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| <b>APPLICATION NO.</b>  | <a href="#">P16/S2594/FUL</a>  |
| <b>APPLICATION TYPE</b> | FULL APPLICATION   |
| <b>REGISTERED</b>       | 1.8.2016   |
| <b>PARISH</b>           | HORSPATH   |
| <b>WARD MEMBER(S)</b>   | Elizabeth Gillespie  |
| <b>APPLICANT</b>        | Mr A Price   |
| <b>SITE</b>             | 1 Wrightson Close, Horspath, OX33 1RR  |
| <b>PROPOSAL</b>         | The erection of a two bedroom bungalow on land to the side of no. 1 Wrightson Close, Horspath. |
| <b>AMENDMENTS</b>       | None   |
| <b>GRID REFERENCE</b>   | 457241/204887  |
| <b>OFFICER</b>          | Katherine Canavan  |

1.0 **INTRODUCTION**

1.1 The application has been referred to Planning Committee because the officer recommendation conflicts with the views of the parish council. The objections raised are as follows:

- Overdevelopment of a site adjacent to a listed building
- Unneighbourly to neighbouring occupants
- Restrictive covenant on site limiting number of dwellings (NB. civil matter, outside of planning considerations)
- Level of public opposition to proposal

1.2 The site is located within the Oxford Green Belt, and within the built limits of the settlement of Horspath. The site is identified on the OS extract **attached** at Appendix 1.

2.0 **PROPOSAL**

2.1 The applicant seeks full planning permission for a two bedroom bungalow on land to the east of 1 Wrightson Close.

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).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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| 3.1<br>Horspath Parish Council | Object: <ul style="list-style-type: none"> <li>• Overdevelopment of a site adjacent to a listed building</li> <li>• Unneighbourly to neighbouring occupants</li> <li>• Restrictive covenant on site limiting number of dwellings (civil matter, outside of planning considerations)</li> </ul> |
| OCC (Highways)                 | No strong views, subject to conditions: <ul style="list-style-type: none"> <li>• New vehicular access, vision splays, parking, gravel retention strip.</li> </ul>  |
| Conservation Officer           | No strong views: <ul style="list-style-type: none"> <li>• No greater impact to listed building than that of existing 1970s residential development.</li> <li>• No harm to listed features or setting.</li> </ul>   |

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| Forestry Officer | No strong views, subject to condition: <ul style="list-style-type: none"> <li>• Protection of trees on southern boundary</li> </ul> |
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| Neighbour representations (6 received) | <p>Object:</p> <ul style="list-style-type: none"> <li>• Overdevelopment of site, and cramped development – an equivalent side extension to no. 1 would be excessively large and constitute overdevelopment</li> <li>• Out of keeping with character of surrounding dwellings – large houses on large plots with space between dwellings</li> <li>• Damaging precedent if all gaps are at risk of being infilled</li> <li>• Detrimental impact to outlook of the listed Manor House</li> <li>• Unneighbourly to immediate neighbour – encroachment and overbearing impact along boundary</li> <li>• Inadequate provision of parking, garage or outdoor space</li> <li>• Existing traffic and parking problems would be exacerbated by an additional house with inadequate parking provision</li> <li>• Overlooking to properties to the rear (Manor Drive)</li> </ul> |
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4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S1002/PEM](#) – Response provided (01/04/2016)  
 Erection of new single storey dwelling with 2 bedrooms, built to homes for life standards.

[P14/S3229/HH](#) - Approved (19/11/2014)  
 Alterations to front elevation, conversion of garage to living accommodation and erection of new garage.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies  
 CS1 – Presumption in favour of sustainable development  
 CSS1 – The overall strategy  
 CSEN2 – Green Belt  
 CSR1 – Housing in villages  
 CSQ3 – Design

5.2 South Oxfordshire Local Plan policies  
 G2 – Protect district from adverse development  
 GB4 – Visual amenity in the Green Belt  
 H4 – Proposals for houses  
 D1 – Design  
 D2 – Parking provision  
 D3 – Plot coverage and garden areas  
 D4 – Privacy and overlooking  
 T1 – Safe, convenient and adequate highway network for all users  
 T2 – Unloading, turning and parking for all highway users

5.3 South Oxfordshire Design Guide

5.4 National Planning Policy Framework  
 National Planning Policy Framework Planning Practice Guidance

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and

the degree of consistency of the relevant emerging policies with the NPPF.

Horspath Parish are working towards the adoption of a neighbourhood plan and are at an early stage in the process. The area has recently been designated, as such the neighbourhood plan has limited weight at this stage.

