

<b>APPLICATION NO.</b>	<a href="#">P21/S1638/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	26.4.2021
<b>PARISH</b>	CHALGROVE
<b>WARD MEMBER(S)</b>	David Turner
<b>APPLICANT</b>	Mr Richard Thomas
<b>SITE</b>	Land to the rear of 60-66 High Street, Chalgrove, OX44 7SS
<b>PROPOSAL</b>	Demolition of garage block. Erection of a pair of single storey 2-Bed dwellings to the rear of 60-66 High St, Chalgrove as amplified by SAP information received on 14 June 2021 as amplified by drainage strategy and flood risk assessment received 10 August 2021.
<b>OFFICER</b>	Kim Gould

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to Planning Committee because the objections of the Parish Council conflict with the views of the planning officer. Officers recommend that planning permission is granted for the proposed development, subject to conditions.
- 1.2 The site lies within the built-up limits of Chalgrove. It is set back from High Street behind a parade of shops which have residential flats above. The flats are accessed to the rear of High Street. An OS extract showing the location of the site is **attached** as Appendix 1
- 1.3 The site comprises a row of flat roof garages and garden areas associated with the flats above the parade of shops. Access to the site is off High Street.
- 1.4 The site includes flood zones, 1,2 and 3. The proposed dwellings are proposed within flood zone 1 whereas the access where it joins High Street lies within flood zone 3.
- 1.5 The site lies within an area of archaeological interest

- 1.6 In 2018, an application to build 2 x 2 bed dwellings was withdrawn. That elevations for the withdrawn proposal are shown below:



- 1.7 This current application seeks full planning permission to demolish the existing row of garages and erect 2 x 2 bed, single storey dwellings with outdoor amenity space, bike and bin storage and off-street parking.
- 1.8 A copy of some of the submitted plans are **attached** as Appendix 2. Full copies of the plans, supporting information and consultee responses can be viewed on the council's website at [www.southandvale.gov.uk](http://www.southandvale.gov.uk)
- 1.9 This application was the subject of pre application advice under planning ref P18/S0128/PEM.

## 2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

### 2.1 Chalgrove Parish Council – Objection

- Unneighbourly and overdevelopment
- Serious concerns regarding access to the site. The access is narrow and does not allow for a pedestrian footpath. The increased vehicular traffic through this narrow access is a safety risk for children.
- We feel that the existing shops experience difficulties with deliveries due to the narrow access and the lack of space on the site to turn around
- It is believed that 3 car parking spaces for 2 properties is not adequate and the plans should be re-assessed.

**County Archaeological Services** – No objection

**Drainage Officer** - Initial comments **holding objection**. The site lies within fluvial flood zones 1, 2 and 3 and therefore, a Flood Risk Assessment is required. The FRA is in accordance with paragraph 164 and footnote 51 of the NPPF.

**Subsequent comment** following submission of FRA – **Holding objection**. Additional information required.

**Following submission of additional information** – No objection to planning permission being granted.

**OCC Highways Liaison Officer**– No objection subject to conditions relating to parking and manoeuvring areas retained and provision of cycle parking as shown on submitted plans.

**Environment Agency** – No detailed response given – prioritising their responses to the highest risk cases- Advised that development proposals should be safe for the lifetime of the development and should not increase flood risk to surrounding areas in line with NPPF paragraphs 160 and 163.

**Council’s energy consultant** - Proposal complies with policy DES10 – no objection

#### **Neighbour objections (5)**

- Site is restricted and incompatible with the development on this scale
- Additional vehicular movements will also increase the noise level which is currently restricted to delivery vehicles a couple of times a week
- The proposal will seriously impact our ability to enjoy our home and we strongly object to it.
- Concern regarding access to the property during construction
- Access is blocked by Londis shop lorries every Thursday for around 2 hours and at other times for Grundon waste collection lorries
- Dwellings are very small (observation rather than objection)
- Very close to properties in Langley Road – adverse impact on privacy and wellbeing
- I am working from home so am concerned about the potential increase in noise both during and after construction.
- Living and dining areas for the proposed dwellings will only be 4.4metres from our conservatory.
- This is a case of “garden grabbing”.
- The provision of 2 small units will not contribute in any meaningful way to the current shortfall of housing
- Existing hedge helps to screen the existing flats and the proposed dwellings – this hedge may not always be there.
- The site is currently garden space for the flats – are these residents not entitled to an amenity space?
- There will be overlooking from the development to properties in Langley Road.
- Inadequate parking provision

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [P20/S4857/FUL](#) - Approved (03/03/2021)

To enlarge the existing Londis and Posies shop (64-66) with formalised parking to the forecourt and ramped pedestrian access to the new entrances. The renewed shop frontage will provide an attractive new entrance, improved accessibility and more retail space to better serve the needs of the growing village. Both shops are to extend ~3m forward along the parade. The rear of the site is to be renewed with improved pedestrian access, formalised parking, new covered bin and bike storage and planting. A new centralised rear access staircase for the above flats improve access and allow for a ~1m rear extension for storage to the Londis shop (as amended by plans 0275 rev 01 and plan 0127 rev 01 removing rear staircase).

