

APPLICATION NO.	P23/S1345/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	17.4.2023
PARISH	SYDENHAM
WARD MEMBER(S)	Ed Sadler
APPLICANT	Ali Gordon-Creed
SITE	Mr & Mrs Bushell Greenways, Sewell's Lane, Sydenham, OX39 4LW
PROPOSAL	Removal of existing dwelling, construction of replacement two storey detached dwelling with car port, access, car parking and associated works. (as amended by plans received 5 June 2023 re-siting and reducing the car port to three bays, additional biodiversity information received 5 July 2023 and bat survey received 31 July 2023)
OFFICER	Victoria Clarke

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application has been referred to planning committee because Sydenham Parish Council objects to the proposal.
- 1.2 The site location plan is attached at **Appendix 1**. The application site is located on the edge of Sydenham and is accessed from Sewell's Lane (a bridleway). The site currently contains a bungalow and a number of outbuildings. The west boundary of the site abuts Sydenham conservation area. The neighbouring property across the lane to the west is a grade II listed building (Horseshoe Cottage). There are open fields to the other sides of the application site.
- 1.3 The application seeks planning permission for the demolition of the existing dwelling and outbuildings and the erection of a two storey dwelling and a detached garage with external staircase and store room above.
- 1.4 Reduced copies of the plans accompanying the application are attached as **Appendix 2**. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Sydenham Parish Council – Object:

First consultation:

- Supportive in principle of a redevelopment
- Object to location and size of car port due to impact on conservation area and adjacent listed building. Will create a visual barrier on the front boundary of the site instead of current open aspect with low hedge.

- The ridge height of the proposed dwelling must be no higher than the ridge height of any other buildings in Sewell's Lane so as not to become the dominant building, impact the conservation area and be visually intrusive.
- Concern about construction traffic and delivery vehicles parking on well-used bridleway
- Construction traffic management plan should be required.
- Conditions survey of Sewell's Lane should be required before demolition/construction and any damage should be made good.
- Support the use of traditional building materials, would like to see this extended to timber fenestration.

Amended plans consultation (reduced garage size from three bays to two bays, reorientated 90 degrees and reduced in height):

- Support changes to the garage
- Previous objection to dwelling still stands

County Archaeological Services (Oxfordshire County Council) – No objection:

Proposals outlined would not appear to have an invasive impact on any known archaeological sites or features.

Conservation Officer (South and Vale) – No objection, subject to conditions:

The proposed dwelling is in keeping with the height, character and materiality of the local area, such that it would be unharmed to the significant views from the conservation area and adjacent listed buildings, subject to the following conditions:

- specification of materials
- joinery

South and Vale Countryside Officer – No objection subject to conditions:

Ecological surveys have concluded that a small number of bats are roosting in both the existing garage and dwelling. A derogation licence will be required from Natural England.

- Condition recommended to secure the implementation of mitigation measures set out in section 7 of ecology report.

Oxfordshire Public Rights of Way – No objection, conditions recommended:

Access to the site is via public right of way Sydenham Bridleway 2. The bridleway must remain open and available for public use across its full width during construction.

- No temporary obstructions of bridleway
- No route alterations to bridleway
- Vehicle access (construction) appropriate safety / mitigation measures to be approved by the Countryside Access Team. Damage to surface of right of way is the responsibility of the applicant to put right.

- Vehicle access (occupation) No vehicle access may be taken along or across a public right of way to residential or commercial sites without appropriate safety and surfacing measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants, their contractors, or the occupier to put right / make good to a standard required by the Countryside Access.
- Gates/right of way – any gates must be set back from public right of way and open inwards into the site

Crime Prevention Design Adviser – No comments received

Drainage - (South & Vale) – No objections, subject to conditions:

- Surface water drainage scheme required
- Foul water drainage scheme required

Forestry Officer (South and Vale) – No objection, subject to condition:

Trees within the site are not subject to a tree preservation order. The site is located outside of the conservation.

- Implementation of tree protection measures set out in submitted Arboricultural Impact Assessment and shown on the tree protection plan

Neighbours – one letter of objection:

- Ridge height of proposed house would be taller than the nearest section of Horseshoe Cottage which would detract from the conservation area and setting of listed building Horseshoe Cottage.
- Car port should be single storey

3.0 RELEVANT PLANNING HISTORY

3.1 None

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Not applicable

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

South Oxfordshire Local Plan 2035 (SOLP) Policies:

STRAT1 - The Overall Strategy

H1 - Delivering New Homes

H8 - Housing in Smaller Villages

H16 - Backland and infill development and redevelopment

H18 - Replacement Dwellings

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES3 - Design and Access Statements

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

DES9 - Renewable Energy

ENV1 - Landscape and Countryside
ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
ENV3 - Biodiversity
ENV6 - Historic Environment
ENV7 - Listed buildings
ENV8 - Conservation Areas
ENV9 - Archaeology and Scheduled Monuments
EP3 - Waste collection and Recycling
EP4 - Flood Risk
INF4 - Water Resources
TRANS5 - Consideration of Development Proposals

5.2 Sydenham Neighbourhood Plan 2034 (May 2021)

SYD3 – Design
SYD4 – Local Heritage Assets
SYD7 – Important views

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 The relevant planning considerations are the following:

- **Principle of development**
- **Design and character**
- **Impact on heritage assets**
- **Residential amenity**
- **Access and parking**

6.2 Principle of development

The site lies on the edge of Sydenham village but is considered to be in the built up part of the settlement. Sydenham is categorised in the South Oxfordshire Local Plan settlement hierarchy as a “smaller village”. The proposal is for the replacement of an existing dwelling and is considered to be acceptable in principle and compliant with South Oxfordshire Local Plan policies H8 and H16.

