

APPLICATION NO.	P17/S2692/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	3.8.2017
PARISH	CHOLSEY
WARD MEMBER(S)	Pat Dawe Jane Murphy
APPLICANT	Mr Michael Brown
SITE	Land to south of 2 Celsea Place Cholsey, OX10 9QW
PROPOSAL	Construction of a pair of semi-detached houses. (As amended by drawing TSD 539/CP 1000 Rev A accompanying e-mail from agent received 30 August 2017 amending parking and access and amplified by Arboricultural Report October 2017)
OFFICER	Paul Bowers

1.0 INTRODUCTION

- 1.1 The application is referred to the Planning Committee because the views of the Cholsey Parish Council differ from the officer's recommendation.
- 1.2 2 Celsea Place is one half of a semi-detached two storey dwelling on a corner plot at the junction of Celsea Place and Papist Way. The trees to the south east of the site are the subject of a tree preservation order.
- 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 to erect a two storey pair of semi-detached dwellings on land to the south of the existing 2 Celsea Place. A new access is proposed from Papist Way serving both new dwellings in communal car park arrangement.

The application has been amended to change the parking area and amplified by an arboricultural report.

- 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 reason;

- Overdevelopment.
- Out of keeping with the emerging Neighbourhood Plan.

Neighbour Responses – 1 x objection covering the following issues;

- Lack of clarity with regard to the boundary wall at 91 Papist Way.
- Concern about the impact to protected trees.

Forestry Officer - No objection subject to conditions.

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 2027 (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

C9 - Loss of landscape features

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.’*

Celsea Place is characterised by pairs of semi-detached properties. This development replicates the form and style of what has been established in the street scene. The pair of dwellings are simple in their form and design and, in my view, are entirely appropriate in the context of the area.

The position of the buildings to the south of the existing number 2 Celsea Place does not stand so proud of buildings along Papist Way or on the other side of Celsea Place that it will be unduly prominent.

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.

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.

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.

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.

The proposed dwellings have two bedrooms each. The garden area for both properties will exceed 50 square metres and leave more than sufficient amenity space for the existing property. The development complies with the council's standards and are not in such stark contrast with the nearby properties in terms of their plot size that they will appear out of keeping with the rest of the area.

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 or close that it is considered oppressive and overbearing.

The most affected property is number 2 to the north. Although Plot 1 will extend beyond the rear wall of number 2 Celsea Place, the depth of the property and gap between the buildings means there will not be an oppressive or overbearing impact.

A first floor window serving the landing is proposed in the side of Plot 1 which has the potential to directly overlook number. Given that this is only a landing window I think it is both reasonable and necessary to attach a condition that requires it to be obscure glazed and fixed shut.

The building is of sufficient distance away from number 91 Papist Way that it would not result in an oppressive impact or a material loss of sunlight or create overlooking.

Overall I conclude that the proposal is not unneighbourly.

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 site affords sufficient parking provision for each of the dwellings by providing two off street spaces. The Highway Officer has no objection to the proposed parking arrangements. Although a new access is proposed off Papist Way its proximity to the junction would not result in severe harm and the proposed conditions will ensure that sufficient visibility is possible from the new access.

The plans include the realignment of the boundary of the site to allow for visibility in an easterly direction.

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

Impact on trees.

The trees growing close to the eastern boundary in the neighbouring property (91 Papist Way) are protected by a tree preservation order. They are a very prominent feature of the landscape with considerable amenity value.

The submitted arboricultural report is considered by the Tree Officer to present an accurate representation of the protected tree-scape growing on the adjacent land. They have been able to consider the full impact of the proposed development and, subject to detailed tree protection conditions, are satisfied that the development will not significantly harm the protected trees.

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 polices.

8.0 RECOMMENDATION

8.1 **That Planning Permission is granted subject to the following conditions;**

- 1 : Commencement three years - full planning permission.**
- 2 : Approved plans.**
- 3 : Schedule of materials.**
- 4 : Withdrawal of permitted development (Part 1 Class A) - no extensions etc.**
- 5 : Withdrawal of permitted development (Part 1 Class E) - no buildings etc.**
- 6 : New vehicular access to Oxfordshire County Council standard.**
- 7 : Vision splay dimensions to be met.**
- 8 : Vision splay protection.**
- 9 : Parking and manoeuvring areas retained.**
- 10 : Landscaping (including access road and hard standings).**
- 11 : Tree protection (general).**
- 12 : Obscure glazing to landing window.**

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