

APPLICATION NO.	P21/S4280/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	6.10.2021
PARISH	EWELME
WARD MEMBER(S)	Sue Cooper Andrea Powell
APPLICANT	Mr & Mrs Mark Powell
SITE	Yew Tree House, The Street, Ewelme, OX10 6HQ
PROPOSAL	Extension & remodelling works.
OFFICER	Paul Bowers

1.0 **INTRODUCTION AND PROPOSAL**

1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.

1.2 The application is referred to planning committee as the applicant is an elected member of South Oxfordshire District Council.

1.3 The application site comprises a single, detached, two storey dwelling located on the southern side of The Street, in the centre of Ewelme. The dwelling is side on to the road with a detached garage along the north western boundary and sited adjacent to the Ewelme Brook to the south.

A plan identifying the site can be found at **Appendix 1**.

1.4 The site is located in the Ewelme Conservation area and the Chilterns Area of Outstanding Natural Beauty (AONB). The building stands out in the street scene because its design, appearance and materials are typical of a 1970s residential estate rather than the more historic structures in the wider conservation area.

1.5 The application seeks planning permission to erect a single storey extension on the north western elevation of the dwelling, reclad the dwelling in vertical natural timber, to erect a balcony on the south west elevation and the erection of a new replacement, detached garage.

1.6 Reduced copies of the plans accompanying the application are attached as **Appendix 2** to this report. All the plans and representations can be viewed on the council’s website at www.southoxon.gov.uk under the planning application reference number.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 **Ewelme Parish Council** – No comments received.

Countryside Officer – No objection subject to conditions relating to lighting and the provision of a water course protection strategy

Drainage – No objection.

Highways Liaison Officer (Oxfordshire County Council) – No objection subject to a condition which removes the permitted development right to convert the garage.

Forestry Officer – No objection subject to the tree protection condition.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P21/S2522/PEO](#) - Advice provided (07/07/2021)

Extension and remodelling works and replacement detached garage block.

[P72/M1180](#) - Approved (06/04/1973)

Erection of a house and garage. Access.

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

DES2 - Enhancing Local Character

DES3 - Design and Access Statements

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

ENV1 - Landscape and Countryside

ENV3 - Biodiversity

ENV4 - Watercourses

ENV6 - Historic Environment

ENV8 - Conservation Areas

ENV12 – Pollution – potential sources of pollution

H20 - Extensions to Dwellings

INF4 - Water Resources

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

5.2 **Ewelme Neighbourhood Plan** policies;

EP1 – Natural environment, wildlife and biodiversity

EP7 – Parking

EP8 – Conserving and enhancing heritage assets

EP9 – Sustainable and high quality design

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 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

In the case of this application South Oxfordshire Local Plan 2035 (SOLP) and the Ewelme Neighbourhood Plan comprise the development plan and the policies within it must be assessed in relation to the material considerations relevant to this proposal.

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

- **The principle of development.**
- **Impact on the amenities of the occupants of nearby properties.**
- **Impact on the character of the building and the Conservation Area.**
- **Impact on the AONB.**
- **Impact on ecology.**
- **Impact on trees.**
- **Impact on highway safety.**
- **Carbon reduction.**
- **CIL.**

6.3 **The principle of development.**

Policy H20 of SOLP permits the extension to dwellings subject to a number of provisions. This policy establishes that the principle of an extension to a dwelling is acceptable.

The provisions within Policy H20 relate to development in the Green Belt (not applicable in this case), adequate levels of parking, amenity space and providing that the proposal doesn't conflict with other policies within the plan.

These issues are dealt with separately in the following sections of this report.

6.4 **Impact on the amenities of the occupants of nearby properties.**

Policy DES6 of SOLP relates to residential amenity and requires that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts in relation to loss of privacy, day light and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution and external lighting.

6.5 The single storey extension to the northwest elevation is limited in height, scale and bulk and is away from the boundaries of the site. I am satisfied the extension will have no material impact any nearby or adjacent property.

