

<b>APPLICATION NO.</b>	<a href="#">P16/S1470/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	25.5.2016
<b>PARISH</b>	THAME
<b>WARD MEMBERS</b>	Jeannette Matelot, David Dodds & Nigel Champken-Woods
<b>APPLICANT</b>	Mr Steven Kerry
<b>SITE</b>	Land at Elm Tree Farm, Moreton, Oxfordshire
<b>PROPOSAL</b>	Erection of two 5-bedroom dwellings and two-bay carports and formation of two individual accesses (reduction in width and eaves height of Plot 1, lowering of ridge height of both dwellings, reduction in size of both carports, carport to Plot 1 moved away from Harvest barn boundary and retention of front boundary hedging either side of accesses as shown on amended plans received 18th July 2016 and additional services plan received 8th September 2016).
<b>AMENDMENTS</b>	See above
<b>OFFICER</b>	Paul Lucas

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee as a result of a difference in views between Thame Town Council and officers' recommendation. Officers recommend that planning permission should be granted. This report explains how we have reached this conclusion.

1.2 The site is identified at **Appendix 1** and comprises a parcel of land of about 0.43 hectares in agricultural use. The site is bordered on either side by dwellings belonging to the village of Moreton. This settlement is characterised by fragmented groups of dwellings with some spaces in between. The closest dwelling to the north-east of the site is No.14 The Furlongs, one of a row of mid twentieth century semi-detached dwellings that front onto the lane that pass in front of the dwellings. To the south-west there is a barn that has been converted into two dwellings, The Barn House and Harvest Barn. These dwellings are at right angles to the lane and back onto the south-western site boundary. The roadside boundary is denoted by a boundary hedge of varying height and thickness. There is a field entrance and track lying in between the north-eastern site boundary and the boundary with No.14. There are a few semi-mature trees in the garden of Harvest Barn that are adjacent to the site boundary. There are high voltage overhead power lines that pass from behind No.14 onto the site where they terminate into a pole-mounted electricity transformer before being routed underground. There are no special designations on this site.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the erection of two detached dwellings served by individual vehicular accesses and two-bay carports, as detailed on the current plans and accompanying documents submitted in support the application. The current plans were amended, as set out in the description above, in order to address officers' concerns with the original application.

2.2 Copies of the current plans is provided at **Appendix 2** whilst other documentation

associated with the application can be viewed on the Council's website:  
[www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Thame Town Council** – The application should be refused due to the following:

Poor Design – ESDQ26

Not in keeping with the character of the area – ESDQ18

Scale & Bulk – ESDQ20

**Thames Water Development Control** - No objection subject to several informatives

**County Archaeological Services (OCC)** - No objection

**Waste Management Officer (SODC)** – No objection

**Highways Liaison Officer (OCC)** - No objection subject to conditions

**Countryside Officer (SODC)** - No objection

**Drainage Engineer (SODC - MONSON)** - No objection

**Forestry Officer (SODC)** – No objection subject

**Neighbours** – Eight representations of objection and two of concern received in response to the original plans. Three further representations were received in response to amended plans, reiterating the objections and/or concerns. The responses raise the following grounds of objection:

- Principle of development
- Loss of agricultural land
- Scale
- Design
- Loss of hedges and trees
- Neighbour impact
- Highway and pedestrian safety
- Should be developed with smaller affordable homes
- Relocation of transformer

4.0 **RELEVANT PLANNING HISTORY**

4.1 On the application site - several applications for residential development in the 1960's and 1970's were refused planning permission.

4.2 In the vicinity of the site – three applications for residential infilling has been granted planning permission:

P13/S1362/FUL – Land adjoining Chestnut Farm:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P13/S1362/FUL> - granted planning permission 16<sup>th</sup> July 2013 – a pair of detached two storey dwellings built in a more prominent location visible in the approach to the main junction in the village.

P14/S1515/FUL - Land between Elm Tree Farmhouse and Four Seasons:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P14/S1515/FUL>

[=P14/S1515/FUL](#) - granted planning permission 20<sup>th</sup> August 2014 – a single two storey detached dwelling built on a paddock between existing dwellings

P14/S3879/FUL - Land adjacent to Elmfield House:  
<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P14/S3879/FUL> - granted planning permission 11<sup>th</sup> March 2015 – a single storey dwelling on a 0.342 hectare site granted planning permission by the planning committee

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Core Strategy policies  
 CS1 - Presumption in favour of sustainable development  
 CSEN1 - Landscape protection  
 CSH2 - Density  
 CSM1 - Transport  
 CSQ2 - Sustainable design and construction  
 CSQ3 - Design  
 CSR1 - Housing in villages  
 CSS1 - The Overall Strategy
- 5.2 South Oxfordshire Local Plan 2011 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 area  
 D4 - Reasonable level of privacy for occupiers  
 D10 - Waste Management  
 EP6 - Sustainable drainage  
 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

