

APPLICATION NO.	P16/S1280/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	15.4.2016
PARISH	TOWERSEY
WARD MEMBERS	Ian White & Lynn Lloyd
APPLICANT	Mr G Stacey
SITE	Land rear of 9 Thame Road Towersey, OX9 3QF
PROPOSAL	Erection of detached two-bedroom bungalow with access, parking and amenity space
AMENDMENTS	None
OFFICER	Marc Pullen

1.0 INTRODUCTION

1.1 This application is referred to the Planning Committee because the officers' 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 garden land in association with 9 Thame Road. The site falls within the built up limits of Towersey.

2.0 PROPOSAL

2.1 This application seeks full planning permission for the erection of a detached bungalow to the rear of 9 Thame Road, with associated garden space and parking provision.

2.2 A copy of all the current plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 **Towersey Parish Council – Objection**

- Over development, parking concerns as limited space, access too narrow, construction noise a concern

Highways Liaison Officer – Holding Objection – removed following amendments and discussions

- No pedestrian or vehicular visibility splays have been demonstrated in accordance with standards
- Access rights from the development will need to be provided as it is likely that Windmill Close is private and not adopted highway
- The proposed bin storage location is considered impractical given the parking arrangement proposed – this should be re-located

Drainage Engineer - No strong views

- Foul drainage; the proposed building is apparently located over a public foul sewer (which may have recently appeared on the sewer map). This should be indicated on submitted plans and the applicant should contact Thames Water with a view to a 'building over' arrangement.

Neighbours - Object (3) – *a number of objections carried over from previous application*

- Overlooking to neighbours' rear elevations along Thame Road and flats opposite
- Construction traffic would compromise local traffic and access
- Parking and access will be severely restricted in this narrow cul de sac

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S0039/LDP](#) - Approved (09/03/2016)

Construction of detached outbuilding with hardstanding.

[P15/S2115/FUL](#) - Refused (28/08/2015)

Erection of a detached chalet-style dwelling with access, parking and amenity space. This application was refused for the following reason:

The proposed dwelling would result in a cramped and contrived form of development and would represent an overdevelopment of the site. As such, the proposal would detract from the character and appearance of the site and surrounding area and would be contrary to policies H4, G2 and D1 of the South Oxfordshire Local Plan and policy CSQ3 of the South Oxfordshire Core Strategy.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework & National Planning Practice Guidance**

5.2 **South Oxfordshire Core Strategy 2012 policies;**

CS1 - Presumption in favour of sustainable development

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

5.3 **South Oxfordshire Local Plan 2011 policies;**

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

D10 - Waste Management

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

5.4 **South Oxfordshire Design Guide 2008**

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations in the determination of this application are:

- The principle of residential development in this location
- The impact upon the character of the site and the appearance of the dwelling
- Impact on neighbours
- Highway and parking considerations
- Other matters

Principle of residential development

- 6.2 The site lies within Towersey and in this location the principle of residential development on the site is largely governed by Policy CSR1 of the South Oxfordshire Core Strategy (SOCS), which allows new housing on suitable infill sites up to 0.2 hectares in size within the village. Infill is defined 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.
- 6.3 The site would be closely surrounded by neighbouring properties along both sides of Windmill Close. Therefore the site can logically be regarded as an infill site within the settlement. Therefore the principle of residential development is considered to be acceptable in this location. Proposals for residential development where found to be in an acceptable location should meet the criteria set out within Policy H4 of the South Oxfordshire Local Plan (SOLP). The H4 criteria are considered below.

