Agenda

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Date: 27 August 2019
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A MEETING OF THE

Planning Committee

WILL BE HELD ON WEDNESDAY 4 SEPTEMBER 2019 AT 6.00 PM

THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK, BENSON LANE, WALLINGFORD OX10 8BA

Members of the Committee:
Ian Snowdon (Chairman)
Peter Dragonetti (Vice-Chair)
Ken Arlett
David Bretherton
Kate Gregory
Lorraine Hillier
Alexandrine Kantor
George Levy
Jo Robb
Ian White
Celia Wilson

Substitutes
Sam Casey-Rerhaye
Stefan Gawrysiak
Sarah Gray
Victoria Haval
Kellie Hinton
Mocky Khan
Axel Macdonald
Jane Murphy
Caroline Newton
Anne-Marie Simpson
Alan Thompson

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MARGARET REED
Head of Legal and Democratic
1  Chairman's announcements

To receive any announcements from the chairman and general housekeeping matters.

2  Apologies for absence

To receive apologies for absence.

3  Minutes of the previous meeting (Pages 5 - 10)

To adopt and sign as a correct record the Planning Committee minutes of the meeting held on 14 August 2019.

4  Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

5  Urgent business

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent and to receive any notification of any applications deferred or withdrawn.

6  Proposals for site visits

7  Public participation

To receive any statements from members of the public that have registered to speak on planning applications which are being presented to this committee meeting.

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Development control applications

Planning applications - background papers and additional information

All the background papers with the exception of those papers marked exempt/confidential (eg those held in enforcement files) used in the reports in this agenda are held in the application file (working file) referenced by the application number.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.
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<tr>
<th>Site Address</th>
<th>Proposal</th>
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<tr>
<td>4 Market Place, Wallingford, OX10 0EH</td>
<td>P17/S3579/FUL - Description Demolition of 20C additions to a listed building and alteration of the A1/A2 retail space to accommodate 8 no. new-build residential units and 9 no. car parking spaces, all accessed from the rear, off Wood Street. (As amended by drawings accompanying e-mail from agent received 11 March 2019 and 1 July 2019 changing fenestration design and detailing and amplified by Heritage Statement Appendix A and B Design Statement- Supplement 10 January 2018 and amplified by Arbtech Bat Survey- Emergence and Activity Surveys and Noise Impact Assessment Report No. 18-0025-1 R03 accompanying email from agent received 8 February 2019). P17/S3580/LB - Description Demolition of 20C additions to a listed building and alteration to the A1/A2 retail space to accommodate 8 no. new-build residential units and 9 no. car parking spaces, all accessed from the rear, off Wood Street. (As amended by drawings accompanying e-mail from agent received 11 March 2019 and 1 July 2019 changing window and detailing and amplified by Heritage Statement Appendix A and B Design Statement- Supplement 10 January 2018)</td>
<td>P17/S3579/FUL &amp; P17/S3580/LB</td>
<td>11 - 30</td>
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<tr>
<td>Mulberry House, Peppard Hill, Peppard Common, RG9 5ES</td>
<td>Demolition of the existing dwelling house and erection of a pair of two-storey 4-bedroom semi-detached dwellings and a terrace of two-storey 2 and 3-bedroom dwellings (reduction in dwellings from six to five and alterations to plot layouts, boundaries, landscaping, design and window positions as shown on amended plans received 29th May</td>
<td>P17/S1322/FUL</td>
<td>31 - 58</td>
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<tr>
<td></td>
<td>Location</td>
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<tr>
<td>10</td>
<td>The Rosary, Shepherds Green, RG9 4QL</td>
<td>Extensions at first and ground floor to increase first floor bathroom size and ground floor utility spaces (as per Additional information received 27 June 2019).</td>
<td>P19/S1468/HH</td>
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<tr>
<td>11</td>
<td>Land adjacent to and North West of Cherry Croft Cottage, Kingwood Common, RG9 5NB</td>
<td>Erection of two-storey 4/5-bedroom dwelling with parking forecourt (including bicycle and bin store) and associated landscaping. Existing site access retained.</td>
<td>P19/S2113/FUL</td>
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<tr>
<td>12</td>
<td>Larkstoke Farm, Larkstone Farm, Church Lane, Ipsden, OX10 6BZ</td>
<td>To erect a new steel framed agricultural building</td>
<td>P19/S0443/FUL</td>
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Minutes
OF A MEETING OF THE
Planning Committee
HELD ON WEDNESDAY 14 AUGUST 2019 AT 6.00 PM
DIDCOT CIVIC HALL, BRITWELL ROAD, DIDCOT, OX11 7JN

Present:
Ian Snowdon (Chairman)
Peter Dragonetti (Vice Chairman), David Bretherton, Kate Gregory, Lorraine Hillier, Alexandrine Kantor, Jo Robb, Ian White, Celia Wilson, Stefan Gawrysiak (as substitute for Ken Arlett) and Victoria Haval (as substitute for George Levy)

Officers:
Paul Bateman, Sharon Crawford, Paula Fox, Marc Pullen and Stuart Walker.

Apologies:
Ken Arlett and George Levy tendered apologies.

48 Chairman's announcements

The chairman welcomed everyone to the meeting, outlined the procedure to be followed and advised on emergency evacuation arrangements.

49 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meeting held on 24 July 2019 as a correct record and agree that the Chairman sign these as such.

50 Declarations of interest

There were no declarations of interest.

51 Urgent business

There was no urgent business.

52 Proposals for site visits

The committee received a proposal for a site visit in respect of applications P18/S3944/HH & P18/S3945/LB at 9 Gravel Hill, Henley-on-Thames, RG9 2EF.
RESOLVED: To defer consideration of applications P18/S3944/HH & P18/S3945/LB to allow members to visit the site.

53 Public participation

The list showing members of the public who had registered to speak was tabled at the meeting.

54 P19/S1967/FUL - Land at former Didcot A Power Station, Purchas Road, Didcot

David Bretherton arrived partway through this item and took no part in the discussion or decision on the application.

Kate Gregory arrived partway through this item and took no part in the discussion or decision on the application.

Ian Snowdon, a local ward councillor, stood down from the committee for consideration of this item [prior to the consideration of this application, a motion moved and seconded, to nominate Vice Chairman Peter Dragonetti to chair the meeting for this application was declared carried on being put to the vote]. Vice Chairman Peter Dragonetti in the chair.

The committee considered application P19/S1967/FUL, for the variation of condition 4 of application P15/S1880/O to substitute approved Parameters Plan (213042_PL02 Rev E) with amended plan(9063 F0011 Rev A). Mixed use redevelopment comprising up to 400 dwellings (C3), 110,000ms of Class B2/B8 units, 25,000m2 of Class B1 units, 13,000m2 Class A1 units (includes 1,500m2 convenience food store), 150 bed Class C1 hotel and 500m2 of Class A3/A4 pub/restaurant, including link road, related open space, landscaping and drainage infrastructure, together with reservation of land for link road and Science Bridge. Cross boundary application Vale of White Horse and South Oxfordshire. As amended by Updated EA and Master Plan213042-PL-03 Rev G, at former Didcot A Power Station, Purchas Road, Didcot.

Consultations, representations, policy and guidance and the site’s planning history were detailed in the officer’s report which formed part of the agenda pack for this meeting.

James Hicks, the agent, spoke in support of the application.

Ian Snowdon, a local ward councillor, addressed the committee on the application.

A motion moved and seconded, to grant planning permission was declared carried on being put to the vote.

RESOLVED: that authority to grant outline planning permission for application P19/S1967/FUL be delegated to the Head of Planning subject to:

a. Referral to National Casework Unit
b. The completion of a deed of variation to the S106 legal agreement of application P15/S1880/O and
c. The following conditions:

1. Reserved matters to be approved
2. Time limit for submission of reserved matters
3. Time limit for implementation
4. Approved plans and documents
5. Environmental Statement
6. Construction Environmental Management Plan (CEMP)
7. Sample materials (all uses)
8. Biodiversity enhancement strategy
9. Update surveys before any phase of development
10. Phasing
11. Tree protection
12. Levels
13. Noise protection
14. Noise mitigation
15. Hours of operation details
16. Contaminated land investigation and remediation
17. Verification of remediation
18. Culverted watercourse
19. Sustainable Drainage Scheme
20. Foul drainage
21. Water supply
22. Retail use restriction (13,000m² Gross Floor Area)
23. Retail use restriction (DIY and/or garden products, furniture, carpets and floor coverings, home furnishings, camping/sporting, motor vehicle and cycle goods, and bulky electrical goods)
24. Retail use restriction (minimum unit size 1,000m²)
25. Retail use restriction (A1, A3/A4 use classes)
26. Ventilation of A3 use
27. Boundary treatment provision prior to occupation
28. Connection links prior to occupation of final unit
29. Restriction on outside storage
30. Community employment plan
31. Strategic Housing Market Assessment

Informatives to be added to the permission;

32. Reserved matters (RM) applications to demonstrate how they relate to illustrative masterplan / Design & Access statement/site wide CEMP
33. Surface Water Drainage provision
34. Thames Water advice on fat traps
35. Land drainage consent for work to culverted watercourse
36. Consultation with chosen building control body if contamination is identified
37. Travel plans
38. Expected landscape details to accompany RM applications
39. Expected vehicle parking / recycling storage
40. Planning obligation

55 P19/S1648/FUL - Lawrence House, Brightwell-Cum-Sotwell, OX10 0RQ

The committee considered application P19/S1648/FUL for the proposed erection of a three bedroom cottage-style dwelling house with detached carport/garage structure and amenity space provision at Lawrence House, Brightwell-Cum-Sotwell OX10 0RQ.
Consultations, representations, policy and guidance and the site’s planning history were detailed in the officer’s report which formed part of the agenda pack for this meeting.

Celia Collet spoke on behalf of Brightwell-cum-Sotwell Parish Council, objecting to the application.

Adrian Gould, the agent, spoke in support of the application.

The committee noted that representations had been received after the despatch of the agenda. A motion, moved and seconded, to defer consideration of the application to allow late representations to be considered, was declared carried on being put to the vote.

RESOLVED: To defer consideration of application P19/S1648/FUL to allow late representations to be considered.

56 P18/S3944/HH & P18/S3945/LB - 9 Gravel Hill, Henley-on-Thames, RG9 2EF

Consideration of these applications had been deferred, pending a site visit.

57 P18/S4003/FUL - Land adjacent to Red Cow House, Stoke Row, RG9 5NY

Lorraine Hillier and Jo Robb, the local ward councillors, stood down from the committee for consideration of this item.

The committee considered application P18/S4003/FUL for the proposed erection of a detached dwelling house with associated access and landscaping (as amended by plans received 2019-03-14 to reduce bulk, scale and proximity to highway) (Further amended by plans 2019-05-20 to re-site the property away from woodland) on land adjacent to Red Cow House, Stoke Row, RG9 5NY.

Consultations, representations, policy and guidance and the site’s planning history were detailed in the officer’s report which formed part of the agenda pack for this meeting.

Jonathan Walton, the agent, spoke in support of the application.

Lorraine Hillier, a local ward councillor, spoke objecting to the application.

Jo Robb, a local ward councillor, spoke objecting to the application.

A motion moved and seconded, to grant planning permission was declared carried on being put to the vote.

RESOLVED: that planning permission is granted for application P18/S4003/FUL subject to the following conditions:

1. Commence development within three years - Full Planning Permission
2. Development in accordance with approved plans
3. Samples required for all external materials proposed
4. Wildlife mitigation in accordance with preliminary ecology appraisal
5. New vehicular access to be formed, laid out and constructed in accordance with local highway authority’s specifications
6. Parking & Manoeuvring Areas Retained
7. Vision splay shown on approved plans to not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres
8. Gates/carriageway – any new gate to be set back by a minimum of 5 metres from the edge of the carriageway and shall open inwards
9. If contaminated land is encountered during development then the development shall not continue until a programme of investigation and/or remedial works are undertaken and agreed by the local planning authority
10. Landscaping details (including hard surfacing and boundary treatment) to be submitted for approval by the local planning authority
11. Tree Protection details to be submitted for approval by the local planning authority

58 P19/S1069/FUL - Newlands, Platts Lane, Northend, RG9 6LG

The committee considered application P19/S1069/FUL for the removal of condition 1 on application P16/S2650/FUL to enable the time limited permission to be made permanent at Newlands, Platts Lane, Northend, RG9 6LG.

Consultations, representations, policy and guidance and the site’s planning history were detailed in the officer’s report which formed part of the agenda pack for this meeting. The planning officer reported that subsequent to the despatch of the agenda, the Watlington Parish Council had formally withdrawn its objection to the application.

David Macrae, a local resident, spoke objecting to the application.

Ron Perrin, the agent, spoke in support of the application.

A motion moved and seconded, to grant planning permission was declared carried on being put to the vote.

RESOLVED; that planning permission is granted for application P19/S1069/FUL subject to the following conditions;

1. That the development hereby approved shall be carried out in accordance with the approved plans
2. The site shall not be occupied by any persons other than Mr Jamie and Mrs Olivia Curtis and their dependent children
3. That the site shall only be used for the stationing of one mobile home and one touring caravan
4. That upon the site ceasing to be occupied by the present occupiers, the use of the land shall be discontinued and tidied up

The meeting closed at 7.50 pm

Chairman Date
INTRODUCTION

This report contains two recommendations for applications seeking planning permission and listed building consent. Both applications are recommended for approval.

