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<b>APPLICATION NO.</b>	P08/W0995
<b>APPLICATION TYPE</b>	Minor
<b>REGISTERED</b>	3 September 2008
<b>PARISH</b>	North Moreton
<b>WARD MEMBER(S)</b>	Mr Patrick Greene
<b>APPLICANT</b>	Mr A Clark
<b>SITE</b>	The Old Piggery, Wallingford Road, North Moreton
<b>PROPOSAL</b>	Re use of redundant piggery site for one new residential dwelling with double garage.
<b>AMENDMENTS</b>	
<b>GRID REFERENCE</b>	456315/189734
<b>OFFICER</b>	Mrs E Hamerton

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1.0 **INTRODUCTION**

- 1.1 This application is before Planning Committee at the request of Cllr Patrick Greene.
- 1.2 **Attached** at Appendix 1 is the site location plan. The application site is a former piggery; this used ceased about 20 years ago. The site survey drawing **attached** at Appendix 2 shows an existing dilapidated shed on the site, however this is not clearly visible due to the amount of overgrown vegetation.
- 1.3 There are a number of established trees along the boundaries. The site also lies within the North Wessex Downs Area of Outstanding Natural Beauty.

2.0 **PROPOSAL**

- 2.1 The application is for a new house with an associated detached garage. The existing access will be retained, however currently this access is overgrown and is not defined by any kerb. This is a full planning application; the plans and supporting information are **attached** at Appendix 2.
- 2.2 The proposed house will be set back some 26m from the road; the double garage will be in front of it to the north west. The supporting information that was submitted with the application indicates that the house would be constructed to achieve Code Level 3 of the Code For Sustainable Homes.
- 2.3 There are a number of trees along the boundary which will be retained as part of this proposal, however none of these are protected by a Tree Preservation Order. The house is a similar design and size to those currently being constructed on the land to the north, the former AJ Machinery site.
- 2.4 The application has been advertised as a departure from the development plan.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 **Parish Council**

- No strong views – with reservations about the height
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**Building Control**

- No comments

### **County Archaeological Services**

- The proposal does not appear to affect any presently know archaeological sites; however there are records of finds nearby. A standard informative is therefore recommended.

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### **Forestry Officer**

- The majority of the trees on the site are not worthy of a Tree Protection Order. The Willows on site are prone to collapse when they become long and leggy.
- It would be more sustainable to enhance planting along the boundaries to provide screening and trees and hedges for the future.
- Landscaping condition recommended.

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### **Countryside Officer**

- The Council have received reports that great-crested newts are present in the area and it is possible that they may be impacted by this development. A mitigation strategy is needed, however as we have been made aware only recently, a condition requiring a mitigation survey should be applied if planning permission were granted.
- The site does however contain habitats suitable for a wide variety of nesting birds as a result work should be avoided during the nesting season March – August inclusive. Alternatively, any required site clearance should be undertaken outside the nesting season. Standard informative recommended.

### **Environmental Services**

- The proposed residential use of the site would be sensitive to any contamination and as required by PPS 23, a precautionary approach should be adopted and the possibility of contaminated land assumed for these particularly sensitive developments. Contaminated land survey condition recommended.

### **Oxfordshire County Council Archaeologist**

- The proposal does not appear to directly affect any presently known archaeological sites. However, records indicate the presence of known archaeological finds nearby. A standard informative is recommended to request the applicant to contact Oxfordshire County Council Archaeologist should any finds occur.

