

<b>APPLICATION NO.</b>	<a href="#">P18/S0929/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	16.3.2018
<b>PARISH</b>	CLIFTON HAMPDEN
<b>WARD MEMBER(S)</b>	Sue Lawson
<b>APPLICANT</b>	Mr & Mrs Bailey
<b>SITE</b>	Moonfleet Abingdon Road Burcot, OX14 3DP
<b>PROPOSAL</b>	Erection of a building for the storage of sport and recreation equipment
<b>OFFICER</b>	Will Darlison

1.0 **INTRODUCTION**

1.1 This application was originally on the agenda for the 13 June 2018 planning committee however due to time constraints it was not heard at that meeting.

1.2 The application is referred to planning committee because the Officer's recommendation for approval conflicts with that of Clifton Hampden Parish Council.

1.3 The application site lies within the ownership of Moonfleet, a residential dwelling that lies some distance to the North. The land is not within the residential curtilage of the property and lies within the Oxford Green Belt. It runs from the Southern boundary of Clifton Meadow House down to the River Thames where a riverside mooring jetty is located. A plan identifying the site is **attached** at Appendix 1 to this report.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the erection of a single storey flat roof timber storage building proposed to be used for the private storage of canoes, kayaks and associated river based recreational equipment.

2.2 Reduced copies of the plans accompanying the application is **attached** 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 **Clifton Hampden Parish Council** – Objection on the grounds that the proposals are considered exceptionally large for the proposed purpose. Larger than the Clifton Hampden Village Hall and that of a boat store constructed on the Clifton Hampden Recreation ground, which is intended for use by over 100 scouts.

3.2 **County Archaeological Services** - No objection

3.3 **Countryside Officer** - No objection

3.4 **Forestry Officer** - No objection

3.5 **SGN Plant Protection Team** - No objection

3.6 **Environment Agency** –Response confirmed that they do not wish to be consulted on development of this type.

3.7 **WSP Drainage Consultants** - No objection

3.8 **Neighbour Representations** - Neighbour Approve x (3)

- It is believed that it would be petty to oppose this planning application against the backdrop of the real effect of having such a building would have and the other similarly erected structure in similar locations providing all council planning and building requirements are followed.
- It is an excellent idea. My family have been the subject in the recent past of the theft of 2 canoes from the bottom of my garden, which extends to the River Thames and is almost next door to the application site. The proposed storage facility for the storage is quite in order.
- I cannot see how this proposal will have any effect on neighbours and the environment, and therefore I fully support this application.

Neighbour Objections x (7)

- The application site is in the Oxford Green Belt and permission would be in contravention of Chapter 10 of the NPPF and the NPPG and does not meet the criteria to be considered an exception to this.
- The proposed building would not be in curtilage and there is no existing building on the site. This would set a dangerous precedent in light of Policy R9 of the SOLP.
- The new building would impact on the openness of the Green Belt. Examples given in the submitted planning statement are either replacement buildings or ones allowed under permitted development.
- A smaller summerhouse on the site has previously been rejected as being contrary to Green Belt policy.
- The size of the proposed building is not modest. According to the Governments Technical Housing Standard it would have the same foot print as a single storey, one bedroom dwelling.
- This is not an “appropriate facility for outdoor sports” as it is not necessary, essential, or a special circumstance. Any outdoor sports can be enjoyed and pursued by using the owners’ property at Moonfleet.
- The view that by locating the proposed building loosely surrounded by existing development would not conflict with the purposes of including land within the Green Belt is incorrect. An unnecessary new building of this scale cannot help preserve the openness of the Green Belt.
- The application is unlawful as it is a “back door” attempt to build on the Green Belt and take the first steps towards full planning permission for a new dwelling in the future.
- It poses a threat to the openness, habitat and heritage of the River Thames, protected by paragraph 17 of the NPPF.
- The new building is a straightforward request to remove the Green Belt Status of the land.

Neighbour No Strong Views x (2)

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P17/S1368/HH](#) - Approved (05/06/2017)

Extensions and amendments to existing building.

[P17/S1584/NM](#) - Approved (09/05/2017)

Non material amendment sought to position the jetty one metre towards the river, to make the jetty usable on application ref. P15/S1273/FUL

Construction of a riverside mooring jetty.

