

APPLICATION NO.	P16/S2961/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	15.9.2016
PARISH	CROWMARSH GIFFORD
WARD MEMBER(S)	Felix Bloomfield Richard Pullen
APPLICANT	Mr & Mrs Thomas Woodard
SITE	Land fronting Wallingford Road, North Stoke, OX10 6BD
PROPOSAL	Erection of two detached houses with new (shared) highway access (As amended by drawings accompanying e-mail received 17 November 2016 removing car ports, alterations of parking arrangements and reducing extent of flat roof to the side of the dwellings)
AMENDMENTS	None
GRID REFERENCE	461305/186146
OFFICER	Paul Bowers

1.0 INTRODUCTION

- 1.1 The application is referred to planning committee because the views of the Crowmarsh Parish Council differ from the officer's recommendation.
- 1.2 The site comprises part of an existing agricultural field which sits between two existing properties on the western side of Wallingford Road, North Stoke. There is an existing agricultural access to the field from the highway. At the frontage of the site is an existing bus stop. The site is located within the Chilterns Area of Outstanding Natural Beauty (AONB).
- 1.3 A plan identifying the site can be found at **Appendix 1** to this report.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission from the council to erect two detached four bedroom properties with associated parking and a single shared access from the highway.
- 2.2 The application has been amended twice during the course of the application. The first amendment removed the originally proposed car ports on the frontage of the site and altered the parking arrangements showing four spaces for each property. The second amendment related to the design of the dwellings and reduced the extent of the flat roofs to the side of the buildings by increasing their height and putting a ridge around the remaining flat roof area.
- 2.3 Reduced copies of the plans accompanying the application can be found at **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 **Crowmarsh Parish Council** – Recommend refusal of planning permission for the following reasons;

- Over development of the site.
- Shared access arrangement and limited on site parking for two four bedroom properties and position of the bus stop.
- Unneighbourly impact to adjoining properties.

Neighbour Representations – Objections received from 13 separate parties over the course of the application in its original form and subsequent amendments. The main issues of concern are;

- The height, design and scale of the buildings are out of keeping with the character of the area and the properties on either side of the plot.
- Over development of a small plot.
- Not in keeping with the AONB.
- Overlooking of adjoining properties.
- Loss of light.
- Concern about the access and its proximity to the bus stop and parking on the highway,

OCC Archaeological Services - No objection subject to conditions being attached to any forthcoming planning permission.

OCC Highways Liaison Officer - No objection following the amended plans but requested several conditions to be attached to any forthcoming planning permission.

4.0 **RELEVANT PLANNING HISTORY**

4.1 None relevant to this particular scheme.

5.0 **POLICY & GUIDANCE**

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

South Oxfordshire Core Strategy 2027 policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 policies;

CON11 - Protection of archaeological remains

CON13 - Archaeological investigation recording & publication

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

G2 - Protect district from adverse development

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

South Oxfordshire Design Guide 2016

6.0 **PLANNING CONSIDERATIONS**

6.1 The issues to consider in relation to this proposal are;

- **The principle of development.**
- **Whether the proposal accords with the criteria of Policy H4.**
- **Plot coverage and garden size.**
- **Impact on the amenities of the occupants of nearby properties.**
- **Impact on highway safety.**
- **Impact on special landscape of the AONB.**
- **Impact on archaeology.**
- **Community Infrastructure Levy.**

The principle of development.

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 material 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.

6.3 In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy 2027 (SOCS) which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP).

6.4 Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

6.5 Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development.

For decision-taking this means “approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: – any adverse impacts of doing so would **significantly and demonstrably outweigh the benefits**, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.”

6.6 Currently the council cannot demonstrate a 5 year housing land supply and the presumption in favour of sustainable development, set out in Paragraph 14 of the NPPF, applies. This means that our core strategy housing policies, including SOCS Policy CSR1 relating to housing in villages, are out of date and are given less weight in our decision making.

6.7 However this is providing that the development does not conflict with other policies within the NPPF that seek to restrict development – such as paragraph 115 which gives great weight to conserving Areas of Outstanding Natural Beauty (AONB's).

This site is within the AONB but in my view the filling of this gap within the village does not amount to significant harm to the AONB. Therefore the presumption in favour of sustainable development set out in paragraph 14 is, in my view, engaged. This means that although the site is larger than Policy CSR1 would allow for infill development this is not in my view an overriding factor. I conclude that the principle of erecting two houses here is acceptable.

Whether the proposal accords with the criteria of Policy H4 of SOLP.