[P18/S2807/FUL](#) - Withdrawn (02/10/2018)

Demolition of garage block and construction of two, 2-bedroom dwellings and alterations to existing commercial shops.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 N/A

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

**South Oxfordshire Local Plan 2035 (SOLP) Policies:**

DES1 - Delivering High Quality Development

DES10 - Carbon Reduction

DES2 - Enhancing Local Character

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

DES9 - Renewable Energy

ENV3 - Biodiversity

ENV9 - Archaeology and Scheduled Monuments

H1 - Delivering New Homes

H16 - Backland and Infill Development and Redevelopment

H4 - Housing in the Larger Villages

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

5.2 **Neighbourhood Plan**

Chalgrove Neighbourhood Plan

C1 Location of development

C2 Design and character

H3 Home working

H4 Residential parking

Supporting statements in relation to:

Flooding

Biodiversity

Archaeological sites

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 **The relevant planning considerations are the following:**

- **Principle**

- **Design and character**
- **Residential amenity**
- **Access and Parking**
- **Flooding**
- **Biodiversity**
- **Sustainable development and carbon reduction**

6.2 **Principle**

Policy STRAT1 of the SOLP supports and enhances roles of the larger villages such as Chalgrove as local service centres. Policy H1 of the SOLP allows for new residential development within the existing built-up areas of towns and larger villages where there is a made Neighbourhood Plan provided that an important open space of public, environmental, historical or ecological value is not lost, nor an important view harmed.

6.3 Neighbourhood Plan policy C1 allows for development within the built-up area of Chalgrove provided the development conforms to other policies within the Neighbourhood Plan.

6.4 In this case, the site lies within the built-up limits of Chalgrove. It is not considered an important environmental or ecological site.

6.5 **Design and character**

Policy DES2 of the SOLP seeks to ensure that all new development is designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings. The row of 8 flat roof garages is unattractive and does not contribute positively to the visual amenity of the site or its surroundings. The garden area to the rear of the garages appears neglected and overgrown.

6.6 The established character of the area is varied in terms of size and type of property and the pallet of materials . The site lies to the rear of a parade of shops fronting High Street. The shops have residential accommodation above them which have rendered walls and concrete tiled roof. The parade is three storeys high. To the rear (south west) of the application site are bungalows and brick-built chalet bungalows in Langley Road. The garages which would be replaced by this development are brick built with flat roofs. There is a grade II listed building opposite the site entrance, number 97 High Street,

6.7 The proposed two dwellings would be single storey in design and would occupy approximately the same footprint as the existing garages. The dwellings are modest in size but exceed the nationally prescribed space standards.

6.8 The material palette for the proposed new dwellings draws on the immediate context, using red brick with simple detailing and an asymmetric roof similar to that found on the flats opposite.

6.9 The roof form is derived from the existing asymmetric roof on nos 60-66 High Street and enables the height to be kept low. The redevelopment of this site by the removal of the garages and the incorporation of the neglected garden area into functioning rear gardens would, in my opinion, enhance the character and visual amenity of the area and would not detract from the established character of the area.

6.10 **Residential amenity including garden sizes**

At the pre application stage, the applicant was advised that a single storey development would help to avoid any direct overlooking to neighbours. The applicant has acknowledged this and has submitted a scheme which is single storey in design.

Both properties have garden sizes which exceed the council's standard of 50sqm for a 2-bed dwelling. House 1 has a rear garden of 51sqm whilst House 2 has a rear and size garden of 77sqm. As such, the proposal provides adequate private amenity space to accord with the Design Guide's standards and Policy DES5 of the SOLP.

- 6.11 The site partially comprises an area which is garden area for the flats above the parade of shops. From my site visit this area appeared neglected and underutilised. The occupiers of the flats appear to use a terrace area at the rear of the flats as amenity space. I do not, therefore, consider that the occupiers of the flats would experience a loss of useful amenity space. I have not received any objections from the occupiers of the flats in relation to this.
- 6.12 Policy DES6 of the SOLP seeks to ensure that Development should not result in significant adverse impacts on the amenity of neighbouring properties by way of, for example, loss of privacy, dominance or visual intrusion. A number of neighbours have objected to this proposal on the grounds of it being unneighbourly. The neighbours most affected by this development are numbers 33, 35 and 37 Langley Road which lie directly south of the application site. The rear gardens of these properties abut the southern boundary of the site. These properties currently back onto the garden areas for the flats which is currently neglected and underutilised.
- 6.13 The rear gardens of the new dwellings will abut the northern boundaries of these properties on Langley Road. The new dwelling would be sited some 4.5 metres from the joint boundary leaving a separation space between 33 and 35 Langley Road of approximately 21.5m and 13 m respectively.
- 6.14 The South Oxfordshire Design Guide advises that a 10m gap should exist between the rear of a property and the rear boundary. In this case, that distance is 4.5 metres. The proposed dwellings, however, are single storey only with a maximum modest ridge height of 4 metres. As such, the proposed dwellings would not appear visually intrusive or overbearing. The plan below shows the outline of the existing garages as a dotted line to provide a comparison between the existing garages and the proposed dwellings.



