

APPLICATION NO.	P23/S1610/S73
APPLICATION TYPE	SECTION 73
REGISTERED	9.5.2023
PARISH	TOWERSEY
WARD MEMBERS	Ed Sadler & Ali Gordon-Creed
APPLICANT	Mr Ciro Paradiso
SITE	Grove Hill Farm, Manor Road, Towersey, OX9 3QT
PROPOSAL	Variation of condition 2 (approved plans) on application P22/S0537/FUL (Erection of replacement dwelling with associated parking and landscaping. Erection of a replacement pool house, machinery store and gates). Variation to reduce height of dwelling and build on ground level rather than setting property down into the ground and variations to the elevations. (As amended by plans received 3 July 2023 to demonstrate how deep the dwelling has been set down in the site and as amended by plans received 10 August 2023).
OFFICER	Marc Pullen

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This report sets out the justification for officers' recommendation to grant planning permission having regard to the development plan and any other material planning considerations.
- 1.2 This application seeks planning permission to vary the scheme granted in respect of application reference: [P22/S0537/FUL](#). The variation involves building the dwelling at ground level rather than sunken within the ground, as previously approved. The height of the dwelling will also be reduced and further landscaping is proposed.
- 1.3 This application is referred to planning committee as officers' recommendation to grant planning permission conflicts with the views of Towersey Parish Council.

- 1.4 The site, which is shown on the OS extract attached at **Appendix A**, is in a reasonably exposed location within the local landscape and is visible from public rights of way and the Phoenix Trail.



The site has historically been used as a farmyard with agricultural buildings (including dwelling) on site which are all to be removed as part of the approved development.

- 1.5 Reduced copies of the plans accompanying the application are attached as **Appendix B**. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.
- 1.6 Copies of the approved drawings for planning permission [P22/S0537/FUL](#) are attached as **Appendix C**.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Towersey Parish Council – Object

- The currently proposed scheme sets the new dwelling far higher than the approved scheme – which combined with the mass of the buildings, has a severe detrimental impact on the landscape.
- The proposed development would be some 2 metres higher than the existing dwelling.
- The landscape officer's comments are not based on up-to-date plans.
- The recent plans are not consistent with plans which show 80.40m as Existing Ground Level but is now labelled Finished Floor Level. This is a clear attempt to demonstrate that the foundations have been sunk into the ground.
- The current proposal sets the ridge height of the dwelling 0.167m lower than the ridge height of the previously refused scheme.
- The Landscaping Plan is not sufficient mitigation to overcome the issues of dominance in the landscape caused by the increase in height of the proposed building.
- Not enough information to work out datum points on plan.
- There would also appear to be other minor changes in the overall scheme that have been made but have not been described in the schedule of alterations, such as the pool house, front entrance and garage area. This may also include a change in materials to be used which are different from the approved plans but we are unable to determine this due to the lack of detail.

Landscape Architect (South and Vale) –

- 12 June - No landscape objection subject to the implementation of planting as shown on the Site Plan and Plot Plan, drawing. no. 4487 SCH 3.05K. The proposed planting, including large growing trees planted as advance nursery stock, will mitigate the proposed increase in height.
- 17 October - I have reviewed the amended information submitted since June 2023, I don't consider the amendments result in any material difference in landscape and visual terms therefore my comments dated 12 June 2023 still stand.

3.0 RELEVANT PLANNING HISTORY

3.1 [P22/S3602/S73](#) - Refused (14/02/2023)

Variation of condition 2 (Approved plans) on planning application P22/S0537/FUL to consider the acceptability of constructing the proposed dwelling at existing ground level in light of additional support information in the form of a Landscape & Visual Technical Note. (As amplified by additional information received 02 December 2022). (Erection of replacement dwelling with associated parking and landscaping. Erection of a replacement pool house, machinery store and gates.)

[P22/S2427/DIS](#) - Details Agreed (20/10/2022)

Discharge of conditions 6 (Contaminated Land - Linked Conditions), 9 (Surface water drainage works) & 10 (Foul drainage works) on planning application P22/S0537/FUL (Erection of replacement dwelling with associated parking and landscaping. Erection of a replacement pool house, machinery store and gates.)

[P22/S0537/FUL](#) - Approved (24/06/2022)

Erection of replacement dwelling with associated parking and landscaping. Erection of a replacement pool house, machinery store and gates (As amended by plans received 2022-05-25 to reduce height of the proposed dwelling and to set proposed dwelling into the ground to further reduce height & as amplified by additional information received 25 May 2022).

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 N/A.

