

<b>APPLICATION NO.</b>	<a href="#">P19/S3339/HH</a>
<b>APPLICATION TYPE</b>	HOUSEHOLDER
<b>REGISTERED</b>	31.10.2019
<b>PARISH</b>	BECKLEY
<b>WARD MEMBER(S)</b>	Sarah Gray
<b>APPLICANT</b>	Mr David Scott
<b>SITE</b>	The Old Farmhouse, Lower Farm, Otmoor Lane Beckley, OX3 9TD
<b>PROPOSAL</b>	Proposed two storey side and single storey extension and change of use of agricultural land to residential garden and underground oil tank. (As amended by drawings accompanying letter from agent dated 26 November 2019 removing the proposed outbuilding and reducing the size of the extensions to the dwelling and amplified by drawing 17094-SKP112, Original Volume and Appendices accompanying letter from agent dated 30 January 2020).
<b>OFFICER</b>	Paul Bowers

1.0 **INTRODUCTION**

- 1.1 Your officer recommends that planning permission should be granted. This report sets out my justification for the recommendation.
- 1.2 The application is referred to planning committee at the request of the local ward member Councillor Sarah Gray.
- 1.3 The application site comprises The Old Farmhouse, it's garden and land within its ownership.

The site is accessed via a long private driveway extending to the road to the east which also serves Lower Farm, the attached converted barn complex comprising a single dwelling to the east of the existing dwelling. Once in single ownership the application site is surrounded on all sides by land owned by Lower Farm.

The building is not listed but the site is located in the Oxford Green Belt.

A plan showing the location of the site can be found at **Appendix 1**.

2.0 **PROPOSAL**

- 2.1 The application seeks planning permission to erect a two-storey extension to the existing dwelling, change the use of land to become garden and to provide an underground oil tank.
- 2.2 The application has been amended and amplified with additional information since its original submission. This has included the removal of a proposed outbuilding, a reduction in the size of the extension and the removal of a proposed gate which sat outside of the application red site area.
- 2.3 Reduced copies of the plans and supporting volume information accompanying the application is attached as **Appendix 2** to this report. All the plans and representations

can be viewed on the council's website [www.southoxon.gov.uk](http://www.southoxon.gov.uk) under the planning application reference number.

### 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

#### 3.1 Beckley and Stowood Parish Council – Fully supports subject to the 40% volume criteria for an extension.

**Third Party Representations** – Objections received from the owners of **Lower Farm, Beckley** to the plans as originally submitted and in its revised forms. The objector included in their representations detailed comments provided by their own Planning agent, a Landscape Visual Impact Assessment produced by a Landscape Architects, an assessment on the volume breakdown by their own architect and their own aerial photography specialists. The detailed comments can be found on the council's website. The main objections are as follows;

- Disagreement with the applicants over what constituted the 'original building'.
- The extension is over 40% and amounts to a disproportionate addition and harms the Green Belt.
- The change of use of land is inappropriate in the Green Belt.
- The impact on the landscape from the change of use of land to garden is unacceptable.
- Concern over the parking area.

**Landscape Architect** – No objection.

**OCC Highways Liaison Officer** - No objection subject to a condition relating to the car parking and turning area being provided and retained.

### 4.0 RELEVANT PLANNING HISTORY

#### 4.1 [P19/S2936/LDP](#) - Approved (01/10/2019)

Proposed erection of two outbuildings. One to be used for home office, games room and gym. The other to be used as a greenhouse.

#### [P19/S1904/PEM](#) – Response (11/07/2019)

Proposed side extension. detached ancillary building and change of use of land.

#### [P17/S4083/PEO](#) – Response (04/01/2018)

Proposed rear and side extensions, detached ancillary building and change of use of land.

#### [P12/S2995/EX](#) - Approved (22/02/2013)

Erection of first floor extension.(Extension of time on P09/W0942)

#### [P09/W0942](#) - Approved (11/12/2009)

Erection of first floor extension.

### 5.0 POLICY & GUIDANCE

#### 5.1 National Planning Policy Framework (NPPF)

#### National Planning Policy Framework Planning Practice Guidance (NPPG)

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

CSS1 - The Overall Strategy

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape

CSEN2 - Green Belt protection  
CSQ3 - Design

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

D1 - Principles of good design  
G2 - Protect district from adverse development  
GB4 - Openness of Green Belt maintained  
H13 - Extension to dwelling  
H18 – Extension of gardens  
T2 - Unloading, turning and parking for all highway users

**South Oxfordshire Design Guide 2016 (SODG 2016)**

- 5.2 Paragraph 48 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.