They are referred to Planning Committee for a decision at the discretion of the Development Manager due to the significant level of public interest in the proposals.

The application site comprises 4 Market Place, Wallingford. The Market Place frontage building is grade II listed and was historically an C18 house which is now in use as a bank.
To the rear are a number of C20 additions which extend through the historic burgage plot to Wood Street. The entire site is in the Wallingford Conservation Area.

A plan identifying the site is attached as Appendix 1.

2.0 PROPOSAL
2.1 The two applications are for the demolition of a range of additions to the rear of 4 Market Place and the erection of new buildings to accommodate 8 new dwellings.

2.2 There have been a series of amendments to the applications since they were originally submitted. This has included most notably the increase to the floor area of the existing ground floor unit of 4 Market Place currently occupied by Lloyds Bank (as opposed to the original intention of reducing the space) the reduction in the development by losing a single unit taking the scheme down from 9 to 8 proposed units. An ecology report and a noise assessment were also submitted. Various design changes to the external appearance of the building has also been made.

2.3 Reduced copies of the plans accompanying the application are attached as Appendix 2 to this report. All the plans and representations can be viewed on the council’s website www.southoxon.gov.uk under the planning application reference number.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS
3.1 Wallingford Town Council - No objection subject to the acoustic reports recommendations being enforced and that the conservations officers recommended conditions being imposed.

Neighbour Responses – P17/S3579/FUL

There have been objections to the application made individually and in the form of a petition. Subsequent amended plans have generated additional comments from original objectors.

Individual objectors – 754
The contents of the objections cover the following issues;
- The creation of new residential properties may result in complaints about noise and potentially jeopardise the future of The Corn Exchange.
- The design and scale of the building harms the setting of the listed buildings and the character and appearance of the conservation area.
- Access to the roof of The Corn Exchange will not be possible.
- Insufficient parking and traffic congestion.

Number of signatures on petition against the development - 757
The stated concerns of all those who signed the petition are as follows;
- The creation of new residential properties may result in complaints about noise and potentially jeopardise the future of The Corn Exchange.
- Concern over access to the roof of The Corn Exchange.
- The style of the new properties does not mix with the Victorian buildings in the vicinity.
- Concerns over access and traffic congestion.
Neighbour responses to P17/S3580/LB –

Although neighbour representations are not sought on listed building applications members of the public can still comment and 66 objections were received covering the same issues set out above for P17/S3579/FUL.

Theatres Trust – Object
- The creation of new residential properties may result in complaints about noise and potentially jeopardise the future of The Corn Exchange.

Sinodun Players – Object
- The creation of new residential properties may result in complaints about noise and potentially jeopardise the future of The Corn Exchange.

Oxfordshire Architectural and Historical Society – Object
- Concern about the height of the roof protruding above the height of The Corn Exchange.
- Concern over the use of the flat roof in a conservation area.
- Objected to the original rounded dormer windows.

Historic England (South East) - No objection following the most recent amendment and plans now being considered as part of this recommendation.

Oxfordshire County Council Archaeological Services – No objection subject to conditions.

Highways Liaison Officer (Oxfordshire County Council) - No objection subject to conditions regarding vision splays and retention of parking and manoeuvring areas.

Environmental Protection Team Noise - No objection subject to a condition that the mitigation measures set out in the acoustic report are undertaken.

Environmental Protection Team Air Quality - No objection to conditions relating to electrical charging points and gas-powered boilers.

Countryside Officer - No objection.

Conservation Officer - No objection subject to conditions relating to materials, details and methods of any necessary works to repair to the wall of The Corn Exchange and details of the repair and materials to the garden folly.

4.0 RELEVANT PLANNING HISTORY
4.1 P17/S2008/DIS - Approved (29/08/2017) – The Corn Exchange
Discharge of conditions 4 (Internal Structure), 6 (Glazed roof), 7 (temperature control mechanisms) & 8 (Internal Finishes) on Listed Building Consent P17/S0006/LB

(New roof coverings, new roof mounted vents, new internal steelwork and minor associated alterations).
5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework (NPPF)
National Planning Policy Framework Planning Practice Guidance (NPPG)

South Oxfordshire Core Strategy (SOCS) Policies
CS1 - Presumption in favour of sustainable development
CSH4 - Meeting housing needs
CSEN3 - Historic environment
CSEM1 – Supporting a successful economy
CSEM4 - Supporting economic development
CSQ3 - Design
CST1 - Town centres and shopping
CSWAL1 - The Strategy for Wallingford

South Oxfordshire Local Plan 2011 (SOLP 2011) policies;
C8 - Adverse affect on protected species
CON3 - Alteration to listed building
CON5 - Setting of listed building
CON7 - Proposals in a conservation area
D1 - Principles of good design
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
D4 - Reasonable level of privacy for occupiers
EP1 - Adverse affect on people and environment
EP2 - Adverse affect by noise or vibration
G2 - Protect district from adverse development
H4 - Housing on sites within the built-up areas of towns and villages
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2016 (SODG 2016)

Wallingford Conservation Area Appraisal

5.2 Paragraph 48 of the NPPF allows for weight to be given to relevant policies in emerging
plans, unless other material considerations indicate otherwise, and only subject to the
stage of preparation of the plan, the extent of unresolved objections and the degree of
consistency of the relevant emerging policies with the NPPF.

Emerging South Oxfordshire Local Plan 2034
The council has submitted the Local Plan 2034 to the Planning Inspectorate for an
independent examination following public consultation. It holds limited weight in the
determination of planning applications.
**Emerging Wallingford Neighbourhood Plan**
The site is located within the Wallingford Neighbourhood Plan Area and the Plan is currently in the preparation stage and as such it currently holds very limited weight in the decision process.

6.0 **PLANNING CONSIDERATIONS**

6.1 Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan, applications for planning permission must be determined in accordance with the Plan unless material considerations indicate otherwise.

The relevant parts of the Development Plan in terms of this proposal are the overarching policies contained within the South Oxfordshire Core Strategy 2027 (SOCS) and the saved policies contained within the South Oxfordshire Local Plan 2011 (SOLP).

6.2 The main issues to consider in relation to the application for planning permission and against development plan policies are as follows;

- **Principle of development**
- Impact on the character and appearance of the Wallingford Conservation Area and the setting of the listed buildings
- Impact from the development to the Corn Exchange
- Impact on protected species
- Impact on archaeology
- Housing Mix
- Impact on the amenities of the occupants of nearby properties
- Amenity and parking and highway impact
- Air quality
- CIL

6.3 The main issues to consider in relation to the application for listed building consent and against development plan policies are as follows;

- **Impact on the special architectural and historic interest of the listed building**

6.4 **ASSESSMENT OF THE PLANNING APPLICATION**

**Principle of development.**

Policy CSWAL1 of SOCS specifically relates to development in Wallingford. It takes a permissive stance to infill development and redevelopment in terms of housing within the town.

This site is contained within the town centre and is a previously developed site. I am satisfied that this proposal constitutes redevelopment and therefore the principle of creating new dwellings in this sustainable location is acceptable.
If a proposed housing development is acceptable in principle, then the detail of the proposal must be assessed against the criteria of Policy H4 which deals with new housing. These are:

(i) An important open space of public, environmental or ecological value is not lost, nor an important view spoilt.
(ii) states ‘the design, height, scale and materials of the proposed development are in keeping with its surroundings.’
(iii) states that the ‘character of the area in not adversely affected.’
(iv) there should be no overriding amenity or environmental or highway objections.

The following sections of this report cover the various aspects of the Policy H4 criteria.

6.5 Impact on the character and appearance of the Wallingford Conservation Area and setting of the listed buildings.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides:

In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 72 (1) must also be considered alongside relevant policies contained in the NPPF.

Paragraph 192 states that in determining applications LPA’s should take account of the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable use consistent with conservation, the positive contribution that conservation deals within the impact of a proposed development on the “significance” of a heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policies CSEN3 and CON1-CON16 of the Development Plan are also relevant.

In this case the designated heritage assets are the Wallingford Conservation Area and the adjacent Grade II listed building, Wallingford Corn Exchange, and 4 Market Place.

6.6 The proposed design has been revised over the course of the applications. The latest revised design, appended to this report, has improved the appearance of the scheme in
relation to the main listed building and the wider conservation area. The revised proposed floor plans have also addressed concerns about the possible impact on the neighbouring use of the Corn Exchange. The ongoing use of the Corn Exchange is obviously important to the long-term preservation of the adjacent listed building.

The Council’s Conservation Officer considers the impact upon the adjacent listed building at the Corn Exchange is acceptable provided the environmental health officers are satisfied the acoustic insulation proposed will protect occupants of the new flats. On that basis they have no objection to the principle of the use.

6.7 There remain some compromises to the design, specifically the wide flat roof in order to accommodate 8 residential units in a subservient structure. However, this will be barely perceptible from street level and the overall elevation treatment of the buildings is more consistent with the character of the area.

This scheme results in an intensification of the use of the former burgage plot site with the scale and massing of the buildings being proportionately larger than other examples of rear domestic development behind the Market Place frontages. The design of the buildings has gone some way to address this by breaking up the built form with linking sections and referencing the traditional pitched character of the buildings in this part of Wallingford. As such, the Conservation Officer considers that the scheme would constitute a low level of harm to the character of the area resulting in the erosion of the historic burgage plot. This is judged to be less-than-substantial against the tests of paragraph 196 of the NPPF and at the lower end of the test of harm.

6.8 Because a degree of harm has been identified it necessary to be satisfied that this harm, albeit low, is outweighed by public benefits.

6.9 In my view the public benefits comprise the following;

- The provision of 8 flats within a sustainable town centre location contributing towards an identified need for new housing in the district;
- Given its town centre location it could have been argued that this scheme could be car parking free due to the comparatively good access to public transport and facilities. However, 9 car parking spaces are provided on site;
- A planning condition is proposed to provide electricity charging points for vehicles which is an environmental benefit;
- The development also provides for the repair and retention of the historic garden folly within the site

6.10 The level of harm to the designated heritage asset, in the form of the Wallingford Conservation Area, to the burgage plot is low level especially when development in depth along the plot already exists. I am satisfied that the benefits set out above outweigh this low level of harm.

I am of the view that the development therefore accords with the requirements of Policy CSEN1 and Policies CON2, CON3, CON5 and CON7 of SOLP.

6.11 Impact from the development to the Corn Exchange.

Paragraph 183 of the NPPF states that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the
operation of an existing business or community facility could have a significant adverse
effect on new development (including changes of use) in its vicinity, the applicant (or
‘agent of change’) should be required to provide suitable mitigation before the
development has been completed.

6.12 Policy EP2 of SOLP states that proposals which would, by reason of noise or
vibrations, have an adverse effect on existing or proposed occupiers will not be
permitted, unless effective mitigation measures will be implemented. In addition, noise
sensitive development will not be permitted close to existing or proposed sources of
significant noise or vibrations.

Paragraph 182 of the NPPF requires that the applicant as ‘the agent for change’ should
provide for suitable mitigation before the development is complete.

6.13 The overwhelming number of objectors to this development are concerned that the
siting of new residential property abutting the Corn Exchange will mean that the noise
generated by the Corn Exchange will have an adverse impact on the new residents. As
a consequence, the occupants could submit noise complaints to the Council’s
Environmental Health Team and they fear would potentially put the future of the Corn
Exchange at risk.

6.14 The reason the application has been ongoing for so long is, in part, due to a noise
assessment being undertaken. The assessment has been done with cooperation
between the applicants and The Corn Exchange with their respective acoustic
specialists and with input from the Council’s Environmental Health Officer. A report was
submitted to the Council and forms part of this application.

6.15 The reports detail the investigation that has been undertaken in the potential
transmission of noise between the Corn Exchange and the existing building at 4 Market
Place which would help inform one potential noise transmission to the proposed units.

The results show that when music is played at its maximum representative levels in the
theatre, it is audible within the existing building, especially at first floor. Music noise
levels within the existing building would also exceed the criteria as set out in the British
Standard BS 8233:2014 and would result in levels greater than existing background
noise.

The conclusion of the report therefore is that this site is only suitable for residential
development if adequate mitigation measures are provided within the design of the
building to reduce these levels to an acceptable degree.

6.16 The report sets out the mitigation measures which includes a new wall forming part of
the new building as part of the new building. This includes separation down to the
foundations which will attenuate structure borne noise.

The rear wall of the new building, as shown on the amended proposed floor plans, has
been increased in depth and an independent separate ceiling would be installed to
improve airborne sound insulation to the second storey rooms.

The dormer windows on the south side of the building facing The Corn Exchange are
there to allow light in and the report states that these should be permanently closed and
fixed shut.

The layout of the internal spaces has been altered through the course of the application
and as a consequence of the noise assessment. This has involved moving the most
noise sensitive rooms (i.e. bedrooms) to the front of the building and away from the wall adjacent to The Corn Exchange.

6.17 The Council’s Environmental Health Officer has independently assessed the plans and the noise assessment. After very careful consideration and lengthy negotiation the Environmental Health Officer has concluded that providing the properties are designed, constructed and maintained in line with the recommendations made within the report then the internal noise levels of the new dwellings will meet the standards specified within the British Standard BS 8233: 2014.

6.18 I am recommending three planning conditions in relation to noise. The first is that the development shall be carried out and completed in line with the recommendations in the report. The second reinforces one of the requirements which is that pre-completion testing is carried out after construction but before occupation. The third is to ensure that the south facing dormer windows are fixed shut.

