

APPLICATION NO.	P19/S0629/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	26.2.2019
PARISH	GREAT MILTON
WARD MEMBER(S)	Caroline Newton
APPLICANT	Ms Rosalind Hayman
SITE	6 Thame Road Great Milton, OX44 7HY
PROPOSAL	Re-submission of planning application reference P18/S4096/FUL.

New detached dwelling on infill plot next to 6 Thame Road, Great Milton, Oxford OX44 7HY

OFFICER Kim Gould

1.0 INTRODUCTION

1.1 This application has been referred to Planning Committee because the local member, Caroline Newton, has called the application to committee if the recommendation is for the refusal of planning permission.

1.2 6 Thame Road is a semi-detached dwelling located on the north side of Thame Road within a line of development outside the built-up limits of Great Milton. 6 Thame Road has an unusually large garden area to the side in comparison with other properties in this row of houses.. A track leading to equestrian buildings lies immediately east of the site.

1.3 The site lies within the Oxford green belt and is identified on the Ordnance Survey extract **attached** as Appendix 1.

2.0 PROPOSAL

2.1 This application seeks full planning permission to erect a detached 4-bedroom dwelling on the site.

2.2 The dwelling is proposed to be finished using a mix of low level masonry to the ground floor with first floor completed in render and timber boarding.

2.3 To the rear, at first floor there would be an enclosed covered terrace.

2.4 Reduced copies of the plans accompanying the application area **attached** as Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council's website at www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Full responses can be found on the Council's website
Great Milton Parish Council – Fully supports

OCC (Highways) – Awaited.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S4096/FUL](#) – Withdrawn. (06/02/2019)

[P18/S0826/PEM](#) - (05/04/2018)

One detached residential dwelling on infill plot adjacent to 6 Thame Road.

[P13/S2938/PDH](#) - Approved (17/10/2013)

Proposed rear extension

5.0 **POLICY & GUIDANCE**

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

CS1 - Presumption in favour of sustainable development

CSEN2 - Green Belt protection

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

D10 - Waste Management

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

GB4 - Openness of Green Belt maintained

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; No plan in preparation.**

5.4 **Emerging South Oxfordshire Local Plan 2032**

The Council is preparing a new Local Plan which will set out how development will be planned and delivered across South Oxfordshire to 2034. The Local Plan does not allocate sites for development in villages and instead devolves delivery of new houses in these locations to the Neighbourhood Plan process. In the emerging Local Plan, Great Milton continues to be a smaller village and seeks to achieve limited growth through suitable redevelopment sites and infill development within the main body of settlements only and limited affordable housing.

Due to the stage of preparation, the Emerging Local Plan can only be given limited weight.

5.5 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

5.6 **National Planning Policy Framework (NPPF)**

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 The key issues to be considered in this case are:

- The principle of residential development
- a) Green belt
- b) Housing in villages
- Housing criteria
- Neighbour impact
- Garden size
- CIL

6.2 **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.

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 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 and their permanence.

The green belt serves 5 purposes:

- a) To check unrestricted sprawl of large built-up areas
- b) To prevent neighbouring towns merging into one another
- c) To assist in safeguarding the countryside from encroachment
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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 the land that is important.

6.4 To protect openness there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New buildings in the Green Belt area inappropriate unless for the following purposes:

- a) Buildings for agriculture and forestry
- b) The provision of appropriate facilities (in connection with the existing use of land or the change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) 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;
- d) The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;

e) Limited infilling in villages

- f) Limited affordable housing for local community needs under policies set out in the development plan including policies for rural exception sites; and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would;
 - Not have a greater impact on the openness of the Green Belt than the existing development; or
 - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Section e) above refers to limited infilling in villages being appropriate development in the green belt. It is your officers' opinion that the site lies outside the built-up limits of Great Milton and therefore this site is not an infill site and as such the principle of development in Green Belt policy is not acceptable.

6.5 Housing in villages

Policy CSR1 of the South Oxfordshire Core Strategy (SOCS) allows for the provision of housing in smaller and other villages in the district. Great Milton is identified as a "smaller" village where infill development on sites of up to 0.2 hectares may be allowed subject to the criteria of policy H4 of the SOLP. Infill development 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. Policy CSR1 also allows for redevelopment proposals in all categories of settlement but these will be considered on a case for case basis through the development management process in line with other policies in the Development Plan. CSR1 and CSEN also make reference to respecting Green Belt designations.

The NPPF says that where villages are included within the Green Belt, it has to be because they 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.

CSR1 considers that if a site is an infill site then it must be part of a built-up area/frontage and there would be some harm to the openness, but it would be limited.

