
APPLICATION NO.	P09/E0091/O
APPLICATION TYPE	Outline
REGISTERED	4 th February 2009
PARISH	Shiplake
WARD MEMBER(S)	Malcolm Leonard and Robert Peasgood
APPLICANT	Mr & Mrs Shelley
SITE	Waynflete, Station Road, Lower Shiplake
PROPOSAL	Demolition of garage/store and erection of dwelling and detached garage and double garage to serve existing dwelling incorporating new vehicular access.
AMENDMENTS	Repositioned access, updated tree survey and sections.
GRID REFERENCE	477263/179731
OFFICER	Paul Lucas

1.0 INTRODUCTION

- 1.1 This application is reported to the Planning Committee as a result of a conflict between the Officer's recommendation and the views of Shiplake Parish Council.
- 1.2 The application site is shown on the OS extract **attached** as Appendix 1. The application site consists of a residential plot within the built up area of Lower Shiplake comprising a detached two storey dwelling called Waynflete located towards the front of the site and a detached garage and store positioned towards the rear of the site. There are similar frontage dwellings on either side of the site, Chestnut House to the west and Chiltern Lodge to the east. The rear garden of 5 Quarry Lane adjoins the rear section of the western site boundary. There are properties to the north that front onto Bolney Trevor Drive, of which Ashmead and Milverton directly back onto the rear boundary of the site. Waynflete is finished in brick and render with clay tiles. The garage/store consists of a steeply pitched structure with a small first floor area and some later flat-roofed additions, which provide parking for three vehicles. It is constructed from a variety of materials and has a footprint of about 85 square metres and a first floor area of roughly 20 square metres and is adjacent to the boundary with Chiltern Lodge. There is a swimming pool located just to the south-west of the garage/store and it is accessed via a long driveway running along the eastern boundary of the site from Station Road. There is a slight downwards slope from west to east across the site, which continues across adjoining land. The site contains several mature trees, mainly located close to the boundaries of the plot. Holme Cottage is a detached dwelling located to the rear of Little Holm, adjacent to the east of Chiltern Lodge. The area has no special designations.

2.0 PROPOSAL

- 2.1 The application seeks outline planning permission for the erection of a dwelling and detached double garage and a replacement garage for Waynflete incorporating a new access. The application withholds appearance, landscaping and scale as reserved matters, with details of access and layout to be considered at this stage. The proposed dwelling would be located in a similar position to the existing garage/store, but would occupy a larger footprint. The site layout plan shows that it would be an L-shaped dwelling with a footprint of about 150 square metres.

- 2.2 It would be positioned at its closest point, 1 metre from the boundary with Chiltern Lodge, 4 metres from the boundary with Milverton, 10 metres from the boundary with Chestnut House and 50 metres from the rear elevation of Waynfilete. The double garage for the new dwelling would measure 7 metres deep by 6 metres wide, would be located about 20 metres in front of the south side of the dwelling and would be positioned 5 metres from the boundary with Chestnut House. It would be connected to the existing drive via a new section of hardstanding. The replacement garage for Waynfilete would be the same size as the new garage, located between Waynfilete and the boundary with Chestnut House. The new vehicular access serving this garage would be constructed towards the south-west corner of the site.
- 2.3 The cross-section plans also show a dotted outline of a proposed dwelling and the block plan shows a roof plan on the dwelling, however, these are indicative and do not form part of the application, because detailed design is a reserved matter. The applicants' supporting design and access statement is available to view online on the Council's website, www.southoxon.gov.uk. The plans of the proposed development are **attached** as Appendix 2.
- 3.0 **CONSULTATIONS & REPRESENTATIONS**
- 3.1 **Shiplake Parish Council** – The application should be refused:
The area is generally comprised of large houses in substantial grounds and the sub-division of the curtilage of Waynfilete would result in the further erosion of the established character and appearance of the area by creating a backland development. The development would therefore be contrary to Policy H4 and H5 of the Council's approved South Oxfordshire Local Plan, with particular reference to tandem development. If approved, it would constitute a precedent, leading to the detriment of that part of Lower Shiplake.
- 3.2 **OCC Highways** – No objection subject to standard condition.
- 3.3 **Environmental Health (Contamination)** – No objection subject to the imposition of a standard condition requiring investigation and mitigation as necessary.
- 3.4 **Forestry Officer** – No objection to amended plans subject to landscaping and tree protection conditions.
- 3.5 **Countryside Officer** – No objection subject to standard informative.
- 3.6 **Neighbours** – Six representations of objection and one of concern to the original plans, which can be summarised as follows:
- Close proximity of dwelling to boundaries would have adverse impact on outlook and amenity of Milverton, Ashmead, 5 Quarry Lane and Chiltern Lodge.
 - Inappropriate backland development, which would halve the distance between houses and destroy spacious character and semi-rural ambiance.
 - Would set a precedent for similar proposals elsewhere.
 - Potential for overlooking of Chestnut House, Ashmead, Milverton and 5 Quarry Lane leading to loss of privacy. 25 metre window to window standard not relevant here.

