

APPLICATION NO.	P15/S1919/FUL
APPLICATION TYPE	Full
REGISTERED	5 th June 2015
PARISH	Woodcote
WARD MEMBER	Charles Bailey David Nimmo-Smith
APPLICANT	Mr James McAdden
SITE	Little Acre/Bramley, Beech Lane, Woodcote
PROPOSALS	Reposition existing access and erection of a three bedroom house.
AMENDMENTS	None
GRID REFERENCE	464008/181767
OFFICER	Tom Wyatt

1.0 INTRODUCTION

- 1.1 This application is referred to Planning Committee as the Officer's recommendation conflicts with the views of the Parish Council.
- 1.2 The application site, which is shown on the OS extract **attached** as Appendix A, is located within the built up area of Woodcote, which is located within the Chilterns AONB. The application site represents a substantial gap in the road frontage between an existing two storey dwelling, Byways and an existing bungalow, Rackley. The site was previously occupied by a dwelling on a similar building line to Byways and Rackley, however, this dwelling was demolished as part of the redevelopment of the land to the rear of the site to provide the two bungalows presently on land immediately to the south, which are accessed off Beech Lane.

2.0 THE PROPOSAL

- 2.1 This application seeks full planning permission for the construction of a new dwelling in a similar position to the dwelling previously on the site. The proposed development would comprise a two storey 3 bedroom building. To facilitate the dwelling and its proposed garden area, the existing access serving the two bungalows to the rear would need to be re-aligned alongside the boundary with Rackley.
- 2.2 Under application P13/S1097/FUL a proposal for a 4 bedroom dwelling on the site was refused and then dismissed on appeal on 10th June 2014. The differences between this previous scheme and the proposed scheme will be explored within this report.
- 2.3 A copy of the proposed plans is **attached** at Appendix B whilst other documents relating to the application can be found on the Council's website, www.southoxon.gov.uk.

3.0 CONSULTATIONS AND REPRESENTATIONS

- 3.1 **Woodcote Parish Council** – Recommends refusal due to the scheme being an overdevelopment of the site and the impact on the neighbouring occupiers. The appeal history of the site should be taken into account.
- 3.2 **OCC as Highway Authority** – No objections subject to conditions.

- 3.3 **Neighbours** – Letters of objection have been received in relation to the original and amended plans from three separate properties outlining the following concerns:
- The scheme has not addressed the reasons for dismissing the previous appeal.
 - Impact on neighbouring amenity

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P13/S1097/FUL - Reposition existing access, erect 4 bed detached house and double garage. Refusal of planning permission on 11th September 2014 and appeal dismissed on 10th June 2014.

A copy of the proposed plans and appeal decision notice are **attached** as Appendix C.

- 4.2 P07/E0544 - Demolish house, garage and stables, erect two dwellings and form new access. Planning permission granted on 8th August 2007.
- 4.3 P05/E1279 - Demolition of dwelling, garage and stables and erection of three dwellings with new access. Refusal of planning permission on 5th April 2006 and appeal dismissed on 31st October 2006. The refusal reasons centred on the impact on neighbouring dwellings with the first refusal reason being the impact on Byways and Rackley due to the intensity of the development and disturbance from the access road.
- 4.4 P05/E0065/O - Demolition of dwelling, garaging and stables, construction of six dwellings and formation of new access. Refusal of planning permission on 9th March 2005 and appeal dismissed on 28th July 2005.

5.0 **POLICY AND GUIDANCE**

- 5.1 Policies of the South Oxfordshire Core Strategy (SOCS):

- CS1 – Sustainable Development
- CSM1 - Transport
- CSH4 – Meeting housing needs
- CSR1 – Housing in Villages
- CSEN1 - Landscape
- CSQ2 – Sustainable Design and Construction
- CSQ3 - Design

- 5.2 Policies of the South Oxfordshire Local Plan 2011 (SOLP):

- G2 – Protection and enhancement of the environment
- EP8 – Contaminated land
- D1 – Good design and local distinctiveness
- D2 – Vehicle and bicycle parking
- D3 – Plot coverage and garden areas
- D4 – Privacy and daylight
- D6 – Design against crime
- D10 – Waste management
- H4 – Housing in villages
- T1 and T2 – Transport requirements for new developments

