
APPLICATION NO.	P17/S3601/O
APPLICATION TYPE	OUTLINE
REGISTERED	9.10.2017
PARISH	EWELME
WARD MEMBER(S)	Richard Pullen Felix Bloomfield
APPLICANT	P and J Dixon
SITE	Eyres Yard Storage Depot Eyres Close Ewelme, OX10 6LA
PROPOSAL	Outline application for erection of 3 detached dwellings. As amended by revised illustrative drawing 799.OU.02A accompanying Agent's email dated 30 October 2017 showing potential visitor parking.
OFFICER	Sharon Crawford

1.0 INTRODUCTION

1.1 The application has been referred to the Planning Committee at the request of the local member councillor Richard Pullen.

1.2 The site sits to the north side of Eyres Close within the Chilterns Area of Outstanding Natural Beauty, and comprises an area of 0.13 ha. It is cleared of all vegetation and topsoil, setting the ground level in line with the level of Eyres Close. Currently six touring caravans are stored on the site and works to erect a timber retaining wall and lay hardcore have been carried out near the turning head. A section of tree screening on the boundary with The Views has also been removed. Residential properties within Eyres Close are located to the south of the site; 'The Views' is located to the north; Eyres Lane runs along the western boundary of the site, beyond which is open countryside.

1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

2.1 The application seeks outline planning permission for three detached dwellings (all 4+ bedrooms, market housing). All matters are reserved for subsequent approval. The application includes a contaminated land risk assessment and a planning statement. A revised illustrative block plan has been submitted to show one method of providing 3 visitor parking spaces in addition to 2 private parking spaces per dwelling - a total of 9 spaces for 3 dwellings. The site is large enough for all parking spaces to be 2.70 metres wide.

2.2 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. The layout plan is illustrative only. Full copies of the plans and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full responses can be found on the Council's website

- 3.1 Ewelme Parish Council Approve, provided that any RM application which follows reflects the outline application i.e. 3 houses with no more than 4 bedrooms each and complies with policy in matters of scale, design etc.
- 3.2 OCC (Highways) Comments on the amended details will be reported verbally at the meeting.
Original comments. The Highway Authority recommends a Holding Objection until further information is supplied to address the following: The car parking spaces do not meet current dimensional standards; for a standard car parking space one which is not obstructed on either side this minimum internal dimension is required to be 2.5m wide by 5.0m in length. For a parking space which is obstructed on one side this minimum internal dimension is required to be 2.7m wide by 5.0m in length.
 No visibility splays have been demonstrated for consideration, these will need to be provided in accordance with standards. No visitor parking has been provided for Plots 1 and 2, given the limited facilities offered within Ewelme this will likely result in indiscriminate/obstructive parking which is likely to increase the risk to Highway Safety and to users of the Highway.
 A scheme to prevent surface water from discharging out onto the Highway will need to be demonstrated for consideration.
- 3.3 Waste Management Officer Advice regarding the provision of bins.
- 3.4 Environmental Protection – Contaminated Land I have considered the application from a contaminated land perspective and have no comments. The application site was formerly investigated with no land contamination identified that would preclude a residential development. My previous consultation comments dated 15 May 2017 attached to planning application reference P17/S1599/RM provide further information on this matter.
- 3.5 Neighbours Object (7) An application was granted on appeal was for 2 starter homes of modest size together with an orchard, the latter being a sop towards the AONB status and the original green space here. The RM application was turned down and on appeal the Planning Inspector criticised the layout as being cramped, squeezing the two dwellings onto the narrow end of the site (so as to maximise the area that the developer claimed he would plant as an orchard). His original intention has become clear with this new application - to build on the whole site .
 As such it does nothing to address the Inspector's reason for rejecting the RM application and in fact removes even the pretence of offering an offsetting green space.
 Notwithstanding this, taking the present application on its merits:
 • As an outline application it does attempt to fit in better with the existing scale, density and street scene of the existing development. This would be acceptable as a least worst proposal but we know from past experience that an outline application is just a softener up for a final plan where house sizes are significantly increased and open space robbed.

