
APPLICATION NO.	P11/W0439
APPLICATION TYPE	FULL
REGISTERED	04.04.2011
PARISH	SOUTH STOKE
WARD MEMBER(S)	Mrs Ann Ducker MBE Mrs Pearl Slatter
APPLICANT	Mr J Alderson
SITE	Ashmount Cottage Ferry Road South Stoke
PROPOSAL	Erection of replacement house and replacement ancillary outbuilding.
AMENDMENTS	Amplified by e-mail from Wildlife Consultant dated 31 March 2011 and amended by drawing number 102702D and 102703E accompanying letter from Agent dated 25th May 2011.
GRID REFERENCE	459693183745
OFFICER	Mrs G Brown

1.0 INTRODUCTION

- 1.1 The application has been referred to the Planning Committee because the recommendation conflicts with the views of the Parish Council.
- 1.2 The application site is shown on the OS extract **attached** as Appendix 1. The application site is located within the built up limits of the settlement, on the northern side of Ferry Road. The plot measures some 0.09 hectares and it accommodates a single storey detached dwelling which has previously been extended and an 'L' shaped range of stables in the mid section of the site. The buildings lie within the Chilterns Area of Outstanding Natural Beauty and the whole site falls within Flood Zone 2.

2.0 PROPOSAL

- 2.1 This planning application seeks full planning permission for the demolition of the existing dwelling and stables and the erection of a two storey detached property and a separate double garage with attached outbuilding.
- 2.2 The application was accompanied by a Design and Access Statement, a Flood Risk Assessment, Bat Survey and Energy Statement which can be viewed 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 **South Stoke Parish Council** – Object. Scale of proposed new build is inappropriate to site and surroundings, as defined in SODC Planning Policy G6. (Existing low-rise building adds to the variety of the built environment in that part of the village without over-powering adjacent properties). The building is iconic to the nature of the village.

County Archaeological Services – No comments

Countryside Officer – No objection subject to the suggested condition being imposed on any planning permission.

Neighbour Representations (2) – There is only one window serving the first floor bedroom at Primrose Cottage and this is within the side elevation. The proposed development would significantly reduce the daylight received by this room and block out almost all of the sky view. The proximity and height of the east gable of the proposed dwelling and the nearby chimney as well as the level of the ridge line would combine to create an overbearing and unacceptable aspect from this bedroom. The proposals are excessive in bulk and scale. The proposed cloakroom and sitting room windows would overlook the boundary 'our driveway, our house entrance and hallway, and our study' and we would hope that these openings are eliminated. The proposed new dwelling is considerably larger than Primrose Cottage and would overpower it.

– We wish to register our strong objection to the proposed *Erection of a replacement house and Replacement ancillary outbuilding* on the grounds of overdevelopment of the site, overshadowing with reduced privacy, inappropriate access and change in character of the corner of the village'. The proposal would dominate our property (Waises) and be 'detrimental to our long-standing northerly aspect'. The proposed first floor windows within the south facing elevation 'would deprive us of any privacy in our back garden'. The proposed position and alignment of the main entrance is inappropriate. The existing dwelling adds to the character of this corner of South Stoke. The proposed use of soffit boards and barge boards is out of character with adjacent properties.

SODC Drainage Consultant – No objections

Forestry Officer – No objections

4.0 **RELEVANT PLANNING HISTORY**

4.1 **P10/W0226.** Extensions and alterations following demolition of stable block. Withdrawn prior to determination on 29 March 2010.

P01/W0651. Single storey extension. Planning Permission on 29 October 2001.

P69/H0605. Extension to form 2 bedrooms and w.c. Planning Permission on 24 October 1969

5.0 **POLICY & GUIDANCE**

5.1 **Adopted South Oxfordshire Local Plan 2011 Policies:**

Adopted South Oxfordshire Local Plan Policies (SOLP 2011):

C2: Development in an Area of Outstanding Natural Beauty

C8: Species protection

D1: Good design and local distinctiveness

D2: Vehicle and bicycle parking

D3: Plot coverage and garden areas

D4: Privacy and daylight

D8: Promoting efficient use of energy

D10: Provision for the management of waste

D11: Infrastructure and service requirements

H4: Development in the towns and larger villages

H5: Development in the larger villages within the green belt and smaller villages throughout the district

H8 : Density of new development

G2: Protection and enhancement of the environment

G5: Making the best use of land

G6: Promoting good design

R2: Provision of outdoor playing space

T1: Promoting a sustainable transport network

Planning Policy Statements (PPS's):

