

APPLICATION NO.	P23/S2101/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	27.6.2023
PARISH	SHIPLAKE
WARD MEMBERS	Leigh Rawlins Mike Giles
APPLICANT	D Barlow
SITE	Doghouse Studio Bolney Road Lower Shiplake, RG9 3NS
PROPOSAL	Erect ancillary retrospective accommodation/annexe to the main dwelling The Doghouse. Retention of raised mobile home by 0.5m above finished ground level, erection of a raised timber deck, privacy screens/ramps to the side and retention of existing access on land adjacent to The Doghouse. (as per amended plans submitted 25 September 2023).
OFFICER	Caitlin Phillipotts

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to Planning Committee as the officers' recommendation to approve the application conflict with the views of Shiplake Parish Council.
- 1.2 The application site, which is shown on the copy of the OS plan **attached** as Appendix A, contains a detached dwelling on a good sized plot located on the northern outskirts of Shiplake lying along the banks of The River Thames inside of the locally Valued Landscape Area PLCA1 (*River Thames Meadows and Terraces*), and Special Character Area SCA3 (*Very low density - detached properties set in extensive grounds - Riverside I*), as identified in the Shiplake Neighbourhood Plan. The site backs onto The River Thames and lies inside of Functional Flood Zone FZ3b. The site is made accessible via Bolney Lane.
- 1.3 The site has a certificate of lawfulness issued under application reference [P21/S0835/LDP](#) for the siting of a residential caravan for occupation by the family members of the host property, at the north western end of the private gardens. This has since been implemented with additional operational development including the provision of cladding details and a large decked terrace fixed permanently to the ground. As found by the council's investigating planning enforcement officer, the development now goes beyond the scope of 'a caravan' and is operational development requiring planning permission.
- 1.4 The proposed plans have been amended during the course of this application to significantly reduce the scale of the decked terrace. Should planning

permission be granted for the plans now under consideration, the building will need to be reconfigured on site to accord with any approved plans.

- 1.5 Copies of the plans showing the proposed development are **attached** as Appendix B (i-vi) whilst other documentation associated with the application and all of the consultation responses can be viewed on the council's website, www.southoxon.gov.uk.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 Full copies of the representations are available on the Council's website at www.southoxon.gov.uk under the planning reference number.

2.2 **Shiplake Parish Council**

Objects with the following key points

- The building is no longer a caravan but a three bedroom house inside of floodplain 3
- The proposal in contrary to the aims of policy SV23 of the Shiplake Neighbourhood Plan (SNP) which seek to protect the special character *of the very low density detached properties set in extensive grounds along the Riverside* inside of SCA3
- Considers the Environment Agency should be consulted as the proposal includes residential development inside of Flood Zone FZ3b
- Finds the retrospective nature of the proposal disappointing

2.3 **Drainage - (South&Vale)**

- Requests the submission of a detailed Flood Risk Assessment (FRA) as the proposal includes householder development over 250 square metres inside of Flood Zone FZ3b
- Requests evidence to show the proposal lies outside of Flood Zone FZ3b and that the proposed building is for ancillary use to the main dwelling in perpetuity, as new housing is not supported in this location which is at risk of flooding
- Comments, *if the proposed development of which planning permission is required for only consists of elements 1 - erection of a raised timber deck 2 - privacy screens/ramps to the side and 3 - retention of existing access on land adjacent to The Doghouse and not for the mobile home itself, then because elements 1 to 3 are water compatible, a flood risk assessment will not be required and as such, I would have no objections to planning permission being granted*

- 2.4 **Neighbours** - No comments

3.0 **RELEVANT PLANNING HISTORY**

- 3.1 [SE22/363](#) - (pending)

Construction of outbuilding outside details accepted under the P21/S0835/LDP for a caravan.

[P21/S0835/LDP](#) - Approved (08/06/2021)

Proposed twin mobile home/lodge on land within the garden of the application property

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

H20 - Extensions to Dwellings

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES8 - Promoting Sustainable Design

ENV1 - Landscape and Countryside

ENV4 - Watercourses

ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)

EP4 - Flood Risk

5.2 Shiplake Neighbourhood Plan

SV5 - Dwelling Extensions

SV7 - Settlement Character

SV9 - Valued Landscapes

SV10 - Riverside Related Development

SV19 - New Development and Highway Safety

SV12 - Dark Skies and Lighting

SV23 - Special Character Areas

SV24 - Building Materials / Design / Density / Layout

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
Town and Country Planning (General Permitted Development) Order 2015
Caravan Sites and Control of Development Act 1960 (the 1960 Act)
Caravan Sites Act 1968 and Social Landlords (Permissible Additional
Purposes) (England) Order 2006 (Definition of Caravan) (Amendment)
(England) Order 2006**

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**
- **Residential amenity**
- **Access and parking**
- **Drainage**

6.2 Principle of development

The primary fabric of the building consists of a ‘twin caravan’ unit arranged over stilts approximately half a metre above ground level. As outlined in full in the officer’s delegated report, for the siting of the caravan as incidental residential accommodation under application P21/S0835/LDP and **attached** as Appendix C; the siting of the caravan, which passed Section 13 of the Caravan Sites Act 1968, inside of the residential curtilage would not be considered an act of development under Section 55 of the Town & Country Planning Act 1990.

