
APPLICATION NO.	<u>P19/S2513/FUL</u>
APPLICATION TYPE	FULL APPLICATION
REGISTERED	14.8.2019
PARISH	WOODCOTE
WARD MEMBERS	Jo Robb & Lorraine Hillier
APPLICANT	Croft Way (OSIT) Ltd
SITE	25 Croft Way, Woodcote, RG8 0RS
PROPOSAL	Proposed demolition of detached brick garage and construction of a new three bedrooned bungalow with a double pitched roof to the rear of 25 Croft Way. (As amended by plans 2019-10-16 to reduce size of dwelling, re-orientate the boundary between site and no.25 Croft Way and to clarify vehicle swept paths for servicing/emergency vehicles).
OFFICER	Marc Pullen

1.0 INTRODUCTION

1.1 This application is referred to the Planning Committee because the officers' recommendation for approval conflicts with the view of Woodcote Parish Council. See below the full reasoning for Woodcote Parish Council's objections to the proposed development.

1.2 The site (which is shown on the OS extracts attached as Appendix A) is currently garden land in association with no. 25 Croft Way. The site lies within Woodcote village, which is also within the Chilterns Area of Outstanding Natural Beauty. The application site would be accessed off Croft Way via an existing vehicular access which serves no. 25 Croft Way.

2.0 PROPOSAL

2.1 This application seeks planning permission for the erection of a new dwelling to the rear of 25 Croft Way. The site would be divided into two plots and a garden area retained for existing 25 Croft Way. This application has been supported by planning drawings and subsequent drawings to demonstrate that servicing and emergency vehicles can enter, turn and leave the site. The proposed dwelling has been reduced marginally in size as a result of correspondence with the planning officer.

2.2 The proposed dwelling would have three bedrooms, would be served by three parking spaces and a sizeable rear garden. The dwelling would be served by an existing vehicular access alongside 25 Croft Way and the existing property would retain a private rear garden and a new parking area to the front of the dwelling.

2.3 A copy of all the current plans accompanying the application is attached as 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 **Woodcote Parish Council – Object**

- The construction of an additional dwelling to the rear of 25 Croft Way is not compliant with policy H10c of the Woodcote Neighbourhood Plan because it is unneighbourly, backland development that requires unsuitable access. It

reduces the privacy of neighbouring properties particularly no 27. The cramped nature of the resulting site would not be in keeping with the neighbourhood which is characterised by houses with generous gardens. In addition, the National Planning Policy Framework, in section 70, indicates that inappropriate development of residential gardens, where development would cause harm to the area should be resisted.

Forestry Officer (South Oxfordshire District Council) - No strong views

- No objection subject to conditions requiring the protection of the existing hedge during the construction process.

Highways Liaison Officer (Oxfordshire County Council) - No strong views

- No objection subject to conditions requiring the existing means of access to be improved and to ensure that the parking and manoeuvring areas proposed remain unobstructed at all times, unless for the parking of vehicles.

Neighbour Object (4)

- Access to the site would be narrow, difficult to leave in forward motion which will have issues of visibility and safety
- Removal or thinning of existing hedges between neighbours would cause a loss of privacy and potential for damaging the roots of the hedgerow
- Potential run-off of water from the site to neighbour's garden to the north and their garden/pond
- Movement of vehicles would disrupt neighbours
- The development is not compliant to policy H10c of the Woodcote Neighbourhood Plan because it is unneighbourly, backland development with an unsuitable access
- Development would be cramped and not in keeping with the rest of Croft Way – para 70 of the NPPF indicates that inappropriate development of residential gardens where it would harm the area should be resisted
- Property would be close to the neighbour's boundary
- Additional lighting to the area from the house which may disturb adjoining properties - rooflights will add to light spillage

4.0 RELEVANT PLANNING HISTORY

4.1 P19/S1015/PEM - Other Outcome (23/04/2019)

Proposed demolition of detached brick garage and construction of a new three bedroom bungalow with pitched roof to the rear of 25 Croft Way.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework & National Planning Practice Guidance

5.2 South Oxfordshire Core Strategy 2012 policies;

CS1 - Presumption in favour of sustainable development
CSEN1 - Landscape protection
CSQ3 - Design
CSR1 - Housing in villages
CSS1 - The Overall Strategy

- 5.3 **South Oxfordshire Local Plan 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
D10 - Waste Management
G2 - Protect district from adverse development
H4 - Housing on sites within the built up areas of towns and villages
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

5.4 **Woodcote Neighbourhood Plan 2014 policies;**

- H10 - Infill Housing in the AONB
D1 - Good Design
D2 - Light Pollution

5.5 **South Oxfordshire Design Guide 2016**

6.0 **PLANNING CONSIDERATIONS**

- 6.1
- Whether the principle of development is acceptable in this location
 - Whether the development would result in unacceptable harm to the character and appearance of the site and the surrounding area
 - Whether the proposed development would result in unacceptable harm to the amenity of neighbours
 - Whether there would be any issues with highway safety and parking
 - Whether the development would result in adverse harm to landscape features
 - Other matters

