

<b>APPLICATION NO.</b>	<a href="#">P22/S1039/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	18.3.2022
<b>PARISH</b>	WHEATLEY
<b>WARD MEMBER(S)</b>	Alexandrine Kantor
<b>APPLICANT</b>	Mr C Sumner
<b>SITE</b>	13 Leyshon Road, Wheatley, OX33 1XF
<b>PROPOSAL</b>	Erection of two storey side and rear extension. Subsequent subdivision to provide new two storey two bed dwelling. Provision of private amenity space with off street parking utilising widened existing highway access to Leyshon Road. Provision of enclosed bin and bike stores. As amended by plan ref 21-014-P-001 B which shows a set back and includes bat and bird box.
<b>OFFICER</b>	Kim Gould

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to Planning Committee because the recommendation that planning permission is granted conflicts with the views of Wheatley Parish Council who are objecting to the proposal.
- 1.2 The site lies within the built-up limits of Wheatley in an established residential area. 13 Leyshon Road is a 3-bedroom semi-detached dwelling. An OS extract showing the location of the site is **attached** as Appendix 1.
- 1.3 Number 15 Leyshon Road has been previously extended to the side to create 2 x 2-bed flats with 2 x 2-bed dwellings being erected within its rear garden, which fronts onto Amber Rise.
- 1.4 The site lies outside any area of constraint.
- 1.5 **The proposal.** This application seeks full planning permission to erect a two-storey side and rear extension with the subsequent subdivision of the property to create a new 2-bedroom dwelling with its own private amenity space and off-street parking.
- 1.6 Reduced copies of the plans accompanying the application area **attached** as Appendix 2. Full copies of the plans and consultations responses are available for inspection on the Council’s website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 **Wheatley Parish Council – Objection**
  - Due to restricted size of site, the proposal fails to respect the domestic proportions of residential buildings in this area.
  - Appears cramped and incongruous in the street scene.
  - Fails to reinforce local distinctiveness
  - The new dwelling would neither preserve nor enhance the character and appearance of the area.

- The benefits associated with the provision of a small unit of residential accommodation would not outweigh the identified harm to local distinctiveness and the character of the area.
- One parking space is not sufficient for a 2-bed property.
- Existing excessive parking on the narrow highway
- Impact and inconvenience for neighbours.
- Route for farm vehicles and caravans to exit village

**OCC Highways Liaison Officer** - No objection subject to conditions relating to new vehicular access, vision splay protection and parking and manoeuvring areas to be retained.

**Energy Assessor** (ESE Ltd) – No objection. The proposal complies with policy DES10 of the SOLP.

**Neighbours** Objection (2)

- Overlooking from the existing (extended) dwelling and the new property into lounge and rear bedroom
- Adverse impact on privacy and light
- Loss of grass area in front of property will result in loss of parking space
- Parking is already an issue in Leyshon Road, and this will exacerbate the problem
- Bin storage will reduce parking

3.0 **RELEVANT PLANNING HISTORY**

3.1 None

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

INF4 - Waterresources

H1 - Delivering New Homes

H20 - Extensions to Dwellings

H4 - Housing in the Larger Villages

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

5.2 **Neighbourhood Plan**

**Wheatley Neighbourhood Plan made May 2021**

**H1 Design and character principles**

**H2 Landscape and Character**  
**H4 Infill and self-build dwellings**  
**P1 Parking provision**  
**EN1 Biodiversity**

**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 to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 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.

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

6.4 The main issues to consider in relation to this development are as follows:

- **Principle of residential development**
- **Design and character**
- **Residential amenity**
- **Access and Parking**
- **Garden size**
- **Biodiversity**
- **Sustainable development and carbon reduction**
- **Space standards**

**6.5 Principle**

Policy SRAT1 of the SOLP supports and enhances the roles of the larger villages such as Wheatley as local service centres by supporting new development of all types. 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.

- 6.6 In this case, the site lies within the built-up area of Wheatley where there is a made Neighbourhood Plan. The proposal would not harm an important open space of public, environmental, historical or ecological value and would create a small dwelling in a sustainable location. As such the principle of residential development on this site is acceptable.
- 6.7 **Design and character**  
Policy DES1 of the SOLP seeks to ensure that all new development is of a high-quality design. 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. Policy H1 of the Wheatley Neighbourhood Plan requires development to complement, enhance and reinforce local distinctiveness. In addition it requires development to show how the scale, mass, density and layout of the building/extension fits in with the character of the immediate area and wider context within the village.
- 6.8 The Wheatley Parish Council have objected to this proposal. One of their concerns is the inappropriate design of the new dwelling which they consider to be out of keeping with the established character of the area.
- 6.9 The established character of the surrounding area is generally low brick walls along the frontage with a single vehicular access. The proposed scheme would remove the existing low wall and provide 3 car parking spaces across the frontage of the new dwelling and the existing host property. This would, however, be similar to the situation at 15 Leyshon Road which has an open frontage with 2-3 parking spaces at the front with a widened dropped kerb.
- 6.10 In its amended form, the proposed side extension to create a new dwelling is set back and down from the main dwelling and would appear as a two-storey side extension in accordance with SODG advice. It would be built using matching materials to the existing roof and walls. The subservient design and matching materials would ensure that the proposed development would be in keeping with the existing surrounding development and, in my view, it reinforces local distinctiveness. There are examples of similar forms of extension in the vicinity.
- 6.11 The symmetry between numbers 13 and 15 has already been lost due to the extension to number 15 permitted under ref P12/S2197/FUL which permitted a two-storey side extension to create 2 x 2-bed flats. The current proposed extension to number 13 is more in keeping with the existing character of the area and will, in your officers' opinion, enhance and complement the surroundings in accordance with policy DES2 of the SOLP.
- 6.12 **Residential amenity**  
Policy DES6 of the 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, daylight and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution and external lighting.
- 6.13 In this case, the site is surrounded by residential development on all sides. First floor rear windows of both the new dwelling and the extension would look out towards the rear gardens of properties in Ambrose Rise. This relationship with neighbours is already established in Leyshon Road as the existing first floor windows of properties face rear gardens.

