

APPLICATION NO.	P23/V1093/HH
SITE	39 Wootton Village Boars Hill Oxford, OX1 5HP
PARISH	WOOTTON
PROPOSAL	Proposed driveway / dropped kerb. (As amplified by additional information received 22 June 2023)
WARD MEMBER(S)	Val Shaw
APPLICANT	Mr Paul Mansbridge
OFFICER	Emily Hamerton (Kerry Street)

RECOMMENDATION

Planning Permission is granted, subject to the following conditions:

Standard:

- 1. Commencement within three years**
- 2. Approved plans list**

Compliance:

- 3. Access, parking and turning in accordance with approved plan**

Informative:

- 4. Works within the Highway**
- 5. Works within the vicinity of the Highway Tree**
- 6. Neighbourhood Plan policies**

1.0 INTRODUCTION AND PROPOSAL

- 1.1** This application is referred to committee following a call in from Councillor Val Shaw. The application was deferred at the meeting on 16 August for a site visit with attendance from Oxfordshire County Council Highways.
- 1.2** The application site is one of two detached dwellings approved in 2021 (P21/V1164/FUL) located to the west side of Wootton Village Road. The site is within the Oxford Green Belt and an area of archaeological interest, Wootton historic core.
- 1.3** This application seeks planning permission for the installation of a new dropped kerb and driveway. This will provide a dedicated access for the dwelling while the existing access will be retained for use by the other house.
- 1.4** Additional information in the form of an access statement has been received during the application process following initial concerns raised by the Oxfordshire County Council Highways Team.
- 1.5** A site location plan is provided over the page, and the application plans are **attached** at Appendix 1.



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the latest responses received from consultees and third parties to the application is below. Full responses received can be viewed online at www.whitehorsedc.gov.uk

<p>Wootton Parish Council</p>	<p><u>Second consultation</u> No comments received</p> <p><u>First Consultation</u> Object</p> <ul style="list-style-type: none"> - Additional driveway will cause danger to children walking to/from the near by school. - The proposal reduces the already limited on street parking available for parents. collecting children from the school by car - The verge was available for residents to sit until the developer removed the bench which had been in this location for 25+ years - the community is in the process of installing a replacement bench on this land. - A new tree has been planted by OCC on this land as part of the Green Canopy project - the roots may be affected by this installation.
<p>Oxfordshire County Council Highway Authority</p>	<p><u>Second consultation</u> No objection subject to a condition and informative being imposed</p> <p><u>First consultation</u></p>

	<p>Object</p> <ul style="list-style-type: none"> - The creation of this driveway and dropped kerb will result in a long stretch of unprotected footway for school children attending the nearby primary school. - The applicant has not provided visibility splays and the driveway will likely result in damage to the roots of the tree immediately adjacent to the proposals.
<p>County Archaeologist</p>	<p><u>Second consultation</u> No further comments</p> <p><u>First consultation</u> No objection</p>
<p>Residents</p>	<p><u>Second consultation</u> Two further letters of representation have been received, raising the following concerns:</p> <ul style="list-style-type: none"> - The proposal represents a significant risk to pedestrians using the footway - The lack of visibility, caused by the hedge, represents a clear & significant risk to joggers, children, people in disability scooters etc. using the pavement. - The site was granted planning permission to accommodate two houses using the original site access. There is no legitimate need to create an additional driveway and this application appears to be simply for property sale value enhancement by the property developer as the site nears completion. - There is a limited amount of on-street parking in close proximity to the school, and the creation of this additional and unnecessary driveway reduces the availability further, which might especially impact on those parents of children who may have special needs or protected characteristics needing to park near the school for the purposes of drop-off or collection. - There are already four driveways along this short stretch of road.

