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<b>APPLICATION NO.</b>	<u>P18/S2809/O</u>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	17.8.2018
<b>PARISH</b>	FOREST HILL
<b>WARD MEMBER(S)</b>	John Walsh
<b>APPLICANT</b>	CALA Management Ltd
<b>SITE</b>	Bayswater Farm Road Headington
<b>PROPOSAL</b>	Erection of one dwellinghouse accessed from Bayswater Farm Road (as clarified by letter from applicant dated 27 September 2018).
<b>OFFICER</b>	Lloyd Jones

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**1.0 INTRODUCTION**

1.1 The application is referred to the Planning Committee as the Parish's views differ to the officer's recommendation.

The site comprises a parcel of land that measures 0.02 hectares. The site has a frontage of 13.3 metres on to Bayswater Farm Road, which narrows to 7.1 metres at the rear of the site. The site is accessed off Bays The site is surrounded by residential development. A band of trees form the western boundary with No.17 Bayswater Farm Road that is a single-storey property. To the east of the site is 1 Bayswater Farm Road (Dendere), which is a two-storey detached property. Two mature trees are located within the north western corner of this dwelling. A timber fence flanks the boundary with this property. To the south is a further dwelling known as the Dairy. The access road serving the site and Nos 1 and 2 Bayswater Farm Road is a private road that is owned by the applicant.

1.2 The site is not covered by any landscape designations.

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

**2.0 PROPOSAL**

2.1 This is an outline planning application for the provision of one dwelling. Apart from access all matters are reserved for subsequent approval. An indicative layout and elevational plans have been provided illustrating how a dwelling could be accommodated within the site. Access is proposed off Bayswater Farm Road. The plans accompanying the application are attached at Appendix 2.

**3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Forest Hill Parish Council – Object to the application on the following basis:

1. There has been no survey of the impact of any development on neighbouring trees, which were to be protected as part of the existing planning permission for Cala Homes.
2. There are no details of access arrangements to this site for vehicles.
3. The site should be retained as vacant land to provide a natural break between Cala Homes and the properties currently existing which are a different age and character.

Highways Liaison Officer (Oxfordshire County Council) – No objection subject to conditions.

Countryside Officer - No ecological objection.

Forestry Officer - The additional information has addressed my previous concerns, therefore I have no further objections subject to the general tree protection condition being attached.

Waste Management Officer - No objection.

Neighbour Objections – 6 letters of objection have been received that are summarised below:

- Cala have been inconsiderate developers;
- No privacy for mobile homes;
- Space is not sufficient for a dwelling;
- Overlooking of adjacent development;
- No room for scaffolding, parking, vehicles or building materials;
- Existing development at plots 10-13 impacts on amenity of 1 Bayswater Farm Road;
- Loss of valuable amenity space;
- Impact on trees;
- Site is too narrow;
- Back to back boundary at 9m is less than standards;
- Overshadowing and loss of amenity on western side of No.;
- Out of character with immediate area;
- Site does not adjoin public highway;
- Visibility splays cannot be provided and blocked by solid 6ft high fence;
- Parking spaces insufficient size;
- Parking area will obstruct access to front door;
- A lack of manoeuvring space for vehicles;
- Change in levels across site frontage;
- Issues for access during construction;
- Operation of plant and machinery will impact on the amenity of Dendere;
- Site is not suitable for development;
- Result in a overshadowing, loss of privacy and light to Dendere;
- Intrinsic value of site as only small green area left after extensive development in the area;
- Not in keeping with style and character of the existing properties;
- Would not add to housing choice in area;
- Tree survey work is inaccurate and two further trees that may be affected;

#### 4.0 RELEVANT PLANNING HISTORY

4.1 [P96/N0491/OR](#) - Approved (01/10/1996)

Renewal of outline planning permission P92/N0441/O dated 24.02.93 for conversion and extension of workshops to provide 2x3-bed dwellings and 1x2- bed dwelling. Replacement of agricultural/commercial buildings with 2x4- bed houses. Garages and car parking. Access road and landscaping.

[P92/N0441/Q](#) - Approved (24/02/1993)

Conversion and extension of workshops to provide 2-3 bed dwellings and 1-2 bed dwelling, replacement of agricultural/commercial buildings with 2x4 bed houses, garages, car parking, access roads and landscaping.

## 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 (SOCS) Policies;

CSG1 - Green infrastructure

CSH1 - Amount and distribution of housing

CSH2 - Housing density

CSI1 - Infrastructure provision

CSM1 - Transport

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

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

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

D4 - Reasonable level of privacy for occupiers

D6 - Community safety

D7 - Access for all

EP1 - Adverse affect on people and environment

EP2 - Adverse affect by noise or vibration

EP3 - Adverse affect by external lighting

EP6 - Sustainable drainage

G2 - Protect district from adverse development

G3 - Development well served by facilities and transport

H4 - Housing

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

T2 - Unloading, turning and parking for all highway users

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

## 6.0 **PLANNING CONSIDERATIONS**

6.1 The issues to consider in relation to this proposal are;

- The principle of development.
- Impact on the character and appearance of the area.
- Impact on highway safety.
- Effect on the amenities of the occupants of nearby properties and amenity for future occupants.
- Impact on trees .
- Community Infrastructure Levy.
- Other issues.

