

<b>APPLICATION NO.</b>	<a href="#">P15/V2494/HH</a>
<b>APPLICATION TYPE</b>	HOUSEHOLDER
<b>REGISTERED</b>	20.10.2015
<b>PARISH</b>	WOOTTON
<b>WARD MEMBER(S)</b>	Henry Spencer
<b>APPLICANT</b>	Mr & Mrs Nicholas Usiskin
<b>SITE</b>	Paddock Brow Jarn Way Boars Hill Oxford, OX1 5JF
<b>PROPOSAL</b>	Erection of a two-storey and single storey side extensions.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	448649/202094
<b>OFFICER</b>	Josh Webley-Smith

---

## SUMMARY

The application is referred to committee as Wootton Parish Council have objected to the application.

The application seeks planning permission for a two-storey and single storey side extension to the eastern boundary of Paddock Brow.

The main issues are:

- The impact on the visual amenity of the area, which is considered acceptable.
- The impact on the amenities of neighbouring properties, which is considered acceptable.
- Whether there is adequate off-street parking within the site, which there is.
- The impact of the openness of the green belt which, in light of the established fall-back position for extensions under permitted development, is considered to be acceptable.

The application is recommended for approval.

### 1.0 INTRODUCTION

1.1 Paddock Brow, a detached dwelling, is located on a substantial plot within the residential area of Boars Hill. The general character of the area within this part of Boars Hill is detached dwellings with large amounts of surrounding land. A location plan is **attached** at appendix 1.

1.2 The application comes to committee as Wootton Parish Council object to the application.

### 2.0 PROPOSAL

2.1 The application seeks householder planning permission for the removal of an existing outbuilding and the erection of a two storey and single storey side extension to the eastern elevation of Paddock Brow. The application plans are **attached** at appendix 2.

2.2 The proposal measures 12.6 metres in width, 11.4 metres in depth and an overall height of 7.4 metres. The design of the extension is contemporary. The external materials include timber and composite panels.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1

Wootton Parish Council	Object – well above the 30% allowance and extensions not in keeping with the property
Neighbours	Eight letters of objection have been submitted. The grounds for objection are:- <ul style="list-style-type: none"> <li>• The size breaches green belt policy</li> <li>• The proposal appears to be a separate dwelling</li> <li>• The design and materials are inappropriate</li> <li>• The planning history of the site is unclear in terms of previous changes</li> </ul>
County Highways Officer	No objections
County Archaeologist	No objections

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/V1438/LDP](#) - Approved (28/08/2015)

Certificate of lawfulness for proposed single storey side and two storey rear extensions.

[P04/V0368](#) - Approved (22/04/2004)

Demolition of existing house, adjacent garage and shed. Erection of new house

P04/V1299 – Approved (23/09/2004)

Extensions and conversion of loft

[P63/V0214](#) - Refused (30/12/1963)

1 dwelling. The Lodge, Jarn Way Boars Hill

5.0 **POLICY & GUIDANCE**

5.1 ***Vale of White Horse Local Plan 2011 policies;***

DC1 - Design

DC5 - Access

DC9 - The Impact of Development on Neighbouring Uses

GS3 - Development in the Oxford Green Belt

5.2 ***National Planning Policy Framework 2012 and National Planning Practice Guidance 2014***

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan police. The local plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and should therefore be given appropriate weight. The NPPG provides supplementary guidance to the NPPF.

5.3 ***Supplementary Planning Document:***

Design Guide (adopted March 2015)

The following sections of the design guide are particularly relevant to this application:-

- Responding to Local Character (DG103)

- Consider your neighbours (DG104)
- Scale, form and massing (DG105)
- Design Considerations (DG106)

5.4 ***Draft Vale of White Horse Local Plan 2031, Part 1 Core Policies;***

37 – Design and local distinctiveness

The draft Local Plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan.

5.5 ***Neighbourhood Plans***

Wootton does not currently have a neighbourhood plan.

5.6 **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 obligation under Section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in determining this application are the impact on the visual amenity and character of the area, the impact on the amenities of neighbouring properties, the impact on highway safety and the impact on the openness of the Oxford Green Belt.

6.2 Impact on visual amenity and character of the area

Policy DC1 of the adopted local plan requires all new development to be acceptable in terms of design. The design of the proposed extension is contemporary. Officers are mindful of the advice in paragraph 60 of the NPPF which states that architectural tastes should not be imposed and innovation should not be stifled. Although the design and external materials of the extension will be different to those of the existing house, they are considered to be innovative and of good quality. The area is not one of special design control. Overall therefore officers consider the design to be acceptable.