	<p>A third letter was also received raising the following comments:</p> <ul style="list-style-type: none">- A shared drive with potential movements of up to six cars reversing into a designated turning area, to ensure cars exit forwards, is much more dangerous than a single drive which isn't shared.- No car parking space is lost because there are car parking spaces on the opposite side of the road. <p><u>First consultation</u></p> <p>Three letters of representation were received raising the following concerns:</p> <ul style="list-style-type: none">- The application site is in very close proximity to a primary school and therefore this additional driveway creates an unnecessary danger to the young children walking to and from school.- The proposed new driveway is closer to the bend where there are already safety bollards.- The proposal reduces the already very limited space available for parents to park in close proximity to the school.- We don't think another green space needs to fall foul of developers when there seems adequate provision for a driveway within the original plans. Historically the piece of land has been used by the community, neighbours, school families and walkers.- The residents of Wootton Village have already seen a marked diminution of the green space in Wotton Village through the felling of the Horse Chestnut tree at the start of this building project.- This application again reduces this green space and erodes the rural character of the village by the addition of an unnecessary driveway which will have to be cut through the existing greenspace.
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3.0 **RELEVANT PLANNING HISTORY**

3.1 [P23/V0723/PD](#) - Advice provided (13/04/2023)
Dropped kerb

[P22/V2093/NM](#) - Approved (11/10/2022)

Non Material amendment to application P21/V1164/FUL for changes to the proposed elevations (minor adjustments to window and door positions).

Demolition existing former British Legion Club house and associated out buildings and erection of 2 x 4-Bed dwellings together with garage to plot 1 and amenity space

[P22/V2087/DIS](#) - Approved (11/10/2022)

Discharge of condition 5 (Drainage Details - Surface Water) on planning application P21/V1164/FUL

Demolition existing former British Legion Club house and associated out buildings and erection of 2 x 4-Bed dwellings together with garage to plot 1 and amenity space.

[P22/V0485/HH](#) - Approved (27/07/2022)

Convert residential store building into granny annexe / studio flat.

[P21/V2873/DIS](#) - Approved (29/11/2021)

Discharge of conditions 4 (Materials), 5 (Drainage Details (Surface Water)), 6 (Drainage Details (Foul Water)), 8 (Tree Protection), 15 (Construction Traffic Management) & 16 (Unique, General) in application P21/V1164/FUL.
(confirmation of inclusion of condition 4 by email dated 14 Oct 2021)
(Amended drg plan rec 09 Nov 2021)
(Additional information rec 18 Nov 2021)
(Amended & additional information rec 22 Nov 2021)

Demolition existing former British Legion Club house and associated out buildings and erection of 2 x 4-Bed dwellings together with garage to plot 1 and amenity space.

[P21/V1164/FUL](#) - Approved (11/08/2021)

Demolition existing former British Legion Club house and associated out buildings and erection of 2 x 4-Bed dwellings together with garage to plot 1 and amenity space

(Additional Information rec 12 May 2021)

(Additional information rec 9 June 2021)

(Additional information rec 24 June 2021)

(Amended plans rec 20 July 2021)

[P20/V3041/FUL](#) - Other Outcome (12/01/2021)

Demolition of former British Legion Clubhouse & garage. Erection of 2 x 4-bed detached dwellings together with ancillary buildings & amenity space.

[P19/V0658/HH](#) - Approved (24/05/2019)

Convert residential store building into granny annex / studio flat

[P17/V2845/PEM](#) - Advice provided (15/11/2017)

Demolition of existing buildings and replacement with two dwellings.

[P16/V0969/HH](#) - Approved (23/06/2016)

Convert residential store building into granny annex / studio flat (resubmission).
(As amended by plan number BLO -002 Rev A received 15.6.2016, amended parking layout)

[P09/V0266](#) - Approved (23/04/2009)

Erection of detached dwelling and garage with new access off existing driveway.

[P08/V0525](#) - Other Outcome (12/05/2008)

Erection of detached dwelling and garage together with new access off existing driveway. Demolition of outbuilding.

