

APPLICATION NO.	P24/S1731/HH
SITE	5 Esther Carling Lane Rotherfield Peppard, RG9 5PW
PROPOSAL	Conversion of existing garage into ancillary accommodation strictly for the use of the main dwellinghouse. (Amended plan received 3rd July 2024 removing one first floor rooflight)
APPLICANT	Mr S Bower
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	30.5.2024
TARGET DECISION DATE	25.7.2024
PARISH	ROTHERFIELD PEPPARD
WARD MEMBERS	Jo Robb James Norman
OFFICER	Simon Kitson

1.0 INTRODUCTION

1.1 This application has been referred to the District Council Planning Committee by the local ward member, Cllr Norman, as the officers' recommendation of approval conflicts with the views of Rotherfield Peppard Parish Council.

1.2 The site

The application site, which is shown on the map attached at **Appendix A**, is comprised of a two-storey dwelling and garaging, set in a 650 sq.m plot at the edge of a late-1990s housing estate within Rotherfield Peppard. The site falls within the Chilterns National Landscape. It does not fall within a designated conservation area.

2.0 PROPOSAL

2.1 The current application seeks householder planning permission for alterations to an existing detached garage, in order to facilitate its conversion into domestic accommodation ancillary to the main house.

2.2 The external works would include the replacement of the garage doors with window openings, the addition of ground floor windows and the installation of one rooflight at the north-west elevation. Two rooflights were initially proposed, but this was amended on 3rd July at the applicant's request.

2.3 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.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Statutory Consultee responses

Rotherfield Peppard Parish Council – Objection:

- The garage is within a group of similar garages serving the cottages in the lane. It would be difficult to use for ancillary purposes and this use would be out-of-keeping with the surrounding built form.
- The proposed development would have adverse privacy implications, particularly with respect to no. 4 Esther Carling Lane.
- The proposal would exacerbate existing parking issues and create a precedent for future development within the locality.

Neighbour Objectors (12) Key issues raised:

- The proposal would result in parking and access issues within the lane. Causing congestion and difficulties for deliveries and emergency vehicle access
- Concerns over the building being used for rental or short-term holiday let accommodation at a later date.
- Issues over the feasibility of the garage being converted for its intended purpose.
- The proposal includes windows which would significantly compromise the privacy of the neighbouring properties.
- The proposal would result in noise, dust, fumes and other disturbances associated with residential uses.
- The residual impacts would impact adversely upon the character of the area.
- There are issues over the design being out of keeping with the surrounding built form and the wider landscape

4.0 RELEVANT PLANNING HISTORY

Application Number	Description of development	Decision and date
4.1 P16/S1473/HH	Single storey side extension	Approved (11/07/2016)
P07/E0003	Part demolition of boundary wall. Erection of two storey side extension.	Approved (28/02/2007)
P97/S0255	Erection of 7 detached, 4 mews and 2 semi-detached dwellings (as amended by drawing nos. 9633/13A, 014 and 015 accompanying letter from Coleman Hicks dated 12 June 1997 and by drawing no.9633/004A received on 23 May 1997).	Approved (07/10/1997)

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 This proposal is not EIA development.

6.0 **POLICY & GUIDANCE**

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

6.2 **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
- DES8 - Promoting Sustainable Design
- ENV1 - Landscape and Countryside
- H1 - Delivering New Homes
- H20 - Extensions to Dwellings
- TRANS5 - Consideration of Development Proposals

6.3 **Neighbourhood Plan**

The site does not fall within a designated neighbourhood plan area.

6.4 **Supplementary Planning Guidance/Documents**

The Joint South and Vale of white Horse Design Guide 2022 (JDG22)

7.0 **PLANNING CONSIDERATIONS**

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

- **Principle of development**
- **Design and character**
- **Residential amenity**
- **Access and parking**

7.2 **Principle of development**

The applicant proposes to convert the existing building into accommodation ancillary to the existing dwelling. There is no planning condition attached to the permission for the estate requiring the garage accommodation to be retained for the parking of cars and purely internal works would not constitute an act of development for planning purposes.

7.3 The building is at the end of the applicant's garden and would be accessed through it via an existing entrance. Officers are satisfied that the proposal would retain a functional connection to the main dwelling and there would not be a material change of use of the land or subdivision of the planning unit requiring full planning permission.

7.4 Officers consider the development acceptable in principle. Should the building be used for rental accommodation or other purposes not ancillary to the main dwelling, this would require further planning permission and such an application would be considered on its own merits.

7.5 Design and character

The proposed external changes would mostly involve the creation of new window openings to serve the accommodation. No changes are proposed to the footprint, height or finish of the building. The building would retain its simple functional form and visual subservience to the main dwelling, in accordance with the Council’s design guidance. Officers consider that the visual impact would be very limited and there would not be material harm to the character and appearance of the area or the wider landscape. There is no conflict with SOLP Policies DES1, DES or ENV1.

7.6 Residential amenity

The proposal would not compromise the amount of garden area serving the existing property. There is no conflict with SOLP Policy DES5.

7.7 With regard to neighbouring amenity, it is noted that there would be visibility of the window openings from no. 3, Esther Carling Lane. However, there is an access road between the two properties and the distance between the flank wall of the garage and the nearest part of the neighbour’s garden is at least 12m, which would be considered acceptable on new developments in line with the privacy standards set out under the JDG22. Moreover, the remaining rooflight would be facing primarily towards the neighbour’s parking area. Officers consider the privacy impacts to be acceptable and not in conflict with SOLP Policy DES6. The proposed ancillary use would not result in any other adverse neighbouring amenity issues.

7.8 Access and Parking

It is noted that respondents to the consultation raise issue with the loss of the garage, though this is outside the Council’s control as the space could be put to alternative functions without a breach of planning control occurring.

7.9 There is in any event sufficient space within the existing driveway for 4 cars to park. This would exceed the Local Highways Authority (LHA) parking requirements, which require up to 2 spaces to be provided for 3-4 bedroom dwellings and up to 3 spaces for 5+ bedroom dwellings.

Table 4(b): Car Parking Standards for the rest of Oxfordshire (Villages & Hamlets)

Rural Oxfordshire	Parking Provision
1-bedroom dwelling	Up to 1 space per dwelling to be provided within the development site
2-bedroom dwelling	Up to 2 spaces per dwelling to be provided within the development site
3 - 4-bedroom dwellings	Up to 2 spaces per dwelling to be provided within the development site
5+ bedroom dwelling	Up to 3 spaces per dwelling to be provided within the development site

7.10 Officers are satisfied that the ancillary use of the accommodation would not generate a requirement beyond these standards. The proposal is not in conflict with SOLP policy TRANS5.

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 for the proposed development, on the basis that there would be an acceptable impact upon the character and appearance of the area, neighbouring amenity and highway safety.

9.2 Abbreviated versions of the recommended conditions are listed below and shown in full in Appendix C

10.0 **RECOMMENDATION**

Planning Permission

1 : Commencement 3 years - Full Planning Permission

2 : Approved plans *

3 : Materials as on plan

4 : Ancillary occupation and use only *

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Appendix C

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, 1 Rev A, 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	Ancillary occupation and use only *	<p>The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at 5 Esther Carling Lane.</p> <p>Reason: As the independent residential occupation of the accommodation could represent an undesirable sub-division of the property and result in inadequate standards of amenity, in accordance with Policies DES1, DES2 and DES6 of the South Oxfordshire Local Plan 2035.</p>

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