- 5.3 Policies of the Woodcote Neighbourhood Plan (WNP)

- T8 – Residential car parking spaces
- H7 – Size of homes
- H10 – Infill housing in the AONB
- D1 – Good design
- D3 – Secure by design

- 5.4 Government Guidance:
-National Planning Policy Framework
- 5.5 Supplementary and other guidance:
-South Oxfordshire Design Guide July 2008 (SODG)
-Chilterns Buildings Design Guide

6.0 **PLANNING ISSUES**

- 6.1 The planning issues that are relevant to this application are:
1. The principle of the development
 2. The Impact on the character and appearance of the surrounding area
 3. The impact on the amenity of neighbouring occupiers
 4. The impact on trees
 5. Highway considerations
 6. Other material considerations

The Principle of the Development

- 6.2 The site is within the built up area of Woodcote where the principle of new residential infill development is acceptable having regard to Policy CSR1 of the SOCS and Policy H10 of the WNP.

The Impact on the Character and Appearance of the Site and Surrounding Area

- 6.3 The site currently represents a wide gap between the neighbouring dwellings, Rackley and Byways. This gap was previously occupied by a dwelling until relatively recently when it was demolished to facilitate the two new bungalows to the rear of the site, Bramley and Little Acre. The driveway to these bungalows dominates this gap, which is otherwise an open area of unkempt ground, which should have been planted with trees and shrubs as part of the landscaping proposals for the new bungalows. However, this planting has not yet been carried out. Notwithstanding the lack of planting, the demolition of the previous dwelling on the site has resulted in a significant gap in an otherwise continuous built up frontage along Beech Lane.

- 6.4 In her decision notice (Para. 7) the Inspector describes the appeal site and its surroundings in the following way:

Mature trees, hedges, soft landscaped front and rear gardens, grass verges, a limited provision of narrow pavements and the diverse range of individually designed dwellings all contribute to the verdant and semi-rural character and appearance of Woodcote. Beech Lane is consistent with this character and appearance, with its abundance of trees, hedges and grass verges and individually designed dwellings predominantly set in mature landscaped gardens.

- 6.5 At Paras. 9 and 10 of her decision notice the Inspector assesses the design and siting of the proposed dwelling.

The proposed dwelling has been designed to pick up on the proportions and design detailing of the adjacent dwelling and it would respect the front and rear building lines of the dwellings along this stretch of Beech Lane. There would be a mixed hedge along the front boundary and there would be room within the front garden for soft planting. Although the dwelling would be sited less than two metres from the southeast boundary of the site, there would be a gap of over five metres between the proposed dwelling and the dwelling at Byways.

In these respects the proposed dwelling would respect the prevailing pattern of development along this stretch of Beech Lane and in the surrounding area.

- 6.6 However, despite the dwelling respecting the pattern of development within the street, the Inspector opined that the dwelling would effectively be too cramped having regard to its relationship with the proposed access road and that the 'flank wall and boundary fence would form a prominent, stark and suburban feature within the street scene, which would be totally out of keeping with the verdant, semi-rural character of the lane'. She also stated that the 'access drive would appear urban and the relationship between the proposed dwelling and the access road would appear cramped and totally out of keeping with the prevailing character and appearance of the locality'. Her view that the proposal would have been cramped and would have represented an overdevelopment of the site was enhanced by the proposed provision of the garage to the rear of the dwelling which would have resulted in an 'uncharacteristically small private garden area'.
- 6.7 The key issue in relation to the assessment of the current application is how the current scheme has addressed the Inspector's concerns in relation to the cramped and suburban nature of the development as previously proposed. In this regard there are some key differences between the two schemes. The current scheme no longer proposes a separate garage, and as a result the dwelling would be provided with a more generous private rear garden area more proportionate to the depth of the adjacent gardens, particularly those to the north. The current scheme also proposes a much more significant separation between the north west flank elevation of the dwelling and the proposed access road. This has been brought about by the narrowing of the access road, and the reduction in the width of the overall dwelling and the depth of the north west facing flank wall of the part of the dwelling closest to the access road.
- 6.8 In addition the boundary between the dwelling and the access road has now been amended to a post and rail fence with hedging. Cumulatively Officers consider that all of these changes would alleviate the concerns the Inspector held regarding the cramped nature of the development and the suburban features, which would have been out of keeping with the character and appearance of the locality. As acknowledged by the Inspector the dwelling would remain in keeping with the pattern of development within the locality as a result of the consistent building lines and proportions of the proposed dwelling in relation to neighbouring properties.

