

APPLICATION NO.	P16/S1140/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	11.4.2016
PARISH	PISHILL
WARD MEMBER	Anna Badcock
APPLICANT	Everport Developments Ltd
SITE	Longwood, Maidensgrove, RG9 6HA
PROPOSAL	Proposed demolition of existing dwelling house and associated structures and the erection of three detached dwellings and detached garages with separate access arrangements. (As amended by plans received 24_08_2016 to reduce bulk, massing and appearance of dwellings).
AMENDMENTS	Yes
GRID REFERENCE	472384/188838
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee because the officer's recommendation conflicts with the view of the Parish Council.

1.2 Longwood is a bungalow which falls within a spacious site. It is part of a residential area accessed via a no through road, which extends out from the heart of the Maidensgrove settlement and is considered to fall within the settlement limits.

1.3 The site (which is shown on the OS extract **attached** as Appendix A) lies within the Chilterns Area of Outstanding Natural Beauty (AONB). To the rear of the site is Pishillbury Woods which are designated as an ancient woodland.

2.0 **PROPOSAL**

2.1 This application seeks full planning permission for the erection of three detached two storey dwellings on site, following the demolition of the existing bungalow. The dwellings would be served by individual accesses, two of which would be new.

2.2 A copy of all the current 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.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Pishill with Stonor Parish Council – Object**

- Three dwellings would be an overdevelopment of the plot
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Forestry Officer (South Oxfordshire District Council) - No strong views, subject to condition

Highways Liaison Officer (Oxfordshire County Council) - No strong views, subject to condition

Countryside Officer (South Oxfordshire & Vale of White Horse) - No strong views, subject to informative

Woodland Trust – Object based on close proximity to ancient woodland

Countryside Access - No strong views, subject to informative

Waste Management Officer (District Council) - No strong views

Neighbours - Object (7)

- New access, in close proximity to existing neighbours accesses could cause potentially hazardous situations for vehicles accessing/leaving their properties
- The track serving the new development 'will not cope' with the additional traffic – the track is maintained by the residents and has recently undergone improvement works. New properties would increase the 'wear and tear' of the track – increasing maintenance costs – *the financial implications of the maintenance of the track is not a material planning consideration*
- The track would have to cope with additional deliveries (gas, waste, food etc.) and is prone to flood – causing problems with new owners
- No transport, no shops, no gas, no street lights and internet access
- Little parking, which cannot support the residents and visitors
- No room for street parking
- Impact on the navigation and movement of wildlife
- Development is excessive for this plot
- Impact on the character of the AONB
- Uniformity of garden sizes is not in keeping with the surrounding area
- Properties proposed at not in keeping with the layout of houses in the surrounding area
- Views spoilt for neighbours – *this is not a material planning consideration*
- Gardens across the road and the front aspect of adjacent neighbours would be overlooked – loss of privacy
- An increase in noise (both by new residents and construction process)
- Minimal screening and privacy protection of the new inhabitants caused by hedging
- An increased height of building(s) on site would provide views across the road, to the detriment of neighbours
- The loss of trees previously will open up views across to neighbours and increase harm
- The concern of setting a precedent
- No demand for these houses in this location

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/S1300/HH](#) - Approved (19/06/2015)

Erection of two storey front and side extensions and raise the roof to facilitate first floor accommodation. Erection of a single storey extension to the garage.

[P82/S0277/O](#) - Refused (22/07/1982) - Refused on appeal (07/12/1982)

ERECTION OF ONE DETACHED BUNGALOW AND GARAGE.

[P61/H0290](#) - Approved (24/05/1961)

Erection of one detached dwelling house with garages and widening of existing access

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework & National Planning Practice Guidance**

5.2 **South Oxfordshire Core Strategy (SOCS) 2012 policies;**

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity
CSEN1 - Landscape protection
CSQ3 - Design
CSR1 - Housing in villages
CSS1 - The Overall Strategy

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

C4 - Landscape setting of settlements
C8 - Adverse affect on protected species
C9 - Loss of landscape features
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
D10 - Waste Management
G2 - Protect district from adverse development
H4 - Housing sites in towns and larger villages outside Green Belt
R8 - Protection of existing public right of way
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

5.4 **South Oxfordshire Design Guide (SODG) 2016**

6.0 **PLANNING CONSIDERATIONS**

- 6.1
- Principle of development
 - Impact on character and appearance of area
 - Impact on the wider Chilterns AONB
 - Impact on neighbour amenity
 - Impact on highway
 - Impact on ecology and trees
 - Other matters