In my view, this site lies outside the built-up limits. (The council has consistently taken this view when assessing applications for extensions etc to other properties in this part of Thame Road such as numbers 1, 2 and 9). Therefore, infill development is not acceptable, and the principle of this development is contrary to policy CSR1 of the SOCS.

Notwithstanding my opinion that the principle of residential development is not acceptable on this site, the application falls to be considered within the context of policy H4 of the SOLP. It is acknowledged that policy H4 is the appropriate policy for considering sites within the built-up limits of a settlement which this is not. However, the criteria of policy H4 gives a useful context for the further consideration of this site.

6.6 Housing criteria policy H4

- i) An important open space of public, environmental or ecological value is not lost, nor an important public view spoilt.** The site is currently open and provides a break in a linear development running along the northern side of Thame

Road. The development of this site would consolidate this linear development and erode the openness of this part of Thame Road.

6.7 **ii) The design, height, scale and materials of the proposed development are in keeping with the surroundings.** The established character of this part of Great Milton is generally two-storey, semi-detached or terraced rendered dwellings set back from the road. The proposed new dwelling would be detached and constructed using a mixture of brick, render and timber cladding. Whilst the design of the new dwelling would not reinforce local distinctiveness, it would not be so harmful to the general character of the area to warrant an additional refusal of reason in my opinion. The proposed new dwelling would sit in line with the neighbouring dwellings so would not appear out of keeping.

6.8 **iii) The character of the area is not adversely affected.**
See above

6.9 **iv) There are no overriding amenity, environmental or highway objections**
Neighbour impact is considered at paragraph 6.11.
Amenity in terms of garden sizes is considered at paragraph 6.12
Highway access and parking.

With respect to highway safety matters, advice is set out in paragraph 109 of the NPPF and advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T1 and T2 of the SOLP seek to ensure that any new development has safe access to the highway network and has sufficient off-street parking and turning areas.

In this case the proposed 4-bedroom dwelling would have 2 off street parking spaces at the front of the property which would accord with the council's standards for this size of dwelling.

6.10 **v) If the proposal constitutes backland development, it would create problems of privacy and access and would not extend the built-up limits of the settlement.**
This is not applicable as the site has a frontage to the road and therefore is not backland development.

6.11 **Neighbour impact**

Policy D4 of SOCS seeks to ensure that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for occupiers and to ensure that the amenities of the occupants of neighbouring properties is not harmed.

There are 2 neighbouring properties that have the potential to be affected by this proposal. These are No 6 to the west and No 6a to the east. In relation to no 6, there would be a 1.3m gap to the boundary and 2.2m between the 2 properties. The submitted block plan demonstrates that the first-floor rear window of no 6 is not adversely affected by the new dwelling.

In relation to No 6a, there would be a gap of some 1.2m to the boundary and 6.7m between properties. As such, it is my opinion that the proposed dwelling would not be oppressive or overbearing on the occupiers of the neighbouring properties. No objection has been received from neighbours.

6.12 **Garden Size**

Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in saved Policy D3 of the SOLP. In this case 100sqm of garden area would be required for this 4-bedroom dwelling. The proposed rear garden excluding the terrace area exceeds 600sqm so well exceeds the council's standards in relation to garden size for the new dwelling and retained for 6 Thame Road.

6.13 **Community Infrastructure Levy**

The CIL charge applied to new build residential development and is liable for the proposed development.

7.0 **CONCLUSION**

7.1 It is my opinion that the principle of a new dwelling on this site is not acceptable on green belt and housing policy grounds because the site is not within the built up limits of the village. The filling of the existing gap would be harmful to the openness of the green belt as it would consolidate the linear development along Thame Road. There are no special circumstances to outweigh the harm by reason of inappropriateness.

8.0 **RECOMMENDATION**

8.1 **Officers recommend that planning permission is refused for the following reason:**

1. **The Development Plan identifies appropriate locations for new development. New buildings within the Green Belt will not be allowed unless the development falls within strictly defined criteria. Great Milton is one of the villages within the District where infill development may be allowed. In this case, the site lies outside the built-up limits of Great Milton within the Green Belt where infill is not acceptable. As such, it would not be considered as an appropriate location for new residential development. The NPPF advises that inappropriate development is, by definition, harmful to the openness of the Green Belt unless there are very special circumstances which outweigh that harm. No very special circumstances exist in this instance. The provision of a new dwelling on this site would consolidate a row of houses outside the main body of the village and would have a greater impact on the openness than the current use. As such, the proposal is contrary to advice in the NPPF, policies CSR1 and CSEN 3 of the South Oxfordshire Core Strategy and saved policy GB4 of the South Oxfordshire Local Plan.**

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