5.3 Thame Neighbourhood Plan (TNP) March 2013 policies;

H5	Integrate windfall sites
H6	Design new development to be of high quality
H7	Provide new facilities
H10	Provide a Thame-Specific Affordable Housing and Dwelling Mix Strategy.
GA6	New development to provide parking on site for occupants and visitors
CLW4	Contributions required from developers of new housing to fund additional healthcare facilities
ESDQ10	Produce a Sports Facilities Strategy
ESDQ11	Incorporate Sustainable Urban Drainage into new development
ESDQ12	Applications for new development to provide a drainage strategy
ESDQ13	New dwellings: code for sustainable homes
ESDQ14	Produce a Green Living Plan
ESDQ15	Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character
ESDQ16	Development must relate well to its site and its surroundings
ESDQ18	New development must contribute to local character by creating a sense of place appropriate to its location

ESDQ20	Building style must be appropriate to the historic context
ESDQ22	The visual impact of new development on views from the countryside must be minimised
ESDQ26	Design new buildings to reflect the three-dimensional qualities of traditional buildings
ESDQ27	Design in the ‘forgotten’ elements from the start of the design process
ESDQ28	Provide good quality private outdoor space
ESDQ29	Design car parking so that it fits in with the character of the proposed development
D1	Provide appropriate new facilities

South Oxfordshire Design Guide 2008 – Sections 3 & 5

South Oxfordshire Landscape Assessment – Character Area 3 – The Clay Vale

5.4 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

Paragraph 14 – Presumption in favour of sustainable development

Paragraph 49 – Development Plan policies directing where housing should go are out of date if deliverable 5 year supply of housing land cannot be demonstrated

6.0 **PLANNING CONSIDERATIONS**

6.1 The planning issues that are relevant to this application are whether the development would:

- be acceptable in principle in this location;
- result in the loss of an open space or view of public, environmental or ecological value;
- be in keeping with the character and appearance of the surrounding area;
- safeguard the living conditions of neighbouring residential occupiers and would provide suitable living conditions for future occupiers; and
- demonstrate an acceptable provision of off-street parking spaces for the resultant dwellings or cause conditions prejudicial to highway safety; and
- give rise to any other material planning considerations

6.2 Principle of Development

The Development Plan policy relevant to this proposal is the SOCS Policy CSR1, which determines whether proposals for infill residential development in the District are acceptable in principle. Policy H5 of the Thame Neighbourhood Plan explains that planning permission would be granted for residential development on windfall sites, subject to meeting the relevant requirements set out in the SOCS. The SOCS classifies Moreton as an “other village”. Under Policy CSR1, residential development on infill sites of up to 0.1 hectares in size is acceptable in principle in “other villages”. The supporting text for Policy CSR1 states, “Infill development 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 It does not stipulate that infill development can only take place on brownfield land and not greenfield land. In officers’ opinion, the site lies in between development forming the main built-up confines of the settlement and would be closely surrounded by buildings, with the only adjacent building on its eastern side. Where the application would fail to comply with Policy CSR1 in that the site area is over four times the 0.1 hectare limit allowed by the policy.

6.4 Notwithstanding the above, the Council currently cannot demonstrate a five year supply of deliverable housing land. Paragraph 49 of the National Planning Policy Framework (NPPF), makes it clear that relevant policies for the supply of housing

should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing land and the ‘presumption in favour of sustainable development’ should be applied. The mechanism for applying that presumption is set out in paragraph 14 of the NPPF. This advises that where relevant policies are out-of-date (unless material considerations indicate otherwise) then permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted. As Policies CSS1 and CSR1 are relevant to the supply of housing they are now regarded as not up to date. There are no restrictive NPPF policies that apply to this site. The proposed addition of two new dwellings to the housing stock of the village would not represent a disproportionate increase given the existing size of the settlement and the aforementioned recent planning permissions for new housing in the village. It is also clear that the proposed development between established built form would not encroach towards the surrounding countryside. Furthermore, the planning permission for a new dwelling at Elmfield House was also not strictly in accordance with Policy CSR1 in relation to its site area. In officers’ opinion, that site is more remote to the main body of the settlement than the application site and the Council has to be mindful of consistency in its decision-making. Under these circumstances, officers consider that the principle of housing on the site is currently acceptable. Consequently the proposal falls to be assessed primarily against the criteria of Policy H4 of the South Oxfordshire Local Plan 2011 for new dwellings, which are addressed below.

6.5 Loss of Open Space

Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is not accessible to the public and the Council’s Countryside Officer is satisfied that there are no protected species or habitats on the site. The site is visible in public views from the lanes to the south of the site, however from these vantage points the development of the site with two dwellings would be seen in the context of the dwellings on either side and could not be said to result in the loss of an important public view. On this basis, the proposal would be in compliance with the above criterion.

6.6 Visual Impact

Criterion (ii) of Policy H4 of the SOLP 2011 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings and criterion (iii) requires that the character of the area is not affected. Policy CSEN1 of the SOCS aims to protect the District’s distinct landscape character from inappropriate development. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 expand on this requirement in respect of ensuring good design. Officers recognise that the proposed dwellings would have a relatively large footprint compared with the existing dwellings on either side. However, their ridge heights would be around 7.5 metres with first floor accommodation contained within the roof space. They would be set back from the road by 15 to 20 metres.

