
APPLICATION NO.	P11/E0166
APPLICATION TYPE	Full
REGISTERED	22 nd February 2011
PARISH	Chinnor
WARD MEMBERS	Geoff Andrews Christopher Hood
APPLICANT	Vanderbilt Homes
SITE	Wheatfield, 64 Lower Icknield Way, Chinnor
PROPOSALS	Demolition of existing two storey detached dwelling and ancillary outbuildings. Erection of 4 two bed semi-detached dwellings, 2 three bed detached dwellings and 3 four bed detached dwellings. Alterations to existing accesses.
AMENDMENTS	Yes
GRID REFERENCE	476046/201661
OFFICER	Tom Wyatt

1.0 INTRODUCTION

- 1.1 This application is referred to Committee as the Officer's recommendations conflict with the views of the Parish Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) extends to slightly less than 0.5 hectares and comprises the residential curtilage of a substantial 1930s detached dwelling. The site is located within the main built up area of Chinnor on the southern side of Lower Icknield Way. The adjoining land to the west, which was formerly occupied by a single dwelling (Hernes Oak), has recently been redeveloped in the form of seven detached and terraced dwellings (planning permissions P06/E0379 and P07/E1171 refer).

2.0 THE PROPOSAL

- 2.1 The application seeks permission for the redevelopment of the site through the construction of nine dwellings. Units 1 to 4 comprise two pairs of semi-detached two bedroom dwellings arranged towards the front of the site where they would front Lower Icknield Way. An existing access would be widened and would provide access to three of these four dwellings that would each be served by two parking spaces. Another existing access towards the western edge of the plot would also be widened and would be used to provide access to Plots 1 and 5-9. Plots 5 to 9 would be sited in a backland position and would comprise the detached three and four bedroom housing. Parking for these units would be in the form of open off-street parking and garaging.
- 2.2 Several amended plans have been received during the course of the application, which have reduced the height of the proposed dwellings across the scheme, reorganised the access arrangements and driveway alignment to take into account the impact on adjacent trees, adjusted the size and position of the dwelling on Plot 6 and adjusted the positioning of the dwellings on Plots 5, 7, 8 and 9.
- 2.3 Copies of the current plans accompanying the application are **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

- 3.1 **Chinnor Parish Council** – The Parish Council consider that the application should be refused due to overdevelopment, poor access and concerns regarding increased traffic.
- 3.2 **OCC Highway Liaison Officer** – Objects due to the lack of improvements to the footway along Lower Icknield Way. In the absence of such improvements other measures, including financial contributions, should be provided to reduce vehicle speeds on Lower Icknield Way and/or provide for pedestrian infrastructure or to other modes of sustainable transport to improve the sustainability and safety profile of the site. The Highway Liaison Officer has no objections to the proposed accesses and internal parking and turning arrangements.
- 3.3 **Forestry Officer** – No objections to the amended plans subject to conditions.
- 3.4 **Contaminated Land Officer** – A standard condition should be imposed on any permission in relation to appropriate contaminated land investigation, and remediation if necessary.
- 3.5 **Environmental Protection Officer** – Conditions regarding working hours during construction and controls on construction noise and dust are recommended if planning permission is granted.
- 3.6 **Oxfordshire County Council Developer Funding Officer** – Financial contributions are requested towards local services and infrastructure.
- 3.7 **Waste Management Officer** – The proposed bin store must be large enough to accommodate the bins from the new housing.
- 3.8 **Oxfordshire County Council Countryside Service** – The proposal does not affect a public right of way.
- 3.9 **Monson (Drainage Consultant)** – Details of surface water drainage should be approved prior to the commencement of any development.
- 3.10 **Thames Water** – General advice provided in relation to foul and surface water drainage.
- 3.11 **Neighbours** – Eight letters of objection received.
- Over development of the site
 - Not in keeping with the surrounding area
 - Increased traffic
 - Lack of car parking provision
 - Drainage problems
 - Access to land at the rear
 - Overlooking of adjacent housing
 - Noise impacts from vehicle manoeuvring
 - No need for additional housing in Chinnor

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P08/E0086 - Demolition of existing dwelling and replacement with eight new homes. Withdrawn on 5th June 2009.