6.19 Your officers are satisfied that all reasonable efforts have been made to reduce the impact from noise generated by The Corn Exchange to the occupants of the new properties. The applicants, as the agent for change, have undertaken assessments and design work to address this in line with paragraph 182 of the NPPF.

Whilst is always going to be possible for any new occupant (as it is with any existing or new resident in nearby properties) to make a noise complaint about The Corn Exchange, your officers are satisfied that all reasonable steps have been taken to reduce the likelihood of this happening.

6.20 Impact on protected species.

Policy CSB1 of SOCS states that a net loss of biodiversity will be avoided and opportunities to achieve a net gain across the district will be actively sought. It goes on to say that damage to protected or priority species will be avoided unless the importance of the development outweighs the harm and the loss can be mitigated to achieve a net gain in bio diversity.

Policy C8 of SOLP states that development that would have an adverse effect on a site supporting a specially protected species will not be permitted, unless damage to the ecological interest can be prevented through the use of planning conditions or planning obligations.

6.21 The ecological information originally submitted with the application concluded that the structures on site have a high likelihood of supporting roosting bats. Access was not possible to all roof areas and as such, the preliminary roost assessment was not considered to be adequate to support this planning application.

As recommended by the project ecologist, further bat activity surveys were required to fully assess this application. Without this further information it was not possible to make an informed judgement on the impact of the proposed development on protected species, whether a derogation licence from Natural England is required or what mitigation/enhancement should be implemented on site.

The Council’s Ecologist commented that this application should not be determined without this information being available and as the bat active season had finished at the point when the application was submitted in 2017, the required bat activity surveys could not be undertaken until the following year and will need to be completed during the active season.
6.22 A bat activity and survey report was received in February 2019 and the Council’s Ecologist assessed its findings. He concluded that, subject to a condition that required the development be implemented in accordance with the recommended measures stated in the Section 4.2 (table 5) of the Bat Survey Emergency and Activity Surveys report and Section 4.2 (table 8) of the originally submitted Bat Survey - Preliminary Roost Assessment report, the development is acceptable and will accord with policies CSB1 and C8 of the development plan.

6.23 Impact on archaeology.

Policy CON11 of SOLP states that there will be presumption in favour of physically preserving nationally important archaeological remains.

Policy CON13 of SOLP states that wherever practicable and desirable, developments affecting sites of archaeological interest should be designed to achieve physical preservation in situ of archaeological deposits. Where this is not practicable or desirable, conditions will be imposed on planning permissions, or planning obligations sought, which will require the developer to provide an appropriate programme of archaeological investigation, recording and publication by a professionally-qualified body.

6.24 This proposal is located within the historic core of Wallingford. Wallingford was a significant settlement in Saxon times, a defended Burh. Several archaeological investigations in the centre of the town have revealed that in many areas below-ground archaeological deposits relating to Saxon and Medieval Wallingford are well preserved. 12th/13th century pottery has been recovered from the site and medieval pits have been recorded 20 metres to the south. Other medieval pits have been recorded in the vicinity and Saxon features have been found 50 metres to the south east.

6.25 The Oxfordshire County Council’s Archeologist has considered the proposal and concluded that subject to planning conditions he has no objection.

The first condition states that prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

The second conditions follow on from the first and states that following the approval of the Written Scheme of Investigation referred to in the first condition, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Subject to the imposition of these conditions I am satisfied the development will accord with Policies CON11 and CON13 of SOLP.
6.26 Housing Mix.

The SOCS Policy CSH4 requires developments providing market housing to demonstrate an appropriate housing mix.

The Housing Needs Assessment (HNA) on which the policy CSH4 was based has been updated by the SHMA 2014, which provided an updated assessment of the housing needs for the district. It is important to note that the SHMA identifies that when applying the housing mix targets regard should be had to “the nature of the development site and character of the area, and to up-to-date evidence of need as well as the existing mix and turnover of properties at the local level.” This means that there will inevitably be some diversion from the SHMA targets.

As a starting point the mix of units should reflect the SHMA as set out in the table below:

<table>
<thead>
<tr>
<th></th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHMA</td>
<td>6%</td>
<td>27%</td>
<td>43%</td>
<td>24%</td>
</tr>
</tbody>
</table>

The split between bedrooms from the permissions for housing in 2017/2018 for market housing is as follows:

<table>
<thead>
<tr>
<th>Percentage</th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHMA Target</td>
<td>6%</td>
<td>27%</td>
<td>43%</td>
<td>24%</td>
</tr>
</tbody>
</table>

It shows that against the SHMA target there have been a larger proportion of 4 bed units permitted.

6.27 The proposed mix for this development is as follows:

<table>
<thead>
<tr>
<th></th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHMA</td>
<td>6%</td>
<td>27%</td>
<td>43%</td>
<td>24%</td>
</tr>
<tr>
<td>Proposed</td>
<td>25%</td>
<td>75%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

This scheme would provide smaller units in a sustainable location and could be argued to help redress some of the current imbalance. On those grounds I think that there is justification to have a mix that is not strictly SHMA compliant in this case.

6.28 Impact on the amenities of the occupants of nearby properties.

Policy D4 of SOLP states that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties through loss of privacy, daylight or sunlight. Impact on residential amenity is normally considered in terms of whether a development results in material harm by way of overlooking, loss of sunlight or being so large and close that it is considered oppressive and overbearing.

I have considered the development in light of these three aspects.
6.29 The most affected property is 71 Wood Street to the north. However, the level of overlooking of that property is not in my view materially different than the existing situation from the buildings that are to be demolished.

The increase in height of the buildings would increase the impact over the existing situation. However, I am of the view that the distance from the building to the boundary is sufficient to ensure that development would not result in a significant loss of sunlight or an oppressive or overbearing appearance.

The impact on the properties on the opposite side of Wood Street would not in my opinion be material when taking into account that the proposed new building on the frontage is not significantly different in its scale and openings to the existing building that will be demolished.

Overall, I do not conclude that this development is unneighbourly.

6.30 **Amenity and parking and highway impact.**

Policy D3 of SOCS seeks to ensure that new dwellings should provide adequate private outdoor space. The amount of land to be used for garden or amenity space will be determined by the size of the dwelling and the character of surrounding development. The South Oxfordshire Design Guide advises that a 2-bedroom property should provide at least 50 square metres and for a 1-bedroom property should provide at least 35 square metres. It indicates that for flats it is acceptable for this to be amalgamated into a single communal space.

6.31 In this instance the flats comprise 2 x one bedroom flats and 6 x two bedroom flats which would call for 375 square metres of amenity space. The development does not provide for any private amenity space within the site. However, regard must be had to the central location of the site, within the town with good access to services and where not all flats would expected to have private amenity area. I am mindful of a recent appeal decision where an Inspector did not support the Council's concerns about a deficit of amenity space. Taking into account the sustainability of the site and relatively easy access to open spaces I am of the view that this deficiency and conflict with Policy D4 and guidance with the SODG is acceptable in this instance.

6.32 The Council's maximum parking standards would require 2 spaces for the six 2-bedroom units and 1 space for each of the 2 x one-bedroom units.

The development provides for 9 spaces which is below the maximum levels the Council would expect. However, this is a central location where the Council could consider a car free development. However, in this instance spaces are being provided and the number is considered acceptable in the context of this sustainable location.

The access onto Thames Street is relatively unaltered and in conjunction with the fact that there is restricted parking in the area the Highway Authority has not raised any objection on the grounds of parking provision or highway safety.

6.33 **Air Quality.**

The site is not located within the Wallingford Air Quality Management Zone which includes sections of the High Street, Castle Street and St Marys Street but it is within the wider town centre area affected by air quality issues.
Policy EP1 states that proposals which would (by reason of smell, fumes, smoke, soot, ash, dust, grit, or other forms of polluting emissions) have an adverse effect on people and other living organisms, the atmosphere, the land, underground water supplies or watercourses will not be permitted, unless effective mitigation measures will be implemented.

6.34 The Council’s Air Quality officer has considered the impact of this development and suggested a series of planning conditions which will assist in mitigating the impact of this development to an acceptable extent. This includes the provision of electric vehicle charging points, the provision of cycle facilities and stipulating that the gas fired boilers meet a minimum standard.

Given the sensitivity of the site and proximity to the AQMA I conclude that such conditions are reasonable and necessary, and they form part of this recommendation.

6.35 CIL.

The development is liable to pay CIL which amounts to £36,252.00.

6.36 ASSESSMENT OF THE LISTED BUILDING APPLICATION
Impact on the special architectural and historic interest of the listed building.

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, in considering whether to grant listed building consent or planning permission for works/development which affects a listed building or its setting, the local planning authority have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 132 of the NPPF reflects this requirement, stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. CON5 of SOLP is the relevant local plan policy used to secure appropriate development within the setting of listed buildings.

Policy CSEN3 of SOCS is concerned with the protection of heritage assets Policy CON3 of SOLP aims to ensure that alterations would not harm the special historic and architectural interest of listed buildings.

6.37 The listed building consent application covers the alterations to the existing Grade II listed 4 Market Place, the Corn Exchange next door and the curtilage listed garden folly.

6.38 The works to the garden folly are welcomed as this is to be retained and repaired. A condition of the listed building consent requires the garden folly to be repaired in accordance with the submitted condition survey and the replacement fabric and alterations to the door will need to be agreed with the Council first.

6.39 The works to the rear of 4 Market Place are to modern additions and their removal is not considered to result in the loss of the listed building’s historic fabric.

6.40 Once the existing buildings are demolished there is the possibility that the wall to the Corn Exchange may require repair. If this is necessary, any repairs to the wall must be completed in appropriate materials and need to be as per details and a schedule of repair that must be submitted to the Council for approval before such works are undertaken and the new wall constructed.
The proposed conditions will ensure that the proposed works do not harm the special architectural and historic interest of the listed buildings.

CONCLUSION

The development provides for 8 new units within a sustainable town centre location. Whilst the scheme results in some low level harm to the conservation area that is outweighed by the benefits the development will bring. Providing that the development is carried out in accordance with the mitigation measures proposed in the acoustic report the impact of noise from The Corn Exchange will be mitigated to acceptable levels. Conditions relating to archaeology, parking, and ecology will ensure that the impact of the development will be acceptable. As such the proposal accords with the relevant development plan policies.

The proposed works, in conjunction with the details that are secured via conditions relating to details of any necessary works of repair to The Corn Exchange wall following the demolition of the existing building and details of the works and materials for the repair of the garden folly, will ensure that the special architectural and historic interest of the listed buildings are preserved. As such it is recommended that both planning permission and listed building consent are granted.

RECOMMENDATION

That planning permission is granted subject to the following conditions:

1. Commencement three years - Full Planning Permission
2. Approved plans
3. Schedule of Materials
4. Noise Mitigation as per acoustic report
5. Post construction sound testing
6. Dormer windows to be non-opening
7. Vision splay protection
8. Parking & Manoeuvring Areas Retained
9. Construction Traffic Management
10. Wildlife Protection (mitigation as approved)
11. Electrical charging points
12. Gas fire boilers to an approved specification
13. Archaeological Watching Brief
14. Implementation of Programme or Archaeological Work

That listed building consent is granted subject to the following conditions:

1. Commencement three years - Listed Building Consent
2. Approved plans (listed building)
3. Submission of details of repair to the Corn Exchange wall
4. Submission of details of repair to the garden folly

Author: Mr. P Bowers
E-mail: paul.bowers@southandvale.gov.uk
Contact No: 01235 422600
Site Location Plan
Appendix 2
Note: For the purpose of acoustic mitigation all roof windows on the south side of the roof to be fixed light windows.
APPLICANT NO. P17/S1322/FUL
APPLICATION TYPE FULL APPLICATION
REGISTERED 26.5.2017
PARISH ROTHERFIELD PEPPARD
WARD MEMBERS Jo Robb & Lorraine Hillier
APPLICANT Mrs Vanita Kang
SITE Mulberry House, Peppard Hill, Peppard Common, RG9 5ES
PROPOSAL Demolition of the existing dwelling house and erection of a pair of two-storey 4-bedroom semi-detached dwellings and a terrace of two-storey 2 and 3-bedroom dwellings (reduction in dwellings from six to five and alterations to plot layouts, boundaries, landscaping, design and window positions as shown on amended plans received 29th May 2019).

OFFICER Paul Lucas

1.0 INTRODUCTION
1.1 Officers recommend that planning permission is granted and this report explains how officers have reached this conclusion. The application is referred to the Planning Committee due to the recommendation conflicting with Rotherfield Peppard Parish Council’s recommendation of refusal.

1.2 The application site is as shown at Appendix A. It comprises a rectangular parcel of land containing a two-storey detached dwelling called Mulberry House with vehicular access directly onto Peppard Hill. This dwelling previously occupied a larger triangular plot extending to the south, on which three detached houses have been built with a shared vehicular access. The residential plot occupied by Holly Trees and its detached garage lies adjacent to the south-western site boundary. The north-eastern site boundary is with the spacious plot occupied by Springwood Court. The south-eastern site boundary is with the rear garden of Starlings. The eastern corner of the site boundary lies adjacent to the Chilterns AONB designation, which passes through some of the Springwood Court plot. The trees on the application site are subject to an area Tree Preservation Order Reference: 10S02.