**Emerging Beckley and Stowood Neighbourhood Plan**

Beckley and Stowood Parish Council is working on creating a neighbourhood plan. The parish council ran a consultation, which concluded on 24 February 2018, inviting the local community and statutory consultees for their comments on the draft neighbourhood plan. The comments received are being reviewed, before the plan is submitted to the district council for a further round of consultation followed by the Independent Examination. At this stage the plan carries limited weight in decision making.

**Emerging South Oxfordshire Local Plan 2034 (ESOLP)**

The emerging South Oxfordshire Local Plan is now progressing through the examination process. It carries **limited weight** in the determination of planning applications. The most relevant policies within the plan are;

STRAT6 - Green Belt  
ENV1 – Landscape and countryside  
H21 - Extensions to dwellings

6.0 **PLANNING CONSIDERATIONS**

- 6.1 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.

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 and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP)

- 6.2 The main issues to consider in relation to this development are as follows;

- **The principle of development in relation to housing policy.**
- **Impact on the Green Belt.**
- **Impact on the visual amenity of the area and landscape.**
- **Impact on the character and appearance of the existing building.**

- **Impact on neighbour amenity.**
- **Parking provision.**
- **CIL (Community Infrastructure Levy).**

**6.3 The principle of development in relation to housing policy.**

Policy H13, which is one of the saved policies from SOLP, permits extensions to dwellings subject to a number of provisions.

This means that the principle of extending an existing residential property is acceptable in terms of this policy but subject to detail including the impact on the Green Belt.

This stance is reflected in emerging Policy H21 of ESOLP.

**6.4 Policy H18 of SOLP states that the change of use of agricultural land to extend residential gardens will be permitted provided that the proposal does not have a detrimental effect on the landscape of settlements on the open character and rural nature of the Green Belt or important open gaps within settlements and does not adversely affect the amenities of adjoining properties.**

These matters are dealt with in detail in the following sections of this report however in the broadest sense this policy is permissive subject to provisions.

**6.5 Impact on the Green Belt.**

The site is located in the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is set out in Section 13 of the NPPF.

The five purposes of the green belt are;

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

**6.6 Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.**

Paragraph 144 goes on to advise that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a 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.

6.7 Paragraph 146 goes on to list the other forms of development which are not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it. These are;

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

6.8 Local development plan policy contained within Policies CSEN2 of SOCS and GB4 of SOLP seek to protect the Green Belt and make it clear that planning permission will not be granted for development within the Green Belt that is contrary to the guidance in the NPPF.

The Green Belt assessment is a stepped process. The first step in assessing the impact on the Green Belt is to consider whether the proposal constitutes inappropriate development or not.

If it is established that the development is not inappropriate, then the second step is to consider whether the development harms the openness of Green Belt.

If the proposal conflicts with **either** of these then the council has to consider whether there are any ‘very special circumstances’ that would outweigh the identified harm.

- 6.9 I will consider the three elements of the proposal in relation to this stepped assessment.

**The change of use of land -**

*Is it inappropriate development? –*

Case law (*Fordent Holdings v Secretary of State for Communities and Local Government* [2013] EWHC 2844 specifically looked at whether a material change of use could constitute “inappropriate development”) indicates that paragraphs 143, 144, 145 and 146 should be read together. This means, by definition, all development in the green belt is effectively “inappropriate” if it is not listed as one of the appropriate forms of development in paragraphs 145 (appropriate buildings) and 146 (other forms of development).

As such, material changes of use of land can, under certain circumstances, be regarded as appropriate development as it is a form of development that is listed under paragraph 146. Although that exception is qualified by the listed examples of acceptable forms of change of use. Change of use to extend domestic gardens however is not one of the examples given.

It could therefore be argued that the development is inappropriate in the Green Belt and by definition harmful.

However, I am of the view that the change of use of land to become garden can fall within exception e) in paragraph 146.

Firstly, the various types of uses that are referred as an example in exception e) such as use for *outdoor sport or recreation*, or for *cemeteries and burial grounds* are as stated – examples. They are not an exclusive list of the types of change of use which are not inappropriate. There is scope to consider other kinds of change of use providing of course that they do not harm openness or conflict with the reason for including land within the Green Belt in the first place.

