

APPLICATION NO.	P16/S2338/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	6.7.2016
PARISH	SANDFORD
WARD MEMBER(S)	Sue Lawson
APPLICANT	G Bertram
SITE	1 Henley Road, Sandford-on-Thames, OX4 4YN
PROPOSAL	Sub-division of existing 4-bedroom house to provide one x 2-bedroom and one x 1-bedroom dwellings (As amended by drawings 1313p110B and 1313 P114A accompanying e-mail from agent received 16 August 2016)
AMENDMENTS	Drawings 1313p110B and 1313 P114A
GRID REFERENCE	453463/201860
OFFICER	Paul Bowers

1.0 INTRODUCTION

- 1.1 The application is referred to planning committee because the views of the Sandford on Thames Parish Council differ from the officer's recommendation.
- 1.2 No 1 Henley Road, lies on the northern western edge of Sandford on Thames. It is a rendered semi-detached dwelling with slate roof. It abuts open land to the north and is located within the Oxford Green Belt.
- 1.3 A plan identifying the site can be found at **Appendix 1** to this report.
- 1.4 Planning permission was granted in 2014 under application reference P14/S1173/HH for a two storey side extension and single storey extension to the rear. At the time of my site visit the development was externally complete.

2.0 PROPOSAL

- 2.1 This application seeks planning permission to subdivide the extended property to create a 2 bedroom property in the original building and a 1 bedroom dwelling in the extension.
- 2.2 The scheme has been amended from its original form which sought permission for two x 2 bedroom units. This was however, changed following concerns expressed by the Highway Officer in connection with the amount, size and position of the parking on the frontage.
- 2.3 Reduced copies of the plans accompanying the application can be found at **Appendix 2** to this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **Sandford-on-Thames Parish Council** – Recommend Refusal of Planning Permission to the original and amended plans for the following reasons;
 - Concern that it was always intended to be subdivided.
 - The parish council would welcome two low cost houses for sale in the village.
 - Concern that the units will be rented out.

- Insufficient parking provision.

Neighbour Responses – 1 x letter of objection to the original scheme from 3 Henley Road covering the following issues;

- Concern about the impact of the rear extension to side windows.
- Insufficient parking on the property.
- The lowering of the kerb allows for increased flood water.

County Archaeological Services - No objection.

Highways Liaison Officer - No objection to the amended scheme and recommend conditions relating to vision splays and parking areas being retained.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P14/S1173/HH](#) - Approved (10/06/2014)
Two storey side extension

5.0 **POLICY & GUIDANCE**

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

South Oxfordshire Core Strategy 2027 policies

CS1 - Presumption in favour of sustainable development
CSEN2 - Green Belt protection
CSQ3 - Design

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
G2 - Protect district from adverse development
GB4 - Openness of Green Belt maintained
H11 - Sub-division of dwellings in built up area
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

Emerging Sandford on Thames Neighbourhood Plan

South Oxfordshire Design Guide 2008

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The issues to consider in relation to this proposal are;

- **The principle of development.**
- **Whether the proposal accords with the criteria of Policy H4.**
- **Garden size.**
- **Impact on the amenities of the occupants of nearby properties.**
- **Impact on highway safety.**
- **Impact on the Green Belt.**

The principle of development.

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 6.2i In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy 2027 (SOCS) which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP).
- 6.2ii Paragraph 216 of the National Planning Policy Framework (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.
- 6.2iii Sandford on Thames Parish Council are working towards the adoption of a neighbourhood plan. The area has been designated and some early consultations including a local resident survey have been undertaken. However no sites have currently been proposed and as such the neighbourhood plan has limited weight at this stage.
- 6.2iv Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.
- 6.3 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.”
- 6.4 Policy CS1 of the SOCS echoes the provisions of Paragraph 14 of the NPPF. Policy CSS1 of the SOCS 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 and 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.
- 6.5 Currently the council cannot demonstrate a 5 year housing land supply and the presumption in favour of sustainable development, set out in Paragraph 14 of the NPPF, applies. This means that our core strategy housing policies, including SOCS Policy CSR1 relating to housing in villages, are out of date and are given less weight in our decision making.
- 6.6 In this case Sandford on Thames is classified as a ‘Smaller Village’ as set out in

Appendix 4 in SOCS. The site is located within the settlement. It is the last property in a line of continuous development on the north eastern side of Henley Road. In my view the principle of a dwelling in this sustainable location is acceptable.

Whether the proposal accords with the criteria of Policy H4 and H11 of SOLP.

