

APPLICATION NO.	P22/V1091/FUL
SITE	2 Poplar Corner Wootton Village Boars Hill Oxford, OX1 5JL
PARISH	WOOTTON
PROPOSAL	Retrospective approval for a five-bedroom dwelling with external amendments to windows, a new gable. (Amended plans received 07 July 2022 to remove proposed car port) (Amended plans rec 23 August 2022 to resolve discrepancies with the proposal as built)
WARD MEMBER(S)	Val Shaw
APPLICANT	Mr Mohammed Saddiq
OFFICER	Susannah Mangion

RECOMMENDATION

It is recommended that planning permission is granted subject to the following conditions:

Standard:

- 1. Approved plans**

Prior to Occupation:

- 2. Materials as on plan**
- 3. Access, parking and turning in accordance with plan.**
- 4. Bicycle Parking**
- 5. Refuse Storage**
- 6. Landscaping scheme to be submitted**

Compliance:

- 7. Landscaping implementation**
- 8. Obscured glazed windows**
- 9. Rooflights**

Informatives:

- 10. Works within the Highway**
- 11. CIL**

1.0 INTRODUCTION AND PROPOSAL

- 1.1** This application is being considered at Planning Committee at the discretion of the Planning Manager. The site benefits from two extant permissions. The first permission is P20/V0176/FUL granted on 1 July 2020, to remove the existing

dwelling and construct two detached dwellings along with ancillary works and widening of the access. The second permission is P21/V1360/FUL granted at appeal on 20 April 2022, for removal of the existing dwelling and construction of one detached 4-bedroom dwelling and two semi-detached 3-bedroom dwellings with associated ancillary works.

- 1.2 The detached dwelling is now substantially complete but has not been built in accordance with either permission. The current application is retrospective and seeks to regularise the structure as built. As built the dwelling has an additional bedroom in the roof compared with the permitted schemes. The front elevation contains a window to the bedroom within the loft space and rooflights have been inserted to provide additional natural light to the loft space. A gable has also been added over the garage. The cycle parking which is shown to the rear elevation has yet to be constructed. The internal layout has been re-configured including to allow for the insertion of stairs to the second floor and an additional window has been inserted to the rear elevation at ground floor.
- 1.3 A pergola carport was to be added over the external parking space to the north side of the dwelling but this was subsequently omitted from the amended plans received on 7 July.
- 1.4 Amended plans were received on 23 August to address minor errors and discrepancies between the submitted plans and the as-built development, including number and position of rooflights and fenestration details.
- 1.5 The site occupies a corner plot where Wootton Village meets the B417 Lamborough Hill. On the opposite side of Lamborough Hill to the site is a community centre and playing fields, with a parade of shops and a public house nearby. On the same side of the road, and along the Wootton Village road, the area is predominantly residential. Dwellings are mainly set within generous plots but are of various sizes, styles and orientations giving the surroundings a relatively mixed character and appearance. Due to its corner location, the site is viewed within the context of both Lamborough Hill and the Wootton Village road. Until the previously approved scheme was commenced, the site contained one relatively modest two storey detached dwelling, set in a relatively large plot bounded by mature trees and established hedges.
- 1.6 A site location plan is included below.



1.7 Extracts from the plans are **attached** at Appendix 1.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 The full version of all representations that have been received can be seen on the application pages of the council’s website www.whitehorsedc.gov.uk

2.2 Wootton Parish Council	Objection – property is excessive in size and overbearing. Insufficient parking on site. Please refer to previous objections in relation to applications at this site.
Countryside Officer	No observations.
Drainage Officer	No objection.
Forestry Officer	No objection subject to condition requiring implementation of tree protection measures. (approved under application P20/V2577/DIS.)

Highways Liaison Officer	No objection (implement in accordance with plans)
Waste Management Officer	No objection. (re-impose previous condition)
Local Residents – Objectors (4)	<p>Grounds for objection:</p> <p><u>Highways:</u></p> <ul style="list-style-type: none"> • Insufficient off-road parking including for visitors giving rise to parking on a blind bend. • Garage size inadequate. <p><u>Design and layout:</u></p> <ul style="list-style-type: none"> • Overdevelopment of plot. <p><u>Amenity</u></p> <ul style="list-style-type: none"> • Large second floor gable window giving rise to loss of privacy to occupants of The Willows. • Concern rooflights are not shown accurately on the approved plans and are opening/non-obscure glazed. • Concern regarding overlooking from additional windows. <p><u>Landscape:</u></p> <ul style="list-style-type: none"> • Concern development not undertaken in accordance with the previously approved plans with regard to trees and hedges in the absence of an updated survey and trees on the eastern boundary having been felled. <p><u>Other:</u></p> <ul style="list-style-type: none"> • Do not consider the changes could have been made under permitted development rights. • Incorrect plans submitted which do not correctly show boundaries of applicant’s land.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [VE22/35](#) - (planning enforcement investigation)

Development not undertaken in accordance with planning permission P20/V0176/FUL

[P21/V1360/FUL](#) - Refused (20/10/2021) - Appeal allowed (20/04/2022)

Removal of existing dwelling house, garage and greenhouse. Construction of development of two semi-detached 3-bed dwellings and one detached 4-bed dwelling with ancillary driveways; parking areas. Vehicular access from Wootton Village to be widened.