- To be in any way acceptable, conditions would need to be stipulated that spatial layout and house footprints would need to be as offered in the Outline application.
- Parking has always been a contentious issue here. OCC's parking requirements are minimal rather than ideal - having one size fit both built up suburbs where space is a premium and where there is good public transport, and villages where there is greater dependency on cars. For the calculation of parking need for the whole Close, the number of spaces has been overestimated - they include parts of gardens having to be used for parking and also cars parked on drives which do not have the required clearance between them and footway/ road. The parking provision shown in the application is just illustrative and the 3D representations give a highly exaggerated view of the actual road and drive space. The driveways have no splays and when cars are parked on the roadside (see photo), turning-in space would be inadequate. We understand the Developer is offering three visitor parking spaces off the turning head. This needs verifying; that it is workable; and it must be made a condition. The photo enclosed just shows a random event confirming the need for visitor / trade etc. parking but it also shows the real road space. Furthermore reliance on roadside parking poses a road safety hazard for the several children who live and play in the Close.

3.6 Neighbours -
Approve (12)

We are largely in support of this proposal for three detached dwellings. Initial sketches of the look of the houses appear to be very much in keeping with the houses of Eyres Close in terms of roof line and brick type for example. The proposed detached properties set on spacious plots with front and rear gardens mirrors the existing layout of Eyres Close. Our major concern at this stage, and it is a significant one, is the rather unneighbourly proposal to eliminate the usefulness of the turning head. The turning head has been in use as a space for both turning AND occasional parking for more than three decades.

Ewelme is in desperate need of new housing to help maintain the remaining local services.

The land is an obvious building site in an area of great housing need. Building three homes would improve the appearance of Eyres Close as well as helping to meet local housing need. Three new houses similar to the present houses in Eyres Close would be almost unnoticeable against the backdrop of the present houses and it is impossible to think of any harm they could cause.

The development will have a minimal effect upon traffic generation. Traffic will be domestic private cars, etc. The Postman already delivers here, the bin lorry already collects waste etc., so the traffic increase will be limited.

I conclude that the proposal should be granted planning permission for the following reasons

- * It will help meet the need for local rural housing
- * The site is well contained within the village
- * The site is naturally part of an existing residential development
- * The illustrative plans give an indication of how the site could be developed. This or some similar form will fit within the existing residential area quite well.

- * The site is legally in use for purposes which are not in keeping with the residential close.
- * The existing use is not being maximised as there is more unused room on the site. Extra use will exacerbate the less appealing aspects of the use such as uncontrolled traffic, appearance, noise. This is not something any right minded neighbour would wish to see.
- * Without development as proposed or similar it will be hard for the planners to resist further industrial style applications for things like high safety and security fencing around the site or security lighting all to aid the existing use and maybe employment generation.
- * The proposed use is of greater all round benefit to the village and should be welcomed.

- 3.7 Neighbours - No Strong Views (4) Whilst being against any development of this site, situated in the Chilterns AONB, we reluctantly accept that some development is now inevitable. Concerns about scale and parking. No of bedrooms is not clear, Scale is not clear. Concern about the number of applications being made. We support the idea of fully utilising the site for domestic housing removing the continued threat of this open space being used as a dump for derelict caravans or similar; The design of the houses appears to be in keeping with those in Eyres Close; this should be made a condition of any approval; The proposed parking scheme does not allow for visitor parking to Eyres Close and will lead to congestion and should be modified; and It should be noted this is one of very many applications and appeals by the applicants and their agent. These applications and the dumping of caravans may be within the rights of the applicants/ agent, but the behaviour is very distressing to the residents of Eyres Close, whom are owed a duty of care by SODC.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P17/S1599/RM – Appeal against non-determination
Reserved Matters application following Outline Approval (P15/S3649/O) (as amended by plan received 22 May 2017 increasing parking space dimensions and vision splays, and plan received 28 June 2017 correcting scale on plan, and as amplified by section plan across parking area, topographical survey and clarifying information received 10 July 2017, and as amplified by email clarifying tree buffer zone and hedging). Consent sought for: - access for off street parking, appearance (i.e. building design), landscaping, layout (i.e. siting within application site) and scale (one pair two storey semi-detached dwellings).

P17/S1539/LDP – Certificate issued 30/08/2017

1. Use of land for open storage (Class B8) of any or all of the following:
 - a). Topsoil - not exceeding 4000 tonnes in quantity to be held at any time.
 - b). Material with similar storage characteristics of bulk topsoil such as compost, bark, sand, gravel, aggregates, reclaimed aggregates, hardcore and similar combined quantity of any materials under sub heading a) and b) not to exceed 4000 tonnes in total quantity to be held at any time.
 - c). Any other materials, items or chattels capable of outdoor storage.
2. Incidental or ancillary activity including
 - a). Placing topsoil into bags including bulk 1 tonne open bags and other smaller bags all to aid transport and distribution

- b). Placing compost, bark, sand, gravel, aggregates or similar materials into 1 tonne and smaller bags for transport and distribution
- 3. Positioning a fully mobile Portacabin, caravan, or similar site unit for use as a welfare/rest room and WC for staff and lorry drivers delivering or collecting topsoil and/or other materials to and from the site.

