

APPLICATION NO.	P16/S2902/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	26.8.2016
PARISH	HORSPATH
WARD MEMBER(S)	Elizabeth Gillespie
APPLICANT	Mr Trevor Puttock
SITE	2 Gidley Way, Horspath, OX33 1RQ
PROPOSAL	Erection of detached two storey house and associated works, including revised access, parking and turning area for 2 Gidley Way.
AMENDMENTS	Revised application for smaller house design. previous application P16/S0099/FUL was refused. As amplified by the overlay which was received on 15 November 2016 showing a comparison between the refused scheme (P16/S0099/FUL) and the current proposal.
GRID REFERENCE	457453/204690
OFFICER	Kim Gould

1.0 **INTRODUCTION**

- 1.1 This planning application is before Planning Committee as the recommendation differs from the Parish Council's views.
- 1.2 No 2 Gidley Way is a detached, two storey dwelling which faces onto Gidley Way. It is finished with red brick and a plain tiled roof. Parking is at the front of the property. It has recently been extended and refurbished which has included the demolition of a garage and outbuildings.
- 1.3 The site lies toward the bottom of Gidley Way on the east of the road. Horspath lies within the Oxford green belt.
- 1.4 There is a variety of house types in this part of Horspath predominantly detached and semi-detached properties with a varied pallet of materials used including, brick and render. To the north of the site is a driveway serving commercial units which runs between nos 2 and 6 Gidley Way. Planning permission was granted earlier this year to erect a timber clad tiled roof building with accommodation in the roof space to create a single dwelling in the commercial area to the rear.
- 1.5 An OS extract showing the location of the site is **attached** at Appendix 1.
- 1.6 Planning permission was refused at committee on 27 April 2016 for a 3 bedroom dwelling on this site. The reasons for refusal were:

“The proposed development, due to its scale, siting, design and massing, in relation to surrounding development, would result in a cramped relationship with the adjacent built form and would result in an overdevelopment of the site which would fail to respect the character and appearance of the surrounding area. As such, the proposal would fail to accord with Policy CSQ3 of the South Oxfordshire Core Strategy, policies G2, D1 and H4 of the South Oxfordshire Local Plan and guidance contained within the South Oxfordshire Design Guide and the National planning Policy Framework.”

2.0 **PROPOSAL**

- 2.1 This current proposal seeks full planning permission to erect a two storey, two bedroom dwelling with vehicular access, off street parking and turning facilities.
- 2.2 The dwelling would be finished with red facing bricks to match no 2 Gidley Way with Stafford blue bricks used for quoins, soldier courses above windows and door openings and below the damp proof course. The north east elevation would be painted with smooth render with brick quoins.
- 2.3 This application is materially different to the one which was refused in that it is a 2 bedroom rather than a 3 bed dwelling. It has been reduced in width from 7 metres to 5.7 metres and in depth from 11.3 metres to 10.3 metres.
- 2.4 The land falls north east (high) to south west (low). The proposed dwelling reflects this by having its floor level some 0.6m below that of the host property.
- 2.5 Both the existing and proposed dwellings have car parking and turning areas at the front of the site.
- 2.6 A copy of some of the application plans are **attached** at Appendix 2. The full submission including the design and access statement can be seen on the council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Horspath Parish Council – Object - Horspath Parish Councillors consider that this application should be refused as it is an over development of the site

OCC (Highways)- No objection subject to conditions relating to access, parking and surface water drainage.

Neighbour Objections (2)

- Insufficient parking/turning left for the occupiers of no 2 Gidley Way
- Will exacerbate existing parking problem on Gidley Way
- Inappropriate blue brick details
- Overdevelopment of the site
- Unneighbourly

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P16/S0099/FUL](#) - Refused (27/04/2016)

Erection of a detached two storey house and associated works including revised access, parking and turning area for 2 Gidley Way. (As amended by plan refs VL.2015/44/03, 44/05, 44/04 and 44/01 received on 7 March 2016 which reduce the depth of the proposed dwelling).

[P12/S2788/HH](#) - Approved (11/01/2013)

Removal of structures, construction of extension to dwelling, new roof construction, sundry remodelling works.

[P12/S2400/PEM](#) - (response 05/11/2012)

Construction of one detached dwelling to the side of existing property.