PPS1: Delivering sustainable development

PPS3: Housing

PPS22: Renewable energy

PPS25: Development and Flood Risk

South Oxfordshire Design Guide 2008; All sections.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main considerations in the determination of the application is:

- Principle of a new dwelling
- H4 criteria
- Whether adequate standards of privacy and amenity have been provided
- Parking
- Whether sufficient sustainable measures have been incorporated into the design of the dwellings
- Protected Species
- Flooding
- Trees

6.2 **Principle.** The site lies within the built up limits of the settlement of South Stoke which is listed under para. 5.17 of the Local Plan as a smaller village in the district where infill development is allowed for new housing. The replacement of existing dwellings within the smaller villages is acceptable in principle and it is useful to use the criteria of Policy H4 to test whether a scheme is acceptable.

6.3 **H4 criteria issues**

(i) Loss of an important open space.

There is an existing dwelling on the site and a stable block to the rear and as such, the proposal would not involve the loss of an important open space.

6.4 **(ii) Design, height and scale of the proposed development**

Design

The character of properties in this part of South Stoke is mixed and the house types range from traditional detached cottages (Waises, Primrose Cottage and River View) to larger detached properties including Ashmount House and Corner House. There are also a number of converted agricultural buildings including The Old Stables and Ferry Lane Barn and more modern dwellings including Moss Cottage for which planning permission was granted in 2005 and Fifield Cottage for which permission was granted in the 1960's.

Generally, the surrounding buildings are finished in facing red/orange brickwork with plain clay tile or slate roofs but flint is also used for example in the front boundary walls of Waises and Moss Cottage and in the walls of College Farm House. Several properties along Ferry Road have undergone substantial extension including The Old Forge House, Primrose Cottage and Waises. The proposed dwelling would be finished in facing brickwork and the roofs would be clad in plain clay tiles whilst windows and doors would be in timber. The form and design of the dwelling is simple and is in keeping with the style of other properties along Ferry Road. It is to be constructed in red brick and traditional lime mortar with a reclaimed red clay peg tile roof, all to match the existing cottage and a number of the other surrounding properties.

The stable block which was constructed in the 1960's is timber clad with a slate roof. The proposed ancillary building is to be constructed with a brick plinth with an oak frame and oak cladding. The roof is to be in reclaimed clay peg tiles to match the replacement house. The garage which will be closest to the road is of a traditional and simple form which is in keeping with the local vernacular and the outbuilding to the rear is of a very simple design and is agricultural in character.

6.5 **Height and Scale**

The proposed replacement house is of a cottage design and it has been designed such that its eaves and ridge levels would not exceed those set by its nearest neighbour, Primrose Cottage.

The existing stables in the rear garden are showing their age and are a prominent feature within the street scene due to their 'L' shaped plan and the fact that they project across almost the entire width of the site. Whilst the ridge height of the replacement outbuilding is some 0.9 metres higher than the existing stables (the existing height is 3.8 metres and the proposed height of the outbuilding is some 4.5 metres) the footprint of the proposed garage and outbuilding is some 31 sq metres less than that of the stables. It is also of relevance that the applicant could keep the existing stables and erect a further large outbuilding at the rear of the property. Should Members resolve to grant planning permission for the proposed replacement dwelling and outbuilding officers would recommend that a condition is attached which removes permitted development rights for any further buildings or enclosures within the curtilage of the property as this could have a detrimental impact on the character of the street scene.

6.6 **iii) the character of the area is not adversely affected.**

The scale of the new dwelling is considered to be in keeping with the character of the area as discussed above and the exterior of the property is to be finished in high quality, traditional materials which are in keeping with the local vernacular.

The existing extensive stable outbuildings in the rear garden are some 45 years old and are very visible in public views from outside the site particularly from in between Ashmount Cottage and Primrose Cottage and from outside the entrance to Ashmount

Cottage. The proposed replacement outbuilding is linear in form and will not project in to the site as the existing 'L' shaped stables do. As such, your officers consider that the development would be less prominent within the street scene and would open up views to the rear of the site.

