
APPLICATION NO.	<u>P19/S0344/FUL</u>
APPLICATION TYPE	FULL APPLICATION
REGISTERED	31.1.2019
PARISH	THAME
WARD MEMBERS	Pieter-Paul Barker, Kate Gregory, David Bretherton
APPLICANT	Mr & Mrs R Gascoyne
SITE	Land Between Elmfield House and The Old Dairy Moreton, OX9 2HS
PROPOSAL	Erection of a detached single storey 4-bedroom dwelling with parking and amenity space (additional arboricultural information received 17th April 2019).
OFFICER	Paul Lucas

1.0 INTRODUCTION

- 1.1 Officers recommend that planning permission is refused. This report explains how officers have reached this conclusion. This application is referred to the District Council Planning Committee at the request of the previous ward member.
- 1.2 The application site is shown at **Appendix A**. It comprises a 0.38 hectare rectangular parcel of land located in between two residential plots (Elmfield House to the north-west and The Old Dairy to the south-east) on a private unmade lane to the west of Moreton, which is a small village with a fairly loose knit character. The western part of the village is denoted by a ribbon of development along a public metalled lane, which peters out into a sporadic form of development at the point where the public lane meets the private lane serving the aforementioned dwellings. Elmfield House is a predominantly two-storey dwelling. A stable building and manege are located to the south-west of Elmfield House. A detached, single storey dwelling called Bridleway has recently been constructed to the north-west of Elmfield House. The Old Dairy is a single storey dwelling. The site has a very rural character at present, comprising open pasture land containing two storage containers, with the site boundaries denoted by a mixture of mature and semi-mature trees, shrubs and hedging. There are no special designations on the site.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the erection of a single storey 4-bedroom dwelling as shown on the submitted plans and documents submitted in support of the application. Additional arboricultural information was submitted during the application process at the request of the Council's Forestry Officer.
- 2.2 The application follows on from a similar application on this site for full planning permission P18/S3687/FUL that was withdrawn and before that an application on this site for outline planning permission P17/S2306/O that was refused due to an in principle conflict with the Council's housing strategy and resultant visual harm.
- 2.3 A copy of the plans accompanying the application can be found at **Appendix B**. Other documentation associated with the application can be viewed on the Council's website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Thame Town Council – No Objections to the application for the following reasons;
1) The application is considered, in this case only appropriate infill; and
2) It is local land, owned by local people and has the support of the local community.

Thame Conservation Area Advisory Committee - No observations.

Forestry Officer (South Oxfordshire District Council) - No objection subject to imposition of tree protection implementation planning condition.

Highways Liaison Officer (Oxfordshire County Council) - No objection subject to the imposition of several planning conditions.

Countryside Officer (South Oxfordshire & Vale of White Horse) – No objection subject to biodiversity mitigation planning condition.

Neighbours – Seven representations of support on the following grounds:

- Site is a gap in a row of three dwellings.
- Site is too small to serve any other useful purpose.
- Other nearby infill housing development granted planning permission in recent years has set a precedent.
- Development would provide an affordable dwelling for the local applicants

4.0 RELEVANT PLANNING HISTORY

P18/S3687/FUL - Withdrawn (12/12/2018)

Erection of detached single storey dwelling with parking and amenity space.

P17/S2306/Q - Refused (05/01/2018)

Erection of a detached chalet-style dwelling with garaging, parking and amenity space.
“The site lies outside the built up confines of Moreton and the proposed development would not represent infill development as defined in the Development Plan. It would result in consolidation of loose-knit development in a rural location, thereby detracting from the landscape setting at the edge of the village and consequently would be an environmentally unsustainable form of development. As such, the proposal would not accord with the District's strategy for growth and would be contrary to Policies CS1, CSS1, CSR1 and CSEN1 of the South Oxfordshire Core Strategy, and Policies G2, G4, C4 and H4 of the South Oxfordshire Local Plan 2011 and Policy H5 of the Thame Neighbourhood Plan and guidance contained within the NPPF and the NPPG.”

P99/N0198/Q - Refused (14/09/1999)

Erection of detached dwelling and garage.