[P07/V1398](#) - Approved (26/09/2007)

Demolition of existing outbuilding. Erection of a detached house and garage including formation of new access.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 This application does not fall within the defined scope for potential EIA development.

5.0 **MAIN ISSUES**

5.1 **The main relevant planning considerations are the following:**

- **The Oxford Green Belt**
- **Character and visual amenity**
- **Neighbouring amenity**
- **Traffic, parking and highway safety**
- **Trees**
- **Other matters**

5.2 **The Oxford Green Belt**

Under paragraph 137 of the National Planning Policy Framework (NPPF) the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5.3 This is further reflected in policy CP13 of LPP1, which list the types of development that is acceptable in the Green Belt. Policy SS1.1 of the Neighbourhood Plan states the development proposals in the Green Belt will be determined against the principles set out in policy CP13 of LPP1.

- 5.4 In this case, the works involved are for a dropped kerb and additional hardstanding. Both the NPPF, at paragraph 150, and LPP1 policy CP13 confirm that engineering operations are not considered to be inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. The proposed works would not compromise the openness of the Green Belt and would not conflict with the purposes of including the land within the Green Belt. They would therefore comply with Policy CP13 of the LPP1, SS1.1 of the Neighbourhood Plan and the NPPF.
- 5.5 **Character and visual amenity**
Policies CP37 of LPP1 and DG1 of the Neighbourhood Plan deal with the design and visual impact of new development. Policy SS3 of the Neighbourhood Plan also deals with Local Green Spaces which are areas identified their communities would like to protect. However, in this case, the application site does not lie within one of the 7 areas outlined within policy SS3 of the Neighbourhood Plan.
- 5.6 The approved dwelling is one of a pair of detached houses being constructed with a shared access point onto Wootton Village around 13 metres to the south of the proposed access point. The proposed dropped kerb and driveway will provide a dedicated access for the dwelling while the existing access will be retained for use by the other house.
- 5.7 The front boundary of the property onto the highway is set back behind a triangular shaped grassed area. In front of the grassed area there is a 1.3 metre wide footway which itself is located behind a 3 metres wide highway verge alongside the carriageway.
- 5.8 The submitted access statement details that the proposed access will be constructed as a conventional verge crossover approximately 3.8 metres wide. It will be positioned so that its connection with the highway carriageway will enable a portion of the highway verge immediately to the north to be retained.
- 5.9 Officers note that there will be a small loss of green verge, which will be replaced with hardstanding. It is also noted that other dwellings in the vicinity have dropped kerbs and driveways and as such the insertion of a dropped kerb and hard-standing vehicle cross-over would not appear overly prominent or out-of-place within the street scene. Overall, given the minor reduction of green space coupled with the retention of a portion of land to the north, and the other examples of this type of development within the locality, it is not considered that the proposal would be significantly detrimental to the character and appearance of the area.
- 5.10 Therefore, officers consider the proposal does not cause harm to the character and appearance of the surrounding area, consistent with LPP1 Policy CP37, Neighbourhood Plan Policy DG1 and the Joint Design Guide SPD.

5.11 **Neighbouring amenity**

The impact of development on neighbouring properties is controlled by policy DP23 of LPP2. This policy requires development proposals to demonstrate that they will not result in significant adverse effects on the amenity of neighbours from impacts including loss of privacy, daylight or sunlight and dominance or visual intrusion, noise or disturbance.

5.12 The proposal contains no built structures and would therefore cause no impact on privacy, loss of light or have any effect of dominance towards neighbours. The proposal would provide access to 3 parking spaces. Although there may be some noise and emissions associated with vehicle movements it is considered these would be minimal and no more significant than those associated with the approved dwelling previously, and would not have a harmful effect to neighbours.

5.13 Therefore, it is considered the proposal would not cause significant harm to the amenities of neighbouring or nearby properties and meets the requirements of policy DP23.

