

<b>APPLICATION NO.</b>	<a href="#">P18/S2953/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	5.9.2018
<b>PARISH</b>	Beckley
<b>WARD MEMBER(S)</b>	John Walsh
<b>APPLICANT</b>	Mrs Fiona Bonney
<b>SITE</b>	The Beeches, Woodperry Road, Beckley, OX3 9UZ
<b>PROPOSAL</b>	Outline application for one detached dwellinghouse
<b>OFFICER</b>	Joan Desmond

**1.0 INTRODUCTION**

1.1 This application is referred to the Planning Committee as a formal call-in has been made by Councillor John Walsh

1.2 The site comprises paddock/grazing land and measures approximately 0.1ha in area and lies on the east side of a track which extends off Woodperry Road View (OS extract **attached** as Appendix 1). The site is bounded by open land (paddock) to the north and east. Woodperry Road adjoins the site to the west and the residential property known as ‘Hollybush House’ adjoins the site to the south.

1.3 The sites lies with the Oxford Green belt.

**2.0 PROPOSAL**

2.1 The application is an outline application for the erection of a detached dwelling house with all matters reserved apart from access and layout. Access is proposed via an existing field gate off Woodperry Road. The site is bordered by hedgerows and trees on three sides. Previous appeal decisions on this site have concluded that the site does not lie within the physical limits of the village.

2.2 Reduced copies of some of the submitted plans are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council’s website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

**3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Beckley Parish Council** – Fully support application as it is an appropriate place for an additional house in the village.

**Highways Liaison Officer (Oxfordshire County Council)** - No Objection subject to conditions.

Neighbour – Support application in principle but comments that the development should be of a similar scale to surrounding development; visiblity is not adquate for any increase in traffic density and permitted development rights should be removed.

**4.0 RELEVANT PLANNING HISTORY**

4.1 [P00/N0820](#) - Refused (14/03/2001) - Appeal dismissed (04/09/2001)  
Erection of a single dwelling. (As amplified by additional plan accompanying agent’s letter dated 23 February 2001).

[P83/N0010/O](#) - Refused (16/02/1983) - Appeal dismissed (08/12/1983)  
ERECTION OF DETACHED BUNGALOW AND GARAGE.

[P77/N0359/O](#) - Refused (18/08/1977) - Appeal dismissed (27/06/1978)  
DEMOLITION OF RAILWAY CARRIAGE AND ERECTION OF A BUNGALOW.

[P72/M1431](#) - Refused (17/01/1973)  
Demolition of converted railway carriage and erection of two detached dwellinghouses and garages

**5.0 POLICY & GUIDANCE**

**5.1 National Planning Policy Framework & National Planning Practice Guidance**

**5.2 South Oxfordshire Core Strategy (SOCS) policies**

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSEN1 - Landscape protection

CSEN2 - Green Belt protection

CSM1 - Transport

CSQ3 - Design

CSR1 - Housing in villages

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

H4 - Housing sites in towns and larger villages

G2 - Protect district from adverse development

G4 - Protection of Countryside

GB4 - Openness of Green Belt maintained

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

C8 - Adverse affect on protected species

C9 - Loss of landscape features

D1 - Principles of good design

D10 - Waste Management

**5.4 Emerging South Oxfordshire Local Plan 2033**

The Council is preparing a new Local Plan, which will set out how development will be planned and delivered across South Oxfordshire to 2033. The overall strategy in draft policy STRAT1 is to focus major new development in the Science Vale and other strategic allocations; support and enhance the economic and social dependencies between towns and villages; support the roles of Henley-on Thames, Thame and Wallingford; support and enhance the roles of the larger villages; allow limited housing and employment development at smaller and other villages (Beckley); protect and enhance the countryside by ensuring that any change relates to very specific needs; and support and enhance the historic environment.

**5.5 Beckley Neighbourhood Plan**

Paragraph 48 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.

5.6 The Beckley Parish Council ran a consultation, which concluded on 24 February 2018, inviting the local community and statutory consultees for their comments on their draft neighbourhood plan (NP). The comments received are being reviewed, before the plan is submitted to the district council for a further round of consultation followed by the Independent Examination. The neighbourhood plan has limited weight at this stage.

**5.7 South Oxfordshire Design Guide 2016**

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The main planning considerations in the determination of this application are
- Whether the principle of development is acceptable
  - Whether the proposal is inappropriate development within the Green Belt
  - Harm on the openness and visual amenity of the Oxford Green Belt
  - Impact on the character and appearance of the area
  - Impact on neighbours
  - Highway implications
  - Other material considerations

6.2 **Principle of the 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. Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

6.3 ***Green Belt Issues***

The site lies within the Oxford Green Belt. The National Planning Policy Framework (NPPF) attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the most important attribute of Green Belts is their openness.

6.4 The Green Belt serves five purposes:

- to check the unrestricted 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.

6.5 It is important to note that whilst the Green Belt contains areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land in the Green Belt or its continued protection. It is the openness of land that is important.

6.6 To protect openness there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt. New buildings in the Green Belt are not appropriate unless for the following Purposes:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or 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, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or

- limited infilling or the 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.