**6.0 PLANNING CONSIDERATIONS**

6.1 The key considerations in determining the application are:

- Principle of development within the Green Belt
- Principle of residential development
- Impact on neighbouring occupants
- Highways and parking provision
- Private amenity space
- Additional matters

**6.2 Principle of development within the Green Belt**

6.2i The site lies within the Oxford Green Belt. As a general rule, development in the Green Belt is normally considered to be inappropriate from the outset unless very special circumstances exist to override the presumption against such development. Exceptions to this are set out in paragraph 89 of the NPPF which allows for limited infilling in villages, as in the case before Members.

6.2ii The application site is located on the edge of the built-up area of the settlement, and within a residential cul-de-sac in Horspath. Horspath is categorised as a 'smaller village' in the South Oxfordshire Core Strategy (SOCS), and a sustainable location where limited infill development is appropriate. Policy CSR1 of the SOCS allows for limited development within the Green Belt within the parameters set out in section 6.3, and subject to complying with national policy in the NPPF. On this basis, the principle of development on the proposed site would not harm the openness of the Green Belt and the proposal can be considered in respect of the remaining Development Plan policies.

**6.3 Principle of residential development**

6.3i In establishing the principle of residential development on the site, consideration has been given to policy CSR1 of the SOCS. In assessing the detail of the proposal, consideration is given to policy H4 – 'Proposals for houses' of the South Oxfordshire Local Plan.

6.3ii Policy H4 permits housing on sites within the built up areas of the four main towns and within the built-up areas of villages provided that:

- i) an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt;*

The application site comprises an area of private garden to the side of no. 1, currently screened by high hedging along the front boundary. An important public space would not be lost as a result of the development - the proposal would not conflict with any of the areas listed in point i).

- ii) the design, height, scale and materials of the proposed development are in keeping with its surroundings;*

- iii) the character of the area is not adversely affected;*

In assessing the design of the bungalow in the context of the character of the residential area, it is recognised that the scale and footprint is much smaller than those seen elsewhere in the cul-de-sac. In addition, the separation distances would be reduced to 1.4m with no. 1 and 3.3m to no 2.

However, the height remains respectful of the adjacent bungalows, and the design features and materials of the building are consistent with those seen within the surrounding roads.

With regard to the narrowing of the spaces between dwellings, the impact on amenity is considered separately, but the impact on the street scene and settlement pattern is not felt to be harmful in my view. The closing up of the gap is not dissimilar to the impact of a garage in the same position, given the modest scale of the proposed structure. There would be a change in appearance to the street scene but the resulting loss in separation distance and the hedge are not an intrinsic part of the character which makes up the residential street, and would not harm the established character and appearance of the area.

There are no area or character designations that require a particular design to be followed in development terms, and the proposal does not introduce elements or design features that jar with the character of the surrounding residential area.

- iv) *there are no overriding amenity, environmental or highway objections;*  
Residential amenity is considered in section 6.4.  
Highway implications and parking standards are addressed in section 6.5.
- v) *if the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.*  
The proposed dwelling would front the highway, and is consistent with the existing building line. The proposal is not considered to be backland development.

#### 6.4 **Impact on neighbouring occupants**

6.4i Policies D4 and H4 of the SOLP consider the development's impact on the residential amenity of neighbouring occupants.

6.4ii The height of the proposed dwelling is not dissimilar to that of no's 1 and 2, and given the site levels, would sit slightly lower than no. 2. The design of the unit allows for a relatively low eaves height of 2.4m closest to the boundary, rising to a single pitched ridge height of 5.35m centrally within the site. It is my view that this approach is appropriate in avoiding an enclosed and overbearing relationship with neighbouring dwellings. Further to this point, there are no ground floor side windows on no 1 facing the proposed side elevation, and the 3 side windows on no. 2 are entirely enclosed by high fencing. The proposed dwelling, by virtue of the roof design and low eaves, would not block light to neighbouring rooms, or reduce the separation distance to a degree that would compromise amenity.

6.4iii The proposed openings are primarily at ground level and would be enclosed by boundary fencing, avoiding any overlooking or loss of privacy to adjacent neighbours. Properties to the rear of the site, no's 26 and 28 Manor Drive, are located 35m from the proposed dwelling across sizeable rear gardens. Although the proposed dwelling would be partially visible to houses to the rear, the proposed dwelling would be screened from the 2-storey dwellings along the rear boundary by fencing and vegetation, preventing the risk of overlooking.