[P16/S3587/FUL](#) - Refused (20/12/2016) - Appeal dismissed (12/09/2017)
Change of use of land for siting of up to five residential caravans (as amplified by preliminary contaminated land risk assessment received 8 December 2016)

[P16/S2114/RM](#) - Refused (05/10/2016) - Appeal dismissed (20/04/2017)
Reserved Matters application following Outline (P15/S3649/O) for two semi-detached dwellings (as amended by drainage information received 22 June 2016, 1 July 2016 and 11 July 2016).

[P16/S0984/LDE](#) – Certificate issued 06/06/2016
Open storage of topsoil not exceeding 4000 tonnes

[P15/S3649/O](#) - Refused (20/01/2016) - Appeal allowed (23/05/2016)
Outline application for removal of a stored topsoil mound to facilitate the re-contouring the site to a land form that will approximate with the original ground levels, erection of two starter homes, restoration of north boundary brick and flint wall and implementation of a scheme of landscaping and landscape repair. (Additional statement submitted by applicant 21 December 2015 to address third party comments).

[P15/S0128/O](#) -
Outline application for removal of existing topsoil mound. Restoration of north boundary brick and flint wall and erection of 2x2 bedroom starter homes.(As clarified by contaminated Land Questionnaire received on 19 February 2015).

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Core Strategy (SOCS) Policies
 - CSEN1 - Landscape protection (AONB)
 - CSQ3 - Design

- 5.2 South Oxfordshire Local Plan 2011 policies
 - C4 - Landscape setting of settlements
 - 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
 - T1 - Safe, convenient and adequate highway network for all users
 - T2 - Unloading, turning and parking for all highway users

- 5.3 Neighbourhood Plan policies – Ewelme Neighbourhood Development 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.

The Ewelme Neighbourhood Plan area was designated in May 2017 and plan is in the early stages of being drawn up. The plan is still being prepared and has not yet reached 'pre-submission consultation'. As such, it currently carries very limited weight.

5.4 South Oxfordshire Design Guide 2016 (SODG 2016)

Chilterns AONB Management Plan 2014-2019

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 This is an application for outline planning permission with all matters (access, appearance, landscaping, layout and scale of the development, including floor levels) reserved for subsequent approval. The council are therefore only considering the principle of development.

The main issues to consider in this case are;

- The principle of development
- Design and layout
- Landscape impact on the AONB
- Access and parking
- Neighbour impact
- Provision of gardens
- Mix of units
- Provision of affordable housing
- Contamination issues

6.2 **Principle of development.** Outline planning permission on this site has been granted on appeal for two starter homes (P15/S3649/O). In establishing the principle of residential development on the site, the inspector concluded:

8. Policy CSR1 of the Core Strategy allows for infill development where sites are closely surrounded by buildings and the Council have not disputed that this is an infill site. The proposed dwellings would appear as an entirely reasonable addition to this already substantially developed scene, and would not be an intrusion into open countryside. The scheme would not conflict with Core Strategy Policy CSR1.

Although the proposed residential area is larger than the previously proposed residential area plus orchard, the whole site continues to be within the built limits of Ewelme, and is closely surrounded by buildings, and is largely characterised by the built scene, rather than extending into the countryside. For these reasons the principle of residential development on the site is acceptable in my view.

6.3 **Design and layout.** The application is in outline with design and layout reserved for later approval. The illustrative block plan and street illustration indicate brick built two storey dwellings in keeping with the design and scale of other Eyres Close properties. These matters can be addressed adequately at the reserved matters stage.

6.4 **Landscape impact on the AONB.** The village of Ewelme (including the site) and land to the east of Eyres Lane falls within the AONB. Land to the west of the lane is open countryside but is not within the AONB. In terms of assessing the impact of the development on the sensitive landscape character of the AONB, the appeal inspector concluded:

5. The site lies in the AONB, but its character and location have much more affinity with the post-war cul-de-sac development of Eyres Close than with the wider landscape. ...The site does not contribute towards the essential character or beauty of the landscape, the village scene or the AONB.

