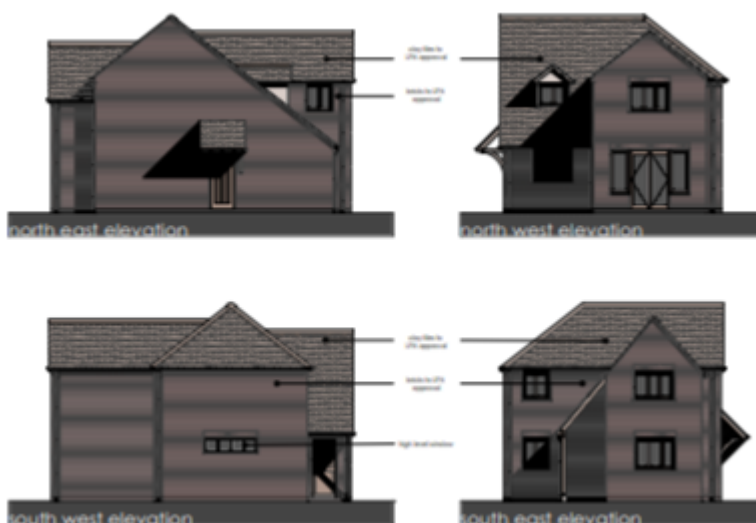


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|-------------------------|--|
| <b>APPLICATION NO.</b>  | <a href="#">P18/S2866/FUL</a>  |
| <b>APPLICATION TYPE</b> | FULL APPLICATION   |
| <b>REGISTERED</b>       | 7.9.2018   |
| <b>PARISH</b>           | CROWMARSH GIFFORD  |
| <b>WARD MEMBER(S)</b>   | Felix Bloomfield<br>Sue Cooper   |
| <b>APPLICANT</b>        | P Shuttleworth and R Marffy  |
| <b>SITE</b>             | 27 Benson Lane, Crowmarsh Gifford, Wallingford,<br>OX10 8ED                      |
| <b>PROPOSAL</b>         | Detached dwelling (amended scheme to planning<br>approval number P16/S2454/FUL). |
| <b>OFFICER</b>          | Kim Gould  |

1.0 **INTRODUCTION**

- 1.1 This application is referred to Planning Committee because the views of Crowmarsh Parish Council differ from the officer's recommendation.
- 1.2 The site lies within the built-up part of Crowmarsh Gifford, immediately adjoining the south eastern boundary of the former SODC office site. The site comprises the original side and part rear garden of no 27 Benson Lane. The site lies outside any area of restraint and is shown in the OS extract **attached** as Appendix 1.
- 1.3 The site is some 9.5m wide and 32.5m deep and is bounded by the host dwelling and its residual curtilage to the south and the former council offices to the north. Vehicular access to the existing dwelling is currently taken from the rear and pedestrian access from the front.
- 1.4 Planning permission was granted under planning ref P16/S2454/FUL for the sub-division of the existing residential curtilage and the erection of a detached, two storey dwelling house. This remains an extant permission. The approved elevation and block plan are shown below.



- 1.5 Planning permission was refused under planning ref P17/S2309/FUL for the erection of a more contemporary style dwelling. The refused elevation and block plan are shown below.



The reason for the refusal of planning permission was:

1. That having regard to the contemporary style of the proposed dwelling and its siting forward of the neighbouring property within the narrow site, the proposed development would appear conspicuous and incongruous in the street scene. It would have a cramped and uncomfortable relationship with its neighbour causing material harm to the character and appearance of the area and fail to reinforce local distinctiveness contrary to policy CSQ3 of the South Oxfordshire Core Strategy 2027 and policies G2, D1 and H4 of the South Oxfordshire Local Plan 2011, to Section 7 of the South Oxfordshire Design Guide and to Government advice set down in the NPPF.

2.0 **PROPOSAL**

2.1 This application seeks full planning permission to erect a detached two-bedroom dwelling.

2.2 All documentation associated with this application can be viewed on the council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk). A selection of the submitted plans are **attached** as Appendix 2. The proposed south eastern elevation is shown below:

Proposed New House  
on land adjacent to  
27 Benson Lane  
Crowmarsh  
OX10 8ED

004 Proposed South East Elevation

Scale 1:50 @A3



### 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Crowmarsh Parish Council – Objection – The size and positioning of the proposed development are significant for a relatively small narrow parcel of land. The scale, bulk and design of the proposed dwelling are out of character for the area and are considered to be over development of the site.

SGN Plant Protection Team - No strong views

OCC Highways Liaison Officer – No objection subject to conditions relating to parking, turning and visibility.

Neighbour No Strong Views (1) – We have no objection to the proposed development on the land adjacent to our property. The design and style of the building will enhance the overall look of our street. The only point we would like clarification and consultation on is the parking bay for our own property which is included in the plan. We would like to have a final decision on the size and positioning of the parking bay.

### 4.0 RELEVANT PLANNING HISTORY

4.1 [P17/S2309/FUL](#) - Refused (13/06/2018)

Detached dwelling (As amended or amplified by plans received on 21 March, 2018). related to P16/S2454/FUL

[P18/S1504/PD](#) – Response (23/05/2018)

Conservatory extension to the rear and porch to front on approved dwelling ref P16/S2454/FUL

[P16/S2454/FUL](#) - Approved (02/09/2016)

Proposed sub-division of existing residential curtilage and erection of a detached two storey dwelling house. Provision of new rear vehicular access for existing dwelling. related to P17/S2309/FUL

[P16/S1283/PEM](#) – Response (16/05/2016)

Proposed sub-division of existing residential curtilage and erection of a detached two storey dwellinghouse. Provision of new vehicular access for existing dwelling.

