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<b>APPLICATION NO.</b>	<a href="#">P10/E1213</a>
<b>APPLICATION TYPE</b>	FULL
<b>REGISTERED</b>	27.08.2010
<b>PARISH</b>	STOKE ROW
<b>WARD MEMBER(S)</b>	Judith Nimmo-Smith
<b>APPLICANT</b>	John Pardey Architects
<b>SITE</b>	Two Heads Kit Lane Checkendon (in the parish of Stoke Row)
<b>PROPOSAL</b>	Demolish existing premises including associated storage enclosures, and erection of 7 new dwellings.
<b>AMENDMENTS</b>	
<b>GRID REFERENCE</b>	466977/184260
<b>OFFICER</b>	Mr M.Moore

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**1.0 INTRODUCTION**

- 1.1 This application is referred to Planning Committee at the discretion of the Development Manager.
- 1.2 The application site lies within the parish of Stoke Row in a relatively isolated location approximately 1 km to the north-west of the centre of the village of Stoke Row and 2 km to the north-east of Checkendon. A location plan is **attached**. The red edged application site area extends to some 0.95 hectares and currently contains a substantial range of buildings which have been constructed over a period of many years. There is approximately 2400 sq.m. of industrial floor space together with large areas of hardstanding for parking and servicing, open store spaces, portacabins and lorry trailers. Access is currently taken from the north-east of the site from Kit Lane which is a narrow two lane carriageway highway running between Stoke Row and Nuffield. To the north west of the site is an open area of land together with two dwellings and a large storage building. This area is owned by the applicant but does not form part of the present application.
- 1.3 The site is surrounded by Chilterns Beechwoods and at the front of the site are a number of trees which act as a screen. To the north-west of the site is a further area of land owned by the applicant which is much more open and presently contains two dwellings and a storage building.
- 1.4 The surrounding area is very rural being predominately woodland or in agricultural use. There is a short row of six dwellings to the north-east of the site.
- 1.5 The whole area lies within the Chilterns Area of Outstanding Natural Beauty.
- 1.6 The application proposes the removal of all industrial buildings on the site, the breaking up of all hardstandings and removal of all portacabins, trailers etc. The application then proposes the erection of seven dwellings comprising 1 x 5 bed, 1 x 4 bed, 2 x 3 bed and 3 x 2 bed properties giving a total footprint of 1935 sq.m.
- 1.7 The dwellings are of unashamedly modern design. There will be extensive glazing with walls to be constructed in buff bricks with cedar cladding and a zinc roof. A pre-assessment has been undertaken in terms of sustainability and the dwellings are designed to reach Code Level 4 in the Code for Sustainable Homes. The application is accompanied by a number of statements including a transport assessment, ecological

assessment, tree report and a comprehensive design and access statement. The application has been submitted following an extensive consultation by the applicant.

1.8 Access to the site is to be taken via an existing access on the north-east side of the site. Extracts from some of the relevant plans and a typical elevation are **attached**. Full details can be viewed on the Council's website [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

1.9 The application has been advertised as a departure to the Development Plan

**2.0 CONSULTATIONS & REPRESENTATIONS**

- 2.1 Stoke Row Parish Council - Approve. They request that any infrastructure payments should go to the benefit of the village, concern about noise and possible light pollution.
- 2.2 SODC Environmental Protection - No objection. Requires normal conditions on contamination.
- 2.3 SODC Countryside Officer - No objection but requires a condition relating to further wildlife surveys and an informative about bats.
- 2.4 SODC Forestry Officer - No objection subject to tree protection conditions and no dig method for access improvements.
- 2.5 SODC Economic Development - It is considered that the relocation of the business to Henley would offer a much better location and Economic Development willing to support the proposal as it gives better potential for job creation and growth.
- 2.6 SODC Housing Officer - Considers that the offer of payment for off-site affordable housing is inadequate.
- 2.7 OCC Highways - No objection. Requires conditions on construction travel plan, turning areas in the car park, modified access and turning area and cycle parking.
- 2.8 OCC Developer Funding - Requires contributions towards education, libraries, waste management, museum services and social and healthcare.
- 2.9 Crime Prevention Design Officer - No objection. They advise that pre-application comments have been incorporated into the scheme.
- 2.10 Thames Water - No objection.
- 2.11 Chilterns AONB Conservation Board - No objection. They comment that they have visited the site and are anxious that the house closest to the road misses the trees.
- 2.12 Neighbours (2) - Objection. Both accept that something will happen on the site but consider it is outside the village envelope.

