

APPLICATION NO.	P22/S0713/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	23.2.2022
PARISH	WHEATLEY
WARD MEMBER(S)	Alexandrine Kantor
APPLICANT	Mr Matthew Dungey
SITE	15 Elton Crescent, Wheatley, OX33 1UZ
PROPOSAL	Proposed demolition of existing garage and conservatory, part single, part two storey rear extension and alterations to the existing dwelling, subdivision and erection of new dwelling and alterations to the vehicular access and parking (amended plans received 15 April 2022 to reduce depth of rear extension, and to extend red line area to enable visibility splays for access).
 OFFICER	 Andy Heron

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 based on an objection received from Wheatley Parish Council who have raised concerns with the impact of the dwelling on the character and appearance of the area, car parking and highway safety and the impact on neighbouring amenity in terms of loss of light. A map extract identifying the site is **attached** at Appendix 1.
- 1.3 The site is situated within Elton Crescent, which consists of 1950’s semi-detached and terraced housing. The surrounding area is characterised by pitched roof dwellings with render on the first-floor elevation. Elton Crescent was originally a council estate consisting of dwellings set within spacious gardens with open gaps between properties. Over time most of these properties have had two storey extensions to the side which has altered the character of the area.

PROPOSAL

- 1.4 Planning permission is sought for the demolition of the existing garage and conservatory to construct a detached 3 bedroomed dwelling to the east, and a single storey and two storey extension to the rear of the existing dwelling. Vehicle access will be taken to the south via Elton Crescent with parking spaces for two cars to the front of each property.
- 1.5 The new dwelling will be built with a pitched roof to the same height as the original dwelling (7.4 metres). The dwelling will have a footprint measuring 5 metres by 14.11 metres and be finished with vertical cladding on the first floor to replicate the render on neighbouring dwellings.
- 1.6 The extensions on the original dwelling are intended to follow the proposed hipped roof gable and single storey extension on the rear of the proposed dwelling. The single storey extension will not extend beyond the depth of the existing conservatory

and will be designed with a flat roof, whilst the two storey extension will have a hipped roof with a depth of 4 metres, a width of 4.85 metres and a height of 7.3 metres. The dwelling and extensions will be constructed of facing brick and pantiles to match the existing materials and features.

- 1.7 Amended plans were received on 15 April 2022 to overcome officer concerns regarding the impact on the amenity of residents at no. 13, and to extend the red line area to enable visibility splays for vehicle egress. The amended plans have reduced the depth of the rear extension at the original property.
- 1.8 An aerial photograph showing the surrounding area is shown below.



- 1.9 Reduced copies of the plans accompanying the application are **attached** as Appendix 2 to this report. All the plans, supporting information and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 The comments below represent the latest comments on the scheme. Full details of the representations can be viewed on the Council's website www.southoxon.gov.uk under the planning reference number.

Wheatley Parish Council	Object. The development fails to respect the domestic proportions of residential buildings in the area and appears cramped and incongruous in the street scene. As such it fails to reinforce local distinctiveness and would neither preserve nor enhance the character and appearance of the area. Furthermore, there is already excessive parking on the narrow highway and therefore surrounding roads would be impacted. The proposed development would also create a loss of light for neighbours.
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Letters of representation	<p>3 letters of objection were received during the initial consultation period, and a further 3 letters of objection were received during the second consultation period following receipt of amended plans.</p> <p>The initial 3 letters of objection were concerned with;</p> <ul style="list-style-type: none"> - Loss in sunlight - Drainage implications - Car parking - Loss in privacy - Impact on the character and appearance of the area <p>The 2 letters of objection in response to the amended plans were concerned with;</p> <ul style="list-style-type: none"> - Impact on the street scene - Drainage - Loss of light - Loss of privacy - Parking and highway implications.
Highways officer (Oxfordshire County Council)	No objection , subject to access and parking compliance conditions.
Drainage	No objection , subject to surface water drainage condition.
Energy consultant	No objection , subject to an energy compliance condition.