[P15/S4122/FUL](#) - Approved (29/02/2016)

Demolition of existing dwelling, and outbuildings. Construction of replacement dwelling, car port, outdoor pool and ancillary works.

[P15/S3207/PEM](#) – Response (27/10/2015)

Demolition of existing dwelling, garage and outbuilding. Construction of a replacement dwelling and carport with bike storage and associated external works.

[P15/S1273/FUL](#) - Approved (22/09/2015)

Construction of a riverside mooring jetty. (As amended by plans received 8 July 2015 to omit the proposed summerhouse and provide details on mooring jetty) (Further amended by plan ref. 1659-A-400A to amend proposed mooring jetty).

[P09/W0646/LD](#) - Approved (08/09/2009)

Single storey side and two rear extensions together with detached garage in accordance with permitted development Class A and Class E.

## 5.0 **POLICY & GUIDANCE**

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

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

### 5.2 **South Oxfordshire Core Strategy 2027 (SOCS) policies:**

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity

CSEN1 - Landscape protection

CSEN2 - Green Belt protection

CSQ3 - Design

### 5.3 **South Oxfordshire Local Plan 2011 (SOLP) policies:**

C3 - Special character of the River Thames

C6 - Maintain and enhance biodiversity

C8 - Adverse affect on protected species

C9 - Loss of landscape features

D1 - Principles of good design

EP7 - Impact on ground water resources

G2 - Protect district from adverse development

G4 - Protection of countryside

GB4 - Openness of Green Belt maintained

R4 – Outdoor sport facilities in the countryside

R9 – Recreational development associated with the River Thames

### 5.4 **Emerging South Oxfordshire Local Plan 2011-2033 (ESOLP)**

This plan is not yet an adopted part of the development plan of the Council and as such can only be given limited weight.

### 5.5 **STRAT11 – Green Belt**

ENV3 – Biodiversity – Non designated sites, habitats and species

DES1 – Delivering High Quality Development

DES2 – Enhancing Local Character

DES6 – Residential Amenity

### **Clifton Hampden Neighbourhood Plan**

- 5.6 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.
- 5.7 The site is located within the Clifton Hampden Neighbourhood Plan Area and the Plan is currently at the plan preparation stage, such that it currently holds limited weight in decision making.

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

### **6.0 PLANNING CONSIDERATIONS**

6.1 The main planning considerations in the determination of this application are:

- **The principle of development.**
- **Impact on the openness and visual amenity of the Oxford Green Belt.**
- **Impact on neighbours.**
- **Design, appearance and impact on the character of the existing site.**
- **Impact on the character and biodiversity of the River Thames.**
- **Impact on flooding.**
- **Impact on trees and protected species.**
- **Community Infrastructure Levy.**
- **Other issues.**

6.2 **The principle of development.** Policy R9 sets the circumstances where recreational development in the context of the River Thames would be supported. The proposed development in my view would not conflict with this policy. The detail of which shall be covered within this report starting with paragraph 6.44.

6.3

#### **Policy R9**

**In considering proposals for recreational development associated with the River Thames and its valley, the overriding aim will be to preserve the river environment and landscape. To this end:**

- (i) new permanent moorings or new hire bases will not be permitted: temporary and overnight moorings for visitors will be permitted in suitable locations where no environmental damage is caused and where proper access and other facilities are available;**
- (ii) opportunities will be taken, where appropriate and desirable, to relocate existing on-river moorings into side channels provided that there is no harm to amenity or important biodiversity resources; and**
- (iii) wherever possible water-sports activities should develop through existing sites and premises rather than through the creation of new ones. Planning permission may be given for new facilities for water-sports, where it can be satisfactorily demonstrated that existing facilities would not meet the need and that there would not, as a result of the development, be insuperable conflicts between river users, or significantly increased congestion.**

**Proposals to redevelop existing boatyards and boat hire facilities for other uses will not be permitted.**

**All development proposals should, where appropriate, include measures to improve opportunities for public access to and onto the river.**