Impact on character and appearance

- 6.4 Having regard to Criterion (i) of Policy H4, the site is currently garden land associated with 9 Thame Road. The site is surrounded by residential properties. The site forms part of the built up area of the village and officers do not consider that it can be regarded as an important open space of public value and neither is it a site of importance to public views within the village.
- 6.5 Criteria (ii) and (iii) of Policy H4 seek to ensure that the design, height, scale and materials of the proposed development are in keeping with the surroundings and that the character of the area is not adversely affected. The height of the proposal would not compete with surrounding built form and there are a number of bungalows within the immediate vicinity within the village. The scale and appearance of the dwelling therefore is not considered to be out of character with the surrounding area and appearance of local built form.
- 6.6 The previous application, under reference [P15/S2115/FUL](#), was refused on character grounds. The decision notice made reference to the development resulting in a cramped and contrived form of development and an overdevelopment of the site. The material changes to this site since this application include an approved lawful development certificate for a detached garage building of a similar scale and siting to the current proposed dwelling. Whilst the physical built form might appear out of keeping with the local built form, with no other backland form of residential development along this side of Windmill Close, the siting and orientation of the building would not be too dissimilar to the outbuilding previously granted a certificate by application [P16/S0039/LDP](#).
- 6.7 Furthermore due to the council being unable to demonstrate a five year supply for deliverable housing sites the council's housing related local plan and core strategy policies have limited weight. It is for the council to determine therefore, in accordance with paragraph 14 of the NPPF whether any adverse impacts of allowing this development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. As the site does not fall within any specially designated area of land, the site is not offered any special protection and paragraph 14 of the NPPF is engaged.
- 6.8 Officers are mindful that whilst a new dwelling would be out of keeping with the main pattern of built form within this area of Towersey, the similar impact from the approved

garage would provide a potential fall-back position for development on this land. This judgement is made without first considering the impact on neighbours, highway and parking implications and private amenity provision. The provision of private amenity space would meet dimensional requirements as set out within the South Oxfordshire Design Guide (SODG) and with the general pattern of local built form; with a number of local properties having similar sized gardens.

- 6.9 Criterion (iv) of Policy H4 of the SOLP seeks to ensure that there are no overriding amenity, environmental or highway objections caused as a result of new dwellings. The local highway authority has raised a holding objection to the development citing the lack of pedestrian and vehicular visibility splays. The application is unable to demonstrate these, however, officers are mindful that should the lawful garage be constructed on site and a new access provided to the rear of the site, which they would be able to lawfully implement without planning permission, then the access implications on pedestrians and vehicles could not be controlled. Whilst the concerns of the local highway authority are material to the consideration of this application officers consider that this holding objection is not sufficient enough to warrant the refusal of this application in light of the fall back development of the lawful garage.
- 6.10 Given the size of the dwelling and the distance to neighbouring properties, officers do not consider that the proposals would result in any adverse impact on neighbouring properties in terms of light or outlook. There would be some impact on the rear garden area of the neighbours either side but officers do not consider that this would be to an extent that would be detrimental to the use of the garden. With regards to overlooking, there would be no first floor windows on the property. The windows at the front would look towards the public side of the properties on the north of Windmill Close and would have a similar relationship to many properties that are positioned across the road from each other. In officers opinion this relationship would be acceptable and would not result in any adverse overlooking.

Community Infrastructure Levy (CIL)

- 6.11 The council's CIL charging schedule has recently been adopted and has applied to relevant proposals from 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. In this case CIL is liable for the whole building because it is the creation of a new dwelling. The CIL charge applied to new residential development in this case is £150 per square metre of floorspace (Zone 1). 15% of the CIL payment will go directly to Towersey Parish Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

Other matters

- 6.12 The council's drainage engineer comments that due to the lack of any plan indicating where the foul drainage connections are in relation to this development that details should be sought and the applicant should contact Thames Water with a view to a 'building over' arrangement.

7.0 CONCLUSION

- 7.1 The principle of residential development is acceptable on this site. The Council is unable to demonstrate five years of deliverable housing land and the development is not considered to cause any significant or demonstrable harm to the character and appearance of the surrounding area, neighbours or the local highway network. As such the application is recommended for approval subject to the attached conditions.

8.0 RECOMMENDATION

8.1 To grant planning permission subject to the following conditions:

- 1. Commencement of development within three years.**
- 2. Development to be carried out in accordance with the approved plans.**
- 3. Schedule of materials to be agreed prior to commencement of development.**
- 4. Car parking to be provided prior to occupation.**
- 5. No surface water drainage to the highway.**
- 6. Landscaping, including boundary treatment to be agreed prior to commencement of development.**
- 7. Foul drainage works to be agreed and implemented prior to occupation.**
- 8. Withdrawal of permitted development rights.**

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