

<b>APPLICATION NO.</b>	<a href="#">P17/S2173/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	13.6.2017
<b>PARISH</b>	EAST HAGBOURNE
<b>WARD MEMBER(S)</b>	Jane Murphy Pat Dawe
<b>APPLICANT</b>	Mr & Mrs R. Dooley
<b>SITE</b>	16 New Road, East Hagbourne, OX11 9JU
<b>PROPOSAL</b>	Erection of 1.5 storey 3 bed dwelling with car parking (As amended by drawings 1716 p105A, p106A, p106A adjusting roof lights cill heights to 1.7 metres and removal of first floor east facing window accompanying e-mail from agent received 14 July 2017)
<b>OFFICER</b>	Paul Bowers

1.0 **INTRODUCTION**

- 1.1 The application is referred to the Planning Committee as the views of East Hagbourne Parish Council conflict with the officer’s recommendation.
- 1.2 The site lies within the built-up limits of East Hagbourne to the rear of a pair of two storey detached dwellings which replaced a former bungalow. It comprises part of the rear garden of No.16c and it is accessed via a driveway that also provides access to No.s 16a and 16b New Road.

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

In 2007 planning permission was refused under application reference P07/W0649 and dismissed at appeal for a dwelling in this location. The main areas of concern were that the proposal would have appeared cramped, the design was out of keeping and the building would have been unneighbourly.

- 1.3 In 2014 planning permission was granted for the erection of a detached single storey 2 bedroom dwelling in this location under application P14/S3327/FUL. The permission remains extant and this can still be implemented. That is a material planning consideration and the base line from which this application needs to be assessed when looking at all of the issues in the planning balance and determining this new application.

2.0 **PROPOSAL**

- 2.1 This application seeks full planning permission for a one and half storey detached three bedroom dwelling in the same location as the approved two bedroom dwelling. This application has been amended from its originally submitted form removing a window on the east elevation which officers considered to be unneighbourly and adjusting the height of the roof lights so that they are 1.7 metres above finished floor level.
- 2.2 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](http://www.southoxon.gov.uk) under the planning application reference number.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **East Hagbourne Parish Council** – Recommend the application for refusal;

- The development would be creeping back to a form of development previously found to be unacceptable.
- Overcrowded and unneighbourly.
- Inadequate access.

**Neighbour Responses** – 3 x objections highlighting following issues.

- The increase in the height over the approved plans will increase the amount of overlooking.
- Intrusive form of development.
- Services are inadequate.
- Increase in housing density.
- Concern about construction traffic.
- Concern about vision for vehicles exiting the site in to the shared driveway.

**Highways Liaison Officer** – Concern about the size of the outbuilding and the lack of vision splay.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S3327/FUL](#) - Approved (11/12/2014)

Erection of a single storey 2-bed dwelling with car parking.

[P10/W1102/NM](#) - Other Outcome (10/08/2010)

Amendment to planning permission P06/W0792 (demolition of existing bungalow, erection of two detached houses, garages and access) for the addition of chimney stacks to both dwellings.

[P10/W0804](#) - Approved (28/07/2010)

Internal alteration and new roof over existing building.

[P07/W0649](#) - Refused (16/08/2007) - Refused on appeal (22/01/2008)

Erection of dwelling with associated car parking.

5.0 **POLICY & GUIDANCE**

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

**National Planning Policy Framework Planning Practice Guidance (NPPG)**

**South Oxfordshire Core Strategy 2027 (SOCS) Policies**

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

**South Oxfordshire Local Plan 2011 (SOLP 2011) policies;**

C8 - Adverse affect on protected species

C9 - Loss of landscape features

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

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

T2 - Unloading, turning and parking for all highway users

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

**South Oxfordshire Design Guide 2016 (SODG 2016)**

**Emerging East Hagbourne Neighbourhood Plan**

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

East Hagbourne Parish Council are working towards the adoption of a neighbourhood plan and are at the plan preparation stage of development. It therefore carries very limited weight at this stage.

**6.0 PLANNING CONSIDERATIONS**

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

- **The principle of development.**
- **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.**
- **Community Infrastructure Levy.**

**6.2 The principle of development.**

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 Policy CSR1 of the South Oxfordshire Core Strategy 2027 (SOCS) permits infill development within the settlements of identified villages.

Infill development is defined in the Appendix 1 of SOCS 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'*.

6.6 Whilst the site is not an existing gap on an otherwise built up frontage but is closely surrounded by buildings and therefore generally complies with the meaning of infill development. Although Policy CSR1 is out of date and the presumption in favour of sustainable development is engaged, this development complies with its criteria anyway.

6.7 Therefore there is a clear presumption in favour of granting planning permission in this instance unless there are significant and demonstrable impacts that outweigh the benefits of this development.

6.8 The previous permission remains extant until the end of this year and can still be implemented. Therefore the planning balance is tipped strongly in favour of permitting this development unless there is clear, significant and demonstrable harm created by the differences between the proposed development and the permitted scheme. For clarity the approved plans for the 2014 planning permission can be found at **Appendix 3** to this report.

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 spoilt.’*

The site is part of a residential garden. It does not comprise an important public open space.

The site has no ecological value and the development will not spoil or harm any important views beyond the site.

6.11 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.’*

As it has been established that a dwelling is acceptable in this location it is important to concentrate on the differences between the proposed and approved schemes.