6.3 Concerns have been raised that the proposal is creating a second dwelling. Although the resulting building will be comprised of two visually distinct elements, this is a result of the design approach that has been taken. The extension will be linked to the existing house at ground and first floor and there will be only one kitchen. Although there will be two staircases, this is not unheard of in a single dwelling. In the absence of clear evidence of the intent to create a separate dwelling officers consider that the application cannot be refused on this ground. Planning permission will be needed to split the dwelling into two. Overall it is considered the proposal complies with adopted local plan policy DC1.

6.4 Impact on neighbouring properties:

Policy DC9 of the adopted local plan requires new development to be acceptable in terms of issues such as loss of privacy, loss of light and dominance. Given the positioning of Paddock Brow in comparison to its neighbours it is considered the neighbouring properties amenities would not be harmed in terms of overshadowing, overlooking or dominance. The two storey element measures 12.5 metres in width, 6.2 metres in depth and an overall height of 7.0 metres. The single storey extension

measures 7.8 metres in width, 5.4 metre in depth and an overall height of 2.7 metres. Measuring from the nearest point of the proposal to the nearest point of the neighbouring property, Bishop Oak is positioned 36 metres away, The Lodge is 30 metres away and Foxcombe Orchard 20 metres away. Given these distances between the proposal and neighbouring properties, and its orientation to these properties, it is considered the proposal will not cause harm through overlooking, overshadowing or dominance and complies with adopted local plan policy DC9.

6.5 Impact on highway safety:

Policy DC5 of the adopted local plan requires proposals to be acceptable in terms of highway safety. The proposals keeps in place the existing vehicular access onto Paddock Brow. The alterations proposed within this application will result in three additional bedrooms to the property. It is considered there is more than enough available space forward of the principle elevation to accommodate any additional vehicles as a consequence of this application. Therefore it is considered the proposal complies with adopted local plan policy DC5.

6.6 Impact on the Oxford Green Belt:

Policy GS3 of the adopted local plan restricts the size of extensions to houses in the green belt. For Paddock Brow the policy allows extensions with a total volume of up to 30% of the house. The application proposal represents an increase in volume of 53%. This breaches the limit in policy GS3 and this means that the proposal is inappropriate development in the green belt. Paragraph 87 of the NPPF confirms that inappropriate development is harmful to the green belt and should be refused unless there are “very special circumstances” that outweigh the harm to the green belt.

6.7 The applicants consider that there are very special circumstances, namely the larger volume of extensions that can be added to the house under permitted development. The size of these extensions was confirmed in the certificate of lawful proposed development granted in August 2015 (P15/V1438/LDP). These extensions amount to an increase in volume of 65%, significantly larger than the 53% increase proposed in the application. The plans for the LDP application are **attached** at appendix 3.

6.8 Recent appeal decisions have supported this fall-back argument in the green belt. One was at Woodpecker House, Orchard Lane, Boars Hill (application P12/V1758/FUL). Another was at Dunmore Farm, Wootton Road, Abingdon (P11/V1046). The inspector in both of these cases accepted there was a reasonable likelihood that the fall-back extensions allowed under permitted development would be built were permission to be refused, and that they would have an equal or worse impact on the openness of the green belt. Both inspectors agreed that this amounted to very special circumstances and justified the development in terms of green belt policy.

6.9 One test of the likelihood of the fall-back position being implemented is a comparison of the accommodation that would be secured. The permitted development scheme would result in an entrance hall, two studies, library lounge, dining area, snug, family/living room, kitchen/dining area, utility/WC and five bedrooms with associated bathrooms. The planning permission scheme would result in an entrance hall, one study, library, lounge, dining area, snug, family/living room, kitchen/dining area, utility/WC and five bedrooms with associated bathrooms. The schemes are comparable in terms of accommodation which adds weight to the fall-back argument.

6.10 Officers therefore agree that the fall-back position does amount to very special circumstances that outweigh the harm to the green belt caused by the inappropriate nature of the proposal. Consequently the proposal is acceptable in terms of green belt policy.

6.11 Other Issues

Objectors have queried the planning history. The applicants have confirmed that two planning permissions were granted on the site in 2004, one for a replacement dwelling (P04/V0368) and one for extensions to the house (P04/V1299). Works to implement both were carried out creating a hybrid structure that was, in effect, an unauthorised dwelling. This unauthorised dwelling obtained lawful status after four years, which has been accepted by officers. This is the dwelling currently on site.

7.0 **CONCLUSION**

7.1 The proposed development is inappropriate development in the green belt. However there are very special circumstances that outweigh the harm to the green belt. The proposal will not harm the visual amenity of the area or the amenities of neighbouring properties. The proposal therefore complies with the provisions of the development plan, in particular policies GS3, DC1, DC5 and DC9 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

**To grant planning permission, subject to the following conditions:**

- 1. Time Limit.**
- 2. Materials in accordance with application.**
- 3. Approved plans.**

Author: Josh Webley-Smith  
Email: [josh.webley-smith@southandvale.gov.uk](mailto:josh.webley-smith@southandvale.gov.uk)