### **Neighbours**

- 4 letters of representation received, 1 offering support to the proposal the other raised the following points:
- A bungalow would perhaps be more suitable as apart from the new 2 houses, the surrounding buildings are all bungalows
- The plan could be reversed so that the main windows would not be facing straight down the drive
- Concern about the foul drainage system in the village being at capacity
- Would damage the rural character of the village and historic value of the area
- The village lacks amenities
- Change of this site to residential will extend the limit of housing on the edge of the village
- Detrimental to wildlife
- Increase traffic hazard
- Reduce the habitat frequented by Great Crested Newts and other wildlife such as deer and badger
- Limited bus service in the village
- House would be out of character in both size and design

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P59/R1440 – Proposed site for pig and poultry houses. Planning permission  
P60/R1615 – Proposed erection of pig house and boiler house. Planning permission  
P67/R3649 – Proposed site for bungalow. Planning permission
- P74/W0322/O – Erection of one dwelling house. Refused. Appeal Dismissed  
P05/W1271 – Former AJ Machinery Site – Erection of two houses. Planning permission.

5.0 **POLICY & GUIDANCE**

5.1 **Adopted Structure Plan Policies**

G2, EN1, H1, H3

**Adopted South Oxfordshire Local Plan 2011**

- G1 General restraint and sustainable development  
G2 Protection and enhancement of the environment  
G3 Locational strategy  
G4 Development in the countryside and on the edge of settlements  
G6 Promoting good design  
C1 Landscape character  
C2 Areas of outstanding natural beauty  
C9 Landscape features  
H4 Housing  
H5 Larger villages within the green belt and smaller villages throughout the district  
H6 Locations where new housing will not be permitted  
D8 Energy, water and materials efficient design  
T1 Transport requirements for new developments

South Oxfordshire Design Guide 2008-09-19

**Planning Policy Statements**

- PPS3 Housing  
PPS7 Sustainable development in rural areas  
PPS23 Contaminated land

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to consider are:

1. The principle of the development
2. Impact on the AONB
3. Impact on neighbours
4. Design and sustainability
5. Landscape features
6. Protected species
7. Other material considerations

**The principle of the development**

6.2 The housing policies within the adopted Local Plan are based on a hierarchy and the location of the site relative to its built up area. The settlements in the district have been categorised by the services and facilities they offer. All settlements within the district have been tested against five criteria, each of which contributes towards its sustainability.

- 6.3 North Moreton has 2 of the five criteria and is therefore one of the less sustainable locations within the district. Development should be considered under Policy H6 of the adopted Local Plan. This policy states that new houses in small settlements such as North Moreton will not be permitted.
- 6.4 Even if North Moreton were viewed as a more sustainable location, then the development would still require assessment under Policy H5. Policy H5 relates to the larger villages within the Green Belt and the smaller villages throughout the district. In these locations infill development is allowed, which is the filling of an appropriate gap in an otherwise largely built up frontage. In your officer's view this site is not within a built up frontage. The site may lie adjacent to the built up area of the village, however it is not within it, instead it forms part of sporadic development going out of the village on the east side of Wallingford Road. Beyond Elm Road, land to the west of the site is open countryside which abuts the road. There is a very distinct change in the character of the area around this site and this contributes to the feel that this site lies outside the built up limits of the village. Therefore, this site cannot be classed as an infill site and would be contrary to Policy H5 of the adopted Local Plan.
- 6.5 Planning Policy Statement 3 sets out the national planning policy framework for delivering the Government's housing objectives. This PPS reflects the Government's commitment to improving the affordability and supply of housing in all communities, including rural areas and also sets out the annual target for housing on previously developed land. Previously developed land is defined in PPS3 as being land that is or was occupied by a permanent structure, however this excludes agricultural buildings. Therefore this site cannot be classed as previously development land and the argument for providing housing on such a site does not apply.

**Impact on the AONB**

- 6.6 The site lies within the North Wessex Downs Area of Outstanding Natural Beauty. The fundamental aim of planning policies in these areas is to conserve and enhance their natural beauty and landscape quality. Development within, or conspicuous from and Area of Outstanding Natural Beauty, which would be damaging to the beauty or distinctive character of the area will be resisted (Policy C2 of SOLP). The site lies outside the built up limits of the village and has a semi rural character. There will be views of this site from public view points throughout the AONB and a new house in this location will be harmful to the distinctiveness of the area. As such this proposal is contrary to Policy C2 of the adopted Local Plan.