- 4.2 P07/E1171 - Erection of 4 dwellings (amendment to planning permission P06/E0379) on adjoining land at Hernes Oak. Planning permission granted on 9th November 2007.
- 4.3 P06/E0379 - Demolition of existing house and erection of seven new houses on adjoining land at Hernes Oak. Planning permission granted on 1st June 2006.
- 4.4 P77/N0399/O – Erection of dwelling and garage. Refusal of planning permission and appeal dismissed on 26th September 1978.

5.0 **POLICY AND GUIDANCE**

- 5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
 - G1, G2, G6, C1, C8, C9, EP2, EP8, D1, D2, D3, D4, D6, D8, D10, D11, H4, H7, H8, H9, T1, T2
- 5.2 Government Guidance:
 - PPS1, PPS3, PPG13, PPS23
- 5.3 Supplementary Planning Guidance
 - South Oxfordshire Design Guide 2008 (SODG)

6.0 **PLANNING ISSUES**

The Principle of the Development

- 6.1 The site lies within the built up area of Chinnor where the principle of new residential development, including backland development is acceptable having regard to Policy H4 of the SOLP, which allows for proposals for housing of up to about 0.5 hectares in the larger villages (outside of the green belt) of the district. The application site is slightly under 0.5 hectares in area.
- 6.2 Given that the principle of the development is acceptable the planning issues that are relevant to this application are whether the development would:
 - 1. result in the loss of an open space or view of public, environmental or ecological value;
 - 2. be in keeping with the character and appearance of the surrounding area;
 - 3. be acceptable in relation to housing mix;
 - 4. provide affordable housing if necessary;
 - 5. compromise the living conditions of neighbouring residential occupiers and whether the development would provide suitable living conditions for future occupiers;
 - 6. be acceptable in terms of highway considerations;
 - 7. have an acceptable impact on important trees;
 - 8. incorporate sufficient sustainability and waste management measures;
 - 9. mitigate the impact of the development on local infrastructure and services, and;
 - 10. be acceptable in relation to contaminated land issues

Loss of Open Space or View

- 6.3 In its entirety the site forms part of the residential curtilage of the existing dwelling. Therefore, the site has limited public value as an open space and there is no evidence that the site is important in terms of its ecological value. The site lies within the main contiguous built up area of Chinnor and is not subject to any special environmental designations. There are limited public views into and through the site from the main

public vantage points on Lower Icknield Way due to the screening effects of the vegetation on the front boundary of the site. The site is generally only visible in private views from surrounding land to the west, south and east.

Impact on the Character and Appearance of the Site and Surrounding Area

- 6.4 The existing residential development along Lower Icknield Way is generally characterised by a low density linear form of development comprising large detached dwellings set within generous plots backing onto open countryside, which contrasts with the denser patterns of residential development found closer to the centre of the village. However, a precedent for backland development in the area of the application site has been set by the recent redevelopment of the adjoining site to the west, Hernes Oak, to provide a small residential estate of seven dwellings.
- 6.5 The development proposed would follow the pattern of the adjoining development at Hernes Oak by developing in depth and the densities of the housing on the two sites would be similar at around 18 dwellings per hectare (net). Therefore, the proposed development would continue the pattern of development established at Hernes Oak and both physically and visually the development would relate well to the character and appearance of this neighbouring development.
- 6.6 The scheme would respect the linear form of development along Lower Icknield Way through the provision of the two pairs of semi-detached dwellings towards the front of the site, which would broadly reflect the building lines of adjoining development. The scale of the semi-detached pairs of dwellings along with their spatial relationship with their surroundings would be in keeping with that of many of the single dwellings fronting Lower Icknield Way.
- 6.7 The general scale of the proposed development in terms of the size and height of the dwellings and their plots sizes would be in keeping with that of the adjoining development in Hernes Oak and this would help to ensure that the development integrates well with the existing grain of development in the vicinity of the site. The retention of the existing well established trees on the site would also help to assimilate the development into the surrounding area. The scheme has been amended from the original submission to reduce the impact on the important trees, most notably the trees along the boundary of the site with Lower Icknield Way and a large dominating cedar tree in the main body of the site. Although several smaller trees and shrubs would be lost as a result of the development, there is sufficient space within the site for additional planting to mitigate the loss of this vegetation.