Whether the principle of development is acceptable

- 6.2 The site currently forms part of the curtilage of no. 25 Croft Way. The site is within the settlement of Woodcote and lies to the rear of 25 Croft Way within a corner position. The site lies within close proximity to other residential built form, including adjacent neighbours within Croft Way and those fronting onto Whitehouse Road.
- 6.3 In Woodcote the principle of residential development is largely governed by policies CSR1 and CSS1 of the South Oxfordshire Core Strategy (SOCS) and Policy H10 of the Woodcote Neighbourhood Plan (WNP). These policies aim to direct where new housing should be built, and which settlements should support growth within the District. Policy CSR1 (SOCS) allows for new housing through allocated sites and through suitable infill sites within the District's towns and 'larger', 'smaller' and 'other' villages. The supporting text to this policy sets out the definition of infill 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. Woodcote is identified as a 'larger village in the application of this policy.'
- 6.4 The site in question has not been allocated for housing within the Woodcote Neighbourhood Plan but the Neighbourhood Plan does allow for infill development within the built-up area of Woodcote. Policy H10 of the WNP allows small residential developments on infill and redevelopment sites within Woodcote subject to the proposals being well designed and meeting all relevant requirements set out in the other policies within the WNP and the SOCS. This policy states that for the development to be acceptable the dwelling must fill a small, restricted gap in the continuity of existing frontage buildings or on other sites within the built-up area of the

village where the site is closely surrounded by buildings. The dwelling must not involve the outward extension of the built-up area of the village and should not be considered as a backland or unneighbourly development that requires unsuitable access, reduces the privacy of adjoining properties or is inconsistent with the character of the locality.

- 6.5 The proposed dwelling would lie to the rear of no. 25 Croft Way within close proximity to other dwellings. Whilst the site would not infill an existing gap in an otherwise built-up frontage, it would be sited within close proximity to other buildings. As such, subject to an assessment to character, neighbour harm and other material considerations, the principle of residential development on this site would broadly meet the principles of policies CSR1 and CSS1 (SOCS) and Policy H10 (WNP).

Whether the development would result in unacceptable harm to the character and appearance of the site and the surrounding area

- 6.6 The National Planning Policy Framework (NPPF) seeks to ensure that all development is sympathetic to local character, including the surrounding built environment and landscape setting. The housing and development policies within the Council's Development Plan seek to ensure that all new dwellings and all new developments are of a design and size that is in keeping with the surroundings and does not harm the character of the area.
- 6.7 The site lies within a residential estate. The dwellings follow the simple form of the estate road and all benefit from adequate parking and garden space. Properties are either two-storey semi-detached dwellings or detached single storey bungalows. Croft Way contains a number of dwellings all of differing plot sizes. The application site benefits from a garden much larger in size than any other plot in Croft Way. The development would result in a backland form of development which would be contrary to the established character, however the division of the plot into two plots would create two appropriately sized plots in keeping with the character of the area.
- 6.8 The site is surrounded by built-form and beyond the site there is further residential built-form which follows a linear pattern with residential Closes coming off the main arterial roads through the village. However, the density of built-form varies considerably within the immediate area and there are precedents of built-form nearby that does not follow a linear pattern, some being backland forms of development (63 Whitehouse Road, 89a and 89b Whitehouse Road, Southridge which is also accessed off Whitehouse Road and Summit House Close and nos. 1 and 2 Gorse Cottage and Studrey Cottage which are accessed off Greenmore). This demonstrates, in officer's view, a variety in built-form within the immediate area including backland development which contributes to existing character.
- 6.9 The proposed development would accommodate a sufficient parking and turning area and private amenity area (approx. 200 square metres) that accords with design advice set out within the South Oxfordshire Design Guide (SODG) (100 square metres for a 3-bed property). No.25 would also retain a sufficient sized garden area of approx. 200 square metres which also accords with the SODG. It is officer's view therefore that the proposed development would not result in an overdevelopment of the site or a cramped form of development.
- 6.10 Whilst the site lies within the Chilterns Area of Outstanding Natural Beauty, officers do not consider that this backland site, within a built-up estate within the heart of the village of Woodcote, would cause any adverse harm to the landscape beauty and qualities of the AONB.

- 6.11 To conclude on character and appearance, it is officer's view the proposed development would allow for a sufficiently sized plot and property that would not result in a cramped form of development. Its siting on site, in a backland position, would not adversely harm the established character of the area with regard to the established variety of density and spatial pattern of built form in the local area. In addition, there would be limited views of the development from the surrounding area so the backland position would not be readily apparent.

