
APPLICATION NO.	P16/S3861/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	25.11.2016
PARISH	SOUTH STOKE
WARD MEMBER(S)	Kevin Bulmer
APPLICANT	Castlehouse Joinery Ltd
SITE	Fifield Cottage Ferry Road South Stoke, RG8 0JL
PROPOSAL	Demolition of existing dwelling and garage and construct replacement dwelling and garage (as amended and amplified by Bat Survey Report received 16th May 2017 and Location, Site & Elevation plans received 19th May 2017, plans & information received 12th July 2017 & Bat Survey Report received 15th August 2017).
OFFICER	Luke Veillet

1.0 INTRODUCTION

1.1 The application is referred to planning committee because the views of the South Stoke Parish Council differ from the officer's recommendation.

1.2 The application site is a single storey dwelling-house on a plot of land to the rear (south west) of the neighbouring dwellings (Waives and The Old Forge House). It is accessed off a short track from the highway, which runs between Waives and Ashmount House to the north west. The site is located within the built-up limits of the settlement of South Stoke and also located within the designated 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 planning permission to demolish the existing single storey dwelling and garage, replacing them with large two storey dwelling and garage unit.

2.2 The proposal has gone through a number of amendments during the application process, including reducing the height, removing a large balcony on the southern elevation and reducing the size and scale of the proposed garage building, to a double car port design.

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 South Stoke Parish Council – Object

- Overdevelopment of the site
- Unacceptable increase on floorspace and volume (3.6 times floor space increase)
- Unneighbourly backland development
- Extended driveway will be unneighbourly
- Applicant has removed trees which has reduced privacy
- Levels data does not correspond to any A.O.D of ground floor slab level

- provided
- No construction traffic management plan
- Applicant could use garage to house machinery
- Bat survey does not meet SODC requirements ***Further surveys completed***
- Decision can not be made whilst F.O.I is in progress ***FOI has been completed***

County Archaeological Services (SODC) - No strong views

- Would not appear to have an invasive impact upon any known archaeological sites or features
- No constraints on the scheme

Drainage Engineer (South Oxfordshire - MONSON) - No strong views

- Development outside of flood plain, no observations

Countryside Officer (South Oxfordshire & Vale of White Horse) - No strong views

- Bat surveys were completed and identified some bats roosting in the existing garage. The survey has put forward a mitigation strategy, including bat boxes during construction and roof line bat access tile in the new dwellings tiles. No objection subject to a condition securing mitigation strategy.

Forestry Officer (South Oxfordshire District Council) - No strong views

- No TPO's on the site and the trees of arboricultural value have already been removed. Replacement trees and appropriate landscaping required to soften/screen the development.

Highways Liaison Officer (Oxfordshire County Council) - No strong views

- Development unlikely to have a significant impact on the highway network
- No objection subject to conditions to implement access prior to occupation and garage not to be converted to accommodation.

Neighbour Object (5)

- Development does not comply with housing policies
- Garage block is unneighbourly
- CIL form is not correct
- Garage will cause damage to fencing
- Balcony will result in loss of privacy ***This has now been removed from plans***
- Development is too big for plot
- Limited levels survey information
- Limited scale information provided
- Proposed materials not in keeping with area
- Existing dwelling not sited correctly
- Garage could be used to house machinery as applicant is a "joinery" company
- Loss of privacy and overshadowing of existing garden rooms
- No boundary fencing details which have been removed

Neighbour No Strong Views (2)

- Development is too big for site
- New dwelling should follow existing footprint

4.0 RELEVANT PLANNING HISTORY

- 4.1 [P14/S2065/PEO](#) - Other Outcome (15/07/2014)
Follow-up to application P14/S1338/PEO. Pre-application advice bat survey required, as discussed and agreed with Dominic Lamb (Countryside Officer) for site visit/loft conversion.

Site Meeting

[P14/S1338/PEO](#) - Other Outcome (16/06/2014)

a) Conversion of existing bungalow to a two storey dwelling b) Erection new of two-storey dwelling on the current footprint. c) Erection of larger two-storey dwelling extending 10ft into patio area (but still more than 7 metres from rear boundary).