6.3 Design and character

Neighbourhood plan policy SYD3 (Design) supports proposals provided they sustain and enhance the distinctiveness of the neighbourhood area. The

proposed dwelling would be two storeys, approximately 7.7 metres tall and it would be traditional in appearance. Officers consider the design and scale of the proposed dwelling and detached garage outbuilding and the proposed materials would be in keeping with the character of the site and surrounding area. where appropriate the character and appearance of the Sydenham Conservation Area and its setting.

- 6.4 Policy SYD7 of Sydenham Neighbourhood Plan identifies important views. The view across the playing field towards open countryside and the application site from Sydenham road is identified as important. The application site is raised slightly compared to nearby houses on the opposite side of the bridleway but officers consider the proposed dwelling would be relatively modest in height and would not appear overly prominent in the landscape in views into the site nor overly dominant in relation to nearby dwellings. The view of the open countryside from the main road would be retained.
- 6.5 **Impact on heritage assets**
The Conservation Officer supports the proposal and considers the proposed height, character and materiality of the proposal to be in keeping with the local area. Officers consider it would not harm the setting of the adjacent grade II listed building (Horseshoe Cottage) and nor would it be harmful to the conservation area or local heritage assets. Officers consider the proposal complies with Sydenham Neighbourhood Plan policies SYD3 and SYD4 and South Oxfordshire Local Plan policies ENV6, ENV7 and ENV8.
- 6.6 **Residential amenity**
The proposed dwelling would be set away from neighbouring properties, across the bridleway and would not be overbearing.
- 6.7 First floor side windows facing towards Horseshoe Cottage are proposed. One serves a bathroom and would be obscure glazed and this can be secured by condition. There is also a side window serving bedroom 4. This window would be positioned approximately 8 metres from the side boundary of the application site and 16 metres from the side (garden) boundary of Horseshoe Cottage. Given the distance from, and relationship with, the neighbouring dwelling and its garden it is considered that this window will not result in an unacceptable loss of privacy or harmful introduction of overlooking.
- 6.8 Rooflights are proposed in the garage roof slope facing towards Horseshoe Cottage and the garage would have an external staircase. These would be approximately 17 metres from a first floor side facing window on the neighbouring property but due to the distance between the windows and the intervening bridleway officers do not consider they would introduce an unacceptable level of overlooking.
- 6.9 **Access and parking**
No change is proposed to the access to the site. An appropriate level of parking and turning space is proposed.

6.10 **Other matters**

Community Infrastructure Levy (CIL) - The council's Community Infrastructure Levy (CIL) charging schedule applies to all relevant development proposals. 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 or net gain of residential use on site. The proposed development is liable to pay CIL and would be charged based on the net increase in internal floor space. The applicant may be eligible for a self build exemption.

6.11 Energy efficiency and carbon reduction –

Policy DES8 (SOLP) advises that all development should look to minimise the carbon and energy impacts of their design and construction. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape and planting taking into account any nationally adopted standards and in accordance with Policies DES10: Carbon Reduction and DES7: Efficient Use of Resources.

6.12 The applicant has submitted a Sustainability Statement that identifies the proposed development can achieve a reduction in annual carbon emission of 61% and meets the requirements of SOLP Policy DES10. A photovoltaic array and an air source heat pump are proposed and the dwelling has been designed to maximise the 'fabric first' approach using the geometry of the building design, combined with strategically placed glazing, orientated to maximise passive solar gains and highly insulated building envelope.

7.0 **CONCLUSION**

7.1 Planning permission should be granted because the proposed development is considered acceptable in principle and would be in keeping with the character of the site and surrounding area and would not harm the setting of Sydenham Conservation Area, the neighbouring listed building nor nearby local heritage assets. Furthermore, the proposed development would not result in any significant harm to the amenity of neighbours and would not result in any adverse harm to the safety and convenience of the highway network, including the adjacent bridleway.

8.0 **RECOMMENDATION**

Planning Permission

1 : Commencement with three years

2 : Development in accordance with the approved plans

3 : Photographic schedule of materials required

4 : Joinery details required

5 : Demolish existing buildings

6 : Levels details required

7 : Obscure glazing of first floor bathroom window

8 : Energy Statement Verification and post occupancy monitoring

9 : Safety measures for site access by construction vehicles to be agreed

10 : Gates to be set back from bridleway and open inwards

11 : Wildlife Protection (mitigation as approved)

12 : Implementation of agreed tree protection measures

13 : Surface water drainage works (details required)

14 : Foul drainage works (details required)

15 : Landscaping scheme required (including hard standing, gates and fences)

Informatives:

Public Right of Way (bridleway) to be kept free of obstruction

Mud and vehicle obstructions on the Highway

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