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**SUBJECT            DEVELOPMENT APPLICATION REPORTS            ITEM 8**

**REPORT OF**        Head of Planning & Building Control

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<b>APPLICATION NO.</b>	<a href="#">P10/W1242</a>
<b>APPLICATION TYPE</b>	FULL
<b>REGISTERED</b>	27.08.2010
<b>PARISH</b>	EAST HAGBOURNE
<b>WARD MEMBER(S)</b>	Mr Patrick Greene
<b>APPLICANT</b>	SOHA Housing Ltd
<b>SITE</b>	Wilcher Close East Hagbourne
<b>PROPOSAL</b>	Removal of existing garages and construction of 5 houses on two storeys including 8 parking bays.
<b>AMENDMENTS</b>	
<b>GRID REFERENCE</b>	452684188566
<b>OFFICER</b>	Mrs S Crawford

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**1.0 INTRODUCTION**

- 1.1 The application has been referred to the Committee because the recommendation conflicts with the views of the Parish Council.
- 1.2 There are three separate pieces of land included in this planning application;
- Area 1 is a garage and parking forecourt with two blocks of flat roofed garages. Number 11 Windsor Close gains access across this forecourt to a garage within the garden of 11.
  - Area 2 is a grassed, open and shared amenity space planted with one cherry tree
  - Area 3 is a parking and garage forecourt with two blocks of flat roofed garages. This site lies adjacent to Hakka's Brook and is within a flood zone 2 area.
- The character of the area is varied with two storey flats, two storey semi detached houses and semi detached bungalows in the immediate vicinity.  
The sites have no special designation other than the flood zone in area 3.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

**2.0 PROPOSAL**

- 2.1 The application seeks full planning permission for the redevelopment of the areas as follows.
- Area 1 – three no 2 storey dwellings are proposed; one no 3 bed dwelling (plot 3) and two no 2 bed dwellings (plots 4 and 5). Vehicular access for 11 Windsor Close would be retained. On site parking for two spaces would be provided for plot 3.
  - Area 2 – The amenity area would be removed and replaced with a parking forecourt to provide 8 parking spaces. Two spaces each for the dwellings on plot 4 and 5 and four parking spaces for general use to replace some of the parking lost in the area as a result of the development.

- Area 3 – two no 2 bedroom dwellings are proposed (plots 1 and 2). On site parking for two spaces would be provided for both properties and two parking spaces provided for 26 Wilcher Close.

Reduced copies of the plans accompanying the application are **attached** at Appendix 2.

### 3.0 CONSULTATIONS & REPRESENTATIONS

3.1 East Hagbourne Parish Council	Refuse. Overdevelopment of this relatively open and spacious area. The development adjacent to 27 -30 Wilcher Close is an extension to the built up limits of the village and an area liable to flooding. Demolition of the garages involves loss of at least 13 car parking spaces with inadequate replacement spaces. The provision of replacement parking involves the loss of an attractive grassed area and will detract from the amenity of the properties fronting this space. No case has been made that East Hagbourne needs more housing. Neighbours are reluctant to comment on the application as they may be tenants of the applicant. The garages are only empty because the tenants were given notice to quit. Not opposed to principle of development but this is too much.
OCC (Highways)	No objection comments and conditions recommended.
SODC Drainage Consultants (Monson)	Details of Surface water drainage are required. There may be a surface water drain which drains Wilcher Close, crossing the eastern site, into the watercourse. This should be shown on future plans.
SODC Health & Housing – Environmental Protection Team	No objection subject to addition of condition relating to contamination
SODC Countryside Officer	There are unlikely to be any significant ecological impacts as a result of the proposal but the comments of the Environment Agency regarding the need for a buffer zone to Hakka’s Brook are endorsed.
Environment Agency	No objection following additional information, subject to a condition to secure a buffer zone to Hakka’s Brook.

