

<b>APPLICATION NO.</b>	<a href="#">P22/S3052/HH</a>
<b>APPLICATION TYPE</b>	HOUSEHOLDER
<b>REGISTERED</b>	7.9.2022
<b>PARISH</b>	ASTON TIRROLD
<b>WARD MEMBER(S)</b>	Anne-Marie Simpson Jane Murphy
<b>APPLICANT</b>	Katherine Pearce
<b>SITE</b>	8 The Croft Aston Tirrold, OX11 9DL
<b>PROPOSAL</b>	Loft conversion including dormer window.
<b>OFFICER</b>	Sharon Crawford

1.0 **INTRODUCTION**

- 1.1 This report sets out the justification for the recommendation to **REFUSE** planning permission having regard to the development plan and other material planning considerations. The application is referred to the planning committee because the applicant is a member of staff in the planning service and the Constitution requires the application to be determined by the Planning Committee.
- 1.2 8 The Croft is one half of a semi-detached pair of brick-built houses dating from 1930s/1940s. The roof is hipped and covered with plain tiles. No 8 benefits from an existing two storey side and rear extension. The whole of the frontage for no 8 is gravelled for parking and there is a generous sized garden to the rear. The rear of properties from The Croft is partially visible from the public footpath to the east of the site that connects The Croft with Moreton Road to the north. Aston Tirrold lies in the North Wessex Downs Area of Outstanding Natural Beauty.



The site is identified on the map extract attached at [Appendix 1](#).

- 1.3 **THE PROPOSAL.** The application seeks planning permission for a flat roofed, dormer window on the rear elevation to accommodate a loft conversion. Reduced copies of the plans accompanying the application are attached at [Appendix 2](#).

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 **Aston Tirrold Parish Council** Objection. The PC is unable to support this application for the following reasons. The loft conversion as proposed would overlook neighbouring properties thereby causing privacy concerns. In addition, the scale, mass and visual impact of the proposed conversion is not in keeping for a building within the AONB and is not considered a 'dormer'.

**No other comments received.**

3.0 **RELEVANT PLANNING HISTORY**

- 3.1 [P13/S2976/HH](#) - Approved (06/11/2013)  
Demolition of existing single storey extensions and conservatory. Erection of two storey side and rear extension. Additional plans received from the Agent dated 9th October 2013.

[P05/W1243](#) - Approved (30/01/2006)  
Removal of existing block build garden 'gym' and erection of new wood constructed garden room.

[P02/W0024](#) - Approved (27/02/2002)  
Two storey side extension replacing part of annexe.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The site lies in a sensitive location (AONB) but an EIA is not required for development of this small scale.

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  
DES6 - Residential Amenity  
ENV1 - Landscape and Countryside  
ENV2 - Biodiversity - Designated sites, Priority Habitats and Species  
H20 - Extensions to Dwellings  
STRAT1 - The Overall Strategy  
TRANS5 - Consideration of Development Proposals

5.2 **Neighbourhood Plan**

Aston Tirrold does not have a Neighbourhood Plan.

5.3 **Supplementary Planning Guidance/Documents**

5.4 South Oxfordshire and Vale of White Horse Joint Design Guide 2022  
**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.

Where development conflicts with the Development Plan planning permission should be refused unless material considerations indicate otherwise.

Where the development plan has no relevant policies on a particular matter then planning permission should be granted unless the National Planning Policy Framework (NPPF) includes policies that protect an area or asset of particular importance which provide a clear reason for refusing the development (Paragraph 11.d) i).

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

- **Principle of development**
- **Landscape impact**
- **Design and character**
- **Residential amenity**
- **Access and parking**
- **Sustainable construction**
- **CIL**

6.2 **Principle of development.** Policy H20 of the SOLP allows for extensions to existing dwellings subject to a number of criteria. The relevant factors to consider for this application is whether the proposal accords with the advice in the Joint Design Guide.

6.3 **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 requires all new development to 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.

The Joint Design Guide includes detailed advice about dormer windows as follows;

### Loft conversions and roof extensions

5.52 Dormer roof extensions must be set within the roof slope. They should be designed as features principally to provide light and ventilation, and should sit well above the eaves line, well below the ridge line and should be set in from the gable ends. Dormer windows should not just be used as a means of generating additional headroom. The design should be informed by the character and appearance of the local vernacular;

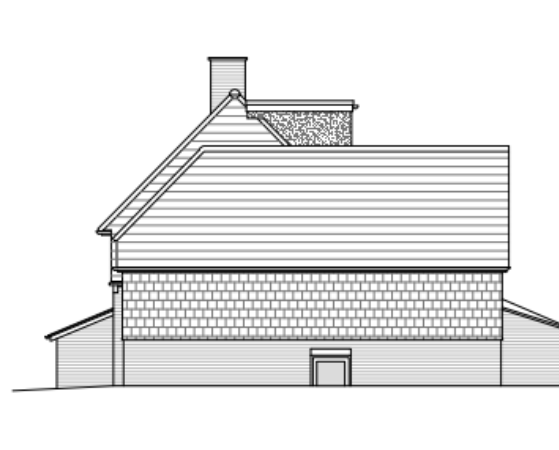
5.53 The size, pitch and ridge height of dormers should be informed by the character and appearance of the existing building, and the local vernacular. The chosen design should complement the rhythm of the existing fenestration and roof pitch. The position and proportion of dormer windows should respond to existing windows and doors. Single, large flat roofed, box dormers must be avoided.