6.6 The proposed garage replaces an existing structure. It is larger than the current building but in my view the distance from adjoining properties, in conjunction with its single storey height and the fact that it is located in the same position, ensures that it does not result in a materially harmful overbearing or oppressive impact to any nearby property.

- 6.7 The proposed alterations to the building include the erection of a balcony on the South West elevation. This will overlook the Ewelme Brook and towards the property known as The Brownings to the south. There is a significant distance between the balcony and the dwelling house at The Brownings and its private amenity area with large amounts of natural screening in the intervening space.

I am satisfied that this in this instance the erection of a balcony in a built-up area will not result in a level of overlooking of nearby properties that would be materially harmful.

- 6.8 Overall, the proposed development does not result in an unneighbourly impact in my opinion and accords with Policy DES6 of SOLP.

6.9 Impact on the character of the building and the Conservation Area.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides:

In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 72 (1) must also be considered alongside relevant policies contained in the NPPF.

Paragraph 203 of the NPPF states that in determining applications LPA's should take account of the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable use consistent with conservation, the positive contribution that conservation deals with the impact of a proposed development on the "significance" of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

This is followed through into the development plan by policy ENV8 of SOLP which relates to conservation areas.

More generally Policy DES1 seeks to ensure that all new development is of a high-quality design subject to a series of criteria and Policy DES2 states that all new development must be 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. This is also reflected in Policy EP8 of the neighbourhood plan.

- 6.10 The size and design of the single storey extension is in keeping with the form and character of the established dwelling. In my view it causes no material harm and conserves the character and appearance of the conservation area.

- 6.11 The proposed garage is larger than the existing building. However, it is a simple pitched roof building and single storey in height. It will be more prominent than the existing garage but in my view, it will not be intrusive and would not detract from either the street scene, the character of the existing building or the of the conservation area.
- 6.12 The balcony on the southern aspect of the building will not be prominent in public view. It is simple in form and seen in the context of a residential property. I am satisfied that this will conserve the conservation area rather than detract from it.
- 6.13 It is the proposed cladding of the existing house along with the extension that will create the biggest visual impact, both in terms of changing the character of the building but also that of the conservation area.

The existing building is, in my view, at odds with the character of the area and the context of this historic setting of the conservation area.

The introduction of a natural material in vertical panels on the building will bring it more in line with the rural character of structures within the village. It is proposed to allow the timber cladding to weather naturally and ultimately have a grey appearance. This will soften overtime and I consider that in general this alteration will result in improvement to both the character of the building and the conservation area.

- 6.14 I am of the view the proposed development taking the elements individually and as a whole will achieve the objectives of the heritage policies within the development plan and conserve the conservation area.

6.15 **Impact on the AONB.**

Policy ENV1 of SOLP states that the highest level of protection will be given to the landscape and scenic beauty of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs): Development in an AONB will only be permitted where it is appropriate to the economic and environmental wellbeing of the area or promotes understanding or enjoyment of the AONB.

- 6.16 This is a residential property within the established confines of the village.

The development utilises natural and traditional materials, similar in appearance to properties in the wider village and the Chilterns in general.

The new building works are limited in size in the context of the landscape. Taken overall I am of the view that the development conserves the special landscape of the AONB.

6.17 **Impact on ecology.**

The site is located adjacent to the Ewelme Brook and therefore Policy ENV4 of SOLP is relevant. It requires that development of land that contains or is adjacent to a watercourse must protect and where possible, enhance the function and setting of the watercourse and its biodiversity. As a last resort development should provide mitigation for any unavoidable impacts. This is reflected in neighbourhood plan policy EP1

Policy ENV12 of SOLP states that the individual and cumulative impacts of development on human health, the natural environment and/or local amenity will be considered when assessing development proposals. In addition to the consideration of

the merits of development, proposals will be balanced against the adverse impact on amongst other things the natural environment from artificial light.

