

APPLICATION NO.	P17/S0299/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	30.1.2017
PARISH	SOUTH MORETON
WARD MEMBER(S)	Jane Murphy Pat Dawe
APPLICANT	Mullins (Reading) Limited
SITE	5 Crown Lane South Moreton, OX11 9AQ
PROPOSAL	Demolition of single storey element of existing house and detached garage. Construction of a replacement 2 storey side extension. Construction of a new detached dwelling within the curtilage with associated external works. (As amended by drawing 6852:16:1 Revision D accompanying email from agent received 20 March 2017 increasing the size of the manoeuvring spaces, addition of visitor space and turning area and showing vehicle tracking and altering the internal layout and window arrangement.)
AMENDMENTS	Yes
GRID REFERENCE	456131/188242
OFFICER	Paul Bowers

1.0 **INTRODUCTION**

1.1 The application is referred to planning committee because the views of the South Moreton Parish Council differ from the officer's recommendation.

1.2 The application site comprises one half of a semi-detached pair of dwellings. Access is via Crown Lane to the east which extends southward to the High Street. The dwelling faces north and vehicular access is to the south east corner of the site. The site is outside the conservation area the boundary of which runs along Crown Lane (see Appendix 1). The North Wessex Downs Area of Outstanding Natural Beauty washes across the whole village.

1.3 A plan identifying the site can be found at **Appendix 1** to this report.

2.0 **PROPOSAL**

2.1 The application seeks planning permission from the council to extend the existing dwelling at two storey level to the side and erect a two storey detached dwelling to the side of the existing house and proposed extension.

2.2 The scheme has been amended twice. The first amendment increased the size of the manoeuvring areas for vehicles and added visitor parking and a turning area. The second amendment altered the plan form of the new dwelling so that the habitable windows face north and the bathroom, en-suite and landing windows face south towards 1 and 2 Crown Lane.

2.3 Reduced copies of the plans accompanying the application can be found at **Appendix**

2 to this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **South Moreton Parish Council** – Recommend refusal because of traffic generation, parking and safety and not in keeping with the village.

Neighbour Representations – Objections from 7 separate properties covering the following main concerns;

- The poor state of the road surface of Crown Lane.
- Insufficient parking provision.
- Out of keeping with the area.
- Difficult to gain access to number 6 Crown Lane
- Out of keeping with the conservation area.
- Impact on trees.

Countryside Access - No objection providing the footpath is not obstructed.

County Archaeological Services - No objection.

Highways Liaison Officer – No objection following the amended plans being received and request a condition requiring the parking and manrouving areas be underatken as per the approved plan.

4.0 **RELEVANT PLANNING HISTORY**

4.1 None.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**
National Planning Policy Framework Planning Practice Guidance

South Oxfordshire Core Strategy 2027 policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSEN3 – Historic Environment

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 policies;

CON7 – Development ina conservatoin area

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

G2 - Protect district from adverse development

H13 - Extension to dwelling

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

6.0 **PLANNING CONSIDERATIONS**

6.1 The issues to consider in relation to this proposal are;

- **The principle of a new dwelling.**
- **The principle of extending the existing house.**
- **Whether the proposal accords with the criteria of Policy H4.**
- **Plot coverage and garden size.**
- **Impact on the amenities of the occupants of nearby properties.**
- **Impact on highway safety.**
- **Impact on special landscape of the AONB.**
- **Impact on the setting of the conservation area.**
- **Community Infrastructure Levy.**

6.2 **The principle of a new dwelling.**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

6.3 In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy 2027 (SOCS) which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP).

6.4 Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

6.5 Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development.

For decision-taking this means “approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: – any adverse impacts of doing so would **significantly and demonstrably outweigh the benefits**, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.”

6.6 Currently the council cannot demonstrate a 5 year housing land supply and the presumption in favour of sustainable development, set out in Paragraph 14 of the NPPF, applies. This means that our core strategy housing policies, including SOCS Policy CSR1 relating to housing in villages, are out of date and are given less weight in our decision making.

