Commencement three years - full planning permission.**
2. **Approved plans.**
3. **Sample materials required (walls and roof).**
4. **Parking and manoeuvring areas retained.**
5. **No garage conversion into accommodation.**
6. **Landscaping Scheme (trees and shrubs only)**
7. **Withdrawal of permitted development rights (part 1 classes A, B and C – no extensions etc.)**
8. **Withdrawal of permitted development rights (part 1 class E – no buildings etc.)**

Author: Roseanne Lillywhite
Contact no: 01235 422600
Email: planning@southoxon.gov.uk

This page is intentionally left blank