Office Meeting

[P61/H0587](#) - Approved (19/09/1961)

Erection of bungalow with garage and pedestrian and vehicular accesses

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy (SOCS) 2031 Policies**

CS1 - Presumption in favour of sustainable development
CSS1 - The Overall Strategy
CSB1 - Conservation and improvement of biodiversity
CSEN1 - Landscape protection
CSQ2 - Sustainable design and construction
CSQ3 - Design
CSR1 - Housing in villages

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

C6 - Maintain & enhance biodiversity
C8 - Adverse affect on protected species
C9 - Loss of landscape features
CON11 – Portection of Archaeological remians
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
EP6 - Sustainable drainage
G2 - Protect district from adverse development
H12 - Replacement dwelling
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 **Neighbourhood Plan policies;**

None proposed at this time

5.4 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

Chilterns AONB Management Plan 2014-2019: A Framework for Action

5.5 **National Planning Policy Framework (NPPF)**

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 PLANNING CONSIDERATIONS

6.1 The main planning considerations in this case are:

- **The principle of development**
- **Impact on the character and appearance of the site and surrounding area**
 - AONB
 - Design & Scale
- **Neighbouring and occupant amenity**
- **Highways Impact and Parking**
- **Protected species**
- **Environmental Impact (Trees & Drainage)**
- **Archaeology**
- **Other matters**

6.2 The principle of development

SOCS policy CSR1 sets out criteria for housing in villages. It notes that redevelopment proposals within all categories of settlement may be acceptable but will be considered on a case by case basis through the development management process in line with other policies in the Development Plan. SOCS Appendix 4 qualifies South Stoke as one of the districts “smaller villages”. As the site is within the built limits of this settlement, I consider the development to be compliant with this policy. SOLP policy H12 allows for replacement dwellings in cases where they are *outside* the built limits of settlements. The site is *within* the built limits of a ‘smaller village’, as such the detail of the proposal should be considered under SOLP policy H4, as a redevelopment proposal within the built-up limits of a village.

6.3 It is of note that district cannot currently 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. As such, developments that accord with the development plan should be approved without delay. Also, where relevant policies are out of date, planning permission should be granted, unless specific policies in the Framework (noted under footnote 9 to include Areas of Outstanding Natural Beauty) indicate development should be restricted.

6.4 Notwithstanding the land supply position, the principle of development accords with the mentioned policies, as such I would deem it acceptable in principle. Whilst less weight is attributed to the housing policies, SOLP policy H4 still offers a good framework for assessing such proposals. Relevant H4 criteria includes design and materials being in keeping with the surroundings; the character of the area is not adversely affected; there are no overriding amenity, environmental or highways objections; and if the proposal constitutes backland development, it would not extend the built limits of the settlement. These matters will be covered in further detail in the sections below.

6.5 Impact on the character and appearance of the site and surrounding area

AONB

Whilst the development site is considered to be within the built-up limits of the settlement, South Stoke is located on the western edge of the Chilterns AONB. SOCS CSEN1 gives high priority to AONB landscapes, seeking to protect their character and key features. Where possible, landscape character and features will be enhanced and where development is acceptable in principle, measures will be sought to integrate it

into the landscape

- 6.6 In this case the proposal is a replacement dwelling. Whilst it is noted it is larger in scale and height than the existing modest single storey dwelling, I am of the view the landscape will not be materially harmed. As a replacement dwelling, the principle of built form on the site has already been established, as such the backland site will not materially extend the built limits of the settlement. Some guidance and development policies in the Chilterns AONB Management Plan 2014-2019 generally detail that AONB settlement character should be conserved and enhanced, scale and massing should reflect local context and appropriate traditional materials should be promoted. In this case, the proposed dwelling is undoubtedly taller than the existing building, but in a wider context of the neighbouring dwellings (Waives & The Old Forge House), it is not significant. Furthermore, the adjacent large dwelling (Ashmount House) is some 3 metres taller and larger in scale than the proposal. This appears to demonstrate a mixture of density and scale of dwellings in the settlement. It is acknowledged that the neighbouring Ashmount House is of an exceptional scale of development in the settlement, but given the application is in line with the formed building line of Ashmonunt house and located away from the main frontage, the proposed development sits comfortably between the existing scale of built form. Furthermore, as the dwelling is orientated in the same direction as the existing building, the eastern gable end will remain the only prominent elevation in the street scene. In officers' opinion, the additional height over and above the existing dwelling, taking into account the views from the highway frontage, will not significantly impact the character of the AONB settlement landscape. However, it is proposed that a condition is recommended to secure appropriate landscaping and tree planting to soften the additional built form and ensure integration into the rural village landscape.
- 6.7 Design and Scale
SOCS policy CSQ3 seeks to ensure that all new development is of a high quality and inclusive design, responds positively to its site and surroundings; and is of a scale, type and density appropriate to the site and its setting. SOLP policy D1 further supports good design principles.
- 6.8 As detailed above, the scale of the proposal is larger than the existing dwelling. The existing dwelling has an approximate ridge height of 5.8m. Neighbouring Waives has an approximate ridge height of 7.2m, The Old Forge House 6.6m, Ashmount House 10.6m, Primrose 7m and River View 7.4m. The proposed development has gone through a number of reductions in height throughout the application process and the proposed ridge height is now 7.475m. As such it is of a similar height to surrounding dwellings. However, it is noted that the site is situated on a higher ground level than the dwellings to the east. Based on the levels data supplied, the land rises approximately 0.7m from the road but drops back down to somewhere between 0.4m and 0.6m above the highway level where the dwelling is proposed to be sited. Whilst this will add a small amount of additional height to the proposal, as it is set back from the highway, the perspective of distance will likely mean it will not appear much taller than the neighbouring dwellings. The plot is large enough to accommodate the proposed dwelling and the garage. As such, in officers view, the scale of the development is acceptable in context of the site accordance with these policies
- 6.9 In terms of design, the character of other dwellings in the vicinity are mainly constructed with traditional brick. There are some elements of timber and there is a mixture of slate and clay roof tiles. The application proposes a stone brick finish and plain clay tiles. In my view, a more traditional brick as opposed to stone, would be more suitable. Final details regarding materials can be secured by condition. Other general design features such as pitched dormers and hipped roof lines are in keeping with the rural traditional