6.4iv The high level windows on the eastern elevation (facing no. 2) are at high level, cannot be accessed by stairs and do not serve a first-floor room. There is insufficient headroom to incorporate a mezzanine level at a later stage. As such, the windows do not pose a risk to loss of amenity.

6.5 **Highways and parking provision**

The South Oxfordshire Local Plan – Appendix 5, and policy D2 of the SOLP, set out the car parking standards for residential developments, and require 2 spaces for dwellings with 2/3 bedrooms, and 2+ spaces for dwellings with 4 bedrooms. The proposal results in loss of the garage to the main house. 2 spaces have been provided for each property, and meet the dimensions specified in the South Oxfordshire Design Guide of 2.5m wide by 5m long.

It is recognised that parking provision on the existing site, and the proposed site is limited. However, the impact of the under provision is not severe enough to result in risk to highway safety or increased parking pressure in the local area, or to justify a refusal solely on this basis. Advice has been sought from the Highways Officer who has assessed the parking provision and raised no objections.

6.6 **Private amenity space**

Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in Policy D3 of the Local Plan. A minimum of 50 square metres of private garden area would be required for two bed dwellings and a minimum of 100 square metres for four bed dwellings.

Following the division of the plot, no. 1 would retain 370sqm of amenity space for the 4-bed property, and the new dwelling with 2 bedrooms would have 79sqm of amenity space. Both plots are in excess of the policy requirement, and have suitable private amenity space.

6.7 **Additional matters**

6.7i **Setting of listed building**

The application site falls within the 1970s development of houses on land once associated with the listed Manor House, but is not within a conservation area, and there are no heritage constraints on the site. The proposed design is unlike the existing dwellings, however, there is no specific house type here but there is a consistent building line and pallet of materials which this application has responded to. As such, there will not be increased harm to the setting of the listed building as a result of the design.

Further advice from the conservation officer clarifies that the proposal will not increase the impact of built development on the setting of the listed building, and will not alter the listed building or its setting or those features of special or architectural interest which make it worthy of statutory designation.

6.7ii **Arboricultural implications**

The trees within this site are not subject to a tree preservation order, and the site is not located within a conservation area. Although a number of trees have already been cleared from the site in recent years, there are a number of mature trees along the southern boundary. The Forestry Officer has raised no objections to the proposal, subject to the root protection areas of these trees being protected during construction – to be secured by condition.

6.7iii **Community Infrastructure Levy (CIL) liability**

The council's CIL charging schedule has recently been adopted and applies to residential 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. The CIL charge applied to new build residential development is £150

per square metre in Horspath. 15% of the CIL payment will go directly to Horspath (in the absence of an adopted Neighbourhood Plan) for spending towards local projects. In this case the proposal involves an increase in floorspace of 65sqm to create a new dwelling. The development is CIL liable and the relevant procedures have been followed to enable the contribution to be collected on commencement.

6.7iv **Covenants**

The matter of any covenants associated with the site would be a civil matter, and would have to be dealt with separately from the planning process. Covenant restrictions do not constitute a material planning consideration, and cannot be factored into the planning decision.

7.0 **CONCLUSION**

7.1i Your officers recommend that planning permission is granted because the proposed development is considered to be acceptable for the following reasons:

7.1ii The development is located within a smaller village where the principle of limited infill development is appropriate within the green belt. By virtue of the site's position within a residential, built-up area of Horspath, one single storey dwelling is acceptable. The scale, height, location and design of the dwelling do not detract from the character and appearance of the surrounding residential area, or adversely affect the setting of the listed building. The proposal does not compromise the residential amenity of neighbouring occupants, and is at a scale that would not encroach upon adjacent dwellings or private amenity space.

Subject to conditions, the proposal accords with the National Planning Policy Framework (2012) and National Planning Practice Guidance (2014), South Oxfordshire Core Strategy (2012), South Oxfordshire Local Plan (Saved policies, 2011) and the South Oxfordshire Design Guide (2008).

8.0 **RECOMMENDATION**

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

1. **Work to commence within three years.**
2. **In accordance with plans.**
3. **Materials as on plans.**
4. **Parking spaces as indicated on plan to be useable prior to occupation of the approved dwelling, and SuDs compliant.**
5. **New vehicular access.**
6. **Vision splays.**
7. **Gravel retention strip across access.**
8. **Boundary detailing in place prior to occupation.**
9. **Tree protection (general).**
10. **Removal of permitted development rights of proposed dwelling – Class A (enlargement / alteration), Class B (roof alterations / dormer windows), Class D (porch), Class E (outbuildings).**

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