

<b>APPLICATION NO.</b>	P14/S3370/FUL
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>PARISH</b>	BINFIELD HEATH
<b>WARD MEMBERS</b>	Malcolm Leonard Robert Simister
<b>APPLICANT</b>	Mr D McGregor
<b>SITE</b>	Land to the rear of Titcombe Cottage, Gravel Road, Binfield Heath, RG9 4LT
<b>PROPOSAL</b>	Erection of a two-storey three-bedroom dwelling with two car parking spaces.
<b>AMENDMENTS</b>	None
<b>OFFICER</b>	Emma Bowerman

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### 1.0 INTRODUCTION

- 1.1 The application is before the council's planning committee as the Officer's recommendation conflicts with the views of the Parish Council.
- 1.2 The application site is shown on the map **attached** as Appendix A. The site is part of the rear garden of Titcombe Cottage, which faces Gravel Road. Green Lane runs to the rear of the site and this is a public footpath (Binfield Heath Public Footpath 23). There is a prominent Oak tree within the site close to Green Lane. A neighbouring garage is located to the west of the site and April Cottage is to the east. The site does not fall within any areas of special designation.

### 2.0 PROPOSAL

- 2.1 The application seeks full planning permission for a two-storey three-bedroom dwelling with two car parking spaces. The proposed dwelling would be gable fronted, facing onto Green Lane. The first floor accommodation would be provided within the roof space and the materials proposed are facing brickwork and plain clay tiles to the roof. Access would be taken from Green Lane.
- 2.2 A copy of the plans is **attached** as Appendix B. The application is accompanied by a design and access statement and tree report. A copy of the plans, reports and consultation responses can be viewed online at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

### 3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Binfield Heath Parish Council - Considers the application should be refused as it represents back land / garden development, small plot, precedent for further development, Green Lane is a bridlepath and the Parish Plan is in favour of open spaces.
- 3.2 County Council Highways Officer - Recommends refusal of the application due to the site being in an unsustainable location, that Green Lane is unsuitable by reason of restricted width, lack of passing places and lack of footways. Raised concern about safety and convenience for occupiers of the site and road users in general.
- 3.3 Forestry Officer – No objection subject to a tree protection condition.

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3.4 County Council Countryside Access Officer – No objection. Commented that the Applicant should ensure that there is a private right of access over Green Lane and that any damage to the surface would be the responsibility of the developer /owner to put right.

3.5 Neighbour Representations - None received

4.0 **RELEVANT PLANNING HISTORY**

4.1 None

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

5.2 **NPPF Planning Practice Guidance (PPG)**

5.3 **South Oxfordshire Core Strategy (SOCS)**

CS1 – Presumption in favour of sustainable development

CSS1 – The overall strategy

CSEN1 – Landscape protection

CSQ2 – Sustainable design and construction

CSQ3 – Design

CSR1 – Housing in villages

5.4 **South Oxfordshire Local Plan (SOLP) 2011 saved policies**

C4 – Landscape setting of settlements

C9 – Loss of landscape features

D1 – Principles of good design

D2 – Safe and secure parking for vehicles and cycles

D3 – Outdoor amenity space

D4 – Reasonable level of privacy for occupiers

D6 – Community safety

EP6 – Sustainable drainage

EP8 – Contaminated land

G2 – Protect district from adverse development

G4 – Protection of countryside

H4 – Housing sites in towns and larger villages outside of the Green Belt

R8 – Protection of existing public right of way

T1 – Safe, convenient and adequate highway network for all users

T2 – Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008

Binfield Heath Parish Plan 2013

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered are:

1. The principle of the development
2. The impact on the character and appearance of the site and the surrounding area
3. The impact on neighbouring properties
4. The impact on highway safety and convenience

Principle:

6.2 Binfield Heath is classed as a smaller village in the SOCS. Policy CSR1 of the SOCS allows for infill development within smaller villages. Infill development is defined as the filling of a small gap in an otherwise built up frontage or on other sites within

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villages where the site is closely surrounded by buildings.

- 6.3 There is a neighbouring garage to the west of the site, April Cottage lies to the east of the site and Titcombe Cottage and the other properties on Gravel Road are to the south. In my opinion the site is closely surrounded by other buildings and as such, the principle of the development is acceptable. The proposal therefore falls to be assessed against the amenity and environmental criteria of Policy H4 of the SOLP.

