

APPLICATION NO.	P16/S3778/O
APPLICATION TYPE	Outline
REGISTERED	21.11.2016
PARISH	Shiplake
WARD MEMBERS	Will Hall Paul Harrison
APPLICANT	North Oak Homes
SITE	Land to the west of Ridgeways, New Road, Lower Shiplake, RG9 3LA
PROPOSAL	Development of 4 residential units, all matters reserved except access (as amended by revised illustrative layout, street scene and vehicle tracking diagrams received on 25 January 2017).
AMENDMENTS	As above
GRID REFERENCE	477156/179217
OFFICER	Tom Wyatt

1.0 **INTRODUCTION**

1.1 This application is referred to Committee as the Officers' recommendations conflict with the views of the Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is located on the south west edge of the village of Lower Shiplake. The site does not lie within a designated area but a number of trees within the site have recently been protected through a Tree Preservation Order. The site was previously subject to gravel extraction and has been subsequently infilled. It is laid to grass and borders existing residential development to the north west and north east and fronts the unmade New Road to the south east whilst the site adjoins existing farmland to the south west.

2.0 **PROPOSAL**

2.1 The application seeks outline planning permission for the construction of four dwellings on the site. The only matter for detailed consideration at this stage is the access into the site and therefore the layout and details of the scale and design of the dwellings are entirely indicative. The proposed access would be directly from New Road through widening and upgrading the existing field access.

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.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Shiplake Parish Council – Objects to both the original and amended plans on the following grounds:

- Represents development on a greenfield site beyond the main settlement area
- Extends into the countryside to the detriment of the rural character and appearance of the area
- The density and form of the development would be out of keeping with the character of the area
- New Road is unsuitable to serve the development
- The development would be contrary to the Shiplake Villages Plan and

premature in relation to a Neighbourhood Plan.

3.2 Highways Liaison Officer (Oxfordshire County Council) - No objections subject to conditions regarding the construction of the access and provision of visibility splays.

3.3 Countryside Officer - No objections subject to a condition to provide biodiversity enhancements on the site.

3.4 Forestry Officer – No objections to the principle of four dwellings on the site.

3.5 Contaminated Land Officer – Ground and gas contamination has been identified at the site and a condition is required to ensure that a remediation strategy is agreed.

3.6 Drainage Consultant – Conditions should be imposed in relation to foul and surface water drainage details.

3.7 Thames Water – No objections

3.8 Waste Management Officer – No objections

3.9 Neighbour representations – 50 letters of objection received to the original plans, and 21 letters of objections received to the amended plans. The grounds for objection are the following:

- Development of a greenfield site not appropriate
- Impact on the open countryside
- Overdevelopment of the site
- Increase in traffic
- Impact on pedestrian/highway safety on New Road
- Lack of local infrastructure to support the development
- Precedent for further development
- Loss of habitat
- Previous schemes for housing have been refused on the site
- Impact on trees
- Noise disturbance

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P98/S0885](#) - Refused (05/02/1999) - Refused on appeal (18/08/1999)
Dwelling and garage. Access.

[P85/S0541/O](#) - Refused (06/11/1985)
Residential development.

[P80/S0184](#) - Refused (19/05/1980) - Refused on appeal (24/11/1980)
Construction of a family house with flat for grandmother plus ancillary works and swimming pool. Access.

5.0 **POLICY & GUIDANCE**

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

5.2 South Oxfordshire Core Strategy (SOCS) policies:
CS1 - Presumption in favour of sustainable development
CSB1 - Conservation and improvement of biodiversity
CSH1 – Amount and distribution of housing
CSH2 – Density

CSEN1 - Landscape protection
CSQ3 - Design
CSR1 - Housing in villages
CSS1 - The Overall Strategy

- 5.3 South Oxfordshire Local Plan (SOLP) policies:
- C4 - Landscape setting of settlements
 - C6 - Biodiversity
 - 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
 - D6 - Community safety
 - D10 - Waste Management
 - EP2 - Noise and vibrations
 - EP8 - Contaminated land
 - 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

- 5.4 South Oxfordshire Design Guide (SODG) 2016
Shiplake Villages Plan Report 2014

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The main planning considerations in relation to this application are:
1. The principle of development
 2. The impact on the character and appearance of the site and surrounding area
 3. The impact on the amenity of neighbouring occupiers
 4. The impact on highway safety and convenience
 5. The impact on trees and ecology
 6. Other material considerations
 7. Overall planning balance

The Principle of Development

- 6.2 The most recent planning application for a dwelling on the application site was refused in 1999 under application P98/S0885 for the following reason:

That the development would be contrary to the general, environmental/countryside and housing policies of the approved Structure Plan for Oxfordshire, particularly policies G1, G2, G5, EN1, EN5 and H1 and the Council's adopted South Oxfordshire Local Plan, particularly policies G1, G5, C3, H5 and H6. The erection of a substantial dwelling on this site together with its associated residential curtilage would result in an undesirable extension of built development into the open countryside, which would be detrimental to the character and amenity of the area which lies within an Area of Great Landscape Value.