Housing Mix

- 6.8 Policy H7 of the SOLP seeks to ensure that a mix of dwelling types and sizes to meet housing needs are provided in new developments. This scheme proposes a mix of two, three and four bedroom units with approximately 45% of the houses being two bedroom units. This proportion of two bedroom accommodation, as well as the mix generally, accords with the broad thrust of Policy H7 in terms of meeting the need for two bedroom accommodation in particular.

Affordable Housing

- 6.9 Policy H9 of the SOLP requires the provision of affordable housing in respect of certain residential schemes. In this regard affordable housing requirements in Chinnor are triggered on housing sites larger than 0.5 ha or on sites where 15 or more dwellings are to be provided. In this case, the proposal neither due to the size of the site nor the

number of dwellings proposed would lead to a requirement for affordable housing provision in respect of this proposal.

The Impact on the Amenity of Neighbouring Occupiers and Future Occupiers of the Development

- 6.10 As well as the requirement under Criterion iv) of Policy H4 of the SOLP, there is also a requirement under Policy D4 of the SOLP for development to be laid out to secure a reasonable degree of privacy for the occupiers and to ensure that the amenities of existing neighbouring properties are not unacceptably harmed through loss of privacy, daylight or sunlight.
- 6.11 The immediate neighbours to the development consist of 66 Lower Icknield Way to the east and 1 and 7 Hernes Oak to the west. Plot 4 as proposed would project approximately 3.5 metres to the front of the front elevation of No. 66 but would be separated from the boundary with No. 66 by approximately 3.5 metres and from the side (west) elevation of No. 66 by approximately 7 metres. These separation distances would ensure that the development at Plot 4 would not give rise to an unacceptable overbearing impact or result in any significant loss of light. No. 66 is also affected by the proximity of Plots 5, 6 and 9. The main rear elevations of the dwellings on Plots 5 and 6 are sited approximately 12 metres from the shared boundary and although there would be some overlooking towards the rear garden of No.66 this separation distance and the screening effects of existing vegetation on the boundary would help to limit the degree of overlooking to an acceptable level. Overlooking from the front elevation of the dwelling proposed for Plot 9 would be limited by the angle of this dwelling to the boundary, the distance to the rear elevation of No. 66 (c.50 metres) and the screening effects of the proposed double garage to the front of Plot 9 and the retained boundary vegetation.
- 6.12 The dwelling associated with Plot 7 lies to the east of 1 Hernes Oak and although it would lie some 8 metres to the rear of the rear building line of No. 1 there would be a gap of almost 10 metres between the side elevations of the properties ensuring that any overbearing or overshadowing effects would not be significant. There would be no direct overlooking from first floor windows in the side of Plot 7 towards No. 1. The site plan indicates a reversing area for larger vehicles between the sides of Plot 7 and 1 Hernes Oak. The use of this area would potentially cause some noise disturbance to the occupiers of No. 1 but it is not likely that larger vehicles will be accessing the site on a regular basis, and such disturbance is unlikely to be considerable.
- 6.13 The rear garden of 7 Hernes Oak backs onto the application site and the outlook from this property will still be dominated by the large cedar tree to be retained. There will be some disturbance from the use of the driveway, which passes close to the boundary with No. 7 but as this part of the driveway only serves three of the proposed dwellings, Officers do not consider that such disturbance would be so significant as to justify the refusal of the application.
- 6.14 All of the proposed dwellings are being provided with private south or east facing rear gardens. All of the gardens are acceptable in terms of their size and degree of privacy having regard to Policy D4 of the SOLP and guidance contained within the SODG. In addition the spatial relationship between the dwellings within the site would be acceptable.

