

APPLICATION NO.	P23/S2641/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	7.8.2023
PARISH	WHEATLEY
WARD MEMBER	Alexandrine Kantor
APPLICANT	Mr Ben Curran
SITE	Land adjacent to 1 Cullum Road Wheatley, OX33 1XD
PROPOSAL	Erection of single storey, two-bedroom, detached bungalow (as amended by drawings GA.01 rev 05, GA.02 rev 05 and GA.03 rev 06 on 08/11/2023, and amplified by Energy Statement and Ecological Statement received on 27/11/2023 and 15/03/2024)
OFFICER	Will Darlison

1.0 INTRODUCTION AND PROPOSAL

1.1 This report sets out the officer's recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.

1.2 The application is referred to planning committee because the recommendation of approval conflicts with the views of Wheatley Parish Council.

1.3 The application site comprises an area of land to the west of 1 Cullum Road, which is located within the built-up limits of the village of Wheatley. It formerly formed part of 1 Cullum Road as an area of side garden space, and a detached garage and vehicular access are present. The site does not fall within any specially designated area.

1.4 A plan identifying the site can be found at **Appendix 2** to this report.

2.0 PROPOSAL

2.1 The application seeks planning permission for the erection of one, two-bedroom detached bungalow. The proposals have been amended to alter the position of the bungalow to address comments from Oxfordshire County Council Highways regarding the configuration of parking at the front of the site.

2.2 Reduced copies of the plans accompanying the application can be found at **Appendix 3** 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.

2.3 The full wording of the recommended conditions can be found at **Appendix 1** of this report.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Wheatley Parish Council – Objection**

- The proposal fails to respect the domestic proportions of the residential building in this area and appears cramped and incongruous in the street scene.
- It fails to reinforce local distinctiveness and the dwelling would neither preserve nor enhance the character of the area.
- The benefits associated with the provision of the small unit of residential accommodation would not outweigh the harm to the local distinctiveness and character of the area.
- Concerned that the parking shown on the block plan is not achievable and future residents would park on the street. This would put more pressure on an area plagued by over-parking and dangerous parking.

South and Vale Countryside Officer – Preliminary Ecological Assessment required.

No objection to the subsequently submitted ecological information subject to conditions

Drainage - No objection subject to a surface water drainage condition

Highways Liaison Officer (Oxfordshire County Council) – Holding objection

- It is unclear whether the land is parking for the neighbouring dwelling: 1 Cullum Road.
- The two parking spaces demonstrated do not meet the size standards.
- A parking plan will need to be demonstrated to show a practical parking arrangement.
- No details have been submitted in relation to cycle parking provision. Two spaces per bedroom, covered and secure are required.

Objection withdrawn upon submission of amended plans.

Designing Out Crime Officer – No response received

3.2 No neighbour representations received.

4.0 **RELEVANT PLANNING HISTORY**

Application Number	Description of development	Decision and date
P21/S3503/PEM	Proposal 1 - Erection of detached single storey bungalow approx. 900 sq. ft	Advice provided (04/10/2021)

Proposal 2- Erection of detached two storey house approx. 1100 sq. ft

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 N/A

6.0 **POLICY & GUIDANCE**

6.1 **National Planning Policy Framework and Planning Practice Guidance**

6.2 **South Oxfordshire Local Plan 2035 (SOLP) Policies:**

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

ENV1 - Landscape and Countryside

H1 - Delivering New Homes

H17 - Sub-division and Conversion to Multiple Occupation

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

6.3 **Wheatley Neighbourhood Plan Policies:**

EN1 – Biodiversity

H1 - Design and Character Principles

H4 - In-fill and Self-build Dwellings

P1 - Parking Provision

6.4 **Supplementary Planning Guidance/Documents**

6.5 South Oxfordshire and Vale of White Horse Joint Design Guide 2022

7.0 **PLANNING CONSIDERATIONS**

7.1 **The relevant planning considerations are the following:**

- **Principle of development.**
- **Impact on neighbours.**
- **Design and appearance and impact on the character of the area.**
- **Impact on drainage.**
- **Impact on trees.**
- **Impact on ecology.**
- **Impact on highway safety and parking.**
- **Carbon Reduction.**
- **Other issues.**

