

<b>APPLICATION NO.</b>	<a href="#">P16/S2467/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	12.12.2016
<b>PARISH</b>	WATERPERRY
<b>WARD MEMBER(S)</b>	John Walsh
<b>APPLICANT</b>	Mr John Einig
<b>SITE</b>	Lorien Waterperry, OX33 1LD
<b>PROPOSAL</b>	Demolition of existing garage and erection of new dwelling
<b>AMENDMENTS</b>	As amended by: <ul style="list-style-type: none"> <li>• plan received 8th February 2017 clarifying parking arrangements and extending access to the highway</li> <li>• plan received 19th April 2017 clarifying turning area and relocating shed to rear garden</li> <li>• details clarifying access rights</li> </ul>
<b>GRID REFERENCE</b>	462598/206690
<b>OFFICER</b>	Katherine Canavan

1.0 **INTRODUCTION**

1.1 The application has been referred to Planning Committee because the officer's recommendation conflicts with the views of the parish council. The objections raised by the parish council are as follows:

- Enlargement of structure in the Green Belt - previously not supported by officers
- Proposed change from annexe to self-contained dwelling not supported
- Poor relationship with surrounding dwellings because of confined site
- Imposing development resulting in increased overshadowing
- Out of keeping with the character of surrounding area

1.2 The application site is located on the edge of the settlement of Waterperry to the rear of Little Garth, Little Brock and Lorien.

In 1991 a parcel of agricultural land to the rear of Lorien with access to the main road was bought and planning permission was granted to convert the use to residential. A double garage was built on this land and is the subject of this application. The former L-shaped area of garden belonging to Lorien, and containing the former garage, borders Manor Farm to the north.



1.3 The site is washed over by the Oxford Green Belt and is within an area of archaeological interest. The site is identified on the OS extract **attached** at Appendix 1.

2.0 **PROPOSAL**

2.1 The applicant seeks full planning permission for the demolition of the garage and erection of a 2-bed dwelling.

The application follows a previous permission under P14/S2082/FUL for the conversion of an existing garage into a two-bed residential dwelling with new single storey side

extension and external alterations. The permission relates to a self-contained dwelling, rather than incidental accommodation or an annexe, but has not yet been implemented.

The replacement building is 2.75m higher and relocates one of the bedrooms at first-floor level.

2.2 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council’s website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1	Waterperry Parish Council	<p>Object:</p> <ul style="list-style-type: none"> <li>• The 2014 application was to convert the existing garage into single-storey, 2-bedroomed ancillary (annexe) accommodation to the main house, Lorien. The current proposal is neither ancillary accommodation, nor an annexe.</li> <li>• The very confined site would mean that the new house would over-shadow the adjoining back gardens and would be very imposing in the setting.</li> <li>• Inaccurate plans – there is no space for an access alongside Lorien</li> <li>• Although the Village Community Led Plan supports infill, this proposal is out of keeping in terms of garden space and relationship to neighbouring properties</li> <li>• Lack of clarity over materials and finish</li> <li>• The 2014 pre-application response sets out that it would not be desirable for the garage to be extended or for further development to occur in this backland area where there may be issues with neighbourliness.</li> <li>• Enlargement of the building would have a harmful impact on the Green Belt and conflict with local plan housing policy.</li> </ul>
	Highways Liaison Officer	<p>Original plans - Object:</p> <ul style="list-style-type: none"> <li>• Access does not extend to the highway, and application form does not indicate crossing 3<sup>rd</sup> party land</li> <li>• Parking spaces and garage do not meet parking dimensions</li> <li>• No visibility splays shown</li> </ul> <p>First amendments - Object:</p> <ul style="list-style-type: none"> <li>• Given tight access onto farm track, manoeuvrability would be poor, resulting in occupants having to reverse onto highway – objection on highway safety grounds</li> <li>• Confirmation required of access rights to clarify that access and manoeuvrability is achievable</li> <li>• Insufficient space to the front to accommodate store and 2 parking spaces</li> </ul> <p>Second amendment - No objection subject to conditions</p>
	County Archaeological Services	No strong views

No other representations received

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S1618/PEO](#) – Response provided (09/06/2016)

Addition of first floor to approved self contained dwelling.