Principle of development

- 6.2 The site lies within Maidensgrove and in this location the principle of residential development on the site is largely governed by Policy CSR1 of the South Oxfordshire Core Strategy (SOCS), which allows new housing on suitable infill sites, on sites approximately 0.1 hectares in size. The SOCS defines infill 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. This site is within a cluster of other residential dwellings and in my view, it is reasonable to conclude that the site is within the confines of the village of Maidensgrove. The site measures around 0.4ha and so it would be above the usual threshold of 0.1ha in 'other villages'.
- 6.3 In order to strictly comply with the 0.1ha limit, the application should replace the existing dwelling within the plot and then come back with two further applications for new dwellings either side within the site area threshold. This would be a contrived and drawn out way of achieving a desired development that could come forward under one application. In officer's opinion it would be a more pragmatic approach to apply for this development under a single planning application therefore.
- 6.4 In light of the above assessment officers consider it reasonable to agree that this development represents infill development within the settlement as it would fill a gap in the settlement and would, when completed, be closely surrounded by neighbouring built form. It is therefore necessary to assess the implications of the development

having regard to Policy H4 of the South Oxfordshire Local Plan (SOLP).

Impact on character and appearance

- 6.5 The National Planning Policy Framework (NPPF) confirms a presumption in favour of sustainable residential development, but also confirms a requirement for good design. The National Planning Practice Guidance (NPPG) elaborates on the NPPF, stating that: *“new development should look to respond appropriately to the existing layout of buildings, streets and spaces...there may be an existing prevailing layout that development should respond to and potentially improve”* (Para 24).
- 6.6 The village is rural in character owing to its designation within the Chilterns AONB and is relatively linear in plan form, within a loose knit structure. To the rear of the site is an ancient woodland, Pishillbury Woods. The properties in the vicinity of the site vary in architectural merit and vernacular quality and in the wider settlement the properties vary in size with a variety of plot sizes and property heights and overall the surrounding built form contributes to the spacious and rural character of the area. The property to the north, Barns Cottage, is Grade II listed and dates back to the early C17.
- 6.7 The proposed dwellings would keep to the linear form of built form in this part of the village and would have relatively spacious rear gardens and front gardens and driveways. Whilst this development would introduce two additional dwellings on this plot, the design and layout of the scheme does, in officer’s view, successfully ensure that the individual properties respect the spacious character of the area by providing good spacing and large plot sizes. This, in officer’s view, would help conserve the rural character of the village. The density of the development proposed would respect the density of the surrounding built form.
- 6.8 The appearance of the dwellings vary and attempts to respect the varied architectural character of the immediate area and the overall village. Officers consider the appearance of the dwellings are acceptable and that the use of architectural features and traditional materials would be sympathetic to the surrounding area and the wider Chilterns AONB. The heights of the dwellings are similar to each other but owing to the topography of the site would allow for a gentle slope of the development from west to east. In addition to this, due to the set-back position of the dwellings they would be on a lower ground level than the unadopted highway, reducing the overall visual impact of the development from views outside of the site. Whilst it is appreciated that the existing property is shallow in height and offers no immediate view from the public realm, it is considered that views of built form on the site would not materially harm the character of the site or the surrounding area. This area is residential in use and there are a number of other properties, due to their siting and positioning along the unadopted highway, which are considerably more prominent in the immediate area.
- 6.9 A number of trees will need to be removed to accommodate the development and a number of trees have previously been removed prior to this application. However it is officer’s view that the rural and sylvan character and appearance of the area would not be materially harmed by this development as views towards the woodland to the rear of the site would still be obtainable and trees on site are proposed to be retained, as well as the ‘green’ boundary treatments.

Impact on the Chilterns AONB

- 6.10 As the site lies within the Chilterns AONB, the development falls to be considered by Policy CSEN1 of the SOCS and national guidance set out within section 11 of the NPPF. The NPPF stipulates that great weight should be given to the conservation of the landscape and scenic beauty of the AONB (para 115). Policy CSEN1 seeks to protect the district’s distinctive landscape character and key features from any

inappropriate development. High priority is given to the conservation and enhancement of the Chilterns AONB. In addition the development would need to be assessed against Policy C4 of the SOLP which seeks to protect the attractive landscape settings of settlements.

