

PLANNING

ELECTRONIC
VERSION

Planning Decision

P23/S2337/O

Mr R Stevens
c/o JCPC Ltd
4 Hawthorn Avenue
Thame
Oxon
OX9 2AS

OUTLINE PLANNING PERMISSION

Application No : **P23/S2337/O**

Application proposal, including any amendments :

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.

(Amended plan received 1st September 2023, showing single storey area at part of the rear of the proposed dwelling)

Site Location : **Chiltern View Moreton OX9 2HW**

South Oxfordshire District Council hereby gives notice that **outline planning permission is GRANTED** for the carrying out of the development referred to above strictly in accordance with the description, plans and specifications contained in the application (as varied by any amendments as referred to above) subject to the following condition(s) :

1. That the development to which this permission relates shall be begun not later than whichever is the later of the following dates:
 - (a) the expiration of three years from the date of this permission; or
 - (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: By virtue of Section 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. In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning 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.

3. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, P 100, P 101 and P 102A, 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.

4. Prior to any works of construction above slab level, a detailed plan of the vehicular access, including visibility splays, shall be submitted to and approved by the Local Planning Authority. Prior to first occupation the approved access, including visibility splays, shall be provided and thereafter retained.

Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

5. Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with the approved plan (P102A) 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.

Reason: In the interests of highway safety and in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

6. 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.

Reason: To encourage the use of cycles as a means of transport in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

7. An Energy Statement, including SAP calculations in line with the recognised methodology set by Government, demonstrating how the development will

achieve at least a 40% reduction in carbon emissions compared with code 2013 Building Regulations and details of how this will be monitored shall be submitted to the local planning authority as part of the reserved matters application.

Reason: To ensure high standards of sustainable design and construction in accordance with Policy DES10 of the South Oxfordshire Local Plan 2035.

8. Prior to any development above slab level, details of biodiversity enhancement measures shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that there is no net loss of biodiversity, in accordance with Policies ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.

9. 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, the treatment of the access road and hard standings, and the provision of boundary treatment 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 development 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.

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.

10. Prior to any works of construction above slab level, 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 non-statutory 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% 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.

Reason: To prevent pollution and flooding in accordance with Policies ENV12 and EP4 of the South Oxfordshire Local Plan 2035.

11. Prior to any works of construction above slab level, a full foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include details of soakage testing (if necessary), method, levels, size, position and construction of the drainage scheme.

Reason: To ensure the proper provision of foul water drainage and to ensure flooding and pollution is not exacerbated in the locality in accordance with policy EP4 of the South Oxfordshire Local Plan 2035.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), no extension to the dwellinghouse as described in Schedule 2, Part 1, Class A of the Order shall be undertaken without obtaining planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of the adjoining properties and the character of the area in accordance with Policies DES1, DES2 and DES6 of the South Oxfordshire Local Plan 2035.

NB: The development to which this permission relates is liable to pay the Community Infrastructure Levy (CIL) as set out in the South Oxfordshire District Charging Schedule. Upon Reserved Matters approval a Liability Notice will be issued to the nominated person/company liable for CIL. Guidance on CIL is available on the planning portal website <http://www.planningportal.co.uk/cil> or the council's website <http://www.southoxon.gov.uk/cil> together with the process for paying CIL.

NB: The above permission/consent may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of the pre-condition(s) have been met.

NB: This approval is specific to the details of the development as shown on the approved plans and other associated documentation. Unless otherwise agreed by the Council any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. As such the Council must be advised in writing of any proposed variations from the

approved plans and other associated documentation at the earliest stage possible. A decision will then be made as to whether the changes can be dealt with as a minor revision to the approved details or whether a revised application is required.

Reason for Decision

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

In accordance with paragraph 38 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals. The Planning Service works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and by advising applicants/agents of issues that arise during the processing of their application and where possible suggesting solutions to problems.

Note : A more detailed explanation is available in the officer's report, available in the application case file.

Key Policies

DES1	Delivering High Quality Development
DES10	Carbon Reduction
DES2	Enhancing Local Character
DES5	Outdoor Amenity Space
DES6	Residential Amenity
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

Note : The full wording of the above policies are available on our website or in the local plan documents, at our offices.

Adrian D. Field

Head of Planning
3rd November 2023

STATUTORY INFORMATIVE

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Telephone : 0303 444 5000
www.planningportal.gov.uk
email: enquiries@pins.gsi.gov.uk.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

OTHER INFORMATION

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website (www.planningportal.gov.uk).

BUILDING OVER GAS MAINS AND SERVICES

Please note before you plan to dig, or carry out building work within the SGN gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact the SGN Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone SGN with general plant protection queries. See SGN details below: Phone 0800 912 1722 or email plantlocation@sgn.co.uk

For further information please refer to:

<https://www.sgn.co.uk/damage-prevention>

<https://www.sgn.co.uk/help-and-advice/digging-safely>