(3) - Support. They comment that there should be no more dwellings and that it is this scheme which should get built. There are also comments that it requires better broadband.

(1) - Comment there should be no more dwellings.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 The site was historically a timber sawmill. The existing buildings on the site have been constructed over a period of many years and are a mixture of styles and type. Some are constructed in brick with clay tiles at the front of the site. Larger buildings to the rear of the site have sheeted roofs. There have been various applications for extensions and alterations to the buildings over a number of years. The land to the north-west of the application site has an extant permission which has recently been renewed for the replacement of Star Cottage and Mill Cottage with two substantial properties of a similar contemporary design to the current proposals. There is a change in land levels between the current site and the site to the north-west and together with the belt of trees, they visually appear separate.

#### **P10/E0326**

3.2 This application sought to demolish the existing business premises and erect 18 mixed tenure houses and a small amount of B1 office use on both sites. Following considerable local representation against the proposal, the application was withdrawn in June 2010.

#### **P10/E0327**

3.3 This application proposed the erection of five dwellings on the present site together with an area of land at the front of the site which would be 'dedicated land to parish'. The five dwellings proposed are larger than those proposed in the current application. The applicant has confirmed that that application would be withdrawn in the event of this application being approved.

### 4.0 **POLICY & GUIDANCE**

4.1 The following policies are considered of most relevance in the consideration of this application:

#### South Oxfordshire Local Plan 2011 (SOLP)

- 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
- C8 – Species protection
- C9 – Landscape features
- 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 material of sufficient design
- D10 – Waste Management
- E6 – Protection of employment site
- H6 – Locations where new housing will not be permitted
- H7 – Range of dwelling types and size

H9 – Affordable housing  
T1 & 2 – Transport requirements for new development

Government guidance PPS1 – Delivering sustainability development  
PPS3 – Housing  
PPS 4 – Planning for sustainable growth  
PPS7 – Sustainable development in rural areas

South Oxfordshire Design Guide

5.0 **RELEVANT PLANNING CONSIDERATIONS**

- 5.1
- (i) The principle of housing
  - (ii) Loss of employment site
  - (iii) Effect on Area of Outstanding Natural Beauty,
  - (iv) Affordable housing,
  - (v) Housing mix
  - (vi) Impact on neighbours
  - (vii) Traffic issues
  - (viii) Developer Contributions
  - (ix) Impact on wildlife and other issues

**(i) The principle of housing**

- 5.2 The site lies in an unsustainable rural location within the Chilterns Area of Outstanding Natural Beauty. In the absence of any special circumstances, the erection of seven new houses in this location would be contrary to Policy H6 of SOLP, hence the application has been advertised as a departure from the Development Plan. The site is however 'previously developed' land comprising a number of buildings, storage areas, hardstandings and temporary buildings currently in employment use.

**(ii) Loss of employment**

- 5.3 Policy E6 of SOLP seeks to retain employment uses. It is important to maintain a reasonable balance of employment and housing uses throughout the district. This gives the opportunity for residents of both towns and villages the opportunity to find work locally. The policy acknowledges that it should not be used to keep economically unviable businesses going and suggests that sites should be marketed for at least a period of one year at a reasonable price to ensure that there are no other suitable employment or service trade uses which might be able to make a site viable.
- 5.4 In August 2007 the District Council commissioned DTZ to undertake a review of 76 employment sites throughout the district. The site that is the subject of the present application was one of 16 having a 'poor' rating.
- 5.5 The applicant has submitted a considerable amount of information concerning his business. He has operated from the site for a period of 20 years but in the current climate is finding its remoteness a difficulty. In brief, his business involves design work for promotional projects around the world. The business has offices in Hong Kong and the United States. He has an in-house design team working from the site and they also construct much of the promotional material at the site. Over the last few years however, he has found it increasingly difficult to attract designers to the premises. Although rural locations such as barn conversions can often be an attraction in itself, these buildings are essentially utilitarian and do not lend themselves to modern methods of working. The applicant wishes to move his business to a more sustainable location in an urban setting with a purpose designed building. He has identified a site in Henley which has outline planning permission for offices which would allow his business to continue to flourish. He also considers that such a location, having easier

access to airports and other transport links, would be more likely to attract the calibre of staff that he requires.

