

APPLICATION NO.	P17/S2801/FUL
APPLICATION TYPE	Full application
REGISTERED	4.8.2017
PARISH	Cholsey
WARD MEMBER(S)	Pat Dawe Jane Murphy
APPLICANT	Mr Crabbe
SITE	8 Sandy Lane, Cholsey, OX10 9PY
PROPOSAL	Erection of a new terraced house (As amended by drawings accompanying e-mail form agent received 25 October reducing the number of bedrooms in the proposed and existing dwellings to 2 bedrooms)
OFFICER	Paul Bowers

1.0 INTRODUCTION

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

1.2 8 Sandy Lane is one half of a semi-detached two storey dwelling on a corner plot at the junction of Sandy Lane and Fairfield. Vehicular access is to the side.

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

2.0 PROPOSAL

2.1 The application seeks full planning permission to erect an attached two storey two bedroom dwelling to the side of number 8 Sandy Lane. The proposal has been amended reducing the number of bedroom from 3 to 2 in both the existing and proposed properties.

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 under the planning application reference number.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 **Cholsey Parish Council** – Recommend that the application is refused for the following reasons;

- Overdevelopment of the site.
- Out of keeping in the street scene.
- Out of the building line.
- Creates an obstruction to sight lines at the junction.
- Concern about consultation dates.

Neighbour Responses – 4 letters of objection. The main areas of concern are as follows;

- Concern about construction times.
- Inadequate parking provision.
- Impact on privacy to 13 Sandy Lane.
- Increased parking on the road.
- The development goes beyond established building lines.

Waste Management Officer - No objection.

OCC Highways Liaison Officer - No objection subject to conditions.

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 (NPPG)

South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSQ3 - Design

CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

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

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 (SODG 2016)

Emerging Cholsey 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 within the NPPF.

As the Neighbourhood Plan is at the pre-submission consultation stage it can only be given limited weight in the determination of this application.

6.0 **PLANNING CONSIDERATIONS**

6.1 The 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.**
- **Other issues.**

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 Policy CSR1 of the SOCS permits infill development within settlements. Infill is defined as the filling of a small gap on an otherwise built up frontage and on sites that are closely surrounded by buildings.

6.5 The site is located within the village on a corner plot within an established residential estate. The site has a frontage on to the street and is surrounded on all sides by existing dwellings. In my opinion it accords with the definition of infill development.

This development represents a sustainable form of development due to its position within one of the larger villages in the district and has good access to existing services.

6.6 **Whether the proposal accords with the criteria of Policy H4 of SOLP.**

If a proposed 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.

6.7 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.

6.8 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.’*

The proposed dwelling take the form of a staggered extension to the existing pair of semis. The stagger in appearance, both in terms of footprint and the roof, give the general impression of an extension to the existing house and in that respect is comparable to many other similar developments seen through the district. The stagger also assists in softening the appearance of the built form on what is a relatively prominent corner plot.

In the context of the wider area, which is not recognised by any special designation and includes properties of similar appearance and materials, the form of the development is not at odds or out of keeping with the wider visual amenity and character of the area.

6.9 *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.

6.10 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.

6.11 The South Oxfordshire Design Guide sets out the minimum amount of private amenity space for 3 bedroom units and above at 100 square metres and for 2 bedroom units 50 square metres.

6.12 The proposed dwelling has been reduced in size such that it is now a two bedroom unit. The private amenity area being proposed equates to 57 square metres which slightly exceeds the council's minimum standard.

The existing dwelling is a 3 bed unit but the plans show that the dwelling is to be altered internally creating an ensuite from the smallest of the three rooms to serve the master bedroom. The remaining garden area amounts to 60 square metres which again exceeds the minimum standard of 50 square metres.

In my view the proposal does not amount to an overdevelopment of the site. However extensions or outbuildings erected through permitted development rights could significantly reduce the amenity areas. Therefore in order to control the future development of both the existing and proposed properties conditions are recommended which remove permitted development rights to extend the dwellings and erect out buildings within the gardens.

In addition a condition is proposed which seeks to ensure that the works to reduce the number of bedrooms in 8 Sandy Lane are carried out prior to the occupation of the new approved dwelling.

6.13 Neighbour impact.

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

The most directly affected property is number 10 Sandy Lane to the north west which is side on to the rear elevation of the new dwelling.

The council has a minimum standard of 12 metres in respect of the distance between the side of one dwelling and the rear of another. The proposed distance is 19 metres.

In your officer's view this distance is sufficient to mitigate any impact the new dwelling would have in terms of being oppressive or overbearing. In terms of overlooking the first floor rear windows would look on to the side of number 10 Sandy Lane. There are no windows at first floor level that would give rise to an unacceptable level of overlooking over and above the existing relationship between 8 and 10 Sandy Lane.

Overall I conclude that the proposal is not unneighbourly.

6.14 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.

- 6.15 The site affords sufficient parking provision for each of the dwellings by providing two off street spaces. The Highway Officer is happy with the proposed parking arrangements. The plans include the realignment of the boundary of the site to allow for visibility looking east.

Overall the proposed development does not give rise to severe harm and in highway safety terms it is acceptable.

6.16 **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.

7.0 **CONCLUSION**

- 7.1 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.

There will be a limited impact to the overall character of the area and limited harm to neighbouring property's amenity. The site affords for adequate levels of parking and amenity space and the future development of the site is controlled through conditions.

In conjunction with all the attached conditions the proposal accords with 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. **Matching materials (walls and roof).**
4. **Withdrawal of permitted development rights (Part 1 Class A, B and C) - no extensions, roof extensions or roof lights.**
5. **Withdrawal of permitted development rights (Part 1 Class E) - no buildings.**
6. **Existing vehicular access.**
7. **Vision splay details to be provided.**
8. **Parking and manoeuvring areas retained**
9. **Reduce number of bedrooms in number 8 Sandy Lane prior to occupation.**

Author: Paul Bowers
E-mail : paul.bowers@southandvale.gov.uk
Contact No: 01235 422600

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