6.14 Objections have been received from neighbours to the north of the site at 10 and 9b Ambrose Rise. Some of their concerns relate to overlooking and loss of light. The new first floor windows will offer oblique views only to these rear gardens. The extended dwelling would be some 21metres from the rear of number 9B and the new dwelling some 23 metres. The extended dwelling would be in excess of 33 metres away from the rear of number 10 Ambrose Rise. Given these distances, the proposed development will not result in significant adverse impact on the amenity of neighbours in my view and accords with policy DES6 of the SOLP and advice within the SODG.

6.15 **Access and Parking**

With respect to highway safety matters the advice from Central Government as set out in the National Planning Policy Framework (NPPF) is that *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

6.16 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.

6.17 One of the Parish Council’s concerns in relation to this proposal is that insufficient parking is provided for the new 2-bed dwelling. Policy TRANS5 of the SOLP seeks to ensure that development does not harm highway safety and provides parking for vehicles in accordance with Oxfordshire County Council parking standards. Policy P1 of the WNP requires new development proposals to provide off road parking to meet the County Council’s car parking standards which for a 2-bed dwelling is 2 off street parking spaces. However, these are maximum standards.

The County highway authority has raised no objection to the proposal on highway grounds. Firstly, because the proposal is close to a bus-stop and the site is considered an accessible location in terms of other travel options available and secondly because the proposal is within a residential area where vehicular speed and traffic are relatively low. The existing dropped kerb arrangement is to be extended to provide a single off street parking space for the new 2-bed dwelling and 2 off street parking spaces for the existing 3-bed dwelling. Subject to conditions in relation to visibility, access and parking, the proposal is not considered to have a significant adverse impact on the highway network.

6.18 **Garden size**

Policy DES5 of the SOLP seeks to ensure that all new dwellings should have a private outdoor garden or amenity space. The amount of land that should be provided for the garden or amenity space is determined by the size of the dwelling proposed and the character of the surrounding development. The SODG advises that 2-bed and 3-bed dwellings should have a private rear garden of some 50sqm and 100sqm respectively. In this case, both the existing dwelling and the new dwelling would have rear gardens of some 125sqm which exceeds the council’s standards in relation to private amenity space.

6.19 **Biodiversity**

Policy ENV3 of the SOLP seeks to ensure that all development should provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity. In this case, the agent has confirmed that no trees or hedges are to be removed and a bird and bat box have been included within the development. The submitted plans show native hedge planting to the fence line and augmentation of existing hedge with native species. As such, there would be a net gain in biodiversity in accordance with policy ENV3 of the SOLP.

6.20 **Sustainable development and carbon reduction**

Policy DES10 of the SOLP seeks to ensure that new dwellings achieve 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. In this case, the applicant has submitted an energy statement which has been considered by the council's energy consultant who has confirmed that the proposal accords with the requirements of policy DES10. A condition requiring the development to be built in accordance with the measures set out in the energy statement has been recommended.

6.21 **Space Standards**

Policy H11 of the SOLP requires that all 1 and 2-bed market housing dwellings should be designed to meet the Nationally Described Space Standards. These deal with internal space within new dwellings and are suitable for use across all tenures. They sets out requirements for the gross internal (floor) area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights.

6.22 The standards require that a 2-bed dwelling over two storeys which is capable of housing 3 people, should provide a minimum of 70 square metres.

6.23 In this case, the new dwelling provides 71 square metres. As such, the unit meets the Nationally Described Space Standards and therefore complies with policy H11 of the SOLP.

6.24 **Community Infrastructure Levy**

The proposal is CIL liable. The information required at this stage of the development has been submitted.

6.25 **Pre-commencement conditions**

N/A

7.0 **CONCLUSION**

7.1 It is recommended that planning permission is granted because the principle of residential development is acceptable on this site within the built-up limits of Wheatley. The proposal would not result in significant adverse impacts on neighbour amenity or issues of highway safety. Subject to the recommended conditions, the proposal accords with Development Plan policies and Government advice.

8.0 **RECOMMENDATION**

**That planning permission is granted subject to the following conditions:**

- 1 : Commencement 3 yrs - Full Planning Permission
- 2 : Approved plans \*
- 3 : Matching materials (walls and roof)
- 4 : New vehicular access \*
- 5 : Vision splay protection \*
- 6 : Parking & Manoeuvring Areas Retained \*
- 7 : Energy Statement Verification
- 8 : Electric Vehicles Charging Point (implementation)

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Delegated Authority Sign-Off Officer

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