6.7 However this is providing that the development does not conflict with other policies within the NPPF that seek to restrict development – such as paragraph 115 which gives great weight to conserving Areas of Outstanding Natural Beauty (AONB).

This site is within the AONB but in my view it is surrounded on three sides by buildings and located within the village. Because of the new dwellings position within the village it does not amount to significant harm to the AONB. Therefore the presumption in favour of sustainable development set out in paragraph 14 is, in my view, engaged.

The site lies within the built up limits of South Moreton and infill development is allowed under the provisions of Policy CSR1. Although out of date the proposed dwelling would comply with Policy CSR1 and represents sustainable development in a settlement where the council has previously permitted new housing.

6.8 The principle of extending the existing house.

Policy H13 of SOLP relates to the extensions of dwellings. As a point of principle the policy permits extensions providing they meet a number of criteria that relate to the character of the area and the impact the proposal would have on neighbouring properties and parking provision. The following sections of this report deal with these issues separately in conjunction with the assessment of the impact of the new detached dwelling.

6.9 Whether the proposal accords with the criteria of Policy H4 of SOLP.

If a proposed housing development is acceptable in principle then the detail of the proposal must be assessed against the criteria of Policy H4 which deals with new housing.

6.10 Provision (i) of Policy H4 states ***‘an important open space of public, environmental or ecological value is not lost, nor an important view spoiled.’*** Provision (ii) states ***‘the design, height, scale and materials of the proposed development are in keeping with its surroundings.’*** whilst Provision (iii) states ***that the ‘character of the area is not adversely affected.’***

6.11 The site comprises part of an existing residential garden. It does not comprise an important open space of public environmental or ecological value and does not spoil an important public view beyond the site.

6.12 Criteria (ii) and (iii) of Policy H4 seek to ensure that the design and scale of the dwelling is in keeping and that it does not adversely affect the wider character of the area.

The new dwelling is detached and although this differs from the existing number 5 Crown Lane and the semi-detached properties immediately to the south. However beyond these properties the wider area is made up of a variety of differing size and design of dwellings. In my view the new dwelling adds to this variety rather than detract from it.

The form of the new building in terms of its width and depth is similar in scale to the existing property. The new dwelling also includes a side element that is set lower than the main house and behind the front and rear walls to echo the appearance of the new extension. This will assist the development in assimilating in to its surroundings and appear in keeping with the character of the area.

6.13 The extension is subordinate to the original dwelling in terms of footprint, lower ridge line and sitting between the front and rear walls. It is wholly acceptable in terms of design and reflects the advice contained within the South Oxfordshire Design Guide.

6.14 ***Provision iv) of Policy H4 states that there should be no overriding amenity or environmental or highway objections.***

In terms of amenity this refers to both the amenity space being provided for the occupants of the existing and new property and also the amenity of occupants of

nearby properties. These issues are also covered by other policies within SOLP such as Policy D3 and T1 and they are considered separately as they are fundamental issues to this proposal.

In respect of the element of provision iv) that relates to the environment there are no environmental issues that would justify resisting the proposal.

6.15 Plot coverage and garden size.

Policy D3 of SOCS seeks to ensure that new dwellings should provide adequate private outdoor space. The amount of land to be used for garden or amenity space will be determined by the size of the dwelling and the character of surrounding development

6.16 The South Oxfordshire Design Guide sets out the minimum amount of private amenity for 3 bedroom units and above at 100 square metres.

The layout of the development ensures that the existing dwelling retains in excess of 100 square metres. The new dwelling provides for 90 square metres – 10 square metres below the council's normal standard. However, I do not believe the difference of 10 square metres amounts to an over development of the site. The property still has a garden area which is considered in terms of the surroundings properties as comparable and not at odds with the nearby properties.

6.17 Impact on the amenities of the occupants of nearby properties.

Impact on residential amenity is normally considered in terms of whether a development results in material harm by way of overlooking, loss of sunlight or being so large and close that it is considered oppressive and overbearing.