Neighbour Objectors (6)                      Infringes on access rights and views, concern about boundary treatments, no turning facility provided for access which will make manoeuvring difficult to reverse down long track (for 11 Windsor Crescent). Increase in traffic causing noise and disturbance and insufficient parking.  
Parking is already a problem this development will make it worse. 13 spaces to be lost only 4 to be replaced  
Flooding is a problem on one of the sites.  
The three new houses are not in keeping as they have a different building line and no front gardens.  
The access through The Croft is already potholed and narrow.  
The loss of the green area removes a meeting place for local residents.

#### 4.0 **RELEVANT PLANNING HISTORY**

4.1 P63/R2444 – Layout of estate and erection of 32 flats, 6 old people’s bungalows and 22 lock up garages – Approved.

#### 5.0 **POLICY & GUIDANCE**

5.1 Adopted SOLP Policies

G2 – Protection of District’s resources, G3, proximity of new development to existing services and links to public transport, G4 – Development in the countryside, G6 – Quality of design and local distinctiveness, C1 – Landscape character, C8 – development affecting protected species, EP1 – adverse affects of development, EP3 – proposals for external lighting, EP4 – Protection of water resources, EP5 – Flood risk impact, EP6 - Surface water drainage requirements, EP7 – Ground water resources, EP8 – Contaminated land, D1 – Principles of good design, D2 – Parking for vehicles and cycles, D3 – Provision of private amenity areas, D6 – design against crime, D8 – Conservation and efficient design, D9 – Renewable energy, D10 – Management of waste, H4 – New housing within towns and larger villages, H5 – residential development in the villages, H7 – Mix of units, H8 - density, H9 – affordable housing, T1 transport.

South Oxfordshire Design Guide

PPS1 – Delivering sustainable development  
PPS3 – Housing  
PPS7 – Sustainable Development In Rural Areas  
PPG13 – Transport  
PPS22 – Renewable Energy

#### 6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in this case are;

- Whether the principle of development is acceptable
- H4 Criteria
- Provision of gardens
- Affordable housing
- Mix of units
- Sustainable design issues
- Nature conservation issues
- Flooding issues

6.2 **Principle.** The site lies within the built up limits of East Hagbourne; this is one of the smaller villages in the district where the principle of infill or backland residential redevelopment is acceptable in accordance with Policy H5 of the adopted South Oxfordshire Local Plan. Policy H5 makes it clear that for development to be acceptable it must comply with the criteria in Policy H4.

6.3 **H4 criteria issues.**

i. That an important open space of public, environmental or ecological value is not lost;

- Area 1. The site is open and visible; but its use as a car park and garaging does not create a particularly attractive environment. The site is not an important open space and would have little ecological value.
- Area 2. Whilst the loss of the green open space is regrettable, the space is not of such environmental value that a refusal of planning permission would be justified on these grounds.
- Area 3. The site is not open or particularly visible and its use as a car park and garaging does not create a particularly attractive environment. The site is not an important open space. The site has some ecological value given the siting in relation to Hakka's Brook but the impact can be mitigated by the use of a condition to secure a buffer zone between the development and the brook.

ii. Design, height and bulk in keeping with the surroundings;

The application proposes two storey, semi detached and detached housing. The height, design and form of the buildings are in keeping with the form of other properties on Wilcher Close.

Neighbours have commented that the dwellings on plots 3, 4 and 5 (area 1) are well forward of the building line on Wilcher Close and are not in keeping with the character of the area. Area 1 is immediately to the north of the bungalows in Windsor Crescent that back onto Wilcher Close and to the south of flats that front onto Wincher Close and there is no consistent building line at this point. The dwellings on plots 3, 4 and 5 would sit slightly forward of the flats in Wilcher Close but this would not be particularly harmful to the character of the area in general.

iii. That the character of the area is not adversely affected;

The existing use and buildings on areas 1 and 3 do not contribute positively to the character of the area and there is scope for considerable improvement. The loss of the garaging and hardstandings would improve the general character of the area which has to be weighed in the balance with the loss of the open green amenity area. On the whole the overall impact would be an improvement to the character of the area.

iv. Amenity, environmental or highway objections; and

**Highway issues.** There are a total of 22 garages on the areas 1 and 3 but they have not been used for some considerable time and are fenced off. The continued use as garages is not recommended due to the lack of natural surveillance of the site of area 3 in particular. Many garages in such forecourts are not used for parking but rather for storage and the current use of areas 1 and 3 does not represent an efficient use of land.