[P14/S2082/FUL](#) - Approved (28/08/2014)

Conversion of existing garage into a two bed residential dwelling with new single storey side extension and external alterations.

[P14/S0718/PEO](#) - Response provided (01/04/2014)

Conversion of existing detached garage into a residential annexe for son.

[P91/N0300](#) - Approved (04/07/1991)

1) Rear single storey porch. 2) Change of use of small area of land at rear of `Lorien` from agricultural to residential use.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies (SOCS)

CS1 – Presumption in favour of sustainable development

CSS1 – Overall strategy and distribution of development

CSQ2 – Sustainable design and construction

CSQ3 – Design

CSR1 – Housing in villages

CSEN2 – Green Belt

5.2 South Oxfordshire Local Plan policies (SOLP)

G2 – Protect district from adverse development

C4 – Landscape setting of settlements

D1 – Design

D2 – Vehicle and cycle parking

D3 – Plot coverage and garden areas

D4 – Privacy and overlooking

D10 – Waste facilities

CON11 – Archaeological area

H4 – Proposals for houses

EP6 – Surface water management

T1 & T2 - Transport, parking and highway safety

GB4 - Green Belt

5.3 South Oxfordshire Design Guide (SODG)

5.4 Neighbourhood Plan

The village has a Community Led Plan (Waterperry with Thomley). The Parish Council have explored the opportunity to prepare a neighbourhood plan but no formal process has started.

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 The key considerations in determining the application are:

- Principle of residential development within the Green Belt
- Parking provision and access
- Impact on neighbouring occupants
- Additional matters

**6.2 Principle of residential development within the Green Belt**

The site lies within the Oxford Green Belt. As a general rule, development in the Green Belt is normally considered to be inappropriate from the outset unless very special circumstances exist to override the presumption against such development. Exceptions to this are set out in paragraph 89 of the NPPF which allows for limited infilling in villages, as in the case before Members.

The application, however, follows a previous permission under P14/S2082/FUL for a very similar scheme. The permission relates to the existing structure (as indicated in existing plans) and includes external alterations and the addition of kitchen and hallway. In terms of the principle of residential development, the previous permission established the acceptability of 'a two bed residential dwelling with new single storey side extension and external alterations' in the green belt. By its very nature the previous development would function independently of Lorien, have separate amenity space and parking, and provide self-contained facilities.

The changes to the scheme involve rebuilding the structure to the same footprint but increasing the height to form a mezzanine, and relocate one bedroom upstairs. In light of the principle of residential having previously been established, and in the form of an extended single storey building, the remaining matters to be assessed, relate to the impact of the increased volume and height on the green belt.

**6.3 Impact of design and scale on the Green Belt**

The site is on the edge of the village and within the green belt, and therefore any increase in height would have some impact on the green belt and must be proportionate. The replacement building is to be located in the same position, but includes a new first-floor in the roofspace. The replacement building would increase the height by 2.75m from existing to achieve this, resulting in a ridge-height of 6.7m.

The building is viewed within the context of the group of dwellings along the main village street, but is also located alongside the Manor Farmyard. The increase in height of 2.75m would not introduce a level of development that would harm the openness of the green belt, and is consistent in scale with neighbouring buildings.

The design of the building is functional and not of particular architectural merit. However, the site is not within a designated area where greater weight would be afforded to the design and materials, and the impact does not result in harm to the streetscene or character of the village. In order to manage the materials and finish, however, a condition is recommended requiring details to be submitted.

**6.4 Parking provision and access**

It is recognised that access and parking provision on the proposed site is limited, in that it has shared access and right of access through Manor Farm and only a small area to the front of the building.