5.0 **POLICY & GUIDANCE**

- 5.1 **South Oxfordshire Core Strategy policies**

CS1 - Presumption in favour of sustainable development
CSEN2 - Green Belt protection
CSH4 - Meeting housing needs
CSR1 - Housing in villages
CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

D1 - Principles of good design
D10 - Waste Management
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
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 2016

Section 7 – Buildings and plots.

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

5.4 Horspath Neighbourhood Plan – emerging (area designation). Limited weight at this stage.

6.0 PLANNING CONSIDERATIONS

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

- Whether the principle of a new dwelling is acceptable in this location
- Impact on the openness and visual amenity of the Oxford green belt
- Policy H4 criteria of the South Oxfordshire Local Plan
- Garden sizes
- Whether this current proposal overcomes the reason for refusal of planning ref P16/S0099/FUL
- CIL
- Other issues

6.2 Principle

Policy CSR1 of the SOCS allows for infill development within the larger villages of the District such as Horspath. Infill development is defined as the filling of a small gap in an otherwise built up frontage or on sites within settlements where the site is closely surrounded by buildings. This site is within the built up limits of Horspath in a continual row of residential development and is closely surrounded by buildings. As such, it is your officers' opinion that the principle of residential development on this site is acceptable.

6.3 Notwithstanding the above, the council cannot currently demonstrate a five year supply of deliverable housing land. Paragraph 49 of the NPPF makes it clear that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing land

and the ‘presumption favour of sustainable development’ should be applied. The mechanism for applying that presumption is set out in paragraph 14 of the NPPF. This advises that where relevant policies are out-of-date (unless material considerations indicate otherwise) then permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

6.4 Impact on the green belt

The site lies within the Oxford green belt where there is a presumption against inappropriate development which is, by definition, harmful to the openness and visual amenity of the green belt. The fundamental aim of the green belt policy is to prevent urban sprawl by keeping land permanently open. 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 next step is to consider whether development harms the openness of the green belt.

6.5 The NPPF advises that where villages are included within the green belt, it has to be because they too contribute to its openness. The site is considered as an infill plot as it is a small gap in an otherwise built up frontage and is closely surrounded by buildings in a village where the principle of infill is acceptable. CSR1 considers that if a site meets the definition of infill, then it will be part of a built up area and there would be harm to the openness but that it would be limited. In this case, it is your officers’ view that in the context of the wider visual impact and amenity of the green belt, the siting of the new dwelling in a line of existing development would not harm the wider openness of the green belt.

6.6 Policy H4 criteria

Where the principle of residential development is acceptable, the development must also comply with the following criteria of Policy H4 of the SOLP.

- i. **An important open space of public, environmental or ecological value is not lost nor an important public view spoiled.** The site is currently the side and part rear garden of no 2 Gidley Way. As such, it is not an important open space of public interest.
- ii. **The design, height and scale and materials of the proposed development are in keeping with its surroundings.** The proposed dwelling would be detached and would have a lower ridge height than no 2 Gidley Way, given the lay of the land. The proposed materials for the new dwelling are dark brown plain tiles brick elevations with the north east elevation painted smooth render with brick. Stafford blue bricks are proposed for the quoins, soldier courses above window and door openings. Given the variety of materials used in the vicinity of the site and the fact that no 2 Gidley Way is also a detached dwelling, the new development would be in keeping with its surroundings in your officers’ opinion.
- iii. **The character of the area is not adversely affected.** The character of the area is an established residential area consisting predominantly of detached and semi-detached dwellings. The erection of a single dwelling on this plot would continue an existing row of dwellings along the southern side of Gidley Way and would not adversely affect the established character of the area.

iv. **There are no overriding environmental or highway objections**

Highway issues – The County Highway Authority has raised no objection to the development subject to conditions relating to parking and turning. They are satisfied that sufficient space has been provided to allow for adequate parking and turning areas for both no 2 Gidley Way and the new dwelling.