2.0 PROPOSAL
2.1 The application seeks full planning permission for the demolition of the existing dwelling and the erection of a pair of two-storey 4-bedroom semi-detached dwellings and a terrace of two-storey 2 and 3-bedroom dwellings, as illustrated on the plans and supporting documents submitted with the application.

2.2 The application has been subject to a series of amended plans, which have:
   - Reduced the overall amount of built form;
   - Reduced the amount of space taken up by hard surfacing;
   - Moved built form further back from Peppard Hill;
   - Increased the separation to adjoining dwellings;
   - Provided a comprehensive landscaping scheme including detailed front boundary treatment; and
   - Updated bat surveys and mitigation.
2.3 The current plans can be found at Appendix B. Other documents can be viewed on the Council’s website.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Rotherfield Peppard Parish Council - recommends that this application should be refused for the following reasons:

1. Mulberry House is in the smaller village of Peppard Common see Appendix 4 Policy CSR1 Housing in Villages not in the larger village of Sonning Common. There are no housing allocations for smaller villages and this site cannot properly be considered as infill;

2. The surrounding houses are all detached houses of varying sizes set in their own gardens and there are no terraced houses in the immediate area. The application represents overdevelopment of the site as the density is out of character with the surrounding area;

3. Impact on neighbouring properties particularly Starlings, Holly Trees, Maple House and Springwood Court. In addition, we understand that boundary issues between Mulberry House and Springwood Court and enforcement issues against the applicant in relation to a site next door are still to be resolved see SE17/332;

4. The development is on a dangerous bend with poor visibility. This development will further add to the already serious traffic hazards created by new development accesses recently created at the junction of the B481 and Stoke Row Road. The development of 5 additional homes presumably with at least two cars per property will add to the congestion and impact road safety on an already dangerous junction:

5. The plans show parking for 10 cars there is no provision for visitor parking so there is a possibility that visitors will park on the B481 which is a dangerous road, with many heavy goods vehicle movements per day;

6. The Council is also concerned about a number of trees on the site some of which may have been damaged despite being subject to TPO’s and further trees that are to be removed we were unable to discuss this aspect of the application with the applicant's representatives as we were refused access to the site by the present occupant;

7. There is no proper provision for waste vehicles or large delivery vehicles to turn on site so waste will have to be collected by the roadside on Peppard Hill adding to road safety issues on a sharp bend on a busy road; Should this application be approved RPPC strongly recommends that permitted development rights are removed from all the houses especially numbers 3, 4 and 5 so that they remain three bedroomed houses.

Highways Liaison Officer (Oxfordshire County Council) - No objection subject to access and parking related conditions.

Countryside Officer (South Oxfordshire) - No objection subject to implementation of bat mitigation condition.

Forestry Officer (South Oxfordshire) - No objection subject to conditions requiring details of tree pit and implementation of tree protection and landscaping details.

Waste Management Officer (South Oxfordshire) - No strong views.
South Oxfordshire District Council – Planning Committee – 4 September 2019

**Neighbours** – 11 households raising objection and concern during the application process. Four representations of objection and concern have been received for the current set of amended plans:

- Overdevelopment of the site with a cramped development of five dwellings, maximum should be 2-3 dwellings.
- this is an inappropriate development as there are no other terraced properties in the area.
- This layout would be out of kilter with the building lines of Holly Trees and Maple House.
- Impact of two storey side wall of proposed Plot 5 close to Holly Trees.
- Loss of privacy to from front windows of proposed Plots 1 & 2 overlooking front of Holly Trees & Maple House.
- Loss of privacy from rear windows of Plots 3, 4 & 5 overlooking rear garden of Starlings.
- Noise and pollution to the bedrooms of Holly Trees from parking other side of fence.
- Plots 1 & 2 would have north facing gardens lacking in daylight.
- A significant number of trees will be removed.
- The five properties are likely to have 10 cars and this number will potentially lead to accidents on a busy highway where the access has poor sightlines.
- The ownership of land shown does not agree to the Land Registry. Plans are misrepresented to give the impression of better placement of the buildings - plans and ownership need to be investigated as these are the same developers as our property.
- Trees shown at Holly Trees do not exist as the developer has failed to deliver on previous plans - there is an enforcement order on our development that is yet to be resolved.

The representations can be read in full on the Council’s [website](#).

**4.0 RELEVANT PLANNING HISTORY**

4.1 **P14/S2137/FUL** - Refused (15/07/2016) due to lack of legal agreement to deliver affordable housing contribution
Demolition of existing building and erection of two two-storey 5-bedroom detached dwellings with associated access and parking.

**P13/S1538/FUL** - Refused (05/12/2013) - Appeal dismissed (02/07/2014) due to lack of legal agreement to deliver affordable housing contribution
Demolition of existing two storey dwelling and erection of 2x two-storey 5-bedroom detached houses with associated access and parking.

**P11/E2556** - Refused (07/08/2012) - Appeal allowed (28/01/2013)
Erection of 3 dwellings with associated access and parking provision. – This is the planning permission for Holly Trees, Maple House and Maple Cottage.

**5.0 POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies
- CS1 - Presumption in favour of sustainable development
- CSB1 - Conservation and improvement of biodiversity
- CSEN1 - Landscape protection
- CSH2 - Housing density
- CSH4 - Meeting housing needs
- CSQ2 - Sustainable design and construction
CSQ3 - Design
CSR1 - Housing in villages
CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;
C4 – Landscape setting of settlements
C8 - Adverse affect on protected species
C9 - Loss of landscape features
D1 - Principles of good design
D10 - Waste Management
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
D4 - Reasonable level of privacy for occupiers
EP3 – External Lighting
EP6 - Sustainable drainage
G2 - Protect district from adverse development
G5 - Best use of land/buildings in built up areas
H4 - Housing sites in towns and larger villages outside Green Belt
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

5.3 Supplementary Planning Guidance/Documents
South Oxfordshire Design Guide 2016 (SODG 2016) – Section 7 – Plots & Buildings

5.4 National Planning Policy Framework (NPPF)
National Planning Policy Framework Planning Practice Guidance (NPPG)
The policies within the SOCS and the SOLP 2011 of relevance to this application are in
general conformity with the provisions of the NPPF and NPPG and therefore this
application can be determined against these relevant policies.

6.0 PLANNING CONSIDERATIONS
6.1 The planning issues that are relevant to this application are whether the development
would:
• be in accordance with the Council’s Housing Strategy;
• result in the loss of an open space or view of public, environmental or ecological
  value;
• be in keeping with the character and appearance of the surrounding area,
  having regard to the nearby Chilterns AONB and the preservation of important
  trees on the site;
• safeguard the residential amenity of surrounding occupiers and the living
  conditions of future occupiers of the new dwellings;
• provide adequate off-street parking spaces for the resultant development and
  prevent conditions prejudicial to highway safety from arising;
• provide an appropriate mix of market housing; and
• give rise to any other material planning considerations

6.2 Principle of Development
The site is located within the built-up confines of the settlement of Peppard Common.
This is because it would be closely surrounded by buildings, being bordered by
residential plots on three sides. The SOCS Policy relevant to this proposal is CSR1.
The SOCS classifies Peppard Common as a “smaller village”. Under Policy CSR1,
residential development equivalent of 5-6 dwellings on infill sites of up to 0.2 hectares is
acceptable in principle in smaller villages. The supporting text for Policy CSR1 states,
“Infill development is defined as the filling of a small gap in an otherwise built up
frontage, or on other sites within settlements where the site is closely surrounded by buildings." The site area would be about 0.2 hectares, however, this limit does not apply to redevelopment proposals, which Policy CSR1 explains are considered on a case by case basis. Officers consider that the proposal would represent a redevelopment proposal through the demolition of the existing dwelling and are therefore satisfied the principle of this development is acceptable under the SOCS.

6.3 It is also a material planning consideration that the previous application P14/S2137/FUL for a redevelopment with two dwellings was considered under the same Development Plan policies and similar national planning guidance and only refused on grounds of lack of affordable housing contribution. Although the current proposal would increase the net gain of dwellings from one to four, this would still be within the envisaged 5-6 dwellings as an acceptable amount of development envisaged for infill sites in smaller villages. Consequently, the proposal falls to be assessed primarily against the criteria of Policy H4 of the SOLP 2011 for new dwellings which are addressed below.

6.4 **Loss of Open Space**
Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site currently comprises a residential plot containing a detached dwelling and outbuildings and is not accessible to the public. It is viewed in the context of surrounding residential properties. There is limited visibility towards the nearby Chilterns AONB from either Peppard Road to the east or Hillcrest Lane to the south due to the position of existing buildings, trees and boundary fencing. The Council’s Countryside Officer has raised no objection on ecological grounds subject to a bat mitigation condition. As such, the proposal would comply with the above criterion.

6.5 **Visual Impact**
Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 explain that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area should not be adversely affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 expand on this requirement in respect of ensuring good design and maintaining local distinctiveness. The SOCS Policy CSEN1 and the SOLP 2011 Policy C4 seek to ensure that proposed development conserves the landscape setting of the District’s settlements. The SOLP 2011 Policy C9 aims to retain important landscape features. Whilst concerns have been expressed from third parties about the density of the proposed development, five dwellings on a 0.2-hectare site equates to 25 dwellings per hectare, which is the minimum density set out under Policy CSH2 of the SOCS. This would also accord with the aims of the SOLP 2011 Policy G5 to make best use of land in built-up areas.

6.6 Concerns have also been raised about the proposed layout as a form of tandem development, resulting in a building line that would be inconsistent with the adjoining dwellings to the south. Plot 1 would be about 13.5 metres from the front boundary with Peppard Hill, which would be further back than Maple House, at around 9.5 metres from the boundary. The proposed dwellings would be of a similar height to the existing dwellings to the south and on that basis would not be of an excessive bulk and massing, nor appear unduly prominent in the street scene. In relation to the position of Plots 3-5 towards the rear of the site, both Hilcrest Lane and Butlers Yard are established residential developments that have introduced development in depth behind the building line on the eastern side of Peppard Hill. The proposed terrace would not extend as far back as those developments. Officers also consider that this element of the proposal would not detract from the landscape setting of this part of Peppard Common. This is because the closest public views from the Chilterns AONB to the east, would be at a distance of around 450 metres and against the backdrop of
residential plots and through intervening woodland and mature planting in surrounding gardens.

6.7 Officers are also mindful that a previous application P13/S1538/FUL, where two large dwellings in a tandem arrangement were refused planning permission. However in connection with that appeal, the Inspector noted a variety in the built form within the vicinity of the site and that there is no consistent pattern of development or clear relationship between dwellings and the highway. The proposed arrangement was found not be unduly harmful or incongruous and the appeal was not dismissed on visual grounds. Having regard to this variety, officers consider that the proposed terrace instead of a single detached dwelling would not detract significantly from the character and appearance of the surroundings to warrant refusal of planning permission. A planning condition should be imposed to ensure that the dwellings would be constructed from appropriate external materials, with traditional bricks and clay tiles as the primary materials to respect the nearby Chilterns AONB.

6.8 A detailed landscaping scheme has been submitted, which seeks to replace some of the lower category trees around the site boundaries with new species and to introduce additional planting, particularly between around the frontage to the public highway. The Council’s Forestry Officer is satisfied that this element of the application would provide improved longer-term tree cover and enable the proposal to assimilate into the surrounding environment, to be secured through a compliance planning condition. The Forestry Officer is content that the arboricultural report demonstrates that the protected trees on site shown to be retained could be adequately protected through the course of development, to be secured through a compliance planning condition. The Forestry Officer also accepts that the position of the dwellings in relation to retained and new trees would not result in undue pressure for their future removal.

6.9 The landscaping scheme also incorporates details of boundary treatment. In particular, the front boundary would comprise post and rail fencing with a hedge and intermittent tree planting behind. This would be a more appropriate form of boundary treatment than the existing close-boarded fence and would be more in keeping with the character of the surrounding area than other fencing in the immediate locality. In the light of the above assessment, the proposal would be in accordance with the above policies and criterion.

6.10 **Residential Amenity Impact**
Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D3 requires adequate amenity space to be provided for future occupiers. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out to secure a reasonable degree of privacy for the occupiers. Adjoining residents have raised concerns about the impact of the proposed development on their properties. The position of Plots 3-5 would mean they would be staggered to the rear of the adjacent Holly Trees. Plots 3-5 would be positioned about 5.5 metres from the boundary with Holly Trees. In spite of the rear projection, the two-storey side wall of Plot 5 would lie outside a 45-degree line from the closest ground and first floor rear windows at Holly Trees. As Plots 3-5 would be to the north-east of Holly Trees, the sunlight received by this dwelling would not be affected. The front windows of Plots 1&2 would be oriented at right-angles to the front of Holly Trees and Maple House, however, these frontages are not private gardens and the distance of around 10 metres is typical of most residential situations. Furthermore, this area is already somewhat overlooked by the first-floor windows on the south-elevation of the existing Mulberry House. The amount of activity associated with the domestic use of parking spaces adjacent to the boundary with Holly Trees would be unlikely to result in excessive noise nuisance. In one respect, the demolition of Mulberry House would
arguably improve the amenity of Holly Trees by removing windows that directly face the adjoining north-east facing side windows, serving en-suites and a staircase.