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy (SOCS) Policies;
CS1 - Presumption in favour of sustainable development
CSB1 - Conservation and improvement of biodiversity
CSEN1 - Landscape protection
CSH3 – Affordable Housing
CSM1 - Transport
CSQ2 - Sustainable design and construction
CSQ3 - Design
CSR1 - Housing in villages
CSS1 - The Overall Strategy

- 5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) Policies;
- C4 - Landscape setting of settlements
 - C6 - Maintain & enhance biodiversity
 - C8 - Adverse affect on protected species
 - C9 - Loss of landscape features
 - 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
 - D10 - Waste Management
 - G2 - Protect district from adverse development
 - G4 - Protection of Countryside
 - H4 - Housing on sites within the built up limits of towns and villages
 - H10 - Affordable housing within or adjoining villages
 - T1 - Safe, convenient and adequate highway network for all users
 - T2 - Unloading, turning and parking for all highway users
- 5.3 Thame Neighbourhood Plan 2013 Policies;
- H5 Integrate windfall sites
 - H6 Design new development to be of high quality
 - H7 Provide new facilities
 - GA6 New development to provide parking on site for occupants and visitors
 - ESDQ11 Incorporate Sustainable Urban Drainage into new development
 - ESDQ12 Applications for new development to provide a drainage strategy
 - ESDQ13 New dwellings: code for sustainable homes
 - ESDQ14 Produce a Green Living Plan
 - ESDQ16 Development must relate well to its site and its surroundings
 - ESDQ18 New development must contribute to local character by creating a sense of place appropriate to its location
 - ESDQ19 The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood
 - ESDQ22 The visual impact of new development on views from the countryside must be minimised
 - ESDQ26 Design new buildings to reflect the three-dimensional qualities of traditional buildings
 - ESDQ27 Design in the ‘forgotten’ elements from the start of the design process
 - ESDQ28 Provide good quality private outdoor space
 - ESDQ29 Design car parking so that it fits in with the character of the proposed development
 - D1 Provide appropriate new facilities
- 5.4 Supplementary Planning Guidance/Documents
- South Oxfordshire Design Guide 2016 (SODG 2016) – Section 7 Plots & Buildings
 - South Oxfordshire Landscape Assessment – Character Area 3
- 5.5 National Planning Policy Framework (NPPF)
- National Planning Policy Framework Planning Practice Guidance (NPPG)
 - Paragraphs 7, 11d, 117 & 170
- 6.0 PLANNING CONSIDERATIONS**
- 6.1 The planning issues that are relevant to this application are whether the development would:
- be in accordance with the Council’s strategy for housing development in rural areas;

- result in the loss of an open space or view of public, environmental or ecological value;
- be in keeping with the character and appearance of the surrounding area;
- safeguard the living conditions of neighbouring residential occupiers and would provide suitable living conditions for future occupiers;
- provide adequate off-street parking spaces for the resultant dwelling and not give rise to any conditions prejudicial to highway safety; and
- give rise to any other material planning considerations.

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. The development plan currently comprises the South Oxfordshire Core Strategy (SOCS), the saved policies of the South Oxfordshire Local Plan 2011 (SOLP 2011) and the policies in the Thame Neighbourhood Plan also apply to the site.