- 6.11 The South Oxfordshire Landscape Assessment (SOLA) identifies this area as falling within the Chilterns Ridges and Valleys. The site lies within a large area of wooded dipslope which is the dominant landscape type within this area. The general pattern of built form which is characteristic of this area is linear with a number of individual buildings, small hamlets and small villages. The scenic quality of the area is high with a strong sense of space. Visual sensitivity is low and this area has a moderate sensitivity to change. The management strategy for this area is to conserve.
- 6.12 Officers consider that the development is well contained within the settlement limits and is bounded by other residential dwellings and ancient woodland to the rear. Views of the proposal would be minimal from within the immediate area and there are no far reaching views of the site from the wider Chilterns AONB. Officers do not consider that this development would compromise or harm the landscape qualities of the AONB. It is officer's view that the site makes a limited contribution to the intrinsic rural character of the area and owing to its enclosed nature does not contribute significantly to the overall visual and landscape quality of this part of the Chilterns AONB. Instead officers consider that the proposed development would be sympathetic to the area and would respect and conserve the character and landscape/scenic qualities of this area, which makes it worthy of its inclusion within the Chilterns AONB. The use of materials used in the construction of the dwellings would be conditioned to ensure that the development respects the local vernacular.

Impact on neighbour amenity

- 6.13 The Council's policies and guidance seek to ensure that new dwellings are considerate to neighbours by way of ensuring that the development does not intrude upon a neighbour's privacy, does not overshadow, obstruct daylight or have an oppressive or overbearing impact, which would be harmful to the amenity of occupiers living in neighbouring properties.
- 6.14 A number of neighbours have objected to this planning application. Neighbours have raised concern that their views would be harmed by the proposed increase in built form on the site. A loss of a private view is not a material planning consideration however, and therefore the impact upon neighbours should not be determined taking into account this concern. Despite this, and subject to details agreed by condition, officers do not consider the views of the surrounding landscape and the views to the frontage of the site would be materially harmed by the development of this site.
- 6.15 Concerns have been raised regarding the increased height of dwellings on this site and the potential impact caused on neighbours privacy and that the potential loss of vegetation on site and to the front of the site would harm amenity. Officers note that no side facing windows are proposed which would overlook those neighbours to the north-east or south-west.
- 6.16 The distances between the frontage of the proposed properties and those properties adjacent to the site, Barns Cottage, its annexe and Chestnut Cottage, exceed 30 metres which would sufficiently safeguard the privacy of those neighbours. The advised distance between the frontages of two dwellings within the South Oxfordshire Design Guide (SODG) is 10 metres. The level of overlooking would not be untypical of an area of residential built form such as this and due to the existing vegetation on site these views would be somewhat screened and would only provide oblique views towards

neighbours' gardens when vegetation thins. Owing to the siting of the proposed dwellings no direct views into neighbours habitable rooms/windows would be possible. All side facing windows proposed on the three dwellings would serve bathrooms – a condition is recommended to ensure these are obscure glazed or fixed shut below 1.7 metres internally.

- 6.17 One neighbour has raised a concern regarding the noise caused by the additional residents along the road and during the construction process. Officers do not consider however that the additional noise caused by new residents should be considered as a reasonable reason to refuse this development. Within an area such as this where dwellings are closely located to each other it is considered reasonable to expect some level of noise to arise by residents using their homes and whilst enjoying their private gardens. The construction noise would be temporary.
- 6.18 The siting of the proposed dwellings in relation to neighbouring properties would allow for sufficient spacing with neighbouring Park Gate and Fallow Woods and would keep to the linear form along the road. Officers do not consider the development would be overbearing to these neighbours and would not result in any adverse loss of light. It is noted that a section of hedging between Park Gate and plot 1 would be removed. However it is intended to replace this and this can be controlled by the attached landscaping condition.
- 6.19 A further concern was raised by the adjacent neighbour, siting harm to their listed building(s). Officers consider that the re-development of the land does not erode the special interest of the listed buildings. Whilst the site is in the immediate setting of the listed building; its special interest as a C17 timber frame building would not be harmed. The annexe building would be considered curtilage listed and it makes a contribution to the special interest of the main listed building. There will be some visual alteration to the character of the application site, however this is not considered to harm the special interest of the listed building or its wider curtilage. When viewed from the public realm, the listed buildings and proposed new dwellings are not likely to be read in conjunction with each other. Regardless, it is not considered that these new dwellings would cause any diminution of the historic interest and value of these buildings.

Impact on highway

- 6.20 The council's policies and guidance seek to ensure that in determining planning applications, the council should, in consultation with the local highway authority, ensure that new developments are designed to a standard that ensures a safe and attractive environment and does not result in an unacceptable level of traffic on the local highway network or have a detrimental impact on the amenities and environment of the area.
- 6.21 The local highway authority has raised no objection to this application, subject to conditions requiring details of the visibility splays to the new accesses, details of the turning and parking areas within each plot and the submission of a construction traffic management plan to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents. Other conditions seek for the new vehicle accesses to be constructed and laid out in accordance with the local highway authority's specifications, a restriction on the conversion of the proposed garages and a specification that requires all new gates to be set back from the carriageway by at least 5m to ensure the road is not obstructed whilst cars wait to enter the site.