6.7 **(iv) there are no overriding amenity, environmental or highway objections.**

Policy H4 of the SOLP seeks to resist development that would be harmful to the amenities of occupants of nearby properties with particular reference to privacy, outlook, sunlight, daylight, noise and disturbance. The occupants of the adjoining property, Primrose Cottage have raised a number of concerns over the proposed development. The second bedroom is located at the front of the property and it is served by just one window which is within the west facing gable. The proposed replacement dwelling would be located at a distance of some 5.3 metres from the west elevation of Primrose Cottage and the bedroom window would face on to the rear projecting gable which is to be set down from the main (east-west) ridge. The current view from the neighbour's bedroom window is on to the roofs of the single storey extensions to the rear of Ashmount Cottage and across to the roofs of River View. The ridge height of the closest extension is some 4.2 metres and the ridge height of the new two storey projecting wing is some 7 metres. The view from the bedroom window should the replacement dwelling be erected would be on to the wall of the dwelling and the roof which slopes steeply away from the neighbour. Your officers do not therefore consider that the outlook from the bedroom, which would not fall to be considered as a principal living room, would be materially different as a result of the proposed development. As the window is west facing, the development would cast a shadow across the neighbouring property in the late afternoon at a time when a bedroom is not generally used and your officers do not consider that the impact would be such to warrant the refusal of planning permission.

The neighbour is also concerned that the replacement dwelling would be overbearing and oppressive but the eaves and ridge levels would not exceed those of Primrose Cottage and your officers consider that the side to side relationship with a gap of over 5 metres between the two properties is comparable to the relationship between many other properties within a settlement. It is also of note that the replacement dwelling would sit largely forward of the front building line of Primrose Cottage.

The neighbour also objected to the proposed ground floor windows within the east facing elevation of the new dwelling on the grounds that they would allow a direct line of sight in to their driveway, porch, hallway and study but the revised plans show that the applicant proposes to erect a two metre high close boarded fence on the shared boundary which would prevent any mutual overlooking between the two properties. Only one high level roof light is proposed at first floor within the side elevation and as such, your officers consider that the proposed development would not be unneighbourly by way of overlooking Primrose Cottage.

River View is located to the north west of Ashmount Cottage and the distance between the two properties would be some 15 metres. Having regard to this distance and to the fact that the scale of the property is in keeping with the established character of the area, your officers consider that the proposal would not be overbearing or oppressive to the occupants of River View. Only one first floor window is proposed within the west elevation of the replacement dwelling and this would serve a bathroom and will be obscure glazed. Whilst first floor accommodation is to be introduced, the rear of the property projects beyond the rear elevation of River View so the area immediately to the rear of the neighbour's dwelling would remain private and the neighbour's garden is substantial, extending across to the north west. Ashmount Cottage would be orientated away from River View and so the line of sight across to the neighbouring property

would be limited.

The occupants of Waises which is on the opposite side of Ferry Road and slightly to the east have objected strongly to the proposed development on the grounds of 'overshadowing with reduced privacy, inappropriate access and change in character of the corner of the village' and that the proposal would dominate their property to the detriment of their long-standing northerly aspect. The replacement dwelling be set slightly further back in the site than the existing bungalow (some 0.3 metres) and the distance between the new property and Waises would be some 16 metres with the road separating the two properties. The neighbour is concerned about the impact on their view but this is not a material planning consideration. Given the distance between the properties and to the fact that there is a two storey cottage directly opposite Waises which is the same height as the proposed dwelling, your officers consider that the development would not have an overbearing or oppressive impact on the occupants of Waises. Furthermore, the neighbour is concerned that the development would have a detrimental impact on their privacy as a result of the introduction of first floor windows but their front boundary is marked by a low wall and a five bar timber gate and as such, views of the garden are readily available to users of Ferry Road. However, the two storey side extension at Waises provides some screening to the area of garden immediately to the rear of the original part of the property and the proposed development would not have an impact on this part of the neighbour's property.

It is proposed to replace one dwelling with one dwelling and this is unlikely to result in an intensification of the use of the access on to Ferry Road and the access is to remain in the same location. As such, there is no objection to the proposal on highway safety grounds.

6.8 v) if the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.

The site has a road frontage and the proposal does not constitute backland development.

6.9 Whether adequate standards of privacy and amenity have been provided.

Policy D4 of the adopted SOLP states that 'new dwellings should be designed to ensure adequate privacy for existing and new residents to enable them to enjoy their homes without undue intrusion from neighbours or from the public'. The garden area measures in excess of 600 sq m with private areas immediately to the rear of the dwelling and to the rear of the proposed outbuilding. The South Oxfordshire Design Guide recommends a private amenity area of 100 sq m for three bedroom dwellings and above and as such the garden area exceeds the standards.