- 6.4 Comments from neighbours have argued that on the basis that there is no building currently on this parcel of land that permission cannot ever be granted for one and that doing so would constitute a dangerous precedent. The fact that the examples of other applications cited within the submitted written statement strengthens this viewpoint in that they are all either applications for replacement buildings or ones that were to be constructed under permitted development rights.
- 6.5 However, it is my professional opinion that as long as a proposed building can demonstrate compliance with the relevant national and local development plan policies there would exist no planning reasons why a new building on a parcel of land such as this would be unacceptable. With regards to the setting of a precedent for built form here, it is my opinion that this has already taken place with the very presence of recreational boathouses or similar building on adjacent sites. In addition, the fact that the parcel of land does not form part of the domestic garden of a dwelling does not have a bearing on the principle acceptability of a building on this site, again subject to being compliant with the appropriate policies.
- 6.6 **Impact on the openness and visual amenity of the Oxford Green Belt.** The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is set out in Section 9 of the advice from Central Government in the National Planning Policy Framework.
- 6.7 The five purposes of the green belt are;
- to check the unrestricted urban sprawl of large built up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.8 In addition there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt. 'Very special circumstances' to justify inappropriate development will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other circumstances
- 6.9 The NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt except for the following purposes;
- Agriculture and forestry.
  - **Appropriate facilities for outdoor sport and outdoor recreation, for cemeteries and other uses of land which preserve the openness of the green belt and don't conflict with the purposes of including land in it.**
  - The extension alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

- The replacement of a building where it is in the same use as the existing and is not materially larger.
  - Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan or;
  - Limited infilling or partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.10 The submitted application has put forward that the proposed building would constitute 'appropriate facilities for outdoor sport and recreation'; the exception highlighted in bold above. It is therefore necessary to consider first whether it would qualify for this exception. Initially there was concern as this was a proposal for private use and that there would be no wider public benefit from this facility. However, there appears to be no explicit wording within the NPPF or any relevant case law that specifies that there has to be a wider public benefit to a development in order for it to qualify for this exception.
- 6.11 The word 'appropriate' here in my view would relate to the size, scale, design as well as the location and compatibility of the proposal with the existing use of the site. In the following paragraphs it is my intention to go through those matters in turn.

#### **Size and scale**

- 6.12 The proposed footprint of the outbuilding is 8 metres x 5 metres (40 square metres). Objections from Clifton Hampden Parish Council as well as neighbours have been received with regards to the size of the proposed building being excessive. It was considered necessary to seek some further justification from the agent over the course of the application to set out the nature, number and size of kayaks and associated equipment that is proposed to be stored in this building. Below is what was supplied to me by the agent;
- Sport (Kayaking): 5 x Kayaks (4m long), a drying area and rinsing area (with tub), associated equipment including wetsuits, life jackets, helmets and maintenance kit.
  - Sport (Boating): Mooring equipment (ropes etc), 3 x boat covers, fire extinguishers and tools/servicing equipment for the clients' boat.
  - Sport (Fishing): Fishing tackle
  - Recreation (seating): Tables and chair, deckchairs.
  - Recreation (boarding): The client has intentions to keep some paddle boards.
  - Recreation (site upkeep): Storage of equipment related to the upkeep of the site such as a mower and tools.
- 6.13 I consider that the above breakdown of items and equipment would not be excessive or unreasonable for recreational activities in connection with the private leisure pursuits of a family with access to a generously sized parcel of land leading to the River Thames. Activities which are already established with the presence of the existing riverside mooring jetty on the site.
- 6.14 Its foot print, which has been commented on as being the same in floor area terms as a one-bedroom single storey dwelling whilst noted does not seem to be inappropriate in light of paragraph 6.11 of the submitted Planning Statement, which states that the scale of the building was reached by drawing upon the size of boat and summerhouses

nearby. I believe this establishes that the size and scale of the proposed building is an appropriate facility for outdoor sport and outdoor recreation.

### **Design**

- 6.15 I consider that an appropriate design for a recreational storage building in the Green Belt would be one that takes a common-sense approach, demonstrating an understanding that this type of building should not be ornate or elaborate in its external appearance and detailing.
- 6.16 The proposed building in my view responds well to these considerations and would employ an uncomplicated, functional design with a utilitarian external appearance. Entirely single storey with a flat roof it would avoid features such as dormers and porches that would evoke a domestic character. The openings on the South West Elevation would be limited in number to two small windows and a set of wooden doors, all in my opinion in line with a building to be used for the storage purposes set out in the submitted information.