- 6.7 If a proposed housing development is acceptable in principle and accords with Policy CSR1 then the detail of the proposal must be assessed against the criteria of Policy H4 which deals with new housing and Policy H11 which deals with the subdivision of dwellings in to multiple occupation.
- 6.8 The two policies in the main cover the same issues with the criteria of Policy H4 also including reference to criteria relating to the physical works of development. Provision (i) of Policy H4 *states ‘an important open space of public, environmental or ecological value is not lost, nor an important view spoilt.’* Provision (ii) *states ‘the design, height, scale and materials of the proposed development are in keeping with its surroundings.’* whilst Provision (iii) *states that the ‘character of the area in not adversely affected.’*
- 6.9 These first three criteria have already been dealt to a large extent given that the external appearance of the building and the impact on the wider area will be similar to the extension to the dwelling which was granted planning permission in 2014. The limited changes to the previously approved plans relate to the internal floor plan, window and door openings and the creation of separate entrances for the proposed and existing dwellings.
- 6.10 *Provision iv) of Policy H4 states that there should be no overriding amenity or environmental or highway objections.*

In terms of amenity this refers to both the amenity space being provided for the occupants of the existing and new property and also the amenity of occupants of nearby properties. These issues are also covered by other policies within SOLP such as Policy D3 and T1 and they are considered separately as they are fundamental issues to this proposal.

- 6.11 In respect of the element of provision iv) that relates to the environment there are no environmental issues that would justify resisting the proposal.
- 6.12 The fifth and last provision of Policy H4 makes reference to back land development which would not apply to this application due the nature of the conversion of the existing building. Overall, I conclude that this development accords with the aims and provisions of both Policy H4 and H11.

Plot coverage and garden size.

- 6.13 Policy D3 of SOCS seeks to ensure that new dwellings should provide adequate private outdoor space. The amount of land to be used for garden or amenity space will be determined by the size of the dwelling and the character of surrounding development.
- 6.14 The South Oxfordshire Design Guide sets out the minimum amount of private amenity for 2 bedroom units at 50 square metres and 1 bedroom units at 35 square metres. The layout of the development ensures that both units exceed this minimum amount. Number 1 Henley Road will retain 75 square metres and the second unit 1a Henley Road will provide for 150 square metres. This meets the objectives and aims of Policy

D3.

- 6.15 I have considered whether it is necessary to remove permitted development rights for outbuildings and extensions. However because of the size of the amenity space I do not consider it reasonable or necessary to apply conditions that would restrict the normal householder's right to undertake certain development without needing permission.

Impact on the amenities of the occupants of nearby properties.

- 6.16 Impact on residential amenity is normally considered in terms of whether a development results in material harm by way of overlooking, loss of sunlight or being so large and close that it is considered oppressive and overbearing.
- 6.17 Although the council has received comment from number 3 Henley Road – which is the other half of the existing pair of semi-detached properties - this relates to what is now an existing situation. The concern relates to the outlook from that property and the future maintenance of an existing window. The impact of the now built extension has been previously assessed and found to be acceptable and is now a relationship that exists on site and will remain unchanged by this development.
- 6.18 The addition of a porch on the front elevation will have no material impact on neighbours due to its modest depth and position in from the boundary with number 3. The other main changes from the previously approved plans are the alterations of windows on the north east side elevation. These are not significantly different from the approved scheme and one serves an en-suite bathroom. The remaining window looks out on to an open field.

I do not believe that the proposed development will cause any material harm to the occupants of nearby properties.

Impact on highway safety.

- 6.19 The application originally proposed 2 x two bedroom properties. This meant that in order to provide 2 spaces per unit there would be four spaces spanning the full frontage of the site. In addition the vision splay necessary for vehicles exiting the site went across third party land which the applicant could not control.
- 6.20 The reduction in the size of the new unit to a one bedroom property reduces the need for a second space. This has increased the overall area to accommodate parking and allowed for improved visibility.
- 6.21 On the basis of these amended plans the proposal does not give rise to a significant adverse impact on the highway network, The Highways Officers is now supportive of the application and has recommended two conditions that appear as part of this recommendation relating to the details of the visibility splays being submitted and approved by the council and that the parking areas on the frontage be retained.

Impact on the Green Belt.

- 6.22 The impact on the wider openness of the Green Belt has already been assessed and found acceptable in the application to grant permission for the extension. The material change of use of the site to become two dwellings does not have a materially greater impact to the openness of the Green Belt.

Community Infrastructure Levy (CIL)

6.23 The council's CIL charging schedule has been adopted. 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.

6.24 In this case CIL is not liable as the proposal involves the conversion of an existing building rather than the erection of new floor space to create a dwelling.

7.0 **CONCLUSION**

7.1 I recommend that planning permission is granted because Sandford on Thames is a settlement where infill development is permitted in principle. The subdivision of the existing dwelling involves only modest alterations to the existing building. Consequently there is no significant harm to the wider visual amenity of the area or the openness of the Green Belt.

The site affords for sufficient amenity space and parking and does not result in a materially harmful unneighbourly impact to adjoining properties.

Any harm that is caused by the development does not significantly and demonstrably outweigh the benefits and therefore the proposal accords with paragraph 14 of the NPPF.

Conditions are proposed relating to highway matters and tree protection. The development accords with the relevant development plan policies.

8.0 **RECOMMENDATION**

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

1. **Commencement three years - full planning permission.**
2. **Approved plans.**
3. **Vision splay details.**
4. **Parking and manoeuvring areas retained.**

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