As discussed above, your officers are of the opinion that the proposed development would not have a material impact on the level of privacy that is currently enjoyed by neighbouring residents either within their properties or their gardens and it is therefore considered that adequate standards of privacy and amenity have been provided in accordance with Policy D4 of the Local Plan.

6.10 Parking provision.

The Council requires 2 + spaces on merit for a 4 bedroom dwelling. The property is shown to have a double garage and space for more than two vehicles on the driveway. The development therefore complies with the Councils' parking standards.

6.11 Whether sufficient sustainable measures have been incorporated into the design of the dwellings.

The District Council encourages the use of renewable energy technologies, especially where new build is proposed. An Energy Statement accompanies the application and this shows that the applicants have considered various measures that are to be incorporated in the construction and design of the new dwelling. A condition will be imposed on the permission stating that the new dwelling should meet Code Level 3 of the Code for Sustainable Homes in accordance with the Council's current requirements as specified in para. 4.4.1 of the South Oxfordshire Design Guide.

Officers are therefore satisfied that the proposed development would accord with Policy D8 of the adopted South Oxfordshire Local Plan.

6.12 Protected Species.

The Council's Countryside Officer has visited the site and the existing house was found to contain a low status roost of brown long eared bats. Although no emergence or re-entry surveys have been conducted to confirm this, the officer is satisfied that the level of evidence presented and the limitations of the existing building are sufficient to make an informed decision in this case. The Bat Inspection Survey Report which was submitted with the application includes mitigation proposals which provide plenty of scope for bat use should further bat evidence be revealed during the required emergence/re-entry surveys. Furthermore, the Countryside Officer considers that subject to a condition being imposed on any planning permission which requires the applicant to implement the development in accordance with the scheme of mitigation/enhancement detailed in the Bat Inspection Survey Report produced by the Wildlife Survey Unit in March 2011 in all respects, the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range in accordance with Policy C8 of the adopted South Oxfordshire Local Plan.

6.13 Flooding.

The whole of the site lies within Flood Zone 2 of the River Thames and the northern most tip of the site falls within Flood Zone 3. The information contained within the accompanying Flood Risk Assessment advises that the footprint of the proposed replacement house and outbuilding will be 126sqm and 96sqm respectively (222sqm total). This compares to the footprints of the existing house and outbuilding which are 95sqm and 127sqm respectively (222sqm total). The result is that there is no net change in the built footprint at the site.

A full topographical survey of the site has been undertaken by Marchfield Surveys Ltd. This reveals that the site levels at Ashmount Cottage range from around 44.2m at the site entrance down to around 43.6m at the rear boundary. The threshold level of the existing cottage is measured as 44.34m. The proposed ground floor FFL of the replacement house is 44.40m throughout. The Council's drainage consultant has studied the plans and the Flood Risk Assessment and has concluded that the development would not lead to additional flood risk in accordance with advice contained within PPS25.

6.14 Trees.

It is proposed to remove four trees which are located between the west wall of the stables and the shared boundary with River View as part of the development. The trees are not protected and the site does not lie within a conservation area and the Forestry Officer has no objection to their removal. Officers would recommend that a landscaping condition is imposed on any planning permission in order to mitigate for the loss of the

trees through the planting of new specimens elsewhere on the site.

7.0 CONCLUSION

7.1 The development lies within the built up limits of South Stoke and there is no objection to the principle of a replacement dwelling in this location. The proposed dwelling is considered to be in keeping with the established character of the area in terms of its scale and design and its impact on the amenities of the neighbouring residents is considered to be acceptable. The new dwelling would comply with Code Level 3 of the Code for Sustainable Homes and the scheme is otherwise generally in accordance with Development Plan Policies.

8.0 RECOMMENDATION

8.1 **Grant Planning Permission subject to the following conditions:**

1. **Commencement 3 yrs - Full Planning Permission**
2. **Compliance with approved plans**
3. **Sample materials required (all)**
4. **Withdrawal of PD (Part 1 Class A) - no extensions/alterations**
5. **Withdrawal of PD (Part 1 Class E) - no buildings/enclosures**
6. **Sustainable Homes - Code Level 3**
7. **Turning Area & Car Parking to be provided prior to first occupation**
8. **Incidental occupation and use only (outbuilding)**
9. **Implementation of a species / habitat scheme**
10. **Unique Landscaping – Replacement tree planting**
11. **New fence**
12. **Flooding – Development to be carried out in accordance with the Flood Risk Assessment**
13. **Flooding – Finished Floor Level to be 44.40 metres above ordnance datum**
14. **Obscure Glazing**
15. **Contamination Investigation**

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