Whether the proposed development would result in unacceptable harm to the amenity of neighbours

- 6.12 Letters of objection have been received by neighbours. The neighbours have concerns relating to the loss of their privacy and the impact upon their existing amenity. The siting of the proposed dwelling would ensure a minimum 12 metre distance between the dwelling and neighbours, which complies with the advice set out within the SODG. There will be east facing windows but none of these windows would look directly towards the property of no. 25 Croft Way. Two of these windows would be bathroom windows, which will be obscure glazed and fixed shut, only openable at the top for ventilation. There are windows which would face towards the garden area of no. 25 but these windows would be partially obstructed by the retaining wall that would surround the garden area. These windows would be set lower to no.25 and would only provide oblique views towards this neighbour.
- 6.13 In officer's view, the lowering of the site would reduce any physical oppression to the rear garden of no. 23 Croft Way (to the south) or the garden areas of nos. 73, 75, 77 Whitehouse Road. The existing hedgerow between no. 25 and 23 Croft Way provides valuable screening for mutual privacy. A condition, requiring the protection of this hedging during the construction of the proposed development would ensure the retention of the hedge and to protect the amenity of the new occupants as well as the amenity of neighbours.
- 6.14 In officer's view, the introduction of a new dwelling in this residential area would not result in any adverse light spillage or harm to the existing character or appearance of Croft Way at night time.

Whether there would be any issues with highway safety and parking

- 6.15 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 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.
- 6.16 Following the submission of swept paths drawings, which demonstrate that all vehicle types can enter and leave the site safely, the local highway authority raise no objections to the proposed development. In the view of the local highway authority the proposal will unlikely have a significant adverse impact on the highway network. The local highway authority suggests that, in the event that planning permission is granted, conditions are attached which require the improvement of the existing vehicular access and the retention of the parking and manoeuvring area.

Whether the development would result in adverse harm to landscape features

- 6.17 The site is bound by vegetation with a strong line of hedging between nos. 25 and 23 Croft Way. In consultation with the council's forestry officer the existing trees on site

are not deemed to be of any special arboricultural value and as such cannot be seen as a constraint to the proposed development, including those which will be removed.

- 6.18 The council's forestry officer notes that the existing hedging which is situated around the site offers valuable screening and would require protecting throughout the build process. As such, a condition is attached which requires the protection of the hedge during the construction process. Officers consider this as a necessary condition.

Other matters

- 6.19 One neighbour has raised concern regarding the possible run off of surface water into their property as a result of the development. The site would be set lower than the neighbours land and the existing access arrangement would remain as existing. Officers do not foresee that any surface water run off would impact this neighbour. In addition, the site does not lie in an area prone to flooding.
- 6.20 The council's Community Infrastructure Levy (CIL) charging schedule has recently been adopted and will apply to relevant proposals from 1 April 2016. 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 or net gain of residential use on site. This development would be liable to pay CIL since the development would result in the provision of a new dwelling.
- 6.21 South Oxfordshire Local Plan - On 10th October 2019 the Secretary of State for Housing Communities and Local Government issued a Holding Direction on the Council in relation to the emerging Local Plan 2034. The holding direction has been made under the provisions of Section 21A of the Planning and Compulsory Purchase Act 2004. This means that the emerging plan has 'no effect whilst the direction is in force', this is set out in section 21A (2) of the Planning and Compulsory Purchase Act 2004.

7.0 CONCLUSION

- 7.1 Planning permission should be granted as the proposal complies with the NPPF and the relevant Development Plan Policies and, subject to the attached conditions would not be harmful to the character and appearance of the site and surrounding area, including the Chilterns AONB, would not adversely harm the amenity of neighbours, nearby trees of landscape value or the highway network.

8.0 RECOMMENDATION

To grant Planning Permission subject to the following conditions:

- 1 : Commence development within three years - Full Planning Permission**
- 2 : Development to be implemented in accordance with approved plans**
- 3 : The development to be implemented in accordance with the materials as specified on plan**
- 4 : Final details of landscaping to be submitted for approval by the Local Planning Authority**
- 5 : The existing hedgerow to be protected during development process in accordance with a scheme to be first submitted and agreed by the Local Planning Authority**
- 6 : The existing access to be improved and laid out and constructed strictly in accordance with the local highway authority's specification**
- 7 : The parking & manoeuvring areas hereby approved shall be retained for the parking of vehicles**

- 8 : Withdrawal of Part 1, Class A and Class E Permitted Development Rights (no extensions or outbuildings) without prior consent being obtained by the Local Planning Authority**
- 9 : No windows, doors or other openings other than those shown on the plans shall be inserted in the eastern elevation of the dwelling hereby approved**

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