It should, be noted that the inspector referred to vegetation and planting mitigating the impact of the housing development and to serve as screening, but essentially felt that the development would be seen within the built setting of the close, already visible from beyond the site:

6. Most views of the development except for those within or immediately adjacent to the cul-de-sac would be filtered by vegetation or seen in conjunction with other development. In consequence the scheme would not appear to extend the village any further into the countryside. There is open land on the other side of Eyre's Lane, but from that direction the proposed houses would be seen in the context of other village buildings, and the scheme would retain sufficient land for planting which would in due course screen the development.

Landscaping is reserved for subsequent approval and this will include any restoration works for the boundary wall to The Views. These matters can be addressed adequately at the reserved matters stage.

On this basis, I do not consider that the proposals will be harmful to the landscape and scenic beauty of the AONB and the proposals are therefore in accordance with SOCS Policy CSEN1.

- 6.5 **Access and parking.** The application is in outline with access and parking reserved for later approval. Objectors have, however, expressed considerable concern about the access and provision of parking on the site which objectors consider will prevent parking in the turning head
In the recent reserved matters appeal, the inspector commented on this matter as follows:

[paras. 15 and 16] The appeal scheme would serve to discourage casual parking within the turning head, but this would improve the chances of vehicles being able to turn and exit onto Eyres Lane in forward gear. In my judgement, the resultant benefit to highway safety would offset the inconvenience arising from the loss of on-street parking. I therefore find that the proposal would comply with the requirement of Policy D2 of the SOLP that development should incorporate adequate parking. It would also conform to Policy T1 by providing safe and convenient access to the highway network without creating traffic hazards.

In the case of this scheme the traffic and highway issues are similar and the illustrative layout plan has demonstrated that there is ample space to provide parking in excess of the minimum standards.

- 6.6 **Neighbour impact.** The application is in outline only with all matters reserved for later approval. The relationship with neighbours on the opposite side of Eyres Close would be a standard front to front relationship seen on any cul-de-sac. The development could be designed in a way to ensure no reduction in neighbour amenity.
- 6.7 **Provision of gardens.** The site is large enough to accommodate 3 houses in a way that will provide adequate standards of amenity in accordance with saved policy D3 of the SOLP. In this case 100 square metres of garden area would be required for each

dwelling (4 bedrooms or above) and the gardens for each dwelling on the illustrative block plan are in excess of the minimum standard.

- 6.8 **Mix of units.** There would be a net gain of 3 dwellings and a mix of units is required by Policy CSH4 of the Core Strategy. Three 4+ bedroom units are proposed which does not accord with policy. However, the proposed dwellings will be detached and of a similar size to other Eyres Close properties so they will be in keeping with the character of the area. In my view this issue does not override the test in paragraph 14 of the NPPF; the lack of housing mix would not significantly and demonstrably outweigh the benefits of this sustainable form of development and outline planning permission should, therefore, be approved.
- 6.9 **Provision for affordable housing.** As the scheme proposes three dwellings it is below the threshold for the provision of affordable housing.
- 6.10 **Contamination issues.** The site has been subject to a contaminated land assessment. An examination of ground conditions at the site along with chemical analysis and gas monitoring concluded that no significant sources of contaminated land were identified and that no risk to human health exists. The report also stated that laboratory results and gas/vapour monitoring visits revealed no elevated concentrations of potential contaminants with regards to residential development. After review of the report I am satisfied with the extent of the investigation undertaken and that no sources of land contamination or presence of any elevated landfill gases were identified. With respect to contaminated land I would consider this site suitable for the intended residential development.
- 6.11 **Community Infrastructure Levy.** The CIL charge applied to new build residential development is £150 per square metre (adjusted to £156 as per indexing figure January 2017) in Ewelme. 15% of the CIL payment will go directly to Ewelme Parish Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

This application is in outline and there are no details of floor area as yet. The relevant forms will need to be submitted at the reserved matters stage to allow the Council to collect the CIL payment.

7.0 **CONCLUSION**

- 7.1 It is my view that the proposed development is acceptable because the principle of residential development has already been established. The site is large enough to accommodate three detached houses and the associated parking and garden areas. Issues of design, layout, neighbour impact, access and provision of parking will be addressed at the reserved matters stage.

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 (2008).

8.0 **RECOMMENDATION**

8.1 **That Outline Planning Permission be granted subject to the following conditions:**

- 1 : Approved plans.**
- 2 : Commencement - outline with reserved matters.**
- 3 : Commencement - reserved matters approval.**
- 4 : Hours of operation - construction/demolition sites.**
- 5 : Drainage works (details required).**

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