3.0 **RELEVANT PLANNING HISTORY**

3.1 2 previous applications of relevance.

[P17/S1242/PEM](#) - Advice provided (09/05/2017)

Pre-application for the subdivision of site to provide building plot. Subsequent erection of new three bedroom detached dwelling. Off street parking provided for existing & proposed dwelling.

[P08/W0519](#) - Approved (04/06/2008)

Construction of conservatory to rear of property.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development is not EIA development.

5.0 **POLICY & GUIDANCE**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- The Local Plan 2035
- Adopted neighbourhood plans

5.2 The South Oxfordshire Local Plan (SOLP) 2035 policies which are relevant to the proposed development consist of:

DES1 - Delivering High Quality Development
DES2 - Enhancing Local Character
DES5 - Outdoor Amenity Space
DES6 - Residential Amenity
DES7 - Efficient Use of Resources
DES8 - Promoting Sustainable Design
DES10 - Carbon Reduction
ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
ENV3 - Biodiversity
EP3 - Waste collection and Recycling
H1 - Delivering New Homes
H11 - Housing Mix
H16 - Backland and Infill Development and Redevelopment
INF1 - Infrastructure Provision
INF4 - Water Resources
STRAT1 - The Overall Strategy
TRANS2 - Promoting Sustainable Transport and Accessibility
TRANS5 - Consideration of Development Proposals

5.3 Neighbourhood Plan

The Wheatley Neighbourhood Plan was made on 20 May 2021. The policies which are relevant to the proposed development consist of:

H1 - Design and character principles
H2 - Landscape character
H4 - In-fill and self-build dwellings
P1 - Parking provision
T1 - Impact of development on the road network
EN1 - Biodiversity

5.4 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (NPPF)
- The National Planning Practice Guidance (NPPG)
- National Design Guide Planning practice guidance for beautiful, enduring and successful places (NDDG)
- South Oxfordshire Design Guide 2016 (SODG 2016)
- South Oxfordshire Infrastructure Delivery Plan (April 2020)
- South Oxfordshire Section 106 Planning Obligations Supplementary Planning Document (1st April 2016)

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 of development**
- **Design and character**
- **Residential amenity**
- **Access and Parking**
- **Drainage**
- **Wildlife implications**
- **Energy statement**

6.2 **Principle of development**

The site is situated within Wheatley, one of the larger villages within the district. Policies STRAT1 and H1 of the SOLP encourage development in these highly sustainable areas, providing an important open space of public, environmental, historical or ecological value is not lost, nor an important public view harmed. The development would not be situated within or close to an important open space or conservation area, nor is there any ecological constraints and complies with criterion H1.3.iii.

6.3 Furthermore, policy H16 of the SOLP and H4 of the neighbourhood plan support infill development providing the scale of the development is appropriate to its location. The principle of development is therefore considered acceptable.

6.4 **Design and character**

Policy DES1 of the SOLP seeks to ensure that all new development is of a high-quality design. One of the key requirements of the policy is to ensure development respects the local context working with and complementing the scale, height, density, grain, massing, type, and details of the surrounding area. Policy DES2 of the SOLP requires development to enhance local character, it states that 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.

6.5 There are several large extensions of various styles and character situated within the surrounding area. The dwelling coverage and garden sizes are also varied in the local vicinity. Unlike some neighbouring sites both the existing and proposed dwelling will be situated on long plots that are similar in size to most of the neighbouring plots.

6.6 Officers consider the development will be built to a height and scale which will be in keeping with the surrounding area. The detached dwelling would help avoid a terrace affect, respecting the original proportions of the housing stock and create a less cramped development than other examples in the area. For reference, a copy of the proposed street elevation is included below with some photos of other recent development within the surrounding area.