6.11 The upper floor rear windows of Plots 3-5, including a second-floor dormer window to Plot 5, facing south-east towards Starlings would be in excess of 15 metres from the boundary. Given the intervening mature boundary screening and that the rear of Starlings is about 20 metres from the boundary, the proposed level of separation would be sufficient to prevent any significant loss of privacy to this adjoining dwelling and its garden. The level of separation between the rear elevations of Plots 1&2 and the side elevation of Plot 3 would be sufficient to avoid any significant loss of light, outlook or privacy to Springwood Court to the north.

6.12 The private gardens for the proposed dwellings would all exceed the relevant recommended minimum areas (50 square metres for 2-bedrooms and 100 square metres for 3 & 4-bedrooms) and 10 metres depths as set out in Section 7 of the SODG 2016. Officers acknowledge that the rear gardens of Plots 1&2 would experience some shading by the position of the dwellings and the retained mature trees along the rear boundaries. However, as discussed above, the Forestry Officer has already commented that the relationship between gardens and trees would be adequate to prevent conflict. In addition, officers consider that the gardens would be sufficiently wide to allow acceptable levels of daylight and for morning sunlight to reach Plot 2 and afternoon sunlight to reach Plot 1. Officers are also satisfied that the distance between the front windows of Plots 3-5 and the side of Plot 2 would be suitably private. Based on the above assessment, the proposal would be in compliance with the above policies and criterion.

6.13 Access and Parking
Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Policy T1 of the SOLP 2011 seeks to ensure that all new development would provide a safe and convenient access for all users of the highway. Third parties are concerned that the access would have poor sightlines onto a busy road about the lack of visitor parking and insufficient turning space for waste collection and large delivery vehicles. However, Paragraph 109 of the NPPF explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highway Liaison Officer has raised no objections to the alterations to the existing vehicular access, proposed sightlines and proposed level of on-site parking shown on the amended plans. The maximum allocated parking requirement for the mix of dwellings proposed is 12 spaces and there are 13 provided, allowing for at least one dedicated visitor space. The Transport Statement submitted in support of the revised application includes a tracking plan, which demonstrates that the parking layout allows for a 7.5 tonne box van to be able to enter, turn and exit the site in forward gear. The Council’s Waste Management Officer has also not objected to the current plans. Taking the above factors into account, officers consider that the proposed development would not conflict with the NPPF guidance and would accord with the above policies.

6.14 Housing Mix
The SOCS Policy CSH4 requires developments providing market housing to demonstrate an appropriate housing mix. The housing need for South Oxfordshire identified in the Strategic Housing Market Assessment (SHMA), is as set out below:

<table>
<thead>
<tr>
<th></th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHMA</td>
<td>6%</td>
<td>27%</td>
<td>43%</td>
<td>24%</td>
</tr>
</tbody>
</table>
The application would provide a 2-bedroom dwelling; two 3-bedroom dwellings and two 4-bedroom dwellings. Given that there would be a net gain of four dwellings, with the demolition of a four-bedroom dwelling, officers consider that such a housing mix would be in general conformity with the SHMA, through concentrating the mix around the market housing type in greatest need.

### 6.15 Other Material Planning Considerations
Exceptionally due to the site constraints, officers consider it necessary to remove householder permitted development rights for extensions, outbuildings and hardstandings to ensure that the Council retains control over any future development that might otherwise cause harm visually or to neighbouring amenity or protected trees.

As referred to in the history above, the previous applications on this site P13/S1538/FUL and P14/S2137/FUL were only unsuccessful due to a lack of affordable housing contributions. However, the provisions of Policy CSH3 no longer apply to the site, because the NPPF has raised the threshold to trigger affordable housing provision to 10 dwellings.

### 6.16 Matters relating to non-compliance with planning conditions related to planning permission P11/E2556 and associated contravention the Tree Preservation Order, which are not on the application site are being investigated separately by the Council’s Planning Enforcement Team. Matters related to land ownership and boundary disputes are private matters between the relevant parties.

### 6.17 Community Infrastructure Levy
The proposed dwellings are liable for the Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre (index linked). 15% of the CIL payment would go Rotherfield Peppard Parish Council in the absence of an adopted Neighbourhood Plan.

### 7.0 CONCLUSION

7.1 The application proposal would comply with the relevant Development Plan Policies and it is considered that, subject to the conditions set out below, the proposed development would be acceptable in principle, would be of a density and layout that would not significantly harm the character and appearance of the area, including the Chilterns AONB and protected trees, or the residential amenity of nearby residents. The development would provide acceptable living conditions for future occupiers of the proposed dwellings and would not result in conditions prejudicial to highway safety and would also provide an appropriate market housing mix.

### 8.0 RECOMMENDATION

8.1 Grant Planning Permission

1 : Commencement three years - Full Planning Permission
2 : Approved plans
3 : Demolish specified buildings
4 : No change in levels
5 : Schedule of Materials prior to foundations
6 : Withdrawal of P.D. (extensions/roof extensions/outbuildings)
7 : Existing vehicular access
8 : Vision splay dimensions
9 : Allocated Parking & Maneouvring Areas Retained
10 : Construction Traffic Management
11 : Landscaping implementation
12 : Tree Pit details prior to foundations
13 : Tree protection (implementation as approved)
14 : Wildlife Protection (mitigation as approved)
15 : External Lighting prior to occupation
16 : Highways Informatives

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Appendix B

Land at Mulberry House, Peppard Hill - RG9 5ES
PROJECT: Land at Mulberry House, Peppard Hill - RG9 5ES
TITLE: Proposed front and rear elevation House 1 and 2

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Land at Mulberry House, Peppard Hill - RG9 5ES

REVISION NOTE:
A - 03.07.18 - DORMERS ADDED TO HOUSE 1
B - 24.09.18 - ELEVATION MATERIALS AND DETAILS AMENDED
C - 26.09.18 - DORMERS OF HOUSE 1 MOVED TO HOUSE 3
D - 07.02.19 - HOUSE 3 REMOVED

PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION

Scale (1:100)
Project: Land at Mulberry House, Peppard Hill - RG9 5ES
Title: Proposed side elevation houses 3, 4 and 5

Revised Notes:
B - 11.03.19 - Dormers amended.

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Coventry Design Limited
25A Creek Road, Hampton Court
Surrey KT8 9BE

Scale: 1:100 @ A3
Date: Jun 2018

Proposed Right Elevation House 5
Proposed Left Elevation House 3

Land at Mulberry House, Peppard Hill - RG9 5ES
GROSS INTERNAL AREA HOUSE 3 AND 4:
GROUND FLOOR: 47.70m²
FIRST FLOOR: 47.70m²
TOTAL: 95.40m²

GROSS INTERNAL AREA HOUSE 5:
GROUND FLOOR: 47.70m²
FIRST FLOOR: 47.70m²
SECOND FLOOR: 25.50m²
TOTAL: 124.10m²

PROPOSED GROUND FLOOR PLAN

HOUSE 3
HOUSE 4
HOUSE 5

GROSS INTERNAL AREA HOUSE 3 AND 4:
GROUND FLOOR: 47.70m²
FIRST FLOOR: 47.70m²
TOTAL: 95.40m²

GROSS INTERNAL AREA HOUSE 5:
GROUND FLOOR: 47.70m²
FIRST FLOOR: 47.70m²
SECOND FLOOR: 25.50m²
TOTAL: 124.10m²

REVISION NOTE:
D - 07.02.19 - HOUSES RENUMBERED

Scale (1:100)

Land at Mulberry House, Peppard Hill - RG9 5ES

Coventry Design Associates

26a
PROJECT: Land at Mulberry House, Peppard Hill - RG9 5ES

TITLE: Proposed second floor plan house 1 and 2

PROPOSED SECOND FLOOR PLAN

REVISION NOTE:
A - 03.07.18: DORMERS ADDED TO HOUSE 1
B - 03.10.18: LAYOUT OF HOUSE 3 CHANGED
C - 07.02.19: HOUSE 3 REMOVED

Land at Mulberry House, Peppard Hill - RG9 5ES
PROJECT: Land at Mulberry House, Peppard Hill - RG9 5ES

TITLE: Proposed roof plan house 1 and 2

SCALE (1:100)

DATE: JUN 2018

REVISION NOTE:
A - 03.07.18 - DORMERS ADDED TO HOUSE 1
B - 03.10.18 - DORMERS OF HOUSE 1 MOVED TO HOUSE 3
C - 07.02.19 - HOUSE 3 REMOVED

PROPOSED ROOF PLAN

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Surrey KT8 9BE

DORMERS ADDED TO HOUSE 1
DORMERS OF HOUSE 1 MOVED TO HOUSE 3
HOUSE 3 REMOVED
PROPOSED ROOF PLAN

HOUSE 3

HOUSE 4

HOUSE 5

LAND AT MULBERRY HOUSE, PEPWARD HILL - RG9 5ES

PROJECT:

TITILE:

SCALE (1:100)
POST AND RAIL FENCE DETAIL

2000 APPROX

TS/W POST 100 X 125 AT APPROX 2000 CMS - WITH 25MM REBATE TO TAKE RAILS

TS/W RAILS 100 X 50 NAILED TO POSTS

POSTS SET IN AUGERED HOLES AND BACKFORLED WITH NEW RAMMED COARSE AGGREGATE.

Project:
MULBERRY HOUSE, PEPPARD COMMON, HENLEY-ON-THAMES, OXON. RG9 5JF

Drawing Title:
1.2 m POST & RAIL FENCE DETAIL

Status: PLANNING
Date: 19-04-2019
Scale: 1:20 @A3 size DHW

Drawn by: DHW

Project No: 0356
Drawing No: LD4
Revision:

David Williams
Landscape Consultancy
1.0 INTRODUCTION

1.1 This application has been referred to Planning Committee as the applicant is a local councillor.

1.2 The site (as shown on the OS plan attached as Appendix A) contains a period detached dwelling house on a good sized plot, located at the very edge of the small hamlet of Shepherds Green. Fronting directly onto a small area of open green space the site lies inside of Shepherds Green conservation area and the Chilterns AONB. The site contains a number of mature trees and shrubs which are protected by virtue of being inside of the conservation area.

1.3 Until relatively recently Rotherfield Greys Public Footpath 1 dissected the site to the north of the plot. This has since been formally diverted to a route outside of the application site.

1.4 The existing dwelling has been substantially extended and altered over the years and is finished in a combination of rough cast painted render and red facing brickwork elevations with, flat and plain clay tile pitched roofs and painted timber leaded light casement windows and doors.

2.0 PROPOSAL

2.1 The application seeks planning permission for part single and part two storey flat roofed extensions to the rear of the property (extending along the western boundary); a short section of traditional brick and flint wall along the western boundary; alterations to the existing outbuilding; a single storey outbuilding and log store along the northern boundary and siting of a bunded oil tank in the north western corner.

2.2 The extensions are proposed to be finished in a rough cast painted render to match the existing dwelling. A copy of the application plans are attached as Appendix B and all other documents associated with the application can be viewed on the Council’s website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Rotherfield Greys Parish Council - Comments with no objections
3.2 **Forestry Officer (South Oxfordshire District Council)**
- Initially makes a holding objection requesting the submission of a full tree survey and arboricultural impact assessment (AIA)
- Comments with no objections following the submission of the requested details subject to confirmation that the raft foundation located with the RPAs of T1, T3 and T4 are to be installed with impermeable liners
- Informally reviews amended AIA submitted 18.07.2019 and raises no objections

3.3 **Countryside Access** - No comments

3.4 **Neighbours** - No comments

4.0 **RELEVANT PLANNING HISTORY**
4.1 None

5.0 **POLICY & GUIDANCE**
5.1 **National Planning Policy Framework (NPPF)**

5.2 **National Planning Policy Framework Planning Practice Guidance**

5.3 **South Oxfordshire Core Strategy 2027 (SOCS) policies;**

   CS1 - Presumption in favour of sustainable development
   CSEN1 - Landscape protection
   CSEN3 - Historic environment
   CSQ3 - Design

5.4 **South Oxfordshire Local Plan 2011 (SOLP) policies;**

   C4 - Landscape setting of settlements
   C9 - Retention of landscape features
   CON7 - Proposals in a conservation area
   D1 - Principles of good design
   G2 - Protect district from adverse development
   H13 - Extension to dwelling
   R8 - Protection of existing public right of way

5.5 **South Oxfordshire Design Guide 2016**

6.0 **PLANNING CONSIDERATIONS**
6.1 The main issues to be considered are:

1. The impact on the character and appearance of the existing building, semi rural setting, the surrounding conservation area and wider AONB
2. The impact on neighbouring properties
3. Impact on the public right of way

6.2 **Impact on character - landscape**
The site and immediate surrounding area include a number of mature trees which are protected by virtue of being inside of the conservation area. At the request of the council’s forestry officer an AIA and accompanying tree survey has been submitted as part of this application. This document details measures for tree protection to ensure all existing trees are retained and protected during the course of the development. In light of this I do not consider the development proposed would impact the existing trees
within the vicinity of the development or the wider semi-rural and verdant character of the area.

6.3 **Impact on character – extensions**
The proposal is for extensions to the rear of the existing dwelling, additional outbuilding(s) and boundary wall along the western boundary, fronting onto the area of open green space at the centre of the settlement. The proposal is modest in relation to the existing well-proportioned dwelling house. The extensions are to be constructed in materials to match the existing dwelling, with flat roofs in a design and style to match historic extensions at the property.

6.4 **Impact on character – wall & outbuilding**
The proposed boundary wall is to be constructed in traditional brick and flint whilst the outbuilding is to be finished in a weather board with plain clay tile roof. Both elements are of a design and style appropriate to the context of the period dwelling inside of the conservation area and AONB. I have recommended conditions to secure material details for both these elements prior to the commencement of any development approved.