- 6.10 The land is not accessible to the public or perceived to form part of the wider countryside. It relates directly to the dwelling and the existing garden and is contained between it and the existing agricultural building to the west.

I would argue that the examples referred to in exception e) would potentially have a greater impact on openness than the proposed change of use to garden. Recreation grounds, cemeteries and burial grounds will all, very likely, bring with them various built forms to facilitate the use. When compared to the proposed use of this piece of land as a garden – which would not benefit from permitted development rights to erect buildings in the future because it would not be part of the dwellings domestic curtilage – I am of the view that this use will have far less of an impact than the uses which have been referenced in paragraph 146 e).

- 6.11 The objectors argue that exception e) should not apply as unlike the examples of the changes of use in exception e) (outdoor sport or recreation or for cemeteries and burial grounds) a change of use land to become a garden has no public benefit.

Whilst it is true, changing land to become a garden of an individual property has no public benefit, exception e) makes no such requirement in order for it to be considered acceptable. In the same way that other exceptions to development in the Green Belt don't have a public benefit requirement such as engineering operations or even extension to buildings.

I conclude that an area of land this size, in such a close relationship to the existing garden, all amounts to the change of use not being an inappropriate form of development in this particular instance.

6.12 *Will the change of use harm openness.*

As mentioned above the land would become garden land but not part of the domestic curtilage of the dwelling. It is only within a domestic curtilage that permitted development rights apply and therefore no buildings could be erected without the need for planning permission and will fall within the control of the council.

The objectors argue that this could change in the future. Whilst that is possible the tests of curtilage relate to any changes of ownership and time periods having passed. All of which are unknowns now. I give that argument very little weight in forming my view.

It is true things could be put on the land which don't constitute an act of development such a trampolines, washing lines or even parking vehicles. However, when considering the amount of space available on the site for parking already and the fact that this is a single household, if moveable items are placed on the land the impact will be very limited, and by its nature, temporary.

As agricultural land it would be quite legitimate for the applicants to store machinery, equipment and vehicles on the land. This would not amount to an act of development and potentially create a far greater impact on openness than domestic paraphernalia.

In reality the land is going to remain effectively as it is at the moment but used in a way that the applicants can enjoy as part of their domestic use of the adjoining land. Having been on site the land already feels part of the garden. There is no hard delineation between the two pieces of land.

I am satisfied that the change of use will not harm the openness of the Green Belt.

6.13 It is not necessary to consider 'very special circumstances' and the change of use does not conflict with the purposes of including land within the Green Belt and will not conflict with the aims of the Green Belt.

6.14 **Oil tank –**

*Is it inappropriate development? –*

The proposed oil tank is to be located on the land subject of the change of use and will be below ground. In my view this would sit within the exception of an engineering operation permitted by exception g) of paragraph 146 of the NPPF. It is not therefore inappropriate development.

6.15 *Will the oil tank harm openness? -*

The tank will be located below ground. It will not enclose land and will not result in any loss of openness. It will not cause any material harm.

6.16 *The extension to the dwelling –*

The exception to building in the Green Belt that relates to this development is exception c) of paragraph 145 of the NPPF which permits extensions to buildings subject to the provision that the **development would not be a disproportionate addition to the original building.**

6.17 Outside of the limits of a settlement, in line with criterion (i) of Policy H13 of SOLP, a disproportionate extension is defined as being an increase in volume of the original dwelling house by more than 40%. That is not to say that if an extension is less than 40% it is acceptable it is simply a maximum figure.

6.18 Although still an emerging policy at this stage and is afforded limited weight in decision making, Policy H21 of the emerging local plan has removed the 40% figure. It has been replaced with the same wording from paragraph 145 of the NPPF and makes reference to not being disproportionate to the original building.

6.19 The subtext of Policy H13 defines what the original building is.

‘Original’ means the volume as existing on 1<sup>st</sup> July 1948 or if built after that date as originally built.

6.20 The site is located well outside of the confines of Beckley village. It is therefore subject to criterion (i) of Policy H13 and the maximum 40% increase in volume of the original dwelling.

The Old Farm House was built prior to 1948. In the context of this assessment it is important to establish what the volume of the building was on that date in order to determine what 40% of that volume would have been. It is then necessary to compare that figure both to the size of the proposed extensions but also combine that subsequent additions that have been added over the years.

