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| APPLICATION NO. | P16/S0242/O |
| APPLICATION TYPE | OUTLINE |
| REGISTERED | 9.3.2016 |
| PARISH | ROTHERFIELD GREYS |
| WARD MEMBER(S) | Charles Bailey David Nimmo-Smith |
| APPLICANT | Mr & Mrs R Belcher |
| SITE | Robinsgrove, Satwell Close, Rotherfield Greys, RG9 4QT |
| PROPOSAL | Erection of a new two storey dwelling and garage |
| AMENDMENTS | None |
| GRID REFERENCE | 471122/183303 |
| OFFICER | Davina Sarac |

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee as 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 in residential use, and is currently part of the residential garden occupied by Robinsgrove, a two-storey semi-detached dwelling house, lying within the built up confines of Shepherd's Green. The site lies within a cul-de-sac of 12 dwellings which are mostly detached. There are a number of medium sized trees around the front boundary of the site along with an established hedgerow. These do not have any statutory protection. The site lies with the Chilterns Area of Outstanding Natural Beauty. North of the site lies open fields. To the west lies Burnside, to the east lies Robinsgrove and to the south lies Cherry Trees on the other side of the access lane.

2.0 **PROPOSAL**

2.1 The application seeks outline planning permission for a detached dwelling with details of access and layout to be considered at this stage and all other matters reserved. The application includes an indicative block plan showing the position of the dwelling and a detached garage. The site plan shows the creation of a new access onto the single track access lane which joins onto Satwell Close. The design and access statement states that the dwelling would be two-storey and would be constructed in red brick with a clay tiled roof.

2.2 A copy of the 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 Rotherfield Greys Parish Council – The application should be refused due to overdevelopment of the site within the AONB and poor access.

3.2 Highways Liaison Officer (Oxfordshire County Council) - No objection following submission of vision splays subject to conditions.

3.3 Forestry Officer (South Oxfordshire District Council) - No objection subject to conditions.

3.4 Neighbour representations – Six letters of objection received. Comments summarised below with two main concerns:

- Highways safety and Access
Access to the proposed development is along a single track lane with limited visibility at the junction with Satwell Close and limited passing opportunity;
A further dwelling will increase usage of this narrow lane;
- Overdevelopment of the area
The development would set a precedent which could change the character of Satwell Close and encourage further overdevelopment on other plots.
- There is a Covenant dated 5th November 1943 which prohibits such a development. The Covenant protects Satwell Close from overdevelopment.

4.0 RELEVANT PLANNING HISTORY

4.1 None relevant to this application.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance

5.2 South Oxfordshire Core Strategy 2027 (SOCS) policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSM1 - Transport

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

5.3 South Oxfordshire Local Plan 2011 (SOLP) saved 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

D6 - Community safety

D10 - Waste Management

G3 - Development well served by facilities and transport

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

C4 - Landscape setting of settlements

C8 - Adverse effect on protected species

C9 - Loss of landscape features

EP6 - Sustainable drainage

South Oxfordshire Design Guide 2008

Sections 3, 5 and 6

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 surrounding area
3. The impact on neighbouring properties
4. The impact on parking provision / highway safety
5. Other matters

6.2 Principle:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development. For decision-taking this means “approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.”

6.3 Policy CS1 of the SOCS echoes the provisions of Paragraph 14 of the NPPF and sets out the overall development strategy for the District and advises that proposals should be consistent with the overall strategy of focusing major new development in Didcot; supporting the roles of Henley, Thame and Wallingford by regenerating town centres and providing new housing, services & infrastructure; supporting the 12 larger villages of the District as local service centres; supporting the smaller and other villages by allowing for limited amounts of housing; and outside of the above areas, any changes will need to relate to very specific needs.

6.4 Policy CSR1 of the Core Strategy identifies the areas throughout the district where new housing will be allowed. The site is located within the built up limits of Shepherd’s Green, which is classed as an ‘other village’ under policy CSR1 of the SOCS. Policy CSR1 allows for infill development within other villages on sites up to 0.1ha in size. Infill development is defined in the SOCS 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. The site forms part of the residential garden of Robinsgrove and is closely surrounded by other buildings, with Robinsgrove to the east, Burnside to the west and Cherry Trees to the South. In my opinion this site falls within the definition of an infill plot. As such, I consider that the principle of the development is acceptable. The proposal therefore falls to be assessed against the criteria of Policy H4 of the SOLP. Policy H4 supports new housing in villages, subject to a number of environmental and amenity considerations, which are addressed below.

6.5 Impact on the character and appearance:

Criterion (i) of Policy H4 of the SOLP requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site forms part of a residential garden. The site has no particular environmental or ecological value and there are no important views across the site given its location within a cul-de-sac and the vegetation along the front of the site which screens views through the site. On this basis, the proposal would be in accordance with the above criterion.

6.6 Criterion (ii) of Policy H4 of the SOLP requires that the design, scale, height, and materials of the proposed development are in keeping with its surroundings. The proposed dwellings would be two storey. Whilst no detailed plans were submitted with regard to the scale and design of the dwellings, a detached two-storey dwelling would generally fit in with the layout and pattern of development in the area. As such the proposal accords with criterion (ii) of Policy H4.

