

South Oxfordshire District Council – Committee Report

APPLICATION NO.	P23/S2337/O
APPLICATION TYPE	OUTLINE
REGISTERED	10.7.2023
PARISH	THAME
WARD MEMBERS	Pieter-Paul Barker Kate Gregory David Bretherton
APPLICANT	Mr R Stevens
SITE	Chiltern View Moreton, OX9 2HW
PROPOSAL	Outline application (including access and layout reserved matters) for the demolition of the existing conservatory and outbuildings and the erection of a detached two-storey dwelling together with access, parking and amenity space.
OFFICER	Simon Kitson

1.0 INTRODUCTION AND PROPOSAL

1.1 This application is referred to planning committee as the officers' recommendation of approval conflicts with the views of Thame Town Council. The local ward members have also exercised their right to call-in the application.

1.2 The site

The application site attached as **Appendix A** is comprised of an area of domestic garden land to the side of an existing dwelling within a continuous ribbon of housing development to the southern side of the main road running through Moreton village.

1.3 The proposal

Outline planning permission is sought for the demolition of an existing glazed conservatory and timber outbuildings, and the erection of a detached two-storey dwelling together with access, parking and amenity space. At this stage, consent is sought for the layout and access arrangement. Matters relating to the scale, appearance and landscaping would be reserved for later approval.

1.4 The proposed site plan and indicative street elevation are attached as **Appendix B**. All associated documents and consultation responses can be viewed on the council's website: www.southoxon.gov.uk

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Thame Town Council:

- Objection, on the basis of overdevelopment, insufficient parking provision and inappropriate location for development.

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County Archaeological Services:

- No objection. No archaeological constraints

Drainage - (South & Vale):

- No objection, subject to foul and surface water drainage details being agreed as conditions of consent

South -Highways Liaison Officer (Oxfordshire County Council):

- No objection raised. The submitted plans demonstrate an appropriate vehicular access, parking provision in accordance with OCC standards and appropriate manoeuvring space within the site. Conditions are suggested requiring a detailed plan of the access and visibility splays, and cycle storage provision.

Ecology Officer:

- Verbal advice provided 10/10/23.
- Low potential for bat habitats to be present on site and great crested newt impacts highly unlikely due to the distance to the nearest pond and the level of disturbance.
- The proposal would result in the loss of amenity grassland of low ecological value. Any net biodiversity loss would be minor and could practically be addressed through landscaping and integrated features on the dwelling. This is consistent with the approach taken on other recent sites of a similar scale.

Waste Management Officer:

- No objection. There is adequate space for refuse storage and collection.

Neighbour Objections (3) – Key issues raised:

- Comments raised over the quality of the application submission, the level of supporting information and adequacy of the supporting plans
- Issues raised in relation to the impact upon the amenity of the adjacent residential property, in terms of losses of light to the neighbouring living accommodation and visual dominance upon their garden
- Insufficient information has been submitted to assess the ecological and biodiversity implications of the proposed development
- Concerns expressed over the potential appearance of the dwelling within the street, the cramped nature of the proposed development within the plot and the visual relationship with the local vernacular
- Concerns regarding the access to the proposed new dwelling and the level of parking provision. 2 spaces are considered inadequate for a 4 bedroom house.

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3.0 RELEVANT PLANNING HISTORY

3.1 [P23/S1520/FUL](#) - Approved (21/06/2023)

Change of use of land from agriculture to residential garden (retrospective).

[P07/E1456](#) - Approved (18/12/2007)

Single storey front extension.

[P07/E0383](#) - Approved (02/05/2007)

Single storey rear extension and conservatory.

[P97/N0109/RM](#) - Approved (04/04/1997)

Erection of dwelling and garage.

[P96/N0585/O](#) - Approved (16/01/1997)

Demolition of existing garage and store, erection of single storey dwelling.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Not applicable to this scale of development.

5.0 POLICY & GUIDANCE

5.1 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

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

EP4 - Flood Risk

H1 - Delivering New Homes

H16 - Backland and Infill Development and Redevelopment

TRANS5 - Consideration of Development Proposals

5.2 Thame Neighbourhood Plan (TNP) Policies:

H5 Integrate windfall sites

H6 Design new development to be of high quality

GA6 New development to provide parking on site for occupants and visitors

ESDQ11 Incorporate Sustainable Urban Drainage into new development

ESDQ12 Applications for new development to provide a drainage strategy

ESDQ16 Development must relate well to its site and its surroundings

ESDQ18 New development must contribute to local character by creating a sense of place appropriate to its location

ESDQ20 Building style must be appropriate to the historic context

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ESDQ22 The visual impact of new development on views from the countryside must be minimised

ESDQ28 Provide good quality private outdoor space

ESDQ29 Design car parking so that it fits in with the character of the proposed development