SW Rear Elevation

1:100

The distance between the existing garage block and the southern boundary of the site is some 9 metres.

**6.15 Access and Parking**

Policy TRANS5 of the SOLP seeks to ensure that new development provides for parking of vehicles in accordance with Oxfordshire County Council parking standards. Three unallocated parking spaces are provided for the new dwellings in line with the council's parking standards. The county highway authority has raised no objection to the proposal on highway grounds subject to conditions requiring parking and manoeuvring areas to be retained and cycle parking to be provided as shown on the submitted plan.

6.16 A single parking space has been allocated to each proposed dwelling along with a single 'visitor' only space. Given the site is located in a sustainable area with good access to buses within walking distance of the site and a provision for cycle parking, this level of car parking is considered acceptable by the highway authority. The proposal is unlikely to result in any significant intensification of transport activity at the site. No change is proposed to the existing access arrangements and the proposal is unlikely to have a significant adverse impact on the highway network. As such, there are no technical reasons to refuse this application on highway grounds.

6.17 This proposal involves the demolition of 8 garages which currently serve the flats above the parade of shops fronting High Street. The county highway authority considers these garages to be substandard in size so they could only be used for the parking of a small car. As such parking provision for the flats is not being lost. Each flat will retain a single parking space.

**6.18 Flooding**

The site lies in flood zones 1, 2 and 3. It is the access off High Street which lies within flood zone 3. Policy EP4 seeks to minimise the risk and impact of flooding by directing new development to areas with the lowest probability of flooding; ensuring that all new development addresses the effective management of all sources of flood risk and ensuring that development does not increase the risk of flooding elsewhere.

6.19 The council's drainage engineer initially lodged a holding objection to this proposal on the grounds that a flood risk assessment (FRA) was required due to the site's location within flood zones 2 and 2. A FRA was subsequently submitted and the council's drainage engineer has raised no objection to the proposal on drainage grounds. He has confirmed that the information submitted demonstrates that an emergency vehicle can access the site into flood zone 1 and that a feasible surface water drainage strategy has been demonstrated. No objection is being raised to this proposal on flooding grounds by the council's drainage engineer.

6.20 The applicant is not required to apply the Sequential Test in this case. This is because the council's drainage engineer is satisfied that an emergency vehicle can access the site into flood zone 1 ; it is the access only onto High Street which lies within flood zone 3, and none of the area to be occupied by the new dwellings lies within flood zones 2 or 3.

**6.21 Biodiversity**

Policy ENV3 of the SOLP seeks to ensure that all development provides a net gain in biodiversity where possible. As a minimum there is no loss of biodiversity. The agent has submitted a biodiversity statement which demonstrates that there would be a net gain of 14 sqm of green space as a result of this proposal. The biodiversity impact assessment calculator shows a very slight decrease in habitat biodiversity value of - 0.0364 habitats.

6.22 I have consulted the council's countryside officer on this application, and he has considered the biodiversity statement. He has advised that a pragmatic view should be taken in this case and that compliance with ENV3 can be secured with the delivery of the 2 bird boxes , 2 bat boxes and insect bricks as stated in Section 4.4 of the statement. The metric assessment does not account for species enhancements and as the loss is so minor, he is satisfied that this approach is acceptable in this instance subject to a compliance condition added to any planning permission to ensure the delivery of the features stated within section 4.4 of the statement.

**6.23 Sustainable development and carbon reduction**

Policy DES10 of the SOLP seeks to ensure that all new residential development achieves at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case. This reduction is to be secured through renewable energy and other low carbon technologies and/or energy efficiency measures. The applicant has submitted an energy statement which has been considered by the council's energy consultant who has concluded that the proposal accords with policy DES10. A condition is also recommended requiring each property to be provided with an electrical charging point for a car.

**6.24 Community Infrastructure Levy**

This proposal is not CIL liable as there is no net increase in floor area .

**6.25 Pre-commencement conditions**

N/A

**7.0 CONCLUSION**

7.1 Your officers consider that the principle of redeveloping the site for residential development is acceptable. The proposed single storey dwellings would not result in significant adverse impacts on neighbour amenity. The proposed dwellings would have adequate off-street parking and garden spaces and would not result in issues of highway safety or flooding. The proposal accords with Development Plan policies and Government advice.

**8.0 RECOMMENDATION**

8.1 **To Planning Permission subject to the following conditions:**

- 1 : Commencement three years - Full Planning Permission**
- 2 : Approved plans**
- 3 : Materials as on plan**
- 4 : Withdrawal of P.D. (Part 1 Class A) - no extensions etc**
- 5 : Withdrawal of P.D. (Part 1 Class E) - no buildings etc**
- 6 : Energy Statement Verification**
- 7 : Parking & Manoeuvring Areas Retained**
- 8 : Cycle Parking (approved plans)**
- 9 : Surface Water Drainage**
- 10 : Electrical vehicles charging point**
- 11. Compliance condition ecology**

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