6.21 No one can state with absolute certainty what the volume of the building on the 1<sup>st</sup> July 1948 was. The applicants have submitted detailed information in support of their application to demonstrate what they believe to have been the volume.

The objectors have also undertaken their own assessment.

The two parties differ in their conclusions.

I will take each argument in turn and then make my own assessment.

6.22 The objectors have made an assessment using an aerial photography specialist and an architect to derive what they conclude would have been the volume of the building as it stood on the 1<sup>st</sup> July 1948 as being 378 cubic metres. A 40% increase of 378 cubic metres would be 151 cubic metres. On this basis the extended dwelling could be no greater than 529 cubic metres in order to comply with Policy H13.



The 'as built' volume taking into account additions that have already been made to the building after 1948 is 515 cubic metres. The objectors contend that the building as it currently exists is already very close to the 40% limit.

The applicants propose a further increase in volume with the proposed extension of 96 cubic metres. Taking the volume of the building as it would be once the development is completed it would be 611 cubic metres – a difference of 233 cubic metres.

In the view on the objector this would be an increase, on what they determine the original building to be, at 62%.

They also argue that the applicants have incorporated structures that are shown on the aerial photographs which weren't part of the building and therefore making the original volume greater than it was. Their most recent assessment suggest that these structures weren't attached and in their view likely to be moveable structures which should not be included in the volume of the original building thereby reducing the volume of the original building by 86.8 cubic metres.

- 6.23 The applicants have made their own assessment on the aerial photography and set out what they believe the volumes to have been of the various elements of the building at that point in time in.

They contend that the volume of the 'original building' was 425 cubic metres. A 40% increase of that amount would allow for up to 595 cubic metres.

The building as is it stands today with its existing addition has a volume of 515 cubic metres.

The applicants propose to add an extension of 96 cubic metres. However, they are also losing a lean-to roof on the existing building of 16 cubic metres which the means the total volume being added as a result of this development is 80 cubic metres. When that is added to the existing volume of 515 cubic metres the resulting building once extended will have a volume of 595 cubic metres – a difference of 170 cubic metres.

This equates to an increase of what the applicants contend to have been the 'original building of 40%.

- 6.24 The council has no evidence that would assist in determining what the volume of the building would have been in 1948.

When comparing the building between the photographs that were taken in 1947, 1949 and 1950 it can be concluded that there was no porch in 1947 or 1949 therefore no porch can be used as part of the 'original building'.

The aerial photographs show structures at the rear of the building. The applicants argue these were part of the building. The objectors argue they were mobile structures and not part of the house.

The objectors have engaged aerial photography specialists to make their assessment. The council do not employ such specialists. The council's resources are not finite and as officers we have to determine when it is necessary and expedient to engage specialists to assist us in our decision making process. In my view for a single householder application such a cost would be disproportionate to the scale of development the subject of the application.

- 6.25 When considering an issue like this we must be mindful of the process as a whole. The applicants want the development and will argue the issues in their favour. The objectors do not want the development and will argue the issues in favour of their argument. That is the case for nearly all applications.

It is up to the council as the Local Planning Authority to determine an application independently and impartially and make its own assessment based on the information at hand.

The photographs show structures of that there is no question. I am not able to state with certainty that these structure were mobile or not part of the building.

In my view the council has to take on face value what was is shown in the photographs as being part of the building because we cannot state otherwise.

There were rear structures in the 1947 photograph but a portion seems to have been removed in the 1949 photograph. Whether that was removed before or after 1<sup>st</sup> July 1948 again no one can be 100% certain.

In making my assessment I believe one has to take a reasonable approach. In the absence of independent evidence to the contrary I contend that the council should take the buildings as shown in the photograph of 1947 as being the most likely form of building that was there on the 1<sup>st</sup> July 1948.

- 6.26 The aerial photographs are of course only 2 dimensional therefore it can only be estimated what the heights of the various elements would be in order to determine their volume.

The applicants have demonstrated their estimates of the size of the various parts of the building from the 1947 photograph. Their analysis seems reasonable and not over exaggerating the likely heights and ultimately the volume.

- 6.27 I conclude that the original building as it stood on the 1<sup>st</sup> July 1948 most likely had a volume comparable to the 425 cubic metres argued by the applicant.