- 6.3 The Development Plan policy most relevant to this proposal is the SOCS Policy CSR1, which determines whether proposals for infill residential development in the District are acceptable in principle. Policy H5 of the TNP explains that planning permission would be granted for residential development on windfall sites, subject to meeting the relevant requirements set out in the SOCS. The SOCS classifies Moreton as an “other village” based on the very limited services and facilities within the settlement. Under Policy CSR1, residential development on infill sites of up to 0.1 hectares in size is acceptable in principle in “other villages”. The supporting text for Policy CSR1 states, “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.”
- 6.4 To the north-east of the application site, there are established dwellings on the north-western side of a lane formed by a metalled public highway. These had a density and appearance and relationship to the lane that led officers to previously reach the conclusion that they formed a built-up frontage and fell within the built-up area of Moreton. This has led to planning permission being granted for residential development in the form of dwellings infilling the undeveloped gaps between those dwellings. However, in officers’ opinion, there is quite a distinct visual and landscape change between the application site and the dwellings which front onto the metalled lane to the north-east. The application site lies off an unmade track and is towards the rural end of the aesthetic scale whereas the line of dwellings along the metalled lane are not and at times have suburban influences. In officers’ view, this means that the application site looks as though it is part of the countryside, rather than within the built-up area of Moreton.
- 6.5 Even if the application site were considered to fall within the built-up area of Moreton rather than the countryside, officers consider that Elmfield House, The Old Dairy and Bridleway have a more loose-knit relationship than the dwellings to the north-east and they do not directly front onto the unmade private lane. This means that the site would not represent a gap in a built-up frontage. In addition, as there would only be buildings on two sides and the remaining two sides face onto undeveloped land, officers consider that the site would not meet the criterion of being closely surrounded by buildings. A further conflict with Policy CSR1 is that the site area is 0.38 hectares, which is significantly greater than the 0.1-hectare limit. The fact that the Council has recently refused outline planning permission for a single dwelling on the site following an assessment against the same set of current local policies and similar national guidance in the 2012 version of the NPPF also weighs heavily against the current application.

- 6.6 The development of the site would therefore represent consolidation of loose-knit development outside the main confines of the settlement, within open countryside. In the light of the above assessment, the proposal would not constitute sustainable development of the sort envisaged by the NPPF and, in the absence of adequate overriding justification, the proposal is contrary to the relevant local planning policies and national planning guidance.
- 6.7 Loss of Open Space
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. The Council's Countryside Officer has previously confirmed that there would be no ecological implications arising from the proposed development that could not be mitigated by a planning condition. The site is private land and is not accessible to the public. The site is visible from the public lane to the north-east and the introduction of residential development would introduce significant built form onto the site, which would conflict with the environmental component of the above criterion.
- 6.8 Visual Impact
Criterion (ii) of Policy H4 of the SOLP 2011 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings and criterion (iii) requires that the character of the area is not affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 amplify this requirement. Policy CSEN1 of the SOCS explains that the District's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced. Policy G4 of the SOLP 2011 seeks to protect the countryside for its own sake and Policy C4 aims to protect the landscape setting of the District's settlements. The site is identified in the South Oxfordshire Landscape Assessment (SOLA) as belonging to an Undulating Open Vale landscape type, which has a medium scenic quality and moderate sensitivity to change. The undeveloped nature of the existing site contributes positively to the openness and the intrinsic rural character and beauty of the countryside.
- 6.9 In officers' opinion the proposed development would conflict with one of the key objectives of the SOLA, which identifies that landscapes on the fringes of settlements are particularly vulnerable to changes and special attention should be paid to creating strong landscape edges to reduce the urbanising influences of development on adjacent countryside and to prevent the coalescence of built development. Although most of the site would remain free of buildings, officers consider that the introduction of a dwelling onto the site, with associated formalised access arrangements, parking and associated domestic paraphernalia, would significantly change the appearance of the site. This would have an urbanising effect, which would substantially erode the generally open and rural character of the site.
- 6.10 Officers recognise that any visual impact is likely to be localised. However, it is not always the case that a site must be widely visible to result in landscape harm. Not being widely seen would otherwise be taken as a licence to develop the countryside across the board in discreet locations. Even with the existing screening in place and the introduction of additional planting, which would be less effective in winter months, the dwelling would amount to significant built form, which would serve to consolidate the existing cluster of development. In any event, landscaping cannot be relied on to provide screening in perpetuity, as it would be within the gift of future occupiers to remove it. Officers accept that the design would not detract from the varied character of the local vernacular and the modest proportions and detailing accord with the advice within Section 7 of the SODG 2016. However, the acceptability of the design is a neutral factor, which would not outweigh the significant visual harm that would arise from the expansion of built form within the countryside, contrary to the above policies.