Character:

- 6.4 Criterion (i) of Policy H4 of the SOLP requires that an important open space of public, environmental value is not lost, nor an important public viewpoint spoilt. The site is part of an enclosed garden and is not open to the public. The site has no particular environmental or ecological value and there are no important views across the site. On this basis, the proposal would be in accordance with the above criterion.
- 6.5 Criterion (ii) of Policy H4 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings. The proposed dwelling would be gable fronted and would be based on a simple rectangular plan and would generally reflect the guidance in the Design Guide.
- 6.6 The first floor accommodation would be partly contained within the roof and the height of the proposed dwelling would be similar to the neighbour at April Cottage. The dwelling would not be excessive in scale and the materials (brick and clay tiles) would be appropriate to the character of the area. As such, I consider that the development would comply with criterion (ii) of Policy H4.
- 6.7 Criterion (iii) of Policy H4 requires that the character of the area is not adversely affected. The proposed dwelling would be located amongst other buildings and would not appear prominent. There would be sufficient space to the boundaries to ensure that the dwelling would not appear cramped. The amenity space would exceed the councils standards in the Design Guide and two car parking spaces can be accommodated on the site. The space around the building would be similar to the neighbours to the east.
- 6.8 On the basis of the above assessment, I do not consider that the proposal would result in an overdevelopment. In my opinion the development would have an acceptable impact on the character of the site and surrounding area, in accordance with criterion (iii) of Policy H4 and the other policies that seek to protect the character of the area, including Policies G2 and D1 of the SOLP and Policy CSQ3 of the SOCS.

Neighbours:

- 6.9 Criterion (iv) of Policy H4 requires that there are no overriding amenity objections. Given the position of the building in relation to neighbouring properties, I consider that the proposal would have an acceptable impact on neighbours in terms of light and outlook.
- 6.10 With regards to privacy, the proposed dwelling would meet the back to back separation distance of 25m and as such, I do not consider that the proposal would result in any adverse overlooking of Titcombe Cottage or the other properties in Gravel Road. I have recommended a condition requiring the side facing first floor windows to be obscure glazed and restricted in terms of opening, to ensure that the development would not overlook the garden areas either side of the plot. As such, I consider that the development would have an acceptable impact on neighbours, in accordance with Policies H4 and D4 of the SOLP.

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Highways:

- 6.11 Criterion (iv) of Policy H4 also requires there to be no overriding highway objections. Policies D1, D2, T1 and T2 of the SOLP also require an appropriate parking layout and that there be no adverse impact on highway safety. The site would accommodate two parking spaces, which would accord with the council's standards. The County Council Highways Officer has objected to the application, raising concern about safety and convenience for occupiers of the site and road users in general. I do not consider that a reason for refusal on highways grounds is justified and in my opinion a refusal on highway grounds could not be sustained at appeal.
- 6.12 The site is within one of the smaller villages in the district and is therefore a location that is considered sustainable under the policies of the SOCS. Green Lane is a narrow lane with no footway but this is not unusual for a country lane and traffic speeds from vehicles serving the new dwelling are likely to be slow. Furthermore, a number of properties on Gravel Road access parking in their rear gardens via Green Lane and the lane is therefore already used for vehicles. I do not consider that there would be any particular conflict with pedestrians or other road users from the development, which in my opinion complies with the above policies which seek to ensure that new development is not prejudicial to highway safety.

Other matters:

- 6.13 The development would involve the removal of a mature Oak close to Green Lane. This tree has a major pocket of decay at the base and is in decline. It has a very limited life expectancy and is not of sufficient arboricultural quality to be considered a constraint to development. Subject to a tree protection condition to protect the other trees on the site, I consider that the development would accord with Policy C9 of the SOLP, which seeks to protect landscape features.
- 6.14 In accordance with Policy CSQ2 of the SOCS, I have recommended a condition requiring the new dwelling to meet Code Level 4 of the Code for Sustainable Homes. There would be sufficient space on site to incorporate appropriate storage for waste and recycling on site, in accordance with Policy D10 of the SOLP. As the site forms part of an existing garden I do not consider that it would be reasonable to request a contaminated land assessment.

**7.0 CONCLUSION**

- 7.1 This proposal represents an appropriate infill development within a settlement where the principle of additional residential development is acceptable. The proposed dwelling would be of an appropriate design and would be of a scale suitable to the size of the plot. The development would not detract from the character and appearance of the site, would not be unneighbourly and would not be prejudicial to highway safety and convenience. As such, the application is recommended for approval.

**8.0 RECOMMENDATION**

**That planning permission is granted for the development contained in planning application P14/S3370/FUL subject to the following conditions:**

- 1. Commencement should be within three years - Full Planning Permission.**
- 2. Development to be as shown on approved plans.**
- 3. Materials to be submitted and approved in writing by the LPA.**
- 4. First floor bathroom and landing windows to be obscure glazed.**
- 5. Dwelling to meet Code Level 4 of the Code for Sustainable Homes.**
- 6. Parking and turning areas to be as shown on approved plan.**
- 7. Tree protection to be provided during construction.**
- 8. Permitted development rights removed for any extensions to the dwelling.**

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