7.2 **Principle of development.** The spatial strategy in Policy STRAT1 of the SOLP establishes a settlement hierarchy where the amount and location of new housing is related to the availability of facilities and services in order to achieve a sustainable pattern of development. Policy H1 of SOLP also deals with the delivery of new homes, allowing new housing on allocated sites (including

Neighbourhood Plan (NP) allocations). Where there is no NP the residential development in the larger villages will be assessed under policy H4 of SOLP. In this case there is a NP in place and SOLP policy H1 is relevant and allows for new residential development where;

3. Residential development on sites not allocated in the Development

Plan will only be permitted where:

- iii) it is development within the existing built-up areas of Towns and Larger Villages as defined in the settlement hierarchy (shown in Appendix 7); provided an important open space of public, environmental, historical or ecological value is not lost, nor an important public view harmed; or**

- 7.3 Policy H4 of the Wheatley Neighbourhood Plan also allows for infill development. The policy states that in-fill development, which reflects the scale and character of the village, will be supported within the built-up area of Wheatley where it accords with the policies of the Plan and the SOLP.
- 7.4 Therefore, the principle of the residential development is acceptable subject to it complying with the above policies as well as other relevant development plan policies.
- 7.5 **Impact on neighbours.** Policy DES6 of the SOLP sets out that development should demonstrate that there would not be significant adverse impacts on the amenity of neighbouring uses with respect to loss of light, dominance or visual intrusion, noise, emissions, pollution or external lighting.
- 7.6 The application site by virtue of previously being part of 1 Cullum Road puts the proposed bungalow in close proximity to that neighbouring property. However, by virtue of the relative positioning of the existing and proposed buildings the development would in my view avoid being overbearing or oppressive on 1 Cullum Road. The proposal would have the majority of its built form aligned with that of the neighbour and whilst the rear most section would be beyond the rear of 1 Cullum Road it would not contravene the 45-degree rule. This would ensure that the neighbour does not experience material loss of light. In addition, as the proposed development is entirely single storey there would be no upper storey openings and as such, I am satisfied that there would be no harmful overlooking of either of the properties. For these reasons it is my opinion the proposal would result in an acceptable level of impact on neighbour amenity.
- 7.7 **Design and appearance and impact on the character of the area.** Policy DES1 of the SOLP states that all new development must be of a high-quality design with DES2 requiring 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. This approach is reinforced by Policy H1 of the Wheatley Neighbourhood Plan.

- 7.8 The proposed development would be of a straightforward design employing an entirely single storey size and scale. The main roof would utilise a side facing gabled configuration with subservient front projecting hipped roof elements. It would in my view be entirely within the vernacular for a modest bungalow. The proposed material palette would be appropriately sympathetic using brickwork and roof tiles to match that used on neighbouring bungalows. For these reasons I am of the view that it would be acceptable in design terms.
- 7.9 In terms of the impact on the wider area the proposal would form part of the northern part of Cullum Road, which comprises of 4 pairs of semi-detached bungalows. The design of the proposal therefore draws strong sympathetic links to this established character albeit in the form of a detached bungalow as opposed to a semi-detached one. It would avoid being excessively prominent in the street scene by maintaining the characteristic set back from the frontage evident at the other bungalows on Cullum Road and its utilisation of an existing vehicular access. Therefore, I am of the view that it is appropriately sympathetic to the character and appearance of the local area and as such would not be harmful to the street scene.
- 7.10 Amenity space
Policy DES5 relates to outdoor amenity space and states a private outdoor garden or outdoor amenity space, or alternatively a shared outdoor amenity area should be provided for all new dwellings. The amount of land that should be provided for the garden or amenity space will be determined by the size of the dwelling proposed and by the character of surrounding development.
- 7.11 The proposed bungalow would be afforded a private rear garden of 165 square metres. This level of provision is significantly in excess of the recommended 50 square metres for a two-bedroom property set out in the Joint Design Guide. It is therefore my view that the proposal does not represent an overdevelopment of the plot.
- 7.12 **Impact on drainage.** Policy EP4 relates to matters of flooding and states that the risk of flooding will be minimised through;
- i) directing new development to areas with the lowest probability of flooding;
 - ii) ensuring that all new development addresses the effective management of all sources of flood risk;
 - iii) ensuring that development does not increase the risk of flooding elsewhere; and
 - iv) ensuring wider environmental benefits of development in relation to flood risk.
- 7.13 The proposed development has been assessed by our Drainage Engineers who have confirmed that they have no objection to the application. This is subject to the attachment of a surface water condition requiring that prior to commencement of development a full surface water drainage scheme is submitted to and approved by the Local Planning Authority. This is reasonable and necessary to ensure compliance with Policy EP4 of the SOLP.