### **The Principle of Development**

- 6.2 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.
- 6.3 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. 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, the saved policies of the South Oxfordshire Local Plan 2011 (SOLP).
- 6.4 The site falls within the Parish of Forest Hill, which is defined at Appendix 5 of SOCS as a ‘smaller village’. Policy CSR1 is the most relevant housing policy within the Core Strategy. It permits infill and redevelopment within villages. The site is bounded by residential development on all sides and is considered to comprise infill development. The proposal is compliant with Policy CSR1 and acceptable in principle. Consequently, the proposal can be assessed against the impact-based criteria of the SOLP 2011 Policy H4.

### **Character and Appearance**

- 6.5 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- 6.6 The NPPF goes on to advise that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 6.7 The design policies of the SOCS (particularly CSQ3) and SOLP policies (particularly D1-D4) echo these requirements. In addition, criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt.
- 6.8 The application site comprise open space between that provides views through to a residential development under construction to the north, approved under planning permission reference: P16/S0942/FUL. The approved plans illustrate that the rear garden of plot 6 will form the northern boundary, and as a result there is no physical linkages between the two sites. The site is therefore not accessible to the public and given the nature of the surrounding built form the proposal will not result in a loss of an important public view. Furthermore, there will be no ecological impacts. Criterion (i) of Policy H4 is therefore satisfied.
- 6.9 The surrounding area is characterised by a mix of architectural styles and property types. To the west is a single-storey dwelling, while to the east are two substantial modern dwellings. A modern residential development is positioned to the north. An indicative layout and elevations have been provided to demonstrate how a dwelling could be accommodated within the site. The plans illustrate the provision of a modest two-storey detached dwelling set broadly on the building line with No.17 Bayswater

Farm Road. Appearance, layout and scale are reserved for approval at a later date. However, I believe a sensitively designed dwelling can be accommodated on the site without harming the character and appearance of the area.

### **Highway Safety**

- 6.10 Policy T1 of the SOLP seeks to ensure that all development will provide for a safe and convenient access to the highway network.
- 6.11 Bayswater Farm Road is a private road that falls under the ownership of the applicant. The dwelling will be accessed off this road. Concerns have been raised from the occupants of neighbouring properties in respect of the level of visibility on leaving the site. The applicant's Transport Consultant has provided a drawing illustrating that a visibility splay of that visibility splays of 2m x 5m, can be achieved from both car parking spaces onto Bayswater Farm Road to the south and west of the site.
- 6.12 The County Highway Officer does not object to the proposed access arrangements. Accordingly, the proposed access arrangements are acceptable, and that the proposal would not result in any detrimental impact on highway and pedestrian safety.

### **Neighbour amenity and amenity of future residents**

- 6.13 Policy D4 of the SOLP requires new development to secure an appropriate level of privacy for existing residents. The layout may change at reserved matters stage and the impact on neighbouring properties will be carefully assessed under a future application. Based on the indicative layout, and the separation that can be achieved between the proposed dwelling and neighbouring properties, I am of the opinion that the development could be achieved without any adverse impacts on neighbours in terms of light, outlook and privacy.
- 6.14 During construction there may be some inconvenience, but this will be for a short period of time. However, I have recommended a condition to restrict construction hours to ensure that the disturbance to neighbours during construction work is limited.
- 6.15 In terms of the amenity of future occupiers of the site, the future residents would have the benefit of private amenity space. In my opinion of the development would create an appropriate living environment for future residents.

### **Trees**

- 6.16 Policy C9 of the SOLP seeks to retain landscape features that make an important contribution to local area.
- 6.17 A Tree Impact Assessment plan has been submitted in support of the application. There are two trees, an Oak and Sycamore to the north east of the site that falls within the garden of Dendere. The root protection area and canopy of these trees extend into the site. The owner of the neighbouring property identifies that there are two additional trees within their property that are not referenced in the Assessment including a twisted willow tree and a robina lace lady. A band of trees form the western boundary, and three of the category U trees and two of the category C2 trees will be removed.
- 6.18 Concerns have been raised about the accuracy of the submitted information. However, all the information submitted on this matter has been carefully scrutinised by the Council's Forestry Officer who has no objection to the proposal, subject to conditions. Given this technical advice, I am of the view that the proposal will not result in any

detrimental impact on the root systems of any trees within the garden of the neighbouring property or within the site itself.

**Other issues**

- 6.19 The proposed dwelling is liable for the Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre (index linked).

**7.0 CONCLUSION**

- 7.1 The proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would be acceptable in principle and would not materially harm the character and appearance of the area. Furthermore, it would not unduly detract from the living conditions of nearby residents, result in conditions prejudicial to highway safety or have a detrimental impact on trees.

**8.0 RECOMMENDATION**

**Grant planning permission subject to the following conditions:**

- 1: Commencement - Outline with Reserved Matters**
- 2: Approved plans**
- 3: Foul drainage works (details required)**
- 4: Surface water drainage works (details required)**
- 5: Tree Protection (General)**
- 6: New vehicular access**
- 7: Vision splay protection**
- 8: Parking & Manoeuvring Areas Retained**

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