Impact on ecology and trees

- 6.22 In consultation with both the forestry and countryside officer no objection has been raised having regard to the impact on landscape quality and features and protected species.
- 6.23 The existing structure is in a good condition with few obvious access to the roof void or opportunities for crevice dwelling bat species. The site exists within close proximity to Pishillbury Wood, a fragment of ancient woodland which most likely supports a healthy population of bats. The council's countryside officer has no objection to the proposed development, following an amendment which moved the dwelling in plot 3 further away from the woodland. An informative would be attached to the decision notice if granted planning permission to bring attention to the applicant/developer to have regard to the requirements of UK and European legislation related to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if bats are affected by the development.
- 6.24 The trees within this site are not protected by a tree preservation order and the site is not located within a conservation area. The applicant has submitted an Arboricultural and Planning Integration Report and Tree Protection Plan. The forestry officer raises no objections to the proposed development subject to the decision notice making specific reference for the need to implement tree protection as set out in the submitted Arboricultural and Planning Integration Report and Tree Protection Plan. A landscape condition is also recommended to ensure that the development is assimilated into the rural character of the area and soft and hard landscaping details of the development can be controlled by the council to avoid any inappropriate forms of landscaping that could lead to harm on the rural character of the site or the Chilterns AONB.
- 6.25 It is noted that to the rear of the site is the Pishillbury Wood which is classified as an ancient woodland. The Woodlands Trust has raised a concern to the proposed development citing the potential impact on the ancient woodland. They are concerned that the development could damage the ancient woodland and the adjacent habitat both by construction processes and by the resultant dwellings on site. Following amendments to the scheme and the attached conditions, the Countryside Officer and Forestry Officer do not object to the development, having regard to the proximity to the ancient woodland. The landscaping scheme will help to secure a small amount of understory woodland edge planting within the gardens along the southern boundary. This will improve the woodlands edge structure, species such as hazel, holly, hawthorn, yew etc. are likely to be appropriate. In addition the removal of permitted development rights will allow for the council to control the erection of future extensions and outbuildings in conjunction with this woodland.
- 6.26 Additional conditions are recommended which require details to be submitted for surface water drainage and foul drainage works. Informatives are attached which provides advice to safeguard the public footpath which runs adjacent to this site and to advise the developers of further action needed should protected wildlife be affected by the development.

Community Infrastructure Levy (CIL)

- 6.27 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 for the new dwellings and is charged on floor area, offset with the loss of the existing building. The CIL charge applied to new residential development in this case is £150 per square metre of floorspace (Zone 1).

15% of the CIL payment will go directly to the parish council (as they do not have an adopted Neighbourhood Plan) for spending towards local projects.

7.0 CONCLUSION

The proposal complies with the relevant Development Plan Policies and, subject to the attached conditions would not be harmful to the character and appearance of the site and surrounding area, the local highway network or the amenities of those occupants living in neighbouring properties.

8.0 RECOMMENDATION

8.1 To grant planning permission subject to the following conditions:

- 1. Full planning permission – development to commence within three years of date of permission.**
- 2. Development to be carried out in accordance with approved plans.**
- 3. A schedule of all materials to be used in the external construction and finishes of the development hereby permitted shall be submitted to and approved in writing by the local planning authority.**
- 4. Tree protection in accordance with the submitted details.**
- 5. Hard and soft landscaping scheme to be submitted to and approved in writing by the local planning authority.**
- 6. Details of existing and proposed levels to be submitted to and approved in writing by the local planning authority.**
- 7. Vision splay details to be submitted to and approved in writing by the local planning authority.**
- 8. New vehicular access to be formed, laid out and constructed in accordance with local highway authority specifications.**
- 9. Parking and manoeuvring areas to be implemented in accordance with plans and retained for their use.**
- 10. All gates to be set back at least 5 metres from the carriageway.**
- 11. No conversion of garage accommodation.**
- 12. Construction management plan to be submitted to and approved in writing by the local planning authority.**
- 13. Withdrawal of permitted development rights for extensions and outbuildings.**
- 14. Obscure glazing to first floor side facing windows.**
- 15. Details of foul and surface drainage to be submitted to and approved in writing by the local planning authority.**

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