6.3 The caravan has been installed on site and amended to include cladding details, privacy screens and raised terrace which amount to operational development requiring planning permission. Where the mobile home has acquired a degree of permanence through becoming physically attached to the ground by way of the attached terrace, and is connected to main services, it can be distinguished from a caravan. In my view the detached living accommodation has become a building operation and accordingly should be largely treated as a detached residential outbuilding in the assessment of this proposal.

6.4 Paragraph 6.9 of the Officer’s Delegated report attached as Appendix C, clarifies the council’s assessment of the intended use of the mobile home, which was for use by the applicant and their immediate family who are the occupants of the dwelling at the application site. The use proposed as part of this application is the same as that previously assessed as having been incidental to the enjoyment of the dwelling. Overall, the Local Planning Authority is satisfied that the development would not result in the subdivision of the planning unit and that the use of the ‘building’ as described within the submitted supporting information would not go beyond the scope of ancillary uses to the main dwelling.

6.5 The principle of erecting a domestic outbuilding or extending an existing ancillary building is clearly acceptable having regard to Policy H20 of the SOLP, which states:

Extensions to dwellings or the erection and extension of ancillary buildings within the curtilage of a dwelling, will be permitted provided that:

- i) 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;
- ii) adequate and satisfactory parking is provided. Development should have regard to the Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise; and
- iii) sufficient amenity areas are provided for the extended dwelling.

The site is not within the Green Belt. Doghouse occupies a very large residential plot and there are clearly no concerns regarding the loss of garden space or under provision of parking space. The outbuilding is sizeable but not disproportionately so in terms of the size of the plot and its stated use to accommodate the living arrangements of the extended family.

6.6 Design, character and landscape visual impact

When compared with the scheme built out the plans submitted as part of this application have been amended to include the removal of the privacy screen and a significant reduction in the size and scale of the raised terrace area.

- 6.7 Policy DES1 of the SOLP and Policy SV24 of the SNP seek to ensure that all new development is of a high-quality design. Policy SV24 states, ‘New development, extensions, alterations and replacement dwellings should be to a high standard of design, in keeping with the character of the area and should demonstrate how regard has been given to the Shiplake Villages Character Appraisal at Appendix 6 to this Plan.’

- 6.8 The site is located within the Special Character Area 3 – Very low density-detached properties set in extensive grounds as set out within the SNP. Page 76 of the SNP sets out the special characteristics of this area as follows, ‘The area benefits from a mature, sylvan landscaped setting along Bolney Road where densities are less than 2dph and gaps between dwellings are significant. Dwellings are often individual and of architectural merit. These are entirely contained by the landscape and often concealed from this aspect. Conversely, properties are highly visible from the Thames, where an entirely different perspective is gained. Many dwellings have prominent and significant boat houses which in culmination overall, give this area a unique character.’

- 6.9 As intimated above, along this section of Bolney Road the main dwellings are generally set back into the site, closer to the riverside with long frontages. However, there are various garages/ancillary outbuildings situated within the large front gardens of these plots given that the back gardens are generally smaller and look onto the river. The buildings vary architecturally and most have their own unique style.

- 6.10 The site is bordered by mature trees and hedging, and the building is set back within the plot from the front boundary with Bolney Road by approximately 40 metres and is only readily visible when the entrance gates to the site are open,

and directly to the front of the site as one travels along Bolney Road. The design, scale, height and massing of the building is largely identical to that of the caravan that does not require planning permission from the council and I am generally satisfied that the existing views into and across the site from the wider public vantage points remain unchanged, particularly when compared with the fall back position of the twin caravan in the same location. Due to its simple rectangular form, the building has a contemporary appearance and is clad in horizontal cladding details which make reference to the New England style timber cladding seen across the host dwelling.

- 6.11 As noted in the SNP the residential plots in this part of the village are substantial, and the plot now associated with the Doghouse is approximately 0.75 ha. Over time large outbuildings situated between the dwellings and Bolney Road have become a characteristic of the built form, and given the verdant and low density nature of the built form these outbuildings have been assimilated successfully without detracting from the spacious character and appearance of the area. In my view the proposed outbuilding, due to its unobtrusive height and siting, would also respect this established character and would therefore comply with the relevant SNP and SOLP policies.
- 6.12 I am also mindful that the residential outbuilding is sited in place of the caravan and that the overall finish and appearance of the building is an improvement on the design and quality of a standard caravan unit that can be positioned on the site without planning permission. This area is largely screened in any public views from Bolney Lane by the existing mature planting along the front boundary and overall I do not consider the development diminishes the spacious appearance of the front part of the site.
- 6.13 **Residential amenity**
Policy DES6 of the SOLP aims to protect the amenity of neighbouring uses from issues such as loss of privacy or day/sunlight, visual intrusion, noise, contamination or external lighting.
- 6.14 No comments from neighbouring occupiers have been submitted in relation to this application. The proposed outbuilding / detached residential annex lies within the garden area of Doghouse and is arranged over a single storey, albeit raised approximately half a metre above ground level. The building is sited no less than 45 metres from the shared boundary to the south (with Little Purbeck) and approximately five metres from the shared boundary with The White House to the north of the plot. The proposed outbuilding is separated from The White House by mature trees and planting which line the shared boundary beyond which lies a private access lane pertaining to the neighbouring property. A number of windows are positioned across the northern elevation of the building which would offer glimpsed views across the private access lane within the adjoining site. However, given the single storey nature of the building, the separation and spacing between the outbuilding and shared boundary and the existing intervening landscape features I am satisfied that the development would not result in any significant harm to the amenity of the neighbouring residential property in terms of light, outlook, privacy, noise or nuisance.

