

<b>APPLICATION NO.</b>	<a href="#">P15/S0128/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	20.1.2015
<b>PARISH</b>	EWELME
<b>WARD MEMBER(S)</b>	Felix Bloomfield
<b>APPLICANT</b>	Mr PS and JS Dixon
<b>SITE</b>	Land adjacent to Eyres Close, Ewelme
<b>PROPOSAL</b>	Outline application for removal of existing topsoil mound. Restoration of north boundary brick and flint wall and erection of two x 2 bedroom starter homes.(As clarified by contaminated Land Questionnaire received on 19 February 2015).
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	463953/192012
<b>OFFICER</b>	Sharon Crawford

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## 1.0 INTRODUCTION

1.1 The application has been referred to the Planning Committee because the Chairman of the Planning Committee is a neighbour to the site.

1.2 The site sits to the north side of Eyres Close. It has recently been cleared of all vegetation and is an open grassed area sitting at the top of a bank to the Eyres Lane on the western boundary. The site lies on the northern edge of the village in the Chilterns Area of Outstanding Natural Beauty and is some 0.1 hectares in size.

1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

## 2.0 PROPOSAL

2.1 The application seeks outline planning permission for the erection of 2 two bedroom dwellings for sale on the open market (gross floor area not exceeding 70 square metres). Matters for consideration at this stage are the numbers of dwellings. Scale, landscaping, access and appearance are reserved matters for subsequent approval. The application also seeks planning permission for the removal of topsoil to restore levels to near original levels. Topsoil was stored on the site over 40 years ago as a result of the development Eyres Close to the south side of Eyres Close in the 1970s.

2.2 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

2.3 The Planning Inspector's decision on an appeal in 2001 for one dwelling on the site is **attached** for information at Appendix 3.

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Ewelme Parish Council - The area of land in question is in open countryside and not within the village envelope. Development would, be contrary to Policies CSR1 and CSS1 (v) of the Core Strategy. Policy G5 of SOLP is still in force and seeks to encourage the retention of green space. The proposed properties would overlook numbers 4 and 6 Eyres Close in particular, resulting in considerable loss of privacy.

Enclosing both sides of Eyres Close would change its character from a small development on the edge of a rural village to that of a suburban area. There have been several proposed developments of this piece of land since the original building of Eyres Close. The most recent of these was turned down at Appeal in 2001: Refused rejection of the appeal were that it conflicted with Policies G1, G5 and H6 of the then Local Plan 2011. Policy G5, as noted above, is still in force, while G1 and H6 have been superseded by Policies CSR1 and CSS1, which have similar objectives. In particular, the Inspector stated that the piece of land was part of the open countryside and not within the village. There have been no changes to the immediate area around this location to alter that interpretation.

Environmental  
Health  
(Contaminated  
Land)

I would recommend that the applicant is asked to provide further information on the topsoil mound including chemical analysis if the origin of the topsoil is unknown. With respect to what appears to have been a former excavation to the north of the application site I would recommend the following informative is imposed on any planning consent. This recommendation has been made due to the sensitive nature of the residential development and what appears to be a small excavation that was located adjacent to the application site. It is unknown if the excavation was infilled and if so, what material was deposited. Hence the informative has been recommended in case any land contamination is encountered during any development.

OCC (Highways)

The Highway Authority would recommend the parking spaces for the proposed dwelling be located within the curtilage of the units.

The proposed location of the parking area is impracticable and will likely lead to these spaces not being used. Proposed residents are likely to park close to their dwellings especially if they are carrying large items or are with children.

It appears the site is large enough to accommodate these parking spaces within the curtilage of the dwellings.

Neighbour  
Object (16)  
Neighbour No  
Strong Views (1)

Planning permission has been refused for housing on this site 4 times in the past – some of which have been dismissed at appeal and there are no changes in the circumstances. The site represents the start of the countryside. The open area is an important visual amenity and contributes to the sense of community and rural character of the area both would be harmed as a result of the development. Development of this site would be contrary to CSQ3. The development would increase the traffic in the close leading to a reduction in access to properties and an increase in traffic onto Eyres Lane. The difference in levels will mean that the new houses would overlook the properties opposite and be overbearing.

Neighbour  
Approve (1)

More small starter homes are needed across the whole district and this site is conveniently located for the school.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P01/W0006](#) - Refused (05/03/2001) - Refused on appeal (19/07/2001)  
Erection of dwelling with integral garage.