Although they are proposing to add 96 cubic metres they are also removing 16 cubic metres. The result of the 80 cubic metre addition would equate to a combined addition to the original building of 39.9 cubic metres and within the maximum volume permitted by criterion (i) of Policy H13.

- 6.28 The extensions therefore meet the council's definition of an addition which is not disproportionate. I therefore conclude that the extension is not an inappropriate form of development.

- 6.29 *Does the extension harm openness?*

Enclosing space by walls and a roof will affect openness. Therefore, any extension or building will reduce the openness of the Green Belt. However, the NPPF permits various forms of building which will reduce openness. The size of these buildings, and in this case extension, are to some extent restricted. This implies a tolerance to affecting the openness of the Green Belt from simply having an effect to having a harmful effect.

The fact that the extension is, in my view, within the tolerance of not being a disproportionate addition and, as I will come on to later, a subordinate modest

extension to the building and the site, I conclude that there will not be a harmful impact to openness.

- 6.30 There is no need therefore to consider whether there are any ‘very special circumstances’. Extending the dwelling does not in my view conflict with the 5 purposes of the Green Belt or including land within it.
- 6.31 In summary, I am satisfied that in terms of the whole development the subject of the application the development accords with national and local Green Belt policy.
- 6.32 **Impact on the visual amenity of the area and landscape.**

Policy CSEN1 of SOCS seeks to protect the district’s landscape character and key features.

Emerging Policy ENV1 of ESOLP reflects the same objectives to protect the countryside and rural areas from harmful development.

- 6.33 The application site is not located in an area of landscape designation beyond being part of the Green Belt. It’s important to note that land does not form part of the Green Belt because of its special character of attractive landscape features.
- 6.34 The objectors have prepared a detailed Landscape Visual Impact Assessment (LVIA) which has looked at the impact of both the extension and the change of use of the land to be designated garden. It concludes that there would be moderate harm to views and moderate harm to the rural setting and character of this historically agricultural site.
- 6.35 The council’s Landscape Officer has made their own assessment and considered the LVIA submitted by the objectors.

In terms of *landscape character*, the Landscape Officer has identified that the site is located within the Flat Floodplain Pasture Landscape Area of the Oxford Heights Character Area within the South Oxfordshire Landscape Character Assessment November 2017.

The garden associated with the Old Farmhouse has been extended northwards and gardens created to the north, south and east of the Lower Farm barns. The landscape character of these predominately grassed gardens areas in association with the small field to the north and west of Old Farmhouse read as maintained grass/ garden areas in association with the built form of Lower Farm rather than associated with the wider open agricultural land.

An agricultural barn with associated planting has been added to the north western corner of the field surrounding the Old Farmhouse. Beyond the fields immediately associated with Lower Farm, agricultural barns, tracks, hard standing, woodland planting and a waterbody have been added to the landscape extending the landscape character of the area of influenced by the built form associated with Lower Farm to cover a wider area.

The proposed house extension would have a very limited impact on landscape character of the Lower Farm area, as the changes are closely related to the existing built form and have limited impact on the associated loss of garden space.

The proposed change of agricultural land to garden land would also have very limited impact on the character of the area, changing an area of grassland to garden use. This

proposed garden is located within the area associated with Lower Farm characterised by the garden/ grassland areas in the vicinity of Old Farmhouse and the barns, contained by the agricultural buildings and associated hard surfacing to the west, east and south.

The proposed garden area would not extend to the north of the existing garden area of Old Farmhouse and would be located 25m south of the northern garden boundary associated with the barns to the east of the Old Farmhouse. The remaining area of grass field would be retained to the north of the Old Farmhouse and would form the interface between the proposed more formal garden area of Old Farmhouse and the wider countryside located to the north.

- 6.36 In terms of the *visual impact* views of the proposed change of use from agricultural land to garden land can be obtained from the rights of way to the approximately 300 to 400m to the north and 200 to 300m to the west. This could result in a slight change to views obtained from the local area, depending on how the proposed garden area is to be used.

Views of the proposed development are seen in the context the Old Farmhouse, the barns, associated garden areas and the agricultural barns. The proposed building extension is contained within the existing built form of Old Farmhouse and is unlikely to impact on views from this distance.