- 7.14 **Impact on trees.** Policy ENV1 relates to both landscape and countryside. It states that South Oxfordshire's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's landscapes, in particular trees (including individual trees, groups of trees and woodlands), hedgerows and field boundaries.
- 7.15 The development of the application site would require significant levels of clearing as part of the implementation stage. Therefore, to ensure that the site results in a development that positively contributes to the area and the rural character of the settlement a landscaping condition is recommended.
- 7.16 **Impact on ecology.** Policy ENV3 of the SOLP relates to biodiversity and states that development that will conserve, restore and enhance biodiversity in the district will be supported. All development should provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity.
- 7.17 The application has been supplemented with the results of a preliminary ecological appraisal in line with the comments from the Ecology Officer. The Ecology Officer has been re-consulted on the additional information and they have confirmed that there would appear to be no ecological constraints associated with the development and they have no objection. This is subject to a condition to secure the installation of 1 x integrated bird box to be installed within the new building. A further condition has been recommended to ensure that any vegetation removal be undertaken so as to not disturb nesting birds. Therefore, subject to the above conditions the development would comply with Policy ENV3 of the SOLP.
- 7.18 **Impact on highway safety and parking.** With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows: *Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.* The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.
- 7.19 Policy TRANS5 of the SOLP and P1 of the Wheatley Neighbourhood Plan seeks to ensure that development does not harm highway safety and provides for sufficient parking and turning areas.
- 7.20 The proposal as originally submitted resulted in a holding objection from the Highways Liaison Officer from Oxfordshire County Council. This was on the grounds that the parking spaces demonstrated for the property did not meet the size standards and that no details were provided in relation to cycle parking provision. A revised parking layout to address the above points was requested.

- 7.21 Amended plans were subsequently submitted with a revised parking layout for the proposed bungalow. This included pushing the proposed bungalow further back into the application site, by doing this greater space for the parking spaces is available as well as room for bin storage that does not interfere with the parking arrangement. In addition, cycle storage has been demonstrated within the rear garden of the property. The amendments were reviewed by the Highways Liaison Officer who has confirmed that they no longer object to the development subject to the imposition of conditions. These would require the parking area to be provided in accordance with the plans and retained unobstructed except for parking at all times and that the cycle parking facilities shall be provided prior to first occupation.
- 7.22 It should be noted that whilst this section of land once formed part of 1 Cullum Road and provided it with off street parking and garage, it was subdivided off from the property prior to the submission of this application. Therefore, the lack of off-street parking at 1 Cullum Road was an existing situation falling outside of the application site and under different ownership. It is for these reasons that this issue cannot form part of the assessment of the proposed development.
- 7.23 **Carbon Reduction.** Policy DES10 states that planning permission will only be granted for new build residential development that achieves a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base or 9% of the 2021 Building Regulations and that this reduction is to be secured through renewable energy and other low carbon technologies.
- 7.24 The application includes an energy statement with SAP calculations. It demonstrates that the proposed building would amount to a policy compliant reduction. A condition is proposed that seeks a verification report to be submitted to the council before the building is occupied.
- 7.25 **Other issues.** 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. CIL is a non-negotiable fixed charge which is imposed at the time planning permission is granted and must be paid within 60 days of commencement.
- 7.26 In this case CIL is liable as it involves the creation of a dwelling. The CIL charge applied to new residential development in this case is £386.37 per square metre of floor space (Zone 1) (index linked 1 January 2024) for the entirety of the new detached dwelling's floor space.
- 8.0 **Other Relevant Legislation**
- 8.1 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.

8.2 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.

8.3 Crime and Disorder Act 1998

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

9.0 **PLANNING BALANCE AND CONCLUSION**

9.1 Officers recommend that planning permission is granted because the development constitutes a two-bedroom bungalow that would be of an acceptable size, location and design that would be in keeping with the character and appearance wider area. The site affords for sufficient amenity space, parking provision and would not result in a harmful amenity impact to the neighbouring properties. In conjunction with the attached conditions the proposal accords with development plan policies.