- 6.3 In assessing the current scheme against the council's development plan policies for the supply of housing within the district the application would also fail as it does not represent infill housing development as defined under Policy CSR1 of the SOCS. This Policy allows for infill housing on sites of up to 0.2ha with infill being 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 scheme fails to meet this definition.

- 6.4 However, the council cannot currently demonstrate a 5 year housing land supply, and in this situation, the development plan policies concerned with the supply of housing have considerably less weight. Paragraph 14 of the NPPF advises that development should be assessed in relation to the presumption in favour of development, and for decision taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF as a whole.
- 6.5 In light of the above I consider that there has been a material change of circumstances since the previous planning decisions in respect of housing development on this land, namely the lack of a current 5 year housing land supply, and therefore the presumption in favour of sustainable development should be applied. Furthermore, if the development could be regarded as infill development, Policy CSR1 advises that a 0.2ha is equivalent to 5 or 6 dwellings. Therefore, the four dwellings now proposed would not represent a disproportionate amount of new residential development compared to that envisaged to come forward under Policy CSR1 within the smaller villages, such as Lower Shiplake.
- 6.6 I am aware that Shiplake intends to progress a Neighbourhood Plan, however, this is in its infancy and can be afforded no weight in the decision making process for this application. The Shiplake Villages Plan Report 2014 outlines that housing development on greenfield land will be resisted. However, this document has very limited weight in decision making and its aspirations in relation to housing development are not sufficient grounds to resist the application scheme.

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

- 6.7 Policy H4 of the SOLP provides a list of criteria against which new housing development should be judged. These include that the development should respect the design, height, scale and materials of the built form in the surroundings and that the character of the area is not adversely affected. Policy CSQ3 of the SOCS seeks to ensure that development is of a high quality and inclusive design.
- 6.8 Details of the layout, design and scale of the proposed four dwellings are reserved for later consideration, and therefore, the layout as indicated on the submitted plans is only indicative at this stage. The site lies beyond the established residential built form of the village but is visually well related to existing housing to the north, east, and partially to the south. The existing housing development in the vicinity is of low density being characterised by relatively large dwellings of varied design positioned within spacious plots; giving rise to a sylvan appearance and character.
- 6.9 The density of the development would fall far below the minimum density requirements of Policy CSH2 of the SOCS, which is 25 dwellings per hectare (net). However, the failure to make the most efficient use of the land in this case is appropriate having regard to the need for the development to respect the grain of the surrounding built form. As well as being visually well related to existing housing development, the site also adjoins open countryside, and in this regard maintaining a low density of development across the site will enable the retention of the existing mature trees within the site and also allow for additional planting within the large plots created for each dwelling. This will respect the landscape character of the site and its surroundings and respect the rural landscape setting of this part of the village in accordance with Policy C4 of the SOLP.

The Impact on the Amenity of Neighbouring Occupiers

- 6.10 Policy H4 of the SOLP seeks to ensure that new housing development does not adversely affect neighbouring amenity and Policy D4 of the SOLP states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties through loss of privacy, daylight or sunlight. The application site adjoins neighbouring properties to the north and east.
- 6.11 The illustrative layout indicates that four dwellings can be accommodated on the site whilst retaining large garden areas and substantial gaps to the site boundaries. In this regard there would be a substantial degree of spacing between the proposed dwellings and existing dwellings adjoining the site. The development can clearly achieve the relevant amenity standards outlined within the SODG and in my view the detailed layout and design of the development can be provided without causing any material harm to the amenity of adjoining occupiers or the future occupiers of the development.

The Impact on Highway Safety and Convenience

- 6.12 New Road is an unmade road linking Mill Lane and Crowsley Road. It is apparent that the road is lightly trafficked and has high amenity value for pedestrians and cyclists. There are already several dwellings fronting New Road, and the addition of a further four dwellings along the road would not result in a material intensification of traffic along New Road. Concerns have been expressed that if New Road is upgraded with a metalled surface it may become a rat run from the A4155. However, I do not consider that there is a requirement for the road to be upgraded to facilitate this modest scale of additional development.
- 6.13 The Highway Liaison Officer has commented in relation to the original scheme for seven dwellings and has raised no objections to the proposal on the basis that the proposal is unlikely to cause any significant adverse impact on the highway network. Clearly the impact from four dwellings would be further reduced.
- 6.14 Although located on the edge of the village, the local services and amenities within the village, including the railway station, are easily accessible by foot and bicycle from the site. Therefore, although residents are likely to use a private car for the majority of journeys the use of a car is not essential, and the application is relatively sustainable in transport terms.
- 6.15 The layout of the development is illustrative at this stage, however, it is clear that there would be sufficient space for parking and turning within the site to accommodate the needs of the development.