The proposed change of use garden area is located between the existing garden and the screening planting associated with the western barn, with of an existing mature hedge forming a backdrop to this area. The garden area and any potential associated features would not break the skyline and would not block views of the intricate landscape on the higher land south in views towards Beckley.

The availability of views to the proposed garden area vary with the most open views obtainable directly to the north. From other direction, intervening vegetation such as the existing Old Farmhouse garden and the screen vegetation associated with the western barn restrict the area of proposed garden that can be seen.

- 6.37 The Landscape Officer has concluded that the changes in Landscape Character and Visual Impact resulting from the proposed extension and change of land use are limited and would not warrant an objection under landscape policies.

The change will be barely perceivable, development does not extend beyond the current Lower Farm area into the wider open countryside and existing views to the higher ground to the south towards Beckley are retained.

- 6.38 I agree with their assessment and conclude that the development as a whole will accord with Policy CSEN1.

- 6.39 **Impact on the character and appearance of the existing building.**

Criterion (ii) of Policy H13 also requires that the extension is in keeping with the character of the dwelling and the site and with the appearance of the surrounding area.

The additions to the building do not dwarf the original. The extension to the side is modest in width when compared to the original house and is set lower than the main ridge of the roof. This follows the council's general advice contained within the South Oxfordshire Design Guide and ensures the extension is clearly subordinate. The overall footprint when compared to the original building also appears subordinate.

6.40 I am satisfied that the extension is entirely in keeping with the existing building and will in my opinion, enhance the overall character of the building and in turn the wider character of the area in line with the objectives of criterion (ii) of Policy H13.

**6.41 Impact on neighbour amenity.**

One of the provisions of Policy H13 is that the amenities of the occupants of nearby properties are not materially harmed.

Impact on residential amenity is normally considered in terms of whether a development results in material harm by way of overlooking, loss of sunlight or being so large and close that it is considered oppressive and overbearing.

6.42 The extension is away from the boundary with the only neighbouring property at Lower Farm. Having been to the site and considered the plans, I am satisfied that the proposed extension will not give rise to issues of loss of privacy or sunlight and overshadowing and given its position will not be oppressive and unneighbourly.

I also recognise that the objectors have not raised concerns on neighbour impact grounds.

In neighbour impact terms the development accords with the relevant criteria of Policy H13.

**6.43 Parking provision.**

With respect to highway safety matters the advice from Central Government set out in paragraph 109 of the National Planning Policy Framework (NPPF) is as follows:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.*

Policy T2 of SOLP seeks to ensure that appropriate provision for parking is made in developments.

Emerging Policy TRANS5 echoes these provisions.

Appendix 5 sets out the maximum parking provision of 2+ spaces for 2 bedrooms and above.

6.44 The Highway Officer has considered the development in terms of the access, visibility, the amount of parking within the site and space available for turning and has no objection.

They have recommended a condition that requires that prior to the first occupation of the development a turning area and car parking spaces shall be provided within the site so that vehicles may enter, turn around and exit in a forward gear and that this should be shown on a plan to be approved by the council.

6.45 The National Planning Policy Framework (NPPF) states at paragraph 55 Planning conditions should be kept to a minimum and only imposed where they are;

1. Necessary
2. Relevant to planning,
3. Relevant to the development to be permitted

4. Enforceable
5. Precise
6. Reasonable in all other respects.

When considering the size of the parking area proposed, the number of spaces and the fact that the site is so far away from the public highway along a private driveway I do not consider the condition necessary.

It is my judgment therefore that the condition should not be imposed.

I am satisfied that the development accords with Policy T2 of SOLP.

**6.46 CIL.**

The development is below the Community Infrastructure Levy (CIL) floor space threshold to trigger CIL payments.

**7.0 PLANNING BALANCE AND CONCLUSION**

- 7.1 The proposed extension, change of use of land to become garden and underground oil tank are not inappropriate forms of development and do not result in a harmful impact on the openness of the Green Belt.

The impact on the wider landscape character and visual impact from the extension and change of use are limited.

The extension is in keeping with the character of the original building and the site.

Sufficient parking is provided for within the site.

The development accords with the relevant development plan policies.

**8.0 RECOMMENDATION**

- 8.1 **That planning permission is granted subject to the following conditions;**

**Standard Conditions**

- 1: Commencement three years - Full Planning Permission**
- 2: Approved plans**

**Compliance conditions**

- 3: Matching materials (walls and roof)**

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