- 5.6 The application site has been marketed for approximately 4 years. The Council's Economic Development Team has assessed the marketing exercise and concluded that the site was offered at a reasonable price. The applicant states that no offers have been made for the existing business.
- 5.7 The loss employment land is regretted. However, in accordance with policy E6 the site has been marketed and the council's economic development team have confirmed that it was marketed in an appropriate fashion. Other alternative uses have been considered by the applicant including community uses, retail or hotel use and a care/nursing home. Given the relatively remote and unsustainable location of the site such uses have been discounted and I consider that in this particular case, residential use is the most appropriate alternative use. With a move to Henley, the current level of employment at the site (25 employees are directly employed) could be retained within the district.

**(iii) Effect on Area of Outstanding Natural Beauty**

- 5.8 The site lies in a most attractive semi-rural part of the Chilterns Area of Outstanding Natural Beauty. During summer months the extent of the buildings currently on site is not readily apparent. However, in winter, the buildings are far more visible. They are of utilitarian construction having been built over a period of many years. There are also extensive areas of hardstanding and open storage all of which are lawful. The proposal will involve a reduction in the order of 20% in footprint coverage of the buildings. However, there will also be a substantial reduction in the amount of hardstanding and outside storage that currently takes place on the site.
- 5.9 The proposed dwellings would be of a striking contemporary design. The designs have been supported by CABE as an excellent example of modern design. All the dwellings have been designed to achieve Code Level 4 in the Code for Sustainable Homes. I consider that the design chosen, which respects the existing unimplemented permission on the adjoining site for two replacement dwellings, will positively enhance the appearance of the Chilterns Area of Outstanding Natural Beauty. This will not be a new residential close of pastiche properties but a contemporary expression of sustainable design. I consider that the enhancement to the appearance of the site and local environment complies with Policies G2 and G2 of SOLP.

**(iv) Affordable housing**

- 5.10 Policy H9 of SOLP requires 40% of the seven dwellings to be 'affordable'. This represents 2.8 dwellings in this case, which would be rounded up to 3 properties. The policy recognises in the accompanying text that, although the Council would normally expect the provision to be made on site, there may be circumstances where the Council and the Developer consider that the requirement for affordable housing could be made through a financial contribution towards the provision of affordable housing on another site in the Local Planning Authority's area. In this particular case the architectural quality of the scheme would lead to higher build costs than would normally be expected. It is mostly unlikely that any registered social provider would wish to take on the very high build costs associated with a development of this quality. Furthermore, a financial contribution would allow the provision of affordable housing in what is likely to be a more sustainable location. Consequently, I believe that a financial contribution equivalent to three affordable units would, in context of this site and design of development proposed, be appropriate.
- 5.11 There have been extensive discussions with the applicant about the affordable housing contribution. A viability assessment was undertaken by BNP Paribas, who have been

acting as consultants for the district council and are nationally regarded as experts in housing viability. The higher build costs are essentially related to the sustainable methods of construction resulting in the achievement of code level 4 (code for sustainable homes) and the quality of the external materials. After considerable debate, and taking into account the high build costs, BNP Paribas advise that the affordable housing contribution should be of the order of £775,000. The applicant has stated he cannot afford this level of contribution and he would not therefore move his business. Policy E6 of SOLP seeks to retain existing businesses and indicates that the main employment sites in the four towns are essential to provide a reasonable balance of employment and houses and ensure the continuing role of the four main towns as local service centres. After lengthy negotiation the applicant has agreed to the principle of making a payment of £500,000 in three stages relative to the number of houses being constructed. In the event that his business does not relocate within South Oxfordshire £775,000 would become payable. Although this is an unusual situation I believe that in this particular case that officers have found an acceptable way forward because the retention of jobs is a desirable planning objective. In reaching this conclusion a balance has been struck between the enhancement of the environment, the retention of jobs within the district and the provision of affordable housing.