[P81/W0032](#) - Refused (04/03/1981) - Refused on appeal (30/09/1981)  
Erection of two bedroomed bungalow.

[P80/W0236](#) - Refused (04/06/1980)  
Erection of two bedroomed bungalow.

[P78/W0147](#) - Refused (12/05/1978) - Refused on appeal (06/03/1979)  
ERECTION OF ONE DWELLINGHOUSE

[P78/W0131](#) - Approved (12/05/1978)  
REVISION TO HOUSE ON PLOT NO. 1.

[P77/W0308](#) - Approved (13/01/1978)  
ERECTION OF EIGHT DETACHED HOUSES, GARAGES AND ACCESS.

[P76/W0334/O](#) - Approved (31/01/1977)  
ERECTION OF 8 HOUSES AND GARAGES, AND ACCESS.

[P74/W0043](#) - Refused (06/11/1974)  
ERECTION OF 8 DETACHED HOUSES AND GARAGES AND CONSTRUCTION OF  
ESTATE ROAD.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies  
CSEN1 - Landscape protection  
CSQ2 - Sustainable design and construction  
CSQ3 - Design  
CSH4 - Mix of units  
CSR1 - Housing in villages  
CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

C4 - Landscape setting of settlements  
D1 - Principles of good design  
D10 - Waste Management  
D2 - Safe and secure parking for vehicles and cycles  
D3 - Outdoor amenity area  
D4 - Reasonable level of privacy for occupiers  
G2 - Protect district from adverse development  
H4 - Housing sites in towns and larger villages outside Green Belt  
T1 - Safe, convenient and adequate highway network for all users  
T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in this case are;

- Whether the principle of development is acceptable
- H4 criteria
- Provision of gardens
- Mix of units
- Affordable housing
- Sustainable design issues

6.2.1 **Principle.** The policy position in respect of development in the rural settlements has changed since the last planning application was submitted on this site. The Development Plan now consists of the adopted Core Strategy (SOCS) and the saved policies in the adopted South Oxfordshire Local Plan 2011 (SOLP). Policy CSR1 of SOCS allows new housing within the towns and infill development in the larger and smaller villages. It is a more permissive policy and allows more development in the district's settlements than the previous local plan policies (specifically Policy H6 of SOLP – a policy that has not been saved) and follows the more permissive approach to development set out in the NPPF. However, for planning permission to be acceptable development must also comply with the criteria of policy H4 of the SOLP.

6.2.2 Ewelme is one of the district's smaller villages where infill development on sites of up to 0.2 hectares will be allowed. The SOCS defines infill as the filling of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings.

6.2.3 The site is on the edge of the village where the grain of development is loose; the site is not part of a built up frontage but it could be said to be surrounded on 3 sides by the Eyres Close development, The Views and its outbuildings. When considering an appeal in 2001 for one dwelling on the site (see appendix 3) the Planning Inspector considered that The Views to the north of the site had the character of an individual dwelling in the countryside rather than an extension of the built up area of the village. However since that time the policies in relation to development within villages have changed; the definition of infill development now includes sites that are surrounded by buildings. Given the more permissive approach of the NPPF I believe that the site would fall within the definition of infill as defined in the Core Strategy. However, whilst the principle of residential development may be acceptable in Ewelme, the development of this site is not acceptable in my view because the development does not comply with the criteria of Policy H4 and other policies in the development Plan (specifically CSEN1 of SOCS and saved policies G2, G4 and C4 of SOLP). The specific concerns are discussed below.

6.2.4 **H4 criteria issues.**

- i. **That an important open space of public, environmental or ecological value is not lost;**

In coming to his decision in 2001, (**paragraphs 9 – 11 – Appendix 3**) the Inspector concluded that the site appeared as part of the countryside beyond the built up area of the village and development would extend the built up area of the village into the countryside. It was his view that development on the site would harm this rural area on the edge of the village. In this respect the character of the area has not changed; two new houses on this site and the associated parking would consolidate development on the edge of the village linking Eyres Close to the Views and would be equally harmful to the character

of the area as the previous scheme dismissed at appeal. In the circumstances, it is my view that the site represents an important open space on the edge of the village where the grain of development is loose reflecting the change village to countryside.

**ii. Design, height and bulk in keeping with the surroundings;**

The application is in outline and matters of design etc. are to be determined at a later stage. An acceptable design could be achieved for this site in my view had the proposal not been unacceptable for other reasons.