6.5 In my opinion the proposals form an appropriate visual relationship with the existing dwelling and would not harm the character or appearance of the dwelling or the wider surrounding conservation area and AONB. The proposal complies with policies CS1, CSEN1, CSEN3 and CSQ3 of the SOCS and policies C4, C9, CON7, D1, G2 and H13 of the SOLP and technical guidance set out in the SODG.

6.6 **Impact on neighbours**
Given the scale, design and position of the proposed extensions, outbuildings, domestic fuel storage containers and boundary wall, I do not consider that the proposed development would result in any harm to the amenity of the neighboring properties in terms of light, outlook or privacy.

6.7 **Impact on the public right of way**
Until relatively recently Rotherfield Greys Public Footpath 1 dissected the site to the north of the plot over land where the extensions are now proposed. At the time of visiting site on 7 August 2019 the footpath had been formally diverted by Oxfordshire County Council to a route outside of the application site. In view of this amendment I do not consider the development proposed would impact the existing public footpath network in the surrounding area.

6.8 **CIL**
The proposed development is not liable to pay CIL as the net increase in residential floor space does not exceed 100m².

7.0 **CONCLUSION**
7.1 The proposal complies with the relevant Development Plan policies and, subject to the attached conditions, the proposed development would be acceptable in terms of its relationship to the character of the existing building, its site, existing landscape features, semi-rural setting, the wider conservation area and surrounding AONB. It is also acceptable in terms of its impact on neighbouring amenity.
8.0 RECOMMENDATION
8.1 Grant Planning Permission subject to the following conditions:

1: Commencement of development within 3 years
2: Development in accordance with the approved plans
3: Sample materials required for the outbuilding and boundary wall
4: Matching materials for the extension
5: Tree protection to be implemented in accordance with the submitted details

Author: Caitlin Phillpotts
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Tel: 01235 422600
Appendix B
The Rosary, Shepherds Green

January 2019  | Scale indicated

SWABEY-COLLISON ARCHITECTURE

www.swabey-collison.co.uk

Watcombe Corner
Waltington
T: 07876 681444

New Foot path
and attached Order Plan

10 0 10 20 30 40 50

metres

RSG P 03- LOCATION PLAN @1:500

www.swabey-collison.co.uk

The Rosary, Shepherds Green
Waltington
T: 07876 681444

SWABEY-COLLISON ARCHITECTURE
APPLICATION NO. P19/S2113/FUL
APPLICATION TYPE FULL APPLICATION
REGISTERED 3.7.2019
PARISH ROTHERFIELD PEPPARD
WARD MEMBERS Jo Robb
Lorraine Hillier
APPLICANT Mr & Mrs Henry and Katrina Falinski
SITE Land adjacent to and North West of Cherry Croft Cottage Kingwood Common, RG9 5NB
PROPOSAL Erection of two-storey 4/5-bedroom dwelling with parking forecourt (including bicycle and bin store) and associated landscaping. Existing site access retained.
OFFICER Davina Sarac

1.0 INTRODUCTION
1.1 This application is referred to the Planning Committee as officers’ recommendation conflicts with the views of Rotherfield Peppard Parish Council.

1.2 The application site (which is shown on the OS extract attached as Appendix A) is a parcel of land situated within the small pocket of housing within Kingwood Common. It once belonged to part of the residential garden of Cherry Croft Cottage which lies directly to the south of the site. It has been divided by a brick wall and was sold off separately from Cherry Croft Cottage. Some of the existing trees on the site have been removed. The site is bounded by a thick dense woodland along the north-west and north-east boundaries. The site lies within the Chilterns Area of Outstanding Natural Beauty.

2.0 PROPOSAL
2.1 The application seeks full planning permission for the erection of a four/five bedroom two-storey detached dwelling. The dwelling would be rectangular in shape and would 22 metres by 7.85 metres and 6.2 metres in height with a flat roof. It would be constructed in concrete with timber cladding on sections of the elevations and double-glazed windows and doors in a dark powder-coated finish.

2.2 A copy of the plans accompanying the application is attached as Appendix B. Other documentation associated with the application can be viewed on the council’s website, www.southoxon.gov.uk.

2.3 This application follows the previously refused application for a detached dwelling on the site, planning reference number P17/S2685/FUL. The application was dismissed on appeal, reference number APP/Q3115/W/18/3196643 (attached appeal decision as Appendix C). The appeal was dismissed on the grounds that the design of the development was inconsistent, appeared cramped within the site due to its position and would result in a visually unattractive development that would make a negative contribution to the overall quality of the area. The plans of the 2017 scheme are attached as Appendix D.
3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Rotherfield Peppard Parish Council** – Objects on the following grounds:

1: Notwithstanding the Inspector's view that the site could be reasonably described as infill under CS Policy CSR1, RPPC remains of the view that the site does not accord the definition of infill in CS Policy CSR1.

2: The development would have a low level of environmental sustainability, provide little social benefit and would cause significant environmental harm to the character of the area.

3: The development would expand the built-up area of Kingwood Common closer to the countryside and woodland of Kingwood Common and would have a harmful effect on the landscape setting of the AONB.

4: The contemporary in design would not be in keeping with other properties in the area, which tend to be of individual but traditional design.

5: Access to this site is via a narrow rural track and this proposal would increase vehicle movements on this track to the detriment of other users.

3.2 **Highways Liaison Officer (Oxfordshire County Council)** - Following the Appeal Inspectors decision, the Highway Authority do not wish to object provided the development be carried out with the recommended conditions.

3.3 **Forestry Officer (South Oxfordshire District Council)** - No objections to the proposed development subject to a condition being attached requiring the implementation of the tree protection measures and a landscaping condition.

3.4 **South Oxfordshire District of CPRE** - There is the potential of extensive light spillage from the large areas of glazing included in this modern design, which will harm nocturnal wildlife in the surrounding area and damage the dark skies of the Chilterns AONB. If the local planning authority are satisfied that this application meets fully all the criteria of the new Chilterns Management Plan 2019-2024 section 10, Strategic Objectives DO1&2 and policies DP2,7 &8, and the Chilterns Buildings Design Guide, we shall not oppose the application.

3.5 **Neighbour representations** – 8 Letters received in total. A summary of the main points raised are below:

- The modern design is not at all in keeping with the rural nature of the woodland setting and in an area of outstanding natural beauty.
- The access to the site has not been addressed and the vision splay will be dangerous for entry and exit to both vehicles, pedestrians and animals as that part of the lane is at is narrowest point.
- The proposed development would expand the build-up area of Kingwood Common closer to the countryside and the neighbouring woodland.
- This application still has all the issues identified in the refused application P17/S2685/FUL.
- Two large Oak trees have already been felled to make room for the dwelling.
- The house will back very closely onto a well-used footpath.
- The proposed new dwelling would have windows that will create a significant level of overlooking to Cherry Croft Cottage.
- Overlooking a part of our property (swimming pool area) was designed to benefit from the privacy of its position to date.
- A new build within the locality which isn't on mains drainage will produce further ground water overload and drainage issues.
- It is overly large in size.
- Squeezing such a large house into the narrowest part of the plot makes the development appear cramped. The surrounding plots have houses positioned at much more generous distances from their side boundaries.
- Cannot believe that a garage will not also be built. If approved an application for a garage is sure to follow.
- Kingwood Common has seen 4 new build properties added in the last three years (Hedgerow House, Lovell House, Well Cottage and the White House). This is over a 10% increase on the existing 30 or so houses in the small village.
- If this planning application is passed it will set a precedent for future development of similar parcels of land.

4.0 RELEVANT PLANNING HISTORY
4.1 P17/S2685/FUL - Refused (20/11/2017) - Appeal dismissed (22/10/2018)
Proposed erection of a 2-storey, 5-bed detached dwelling house of contemporary design plus a separate triple garage block.

5.0 POLICY & GUIDANCE
5.1 National Planning Policy Framework (NPPF)
National Planning Framework Planning Practice Guidance (NPPG)

5.2 South Oxfordshire Core Strategy (SOCS) Policies
CSR1 - Housing in villages
CSEN1 - Landscape protection
CSS1 - The Overall Strategy
CSR1 - Housing in villages
CSQ3 - Design
CS1 - Presumption in favour of sustainable development
CSH1 - Amount and distribution of housing
CSM1 - Transport

5.3 South Oxfordshire Local Plan 2011 (SOLP 2011) policies
C9 - Loss of landscape features
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users
D1 - Principles of good design
G2 - Protect district from adverse development
G4 - Protection of Countryside
H4 - Housing sites in towns and larger villages outside Green Belt
C4 - Landscape setting of settlements
D10 - Waste Management
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
D4 - Reasonable level of privacy for occupiers
G3 - Development well served by facilities and transport
EP3 – Adverse affect by external lighting
5.4 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

South Oxfordshire Local Plan 2034 Settlement Assessment Background Paper

Preferred options June 2016

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered are:

1. The principle of the development and sustainability of the site;
2. The impact on the character and appearance of the site and the surrounding AONB;
3. The impact on neighbouring properties;
4. The impact on parking provision and highway safety;
5. The impact upon Trees;

**Principle and sustainability of the site.**

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless materials considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy (SOCS) which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP).

6.3 The golden thread of sustainable development is echoed within the SOCS Policy CS1. Policy CSS1 of the SOCS sets out the overall development strategy for the District and advises that proposals should be consistent with the overall strategy of focusing major new development in Didcot; supporting the roles of Henley, Thame and Wallingford by regenerating town centres and providing new housing, services & infrastructure; supporting the 12 larger villages of the District as local service centres; supporting the other villages by allowing for limited amounts of housing and outside of the above areas, any changes will need to relate to very specific needs.

6.4 The spatial strategy is covered further in Policy CSR1 of the SOCS, which allows for housing in some villages in the district. Kingwood Common is classed as a ‘smaller village’ and is therefore a location where infill housing is acceptable on sites up to 0.2ha. The land within the applicants’ ownership is 0.22ha. However, the current site area is 0.165ha, because there is a ditch and band of trees which run along part of the boundary. Under Policy CSR1, infill development is defined as being the filling in of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings.

6.5 In the recent appeal decision on this site (see **Appendix C**), the Inspector considered that the site was closely related to the built form of the settlement, previously being part of the garden of Cherry Croft Cottage. The Inspector stated that the site was surrounded by the existing built form of the village with Cherry Croft Cottage and its Annexe to the south of the appeal site, Little Cherry Croft to the north east and the dwellings directly opposite the access to the site. This led the Inspector to conclude that the development of the site could be reasonably described as infill, but that there was nonetheless conflict with Policy CSR1 due the appeal site area being 0.22ha and thereby exceeding the 0.2ha site area permitted by this policy.
6.6 On the basis that this difference in site area has been addressed by the current application, officers consider that the proposed development would be in accordance with the Council’s Housing Strategy. Consequently, the principle of a new dwelling on this site is acceptable subject the criteria set out in policy H4 of the SOLP.

**The impact on the character and appearance of the site and the surrounding AONB.**

6.7 The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB) and is predominantly rural in character. Any development should respect the natural beauty and special landscape character of the AONB. Paragraph 172 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

6.8 This reinforces the statutory duty placed on the Council under Section 85 of the Countryside Rights of Way Act 2000. Policy CSEN1 (SOCS) requires development, where acceptable in principle, to be integrated into the landscape character of the area, and which gives a high priority to the enhancement of the AONB and its setting. Policy C4 aims to safeguard the landscape setting of the District’s settlements. Policy G2 of the Local Plan (SOLP) seeks to protect the district’s environmental resources from adverse development. The South Oxfordshire Landscape Assessment identifies that the site lies in Character Area 10: Chilterns Plateau with Valleys with the landscape type around the site being a mixture of semi-enclosed dip slope and wooded dip slope. These have a high scenic quality and strong sense of place with uncommon intrusive influences and as such are areas where the enhancement strategy is to ’conserve’.

6.9 The site once belonged to Cherry Croft Cottage as part of their residential garden but has been separated off with a brick wall. The site is private land and is not accessible to the public. Kingwood Common is rural in character, with individually designed dwellings set in spacious, well landscaped plots, accessed off single vehicle width, unmade roads. Surrounding the developed part of this settlement is mature woodland. The site is visible from the unmade track, and the new location of the dwelling would be seen as it would be placed closer to the front of the site in comparison to the previous application where it was set much further back. The new dwelling would result in some loss of open space that is currently undeveloped. However, in the appeal decision the Inspector considered that this land displayed characteristics of the developed part of the village with mown grass and having once belonged to Cherry Croft Cottage, officers give weight to the Inspector’s view that it would not encroach into the countryside surrounding the settlement.
6.10 The Inspector dismissed the recent appeal by finding that the design would be harmful to the character and appearance of this attractive rural area. The position and design of the application dwelling is very different from the dwelling dismissed at appeal. The design of the proposed new dwelling is of a contemporary design, see illustrations below.

![Illustration of contemporary design dwelling](image1)

6.11 The supporting information in the Design and Access Statement sets out a clear rationale for the layout and design, with one of the main influencing features being to maximise natural light into key living spaces. The Design and Access Statement recognised that there are many traditional vernacular houses in varying historic styles and in a variety of materials. But that also there is also an emerging trend in the immediate and wider area for dwellings to be built in a contemporary style. The dwellings within Kingwood Common have no prevailing architectural style therefore, officers consider that this location would be suitable for a bespoke designed dwelling such as the one proposed here.