**Parking provision.** Two parking spaces are provided for each new dwelling and for the flat at 26 Wilcher place. The proposal meets the council's standard for the provision of parking facilities for new dwellings. In addition four other parking spaces are provided to replace some of the displaced parking from the garage forecourts and SOHA have provided other parking spaces within the curtilage of some of their other properties in the vicinity. Neighbours are concerned about the loss of off road parking as a result of

the loss of the forecourts as there is already parking on the road at present. The applicant has made some effort to provide additional parking where possible and I do not consider that a refusal could be justified on the loss of parking facilities.

**Neighbour impact.**

The new dwellings are an acceptable distance from other buildings and will not cause problems of overlooking.

v. Backland development issues

Not applicable.

- 6.4 **Provision of gardens.** Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide in policy D3. The Design Guide seeks to provide a minimum private amenity area of 50 square metres for 2 bedroom dwellings and 100 square metres for three bedroom dwellings. All the gardens are in excess of the minimum standard which is an indication that the proposal is not an overdevelopment of the site as suggested in some of the objections.
- 6.5 **Provision for affordable housing.** Policy H9 of the adopted Local Plan seeks to achieve a provision of affordable housing on sites capable of accommodating more than 5 dwellings in settlements where the population is less than 3000. H9 requires that 40% of the units should be affordable in any development where there is a net gain of 5 and this will usually be secured through a section 106 agreement. In this case, there is a total of 5 dwellings on two of the application areas and a requirement for at least 2 of the houses to be affordable. However, the site is owned by SOHA one of the Council's preferred registered social landlords and all units will be affordable, as such a legal agreement is not necessary.
- 6.6 **Mix of units.** Policy H7 of the adopted Local Plan 2011 requires an acceptable housing mix to ensure a steady provision of small two bedroom properties. The most recent housing needs assessment has suggested that up to 60% of new units should be 1 or two bed dwellings. In this case, the proposal provides for 5 dwellings, 4 of which would be two bed dwellings; this equates to an 80% provision for smaller units. Whilst this is in excess of the requirement the applicant is a registered social landlord and the proposal is to meet the particular demand they have in the area. As such the provision for two bed units is acceptable.
- 6.7 **Sustainable design issues.** Policy D8 of the SOLP seeks to ensure that all new development demonstrates high standards in the conservation and efficient use of energy, water and materials. It is anticipated that at least a Code 3 of the Code for Sustainable Homes can be achieved
- 6.8 **Nature conservation issues.** Policy H4 of the adopted Local Plan seeks to ensure that sites of ecological value are not lost. Policy C8 also aims to ensure that protected species and their habitats are not adversely affected by new development. Bat and water vole surveys have been carried out in relation to the proposal and the Countryside Officer has concluded that there are unlikely to be any significant ecological impacts as a result of the proposal. The Environment Agency has also requested a buffer zone between Hakka's Brook and the houses on plots 1 and 2 to protect wildlife habitats and this can be secured by condition.
- 6.9 **Flooding.** Area 3 of the application site lies within a flood zone 2 area and a flood risk assessment has been carried out and submitted with the application. The Environment Agency has no objections to the principle of the development on area 3.

7.0 **CONCLUSION**

7.1 Planning permission is granted because the principle of residential development within East Hagbourne is acceptable. Subject to the attached conditions, the scheme proposed would not be unneighbourly, cause highway problems and would on the whole contribute positively to the character and appearance of the area. As such the proposal accords with Development Plan Policies.

8.0 **RECOMMENDATION**

8.1 **That planning permission be granted subject to the following conditions:**

1. **Commencement 3 years**
2. **Compliance with**
3. **Materials as on plan**
4. **Parking and manoeuvring areas retained**
5. **Landscaping**
6. **Contamination**
7. **Surface water drainage works**
8. **Wildlife protection buffer to Hakka's Brook**

Author: Sharon Crawford  
Contact No: 01491 823739  
Email: [planning.west@southoxon.gov.uk](mailto:planning.west@southoxon.gov.uk)