character of the area, mixed with some slightly more modern details results in a high-quality design. Furthermore, the design and scale of the garage has been simplified and reduced to a more appropriate car port style finish. As such, subject to conditions to secure final materials and boundary/hardstanding finishes, the development accords with the mentioned policies.

6.10 Neighbouring and occupant amenity

SOLP policy D3 details that all new dwellings shall provide adequate outdoor garden and amenity space for occupants. Private outdoor sitting areas should not be overlooked by adjacent outdoor sitting areas. Policy D4 details that new dwellings should be laid out to secure a reasonable level of privacy for occupants and the amenities and privacy of neighbouring properties should not be harmed.

- 6.11 In this case the proposed dwelling has 4 bedrooms and SODG guidance suggests a minimum of 100m² private amenity space should be afforded. In this case, the plot is large with in excess of 600m² to the rear (south west). As such, there is more than enough adequate amenity space. This area is not overlooked by the adjacent dwelling.

- 6.12 In terms impact on the privacy and amenity of neighbouring properties, it is noted concerns have been raised about the impact of the additional height of the dwelling and the new garage sited in eastern corner of the site. In officers view, whilst there is additional height and width from what currently exists, it will not have a significant detrimental impact on the neighbouring properties. There appears to be sufficient distance from the boundary so as to not appear overbearing and whilst the existing tree line has been removed, re-planting and screening can be secured by condition to soften the additional form. There is also only one first floor window which faces dwellings to the east (in the north eastern elevation) which is to serve an en-suite bathroom. As such, a condition can secure the obscured glazing, further minimising impact on neighbour privacy. A large first floor balcony on the south west elevation has now been omitted and the small balcony on the north-west elevation will not overlook the well screened Ashmount House adjacent to the north. The first floor windows on the front (north west) elevation face the side elevation of Ashmount House, but is some 18m away and largely screened by tall boundary trees. The first floor windows on the south west elevation simply overlook agricultural fields. As a result, neighbouring privacy and amenity is retained, subject to the mentioned condition.

- 6.13 Comments regarding the impact of the garage outbuilding were also received stating that by virtue of its location, it would overshadow the adjacent outbuildings in rear of Waives garden area. However, in officers view, siting the garage in this location is appropriate as it maintains an established building line of outbuildings, and given the direction of sun travel, is unlikely to have any further impact on sunlight that the existing tree line, which screens the development from the north and south west (from The Forges). As such, in officers opinion, the garage will not materially harm the amenity of neighbouring dwellings.

6.14 Highways Impact and Parking

SOLP policy T1 and T2 require that safe and convenient access is provided for all new development to the highway, sufficient vehicle parking and turning space is provided. Policy D2 states planning permission will not be granted for developments that fail to incorporate adequate, safe and secure parking for vehicles and cycles. Parking standards for 4 bedroom dwellings require at least two parking spaces per dwelling. In this case, the development provides 2 off road parking spaces in the garage and there is some space for additional parking in front of the proposed dwelling to accommodate the size of dwelling.

