

APPLICATION NO.	P16/S2045/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	29.6.2016
PARISH	CHOLSEY
WARD MEMBER(S)	Jane Murphy & Pat Dawe
APPLICANT	Mr & Mrs Robinson
SITE	1 Sandy Lane, Cholsey, OX10 9PY
PROPOSAL	Proposed new detached dwelling.
AMENDMENTS	As amended by drawing nos PL01A, 2A, 3A, 4A, 5A and 6A received on 14 September 2016.
GRID REFERENCE	458533/186250
OFFICER	Marc Pullen

1.0 INTRODUCTION

1.1 The site (which is shown on the OS extract **attached** as Appendix A) lies to the east of 1 Sandy Lane and is curtilage to this property. The site falls within the built up limits of Cholsey and does not belong to any designated area of land.

2.0 PROPOSAL

2.1 This application seeks full planning permission for the erection of a one and a half storey, two bedroom dwelling on the plot of land adjacent to 1 Sandy Lane. Parking spaces for two cars are provided for the new dwelling and 1 Sandy Lane; in addition 1 Sandy Lane would benefit from a single garage.

2.2 A copy of all the amended plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Cholsey Parish Council – Object

- Concerns as to how the decommissioned oil tank, mentioned in the application, is to be dealt with
- Developing this plot would mean the loss of an important open space
- The dwelling should not be used towards the housing land supply issues.
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Highways Liaison Officer (OCC) - No objection, subject to condition

County Archaeological Services) - No objection

Health and Housing (Contaminated Land) – No details of contamination, condition attached which requires investigation and potential remediation of contaminants

Neighbours – No strong views (2)

- Concern with the possible use of close board fence, which would restrict parking and be out of keeping with street scene
- Concerns that the proper procedure is followed when dealing with the redundant oil tank and any contaminated land on the plot, ground survey of the site is requested and results should be shared with neighbour
- Concern about possible indiscriminate parking on road if not enough parking provided on site

Neighbours – Object (1)

- Loss of privacy – neighbour is concerned that their existing side facing window would be able to overlook garden area and proposed kitchen windows
- The new dwelling would be restricted of light by neighbour to the south and their trees
- Neighbour would be faced with a property directly bordering

4.0 RELEVANT PLANNING HISTORY

4.1 [P66/R3425](#) - Approved (09/06/1966)

Proposed underground oil storage tank and distribution system

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework & National Planning Practice Guidance

5.2 South Oxfordshire Core Strategy 2012 policies;

CS1 - Presumption in favour of sustainable development

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

5.3 South Oxfordshire Local Plan 2011 policies;

C9 - Loss of landscape features

CON11 - Protection of archaeological remains

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

D10 - Waste Management

EP8 - Contaminated land

G2 - Protect district from adverse development

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

5.4 South Oxfordshire Design Guide SODG 2016

5.5 Cholsey Neighbourhood Plan – emerging (area designation). Limited weight at this stage.

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in this case are;

- Principle of residential development
- Impact on character and appearance of surrounding area
- Impact on the amenity of neighbour
- Highway implications
- Contaminated land

Principle of residential development

6.2 The site lies within the built up limits of Cholsey and in this location the principle of residential development is largely governed by Policy CSR1 of the South Oxfordshire Core Strategy (SOCS), which allows new housing on suitable infill sites within the village. The SOCS defines infill as the filling of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings. The SOCS defines Cholsey as a larger village, and in accordance with Policy

CSS1 the overall strategy is to support and enhance larger villages as they are considered to have sufficient services.

- 6.3 Officers consider the proposed location meets this definition since the proposed dwellings would occupy a small gap along a built up frontage and would be closely surrounded by other buildings. Proposals for residential development which are found to be acceptable in principle must also meet the criteria set out within Policy H4 of the South Oxfordshire Local Plan (SOLP) and other design policies and guidance.

Impact on character and appearance of surrounding area

- 6.4 The National Planning Policy Framework (NPPF) confirms a requirement for good design. The National Planning Practice Guidance (NPPG, 2014) elaborates on the NPPF, stating that: *“new development should look to respond appropriately to the existing layout of buildings, streets and spaces...there may be an existing prevailing layout that development should respond to and potentially improve”* (Para 24).
- 6.5 Having regard to criterion (i) of Policy H4 of the SOLP, the site currently lies vacant but has a decommissioned underground oil tank underground. The Parish have objected to the proposal on the grounds that the site is an important open space. However the site is not considered to be open or to contribute to an important public view or to the character of the area, the site is bounded by residential development with open land to the rear. The existing site is overgrown and, in officers opinion, untidy. As such officers do not consider the site contributes positively to the built up area and the development would go some way to improving upon the existing state of the site. It is not considered that the development conflicts with Policy H4, criterion (i).
- 6.6 Criterion (ii) and (iii) of Policy H4 seeks to ensure that design, scale, height and materials of all new dwellings are in keeping with its surroundings and that the character of the area is not harmed by proposals for new dwellings. The scheme has been amended during the application process and has departed from a modern design to a more ‘traditional’ design, which has drawn from local vernacular. The height of the dwelling would be no greater than the immediate neighbours, 1 Sandy Lane and 68 Station Road. The general appearance and scale of the dwelling is typical of the immediate area, with a number of chalet style bungalows/one and a half storey bungalows and the materials proposed would be conditioned to ensure the best use of materials to respect the surrounding area.
- 6.7 The immediate area is characterised for having linear plots which front the highway with private amenity gardens to the rear. This proposed dwelling would keep to the building line of these dwellings but would have its private amenity area to the side of the dwelling, owing to its corner position between Sandy Lane and Station Road.
- 6.8 Whilst the plot is small in comparison with surrounding neighbouring plots, it would be proportionate to the size of the dwelling proposed and secures adequate levels of off street parking and private amenity space in accordance with council guidance. Officers do not consider the development to represent overdevelopment as the proposal would provide adequate amenity space; an area of 50 square metres is require for 2-bedroom dwelling houses as identified within the South Oxfordshire Design Guide (SODG). The retained garden space for no.1 Sandy Lane would be approximately 130 square metres, which is sufficient in accordance with the SODG which advises a private garden area of 100 square metres or more for 3 and above bedroom dwelling houses. As such, despite the loss of this piece of land for the proposed development the amenity area of the host dwelling would not be materially compromised. The parking arrangement/orientation is characteristic of the immediate surrounding area, the details of parking and highway concerns are discussed later in this report.