6.11 Neighbour Impact

Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out to secure a reasonable degree of privacy for the occupiers. The proposed layout and scale of the dwelling demonstrates that the dwelling would have an acceptable relationship with Elmfield House and The Old Dairy in relation to light, outlook or privacy. Officers consider that the area and depth of the garden for the proposed dwelling would exceed the recommended minimum standards set out in Section 7 of the SODG 2016. As such, the application would accord with the above criterion.

6.12 Access and Parking

Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Policy T1 seeks to ensure that development would not be prejudicial to highway and pedestrian safety. Had the application otherwise been acceptable, the Highway Liaison Officer has confirmed no objections to the proposal, subject to the imposition of several highway-related planning conditions. On this basis, the proposal would comply with the above policy objectives.

6.13 Other Material Planning Considerations

Whilst it may have been the case that there used to be dwellings on the site, their existence is no longer evident as such this carries very limited weight. In relation to the applicants' assertion for the need for consistency with the decision to grant planning permission P14/S3879/FUL for Bridleway on a nearby plot of land, officers consider that there is a greater need for the Council to be consistent with its previous decision to refuse outline planning permission [P17/S2306/O](#) in principle on the same site. Although the construction of Bridleway has increased the number of dwellings in this cluster from two to three, this serves to makes it all the more important to prevent further consolidation of this small group of dwellings.

6.14 In relation to the impact of other recent infill developments in the village, it is an established planning principle that each application must be considered based on its individual merits. In particular, the applicant has raised the decision to grant planning permission P16/S1470/FUL for two dwellings (Clarendon House and Hampden House) on a larger site of 0.4 hectares. However, planning permission was only granted on 28 September 2016, because at that time the Council could not demonstrate a 5-year deliverable housing land supply and therefore the Council's policies in relation to housing supply carried reduced weight. This decision pre-dated the Written Ministerial Statement made on 12 December 2016, that has established a 3-year housing land supply requirement for made neighbourhood plan areas and more recently, a Written Ministerial Statement made on 12 September 2018 establishing a 3-year housing land supply requirement throughout Oxfordshire, as a result of the Oxfordshire Growth Deal. The Council's latest Housing Land Supply Statement issued on 6 June 2019 concludes that the Council's housing land supply position is 9.75 years. Consequently, the relevant policies for the supply of housing now carry full weight.

6.15 A further argument in favour of the application is that the applicants are local people seeking to provide affordable accommodation for themselves in the village. The SOCS defines 'rural exceptions sites' as 'small sites for affordable housing within or adjacent to villages where housing would not normally be permitted'. Saved Policy H10 of the SOLP 2011 states that special small-scale affordable housing schemes may be permitted 'within or adjoining villages' provided that, amongst other things, 'it can be demonstrated that all of the houses meet a particular local need that cannot be accommodated in any other way'.

6.16 In spite of the local support for the application, there is no objective evidence provided in support of this application to demonstrate that there is an exceptional need for affordable housing within any of the closest settlements. Even then, the Council would need to see evidence that other sites within or closer to those villages have been considered for affordable housing and why they are deemed unsuitable. Due to the lack of evidence that could be objectively assessed, this matter carries limited weight.

6.17 **Community Infrastructure Levy**

Had the application been otherwise acceptable, it would have been CIL liable at a rate of £150 per square metre (index linked), 25% of which would go to Thame Town Council due to the made neighbourhood plan.

7.0 CONCLUSION

7.1 The site lies outside the built-up confines of Moreton and the proposed development would not represent infill development as defined in the Development Plan. It would result in consolidation of loose-knit development in a rural location, thereby detracting from the landscape setting at the edge of the village and consequently would be an environmentally unsustainable form of development. As such, the proposal would not accord with the District's strategy for growth and would be contrary to Policies CS1, CSS1, CSR1 and CSEN1 of the South Oxfordshire Core Strategy, and Policies G2, G4 and C4 of the South Oxfordshire Local Plan 2011 and Policy H5 of the Thame Neighbourhood Plan and guidance contained within the NPPF and the NPPG.

8.0 RECOMMENDATION

Refusal of Planning Permission

Author: Paul Lucas

Email: planning@southoxon.gov.uk

Tel: 01235 422600

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