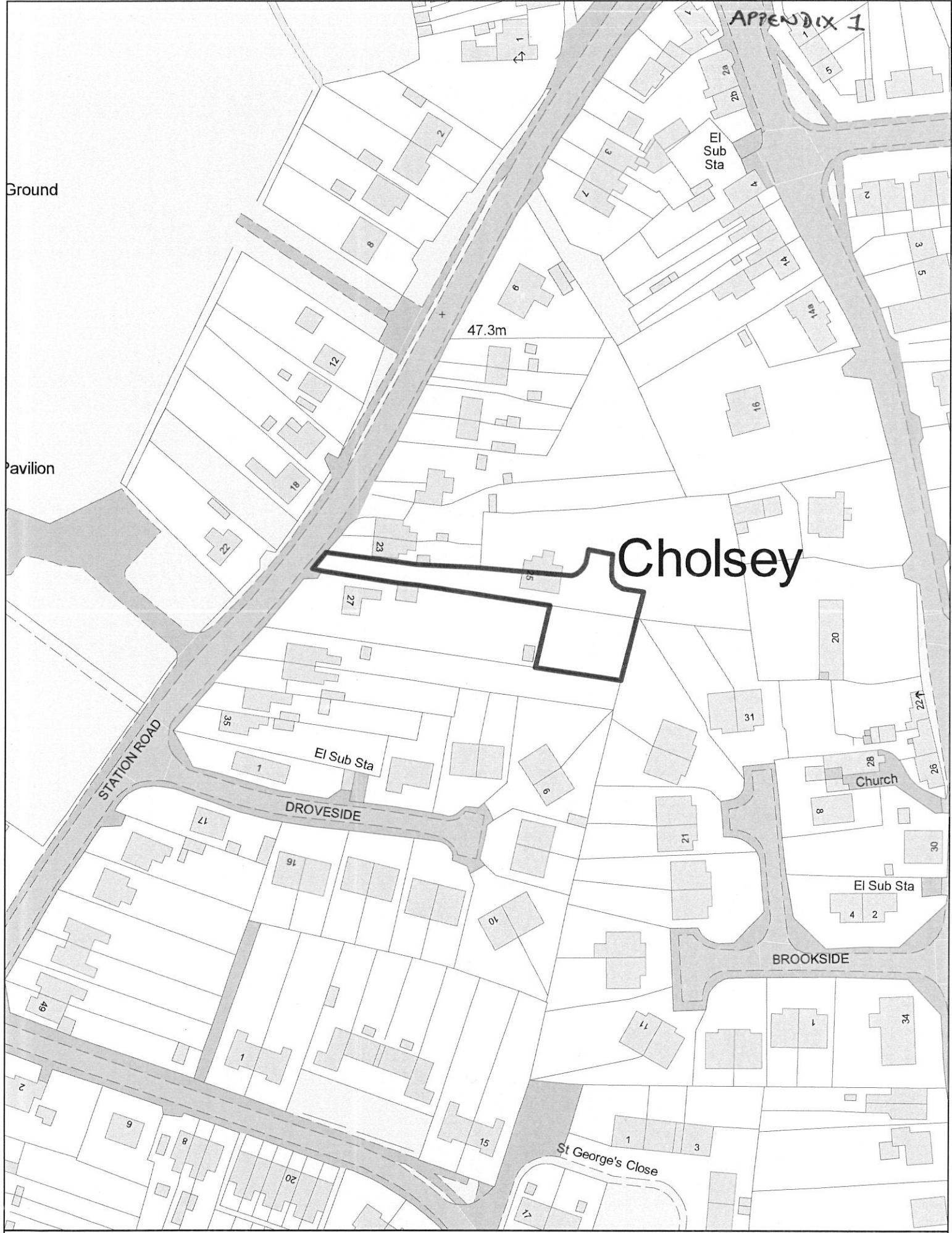


Ground

Pavilion



Cholsey

STATION ROAD

DROVESIDE

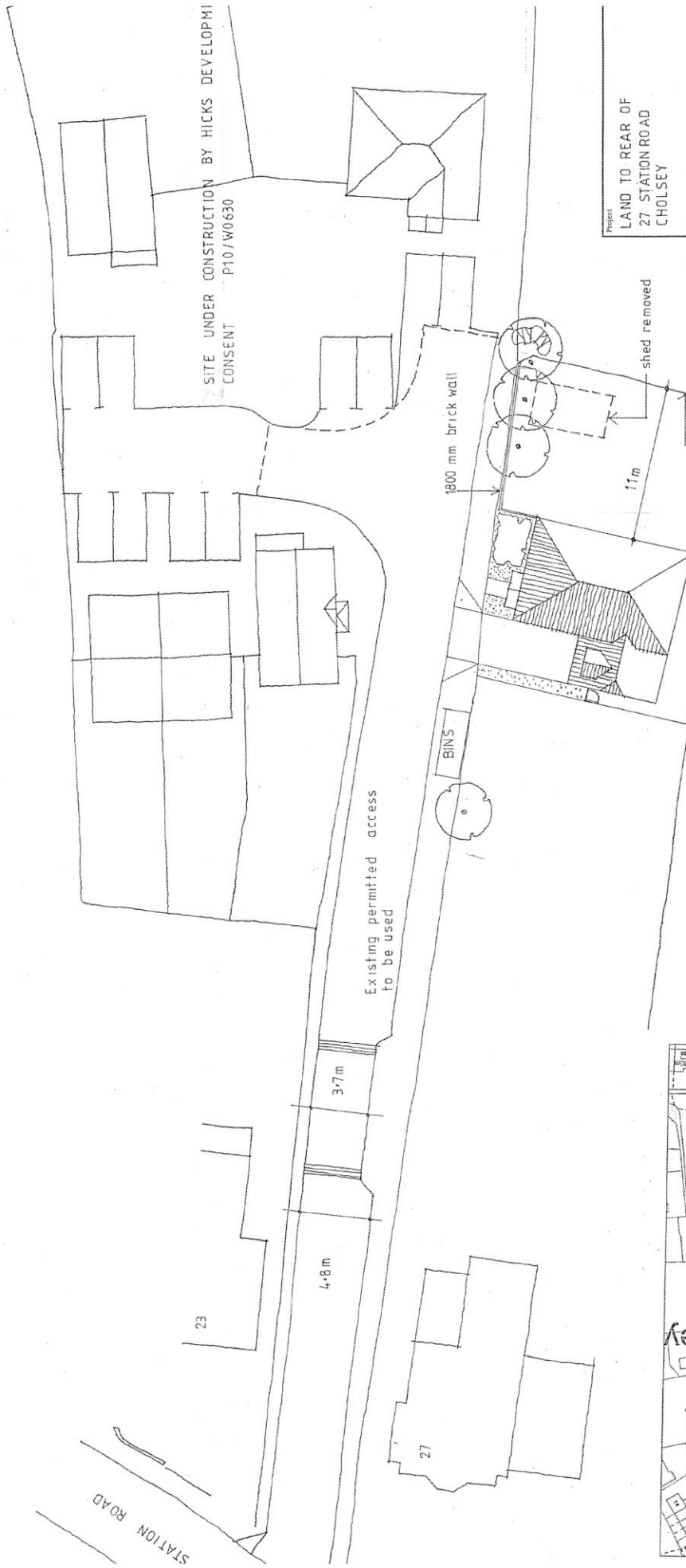
BROOKSIDE

St George's Close

Enquiry System

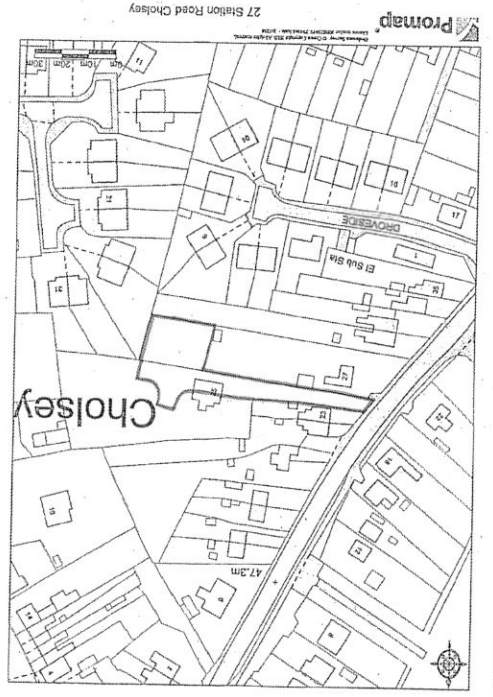
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 for GABBRO
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SITE PLAN 1:200