The Impact on the Amenity of Neighbouring Occupiers

- 6.9 At Para. 17 of her decision notice the Inspector is clear that she did not consider that the dwelling would have had a detrimental impact on the neighbouring property to the south east, Byways. At Paras. 18 and 19 she also dismissed concerns about the impact on the neighbouring dwelling to the north west, Rackley as a result of the dwelling or the proposed access road.

The proposed dwelling and access drive would be separated from Rackley by a tall close boarded fence, with a mature hedge to the front on it. As a consequence the scheme would not result in a material loss of privacy, daylight or sunlight for the occupants of that property. Accordingly the scheme would not conflict with policy D4 of the Local Plan which seeks to ensure that new development does not result in unacceptable harm to existing residents due to loss of privacy, daylight or sunlight.

The front section of the realigned access drive would run alongside the driveway and garage to Rackley. Accordingly, any additional traffic generated by the proposed development would be unlikely to have a materially adverse impact on the occupants of Rackley.

- 6.10 The relationship between the site and Rackley has not changed and therefore the above considerations remain relevant to the current proposal. The Inspector was solely concerned about the disturbance caused to the occupiers of Rackley through the manoeuvring into the previously proposed garage. At Para. 20 the Inspector states:

Access to the proposed garages would be constrained and vehicles would need to park partly across the access drive, prior to accessing the proposed garage. Not only could this obstruct the access drive, it would likely result in prolonged manoeuvring in close proximity to the rear garden to Rackley. Together with the noise and disturbance generated by the vehicles accessing the existing two dwellings to the rear of the site, the likely additional traffic and manoeuvring generated by the proposed scheme would have a materially adverse impact on the living conditions on the occupants of Rackley.

- 6.11 As the garage now no longer forms part of the proposed scheme, the difficulties of parking, and turning as envisaged by the Inspector would not be relevant as there would clearly be sufficient space for occupiers of the proposed dwelling to park and turn without the need for prolonged manoeuvring. As such Officers consider that the current scheme would not result in a materially adverse impact on the amenity of the occupants of Rackley.

Highway Considerations

- 6.12 Sufficient off-street parking would be provided for the dwelling in relation to the requirements of Policy T8 of the WNP. The Highway Liaison Officer has raised no objection to the development subject to standard conditions.

Other Material Considerations

- 6.13 Although the scheme is only for one dwelling and there is no consequential requirement to provide a specified size of dwelling, the proposal for a three bed dwelling is more appropriate having regard to the thrust of Policy H7 of the WNP, which favours smaller 2 and 3 bedroom properties over larger properties with 4 or more bedrooms.

7.0 **CONCLUSION**

- 7.1 The application proposal is in accordance with the relevant development plan policies and national planning policy as, subject to conditions, the development would respect the character and appearance of the site and the surrounding area and would not cause any significant harm to the amenities of neighbouring occupiers. In addition the proposal would not materially harm highway safety and convenience.

8.0 **RECOMMENDATION**

- 8.1 **That planning permission be granted subject to the following conditions:**

- 1. Commencement within three years of this permission.**
- 2. Development in accordance with the approved plans.**
- 3. Samples of materials to be submitted and approved.**
- 4. Levels to be submitted and approved.**
- 5. Landscaping scheme to be submitted and approved.**
- 6. Class A (extensions) and E (outbuildings) permitted development rights removed.**
- 7. Rooflight in south east elevation to be glazed in obscure glass.**
- 8. Existing access to be improved prior to occupation of the dwelling.**
- 9. Vision splays of 2.4 m by 43 m to be provided prior to occupation of the dwelling.**

10. Roads and footpaths to be constructed prior to occupation of the dwelling.

11. Vehicle parking and turning to be provided prior to occupation.

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