6.12 There have been several objections raised regarding the size, scale and design of the new dwelling not being in keeping with the local area. Officers sought guidance on the design and scale of the proposal through a recent Architects Review Panel. The design and scale of the development received a positive response from the panel where the design was considered to be innovative and the scale acceptable in relation to the plot size. Paragraph 1.20 of the Chilterns Building Design Guide 2010 (not adopted SPG) explains that it is not necessary for all new designs must be a copy of buildings from previous eras, or should utilise only local materials. This gives sufficient flexibility to
allow new designs and innovation, which still respect the distinctive qualities of the area. When seen against the backdrop of the woodland, which is reflected in the use of timber cladding, officers are of the opinion that the dwelling in its revised position would be in keeping with the individualistic architecture of dwellings in the locality. It would thereby conserve the landscape setting of the AONB and would not result in harm to the character of the area, or the attractive surrounding rural landscape setting of Kingwood Common. Therefore, the development would comply with Policies D1, G2, C4 and H4 (criteria i, ii and iii) of the SOLP and Policy CSEN1 and CSQ3 of the SOCS.

**Impact upon neighbouring properties**

6.13 The proposed new dwelling would have windows to the first-floor side and rear elevation. These windows would, by reason of the distance to the neighbouring dwelling Cherry Croft Cottage would not result in a high level of overlooking to the neighbouring dwelling. The distance between the rear elevation of Cherry Croft Cottage and the side elevation of the proposed dwelling would exceed the guidance set out within the SODG which recommends a minimum of 25 metres.

6.14 Concerns have been raised with regards to the development overlooking the swimming pool area of Cherry Croft Cottage. The diagram below (taken from the Design and Access Statement) shows the position of the dwelling in relation to Cherry Croft Cottage’s swimming pool.

![Diagram showing the position of the dwelling in relation to Cherry Croft Cottage's swimming pool.]

6.15 The views from the first-floor windows on the side elevation would look directly southwards to the brick boundary wall and the existing trees behind the wall. There would be limited views into the garden area of Cherry Croft Cottage. Similarly, the first-floor rear windows are positioned closer to the rear boundary edge and will look towards the rear garden of the application site. There would be oblique side views from these windows. However, the closest bathroom window would have vertical timber cladding on the exterior and this combined with the angle of the views and distance of the pool from the windows would result in minimal overlooking. It is considered that the proposal would have an acceptable impact upon the residential amenity of the occupiers of the nearest neighbouring property in terms of light, being overbearing, and privacy, and would therefore, comply with Policies H4 and D4 of the SOLP in this regard.

**The impact on parking provision and highway safety**

6.16 Concerns have been raised with regard to the intensification of use of the narrow access lane and the highway safety implications of this. The lane is likely to be lightly
trafficked given the modest number of dwellings it serves. The Highway Liaison Officer’s objection to the previous application was not supported by the Inspector at appeal. The Inspector considered that the previous proposal would not result in harm to highway safety and that there would be no conflict with the safety objectives of SOLP Policy T1. As a consequence, the Highway Liaison Officer does not object to the current proposal provided several recommended conditions are added to the planning permission.

**Impact upon Trees**

6.17 The proposed development is directly adjacent to the dense wooded edge of Kingwood Common, the woodland is a key feature of the landscape with both landscape and ecological value. The root protection areas (RPAs) of many of the adjacent trees will extend into the site, therefore construction works on this site potentially could cause considerable harm to the woodland edge trees. The application was accompanied by an Arboricultural assessment and method statement (Dated 9 May 2019) and tree protection plan (17285-BT2).

6.18 The Council’s Forestry Officer has assessed the proposed works and raised no objections, subject to the recommended condition being attached requiring the implementation of the tree protection measures set out in the submitted Arboricultural assessment and method statement and tree protection plan. A landscaping condition is also attached to ensure trees are planted to screen and soften the development.

**Provision of gardens**

6.19 Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in saved Policy D3 of the SOLP. A minimum of 100 square metres a dwelling with 4/5 bedrooms is required. The proposed garden size is well in excess of the requirement and the scheme is acceptable in this respect.

**Community Infrastructure Levy (CIL)**

6.20 The council’s CIL charging schedule has recently been adopted and will apply to relevant proposals from 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. In this case CIL is liable because the proposal involves the creation of new dwellings. The CIL charge applied to new residential development in this case is £150 per square metre (index linked) of additional floorspace (Zone 1). 15% of the sum collected would be payable to Rotherfield Peppard Parish Council in the absence of a made neighbourhood plan.

**CONCLUSION**

7.1 The proposal represents an appropriate form of infill development within a settlement where the principle of additional residential development is acceptable. The proposed dwelling would be of an appropriate design and would be of a scale suitable to the size of the plot. The development would not detract from the character and appearance of the site within the Chilterns AONB, would not be unneighbourly and would not result in conditions prejudicial to highway safety. As such, and subject to the recommended conditions, the application complies with the relevant Development Plan policies.

**RECOMMENDATION**

8.1 To grant planning permission subject to the following conditions:

1: Commencement of development within three years
2: Development to be carried out in accordance with the approved plans
3: Schedule of materials to be agreed prior to the commencement of development
4: A Landscaping Scheme for trees and shrubs to be agreed prior to the commencement of development
5: Tree protection details to be implemented as details submitted
6: Existing vehicular access to be improved and laid out prior to occupation of the dwelling
7: Reducing Gravel Spread
8: Turning area and car parking to be carried out in accordance with the approved plans
9: Vertical timber cladding prior to occupation
10: Remove Permitted development rights – Class A extensions
11: CIL-Planning permission or reserved matters approval (South)
12: UNIQUE INFORMATIVE – works to Highway

Author: Davina Sarac
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Contact No: 01235 422600
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Location Plan
site as existing
scale 1:1250

Ordnance Survey (c) Crown Copyright 2019. All rights reserved. Licence number 100022432
ACCESS VIA EXISTING GATE

Apple tree (T18) to be removed; refer to tree report.

Cypress trees beyond boundary, owned by neighbour.

Existing trees to neighbouring swimming pool area (approx.)

Swimming pool to adjacent walled garden

Outbuildings to neighbouring Cherry Croft Cottage

Root Protection Areas (RPAs) of trees shown as a dashed line, all boundary trees retained and preserved.

Site Boundary Legend

- Development Site
  (Red Line Boundary)
  1650 sqm / 0.165 ha

- Client Ownership
  (Blue Line Boundary)

0.20Ø

- 0.15Ø
- 0.10Ø

- Grass
- Eaves level
- Brick building
- Ditch
- Outbuildings to neighbouring adjacent walled garden
- Swimming pool to
- Outbuildings to Cherry Croft Cottage
- Brick wall
- Ridge level
- Woodland
- Rough track
Site Plan as Proposed

Upper Cherry Croft

Development Site
(Red Line Boundary)
1650 sqm / 0.165 ha

Client Ownership
(Blue Line Boundary)

PERMEABLE GRAVEL TO PARKING FORECOURT

NEW HOUSE
(ROOF PLAN)

PRIVATE REAR GARDEN

PRIVATE FRONT GARDEN

Root Protection Areas (RPAs) of trees shown as a dashed line, all boundary trees retained and preserved.

Apple tree (T18) removed; refer to tree report.

Cypress trees beyond boundary, owned by neighbour.

Existing trees to neighbouring swimming pool area (approx.)

Swimming pool to adjacent walled garden

Outbuildings to neighbouring Cherry Croft Cottage

Site Boundary Legend

Existing trees to neighbouring swimming pool area (approx.)

Cypress trees beyond boundary, owned by neighbour.
**First Floor Plan**
107.5sqm. GIFA (238sqm. Total)
scale 1:100

**Bed 1**
(master)
18sqm.

**Bed 2**
(double)
13sqm.

**Bed 3**
(double)
13sqm.

**Bed 4**
(double)
13sqm.

**Family Bath**
6sqm.

**En Suite**
8sqm.

**Dress.**
7sqm.

**En Suite**
9sqm.

**Bed 1**
(master)
18sqm.

**Bed 2**
(double)
13sqm.

**Bed 3**
(double)
13sqm.

**Bed 4**
(double)
13sqm.

**Family Bath**
6sqm.

**En Suite**
8sqm.

**Dress.**
7sqm.

**En Suite**
9sqm.

**First Floor Plan**
107.5sqm. GIFA (238sqm. Total)
scale 1:100

**Roof Plan**
174sqm. area (inc. parapets)
scale 1:100

**Low-pitched roof**
with concealed gutters and RWPs

**chimney**

Do not scale from drawing
Any discrepancies must be reported to the architect
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Appeal Decision

Site visit made on 24 September 2018

by R C Kirby BA(Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State

Decision date: 22 October 2018

Appeal Ref: APP/Q3115/W/18/3196643

Land adjacent and northwest of Cherry Croft Cottage, Kingwood Common, off Stoke Row Road, Reading RG9 5NB

- 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 Mr and Mrs Henry and Katrina Falinski against the decision of South Oxfordshire District Council.
- The application Ref P17/S2685/FUL dated 20 July 2017 was refused by notice dated 20 November 2017.
- The development is proposed erection of a 2-storey, 5-bed detached dwelling house of contemporary design plus a separate triple garage block.

Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the appeal I sought the comments of the main parties on the Written Ministerial Statement (WMS) in respect of Housing Land Supply in Oxfordshire of 12 September 2018. I have taken the comments received into account in my consideration of this appeal.

Main Issues

3. The main issues in this case are:

   - whether or not the location of the site is suitable for a new dwelling, having particular regard to the development strategy for the area and its relationship to services and facilities;
   - the effect of the proposal on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty (AONB) and
   - the effect of the proposal on highway safety.

Reasons

Location of Appeal Site

4. South Oxfordshire Core Strategy (CS) Policy CSS1 establishes the overall strategy for development throughout the District. It seeks to focus new development at Didcot, Henley, Thame and Wallingford and support and enhance the larger villages in the area, whilst allowing limited amounts of housing and employment in other villages, such as Kingwood Common.
5. Kingwood Common is identified as a small village within the CS. It has a limited range of services and facilities and limited public transport links. In recognition of this, CS Policy CSR1 establishes that the limited amount of housing that will be permitted should be on infill sites with a site area of 0.2 hectare, or less.

6. In that the appeal site is not a small gap in an otherwise built-up frontage, it would not comprise infill development. However, the definition of ‘infill’ within the supporting text to CS Policy CSR1 also indicates that infill development can be ‘on other sites within settlements where the site is closely surrounded by buildings’. In this regard, the site is closely related to the built form of the settlement, previously being part of the garden of Cherry Croft Cottage. It is surrounded by the existing built form of the village with Cherry Croft Cottage and its Annexe to the south of the appeal site, Little Cherry Croft to the north east and Cromer Hide and Holm Rigg opposite the access to the site.

7. Whilst the development of the site could reasonably be described as infill under the terms of CS Policy CSR1, the site area of 0.22 hectare, would exceed the site area permitted by this policy.

8. The Council has expressed concern that the appeal site is not in a sustainable location, despite CS Policy CSR1 supporting limited development in the area. Whilst I recognise that the intended future occupiers would have a high reliance on a private vehicle to access day-to-day services, such dependency and the number of traffic movements associated with this would not be any greater than that which would result from a dwelling that accords with the development strategy for the area. The appeal does not therefore fall on this matter. In reaching this view I am mindful of the advice in the National Planning Policy Framework (the Framework) which states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

9. However, the new dwelling would be constructed on a site that exceeds the size permitted under CS Policy CSR1 and accordingly the proposal conflicts with the development strategy for the area. Whilst the difference in site area proposed to that permitted by CS Policy CSR1 is not significant, the purpose of the policy is to ensure that new housing contributes amongst other matters to the environmental sustainability of the village, and is designed and located to protect local character and distinctiveness. These matters are considered below.

**Character and Appearance**

10. This part of Kingwood Common is rural in character, with individually designed dwellings set in spacious, well landscaped plots, accessed off single vehicle width, unmade roads. Surrounding the developed part of this settlement is mature woodland. The landscape and scenic beauty of the area is recognised with its inclusion within the Chilterns AONB.

11. The new dwelling would take the built form of Kingwood Common closer to the surrounding woodland. However, the appeal site displays the characteristics of the developed part of the village with mown grass and evidence of garden
structures on it. The new dwelling, nor its garage would encroach into the countryside surrounding the settlement, as suggested by the Council.

12. The new dwelling would be of a contemporary design with a part pitched, part flat roof. The garage would be of a more traditional design with a pitched roof and external staircase. I find the different design approaches to the proposal to be inconsistent with neither part complementing the other. The proposal would result in the scheme being visually unattractive and it would make a negative contribution to the overall quality of the area.

13. Furthermore, the siting of the dwelling towards the rear of the plot and the limited space that would result between the side and rear boundaries of the site would result in the dwelling appearing cramped upon the site. This would jar with the spacious setting of nearby development and the quality of the settlement form.

14. The new garage would be a large structure and its siting to the front of the appeal site would make this building a prominent, dominant feature when viewed from the access road within the vicinity of the access to the site. This would be particularly apparent when the trees nearby were not in leaf. It would compete visually with the new dwelling and would not reflect nearby development.