5.14 **Traffic, parking and highway safety**

Policies CP35 and CP37 of LPP1 and policy DP16 of LPP2 deal with access and parking. The Oxfordshire County Council Highways Officer has raised no objections to the revised information contained within the Access Statement received on 22 June 2023. They have provided the below comments:

“The access details, including visibility splays as shown on drawings 23061/101 Proposed Driveway/Dropped Kerb (within Access Statement) and 544-PL03 are acceptable.

Appropriate construction method for the proximity of the highway tree can be used to mitigate the tree location, taking advice from OCC Arboriculture Team. The revised car parking layout, turning space and new vehicular access, as shown on drawings 23061/101

Proposed Driveway/Dropped Kerb (within Access Statement) and 544-PL03 Proposed Site Plan are acceptable and to be in place before first occupation.”

5.15 Officers agree with the Highway Officer’s comments and consider that the positioning of the footway 3 metres away from the edge of the carriageway, the ample general visibility and the retention of a portion of highway verge separating the proposed and existing access points will ensure that the use of the footway is safe, and pedestrians will not be placed in a vulnerable position.

Therefore, it is considered the proposed dropped kerb would not affect highway safety, consistent with LPP1 policies CP35 and CP37 and LPP2 policy DP16.

5.16 **Trees**

To the northern end of the grassed area is a newly planted tree which is believed to have been planted by Oxfordshire County Council as part of the

Green Canopy Project. The tree is still a very young specimen and has not yet achieved any canopy spread. The placement of the driveway ensures that its construction would not be within 1.5 metres of the centre of the tree.

5.17 The tree is not within a Conservation Area and is not protected by way of a Tree Preservation Order. As such, the tree is not considered to be a constraint to the proposed development for planning purposes. An appropriate construction method should however be undertaken by the applicant in agreement with the County Council Arboricultural Team. This a separate matter. An informative has been added to this permission to advise the applicant of this.

5.18 **Archaeology**

The application site is located within an area of archaeological interest, Wootton historic core. Consultation has been undertaken with Oxfordshire County Council Archaeology Team, who have confirmed that the proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme and the proposal complies with Policy DP39 of the LPP2.

5.19 **Other matters**

Concerns have been raised by the Parish Council and local residents with regards to the reduction of the already limited available road space for parking, which is used by parents collecting children from school by car. These comments have been carefully considered and noted. However, the existing on road parking available in the area is not allocated for the school and as such, cannot be protected for this use. In light of this, it is not considered to be reasonable to justify refusal of this application on this basis.

5.20 **Community Infrastructure Levy (CIL)**

The development is not CIL liable as no additional floorspace is being created.

6.0 **CONCLUSION**

6.1 On balance, the proposed dropped kerb, crossover and driveway would not harm the character and appearance of the area, the openness of the Oxford Green Belt, the amenity of neighbouring properties nor highway safety. The proposal is therefore considered to comply with the Development Plan, particularly policies CP33, CP35, CP37 and CP44 of the adopted Local Plan 2031 Part 1 and policies DP16 and DP23 of the adopted Local Plan 2031 Part 2, policies SS1.1 and SS3 of the adopted Neighbourhood Plan, the Joint Design Guide 2022 and the National Planning Policy Framework.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 Policies:

CP13 - The Oxford Green Belt

CP35 - Promoting Public Transport, Cycling and Walking
CP37 - Design and Local Distinctiveness
CP44 - Landscape

Vale of White Horse Local Plan Part 2 Policies:

DP16 - Access
DP23 - Impact of Development on Amenity
DP39 - Archaeology and Scheduled Monuments

Wootton and St Helen Without Neighbourhood Plan 2019-2031 policies:

SS1.1 - Green Belt
SS3 - Local Green Space
DG1 - Design for the area
DG3.3 - Access

Joint Design Guide 2022

National Planning Policy Framework and National Planning Practice Guidance

**Other legislation
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 provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

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