The proposal increases the number of bedrooms from two to three. The plot size when compared to the approved development it is clearly comparable and in my view acceptable.

6.12 For clarity in terms of design I have included below a side by side image of the front and rear elevations of the building:

**Proposed dwelling.**

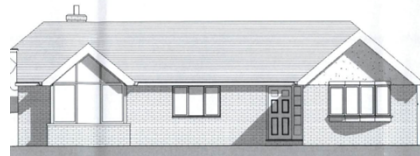


2 06.3a East  
p107A 1:100

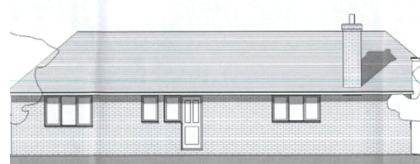
- red:
- concrete tiles
- breckland black
- sh stock red
- render with
- stret finish - white
- bricks and sills - white
- panels; frames and sills - white



**Approved dwelling**



1 06.2a East  
p103 1:100



- 6.13 The main change is the increase in height of the part of the roof by 0.5 metres and the increase in the gable on the right hand side of the front elevation by 1 metre to create the space within the roof to accommodate the third bedroom.

In my view the changes in the design do not result in a drastically different appearance and the proposal would still be generally in keeping with the established character of the area.

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

In terms of the amenity this covers both the amenity spaces afforded for the new dwelling and the amenities of the occupants of nearby properties. These matters are dealt with in detail as separate points under sections 6.18-6.20 and 6.21-6.27 of this report.

- 6.15 **Plot coverage and garden size.**

Policy D3 of SOCS seeks to ensure that new dwellings 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 space for 3 bedroom units and above at 100 square metres. The inability to provide these minimum standards would be an indicator that a proposal amounts to an overdevelopment.

- 6.17 The new dwelling has a private amenity area of some 130 square metres which exceeds the council's minimum standard for a three bedroom dwelling. Therefore the proposed three bed property has an adequate amount of garden space and the increase in the number of bedrooms would not amount to an over development of the site.

- 6.18 **Neighbour impact.**

The main difference in terms of neighbour impact is the increase in height of the building.

As approved the ridge height of the whole building was 4.5 metres high. On the new dwelling the main ridge height of the roof that runs north to south is 5 metres high. The higher section that with a ridge line that runs east to west is 6 metres high.

The higher 6 metre section of the roof, when viewed from the neighbours to the east and to the west, is only 4.3 metres wide. This is a relatively small proportion of the width of the building which is 15 metres wide overall.

- 6.19 The increase in height will obviously increase the impact to 16b New Road to the rear and west of the site and to 16c and 16 to the east which front onto the road. The increase however is, in my view, modest. It will have the greatest impact to number 16b due to its proximity, but that impact in terms of oppressiveness and any reduction in sunlight and outlook would not amount to significant harm. This is important in terms of the planning balance.

- 6.20 In respect of overlooking the plans have been amended such that the roof lights shown on the west facing rear slope looking toward 16b New Road are 1.7 metres high making them high enough to ensure there is no direct overlooking of the adjoining property. A condition is proposed to ensure they will be installed at this height. In addition a condition is proposed that ensure no further openings can be inserted into the roof slope without first gaining planning permission from the council.

The plans were also amended to remove a first floor window in the gable end of the east facing front elevation looking toward numbers 16 and 16b New Road. The proposed condition will ensure that this window could not then be re-introduced at a later date. In conjunction with a further condition which removes the normal permitted development rights for later extensions it is your officer's view that the scheme is not unneighbourly.

**6.21 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.

- 6.22 In highway terms it has been accepted that a dwelling in this location using the existing driveway is acceptable and therefore the council cannot raise this as a legitimate issue for concern given that a dwelling can be built here.
- 6.23 Concerns have been expressed of the Highway Officer in relation to vision for vehicles exiting the site on to the driveway and the internal dimensions of the proposed outbuilding.
- 6.24 Irrespective of the intended use of the outbuilding there is still sufficient space within the site to park at least two vehicles in line with the council's maximum parking standards.
- 6.25 Although vision splays have not been indicated they were not shown or required as part of the extant planning permission, which included an access in the same location. It is not therefore reasonable in my view to insist upon this being part of a condition.
- 6.26 I have concluded that the proposed development does not give rise to severe harm and in highway safety terms it is acceptable.

**6.27 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 dwelling. It should be noted for clarity that should the existing permission be implemented that development would not be liable to pay CIL as that permission was granted prior to 1 April 2016 when the council adopted the CIL charging schedule.

**7.0 CONCLUSION**

7.1 The development proposes a dwelling in the same location as previously approved. In terms of design and appearance the new dwelling is not significantly different and although higher than the approved scheme this proposal would not result in any significant harm to neighbouring properties. The proposal would result in the creation of a new dwelling in a suitable location with adequate levels of amenity and parking and, in conjunction with conditions, the proposal accords with relevant development plan policies.

**8.0 RECOMMENDATION**

8.1 **Planning permission is granted subject to the following conditions:**

1. Commencement three years - full planning permission.
2. Approved plans.
3. Materials as on plan.
4. Withdrawal of permitted development (Part 1 Class A, B and C) - no extensions, roof extensions or rooflights etc.
5. Withdrawal of permitted development (Part 1 Class E) - no buildings etc.
6. Rooflights (specified cill level of 1.7 metres).
7. No additional windows, doors or other openings at first floor level.
8. Foul drainage works (details required).

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