6.7 This means that in spite of their large footprint, the proposed dwellings would not have an excessive roof profile, given that they would have similar ridge levels to the dwellings on either side. On this basis the dwellings would not appear unduly prominent in the locality. The proposal also seeks to retain much of the frontage boundary hedging. Although the proposed vehicular access points would remove some of the hedgerow, it is noted that the height of the boundary planting varies to the extent that there are already some gaps in it. Therefore, it does not provide a uniform boundary that would be unduly disrupted by the proposed accesses. New planting could also be secured through a landscaping planning condition, including to screen the proposed electricity transformer location. The proposed carports would be positioned in front of

the dwellings, but nonetheless they would still be set back from the lane by around 8 metres, behind the front building line of No.14 and Harvest Barn. As these would be lightweight structures, they would be subservient to the dwellings and would not appear as overly conspicuous in public views. The Council's Forestry Officer is satisfied that the proposal would not impact upon the trees in the garden of Harvest Barn. Moreton consists of a mixture of dwelling types from several eras, as evidenced by the difference in the appearance between No.14 and Harvest Barn and the overall impression is that there is no prevailing design. The recent planning permissions have involved dwellings of both traditional and contemporary design approaches. The site does not lie in or adjacent to a designated area. As such, the intention to use red brick and timber cladding for the walls and slate and clay tile for the roofing materials would be appropriate. Taking all of the above factors into consideration, the proposed development would not stand out from the established built form of Moreton and consequently would not detract from the landscape setting of the settlement within the wider countryside. In the light of the above assessment, the proposed development would accord with the above criteria. Officers also consider that the proposal would achieve the aims of Policies ESDQ18, ESDQ20 and ESDQ26 of the TNP.

6.8 Residential Amenity Impact

Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. There would be sufficient separation between the proposed dwellings and No.14 to the north-east and Harvest Barn and The Barn House to prevent any undue loss of light or outlook from occurring. There would be no first floor openings facing towards these adjoining dwellings, thereby maintaining an acceptable level of privacy. The garden size for the proposed dwellings would be comfortably in excess of the recommended minimum standards for dwellings with three or more bedrooms, set out in Section 3 of the SODG 2008. On the basis of this assessment, the proposed development would comply with the above policies and TNP Policy ESDQ28.

6.9 Access and Parking

Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. The Highway Liaison Officer has raised no objections to the proposed access and parking arrangements, subject to the imposition of several highway-related conditions. On this basis the proposed development would be in accordance with the above criterion and TNP Policy ESDQ29.

6.10 Other Material Planning Considerations

The applicant has provided additional information to demonstrate that the electricity transformer could be relocated by the statutory undertaker in compliance with their relevant guidelines. Consequently, whilst the relocation of the electricity infrastructure is a planning consideration, officers conclude that it is not a material planning consideration in this particular instance. There is no evidence that the land is high quality agricultural land. As the proposal is for two dwellings, it is below the threshold of six dwellings set out in the TNP Policy H10. As such, officers are unable to justify requesting a specific mix of housing. A condition removing permitted development rights for various householder development is considered necessary to allow the Council to exercise control over any future additions to the new dwellings that might otherwise result in visual harm or loss of amenity to adjoining residential properties. The proposed dwellings are liable for the Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (Zone 1). 25% of the CIL payment would go Thame Town Council as they have an adopted Neighbourhood Plan.

**7.0 CONCLUSION**

7.1 Whilst the application proposal would not strictly comply with the SOCS Policy CSR1, the Council cannot currently demonstrate a deliverable 5 year supply of housing land. In assessing the proposed development against the presumption in favour of sustainable development at Paragraph 14 of the NPPF, officers have concluded that there would be no adverse environmental or social impacts that would significantly and demonstrably outweigh the economic and social benefits of the application when assessed against the policies in the NPPF taken as a whole. As such, the principle of development would be acceptable. The application proposal would comply with the other relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would be acceptable in principle and would not materially harm the character and appearance of the area or the living conditions of nearby residents or result in conditions prejudicial to highway safety.

**8.0 RECOMMENDATION**

8.1 **To grant planning permission subject to the following conditions:**

1. **Commencement three years - full planning permission.**
2. **Planning condition listing the approved drawings.**
3. **Details of levels prior to commencement.**
4. **Schedule of materials required prior to commencement.**
5. **Withdrawal of permitted development rights (extensions and outbuildings).**
6. **New vehicular access implementation in accordance with approved details.**
7. **Vision splay details prior to commencement.**
8. **No surface water drainage to highway.**
9. **Parking and manoeuvring areas retained as on plan.**
10. **Vehicular access gates to be set back a minimum of 5 metres from highway.**
11. **Construction traffic management plan prior to commencement.**
12. **Details of landscaping (including hardsurfacing and boundary treatment) prior to commencement.**
13. **No garage conversion into accommodation.**
14. **Details of tree protection (general) prior to commencement.**
15. **Details of surface water drainage works prior to occupation.**

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