15. The Framework is clear at paragraph 130 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. In light of my findings I conclude that the design of the proposal would be harmful to the character and appearance of this attractive rural area. This would be in conflict with South Oxfordshire Local Plan (LP) Policy D1 and CS Policies CSQ3 and CSR1 which require development, amongst other matters, to respond positively to and respect the character of the site and its surroundings, enhancing local distinctiveness. There would also be conflict with LP Policy G2 which seeks to protect settlements from adverse developments. Harm would also be caused to the AONB because the proposal would not conserve and enhance the landscape and scenic beauty of it. Whilst such harm would be localised and limited, there would be conflict with the environment protection and enhancement aims of LP Policy G2, and the AONB aims of CS Policy CSEN1.

16. The Council has quoted Policy C4 of the LP within its decision notice. I have not been provided with a copy of this policy and have therefore not been able to consider the proposal against it.

Highway Safety

17. Access to the new dwelling would be from unmade private access roads which lead off Stoke Row Road. These roads are narrow, and largely unmade. It has been indicated that the speed limit along the roads is 30 miles per hour, but given the width and condition of the roads, it is likely that vehicle speeds are considerably lower than this. Furthermore, they are likely to be lightly trafficked given the modest number of dwellings they serve.

18. Given these matters, and in the absence of substantive evidence to demonstrate otherwise, I am not convinced that the use of the access as proposed without the visibility splays suggested by the Highway Authority
would result in conflict with vehicles using the site and other road users. Vehicles movements into and out of the site would be likely to be low given the nature of the proposed development. Furthermore, it is likely that vehicles exiting the site would be travelling slowly given the local highway conditions and vehicles would be likely to be visible to other road users, including pedestrians and cyclists.

19. In light of the above, I conclude that the proposals would not result in harm to highway safety. There would be no conflict with the safety objectives of LP Policy T1.

Other Matters/Planning Balance

20. I am mindful that the Council has granted planning permission near to the appeal site for new dwellings. However, as the appellants accept, these dwellings comply with the development strategy for the area, which the appeal proposal does not. The circumstances in these cases are not therefore directly comparable to the scheme before me, and do not justify development that conflicts with the development plan.

21. The appellants consider that as the Council cannot demonstrate a 5 year supply of deliverable housing sites, as was acknowledged within the Council’s decision notice, that the presumption in favour of sustainable development given by paragraph 11 of the Framework is applicable in this case.

22. The WMS has however implemented a temporary change to housing land supply policies as they apply in Oxfordshire. Therefore paragraph 11 d) of the Framework only applies where the authorities in Oxfordshire cannot demonstrate a three year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73).

23. Although not substantiated, the Council indicates that it can demonstrate a 7.6 year supply of housing land, a figure that the appellants have requested that I treat with caution because it is alleged that this is widely challenged.

24. If I were to accept that the Council could not demonstrate a 3 year supply of deliverable housing sites and that the policies which are most important for determining the application are out-of-date and that planning permission should be granted for the proposal, it is necessary to weigh the benefits of the proposal against the adverse impacts that I have identified. This is considered below.

25. I acknowledge that the proposal would support the Government’s objective of significantly boosting the supply of homes, in a location that is supported by the development strategy for the area, subject to certain criteria being met. The appeal site is well related to the built form of the village and would not encroach into the open countryside. These matters carry considerable weight in the proposal’s favour.

26. However, against this is the harm that would be caused to the character and appearance of this part of Kingwood Common, and the landscape and scenic beauty of the AONB. The Framework advises at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB, amongst other areas. The harm to the AONB and the area in

\[2\] Referred to in paragraph 2

https://www.gov.uk/planning-inspectorate
general, and the conflict that would result with the development plan and the Framework in this regard provide a clear reason for refusing the development proposed, in accordance with Framework paragraph 11 d) i. I therefore conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the proposal.

Conclusion

27. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

R. C Kirby

INSPECTOR
Henry & Katrina Falinski

Client
Application submission to SODC

Project
Proposed erection of a 2-storey detached 5-bed infill dwelling and garage block in the northernmost rear former garden curtilage of Cherry Croft Cottage, at Kingwood Common, Oxfordshire, RG9 5NB

Title
Site Location Plan (with tree protection)

AbFrank Consult

Status:
Application submission to SODC

ABF001 100-01C

1:1000 @ A3

Appendix D

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10th October 2017

Scale: 1:1000

469700m 469600m 469800m

Smallworld

Pyper’s Piece

Tanglewood

Cedar Cottage

Cromer Hide

Fieldfares

Holm Rigg

Greenways

Fieldfares

Tanglewood

Cedar Cottage

Cromer Hide

Annexe

Kingwood Common

Cherry Croft Cottage

Cherry Croft

Gypsy Lane

Gypsy’s Field

Brambles

Little Pastures

Cheviot

Cromer Hide

Fairlawns

Cherry Trees

Well Cottage

Comilla

Cedarberg

Ruff Ley

Kingwood Common

Appendix D
PROPOSED HOUSE ELEVATIONS

PROPOSED SW FRONT ELEVATION

PROPOSED NE REAR ELEVATION

PROPOSED NW SIDE ELEVATION

PROPOSED SE SIDE ELEVATION

Dark Grey Slate Roof

Three PV solar panels on flat 'Green' Sedum Roof

Safety glass barrier in front of sliding bedroom windows

Rendered Gable projects 300mm forward

Porch

Canopy

Cedar Cladding

White Render

2.700m ceiling

2.500m ceiling

2.700m ceiling

16.072m

3.968m

5.968m

5.668m

8.793m

5.668m

8.793m

5.968m

Safety glass barrier in front of sliding bedroom windows

White Render

Porch

Canopy

Cedar Cladding

White Render

Porch

Canopy

Cedar Cladding

White Render

Safety glass barrier in front of sliding bedroom windows

White Render

Porch Canopy

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Porch Canopy

White Render

10.600m

10.600m

8.793m

8.793m

5.968m

5.968m

5.668m

5.668m

1.0m

1.0m

2.0m

2.0m

3.0m

3.0m

4.0m

4.0m

5.0m

5.0m

0m

0m

Scale bar 1:100 @ A3

PROPOSED HOUSE ELEVATIONS

PROPOSED SW FRONT ELEVATION

PROPOSED NE REAR ELEVATION

PROPOSED NW SIDE ELEVATION

PROPOSED SE SIDE ELEVATION

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1.0m

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Scale bar 1:100 @ A3

PROPOSED HOUSE ELEVATIONS

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PROPOSED NW SIDE ELEVATION

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0m

Scale bar 1:100 @ A3
The proposed net internal floor area of the new dwelling over two floors would be 292.671sqm.
ELEVATIONS FOR TRIPLE GARAGE & STORE

NORTHEAST FLANK ELEVATION

SOUTHWEST FLANK ELEVATION

SOUTHEAST FRONT ELEVATION

NORTHWEST REAR ELEVATION

FLOOR PLANS FOR TRIPLE GARAGE & STORE

GROUND FLOOR GARAGE PARKING

FIRST FLOOR STORE

Internal dimensions 7.933m x 5.230m

Internal dimensions 7.933m x 3.155m

Scale 1:100
1.0 INTRODUCTION
1.1 This application is referred to Planning Committee as the Officer’s recommendation for approval conflicts with the Parish Council’s view.

1.2 The application site, which is shown on the OS extract attached at Appendix A, forms part of an agricultural holding of approximately 11 hectares located within the Chilterns Area of Outstanding Natural Beauty (AONB). The land is mainly laid to pasture with areas of woodland and the main agricultural activity is hay production. An existing storage barn within the holding has been converted to a dwelling under application P17/S1554/FUL.

2.0 PROPOSAL
2.1 The proposed barn would measure approximately 24 metres by 9 metres and 5.5 metres high. It would comprise timber cladding for the walls and fibre cement roof sheeting with an open frontage. The proposed use would be for the storage of hay, straw and agricultural machinery.

2.2 The proposal is identical to the scheme proposed under application P19/S0032/AG, which followed the notification requirements for agricultural permitted development having regard to the provisions set out under Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). It was determined that the barn could not benefit from permitted development rights purely on the basis that it would be within 3km of an aerodrome and would have a height exceeding 3 metres. If it wasn’t for this restriction Officers are of the view that the building would likely benefit from permitted development rights.

2.3 A copy of the proposed plans is attached as Appendix B and other documentation associated with the application can be viewed on the council’s website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS
3.1 Ipsden Parish Council – Objects. The existing barn has recently converted to housing, thus evidencing no requirement for a barn. The application for a new barn is likely to give rise to yet another housing conversion request in an agricultural area, outside the village envelope and in an AONB.
4.0 RELEVANT PLANNING HISTORY
4.1 P19/S0032/AG – Not agricultural permitted development (06/02/2019)
   Steel framed portal agricultural building

P17/S1554/FUL – Planning permission granted 18/08/2017
Conversion part of barn to 3 bed dwelling and recladding of the remainder of the building.

5.0 POLICY & GUIDANCE
5.1 South Oxfordshire Core Strategy (SOCS) policies:
   CS1  -  Presumption in favour of sustainable development
   CSEN1 - Landscape protection
   CSR2  -  Employment in rural areas
   CSS1  -  The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;
   A1  -  Erection of agricultural building
   D1  -  Principles of good design
   G2  -  Protect district from adverse development
   G4  -  Protection of Countryside

5.3 Supplementary Planning Guidance/Documents
   South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 National Planning Policy Framework (NPPF)
   National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 PLANNING CONSIDERATIONS
6.1 The main planning considerations in relation to this proposal are:
   1. The need for the development
   2. Impact on the character and appearance of the site and surrounding area
   3. Other material planning considerations

The Need for the Development

6.2 The site is within the countryside where development is more strictly controlled having regard to development plan policies, such as Policy G4 of the SOLP, which states that ‘The need to protect the countryside for its own sake is an important consideration when assessing proposals for development.’ However, the principle of development associated with an agricultural use is acceptable having regard to Policy A1 of the SOLP. This Policy states, ‘Where planning permission is needed for the erection of an agricultural building or structure, this will normally be permitted provided that there is a need for the building or structure which cannot satisfactorily be met by existing buildings or structures on the farm or nearby.’

6.3 The applicant states that the building is required for the storage of hay, straw and farm machinery. Having visited the site there is little evidence of any intensive agricultural activity at the site and the size of the holding at only 10 hectares is unlikely to give rise to a viable agricultural business, particularly in relation to arable or hay production. However, notwithstanding this, it is apparent that the land is in agricultural use and that some cropping takes place. The land is large enough to justify the need for the storage of equipment for its maintenance and the storage of any crops, such as hay, produced on the land and therefore I consider that there is sufficient justification for an agricultural
storage building. The proposed building is not excessive in size with a footprint of approximately 220 square metres and a height of 5.5 metres and it is clearly of a functional design typical of an agricultural storage building.

6.4 An agricultural storage building was present on the holding, but this has now been converted to a dwelling under application P17/S1554/FUL. Whilst the conversion of this building does raise some questions about the need for a further barn on the holding, the information provided by a specialist agricultural consultant under application P17/S1554/FUL indicated that the converted building was not suitable for the storage of hay and in any event the building already benefited from a commercial non-agricultural storage use (Class B8) under a previous planning permission (P00/S0826/RET). It is therefore apparent that the building is not available for the storage needs of the holding.

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

6.5 The site is located within the Chilterns AONB, and guidance at Paragraph 172 of the NPPF states that, ‘great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.’ This is supported by Policy CSEN1 of the SOCS, which seeks to ensure that the district’s distinct landscape character is protected. Policy A1 of the SOLP also seeks to ensure that ‘the siting of the building or structure would not be prominent in the landscape and would not damage the environment’, and that, ‘the design and materials to be used are in keeping with its surroundings, bearing in mind the particular needs of the farming industry, and that satisfactory landscaping is proposed.’

6.6 The proposed building is of a simple and functional design and would clearly have the appearance of a modern agricultural storage building that would be in keeping with its rural surroundings. The building would be sited on an existing area of hardstanding within an area of coniferous woodland. The existing trees would provide a very effective all year-round screen that would ensure that the building would not be readily visible from outside of the confines of the site. Furthermore, and as encouraged by Policy A1 the building would be sited close to existing structures within the holding and would not be viewed as an isolated form of development in the countryside. In light of the above Officers consider that the development would not adversely affect the landscape qualities of the AONB.

Other Material Considerations

6.7 There are no close independent residential occupiers to the site, and therefore, the development would not adversely affect the amenity of local residents. Access arrangements to the site would remain unchanged as a result of the proposal, and Officers do not consider that there would be any significant impact on the adjacent woodland or local ecology.

6.8 The Parish Council has expressed concern about the potential for the building to be converted to a dwelling at a later date. Such a proposal would require the benefit of planning permission and would be assessed against the relevant development plan policies at the time. However, Officers are satisfied that the building is of a functional design and there is no evidence of the applicant’s intentions to use the building for anything other than agricultural storage.

6.9 As an agricultural building the development is not liable to pay the Community Infrastructure Levy.
7.0 CONCLUSION
7.1 The application proposal is in accordance with relevant development plan policies and national planning policy, as it is considered that there is sufficient justification for the development, and that the building would not adversely impact on the landscape qualities of the Chilterns AONB.

8.0 RECOMMENDATION
8.1 To grant Planning Permission subject to the following conditions:

1 : Commencement of development within 3 years.
2 : Development to be carried out in accordance with the approved plans
3 : External materials to be as on the approved plans

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