- 6.18 The council's ecologist has considered the development and concluded that the existing garage is unlikely to support roosting bats. This also applies to the works of extension and alteration to the main dwelling.
- 6.19 The element of the proposal that extends towards the Ewelme Brook is the proposed balcony. However due to its elevated nature and small footprint, it is unlikely to adversely impact the ecological value of the brook or the relationship between the built development and the water course.
- 6.20 The council's Ecologist is happy to support the application subject to two conditions. The first is to control any external lighting that may be proposed. In addition, the planning condition that requires no development to take place unless and until a water course protection strategy has been submitted to an approved in writing by the local planning authority. In conjunction with these conditions the proposal will accord with policy ENV4 and ENV12 as well as neighbourhood plan Policy EP1.

6.21 Impact on trees.

Policy ENV1 of SOLP states that South Oxfordshire's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's landscapes, in particular trees (including individual trees, groups of trees and woodlands), hedgerows and field boundaries

- 6.22 The council's tree officer has considered the impact of the development and in particular the replacement garage structure on adjacent trees. Given the garage building is located in the same position as the existing structure and the extensions of the house are at a greater distance from the trees, they have confirmed they have no objection subject to a condition that requires the protection of the trees during the construction.

In conjunction with the proposed condition and the development shown on the plans I'm satisfied the proposal of course of policy ENV1 of SOLP.

6.23 Impact on highway safety.

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

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.

Policy TRANS5 of SOLP seeks to ensure that development does not harm highway safety and provides for sufficient parking and turning areas.

Policy EP7 of the neighbourhood plan states that new residential development that gives rise to the need for additional parking will only be supported where adequate parking provision is made in line with the Oxfordshire County Council parking standards.

- 6.24 The proposal seeks to make alterations to the existing dwelling and the garage accommodation; however, no additional bedrooms are being created and the garage is to remain.

The proposal is unlikely to result in any significant intensification of transport activity at the property. No change is proposed to the existing access arrangements.

The proposal is unlikely to have a significant adverse impact on the highway network.

- 6.25 Two planning conditions are however proposed which seek to ensure that the parking and turning areas are provided as per the plans submitted with the application and that the garage accommodation is retained as such unless planning permission is first granted.

In conjunction with these conditions, I am satisfied that the development complies with Policy TRANS5 and EP7.

- 6.26 **Carbon reduction.**

Policy DES8 of SOLP states that all new development, including building conversions, refurbishments and extensions, should seek to minimise the carbon and energy impacts of their design and construction. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape and planting.

- 6.27 The scale of the development is small and the potential positions for both the extension and the garage are limited. The introduction of the timber cladding on the existing dwelling as well as its extension will improve the thermal efficiency and, in that respect, help to reduce the carbon and energy impacts of the property. I am satisfied that within the scope of this proposed development it will achieve the objectives of Policy DES8.

- 6.28 **Pre commencement conditions.**

There are two pre-commencement conditions proposed as part of this recommendation i.e. requiring details which need to be approved before the development can start. In this case these relate to a strategy for protecting the water course and the details of the tree protection to be approved and then put in place. In line with the legislation the applicant has agreed to these conditions in advance of the decision being issued.

7.0 **CONCLUSION**

- 7.1 The proposed extension and alterations to the house are in keeping with the character of the area and improve the appearance of the building in the context of the conservation area and the AONB. The proposed garage is limited in overall height and does not give rise to a significantly greater impact on the wider area or on nearby trees than the existing garage.

The extensions, garage and balcony do not result in a harmful unneighbourly impact to any nearby property.

In conjunction with the attached conditions local ecology and trees will be protected and the development as whole will accord with the development plan.

8.0 **RECOMMENDATION**

8.1 **That Planning Permission is granted subject to the following conditions;**

Standard conditions -

- 1 : Commencement 3 years - Full Planning Permission
- 2 : Approved plans

Pre-commencement conditions –

- 3: Watercourse protection strategy
- 4 : Tree protection

Prior to occupation conditions –

- 5 : Parking & Manoeuvring Areas Retained
- 6 : External lighting

Compliance conditions -

- 7 : Cladding to be natural in colour
- 8 : Materials as on plan
- 9 : No Garage conversion into accommodation

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