6.18 In terms of the extension to the dwelling it is located to the north of number 2 Crown Lane which sits directly to the rear of the application site. Its position to the north means that the extension will not result in a loss of direct sunlight or overshadowing to number 2.

In respect of overlooking the council has a minimum distance, in terms of first floor windows looking toward first floor windows in other properties, of 25 metres. The existing distance between numbers 5 and 3 Crown Lane is below 25 metres and is a pre-existing substandard relationship. The new extension includes first floor rear windows and is within 25 metres. However the views out of the new extension will be no more harmful than those which already exist from the rear first floor windows in the existing dwelling. It is my view therefore that the extension element of the proposal is not unneighbourly.

6.19 The new dwelling is also located to the north of number 1 Crown Lane and again will not present a harmful impact in terms of loss of direct sunlight or overshadowing.

Unlike number 2 Crown Lane there is not an existing relationship of overlooking and number 1 looks toward the open space to the side of number 5 which is to be developed. Therefore there is no justification in allowing a sub-standard window to window distance in the same way as there is for the proposed side extension. This relationship has prompted an amendment to the original application moving the habitable clear glazed openings to the north and the en-suite, landing and bathroom windows to the south. These windows can reasonably be expected to have obscure glazing. A condition of this recommendation is to ensure that these windows are in fact fitted with obscure glazing. In addition a condition is proposed that removes the normal

permitted development right to add or change windows in the future thereby ensuring that overlooking is not created at a later date.

6.20 Impact on highway safety.

With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.

- 6.21 There is concern locally that the proposed new dwelling will add to an increase in the vehicle movements along Crown Lane. However in terms of overall numbers of movements this will not be a significant increase over the existing situation. The Highway Officer requested that changes be made to the scheme to allow for visitor parking spaces and for manoeuvring areas to ensure that the vehicles leaving the site can do so in forward gear. These changes have been made and are shown on the proposed plans. The Highway Officer is now happy with the development and requested a condition that the parking and manoeuvring areas shown on the plans is carried out. This condition is included as part of this recommendation.

6.22 Impact on the special landscape of the Area of Outstanding Natural Beauty.

Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "*which have the highest status of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000. However, infill development is not precluded in the AONB villages. Although out of date, the council's housing policy in relation to villages within the South Oxfordshire Core Strategy, permitted infill development in many of the villages in the district that are within designated AONB areas.

- 6.23 The loss of the open spaces within an existing residential garden is not in my view harmful to the AONB.

I conclude that on the basis that the new dwelling will have buildings on three of its four sides within the settlement the overall harm to the wider special landscape of the AONB is not significant and does not in my view outweigh the presumption in favour of sustainable development.

6.24 Impact on the setting of the conservation area.

The conservation area does not include this site or the pair of semis to the south. The space contained within the existing residential garden of number 5 Crown Lane does not in my view have an important relationship to the setting of the conservation area due to its position on the opposite side of the lane. Therefore in terms of the conservation area there will be no material harm.

6.25 **Community Infrastructure Levy**

The council's CIL charging schedule has been adopted. 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 as the proposal involves the creation of a new dwellings.

7.0 **CONCLUSION**

7.1 Officers recommend that planning permission is granted because the proposal will create a new dwelling in a sustainable location and accords with paragraph 14 of the NPPF which sets out the presumption favour of sustainable development and paragraph 115 of the NPPF which requires the conservation of AONB character.

The proposed extension is subservient to the original building and does not have a harmful impact to the wider character of the area.

Whilst there will be an impact to the overall character of the area, to the AONB and to neighbour amenity the resulting harm is not significant and does not outweigh the benefit of the development. The site affords for adequate levels of parking and garden space.

Overall the proposal accords with development plan policies.

8.0 **RECOMMENDATION**

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

1. Commencement 3 years - Full Planning Permission
2. Approved plans
3. Matching materials (walls and roof) for the extension
4. Schedule of Materials for the new dwelling to be submitted
5. Obscure glazing in windows in first floor rear and east facing side of the new dwelling
6. No additional windows, doors or other openings in the new dwelling
7. Parking & Manoeuvring Areas Retained

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