Highway Considerations

- 6.15 The two existing accesses serving the existing dwelling would be retained and upgraded for the development with the easternmost access serving Plots 2 to 4 and the westernmost access serving Plots 1 and 5 to 9. The two bedroom dwellings would be served by two off-street parking spaces, whilst the three and four bedroom dwellings, with the exception of Plot 6, would be served by at least three parking spaces, including garaging.
- 6.16 The Highways Liaison Officer considers that the internal parking and turning layout is acceptable. However, he has raised a concern with the lack of proposed improvements to increase the width of the existing public footpath running alongside the front boundary of the site, which were shown on an earlier amended plan. The widening of the footpath has subsequently been omitted from the scheme to address the Forestry Officer's concerns regarding the impact on the boundary trees to the front.
- 6.17 The site lies towards the eastern edge of the village of Chinnor and whilst it is important to encourage pedestrian movements and safety, Officers do not consider that the widening of the footpath is vital to the success of the scheme. In terms of the balance to be struck Officers consider that the health and long term sustainability of the trees on the front boundary of the site is of more importance than the widening of an existing footpath. In other respects the proposed accesses and visibility at their junction with Lower Icknield Way are acceptable to the Highway Authority.

The Impact on Trees

- 6.18 Policy C9 of the SOLP seeks to ensure the retention of important landscape features, such as trees. There are several important trees on and adjacent to the site, which make a positive contribution to the character and appearance of the site and wider area. Three of the trees on the site, the cedar towards the centre of the site, a yew on the front boundary and an oak on the western boundary are protected by Tree Preservation Orders. The scheme has been amended so that these trees and other important trees on the site can be successfully retained. The Forestry Officer has raised no objections on the basis of the amended plans subject to the imposition of landscaping and tree protection conditions.

Sustainability Measures and Waste Management

- 6.19 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 schemes of between 5 and 9 dwellings reach at least Level 3 of the Code for Sustainable Homes. A Code for Sustainable Homes pre-assessment has been submitted with the application, and this indicates that the scheme can achieve Code Level 3. Details of the energy and water efficiency measures to be employed as part of the scheme are set out within the submitted Design and Access Statement.
- 6.20 Policy D10 of the SOLP requires the provision of waste collection facilities. As it is unlikely that refuse vehicles will enter the site to carry out collections, bin collection points have been proposed adjacent to each of the accesses. These areas of hardstanding should be sufficient to cater for the bins associated with the development, and there is space within the individual plots for storage of bins.

Local Infrastructure and Services

- 6.21 Policy D11 of the SOLP states that development will only be permitted if adequate on or off site infrastructure and other services and facilities made necessary by the development are available or will be provided. The amount of development proposed would have a significant impact on local infrastructure and services and financial contributions are required to the County Council to allow mitigation of the impact on local infrastructure and services. A Planning Obligation needs to be completed to secure this funding, and the recommendation reflects this.

Contamination

- 6.22 Policy EP8 of the SOLP seeks to ensure that any contamination present on land is treated. Taking a precautionary approach to contamination, the Council's Contaminated Land Officer has recommended that a condition be attached to any permission to investigate for and, if necessary, remediate any contamination on the site.

7.0 **RECOMMENDATIONS**

- 7.1 **It is recommended that the grant of planning permission be delegated to the Head of Planning, subject to the prior completion of a Section 106 planning obligation with Oxfordshire County Council to ensure infrastructure payments are made towards education, transport, libraries, waste management, the museum resource centre and social and healthcare provision, and the following conditions:**

1. Commencement – 3 years
2. Development to be accordance with approved plans
3. Samples of materials to be approved
4. Details of hardsurfacing and fencing to be approved
5. Details of tree protection to be approved
6. Details of soft landscaping to be approved
7. Details of external lighting to be approved
8. Details of floor levels to be approved
9. Details of surface water drainage to be approved
10. Contaminated land assessment to be carried out and approved
11. Demolition of all existing buildings prior to occupation and resultant debris removed from the site
12. Fire hydrants to be provided if necessary
13. Development to reach at least Code Level 3 of Code for Sustainable Homes
14. First floor windows in the side elevations of Plots 7 and 8 to be obscure glazed
15. Permitted development restrictions for extensions to Plots 1, 2, 3, 4 and 6
16. Working hours restriction during construction
17. Details to control noise and dust from construction to be approved
18. Provision and retention of parking and turning areas
19. Provision of visibility splays
20. Windows/doors to meet Secured By Design Standards

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