PROPOSED STREET ELEVATION

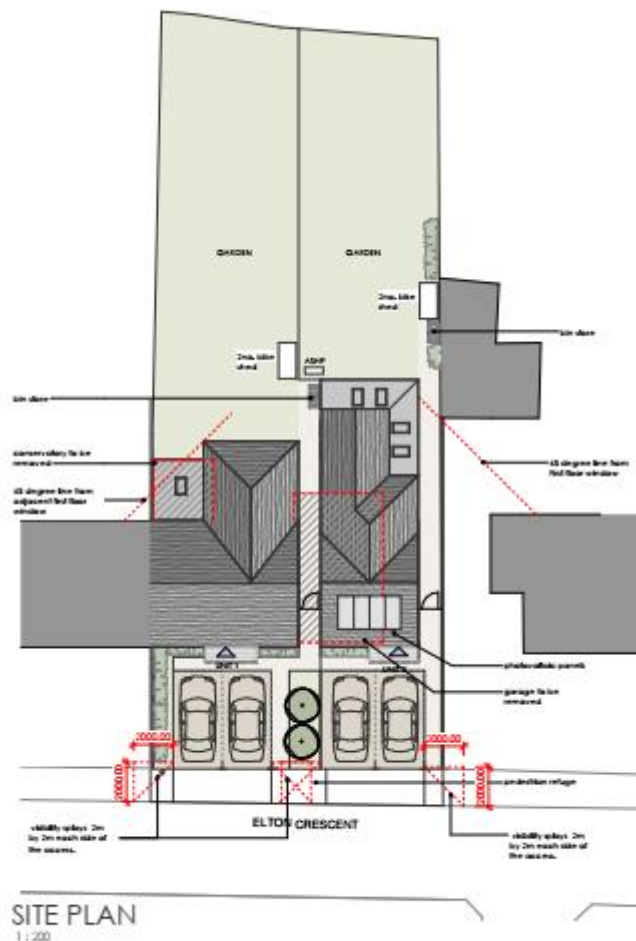


- 6.7 Policy DES5 of the SOLP requires new dwellings to provide good quality outdoor amenity space. The amount of land that should be provided for amenity space will be determined by the size of the dwelling proposed and by the character of surrounding development. The development will deliver approximately 129 square metres of private outdoor garden space for the proposed dwelling and retain 154 square metres for the original dwelling. Both proposed gardens will therefore meet the 100 square metre design guide SPD requirement for 3 bed dwellings.
- 6.8 In view of the above the design of the dwellings is considered to fit with the surrounding character of the area. The development therefore accords with policies STRAT1, DES1, DES2, and DES5 of the SOLP.

6.9 Residential amenity

Policy DES6 of SOLP aims to protect the amenity of neighbouring uses from loss of privacy or day/sunlight, visual intrusion, noise, contamination or external lighting.

6.10 As can be seen in the image below there will be minimal impact in terms of sunlight to the nearest neighbouring ground floor habitable room. The red dotted lines indicate a 45-degree line from the neighbouring windows which show the single storey element of the proposed dwelling will only protrude 800mm beyond the 45 degree line, and in the case of the original property the single storey extension will extend 1.5 metres beyond. However, the proposed single storey extension on the existing property will not extend beyond the footprint of the existing conservatory which is proposed to be demolished (the outline of the conservatory is also dashed red). Officers therefore consider the flat roof design of the replacement single storey rear extension will not create a harmful impact to neighbouring occupants in terms of sunlight. It must also be noted that the footprint of the proposed development will extend to the north of both neighbouring properties which is therefore unlikely to create a harmful impact in terms of sunlight.



6.11 No loss in privacy will be caused by the proposed development as the nearest directly facing dwelling is situated approximately 46 metres to the north. The dwelling has also been designed to ensure no overlooking will occur towards the neighbouring properties to the east and west. The only side elevation windows will consist of roof lights and an obscure glazed bathroom window on the east elevation of the proposed dwelling.

6.12 The development will not result in significant adverse impacts on the amenity of neighbouring uses and is therefore considered to comply with policy DES6 of the SOLP.

6.13 Access and Parking

Policy TRANS5 of the SOLP requires development to provide safe and convenient access for all users to the highway.

6.14 Oxfordshire County Council's highway liaison officer has no objection to the proposed development, subject to access and parking compliance conditions.