- 6.7 Policy CSR1 of the Core Strategy allows for new housing in the settlements in the district. Beckley is identified as a “smaller” village. For the smaller villages this will amount to infill developments on sites of up to 0.2 hectares (the site measures some 0.1 ha). Infill development is defined as being the filling in of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings. CSR1 and CSEN2 also make reference to respecting Green Belt designations.
- 6.8 The NPPF says that where villages are included within the Green Belt, it has to be because they too contribute to the openness (para 140). A reasonable interpretation is that there are features in the character of the village (open spaces) that make that contribution in particular.
- 6.9 The filling of open spaces within these green belt villages would undeniably have some impact on openness but where this harm is limited, infilling can be acceptable. These are the balanced judgements CSEN2 is seeking.
- 6.10 Previous appeal decisions for residential development on this site (see history above) have concluded that the site does not lie within the physical limits of the village. In the most recent appeal in 2001, the Inspector noted that ‘it is possible to argue that the site does not lie in open countryside’ but concluded that it was not contained within the built-up form of the village but was located within a pocket of scattered development, somewhat divorced from the ribbon of housing on Woodperry Road which itself was physically separate from the core of the village. Whilst the Parish Council support the application on the grounds that it is an appropriate place for a dwelling as it lies within the ‘Defined village’ as identified in the draft Neighbourhood Plan, it does not form a small gap in an otherwise built-up frontage and is not closely surrounded by other buildings. The site adjoins open fields on two sides. This proposed development does not therefore meet the definition of infill and is contrary to Policy CSR1. The development comprises inappropriate development in the green belt and consideration must be given as to whether the harm, by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify the development. No such circumstances have been put forward by the applicant.
- 6.11 **Harm on the openness and visual amenity of the Oxford Green Belt**  
The site has the appearance and character that is open and undeveloped. Officers consider that this open area of land makes a positive contribution to the openness and visual amenity of the Oxford Green Belt. The proposed development would increase the amount of built form on the site which although may be partially screened by trees and other vegetation, would still adversely affect the openness of the green belt and its visual amenity in conflict with Policy GB4 of the South Oxfordshire Local Plan (SOLP).
- 6.12 **Impact on the character and appearance of the area**  
Policies C4, G2 and G4 of the SOLP are relevant to the proposed development. These policies seek to ensure that any attractive landscape settings of settlements are not harmed by development and that the countryside is protected for its own sake. The site comprises paddock/grazing land with associated structures located on adjoining land to the east. As already identified, the site has the appearance and character that is open

and undeveloped. As noted by the previous appeal Inspector the site ‘unquestionably forms an integral part of the countryside beyond and, as such, makes a significant contribution to the rural character of the area’. The development would consolidate the existing scatter of development along this road.

6.13 The erection of a new dwelling on this site with its associated residential paraphernalia would be harmful to the rural character and appearance of the site in conflict with Development Plan policies and the NPPF.

6.14 **Neighbour Impact**

The Council’s policies and guidance seeks to ensure that new dwellings are considerate to neighbours by way of ensuring that the development does not intrude upon a neighbour’s privacy, does not overshadow, obstruct daylight or have an oppressive or overbearing impact, which would be harmful to the amenity of occupiers living in neighbouring properties. Policy H4 (iv) seeks to ensure that new residential development does not amount to any overriding amenity harm.

6.15 As this is an outline application no details of the proposed dwellings have been submitted but the layout of the proposed dwelling is unreserved. The layout plan indicates the siting of the proposed building centrally on the plot. The site is surrounded by open fields on two sides and adjoins Woodperry road to the west. The nearest property is ‘Hollybush House’ to the south which is separated by a strong field boundary and is located some distance from the boundary. As such it is not considered that there would be any significant impact on neighbour amenity.

6.16 **Impact on local highway**

The council’s policies and guidance seek to ensure that in determining planning applications, the council should, in consultation with the local highway authority, ensure that new developments, including but not exclusively relating to the provision of housing, are designed to a standard that ensures a safe and attractive environment and does not result in an unacceptable level of traffic on the local highway network or have a detrimental impact on the amenities and environment of the area. The NPPF advises that safe and suitable access to the site should be achieved for all users.

6.17 The Highway Liaison Officer considers that the proposed development is unlikely to have a significant impact on the highway network and has raised no objection subject to conditions to ensure highway safety.

6.18 **Community Infrastructure Levy (CIL)**

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 would be inappropriate development in the green belt. According to the NPPF this is, by definition, harmful and substantial weight has to be given to that harm. Furthermore the openness of the green belt would be harmed and the proposed development would be harmful to the rural character and appearance of the area in conflict with the NPPF and policies CSEN1, CSEN2 and CSR1 of the SOCS and policies GB4, G2, G4, C4 of the SOLP.

8.0 **RECOMMENDATION**

8.1 **To refuse planning permission for the following reasons:**

1. **The proposal would be inappropriate development in the green belt which according to the National Planning Policy Framework is, by definition harmful to the openness of the green belt and substantial weight has to be given to that harm. No very special circumstances have been provided with this application which would outweigh this harm. As such it is not acceptable in principle and is contrary to advice set out in the Framework.**
2. **The Development Plan identifies appropriate locations for new dwellings in the district. New dwellings within the Green Belt will not be allowed unless the development falls within strictly defined criteria. Beckley is one of the villages within the district where the principle of infill development is acceptable. However, the site lies outside the village of Beckley in an isolated scatter of development. The site does not constitute infill development and is therefore considered as inappropriate development to the detriment of the openness and visual amenity of the Oxford Green Belt. As such, the proposal is contrary to policies CSR1 and CSEN2 of the South Oxfordshire Core Strategy 2027, Policy GB4 of the South Oxfordshire Local Plan and the guidance set out within the National Planning Policy Framework 2018.**
3. **The proposed development would be harmful to the rural character and appearance of the area in conflict with Policy CSEN1 of the South Oxfordshire Core Strategy, 2012, and saved policies C4, G2 and G4 of the South Oxfordshire Local Plan, 2011.**

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