### **Compatibility of use and location**

- 6.17 The appropriateness of an outdoor sport and outdoor recreation facility would also be judged on how it relates to the existing use of the site. For example, a building such as this would appear very much at odds if it were proposed on an area of land without ready or nearby access to a river, lake, reservoir or similar feature.
- 6.18 The recreational character and use of this parcel of land is in my view established, and supported in recent years through the previously approved riverside mooring jetty. A kayak store of the type proposed does not in my view appear incongruous in this context.
- 6.19 The location of the proposed building is at the Northern most part of the parcel of land. A matter that has been commented on due to the distance of some 86 metres from the River Thames. The storage proposed in this building is predominantly for kayaks, which are, as has been raised in representations of support valuable pieces of sports equipment that have been the target for acts of theft in the area. The River Thames would facilitate access to the storage building on this parcel of land and as such a location pulled closer to the part of the linear form of development extending South from Abingdon Road is a reasonable approach with regards to site security.
- 6.20 The distance to the River Thames is worth further discussion with respect to the practical considerations of using the building for the storage of kayaks. A distance of some 86 metres would in my view be impractical for larger and heavy water based craft but with the accepted practice of portaging (carrying water craft or cargo over land), the movement of kayaks in this situation is not considered to be objectionable.
- 6.21 In addition, in order to meet this exception, the proposed development must preserve the openness of the Green Belt and not conflict with purposes of including land in it.
- 6.22 Paragraph 6.5 of this report sets out the purposes of the Green Belt taken from paragraph 80 of the NPPF. I view that the erection of a recreational storage building would not; contribute to any urban sprawl, any settlement coalescence or encroachment into the countryside on the basis of its location in a rural village context pulled close to the more developed part of the site to the North and its proposed single storey scale.

- 6.23 With the appropriateness of the development established it is then necessary to consider whether the building causes harm to the openness of the Green Belt. In accepting that a building can be erected to service this outdoor activity there is an implicit acceptance that there will be some impact to openness as a consequence of a development.
- 6.24 The building would be low profile with a flat roof ensuring that it would take up less volume than if it were to have a pitch on it. It would due to its position along the Northern edge of the parcel of land mean that the majority of the site leading down to the River Thames remains open with the built form of the proposal pulled close to the more developed part of the area instead of having built form cascade down the site towards the River Thames.
- 6.25 However, what is a fundamental consideration with implication on the impact on openness is the permitted development rights that such a storage building would benefit from. Whilst such a building would not have any permitted development rights with regards to its enlargement or alteration through operational development, Schedule 2, Part 3, Class P of the General Permitted Development Order does afford the mechanism for applying for prior approval to change the use of a storage building to a dwellinghouse. A dwellinghouse here as opposed to a storage building would have a significantly different impact upon the openness of the Green Belt as means of enclosure, incidental outbuildings and a wide array of associated domestic paraphernalia would potentially be introduced or sought at the site, which would be considered to harm the openness of the Green Belt. It is therefore intended to remove this permitted development right from the site through the imposition of an appropriately worded condition.
- 6.26 Therefore, in my professional opinion the proposed development is in accordance with Green Belt policy at both a national and local level, comprising an appropriate form of development which is not harmful to the openness or visual amenity of the Oxford Green Belt.
- 6.27 Objections from neighbours have stated that the proposed development is contrary to Green Belt policy on the basis that not only is it not one of the exceptions set out in paragraph 89 of the NPPF but also that the proposal does not demonstrate any very special circumstances, the latter of which is a consideration set out in paragraphs 87 and 88. It is correct that paragraphs 87 and 88 must be read in the wider context of the Green Belt policy and it is here where, in my opinion perhaps a misunderstanding of the policy emanates.
- 6.28 Paragraph 87 states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances' and in paragraph 88 states that "Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'.
- 6.29 I believe that based on the submitted information, the proposed building is an appropriate form of development in the Green Belt, falling within the exception highlighted in bold above. Nowhere in paragraph 89 are the exceptions required to be either essential or necessary, which is understandable as with particular reference to this exception, most if not all recreational activities would not be deemed as meeting the definition of those words.
- 6.30 Furthermore, the arguments set out in neighbour objections are not compelling with regards to why, in their opinions the proposal fails to qualify as an outdoor sport and



outdoor recreation exception under paragraph 89 of the NPPF. Exertions such as that the equipment in question could be stored in a building at the Moonfleet residential site are not ones that I can give weight to in the context of Green Belt policy as no exception or sequential test is set out in either National or Local Plan policy.