Further to revised plans and supporting information being provided, it has been demonstrated that the right of access extends beyond the site itself to allow occupants to manoeuvre in and out of the site. Furthermore, through the removal of the containers (to be secured by condition) and the relocation of the store to the rear garden, there is sufficient space to the front for two useable parking spaces. The South Oxfordshire Local Plan – Appendix 5, and policy D2 of the SOLP, set out the car parking standards for residential developments, and require 2 spaces for dwellings with 2/3 bedrooms. The spaces meet the dimensions specified in the South Oxfordshire Design Guide of 2.5m wide by 5m long.

The revised plans and clarification of access rights to the highway are sufficient to

address previous concerns raised by the Highways Officer.

#### 6.5 **Impact on neighbouring occupants**

The proposed dwelling is located closest to Little Garth and Little Brock – the proposed dwelling would have a ridge-height of 6.7m, which is lower than adjacent dwellings (7.4m high). It has also been designed with a dual-pitched roof which slopes down towards the adjoining boundary, where the eaves height would be 4m.

While the proposed building is close to the boundary, and the neighbouring dwellings have upper floor windows 4.3m above ground level (alongside the proposed development), the lowered eaves height and the back-to-side distance of 12.5m helps to minimise the impact on neighbouring dwellings. This distance is sufficient, and in accordance with the South Oxfordshire Design Guide, to avoid an overbearing relationship or loss of amenity.

Upper floor windows are proposed on the front and rear elevations, located 1.7m above floor level. In any case, they would only overlook the farmyard access and the end of the garden associated with Lorien (main house), avoiding loss of privacy to habitable rooms or private amenity space. Rooflights on the eastern elevation are also high-level and would face the farmyard only. The proposed rooflight (high-level) on the western elevation (facing adjacent dwellings) serves an en-suite only. In all cases, the openings are high level, and would allow light into the rooms, but would avoid the privacy of neighbouring occupants being compromised.

#### 6.6 **Additional matters**

##### 6.6i **Amenity space**

Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in Policy D3 of the Local Plan. Following the division of the plot, the application property would retain 200sqm of amenity space for the 2-bed property. Both the application property and Lorien would have amenity space in excess of the policy requirement.

##### 6.6ii **Area of Archaeological Interest**

The county archaeologist has advised that the proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

##### 6.6iii **Community Infrastructure Levy (CIL) liability**

The council's CIL charging schedule has been adopted and applies to residential development. 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 build residential development is £156 per square metre in Waterperry (as indexed January 2017). 15% of the CIL payment will go directly to Waterperry Parish Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

In this case the proposal involves an increase in floorspace of 57sqm to create a new first floor of residential accommodation. The development is CIL liable and the relevant procedures have been followed to enable the contribution to be collected on commencement.

#### 7.0 **CONCLUSION**

- 7.1 Your officers recommend that planning permission is granted because the proposed development is considered to be acceptable for the following reasons:

By virtue of the extant planning permission for residential development on the site, the principle of a self-contained dwelling in the green belt and on the edge of the village is established. Within the context of residential buildings, the increased height and volume do not harm the openness of the green belt.

The height and scale of the building does not encroach upon adjacent dwellings or private amenity space, or compromise the residential amenity of neighbouring occupants. The design and siting of the dwelling does not detract from the character of the village setting.

Subject to conditions, the proposal accords with the National Planning Policy Framework (2012) and National Planning Practice Guidance (2014), South Oxfordshire Core Strategy (2012), South Oxfordshire Local Plan (Saved policies, 2011) and the South Oxfordshire Design Guide (2016).

8.0 **RECOMMENDATION**

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

1. **Work to commence within three years.**
2. **In accordance with plans.**
3. **Details of materials to be submitted.**
4. **Parking spaces as indicated on plan to be useable prior to occupation of the approved dwelling, and SuDs compliant.**
5. **Boundary detailing in place prior to occupation.**
6. **Removal of permitted development rights of proposed dwelling – Class A (enlargement / alteration), Class B (Roof alterations / dormer windows), Class D (Porch), Class E (Outbuildings).**
7. **Minimum cill height of upper floor windows on south-eastern elevation: 1.65m.**
8. **Details of waste / recycling storage to be submitted.**
9. **Removal of all containers prior to occupation.**
10. **Restriction of eaves / ridge height of proposed shed.**

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