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire and Vale of White Horse Joint Design Guide 2022 (JDG22)

5.4 **National Planning Policy Framework (NPPF) 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, character and landscape**
- **Neighbouring amenity**
- **Access and parking**
- **Energy efficiency**
- **Ecology**
- **Drainage**

6.2 **Principle of development**

Moreton is identified in the SOLP as an ‘Other Village’, in which infill and redevelopment schemes are supported in principle under SOLP Policies H1 and H16 and Policy H5 of the TNP. Infill development is defined within the SOLP as:

“The filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The scale of infill should be appropriate to its location”

6.3 The site is within a contiguous line of residential development within the built-up part of the Moreton. The proposed dwelling would occupy a small gap within the street frontage and it would be aligned with the dwellings on either side, with a similar setback from the highway. Officers are in no doubt that the proposal represents infill development as defined by the development plan and the principle is considered acceptable, subject to compliance with other development plan policies.

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6.4 Design and character

The application is submitted in outline with only the means of access and layout for consideration at this stage. An illustrative street scene has been provided which shows a potential design for a two-storey property.

6.5 The submitted site plan (drawing P102A) demonstrates that a plot of this size can accommodate the proposed footprint. The proposed layout would exceed the minimum residential amenity standards set out under Section 4 of the JDG22, which recommends a minimum of 100sq.m amenity space for a 3+ bedroom dwelling.

6.6 It is noted that the proposed dwelling would benefit from a garden area of approximately 180 sq.m, and the existing dwelling would retain approximately 210 sq.m. Each garden would have a depth in excess of the recommended 10m minimum and there would be reasonable gaps between the building and the two side boundaries. As both the existing and proposed dwellings would benefit from two off-street parking spaces, in accordance with Oxfordshire County Council's adopted parking standards, officers consider that the site can comfortably accommodate this scale of development.

6.7 It is noted that concerns have been raised over the width of the plot. However, whilst it is accepted that the immediately adjacent properties have wider frontages, this is not a designated area worthy of special protection and the proposal should not be considered in too narrow a context. There are a range of plot widths and garden sizes within the locality, with several sites on both sides of the road comparable in size to the application proposal. In the context of the surrounding area, officers do not consider that the scheme would appear cramped.

6.8 With regard to the impact upon the street scene, the dwellings along the full length of the road are highly varied in terms of their distances from the highway, height, form, age, detailing and materials. The diversity of built form travelling along the road contributes significantly to the attractive character of the area. Whilst matters pertaining to scale and appearance are not fixed at this stage, the accommodation would be spread over two stories and officers do not consider this to be unreasonable in principle, given the position of the proposed dwelling between single and two storey dwellings, the varied heights along the street and the generous setback from the road. Subject to the final form, height and detailing taking appropriate cues from the prevailing local vernacular, officers consider that the proposal has the potential to contribute positively to the character of the area rather than cause material harm to it.

6.9 Landscape

There are no protected trees within the site and none currently in situ are considered to be of sufficient arboricultural quality to represent a constraint to development. Officers consider that there is sufficient space within the site to secure a reasonable level of new soft landscaping. This would be covered

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under a subsequent reserved matters submission and a detailed scheme with a comprehensive planting schedule could be secured by condition.

6.10 **Neighbouring amenity**

Officers consider that a two-storey dwelling within the proposed location would not present any insurmountable issues in terms of losses of daylight, sunlight or privacy.

6.11 In relation to light impacts, the neighbouring property to the north-east, Cedar House, was visited over the course of the application. Their ground floor, south-west facing kitchen window would be impacted by the position of the proposed house, whatever its final height. However, this is a secondary opening serving the affected room and it already has a poor outlook due to the existing boundary fence height. That room is also served by a larger opening at the south-west elevation which has full height glazing, and an uninterrupted view and it would continue to benefit from natural daylight and sunlight for a reasonable portion of the day. The projecting rear element on the proposed dwelling near the boundary would be single storey and it would, in any event, not breach the '45 degree rule' set out in the Building Research Establishment (BRE) guidelines recognised within the JDG22. Moreover, due to the orientation of the site, officers do not consider that there would be material harm through loss of sunlight to the neighbour's substantial garden area.

6.12 In relation to privacy, the fenestration arrangement would be considered at the reserved matters stage and there would be opportunities to address any issues through the design of the internal layout and mitigation measures could be imposed where necessary. Any direct overlooking from side-facing window openings would be unlikely to be supported.

6.13 The neighbour argues that the presence of a two-storey dwelling within the site would otherwise be visually intrusive to the extent that it would bring the scheme in to conflict with SOLP Policy DES6. Whilst it is acknowledged that the proposed dwelling would be visible from the neighbouring properties, the impact upon private views is not in itself a material planning consideration. Following the amendment to the scheme incorporating a single storey element to the rear, officers consider that the relationship between the two properties would be broadly consistent with many other sites within the area. It is not considered that the proposal would have an unduly oppressive or overbearing impact.