(Amended and additional plans, revised site plans, landscaping and swept paths rec 3 August 2021)

(Amended plans and access appraisal 1062revA, rec 18 August 2021)

[P21/V0266/FUL](#) - Other Outcome (06/04/2021)

Removal of existing dwelling house, garage and greenhouse. Construction of development of two detached 3-bed dwellings and one detached 4-bed dwelling with ancillary driveways; parking areas. Vehicular access from Wootton Village to be widened.

(Revised Planning Design and Access statement rec 10 March 2021)

[P20/V2577/DIS](#) - Approved (05/01/2021)

Discharge of Conditions 3 (Landscaping Scheme), 5 (Tree Protection), 7 (Surface Water Details), 8 (Foul Water Drainage), 10 (Construction Traffic Management) of planning application P20/V0176/FUL.

Removal of existing dwelling house, garage and greenhouse. Construction of development of two detached dwellings with garages and ancillary driveways. Vehicular access from Wootton Village to be widened.

(Additional info - AMS , drainage layout and SUDS report rec 2 Dec 2020)

(Additional info rec 17 Dec 2020)

(Revised CTMP dated 19 Dec P1008, rec 4 Jan 2021)

[P20/V0176/FUL](#) - Approved (01/07/2020)

Removal of existing dwelling house, garage and greenhouse. Construction of development of two detached dwellings with garages and ancillary driveways. Vehicular access from Wootton Village to be widened. (Amended plans, AIA and Tree Report received 21 May 2020)

(Revised block and location plan 26 May 2020)

(Amended plans to show tandem visitor parking received 2 June 2020)

(Amended plans received 9 June 2020)

3.2 **Pre-application History**

[P19/V2152/PEM](#) - Advice provided (27/11/2019)

Development of four new dwellings to replace existing dwelling at Poplar Corner Wootton, OX1 5JL using existing access from Wootton Village.

[P18/V2965/PEM](#) - Advice provided (15/01/2019)

Demolition of one dwelling and the erection of three residential dwellings.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposed development is neither of a sufficient scale, nor within a location of sufficient environmental sensitivity, to require an EIA.

5.0 **MAIN ISSUES**

5.1 **Principle of the development**

The Local Plan 2031 Part 1 focuses housing growth at the market towns, local service centres, and larger villages. Wootton is identified at policy CP3 as a

Larger Village with a level of facilities and services and local employment to provide the next best opportunities for sustainable development outside the Market Towns. Policy CP4 states that there is a presumption in favour of sustainable development within the built area of the Larger Villages. The proposal is acceptable in principle, unless material considerations indicate otherwise.

5.2 Design and Layout

Policy CP37 of LPP1 and policies DG1 and DG3 of the Neighbourhood Plan require development proposals to be of a high-quality design which responds positively to the site and surroundings and creates a distinctive sense of place which physically and visually integrates with its surroundings. It requires development to be visually attractive and the scale, height, density, grain, massing, type, details and materials to be appropriate for the site and surrounding area.

5.3 The Joint Design Guide encourages new housing to accord with its context. The retrospective proposal seeks a revised appearance to the dwelling from that previously approved, particularly with regard to the insertion of accommodation to the loft space. The additional bedroom is served by a glazed gable to the front elevation and the loft space is also served by rooflights which are positioned 1.4m above finished floor level. The ridge height of the dwelling measures 8.17m and the eaves height 5m. The dwelling is finished in facing brick with composite cladding detail under a plain clay tile roof with grey upvc fenestration.

5.4 Concerns have been received from neighbouring residents and from the Parish Council concerning the size and scale of the dwelling and that the development does not reflect the character of the area. The existing character of the area is spacious and mixed with a variety of sizes, styles and orientations of dwellings. In this context, officers consider the external alterations, which have allowed for the provision of accommodation within the roof space, are acceptable and are not out of keeping with the varied designs and forms of residential development in the area.

5.5 Residential Amenity

Policy DP23 of LPP2 seeks to protect neighbours' amenity from development that causes harm from loss of privacy, loss of light or dominance. The Joint Design Guide contains recommended minimum distances to ensure no loss of neighbour amenity. Concerns have been expressed by nearby residents with regard to overlooking and loss of privacy, particularly from the second-floor bedroom window and rooflights to the loft space. Given their positions and height above finished floor level, the rooflights to the south elevation are proposed to be conditioned to require them to be obscure glazed and fixed closed to ensure there is no harmful overlooking of the private amenity space of nearby dwellings, particularly Little Orchard. With regard to views from the second floor bedroom window, the distance from the window to the rear garden boundary of the dwellings on The Willows exceeds 23m, which is well in excess of the Joint Design Guide advice that there should be a minimum of 21m between facing principal windows. The rooflights to the north and west

elevations of the roof slope either exceed this distance to neighbours or would not allow looking over private amenity space. As such, officers do not consider there would be harmful impacts in terms of overlooking or loss of privacy, notwithstanding that the windows serve second floor residential accommodation.