LOCATION PLAN 1:1250

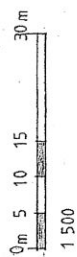
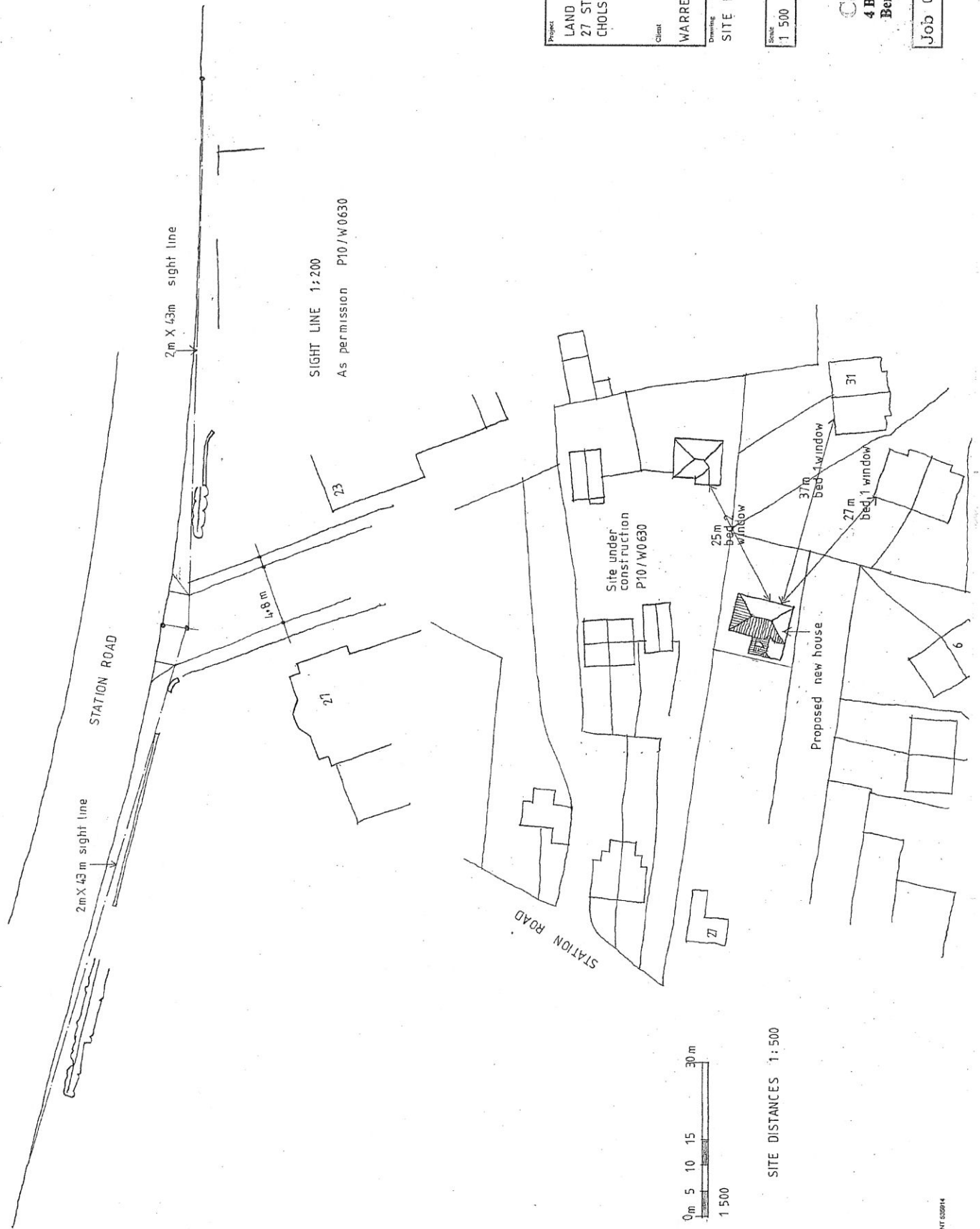


Project	LAND TO REAR OF 27 STATION ROAD CHOLSEY
Client	WARREN HOUSE INVESTMENTS
Drawing	SITE LAYOUT
Scale	1:200
Date	03/2011

