

APPLICATION NO.	P23/S2368/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	14.7.2023
PARISH	ASTON TIRROLD
WARD MEMBER(S)	Ben Manning Anne-Marie Simpson
APPLICANT	Katherine Pearce
SITE	8 The Croft Aston Tirrold, OX11 9DL
PROPOSAL	Erection of a pergola.
OFFICER	Sharon Crawford

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This report sets out the justification for the recommendation to grant planning permission having regard to the development plan and other material planning considerations. The application is referred to the planning committee because the applicant is a member of staff in the planning service and the Constitution requires the application to be determined by the Planning Committee.
- 1.2 8 The Croft is one half of a semi-detached pair of brick-built houses dating from 1930s/1940s. The roof is hipped and covered with plain tiles. No 8 benefits from an existing two storey side and rear extension. The whole of the frontage for no 8 is gravelled for parking and there is a generous sized garden to the rear. The roofs and upper floors of properties from The Croft are partially visible from the public footpath to the east of the site that connects The Croft with Moreton Road to the north. Aston Tirrold lies in the North Wessex Downs Area of Outstanding Natural Beauty. The site is identified on the map extract attached at **Appendix 1**.
- 1.3 **THE PROPOSAL.** The application seeks planning permission for a pergola to be attached to the rear elevation of the property. Reduced copies of the plans accompanying the application are attached at **Appendix 2**.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 **Aston Tirrold** No written comments received.
Parish Council

OCC The site is located in an area of archaeological interest
Archaeology however the development is of a relatively small scale and as such there are no archaeological constraints to this scheme.

No other comments received.

3.0 RELEVANT PLANNING HISTORY

- 3.1 [P22/S3052/HH](#) - Refused (04/11/2022) - Appeal dismissed (17/07/2023)
New rear facing dormer window to facilitate a loft conversion.

[P13/S2976/HH](#) - Approved (06/11/2013)

Demolition of existing single storey extensions and conservatory. Erection of two storey side and rear extension. Additional plans received from the Agent dated 9th October 2013.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

4.1 The site lies in a sensitive location (AONB) but an EIA is not required for development of this small scale.

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES6 - Residential Amenity

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

H20 - Extensions to Dwellings

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

Aston Tirrold does not have a Neighbourhood Plan.

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

5.4 National Planning Policy Framework and Planning Practice Guidance

5.5 Other Relevant Legislation

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 require applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Local Plan 2035 (SOLP).

The relevant planning considerations for this proposal are the following:

- **Principle of development**
- **Landscape impact**
- **Design and character**

- Residential amenity
- Sustainable construction
- CIL

6.2 **Principle of development.** Policy H20 of the SOLP allows for extensions to existing dwellings subject to a following criteria;

- within the Green Belt the extension or the alteration of a building does not result in disproportionate additions over and above the size of the original building;
- adequate and satisfactory parking is provided; and
- sufficient amenity areas are provided for the extended dwelling.

The site does not lie in the Green Belt and the proposal has no impact on the generous parking provision at the front of the property. The pergola will provide a covered seating area in the rear garden and will improve the amenity of the current garden area. As such, the proposal accords with Policy H20 in my view.

Policy H20 also requires development to have regard to the advice within the South Oxfordshire Design Guide

6.3 **Design and character.** Policy DES1 of the SOLP seeks to ensure that all new development is of a high-quality design. Policy DES2 of the SOLP requires all new development to be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings.

The pergola would be an aluminium structure with a louvred roof and no walls. It would be 3.6m wide, 3m long and 2.25m high. It would be fixed to the rear wall below the eaves line. It would be accessed through the folding doors off the kitchen at the rear of the dwelling. It is a lightweight structure and subservient to the main house. The design and materials are appropriate for development of this type and accord with Policies DES1 and DES2.

6.4 **Landscape**

The site lies within the North Wessex Downs AONB. Paragraph 172 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "*which have the highest status of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000. An over-riding principle of the NPPF is that any development within the Chilterns or North Wessex Downs AONBs should conserve and enhance the natural beauty of the AONB.

Policy ENV1 of the SOLP echoes the aims of the NPPF in respect of protecting the landscape and scenic beauty of the AONB.

The proposed pergola is a modest, lightweight aluminium frame at ground floor level. Given the boundary screening to the sides and rear, there will be no public views available of the pergola and only very limited views from the immediate neighbours. The lightweight frame and materials are appropriate for

development of this type would have very limited impact on the natural beauty of the North Wessex Downs Are of Outstanding Natural Beauty. The proposal accords with Policy ENV1 in my view.

- 6.5 **Residential amenity.** DES6 of the SOLP aims to protect the amenity of neighbouring uses from loss of privacy or day/sunlight, visual intrusion, noise, contamination or external lighting.

The pergola would be located around 1.2m from the western boundary with the adjoining neighbour (No. 7). The boundary is marked by fencing around 2m in height (taken from the level of the decking). It would not impact on the amenity of or light to No. 7 as it would not be particularly perceptible over the fence, due to its lightweight structure and its height. The proposal accords with Policy DES6 in my view.

- 6.6 **Sustainable construction.** DES8 of the SOLP aims to ensure that all new development, including building conversions, refurbishments and extensions, should seek to minimise the carbon and energy impacts of their design and construction.

The pergola is a lightweight frame with a louvred roof to allow for covered outdoor seating with limited scope for reducing greenhouse emissions. There is no conflict with Policy DES8 in my view for development of this type.

- 6.7 **Community Infrastructure Levy.** The proposal is not liable for CIL as the floorspace created is below 100 square metres in size.

7.0 **CONCLUSION**

- 7.1 Your officers recommend that planning permission should be granted for the proposed pergola. The scale of the pergola is modest and the design and materials are appropriate for development of this type. The lightweight frame would have very limited impact on the natural beauty of the North Wessex Downs Are of Outstanding Natural Beauty or the amenity of neighbouring properties. In conjunction with the attached conditions, the proposal accords with relevant planning policy.

8.0 **RECOMMENDATION**

To grant Planning Permission subject to the following conditions;

1 : Commencement 3 years - Full Planning Permission

2 : Approved plans *

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