In this case the dormer window is designed to provide the maximum amount of headroom and is not set in from the eaves, ridge or the hipped roof and the window is not aligned with the fenestration on the lower floors. It is a large, boxy structure that dominates the roof and harms the character of the building and the character of the area. It is not in keeping with the character or style of the original dwelling and there are no other examples of this type of dormer in the vicinity. It is not a style of development that is encouraged and particularly not where there is a landscape protection designation for the area. In my view there is conflict with the design and landscape policies of the NPPF and the Development Plan and therefore, planning permission should be refused.

**Proposed rear elevation**



**Proposed side elevation**



6.4 **Landscape**

The site lies within the North Wessex Downs AONB. Paragraph 172 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "*which have the highest status of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000. An over-riding principle of the NPPF is that any development within the Chilterns or North Wessex Downs AONBs should conserve and enhance the natural beauty of the AONB.

Policy ENV1 of the SOLP echoes the aims of the NPPF in respect of protecting the landscape and scenic beauty of the AONB.

It is acknowledged that the proposed dormer window will not be particularly visible from public vantage points. Part of the side of the dormer extends beyond the plain of the hipped roof and will be just visible from the frontage. Views looking west from the footpath at the side are largely screened by the return wing of the existing two storey side and rear extension. Views from the footpath from the rear are largely screened by existing tree growth on the rear boundaries of The Croft properties. The dormer will, however, be visible from the rear gardens of neighbouring properties and from the garden of 8 The Croft..

There is no suggestion in the NPPF or Policy ENV1 of SOLP that the protection of the landscape and scenic beauty should only apply to publicly accessible views or landscape. The requirement for highest status of protection applies across the whole of the AONB whether views are available or not. For the design reasons identified in the paragraph 6.3 this proposal would not conserve or enhance the AONB and is not acceptable.

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

Any overlooking from the rear facing dormer window would be similar to the levels of mutual overlooking from existing first floor windows to rear neighbouring gardens. The location of the dormer window at first floor would not introduce any additional overlooking or overshadowing impacts that would materially harm the amenity of neighbouring properties in my view. The proposal accords with Policy DES6.

6.6 **Access and parking.** Policy TRANS5 of the SOLP requires that all development provides safe and convenient access and parking. Policy H20 of the SOLP also seeks to provide adequate parking provision.

In this case the whole of the existing frontage of 8 The Croft is gravelled for the parking of cars and can accommodate at least four cars. The site can accommodate the required number of parking spaces for a property of this size. The proposal accords with Policy TRANS5.

- 6.7 **Sustainable construction.** DES8 of the SOLP aims to ensure that all new development, including building conversions, refurbishments and extensions, should seek to minimise the carbon and energy impacts of their design and construction.

The dormer window is to a fixed part of the dwelling with limited scope for reducing greenhouse emissions beyond Part L of Building Control Regulations. There is no conflict with Policy DES8 in my view.

- 6.8 **Community Infrastructure Levy.** The proposal is not liable for CIL as the floorspace created is below 100 square metres in size.

## 7.0 **CONCLUSION**

- 7.1 The addition of a large, boxy dormer window in the rear elevation of 8 The Croft is contrary to development plan policies and government guidance relating to good design, character, appearance and fails to conserve or enhance the character of the North Wessex Downs Area of Outstanding Natural Beauty. Whilst the site has limited visibility from public vantage points the council cannot support the proposal for the reasons identified in this report.

## 8.0 **RECOMMENDATION**

**To Refuse Planning Permission for the following reason:**

- 8.1 **That, having regard to the size, bulk and flat roofed design of the proposed rear dormer and its relationship to the eaves, ridge and hip of the existing roof, the proposal represents a poor form of design that is out of keeping with the character of the existing building and the prevailing character of the surrounding area which lies within the Chilterns Area of Outstanding Natural Beauty (AONB). It is acknowledged that the dormer will have limited visibility from public vantage points however, it does not meet the high test to conserve and enhance the landscape and scenic beauty of the AONB required by paragraph 176 of the NPPF. In addition, the proposal is contrary to Policies DES1, DES2 and H20 of the adopted South Oxfordshire Local Plan 2035 and the advice in the Joint Design Guide.**

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