9.2 Abbreviated versions of the recommended conditions are listed below and shown in full in **Appendix 1**.

10.0 **RECOMMENDATION**

10.1 **Planning Permission**

10.2 **1 : Commencement 3 years - Full Planning Permission**

2 : Approved plans *

3 : Materials as on plan

4 : Surface Water Drainage

5 : Parking & Manoeuvring Areas Retained *

6 : Cycle Parking Facilities

7 : Landscaping Scheme (trees and shrubs only)

8 : Energy Statement Verification

9 : Integrated Biodiversity Enhancements (prior to slab level)

10 : Wildlife Protection - Birds

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Appendix 1

Recommended Conditions (full text):

Sequence	Description	Details
1	Commencement 3 years - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>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.</p>
2	Approved plans *	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, GA.01 rev 05, GA.02 rev 05 and GA03 rev 06, except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Materials as on plan	<p>The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans/supporting documents hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.</p> <p>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.</p>
4	Surface Water Drainage	<p>Prior to the commencement of development, with the exception of any demolition, a full surface water drainage scheme, shall be submitted to, and approved in writing by, the Local Planning Authority. The design of the surface water drainage system will be in accordance with the nonstatutory technical standards for sustainable drainage systems, including details of BRE 365 soakage testing, levels, size, position and construction of drainage works. The drainage scheme shall be sized to accommodate a minimum of the worst case 1 in 30 year storm, with evidence to demonstrate that the site can accommodate the worst case 1:100 year storm + 40%</p>

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		<p>Climate Change storm, without any flows exiting up to this storm event and any storage on site not causing a nuisance or flooding to property. A surface water discharge to a Thames Water recorded foul sewer will not be permitted under any circumstance. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved.</p> <p>Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.</p>
5	<p>Parking & Manoeuvring Areas Retained *</p>	<p>Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with the approved plan GA03 rev 06 and shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.</p> <p>Reason: In the interests of highway safety and in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
6	<p>Cycle Parking Facilities</p>	<p>Prior to the construction of the development hereby approved above slab level, details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented prior to first use of the development and thereafter retained in accordance with the approved details.</p> <p>Reason: To encourage the use of cycles as a means of transport in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
7	<p>Energy Statement Verification</p>	<p>Prior to first occupation, all carbon reduction energy efficiency measures shall be implemented in accordance with the Energy Statement hereby approved and a Verification Report shall be submitted to the Local Planning Authority and approved in writing. The Verification Report shall demonstrate</p>

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		<p>(with photographic evidence) that the energy efficiency measures have been implemented. These measures shall be retained and maintained as such thereafter in accordance with the Energy Statement and Verification Report.</p> <p>Reason: To ensure high standards of sustainable design and construction in accordance with Policy DES10 of the South Oxfordshire Local Plan 2035.</p>
8	Landscaping Scheme (trees and shrubs only)	<p>Prior to the construction of any development above slab level a scheme for the landscaping of the site, including the planting of live trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations and finished levels/contours, and an implementation programme. The scheme shall be implemented prior to the first occupation or use of the development hereby approved and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.</p> <p>Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
9	Integrated Biodiversity Enhancements (prior to slab level)	<p>Prior to the commencement of the development above new slab level, details (including specification, position, height, orientation) of a scheme of biodiversity enhancements to be provided, shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed in conjunction with a suitably</p>

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		<p>qualified ecologist and bird/bat boxes shall be integrated into the fabric of the development. Thereafter, the development shall be implemented in accordance with the approved details and all features provided prior to first use.</p> <p>Reason: To secure biodiversity enhancements onsite, in accordance with Policy ENV3 of the South Oxfordshire Local Plan 2035/ and paragraphs 174 and 180 of the NPPF.</p>
10	Wildlife Protection Birds -	<p>A check of any vegetation (trees, shrubs, scrub) should be undertaken by a suitably qualified ecologist no later than 48 hours prior to vegetation clearance activities mobilising; to check for the presence of breeding birds and active nests. Should active nests be identified, activities must cease and a suitable protective buffer put in place until the chicks have fledged, under direction from the ecologist.</p> <p>Reason: To protect the important species on the site, in accordance with Policy ENV3 of the South Oxfordshire Local Plan 2035.</p>