## 5.0 **POLICY & GUIDANCE**

### 5.1 South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

### 5.2 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

### 5.3 Neighbourhood Plan policies; 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.

Crowmarsh Gifford Parish Council are currently working on creating a Neighbourhood Plan and as such it has limited weight at this stage.

### 5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

### 5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

## 6.0 **PLANNING CONSIDERATIONS**

### 6.1 The main issues to be considered in the determination of this application are:

- i. Principle and housing land supply.
- ii. Policy H4 criteria
- iii. Garden sizes
- iv. CIL
- v. Other issues

### 6.2 **Principle and housing land supply**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to 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.

Paragraph 11 of the NPPF (2018) advises that there is a presumption in favour of sustainable development. For decision-taking this means;

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.”

Crowmarsh Gifford is defined within the SOCS as a larger village. Policy CSR1 of the SOCS allows for infill development within the larger villages. Infill is defined as “the filling of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings.” This site is a gap in an otherwise built up frontage and is closely surrounded by buildings. As such the principle of residential development is acceptable. An extant permission exists for the erection of a single dwelling on this site which reinforces the opinion that the principle of residential development is acceptable on this site.

In the context of paragraph 11 and 213 of the NPPF the council’s Development Plan is not out of date because the council can demonstrate a 5-year housing land supply based on the revised SMHA figures and the hierarchy of growth in settlements has been found to be sound and consistent with the NPPF.

However, it is clear SOCS that policy CSH1 (housing allocation distribution) is out of date as the proposed site allocations DPD was never progressed as proposed. This means that policy CSR1 is also out of date in respect of the allocation of sites and housing growth in larger villages. However, as this site is an infill site in a larger village, the principle of development is acceptable.

In summary, the council’s housing policies for “larger villages” in the Development Plan are out of date. As such, paragraph 11(d) is engaged and the level of conflict with policy CSR1 carries less weight. This “tilts” the planning balance towards granting planning permission for new housing on this site in line with the presumption in favour of sustainable development.

If the proposed housing development is acceptable in principle, then the detail of the proposal must be assessed against the relevant criteria of saved policy H4 of the SOLP.

### 6.3 Policy H4 criteria

Policy H4 of the SOLP allows for housing on sites within the built-up area of the villages provided that:

- **An important open space of public, environmental or ecological values is not lost, nor an important public view spoilt.** In this case, the site was originally the side and rear garden of no 27 Benson Lane so is not an important public space or ecologically important. An extant planning permission exists for the erection of a detached dwelling on this site so the principle of developing this site for residential development has already been established.
- **The design, height, scale and materials of the proposed development are in keeping with its surroundings** Although there is a variety of house types and styles along Benson Lane, most are traditional in style and appearance. In the immediate vicinity of the site, to the side and rear, there is a very uniform style of semi-detached dwellings in relatively spacious plots. The extant permission has established the principle of a detached dwelling on this site using materials which reflect those on the neighbouring properties and which sits generally in line with the established building line of development. This current proposal would use brick and clay tiles which would reinforce local distinctiveness and be in keeping with its surroundings. It would be of a design and height comparable to the “host” dwelling and similar in appearance and scale to the extant scheme.
- **The character of the area is not adversely affected.** Although the site lies outside any area of restraint, regard must be had to the established character of the area and how this proposal will appear in the street scene. Paragraph 130 of the NPPF advises that permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. In this case, the site lies within an established residential area and the proposed development would not adversely affect the character of the area in my view.
- **There are no overriding amenity, environmental or highway objections;**
- **Amenity:** The property most affected by this proposal would be the “host” dwelling at no 27 Benson Lane. The proposed new dwelling would not project materially beyond the front elevation of no 27. A minimum distance of 1.78 metres would remain between the two dwellings which would not result in unacceptable levels of amenity for the occupier of no 27 Benson lane.
- **Environmental:** I do not consider that there would be any unacceptable environmental implications as a result of this proposal.
- **Highways:** The proposed dwelling has 2 bedrooms. The council’s parking standards for a 2-bed dwelling as set down in the South Oxfordshire Design Guide is 2 spaces. This proposal has 3 spaces so exceeds the council’s parking standards for this type of development and the County Highway Authority have not raised any objection to this proposal.
- **If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlements.** This proposal would not constitute backland development.

### 6.4 Plot coverage and garden size

Policy D3 of the 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 the 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 dwelling has 2 bedrooms. The rear garden area provided for this property is approximately 57 square metres (excluding the parking spaces) and 87 square metres at the front.

No 27 Benson Lane would retain a garden of some 100sqm therefore the proposal therefore accords with Design Guide advice.

#### 6.5 **Community Infrastructure Levy (CIL)**

CIL is a planning charge that local planning 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 payable for the whole development because it involves the creation of a new dwelling. The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (adjusted to £170.73 as per indexing figure January 2018).

#### 7.0 **CONCLUSION**

7.1 The council's housing policies for "larger villages" in the Development Plan are out of date. However, Crowmarsh Gifford is classified as a village where limited infilling development and redevelopment of existing sites is permitted in principle. This "tilts" the planning balance towards granting planning permission for new housing on this site in line with the presumption in favour of sustainable development. The design and materials of the proposed dwelling reflect local vernacular. The site affords for sufficient amenity space and parking and would not result in materially harmful unneighbourly impact to adjacent properties. Conditions are proposed relating to highway matters and materials. The proposal is therefore in accordance with Development Plan policies and national planning policy and planning permission should be granted subject to the conditions listed below.

#### 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. **New vehicular access.**
5. **Vision splay dimensions.**
6. **UNIQUE - Turning areas and car parking.**

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