**iii. That the character of the area is not adversely affected;**

The comments in relation to the site being an important open space equally apply here in respect of the impact of development on the character of the area. The site lies within the Chilterns Area of Outstanding Natural Beauty and there is a duty to preserve and enhance the natural beauty of these valued landscapes. In determining a the previous appeal the Inspector commented that with the proposed tree plantation proposed on the frontage of the site to Eyres Lane would minimise the effect on the wider landscape of the AONB but only from Eyres Lane, the impact from Eyres Close was harmful to the rural character of the area in his view.

The current scheme is different from the appeal scheme in that the site has been cleared of all vegetation and is now open; there is no existing landscaping that would mitigate the impact of any development.

The proposal also involves levelling of the site to remove topsoil; however there are no specific details of the levelling proposed or how this will blend in with the high grass bank to Eyres Lane (which is not in the application area). Such details are crucial to assess any wider impact on the AONB. In your officer's view development on the site would be harmful to the character and natural beauty of the AONB and there are insufficient details in terms of the levelling to accurately assess the impact.

**iv. Amenity, environmental or highway/ parking objections;**

The Highway Engineer has no objection to the scheme in terms of the vision splay onto Eyres Lane and considers that the site is large enough to accommodate adequate parking provision. His concerns in relation to the location of the parking spaces relative to the dwellings shown on the illustrative plan are noted. However, layout is not included for determination at this stage and reference to parking layout cannot be included in any refusal reason. An acceptable form of parking could be provided on a site of this size in my view if the scheme were not unacceptable for other reasons.

**Neighbour impact**

As the application is in outline only neighbour impact can be assessed at the reserved matters stage. The site is large enough to accommodate 2 houses in a way that will not involve overlooking to neighbouring properties.

**v. Backland development issues**

The site is not a backland site because the development would have a frontage onto a road.

- 6.2.5 **Provision of gardens.** The site is large enough to accommodate 2 houses in a way that will provide adequate standards of amenity in accordance with saved policy D3 of the SOLP.
- 6.2.6 **Mix of units.** There would be a net gain of 2 dwellings and a mix of units is required by Policy CSH4 of the Adopted Core Strategy. Both units proposed are small two bedroom units which would be acceptable in meeting the need in the villages for small units.
- 6.2.7 **Provision for affordable housing.** Policy CSH3 of the SOCS states that 40% affordable housing will be sought on all sites where there is a net gain of three or more dwellings. The net gain is for two dwellings and the proposal is below the threshold for the provision of affordable housing.
- 6.2.8 **Sustainable design issues.** Policy CSQ2 of the Core strategy seeks to ensure that all new development demonstrates high standards in the conservation and efficient use of energy, water and materials. The planning supporting statement proposes that the houses are to be built to achieve a Code for Sustainable Homes Level 4 standard and a condition could be attached to any planning permission to cover this point had the proposal not been unacceptable for other reasons.

## 7.0 CONCLUSION

- 7.1 Whilst infill development on appropriate sites is acceptable in principle in Ewelme, the proposed scheme would not comply with Policies CSEN1 and CSQ3 of SOCS or saved Policies H4, C4, G2, G4 and D1 of SOLP in your officer's view. The site is an important open space on the edge of the village and development would harm the rural setting of the village and the character of the AONB. In addition there is insufficient information in respect of levelling to assess the impact of development adequately.

## 8.0 RECOMMENDATION

### 8.1 To refuse outline planning permission for the following reasons;

- 1 : The site comprises an important open and undeveloped space on the edge of Ewelme village. The erection of two dwellings with associated parking and the levelling of land would consolidate development on the rural edge of the village which would detract significantly from the landscape setting of Ewelme and the character and special landscape quality of this part of the Chilterns Area of Outstanding Natural Beauty. As such the proposal would be contrary to Policies CSEN1 and CSQ3 of the adopted South Oxfordshire Core Strategy and saved Policies G2, G4, C4, D1, H4 of the adopted South Oxfordshire Local Plan.
2. Notwithstanding the objection set out in reason 1, there is insufficient information to show that the development can be accommodated on the site in a satisfactory manner given the existing topography of the site. The provision of the access, parking area and houses propose levelling of parts of the site and the council consider this information is necessary to assess accurately the proposal, its impact on the surrounding area and the Chilterns Area of Outstanding Natural Beauty. Without the details of level changes the proposal would be contrary to Policies CSEN1 and CSQ3 of the adopted South Oxfordshire Core Strategy and saved Polices G2, G4 and C4, of the adopted South Oxfordshire Local Plan.

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