Compton Design
 4 Berners Close, Sandhurst
 Berks GU47 9RP TEL: 07831 86

Job CD/25 Dwg.02

PPOINT 526014



SITE DISTANCES 1:500

Project
LAND TO REAR OF
27 STATION ROAD
CHOLSEY

Client
WARREN HOUSE INVESTMENTS LTD

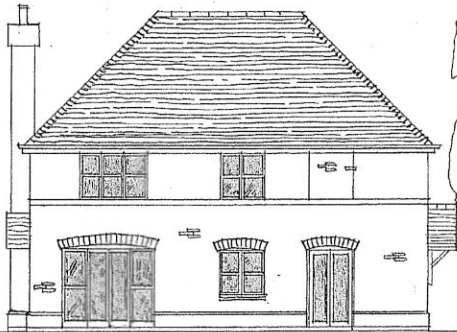
Drawing
SITE DISTANCES AND SIGHT LINES

Scale
1:500 1:200

Date
03/2011

Compton Design
4 Berners Close, Sandhurst
Berks GU47 9RP TEL: 07831 860094

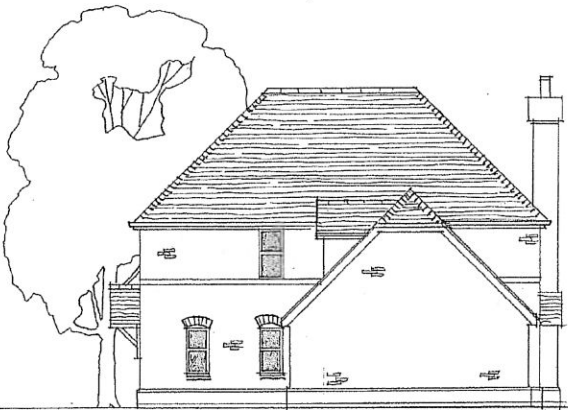
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SIDE ELEVATION



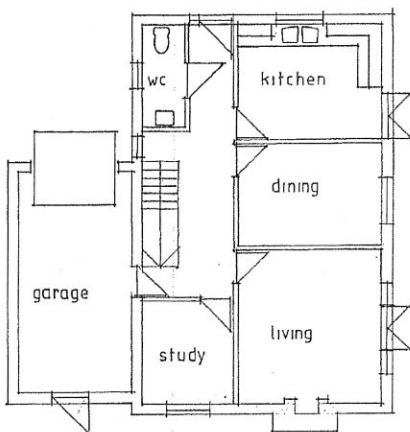
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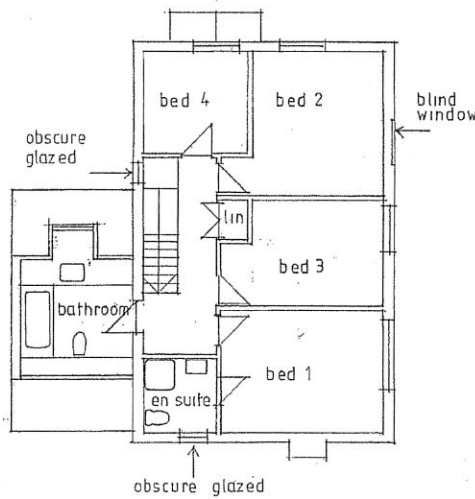
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FRONT ELEVATION

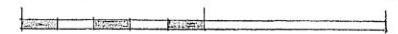


GROUND FLOOR 1 100



FIRST FLOOR 1 100

0m 5m 10m



1:100

EA/LA REQUIREMENTS 04/12/11

Project
LAND TO REAR OF
27 STATION ROAD
CHOLSEY

Client
WARREN HOUSE INVESTMENTS LTD

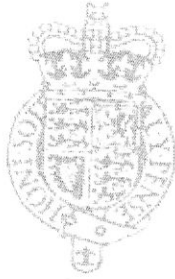
Drawing

PROPOSED DWELLING

Scale 1 100 Date 03/2011

Compton Design
4 Bernersh Close, Sandhurst
Berks GU47 9RP TEL: 07831 860094

Job CD/25 Dwg. 01A



Appeal Decision

Hearing held on 18 April 2007
Site visit made on 18 April 2007

by **Martin Whitehead** LLB BSc(Hons) CEng MICE

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
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Temple Quay House
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inspectorate.gsi.gov.uk

Date: 4 May 2007

Appeal Ref: APP/Q3115/A/06/2020436
25, 27 and 29 Station Road, Cholsey, Oxfordshire OX10 9PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Thurleigh Homes Ltd against the decision of South Oxfordshire District Council.
- The application Ref P06/W0237, dated 27 February 2006, was refused by notice dated 31 May 2006.
- The development proposed is the demolition of 25 Station Road and use of rear gardens to 27 and 29 Station Road, and erection of 5 terraced houses, 2 detached houses and 4 flats.