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

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES10 - Carbon Reduction

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

EP3 - Waste collection and Recycling
EP4 - Flood Risk
H18 - Replacement Dwellings
INF4 - Water Resources
STRAT1 - The Overall Strategy
TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

Towersey Neighbourhood Plan is proceeding to referendum on 23 November, and now has significant weight. The relevant policies include:

TOW3 - Climate change mitigation
TOW4 - Design
TOW9 - Managing Traffic

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

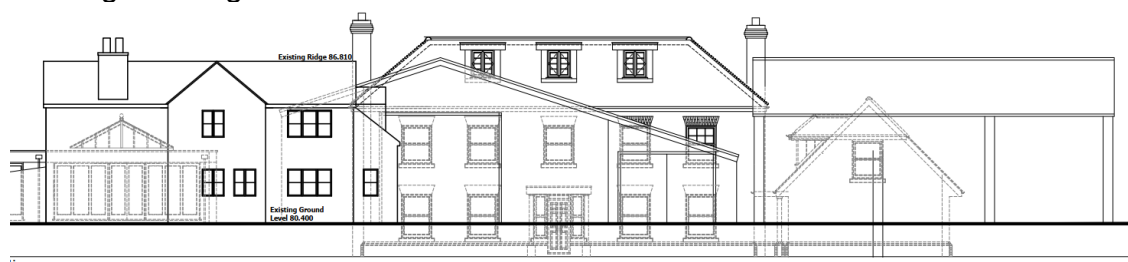
6.1 The relevant planning considerations are the following:

- The impact the proposed changes would have on the landscape

6.2 The approved dwelling (ref. [P22/S0537/FUL](#)) was set lower into the ground to offset the visual impact within the landscape. The proposed change to the scheme would see the approved dwelling appear taller within the receiving landscape due to being constructed at ground level.

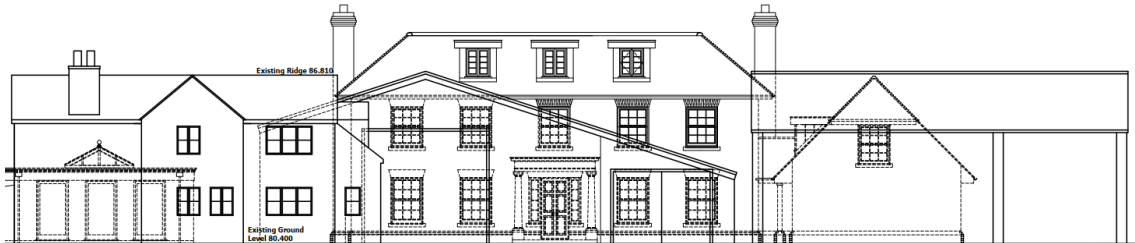
6.3 APPROVED SCHEME (ref. [P22/S0537/FUL](#))

The approved dwelling measured approximately 8.8m in height and was set down in the ground by approximately 1.4m. The approved dwelling measured approximately 7.4m above ground level and approximately 1m higher than the existing dwelling on site.



6.4 **PROPOSED SCHEME** (ref. P23/S1610/S73) *this current application*

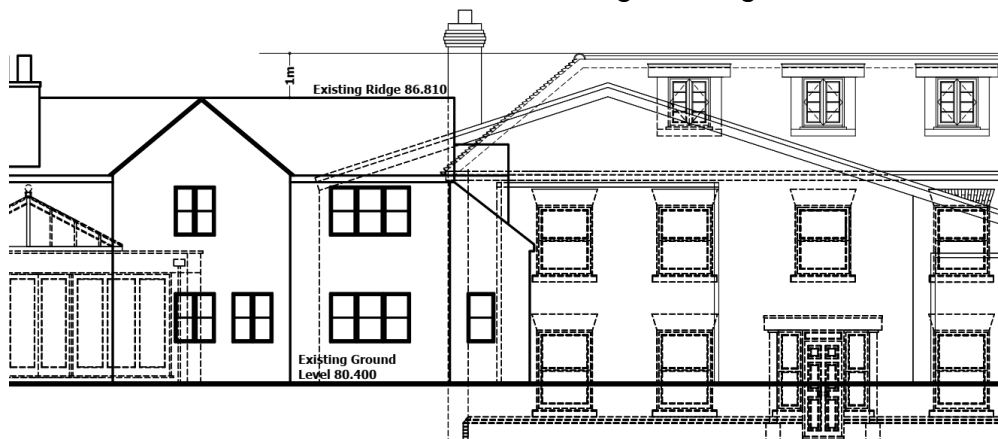
The proposed dwelling measures approximately 8.3m in height above the ground level, and the actual dwelling itself has been reduced in height from the approved dwelling by 0.5m. The proposed dwelling measures 1.97m higher than the existing dwelling on site.



6.5 Of note is the previously refused scheme (ref. P22/S3602/S73) which was refused at planning committee in February 2023. The refused scheme set the dwelling 2.27m higher than the existing dwelling on site. The current proposal represents an approximate 30cm reduction to the previously refused scheme in terms of the ridge height of the dwelling above ground level.