6.7 Criterion (iii) of Policy H4 requires the development to not adversely affect the character of the area. The proposed dwelling would be positioned between two existing dwellings, Robinsgrove and Burnside. It would generally follow the pattern of

development with the dwellings fronting on to the existing access lane with a garden to the rear (northwards). This approach follows the general principle that the dwellings front on to the road from which they take access and, in such respects, the proposals would reflect the wider pattern of development in the area. An appropriate level of separation would be retained to the boundaries and so the development would not appear cramped in the plot. Space would be retained at the front for planting and the site would not be dominated by hard standing. In the light of the above assessment, I consider that the development would have an acceptable impact on the character of the site and surrounding area and that the proposal would comply with criterion (iii) of Policy H4 and the other policies which seek to secure high quality design and protect the character of the area, including Policies G2 and D1 of the SOLP, and Policies CSEN1 and CSQ3 of the SOCS.

6.8 Impact on neighbours:

Criterion (iv) of Policy H4 of the SOLP requires that there are no overriding amenity objections. The proposal has the greatest potential to impact on the amenities of the occupiers of Burnside and Robinsgrove located directly adjacent to the site. Burnside and Robinsgrove are orientated such that the principal window openings are contained in the north-east and south-west elevations. Given the position of the dwelling in relation to neighbouring properties and the distance from the boundaries, I consider that the proposed dwelling would not result in any material harm to neighbours in terms of light or outlook. With regards to overlooking, the proposed dwelling would be positioned at a similar distance away from Burnside and Robinsgrove, as The Croft, Holly Dell and Little Place are within the Close. The boundary between Burnside and the site is well screened by an existing hedgerow, and also given the separation distance, the development would not result in any adverse overlooking of the neighbours at Burnside. However, details of window openings would be considered further at the reserved matters stage. The site is currently open towards Robinsgrove and this could be enclosed to prevent overlooking. Subject to the reserved matters, the development would have an acceptable impact on the neighbours either side in terms of privacy, light and outlook.

6.9 Parking provision / highway safety:

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 would be no adverse impact on highway safety. The County highways officer has raised no objection to the application following discussion regarding vision splays and the submitted plan shows that the vision splays can be achieved. The block plans show a garage and some hardstanding in the front of the proposed dwelling and subject to reserved matters I am of the opinion that the site can accommodate the level of parking in order to meet the council's parking standards.

6.10 Concerns have been raised by neighbouring properties within Satwell Close with regard to the development causing highway safety issues by intensification of the access lane onto Satwell Close. The lane is narrow and allows for one car to pass at a time. Due to the nature of lane, vehicle speeds are generally low. The submitted vision splays will improve the nature of the lane by opening up the lane at the application site and improving vision splays. Other comments received comment that the access to Satwell Close itself from the main road is already dangerous given the poor visibility at the junction and that the addition of further traffic caused by one more house would exacerbate this further. I am of the opinion that the impact of just one additional dwelling would not create an adverse impact upon highway safety to warrant refusal given that the Local Highways Officer has raised no objection to the application.

6.11 I note that access rights have been raised. The applicant has shown the access lane

within the 'red-line' area and within the application form, signed Certificate B and given notice to the owner. However, the owners of Satwell Close have stated that they are opposed to the development and will not allow access. It must be noted that a planning application can be made even if the applicant does not own the land; however they will need to serve notice on the owner (which they have done) and also gain access from the Highway so as to implement the development. Whether or not access onto Satwell Close is permitted by the owner is a separate civil matter and does not directly influence the planning merits of the development.

6.12 Other considerations

There would be sufficient space 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.

6.13 The trees on site are not protected and are of no particular quality. The Council's forestry officer has raised no concerns with the removal of the trees on site subject to details of landscaping in the reserved matters application. The council would seek some landscaping to soften the development and to maintain the rural appearance of the lane.

6.14 I note that the issue of a covenant on the land has been raised. The existence of this covenant is a private matter and is not material to the material planning considerations relating to the development.

6.15 Community Infrastructure Levy (CIL)

The council's CIL charging schedule has recently been adopted and will apply to all 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. As the floor space of the new dwelling is unknown at this stage, CIL will be payable at the reserved matters stage.

7.0 **CONCLUSION**

I recommend that planning permission is granted as the proposal complies with the relevant Development Plan Policies and, subject to the attached conditions, would not be detrimental to the character and appearance of the site or the surrounding area of outstanding natural beauty, would not be unneighbourly and would not result in conditions prejudicial to highway safety.

8.0 **RECOMMENDATION**

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

1. **Commencement of development within three years or two years of reserved matters approval.**
2. **Development to be carried out in accordance with the approved plans.**
3. **Reserved matters in relation to scale, appearance and landscaping to be submitted.**
4. **Materials to be agreed prior to commencement of development.**
5. **Landscaping scheme to be agreed prior to commencement of development.**
6. **Tree protection measures to be agreed prior to commencement of development.**
7. **Turning area and car parking details to be agreed prior to commencement of development.**

8. Vision splays to be provided in accordance with submitted details prior to occupation.
9. No garage conversion into accommodation.
10. Surface water drainage works to be agreed prior to occupation.
11. Foul drainage works to be agreed prior to occupation.

Author: Davina Sarac
Contact No: 01235 422600
Email: planning@southoxon.gov.uk