6.15 The site will utilise the existing access to the south with visibility splays which are considered acceptable in this location. The parking and manoeuvring areas are considered adequate and acceptable and are unlikely to result in displaced vehicles onto the highway. In view of the above the development accords with policy TRANS5 of the SOLP.

6.16 Drainage

Policy INF4 of SOLP aims to ensure that development proposals demonstrate that there is or will be adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the whole development. Policy EP4 of SOLP aims to minimise flood risk directing new development to areas of the lowest probability of flooding and also aims to achieve sustainable drainage systems.

6.17 The site lies in flood zone 1 (lowest risk of flooding). The council's drainage officer has reviewed the proposed plans and raised no objection, subject to a surface water drainage condition to ensure the proper provision of drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the SOLP.

6.18 Wildlife implications

Policy ENV2 of the SOLP seeks to avoid adverse impacts on ecological receptors (protected species, priority habitats, designated sites, etc.). Where adverse impacts are predicted, development must meet the tests outlined under the policy.

6.19 Policy ENV3 of the SOLP supports development that will conserve, restore, and enhance biodiversity. It requires all development to provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity.

6.20 The development is unlikely to impact on wildlife and their habitat. The development therefore complies with policies ENV2 and ENV3 of the SOLP, and paragraph 174 and 175 of the NPPF.

6.21 Energy statement

Policy DES10 of the SOLP seeks to reduce carbon emissions and requires all new build residential dwellings to incorporate renewable energy and other low carbon technologies and / or energy efficiency measures. To comply with the policy an energy statement has been submitted in support of the planning application. The energy statement demonstrates the dwellings can achieve a 40% uplift above 2013 Building Regulations baseline requirements.

6.22 The application includes an acceptable energy statement. A condition is recommended requiring a verification report to be submitted prior to occupation to demonstrate all carbon reduction energy efficiency measures have been implemented in accordance with the energy statement.

6.23 Conditions

Paragraph 54 of the NPPF is clear that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 55 that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted, enforceable, precise, and reasonable in all other respects.

6.24 A condition is necessary relating to the plans approved, to ensure the satisfactory appearance of the completed development. Time frame conditions will also be attached to secure the proper planning of the area in accordance with development plan policies. A condition requiring the development to be constructed of materials specified on the approved plans will also be attached in the interest of visual amenity.

6.25 To protect neighbouring amenity permitted development rights will be removed for any further extensions. A condition requiring details of boundary details will also be recommended to ensure the development fits in with the surrounding area. Finally, a condition restricting occupation of the dwelling until an electric vehicle charging point has been installed will be recommended to ensure sustainable forms of transport are provided in accordance with Policy DES8 of the SOLP.

6.26 All other conditions have been discussed in the relevant sections of the delegated report.

6.27 Community Infrastructure Levy (CIL)

The development is CIL liable to the amount of £18,833.45

7.0 CONCLUSION

7.1 The application has been assessed against relevant policies in the development plan, the NPPF, PPG, the adopted SPD's and all other material planning considerations.

7.2 The application will provide an economic and social role via the creation of additional jobs during construction and the deliverability of an additional dwelling within the district. The development is also CIL liable and will contribute towards local infrastructure.

7.3 In terms of the environmental role, the development would enhance the character and appearance of the site and the surrounding area.

7.4 Overall, in the planning balance, the benefits of the development outweigh any potential harm. As such, the application is recommended for approval.

8.0 RECOMMENDATION

8.1 To grant Planning Permission subject to the following conditions

1 : Commencement three years - Full Planning Permission

2 : Approved plans

3 : Surface water drainage

- 4 : Boundary walls and fences
- 5 : Parking and manoeuvring areas retained
- 6 : Vision splays
- 7 : New vehicular access
- 8 : Existing vehicular access
- 9 : Electric vehicle charging points
- 10 : Energy statement compliance
- 11 : Materials as on plan
- 12 : Withdrawal of PD - Class A only

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