- Impact on Ashmead and Chiltern Lodge exacerbated by change in levels.
- Merits cannot be properly assessed in outline form.
- Detailed design likely to be out of keeping with character of area.
- Criticisms of conclusions of arboricultural survey and that trees close to boundary with 5 Quarry Lane should be retained.
- Additional access too close to junction with Crowsley Road.
- Additional access harmful to visual amenity of street scene.
- Noise nuisance during construction (not a planning matter).

Following submission of amended plans, a further six representations of objection were received reiterating the above points.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P65/H0735 – A planning application for a dwelling on this part of the site was refused planning permission in 1966 for the following reasons:

“1. That the proposed development would constitute undesirable backland development and would be contrary to the proper planning of the area and detrimental to the amenities of the locality.

2. That the siting of the proposed dwelling on the site is unsatisfactory.

3. That the proposed development would be detrimental to the safety and convenience of users of the public highway.”

4.2 P87/S0434/O – An outline planning application for a dwelling on this part of the site was refused outline planning permission in 1987 for the following reasons:

“1. That the proposal would result in an undesirable sub-division of the curtilage of the existing dwelling having the characteristic of backland development resulting in a new dwelling being served by a long narrow driveway with no passing places and the development would result in inconvenience for collection and delivery services, contrary to the proper planning of the locality and contrary to Policy H9 of the Rural Areas Local Plan, which states *Backland development without a proper road frontage to a made up road will not normally be permitted because of the problems of privacy and access associated with such developments.*

2. That the sub-division of the curtilage in the manner proposed and the erection of the dwellinghouse would result in an intensive form of development out of keeping with the spacious character and setting of adjoining development and the development of this site would result in the progressive detracting in the character and visual amenity of the locality.

3. That having regard to the location of this site in close proximity to existing surrounding development, the erection of a two storey dwelling would overlook and the curtilage be overlooked by adjoining development, detrimental to the residential amenity of occupants of existing and the proposed dwelling.”

5.0 **POLICY & GUIDANCE**

5.1 Adopted South Oxfordshire Local Plan 2011 Policies:

G2 – Protection of the Environment

G5 – Making the Best Use of Land

G6 – Promoting Good Design

C4 – The Landscape Setting of Settlements

C9 – Landscape Features
EP8 – Contaminated Land
D1 – Good Design and Local Distinctiveness
D2 – Vehicle and Bicycle Parking
D3 – Plot Coverage and Garden Areas
D4 – Privacy and Daylight
D8 – Energy, Water and Materials Efficient Design
D10 – Waste Management
H4 – Towns and Larger Villages Outside the Green Belt
H5 – Larger Villages Within the Green Belt and Smaller Villages Elsewhere
H13 – Extensions to Dwellings
T1 – Transport Requirements for New Developments
T2 – Transport Requirements for New Developments

5.2 Supplementary Planning Guidance:
South Oxfordshire Design Guide 2008 – Sections 3, 4 and 5.
South Oxfordshire Landscape Assessment – Character Area 11.

5.3 Government Guidance:
PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPS7 – Sustainable Development in Rural Areas
PPG13 – Transport

6.0 **PLANNING CONSIDERATIONS**

6.1 The proposed development would be located within the built-up area of the village of Lower Shiplake, which is a settlement where backland residential development of one or two detached dwellings is considered to be acceptable in principle, provided it would not extend the settlement into the countryside or would create problems of privacy or access. Consequently the proposal falls to be assessed against the criteria of Policy H4 of the South Oxfordshire Local Plan. The planning issues that are relevant to this application are whether:

- The development would result in the loss of an open space or view of public, environmental or ecological value;
- The size and appearance of the proposal would be in keeping with the character and appearance of the surrounding area;
- The living conditions of neighbouring residential occupiers would be compromised and the development would provide suitable living conditions for future occupiers;
- The development would result in an unacceptable deficiency of off-street parking spaces for the resultant dwellings or other conditions prejudicial to highway safety; and
- The proposal would incorporate sufficient sustainability and waste management measures.

Loss of Open Space

6.2 Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site has formed part of an established residential plot and as such constitutes previously developed land. The Countryside Officer has confirmed that there is no evidence that it has any particular ecological value and there are limited public views of the rear of the site from the main road. This criterion would therefore be satisfied.