6.15 Access and Parking

The proposal includes the addition of a second point of vehicular access onto the adjoining highway towards the north western corner of the site. I note that the local estate road network is private and, that therefore, the proposed access does not require planning permission in its own right. The proposal includes the provision of close board entry gates in excess of one metre in height. I am satisfied that the design and character of the entrance gates are of a character in keeping with the secondary status of the proposed access. This aspect of the proposed development would not impact directly upon the public highway, and I am satisfied that there is existing parking and turning opportunity within the curtilage, able to accommodate the development proposed in accordance with policies H20 and TRANS5 of the SOLP.

6.16 Drainage

The site largely sits within Flood Zone 3b, functional flood plain. In accordance with national planning policy requirements and the requirements of Policy EP4 of the SOLP, a flood risk assessment has been submitted with the application. Since the submission of the original scheme, the proposal has been reduced in scale and in accordance with footnote 56 of the NPPF, the development does not require the sequential test to be applied / met. Due to the location inside of Flood Zone 3b the development should not have an adverse impact on the floodplain or increase flood risk elsewhere. I note the concerns raised by the Council's Drainage Engineer on the plans originally submitted with the application due to the scale and type of water sensitive development proposed. As discussed, the proposal has since been reduced in scale.

6.17 I note the living accommodation and the principle of the chattel arranged over raised stilts is established under the lawful development application for the siting of the caravan. In this context and on review of the amended scheme, which sees the raised terrace significantly reduced, the council's Drainage Engineer has provided the comments pasted below in full.

If the proposed development of which planning permission is required for only consists of elements 1 - erection of a raised timber deck 2 - privacy screens/ramps to the side and 3 - retention of existing access on land adjacent to The Doghouse and not for the mobile home itself, then because elements 1 to 3 are water compatible, a flood risk assessment will not be required and as such, I would have no objections to planning permission being granted.

6.18 In view of the comments made above, and the design and elevated construction details of the proposed building, I am satisfied that the proposed development does not include the introduction of a water sensitive residential extension / annex over 250 square metres and does not include a net increase in impermeable areas across the site. I am satisfied that the development will not adversely impact on the floodplain or increase flood risk elsewhere when compared with the fall back position provided by the lawful development certificate at the site. On review of the latest plans submitted with the application, the council's Drainage Engineer has raised no objections to the proposal on the grounds of flood risk or surface water drainage.

6.19 Community Infrastructure Levy

The proposal is CIL liable because the proposed development results in a net increase in floorspace of more than 100 square metres.

6.20 Pre-commencement conditions

No pre-commencement conditions are required.

7.0 CONCLUSION

7.1 The application site has a long established use as residential garden. The annex building is to be used as ancillary accommodation to the host dwelling for purposes identical to that relating to the certificate of lawful development for the siting of a caravan at the site. The residential annex is of a relatively modest scale and inconspicuous in public views and does not harm the character and appearance of the site or its surroundings. The outbuilding is of a high quality design and construction using materials which reference the character of the main dwelling. The development respects the spacious and sylvan qualities of this part of the village as identified within the Shiplake Neighbourhood Plan, and would be in keeping with the grain of the surrounding built form. There are no technical objections to the proposal in relation to matters including highway safety, drainage, or flood risk, and, in the view of Officers, the proposed development complies with the relevant development plan policies, subject to the conditions recommended below.

8.0 RECOMMENDATION

Grant Planning Permission subject to the following conditions:

1 : The development to which this permission relates must be complete not later than the expiration of six months beginning with the date of this permission.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2 : That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 3894-100, 3894-200A, 3894-201A, 3894-202A, 3894-203A and 3894-204A, except as controlled or modified by conditions of this permission.

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3 : The development hereby permitted shall be constructed in strict accordance the materials and details specified on the approved plans and supporting documents, or in materials and details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the development in accordance with policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.

4 : The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Doghouse.

Reason: As the separate occupation of the accommodation would represent an undesirable sub-division of the property and result in inadequate standards of amenity and privacy in accordance with Policies DES1, DES2, EP4 and DES6 of the South Oxfordshire Local Plan 2035.

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