Summary of Decision: The appeal is dismissed.

Main Issues

1. Following the representations made at the hearing, I consider that the main issues are the effect of the proposal on:
 - (a) the character and appearance of the surrounding area;
 - (b) the requirement for an energy, water and materials efficient design;
 - (c) meeting current local housing needs;
 - (d) the living conditions of future occupants of the proposed dwellings, with particular regard to amenity space;
 - (e) the living conditions of the occupiers of adjacent dwellings, with particular regard to matters of privacy, outlook, noise and disturbance;
 - (f) the provision of affordable housing in the district;
 - (g) local services; and
 - (h) access by emergency vehicles and refuse disposal.

Planning Policy

2. The development plan includes the South Oxfordshire Local Plan 2011. Of the policies referred to by the Council, I consider the following to be most relevant to this appeal. Policy D1 establishes principles to ensure that new development has a good design and protects and reinforces local distinctiveness. Policy H4 establishes criteria for considering new housing on sites within built-up areas, which include the requirements that it is in keeping with its surroundings and does not adversely affect the character of the area. Policy C9 seeks to prevent new development from causing the loss of landscape features that make an important contribution to the local scene. Policy D8 seeks to ensure that new development is energy, water and materials efficient.



3. Policy H7 requires new residential development to provide a mix of dwelling types and sizes to meet the needs of current and future households in the district. Policy D3 requires new dwellings to have adequate levels of amenity space. Policy D4 seeks to ensure that new dwellings secure a reasonable degree of privacy for the occupiers and not unacceptably harm the amenities of neighbours. Policy H9 establishes criteria for the requirement of providing affordable housing. Policy D11 seeks to ensure that infrastructure and service requirements made necessary as a result of the new development are provided.
4. The Council has also referred to its Supplementary Planning Guidance: *South Oxfordshire Design Guide* (SODG). Reference is made to it in the Local Plan and I am satisfied that it has been the subject of appropriate public consultation. Therefore, having regard to the advice in paragraph 5.22 of Planning Policy Statement (PPS) 12: *Local Development Frameworks*, I have given it substantial weight as a material consideration in this appeal.

Reasons

Character and Appearance

5. The appeal site consists of a relatively small bungalow at 25 Station Road, its extensive mature grounds, and large parts of the generous rear gardens to the substantial detached house at 27, and the semi-detached house at 29 Station Road. The surrounding area is characterised by a variety of different patterns, styles and types of residential development.
6. There are a large number of mature trees located on the site, some of which are subject to a Tree Preservation Order (TPO). They have been categorised in the Arboricultural Site Survey (ASS) carried out on behalf of the Appellant. The formal notice of the TPO identifies the trees as having significant amenity value. I consider that they cumulatively make an important contribution to the green and attractive appearance of the local area as a backdrop to the surrounding buildings.
7. The proposed buildings would have a varied design, and I accept that they would include some of the features that I observed on other buildings within the surrounding area. However, I am concerned that the design of the terraced houses, and in particular the intricate detailing of the gable of the southern end of terrace house, would appear out of keeping with the surrounding development and the other proposed buildings. Although the Appellant has suggested that the end of terrace house would be a focal point to views of the site, I am concerned that it would stand out as an incongruous feature when viewed from Station Road along the proposed access road.
8. The Appellant stated at the hearing that the design and proposed use of varied materials for the block of flats and terraced houses would break up their bulk. However, I consider that this would be unsatisfactory, as they would appear disjointed and their extensive roofs would be visible between gaps in the line of buildings which would make their overall scale and bulk apparent from Station Road and Honey Lane. As such, I am concerned that they would harm the green and attractive character and appearance of the local area.
9. With regard to the parking layout, I am satisfied that the garages at the side of the detached houses would be appropriately located and that, by securing planting between spaces by condition, the frontage parking would be acceptable at the scale proposed, in accordance with CP3 of the SODG. Therefore, I do not consider that the proposed parking would cause any significant harm to the character of the area.