- 6.8 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.
- 6.9 Provision (i) of Policy H4 *states ‘an important open space of public, environmental or ecological value is not lost, nor an important view spoilt.’* Provision (ii) *states ‘the design, height, scale and materials of the proposed development are in keeping with its surroundings.’* whilst Provision (iii) *states that the ‘character of the area is not adversely affected.’*
- 6.10 The site comprises an existing gap between the buildings fronting on to Wallingford Road and serves as an access to the wider field to the west. It does not comprise an important open space of public environmental or ecological value and does not spoil an important public view beyond the site.
- 6.11 Criteria (ii) and (iii) of Policy H4 seek to ensure that the design and scale of the development is in keeping and that it does not adversely affect the wider character of the area. The two proposed properties are larger than the two adjoining properties on either side to the north and the south. Number 17 to the south is a chalet style bungalow with accommodation in the roof space and dormer windows. To the north is a single storey bungalow at number 11 Wallingford Road. In terms of their height and their depth the two new properties are larger than these two neighbouring dwellings. It should be noted however that numbers 17 and 11 differ between themselves in their height and appearance. In addition they differ in design, scale and appearance from the properties on their opposite boundaries to the south and the north. Most notably Withywindle to the south of number 17 is one and half storeys high and has a thatched roof. Opposite the site on the other side of Wallingford Road are two storey semi-detached properties. All of this leads me to conclude that the character of the area is mixed with no one uniform size or scale of building.
- 6.12 The main core of the building is two storeys in height but the two wings on either side are lower and one and half storeys in overall height. They do include flat roofs but this extent has been reduced to a small amount and the overall appearance of the sides of the buildings is that of a pitched roof.
- 6.13 I accept that the spacing between the properties is smaller than the adjoining properties and those on the other side of the road. They will appear larger and different than these properties. However the overall design includes traditional local features such as gables and varying ridge heights which break up the mass of the building. In my view they add to the existing mix of buildings in the area. Weighing this in the overall planning balance, the harm that they may cause to the character and appearance of the area from being different to the properties on either side does not outweigh the fact that this proposal represents a sustainable form of development and does not significantly and demonstrably outweigh the benefits of permitting two houses in a location where housing is normally permitted.
- 6.14 *Provision iv) of Policy H4 states that there should be no overriding amenity or environmental or highway objections.*

In terms of amenity this refers to both the amenity space being provided for the occupants of the existing and new property and also the amenity of occupants of nearby properties. These issues are also covered by other policies within SOLP such

as Policy D3 and T1 and they are considered separately as they are fundamental issues to this proposal.

- 6.15 In respect of the element of provision iv) that relates to the environment there are no environmental issues that would justify resisting the proposal.

Plot coverage and garden size.

- 6.16 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.
- 6.17 The South Oxfordshire Design Guide sets out the minimum amount of private amenity for 3 bedroom units and above at 100 square metres.

The layout of the development ensures that both units exceed this minimum amount.

The inability to provide these minimum standards would be an indicator that a proposal amounts to an overdevelopment. However this is not the case here. Both properties demonstrate that they are able to provide the required garden and parking provision and in my view this does not amount to an over development of the site.

- 6.18 **Impact on the amenities of the occupants of nearby properties.**

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.

- 6.18 The two most affected properties are number 17 Wallingford Road to the south and number 11 Wallingford Road to the north. The properties opposite the site to the east are less affected by the development and whilst they will lose their view across the open gap between 17 and 11 that is not a material planning consideration. The relationship between two storey properties on either side of the road is a normal one in the vast majority of streets throughout the country. The council does however recommend a minimum distance of 10 metres for properties opposite each other on a street frontage (South Oxfordshire Design Guide standard). The proposed distances between the properties on the opposite side of the road are far in excess of that amount.

- 6.19 **Impact on number 17 Wallingford Road –**

Number 17 is located to the south of the site and therefore in terms of neighbour impact this will not come from a loss of direct sunlight or from overshadowing. The main core of the buildings sit parallel to the dwelling at number 17. As the building extends further back into the plot beyond the rear of number 17 it steps further away from the boundary. In my view the gap that is created is sufficient to offset the height, depth and mass of the building at the rear to such an extent that I do not consider it to be oppressive or overbearing to the degree that the council would be in a position to sustain a refusal of planning permission on that basis alone at a subsequent appeal.

Although windows are shown on the side elevation of both the properties on the rear wing of the buildings these serve the ground floor rather than first floor and consequently there will not be any direct overlooking from these windows. The rear of the building includes first floor windows but these provide for oblique views across the rear garden which is a typical relationship in any street scene and in my view not

harmful. In addition there is a low fence and ever green hedge that forms the physical boundary to the existing field.