The Impact on Trees and Ecology

- 6.16 There are mature trees around the boundaries of the site, which make a positive contribution to the local landscape and the landscape setting of this edge of the village. The majority of these trees have now been protected through a recent Tree Preservation Order and represent a significant constraint to development on the site having regard to Policy C9 of the SOLP, which states that any development that would cause the loss of landscape features will not be permitted where those features make an important contribution to the local scene.
- 6.17 The retention of the trees on the boundaries of the site is crucial to ensure that the development does not visually intrude into the adjacent open countryside in respect of

views from the west and also to help assimilate the development into the existing settlement pattern. The illustrative layout shows that the trees have been taken into account and having regard to the low density of the proposed development it is apparent that a detailed scheme can be designed to ensure that there is no threat to the retention of the protected trees. There would also be space for further landscaping within the site. The Forestry Officer has raised no objections but opines that the dwellings should be reduced in size to achieve a sustainable relationship with the surrounding treescape. This will be a factor in assessing any subsequent reserved matters application.

- 6.18 Development plan policies, including Policy CSB1 of the SOCS and Policies C6 and C8 of the SOLP seek to ensure that development does not have an adverse impact on protected wildlife species and that the biodiversity resource is maintained and enhanced. There is no evidence of protected species on the site, and whilst the proposal would result in the loss of biodiversity resource on the site the Countryside Officer considers that this can be mitigated through the addition of biodiversity enhancement features on the site, including the provision of bird and bat boxes.

Other Material Considerations

- 6.19 Policy EP8 of the SOLP seeks to ensure that any contaminated land is effectively treated as part of development proposals. It is apparent that there are contaminants on the site stemming from its previous use for gravel extraction and subsequent infill. The Contaminated Land Officer has recommended a condition to ensure that a remediation strategy is agreed to remove the contaminants.
- 6.20 There are no critical drainage issues identified in relation to the site and standard conditions are recommended in relation to surface water and foul drainage.
- 6.21 The development is liable to pay the Community Infrastructure Levy (CIL) at a rate of £156 per square metre and 15% of the CIL monies would go to Shiplake Parish Council for spending on local infrastructure. CIL would be charged based on the floor area proposed under a subsequent reserved matters application.

Overall Planning Balance

- 6.22 The three strands of sustainable development are set out at paragraph 7 of the NPPF as economic, social and environmental. All these have been considered throughout the report and my conclusions against each of the strands is summarised below.
- 6.23 The application proposal would conflict with policy CSR1 of the Core Strategy, which sets out the criteria for housing within larger villages. However, the weight to be given to this conflict is reduced as this policy for the supply of housing is out of date due to the shortfall in the five-year supply of deliverable housing sites.
- 6.24 *Economic role*
The Government has made clear its view that house building plays an important role in promoting economic growth. In economic terms, the scheme would provide construction jobs and some local investment during its build out, as well as longer term expenditure in the local economy supporting the ongoing vibrancy of the village. I consider that moderate weight should be afforded to this benefit.
- 6.25 *Social role*
The proposal would positively support the delivery of housing, by providing 4 houses

towards those required to meet the needs of present and future generations. The houses would be in a sustainable location with accessible local services close by for new residents to use. Furthermore, the development can be provided without material harm to the amenity of existing residents.

6.26 *Environmental Role*

In environmental terms, I consider that the provision of four dwellings on the site would respect the settlement pattern and landscape setting of this part of Lower Shiplake and would not, subject to reserved matters details, cause any detriment to the protected trees within the site.

6.27 Taking into account the benefits of the development and weighing these against the harm, I consider that the adverse effects of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

7.0 **CONCLUSION**

7.1 The application proposal does not accord with the relevant development plan policies in relation to the supply of housing. However, having regard to the lack of a five year housing land supply these policies have considerably reduced weight. In relation to other relevant development plan policies and the presumption in favour of sustainable development within the NPPF the adverse impact of the development would not significantly or demonstrably outweigh the benefits provided by the provision of additional housing on the site.

8.0 **RECOMMENDATION**

8.1 **To grant outline planning permission subject to the following conditions:**

1. **Commencement of development within three years or two years of the last reserved matter to be approved.**
2. **Applications for reserved matters approval for landscaping, scale, layout and appearance to be made within three years.**
3. **Development to be in accordance with the approved plans (in respect of access only).**
4. **Development to have a maximum gross internal floorspace of less than 1000 square metres.**
5. **Samples of materials to be agreed prior to the commencement of the development.**
6. **Landscaping scheme, including hardsurfacing and boundary treatments, to be agreed prior to the commencement of the development.**
7. **External lighting scheme to be agreed prior to its installation.**
8. **Tree protection to be agreed prior to the commencement of the development.**
9. **Biodiversity mitigation and enhancement to be agreed prior to the commencement of the development.**
10. **Construction traffic management plan to be agreed prior to the commencement of the development.**
11. **Contaminated land investigation and remediation strategy to be agreed prior to the commencement of the development.**
12. **Existing access to be improved and laid out to the local highway authority's specifications prior to the first occupation of the development.**
13. **Vision splays to be provided prior to the first occupation of the development and maintained.**
14. **No change or upgrading to the surface of New Road without agreement.**
15. **Surface water drainage to be agreed and provided prior to the first**

- occupation of the development.
- 16. Foul drainage to be agreed and provided prior to the first occupation of the development.**

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