10. The proposal would result in the removal of 2 semi-mature Norway maples on the site that are subject to the TPO, which the ASS identifies as being well formed and healthy. Although the trees are located towards the east end of the site, away from the surrounding roads, I consider that they are large enough to make an important contribution to the overall view of vegetation in the area. The formal notice of the TPO suggests that they could be moved to public land, but I have not been provided with any details to show that this would be possible. I am concerned that the Appellant Company has provided insufficient justification for their removal, and has failed to demonstrate that it has fully examined options that would allow for their retention. Whilst the proposal identifies that other trees on the site would be retained, particularly along the boundaries, I consider that many of these trees are smaller and are of poorer quality and, as such, are less important to the local scene.
11. At the hearing the Appellant referred to a nearby development at Beehive Close in support of the appeal. Whilst I observed that it includes a relatively long terrace of houses, with varying materials and roof design, and parking at the front, I have not been given sufficient details of the circumstances behind its approval to make any direct comparisons with the appeal proposal. I have therefore determined this appeal on its own individual planning merits in the light of prevailing policies and guidance.
12. Taking the above into account, I conclude that the proposal would have an adverse effect on the character and appearance of the surrounding area. Also, it would fail to accord with Local Plan policies D1, H4 and C9.

Energy, Water and Materials Efficient Design

13. I am concerned that the Design Statement that accompanied the application provides limited information on how the design would be energy, water and materials efficient, as required in paragraph 4.29 of the accompanying text to Local Plan Policy D8. Therefore, I am not convinced that such measures could be incorporated by way of condition without significantly affecting the overall layout and appearance of the proposed scheme. As such, I conclude that it has not been demonstrated that the proposal would meet the requirement for an energy, water and materials efficient design. Also, the proposal would fail to accord with Local Plan Policy D8.

Housing Needs

14. Although the proposal would provide 4 two bedroom flats, they would be in the form of affordable housing. The other dwellings that would be provided, which would be market housing, would consist of 2 three bedroom houses and 5 four bedroom houses. The Council's Housing Needs Survey identifies that the greatest need for market housing is two bedroom dwellings. I accept that the percentages given in Table 2 in paragraph 5.26 of the accompanying text to Local Plan Policy H7 should not be prescriptive, but paragraph 5.27 suggests that the Council is seeking to ensure that at least 45% of dwellings built for sale have 2 bedrooms. In not providing any 2 bedroom dwellings as market housing, I consider that the proposal would fail to meet the housing needs that have been identified.
15. Although the survey was last updated in 2004, I have not been given any evidence to show me that the monitoring that has been carried out has resulted in the housing needs targets having to be significantly changed. I am concerned that the failure of the proposal to provide anywhere near the required mix of dwelling types, on a site that I am not convinced

would result in any significant harm to the character or identity of the area by doing so, would seriously jeopardise the Council's aim of meeting the housing needs targets. Therefore, I conclude that the proposal would have an adverse effect on the current local housing needs and would also fail to accord with Local Plan Policy H7.

Living Conditions of Future Occupants

16. The Appellant has stated that the rear garden areas for 3 of the four bedroom terraced houses would be 69, 78 and 81 sq m. This would be below the required minimum standard of 100 sq m set out in the SODG. These houses would be likely to be used by families, where national advice provided by paragraph 17 of PPS 3: *Housing* states that it is important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens.
17. At the site visit I observed that there is a large well equipped public recreational area on the opposite side of Station Road from the appeal site. However, I do not consider that it adequately compensates for the shortage of garden area that would be provided, particularly as it would not be safe for younger children to access and use it without supervision. Furthermore, the proposed development would retain most of the existing mature trees within the rear garden areas, which I consider would reduce the area of useable amenity space. Based on the above, I conclude that the proposal would provide unsatisfactory living conditions for future occupants of the proposed dwellings. Also, it would fail to accord with Local Plan Policy D3.