**(v) Housing mix**

- 5.12 When processing relatively small schemes, it is sometimes difficult to achieve precise compliance with policy H7 of SOLP. In this case, all seven properties are relatively large and spacious. However, the actual bedroom accommodation does meet the Council's requirement for a range of house types and styles ranging from two beds to 4+ bed properties.

**(vi) Impact on neighbours**

- 5.13 The two nearest properties are owned by the applicant. However they are on slightly higher land and with the distances involved, I do not consider that there is any overriding impact on those adjoining properties. Other properties are further away and I do not consider that there is any material direct impact on any dwellings.

**(vii) Traffic**

- 5.14 Over the last few years, the amount of heavy goods vehicles visiting the site has diminished. There are currently 25 employees on the site who all travel by car. The adjoining highway network comprises generally narrow country roads. The present proposal will result in a significant diminution in the amount of traffic and I consider that the impact on the local road network is acceptable. OCC (Highways) have raised no objection to the development subject to a number of conditions.

**(viii) Developer contributions**

- 5.15 As noted above, the County Council consider that the development will place an additional strain on a number of local services and consider that contributions should be sought for its provision. Work is well advanced in the preparation of the required agreement and the applicant has indicated his willingness to make appropriate payments.

**(ix) Wildlife**

- 5.16 During the processing of applications to the north-west of the site, a population of bats was identified. An ecological survey has been undertaken of the existing buildings and, with appropriate conditions and mitigation, the Council's Countryside Officer is satisfied the impact on the local wildlife can be minimised.

**(x) Other issues**

- 5.17 Garden sizes, overlooking distances and parking requirements have all been met.

5.18 Several residents have mentioned the poor standard of broadband provision in the area. Policy CSEM1 of the draft submitted Core Strategy, suggests that the provision of broadband for new developments is a planning consideration. In this particular case, I do not consider that it would be reasonable to expect a development of only seven houses, which replaces an existing employment site, to fully fund improvements to broadband provision in the area. It is likely to involve significant cabling and the cost would be wholly unrelated to the scale of development.

6.0 **CONCLUSION**

6.1 The development involves the erection of seven houses in an unsustainable rural location. However, the site comprises 'previously developed land' and the proposal would result in a reduction in the built coverage of the site and the number of traffic movements currently generated by the business. The high quality contemporary development, which embodies the latest principles of energy efficiency and sustainability, would enhance the appearance of this part of the Chilterns AONB. The applicant has agreed to make an appropriate contribution to affordable housing provision, which would be staged and relate to the relocation of his business within the District, and these matters would be covered by an appropriate S106 Planning Obligation.

7.0 **RECOMMENDATION**

7.1 **That planning permission be granted subject to the prior completion of a Section 106 Agreement with Oxfordshire County Council to provide off-site infrastructure as noted in the report, and with the South Oxfordshire District Council to provide for payments towards off-site affordable housing provision (to be staged and to have regard to relocation of business) generally as set out in the report and the following conditions:**

- 1) **Commencing date 3 years**
- 2) **Samples of all materials**
- 3) **Landscaping scheme to generally accord with the landscape strategy already submitted**
- 4) **Protection of trees**
- 5) **Construction travel plan**
- 6) **Turning and parking areas to be provided prior to first occupation**
- 7) **Modified access prior to first occupation**
- 8) **Scheme for cycle parking**
- 9) **Contaminated land condition**
- 10) **No development until further wildlife survey is undertaken**
- 11) **Restrict permitted development for extensions**
- 12) **Build to Sustainable Code Level 4**
- 13) **Details of foul drainage to be agreed**
- 14) **Demolition of all buildings and removal of hardstandings before any occupation**
- 15) **Compliance with plans**
- 16) **Details of levels to be submitted**

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