Character and Appearance

- 6.3 Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 seek to ensure that the design, height, scale and materials of the proposed development are in keeping with its surroundings and the character of the area is not adversely affected. The dwelling would be positioned in place of an existing structure and whilst the dwelling would have a larger footprint and would inevitably have a greater massing, it would not be in a prominent location in public views from the main road. The dwelling would be more noticeable in private views across the surrounding back gardens. However, the size of the gardens would be sufficient to enable a dwelling with the proposed footprint to fit onto the site without appearing cramped and it would be possible for it to have a form and massing that would be sympathetic to its surroundings. The detailed appearance of the proposed dwelling would have to be agreed at the reserved matters stage in order for any development to progress and an appropriate design could be agreed, which would take account of the existing built form around the site.
- 6.4 It is acknowledged that the planning history reveals the Council's previous resistance to the erection of an additional dwelling on the site. However, Government Guidance has changed over the past 45 years. PPS3 advocates making the best use of brownfield land in built up areas to take pressure off Greenfield sites with higher density development involving properties with smaller gardens. This is reflected in current Local Planning Policies, particularly having regard to the permissive nature of Policy H5. The plots for both Waynfilet and the proposed dwelling would comply with the recommended maximum 30% plot coverage and minimum 100 square metres garden areas. It is also noted that Holme Cottage is an established dwelling with first floor accommodation (built in the 1950's and most recently extended in 1999) in a similar backland location in the immediate vicinity with a similar relationship to adjoining properties to that now proposed. The Forestry Officer is satisfied that trees worthy of protection would be retained through tree protection and landscaping conditions and that new planting would help to assimilate the development into its surroundings. The proposed garages would be sympathetic in scale and appropriately located. In light of this assessment, the proposed development would comply with the above criteria.

Living Conditions

- 6.5 Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Criterion (v) explains that if the proposal constitutes backland development, it would not create problems of privacy or access. Officers consider that the level of separation between the proposed dwelling and nearby properties; as stated below would be sufficient to prevent any loss of outlook, daylight or privacy to the existing dwellings and in particular would ensure that the established standard window to window distance of 25 metres would be complied with. However, the new dwelling would nonetheless be located close to the rear garden boundaries of these dwellings, particularly Chiltern Lodge and Milverton. In order to safeguard the adjoining occupiers' enjoyment of their rear gardens, Officers consider that it is necessary to impose a planning condition to restrict the ridge height of the dwelling to a maximum of 7 metres (similar to Holme Cottage) and a further planning condition to prevent the insertion of any openings on the north and east facing walls at first floor level.

- Ashmead – 30 metres
- Milverton – 35 metres
- Grays Lodge – 35 metres
- Bolney Trevor House – 40 metres
- Chiltern Lodge – 48 metres

- 5 Quarry Lane – 60 metres
- Chestnut House – 63 metres

6.6 Officers consider that a dwelling constructed within these limitations, would not cause sufficient loss of amenity to the adjoining rear gardens to justify refusal of outline planning permission. The aforementioned landscaping and tree protection conditions would also ensure that established screening foliage is retained and strengthened with new planting. The proposed garages would not cause any loss of residential amenity and have not generated any specific objections. The outdoor amenity space provision would provide sufficient living conditions for the future occupiers of both Waynflete and the new dwelling. On the basis of this assessment, the proposed development would meet criteria (iv) and (v) of Policy H4.

Highways and Parking

6.7 Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Criterion (v) explains that if the proposal constitutes backland development, it would not create problems of privacy or access. The Highway Authority is satisfied that the proposed visibility at the access point would meet adopted standards and can be secured via a planning condition. There would be sufficient space within the site to enable parking standards for both dwellings to be met. The Forestry Officer is satisfied that the required access works would not harm the protected trees. The proposed development would therefore satisfy the above criterion.

Sustainability Measures and Waste Management

6.8 Policy D8 of the SOLP 2011 requires proposals to incorporate sustainability measures in terms of energy, water and materials efficient design. Section 3 of the SODG 2008 recommends that single dwellings reach at least Level 1 of the Code for Sustainable Homes. No details have been provided with this application, however there would clearly be scope for the dwelling to be designed so as to incorporate sufficient measures in relation to the Code for Sustainable Homes. Policy D10 requires the provision of waste collection facilities and space for refuse and recycling is shown on the plans. Both of these aspects could be secured via planning conditions.

7.0 **CONCLUSION**

7.1 The application proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would not materially harm the living conditions of nearby residents or the character and appearance of the area or result in conditions prejudicial to highway safety.

8.0 **RECOMMENDATION**

8.1 **Grant Outline Planning Permission.**

Subject to the following conditions:

1. **Standard Outline Planning Condition – Time Limit**
2. **Standard Outline Planning Condition – Details to be considered as reserved matters**
3. **Details of slab levels prior to commencement**
4. **Ridge height of dwelling to be no greater than 7 metres above external ground level**
5. **Samples of materials prior to commencement**

- 6. Removal of permitted development rights for first floor windows in north or east elevations**
- 7. Removal of permitted development rights for extensions, roof extensions, rooflights, outbuildings or hardstandings**
- 8. Details of sustainability measures prior to commencement**
- 9. Details of refuse and recycling storage and composter prior to commencement**
- 10. Provision of vision splays and access as plan prior to occupation and thereafter retained as such**
- 11. Provision of parking and turning areas prior to occupation and thereafter retained as such**
- 12. Retention of garages for car and cycle parking only**
- 13. Details of hard and soft landscaping prior to commencement**
- 14. Details of tree protection prior to commencement**
- 15. Details of contamination investigation and mitigation as necessary prior to commencement**

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