Living Conditions of Occupiers of Adjacent Dwellings

18. The rear windows of the proposed detached house, identified as plot 11, would directly face, and be about 23.5m from, the rear windows of the dormer bungalow at 4 Droverside. As such, it would fail to accord with the minimum window to window distances of 25m given in the SODG. At the site visit I observed that the vegetation along the boundary is relatively low and I consider that it would not provide sufficient screening between the properties to prevent an unacceptable loss of privacy to the occupiers of No 4. I am also concerned to a lesser extent about overlooking of the rear garden and windows to 3 Droverside. Although I am satisfied that the other proposed windows would be far enough away, or at a sufficient angle, from the adjacent dwellings and gardens to ensure that there would not be any greater level of overlooking than could be expected in such an area, I consider that the above represents an unacceptable loss of privacy to the neighbours.
19. I am satisfied that the proposed buildings would be small enough and far enough away from the adjacent houses and gardens to ensure that there would be no unacceptable loss of outlook to the occupants of those properties.
20. With regard to noise and disturbance, the proposal would use the existing access to No 25, which is between the semi-detached house at No 23 and the detached house at No 27. I am satisfied that there would be sufficient space between the proposed access and the adjacent houses to enable adequate screening to be provided to ensure that there would be no unacceptable additional disturbance to the occupiers of these properties due to the noise, and the headlights, of vehicles that would use the access. However, I conclude that, due to loss of privacy, the proposal would have an unacceptable harmful effect on the living conditions of the occupiers of adjacent dwellings. Also, it would fail to accord with Local Plan Policy D4.

Affordable Housing

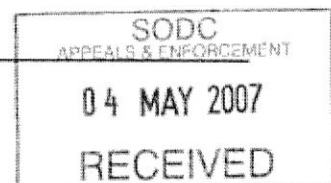
21. The Appellant has agreed to provide affordable housing on the site in the form of 4 flats. Although the Council has not indicated that this would be acceptable, I consider that it would meet the criteria set out in Local Plan Policy H9, which seeks 40% affordable housing on housing sites which are capable of accommodating a net gain of 5 or more small dwellings in settlements of less than 3000 population.
22. The Council has stated that there is no Section 106 Agreement to secure the provision of the required level of affordable housing. At the hearing the Appellant Company indicated that it is in negotiations with South Oxfordshire Housing Association, as a Registered Social Landlord, in order to provide such a provision on the site. Based on the above, I am satisfied that a suitable condition could be used to ensure that no development would be carried out until an approved scheme was in place to secure the provision of affordable housing on the site in perpetuity. Therefore, I conclude that the proposal would not have a detrimental effect on the provision of affordable housing in the district. Also, it would accord with Local Plan Policy H9.

Local Services

23. The Appellant Company has agreed to make the payments required by the County Council towards education, the library, waste management, a museum service, public transport and a cycle route. Based on the evidence provided, I am satisfied that the proposed development would be large enough to generate a sufficient increase in demand for most of these services to justify contributions towards them. Such contributions should be secured by an appropriate legal agreement. In the absence of any such agreement, I consider that the proposal would not make sufficient provision for infrastructure and other services and facilities made necessary by the development.
24. The Appellant has failed to suggest a condition that I consider meets the requirements of Circular 11/95: *The Use of Conditions in Planning Permissions* in order to address this matter. Therefore, I conclude that the proposal would have an adverse effect on local services and would fail to accord with Local Plan Policy D11.

Emergency Vehicles and Refuse Disposal

25. The Council has suggested that the proposed access would not provide adequate turning areas for refuse collection lorries and emergency vehicles. However, I consider that I have been given insufficient information to show that such vehicles would not be able to turn in the area provided. Although the parking of vehicles on the radii or turning head could restrict these manoeuvres, the Council and Highway Authority have not objected to the number of parking spaces that would be provided and therefore I have no convincing evidence to prove that such parking would be likely to occur. Furthermore, it could be prevented by suitable parking restrictions.
26. With regard to the Council's concerns about the provision of waste storage facilities, I am satisfied that there would be sufficient space on site to enable suitable facilities to be provided, which could be secured by condition. Therefore, taking the above into account, I conclude that the proposal would not have a harmful effect on access by emergency vehicles and refuse disposal.



Conclusions

27. I have found that the proposal would be acceptable in terms of affordable housing provision and access for emergency vehicles and refuse disposal. However, I consider that its overall design would be unacceptable in terms of its effect on the character and appearance of the surrounding area, energy, water and materials efficiency, meeting housing needs, and the living conditions of future residents and neighbouring residents. Also, it would fail to make adequate provision to address its impact on local services. Therefore, for the reasons given above and having regard to all other matters raised, including highway safety concerns about the location of the access in relation to other accesses and junctions along Station Road, I conclude that the appeal should fail.

Formal Decision

28. I dismiss the appeal.

M J Whitehead
INSPECTOR