- 5.6 Side-facing first floor windows on the south elevation windows serve bathroom/en-suite accommodation and are recommended to be conditioned to require them to be obscure glazed. To the north elevation, a side-facing first floor window is a secondary window serving one of the bedrooms but this element was included on previously approved schemes and views from it would not overlook the private amenity areas of neighbouring homes.
- 5.7 **Landscape and Visual Impact**
Policy CP44 of LPP1 seeks the retention of key landscape features and improved landscaping where appropriate. The Council's Forestry Officer has previously advised that none of the trees on site were worthy of Tree Preservation Orders and the trees were not protected by virtue of Conservation Area controls. The Council's Forestry Officer requested a planning condition be imposed to require tree protection measures be put in place prior to development commencing, in accordance with best practice. However, the dwelling is now substantially complete and it is understood tree protection measures were not undertaken despite requests from officers. Having regard to the stage of the build, officers are not recommending the imposition of a tree protection condition in respect of this scheme.
- 5.8 The Council's Forestry Officer also recommended a landscaping condition, having regard to the verdant character of the wider area, which is characterised by mature trees and established hedges. A pre-occupation landscaping scheme is proposed to be submitted for approval, to be implemented within the first planting season, to help assimilates the development into the landscape.
- 5.9 **Drainage**
Policy CP42 of LPP1 aims to minimise flood risk from new development. Officers were satisfied that sustainable drainage could be provided at the site. Details of the surface water and foul water drainage proposal have previously been agreed by the Council's drainage officer. No additional planning conditions were considered necessary as any re-alignment of drainage runs would not negatively impact the approved strategy.
- 5.10 **Traffic, parking and highway safety**
Policies CP33, CP35 and CP37 of LPP1 and policy DP16 of LPP2 requires a new development proposal to demonstrate safe access and adequate parking and manoeuvring. The 5-bedroom dwelling would benefit from an integral garage with two parking spaces to the side of, and forward of the dwelling. Officers are aware concerns have been raised regarding there being insufficient parking available within the site area, and having regard to the position of the site close to a blind bend. However, there would be space within the site for turning vehicles and there would be space for the parking of three vehicles off-road. Accordingly, the County Highways Officer had no

objection to the proposal, subject to the access, parking and turning spaces being provided and retained in accordance with the submitted details prior to first occupation of the dwelling.

5.11 **Biodiversity**

Policy CP46 of LPP1 deals with biodiversity in relation to new development. The Council's Ecologist has previously advised there was no evidence of bats at the existing dwelling and there were considered to be no constraints to the scheme with regard to biodiversity.

5.12 **CIL**

As the scheme creates additional residential floor space, the Community Infrastructure Levy will apply to the development and the relevant notice would be sent upon issue of the grant of planning permission.

6.0 **CONCLUSION**

6.1 As development has commenced, a time condition has not been recommended.

6.2 The principle of the development is acceptable. The proposed design, scale and materials of the dwelling is broadly in-keeping with the character of the area and there are no concerns regarding the impact on the amenity of neighbouring residents, subject to planning conditions. The proposal is acceptable in terms of highway safety, drainage, and landscape considerations, subject to conditions. On balance, the proposal accords with the aims of the development plan and the National Planning Policy Framework.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 (LPP1)

(A Regulation 10A review for Local Plan Part 1 (LPP1) was completed in December 2021, evaluating LPP1's policies for their consistency with national policy, considering current evidence and any relevant changes in local circumstances. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.)

CP01 - Presumption in Favour of Sustainable Development

CP03 - Settlement Hierarchy

CP04 - Meeting Our Housing Needs

CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area

CP33 - Promoting Sustainable Transport and Accessibility

CP35 - Promoting Public Transport, Cycling and Walking

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CP37 - Design and Local Distinctiveness

CP40 - Sustainable Design and Construction

CP42 - Flood Risk

CP44 - Landscape

Vale of White Horse Local Plan 2031 Part 2 (LPP2)

DP16 - Access

DP23 - Impact of Development on Amenity

Wootton and St Helen Without Neighbourhood Plan 2019

DG1 – Design for the Area

DG3 – Design Requirements

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Equalities Act 2010

The proposal has been assessed against section 149 of the Equalities Act. It is considered that no identified group will suffer discrimination as a result of this proposal.

Human Rights Act, 1998

The application has been assessed against Schedule 1, Part 1, Article 8, and against Schedule 1, Part 2, Article 1 of the Human Rights Act, 1998. The harm to individuals has been balanced against the public interest and the officer recommendation is considered to be proportionate.

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