- 6.9 Officers consider that, despite the plot being small in comparison to the surrounding area, the development has sought to appropriately draw from local built form and character to ensure that the development is not materially harmful to the prevailing character of either Station Road or Sandy Lane. But whilst not directly in keeping with the surrounding area, the development does compliment local character.

Impact on neighbours

- 6.10 Council policies and guidance seek to ensure all new dwellings should be designed and laid out so as to avoid any adverse harm to the amenity of neighbours. The proposed dwelling has been designed as to avoid any direct overlooking by windows, to secure reasonable levels of privacy for neighbours. Sufficient distance lies between this proposed dwelling and the other properties along Sandy Lane, with adequate window to window distancing; the closest property being some 25 metres away which is in accordance with the SODG.
- 6.11 The impact of the proposed dwelling on neighbouring properties' access to daylight and sunlight will be minimal. Neighbouring 1 Sandy Lane has one side facing window but this serves a stairwell/landing area. Any loss of light to this window would not be considered adverse therefore. Neighbouring 68 Station Road lies south to the site and therefore natural sunlight is unlikely to be adversely obstructed by the new dwelling.
- 6.12 The neighbour at 68 Station Road has raised objection to the development, citing concerns with the proximity of the dwelling on the shared boundary. Officers are mindful of this concern have visited the neighbour to assess the perceived harm. The proposed new dwelling would be built partially against the boundary to neighbouring 68 Station Road but runs linear along the partitioning fence. The proposed dwelling would appear 4.5 metres above the fence line but would be mostly set away from this fence. The proposed roof form would ensure that the overall massing of the roof would not be felt by the neighbour. They will be faced with a gabled aspect to the north-western part of their garden, but this would be set back by 1.8 metres. This gable is blank, with a false window to introduce some character. Overall the proposed dwelling would be sited sufficiently far away enough from neighbouring 68 Station Road as to avoid any adverse overbearing or oppressive harm to their rear facing habitable rooms and rear garden area.

Highway implications

- 6.13 The Council's policies and guidance seek to ensure that in determining planning applications, the Council should, in consultation with the local highway authority, ensure that new developments are designed to a standard that ensures a safe and attractive environment and does not result in an unacceptable level of traffic on the local highway network or have a detrimental impact on the amenities and environment of the area. Policies H4, T1 and T2 of the SOLP seek to ensure among other things that all developments make provision for safe and convenient access to the highway network and be served by an adequate road network. Development should provide for sufficient parking and access arrangements in accordance with the Council's parking standards.
- 6.14 The local highways authority raises no objection to the amended scheme, subject to conditions to retain off street parking spaces and the integral garage for parking purposes. Adequate parking (2 spaces) can be provided by this development, in accordance with the recommended guidance within the SODG (2 spaces), to ensure the development does not adversely harm the highway or lead to indiscriminate on-street parking.

Contamination

- 6.15 Concern has been raised by neighbours regarding the decommissioned oil tank underground on site. Policy EP8 of the SOLP seeks to ensure that development on contaminated land is not permitted unless the contamination is effectively treated by the developer to prevent any harm to human health and the wider environment. Officers are mindful of the potential threat that this decommissioned oil tank could pose on future occupiers and neighbours. As such a condition is suggested to investigate and potentially remediate the impact of contaminants on this site, before and during development.

Community Infrastructure Levy (CIL)

- 6.16 The council's CIL charging schedule has recently been adopted and has applied to relevant proposals since 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 square metre of floor space (Zone 1). Of that, 15% of the payment should go directly to Cholsey Parish Council (as they do not have a made Neighbourhood Plan) for spending towards local projects. In this instance, the internal floor space of the dwelling is liable to pay CIL.

7.0 **CONCLUSION**

Planning permission should be granted because Cholsey is a sustainable location for new residential development and the principle of residential development is considered acceptable on this site. Subject to the attached conditions the proposal would not be harmful to the character and appearance of the site and surrounding area, the amenity of neighbouring occupiers and would not result in any adverse or severe harm to the users of the highway. As such, the proposal accords with the 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. **Schedule of materials.**
4. **Parking and manoeuvring areas retained.**
5. **No surface water drainage to highway.**
6. **No garage conversion into accommodation.**
7. **Contamination (preliminary risk assessment).**
8. **Withdrawal of permitted development rights.**

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