6.14 A condition removing permitted development (PD) rights for extensions and outbuildings is recommended in order to ensure that the Council retains the right to assess the amenity impact of any further development to the rear.

6.15 **Access and parking**

Both the existing and proposed dwellings would have off-street parking provision for two cars. This would accord with the current Oxfordshire County Council standards, extract below:

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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

- 6.16 The Local Highway Authority (LHA) was consulted on this application, and they consider that the submitted plans illustrate an appropriate vehicular access with parking levels in accordance with County’s parking standards along with appropriate manoeuvring space within the site. They request that a detailed access plan is provided with specific vision splays. This is not considered to be unreasonable as the boundary treatment at the site frontage has yet to be determined.
- 6.17 The LHA commented on the broad sustainability of the location in terms of proximity to key services and facilities. This is not entirely relevant as the Development Plan supports infill development within this settlement. It is however agreed that a scheme of cycle storage provision can be conditioned in order to promote a more sustainable mode of transport. With these measures in place, officers are satisfied that the proposal complies with SOLP Policy TRANS5 and TNP Policy GA6.
- 6.18 **Energy efficiency**
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 and that this reduction is to be secured through renewable energy and other low carbon technologies. The policy also requires that an energy statement be submitted to demonstrate compliance with this policy.
- 6.19 At the outline stage where a fixed design of the building has not been created this cannot be demonstrated. This will, however, inform the final design that the council can consider in relation to Policy DES10. A planning condition requiring an energy statement including SAP calculations is proposed as part of this outline permission to ensure compliance with Policy DES10 at the reserved matters application.
- 6.20 **Ecology**
The proposal was discussed with the Council’s ecologist. They consider that there are unlikely to be bat habitats present in the existing conservatory and single storey building proposed for demolition. Moreover, due to the condition of the site and the mapped distance to the nearest pond, it is highly unlikely that Great Crested Newt habitats would be impacted by the proposal. Further survey information is therefore not required in this instance. This approach is consistent with Para 99 of Circular 06/2005 which states that surveys should only be requested where there is a reasonable likelihood of protected species being present and likely to be impacted.
- 6.21 In terms of the biodiversity, the proposal would mostly involve the development of amenity grassland within an existing garden of low ecological value, where

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there are current permitted development rights for outbuildings to the side of the existing dwelling which could have a comparable impact. It is recommended that enhancement features are secured within the proposed dwelling and through the provision of improved landscaping, both through condition. This approach is consistent with the approach taken by the Council on many recent schemes of a similar scale. With appropriate conditions in place, officers are satisfied that the scheme would not result in a net loss of biodiversity, which is the minimum position required by SOLP Policy ENV3.

6.22 **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.

Policy INF4 relates to water resources and requires that all new development proposals must demonstrate that there is or will be adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the whole development.

6.23 The Council's drainage engineer has considered the development in the context of both surface water and foul water drainage. They have not objected but requested planning conditions be imposed at this stage that require details of a scheme for surface water and foul water drainage to be submitted to and approved in writing by the council. With appropriate conditions in place, officers are satisfied that there is no conflict with the above policy.

6.24 **Community Infrastructure Levy (CIL)**

CIL will be liable for this development. This is based on floor space which at this outline stage we do not know. CIL will be payable on commencement and a liability notice would be issued with the subsequent reserved matters application that fixes the floor space.

7.0 **CONCLUSION**

7.1 Officers recommend that outline planning permission is granted. Subject to the attached conditions, the principle of the proposed infill dwelling in this location is acceptable, together with the proposed layout and access arrangement. In the event of a reserved matters submission, there would be no insurmountable issues in terms of the impact upon the character and appearance of the area, the natural environment, flood risk and neighbouring amenity.

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8.0 RECOMMENDATION Grant Outline Planning Permission

Summary of conditions:

- 1 : Commencement - Outline Planning Permission with Reserved Matters
- 2 : Submission of Reserved Matters - General
- 3 : Development to be in accordance with the approved plans unless varied by other conditions of consent
- 4: An access plan with vision splay details to be agreed prior to construction above slab level
- 5: Parking and manoeuvring areas to be retained as on plan
- 6: Cycle parking facilities to be agreed prior to construction above slab level
- 7: Energy Statement - details required at reserved matters stage
- 8: Biodiversity enhancement details to be agreed prior to construction above slab level
- 9: A landscaping scheme detailing the planting, hard surfacing and boundary treatments to be agreed prior to construction above slab level
- 9: Surface water drainage works – details to be agreed prior to construction, excluding demolition
- 10 : Foul drainage works – details to be agreed prior to construction, excluding demolition
- 11: Withdrawal of Permitted Development (PD) rights for extensions

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