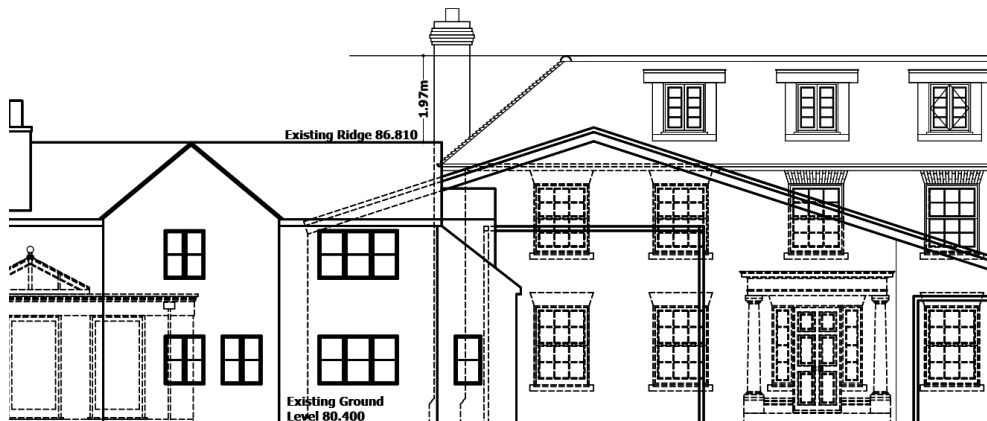
6.6 **APPROVED SCHEME** (ref. [P22/S0537/FUL](#))

Demonstrates a **1 metre** increase above existing dwelling.



PROPOSED SCHEME (ref. P23/S1610/S73) *this current application*

Demonstrates a **1.97m** increase above existing dwelling.



- 6.7 The current application proposes a much more comprehensive landscaping scheme compared to the approved scheme ([P22/S0537/FUL](#)). In consultation with the council's landscape officer the proposed landscaping scheme is considered acceptable and includes large trees planted as advance nursery stock which will mitigate the proposed increase in height. This landscaping scheme can be secured by condition, and will quickly establish to soften the visual impact of the development and assimilate it into the site's rural surroundings.
- 6.8 The proposed variation to planning permission [P22/S0537/FUL](#) would result in an increase in built form on site by approximately 1m. It is officer's opinion that this increase in height would not cause material harm to the character and appearance of the site and the surrounding landscape compared to the previously approved scheme. The new landscaping scheme would help to offset the proposed development to a more significant degree than with the approved scheme.
- 6.9 The proposed development would represent a relatively modest reduction in height (0.3m) compared to the previously refused scheme. This scheme was refused for the following reason:

The proposed development would result in a higher building on site, that would exceed the height of the existing buildings on the site and the previously approved development. As a result it would appear more visible and dominant in the local landscape to the detriment of the rural character and appearance of the area. As such, the proposed development would be contrary to Policies H18, DES1 and DES2 of the adopted South Oxfordshire Local Plan 2035.

Although the proposed building is still higher above ground than the approved scheme, and the 0.3m reduction compared to the refused scheme appears to be relatively modest Officers are of the view that this reduction would be sufficient to address the harm identified through the above refusal reason. Given the relatively large footprint of the dwelling and its design the relatively modest reduction in height would translate into a considerable reduction in the bulk and massing of the dwelling as a whole. Officers consider that this reduction along with the more comprehensive landscaping scheme would result in a development that would not cause material harm to the rural character and appearance of the area. The fact that the dwelling would remain higher than the approved scheme is not sufficient reason in itself to justify the refusal of the application.

- 6.10 Also proposed are some minor elevational changes. Officer do not consider that these changes would have a material impact upon the character or appearance of the property or the wider area compared to the approved scheme.

6.11 **Other matters**

Conditions - All relevant planning conditions attached to the original planning permission are recommended for this current proposal. Where details have

been discharged previously then conditions should require the development to be carried out in accordance with these approved details.

6.12 Community Infrastructure Levy (CIL) - The proposed development remains CIL liable.

7.0 CONCLUSION

7.1 It is recommended that planning permission is granted for the proposed development. This application has demonstrated that through the use of a more comprehensive landscaping scheme the proposed increase to the height of the development on site would not result in adverse harm to the wider landscape. 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 : Development to be implemented in accordance with approved plans

2 : Development to be implemented in accordance with materials specified on plan

3 : Implement wildlife protection/measures as previously agreed by planning permission [P22/S0537/FUL](#)

4 : Implement contaminated land measures as previously agreed by application P22/S2427/DIS

5 : Implement drainage measures as previously agreed by application P22/S2427/DIS

6 : Requirement to report and deal with any unsuspected contamination found on site

7 : To implement development strictly in accordance with measures set out within approved Energy Statement

8 : Need to provide Electric Vehicles Charging Point(s) on site

9 : Any external lighting scheme to be first submitted to and approved by the Local Planning Authority

10 : Landscaping of the site in strict accordance with submitted Landscaping Plan

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