6.20 Impact to number 11 Wallingford Road –

Number 11 is affected by the development in that it is located to the north and has a number of windows looking to the south benefitting from direct sunlight and the gap between the buildings that has existed ever since the property was originally built. Between the main dwelling and the southern boundary is an existing garage and consequently the dwelling itself is away from the boundary. The gap between the boundary and the south facing windows does in my view mitigate the impact of the height and depth of the building to the extent that in terms of loss of sunlight and outlook the proposal is again not sufficiently harmful to justify refusal of planning permission. The window relationship from the development to number 11 is the same as number 17 and in my view is acceptable.

- 6.21 It is accepted that filling a gap that has existed for many years between properties which have benefited from the openness between them and the outlook it provides will result in an impact to both properties. I conclude however, that on balance the harm that it would cause is not significant to the point that it would outweigh the presumption in favour of sustainable development.

Impact on highway safety.

- 6.22 With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.

- 6.23 As originally submitted the Highway Officer was concerned about the number of spaces for the new properties and a lack of visitor spaces would likely mean indiscriminate parking on the highway in close proximity to the existing bus stop.

The scheme was amended removing the proposed car port which did not meet the minimum size in terms of their dimensions and created four spaces for each dwelling.

The council's parking standards set out in Appendix 5 of the South Oxfordshire Local Plan require, as a maximum amount, 2+ spaces for properties with three bedrooms and above. The two new properties will have four bedrooms with four car parking spaces each. In effect this would 3 spaces per dwelling plus a visitor space each. This has addressed the concern about lack of parking and pressure to park on the highway.

- 6.24 Understandably there is local concern about the proximity of the access to the bus stop in terms of vehicle movements coinciding with pick up and drop off of passengers. However, given the number of vehicle movements associated with two dwellings and the frequency of the bus service the Highway Officer has not objected to the proposal on the basis of the amended plans and the position of the bus stop. In addition they have shown on a visibility splay plan that accompanied the original submission the development can provide for adequate vision splays in both directions. Conditions are proposed that seek to ensure these vision splays are provided, that the parking and manoeuvring areas are retained, the new access is provided in accordance with the

highway authorities specifications and that a construction management plan is provided for approval prior to development commencing.

- 6.25 It is your officer's opinion that in highway terms the development is acceptable.

Impact on the special landscape of the Area of Outstanding Natural Beauty.

- 6.26 Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "*which have the highest status of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000. However, infill development is not precluded in the AONB villages. Although out of date, the council's housing policy in relation to villages within the South Oxfordshire Core Strategy, permitted infill development in many of the villages in the district that are within designated AONB areas.
- 6.27 The loss of the gap between the existing buildings on the frontage of the Wallingford Road is not in my view harmful to the AONB. The dwellings that will occupy this space will be visible and their design does differ from adjoining properties. They do however include locally traditional features when viewed from the front. Whilst they are large properties in overall size I conclude that on the basis that they sit between buildings within the settlement the overall harm to the wider special landscape of the AONB is not significant and does not in my view outweigh the presumption in favour of sustainable development.

Impact on archaeology.

- 6.28 The site of the proposed development is located in of area of considerable archaeological interest 100m north of the scheduled monument of North Stoke henge and ring ditch site (SM 131). The site consists of numerous Bronze Age barrow and ring ditch cropmarks, identified as a barrow cemetery and visible on AP's, along with a Neolithic henge and a cursus/bank barrow.

The site is relatively undeveloped and as such any surviving archaeological deposits could be well preserved. This development could therefore encounter further archaeological deposits related to the Henge site and barrow cemetery.

It is therefore necessary to ensure through conditions that the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction. Such conditions are proposed as part of this recommendation,

Community Infrastructure Levy.

- 6.29 The council's CIL charging schedule has been adopted. 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 as the proposal involves the creation of a new dwellings.

7.0 **CONCLUSION**

7.1 Your officers recommend that planning permission is granted because the proposal will create two new dwellings in a sustainable location and accords with paragraph 14 of the NPPF which sets out the presumption favour of sustainable development and paragraph 115 of the NPPF which requires the conservation of AONB character.

Whilst there will be an impact to the overall character of the area, to the AONB and to neighbour amenity the resulting harm is not significant and does not outweigh the benefit of the development. The site affords for adequate levels of parking and garden space.

Overall the proposal accords with development plan policies.

8.0 **RECOMMENDATION**

8.1 **To grant planning permission subject to the following conditions;**

- 1 : Commencement three years - full planning permission.**
- 2 : Approved plans.**
- 3 : Schedule of materials.**
- 4 : New vehicular access.**
- 5 : Vision splay details to be provided.**
- 6 : Parking and manoeuvring areas retained.**
- 7 : Construction traffic management.**
- 8 : Archaeological watching brief to be approved.**
- 9 : No development to take place until archeological investigation.**

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