- 6.31 **Impact on neighbours.** The proposed storage building would be located some 2 metres away from the existing 2-metre-high section of close boarded timber fencing along the shared boundary with Clifton Meadow House to the North.
- 6.32 The building would be entirely single storey with an overall height of 2.5 metres. The additional 0.5 metres of height above the fencing would in my view not result in the structure being overbearing or oppressive upon Clifton Meadow House. Aided through the flat roof of the building and that it would be set in away from the shared boundary. This height when viewed in the context of the nearby boundary fencing would also ensure that the proposal would not result in a material loss of direct sunlight or ambient daylight to this neighbouring property.
- 6.33 The proposed building provides openings exclusively to the South West elevation that would face inwards to the application site, down towards the River Thames. No openings are proposed on either of the side elevations or the rear elevation. Under such circumstances unneighbourly views beyond the confines of the application site into neighbouring properties would not be possible.
- 6.34 I am therefore satisfied that the proposed building would not result in any material harm to the amenities of neighbouring dwellings.
- 6.35 Matters of noise, smells and that the proposed building would be visually intrusive were raised by neighbours. The right to a view that is across land that does not fall within your ownership is not protected within the planning system and as such this point cannot be given weight as it is not a material planning consideration.
- 6.36 The matters of noise and smell in connection with the storage of kayaks and associated equipment is not considered likely to give rise to material harm to neighbours. However, it is acknowledged that these concerns were made with regards to the possibility of the building being used as a venue for entertainment. The overriding functional design of the building would not lend itself as a suitable or desirable venue for entertaining given its low height and very limited openings. It must however be appreciated that currently there is nothing preventing the owners of this parcel of land entertaining and having BBQs here in connection with the established recreational use of the land.
- 6.37 Therefore, the proposed development would not be materially more likely to give rise to noise and smell nuisance than the existing arrangement. If excessive noise or smell does become an issue in the future it can be addressed under separate legislation.
- 6.38 **Design, appearance and impact on the character of the existing site.** The proposed storage building would in my view employ a simple design; a flat roofed timber building on a rectangular footprint. Restricted to entirely single storey and through its avoidance of any overtly domestic features such as dormer windows, porches etc it would be a very functional structure in terms of its outward appearance. I am therefore of the view that it would be an acceptable design that would not adversely affect the character and appearance of the wider site.
- 6.39 It should be noted that the response from Clifton Hampden Parish Council stated that the size of the building proposed is larger as the Clifton Hampden Village Hall. The proposed floor plans depict a floor area of 40 square metres, which is substantially less

than the 211 square metres of the village hall when measured from the Council's mapping system.