**Impact on neighbours**

- 6.7 The proposed house would be sited on approximately 2.2ha of land. The closest neighbouring property is Melhuish Farm; this sits approximately 16m away from the proposed house. There are also two new houses under construction to the north of the site, the closest one of these would be some 38m away from the proposed house. To the west of the site across the road is Elm Road, the closest house here sits some 45m away.
- 6.8 Currently along the site boundaries there is established vegetation and trees, which is to be retained as part of this proposal. The closest neighbouring property is Melhuish Farm and along the common boundary are a number of established Willow Trees. Although this provides some screening when trees are in leaf, during winter it will be more exposed. However, given the distance between the properties and the omission of any windows at first floor level on the proposed house, the development would not be harmful to the amenity of the occupiers of Melhuish Farm or any other nearby neighbouring properties in your officer's view.

**Design and sustainability**

- 6.9 The character of the area in this part of the village is mixed, with a variety of different designs, styles and types. The design of the proposed house is very similar to the two houses currently under construction on the site to the north and is acceptable in these terms.
- 6.10 The South Oxfordshire Design Guide requires that a code level of 1 star of the Code for Sustainable Homes is met on all new residential development up to 4 units. A pre assessment was submitted with the application which indicates that this development will achieve at least Code level 1, but could achieve higher, possibly level 3. This accords with Policy D8 of the adopted Local Plan and advice set out in the South Oxfordshire Design Guide.
- 6.11 The house and garage have been positioned to retain much of the existing vegetation on the site. Therefore, the impact on the street scene will be minimal as the house will be set back some 25m from the road behind the existing vegetation.

**Landscaping**

- 6.12 As part of this planning application the applicant's requested that the Willow Trees along the south boundary were protected by a Tree Preservation Order (TPO). The trees were inspected by the Council's Forestry Officer who advised that the Willows were not worthy of a TPO. Instead the Forestry Officer advised that planting along this boundary could be increased and this could be secured by a landscaping condition.
- Overall, the position of the house and garage has been sensitively sited so that a lot of the established vegetation can be retained.

**Protected Species**

- 6.13 During the consultation process of this application a resident of the village contacted the Council's Countryside Officer to report findings of Great Crested Newts in the area and therefore potentially on the site.
- 6.14 A survey to assess the proposal in relation to the impact on newts and any mitigation measures is required before this application can be determined. However, the survey season starts in February / March and can not be carried out at this stage. As a result there is an objection to this application due to the lack of a satisfactory survey contrary to Policy C8 of the South Oxfordshire Local Plan 2011.

**Other material considerations**

- 6.15 There are currently two houses under construction on land to the north, the former AJ Machinery site, a former employment site. The Council granted planning permission for housing on this in 2006 because whilst the site had been in employment use, it had been marketed unsuccessfully for alternative employment uses in accordance with Policy E6, and housing was an appropriate alternative use.

**7.0 CONCLUSION**

- 7.1 North Moreton is not a village with a reasonable range of services and facilities and the principle of development is not acceptable. However, even if the principle of development were acceptable the site is not within an otherwise built up frontage and would consolidate development on the edge of the village which would detract from the character of the village and the Area of Outstanding Natural Beauty. There is also insufficient information to assess the impact of development on Great Crested Newts which area protected species and may inhabit the site.

8.0 **RECOMMENDATION**

8.1 **That planning permission is refused for the following reasons:**

1. **The proposed development lies within North Moreton, which is within the North Wessex Downs Area of Outstanding Natural Beauty and is a settlement that has few facilities and where new residential development will not be permitted. The proposed development is not close to services or facilities but in an unsustainable location and would be harmful to the distinctiveness of the area. As such, this would be contrary to Policies G1, G2, G3, C2 and H6 of the South Oxfordshire Local Plan 2011.**
2. **There is insufficient information submitted with the application to demonstrate that this development would not be damaging to Great Crested Newts which are a protected species. This is contrary to Policy C8 of the South Oxfordshire Local Plan 2011 and Planning Policy Statement 9.**

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