Neighbour impact - The proposed new dwelling has been designed to minimise overlooking . In the southern elevation which faces Cuddesdon Road, there are no first floor windows. As such there would not be any direct overlooking from windows towards properties in Cuddesdon Road. In addition, the southern elevation would be some 3.75 metres (max) and 1.32 metres (minimum) from the joint boundary with the Cuddesdon Road properties. These dwellings have relatively long rear gardens so the distance between the new dwelling and any nearest windows on Cuddesdon Road would be some 38 metres. As such the proposed new dwelling would not be oppressive or overbearing on the occupiers of these dwellings. The new dwelling would retain a gap of some 2 metres to the side elevation of 2 Gidley Way. At the rear, there is a first floor bedroom window which would look towards no 4 Gidley Way and the new building which has recently been granted planning permission under ref P15/S3822/FUL. In addition, the new building to the rear of no 2 Gidley Way is orientated to face northward so there are not principal windows in the western elevation. A condition is proposed to ensure that the first floor landing window in the north east elevation is obscure glazed and fixed shut which will protect the amenity of the occupiers of no 2 Gidley Way.

- v. **If the proposal constitutes backland development it would not create problems of privacy and access and would not extend the built up limits of the settlement.** The proposed dwelling fronts the road so would not constitute backland development.

6.7 **Garden sizes**

Policy D3 of the SOLP requires that a private outdoor garden or outdoor amenity space should be provided for all new dwellings. The amount of land to be used for the garden or amenity space will be determined by the size of dwelling proposed. This policy and the SODG seek to ensure that reasonable standards of private amenity space are provided in new developments. No 2 Gidley Way is a 4 bed dwelling and the proposed new dwelling is a 2 bed dwelling. The council's recommended garden sizes for a 3 bed (or above) dwelling is 100sqm and 50sqm for a 2 bed dwelling. In this case, the host dwelling at no 2 Gidley Way would retain a rear garden of some 82sqm and the new dwelling would have a rear garden of some 92 sq.m including the rear patio area. As such, although the host dwelling would be left with a garden which falls short of the council's standard for garden size by some 18sqm, the new dwelling would have a garden which is nearly twice the recommended standard. It is your officers' view that such a development does not constitute over development. Indeed, the council has generally not been successful on appeal in cases where the gardens to new dwellings have not fully met the council's standards on garden sizes. Appeal inspectors have generally taken the view that any purchase of the property would be aware of the garden size prior to purchasing the property.

6.8 **Whether this proposal overcomes the reasons for refusal of planning ref P16/S0099/FUL.**

The refused planning application was for a single 3 bed dwelling on this site. The reason for refusal is set out in full in para 1.5 above. In summary the application was refused on the grounds of being overdevelopment by way of being cramped and out of

character. It is your officers' opinion that the applicant and his agent has addressed these concerns with this revised proposal. The main differences between the 2 schemes can be summarised as follows:

- The current proposal has 2 rather than 3 bedrooms – this has implications for the required garden size.
- The current proposal is some 1.3m narrower than the refused scheme so takes up less of the site width.
- The current proposal is over 1 metre less deep than the refused scheme.
- The current proposal has a garden size almost twice the required size for a 2 bed dwelling. It was substandard previously.
- There is now a gap to the boundary with the properties along Cuddesdon Road of at least 1.32 metres (minimum).

6.9 **Community Infrastructure Levy (CIL).** The council's CIL charging schedule was adopted in 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. In this case CIL is liable for the whole building because the proposal involves the creation of a new dwelling. The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (zone1). 15% of the CIL will go directly to Horspath Parish Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

7.0 **CONCLUSION**

7.1 Your officers recommend that planning permission is granted because the development constitutes infill development as it lies within the built up limits of Horspath, is a small gap in an otherwise frontage and is closely surrounded by buildings. As such the scheme is a sustainable form of development. The proposal does not materially harm the wider openness or visual amenity of the green belt. The proposal affords for adequate amenity space and parking for both dwellings and does not result in a materially harmful unneighbourly impact on the adjacent dwellings. As such there are no technical reasons to refuse this application. With the recommended conditions, the development 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 : Existing vehicular access.**
- 4 : Parking and manoeuvring areas retained.**
- 5 : No surface water drainage to the highway.**
- 6 : Sample materials required (walls and roof).**
- 7 : Obscure glazing for landing window.**
- 8 : Withdrawal of permitted development rights (Part 1 Class A) - no extensions etc.**
- 9 : Withdrawal of permitted development rights (Part 1 Class E) - no buildings etc.**

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