- 6.40 Comparisons were also drawn with the Clifton Hampden Scouts canoe and kayak store being of smaller floor area. This is the case but it should be noted that the storage building for the Scouts is not the only building serving the needs of that organisation whereas what is being applied for here would be the sole building on the parcel of land.
- 6.41 **Impact on the character and biodiversity of the River Thames.** Both policy CSEN1 in the SOCS and C3 and R9 of the SOLP seek to protect and enhance the river bank
- 6.42 Paragraph 3.15 of the subtext of Policy C3 makes it clear that outside of the settlements the natural state of the river banks should be maintained and even proposals for mooring stages and earth works will not be permitted as they can seriously affect the character of the river environment.
- 6.43 Paragraph 3.14 makes it clear that the 'character' it is seeking to protect is the natural undeveloped banks of the Thames.
- 6.44 In addition Policy R9 of SOCS relates to recreation development associated with the River Thames which seeks to preserve the river environment and landscape. It precludes new permanent moorings and only develop water sport activities through existing premises.
- 6.45 Whilst it is important to note that there exists no fully enclosed building for recreational purposes on the site there is the previously approved and subsequently constructed riverside mooring jetty at this site and that the site is within the settlement of Burcot. A situation that demonstrably establishes in my opinion the character of the site as one with a legitimate connection to recreational activities associated with the River Thames.
- 6.46 The use of timber on the walls of the building would, in my view, visually compliment that of the boundary fencing behind it and in conjunction with the level of natural screening along the river bank and within the site would in my view soften the appearance of the building to the extent that in terms of the River Thames and its setting the proposal accords with policy. Views from the river would be glimpsed in nature due to the set back that the building would employ in addition to the aforementioned similarity to the materials of the fencing behind the proposed building. Resulting in a building that would not be prominent nor incongruous in the setting of the river.
- 6.47 Neighbour comments have raised the matter of the impact on the heritage of the River Thames from the proposed development. I do not see any inherent conflict between what is proposed and the historic nature, character and associated activities of the river. The presence of boathouses and mooring jetty's is an indication of the recreational character that the river has, a character with which the proposal does not to conflict.
- 6.48 **Impact on flooding.** The majority of the site is located within Flood Zone 3 and the Northern most part, where the proposed storage building would be located is within Flood Zone 2. The proposed building has been designed as a floodable structure with ground level inlet grilles located to the front, sides and rear to allow flood waters to enter the building unimpeded.
- 6.49 Consultation with the Environment Agency resulted in a statement being returned that the proposed development is not one which they wish to comment upon. Further

consultation was undertaken with our specialist drainage consultants; WSP and they have responded with no objection to the proposed development from a surface water drainage perspective. Verbal discussions with the Council's drainage engineers concluded that due to the water compatible nature of the proposed building no flood plain compensation would be required.

- 6.50 The proposed development is not one that represents an increased risk to flooding due to impedance of flood flow or the reduction of flood storage capacity, subject to the attachment of conditions to ensure there shall be no building or raising of land levels and that the flood resiliency measures set out in the Flood Risk Assessment are implemented.
- 6.51 **Impact on trees and protected species.** The trees on the site are not protected by virtue of a preservation order and the site is not located in a conservation area. However, the trees provide screening that will help assimilate the proposed building and have a wider amenity benefit, particularly to the setting of the River Thames. Therefore, notwithstanding the no objection put forward by the Forestry Officer a tree protection condition is proposed to ensure that the trees are protected during the construction period of the development.
- 6.52 Consultation with our Ecology Officer resulted in comments stating that they were satisfied that if planning permission were to be granted that there would not be any significant ecological impacts.
- 6.53 **Community Infrastructure Levy.** The Council's CIL charging schedule has been adopted and will apply to relevant proposals from 1 April 2016. 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 not liable as the proposed development would not be a liable form of development as defined on the CIL charging schedule.
- 6.54 **Other issues.** Comments received on this application expressed the view that this application was unlawful. The reasoning for this view was set out that by virtue of it being in the opinion of the individual contrary to Green Belt policy. This is not the case, firstly as set out in this report it is my professional opinion that it is not contrary to policy and secondly even if a proposed development was it does not make the act of applying for planning permission an unlawful act.
- 6.55 A number of comments have referenced the fact that on planning application P15/S1273/FUL when originally submitted it included a building proposed as a summerhouse and that this element of the proposals was withdrawn on the basis that it was contrary to Green Belt policy and that the proposed kayak store is only a semantic difference. This is not considered to be the case on the materially different external design and the stated intended use of the current proposed building. Applications must be assessed on face value and no compelling case has been made or evidence supplied to doubt the veracity of the information submitted.

## 7.0 CONCLUSION

- 7.1 Officers recommend that planning permission is granted because the proposed development would be an appropriate form of development in the Oxford Green Belt and not harmful to its openness or visual amenity. Furthermore, it would be of an acceptable design and appearance not posing harm to the amenities of neighbouring residential dwellings or the special character and biodiversity of the River Thames. In

conjunction with 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. **Materials as on plan.**
4. **Withdrawal of permitted development (Part 3, Class P) – no conversion from storage to residential.**
5. **Flood resiliency measures.**
6. **Tree protection (general).**

**Author:** Will Darlison

**E-mail:** [will.darlison@southandvale.gov.uk](mailto:will.darlison@southandvale.gov.uk)

**Contact No.:** 01235 422600