6.15 The county councils highways liaison officer was consulted on the proposal and noted that carriageway speed characteristics are low and the development is unlikely to cause a significant impact on the highway network. The development will utilise the existing access which runs alongside the boundary of Waives. Whilst concerns were raised that the position of the proposed garage will result in disturbance to neighbours. However, given the vehicle movements to this area of the site are likely to be very minimal, there will be no detrimental impact. The Highways officer has suggested conditions to ensure the parking and turning areas are completed prior to occupation of development and to be SUDs (sustainable drainage) compliant. Given the raised levels on the site to the highway, officers agree this would be appropriate. They have also suggested ensuring the garage is not converted to accommodation. Given ancillary accommodation may rise to a different impact than general incidental garage activities and could reduce off road parking, this appears to be a reasonable condition. It has been suggested that no traffic management plan has been submitted. Due to the small scale nature of the development this will not be required. The build process would have a small impact during the construction, but like any other building project, building practices will be subject to other legislation and health and safety standards. There is unlikely to be any adverse impact on the highway during the build. As such, subject to appropriate conditions, the development accords with the menitoend policies.

6.16 **Protected species**

SOCS policy CSB1 seeks to prevent the net loss of biodiversity on a proposed site, which is supported SOLP policy C6 and in addition policy C8 which notes development will not be permitted where it has an adverse impact on protected species.

6.17 In this case, the existing dwelling was found to host two small soprano pipistrelle bat day roosts, with a maximum count of two bats emerging or going to roost during any one survey. The roosts were located in the attached garage, in the void between the ridge tiles, ridge board, and roof lining, with bats using gaps below the ridge tiles to access these areas. Bats are protected species, as such are subject to other legislation whereby a license is required for development that would impact their habitat. The applicant has put forward a mitigation strategy to provide bat boxes during construction and incorporating access tiles in the new dwellings roofs to allow bats to continue to roost. The councils countryside officer was consulted who raise no objections, subject to implementation of the strategy. As such, there is unlikely to be adverse impact on the protected species, according with the mentioned policies.

6.18 **Environmental Impact (Trees & Drainage)**

Trees

SOLP policy C9 states that development that causes loss of landscape features (such as trees) will not be permitted. In this case, it is apparent that some eastern boundary trees that separate the site from neighbouring Waives have already been removed prior to the application. The councils Tree Officer was consulted who noted that there were no other trees on the site of arboricultural value that would meet the criteria for protection. A such, subject to an appropriate landscaping and tree planning scheme as already mentioned, the development accords with the mentioned policy.

Drainage

SOLP policy EP6 seeks, wherever practicable, to demonstrate that the surface water management system on any development accords with sustainable drainage principles. The councils drainage engineer was consulted and raised no objections, noting the development was just outside the Thames flood plain. As the site is on slightly raised land and proposes relatively large parking areas, it is proposed to agree these surfaces materials via the landscape condition. This will ensure that proposed a permeable stone

surface is secured. SUDs systems for these areas would be secured by the recommended highways condition. Subject to these conditions, the development is acceptable, having regard for the mentioned policy.

6.19 **Archaeology**

The application site is located in area of archaeological interest, being described as medieval village. SOLP Policy CON11 details there is a presumption in favour of preserving archaeological remains. The county councils archaeologist was consulted who noted that the development would not have an impact on any known archaeological sites. As such there are no constraints on the scheme. Given this response, officers are of the view, the development accords with the mentioned policy.

6.20 **Other matters**

Community Infrastructure Levy

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 the development is CIL liable for the whole building because the existing building has not been in use and the proposal involves the creation of a new dwelling. The total liable sum equates to £47,892. This has included subtracting the existing floor space of the dwelling to be demolished. The figure has been updated after re-measuring the floor space after size reductions were made.

Some comments have indicated that the dwelling use may have ceased as nobody has lived there fully for three years. However, the applicant has provided evidence that they have continued paying council tax on the dwelling and not a vacant charge. They have stated it has been sporadically lived in by employees of the applicant and prior to their purchase, the previous owners son was reported to occasionally use the dwelling. Notwithstanding, from a planning perspective, I'm of the view the dwellinghouse use of the land has not been abandoned and periods of no residential occupation does not mean the lawful use of the site has ceased. As such, in my view, it is appropriate to discount the existing floor space from the total liability as indicated on the CIL form.

7.0 **CONCLUSION**

7.1 The proposed development is of a high-quality design. Whilst it is larger in scale and height than the existing dwelling, the additional built form will not have a detrimental impact on the rural settlement character or wider landscape within an Area of Outstanding Natural Beauty. The height of the development is in keeping with other surrounding dwellings and there is unlikely to be any significant impact on the neighbouring amenity. Sufficient private amenity and off road parking is provided and there is unlikely to be any significant impact on the highway network. On balance, in conjunction with the attached conditions, the development accords with Development Plan policies.

8.0 **RECOMMENDATION**

8.1 **That planning permission is granted subject to the following conditions:**

1. **Commencement three years - full planning permission.**
2. **Approved plans.**
3. **Schedule of materials (by photographic panel).**
4. **Obscure glazing on north eastern side elevation first floor window.**
5. **Levels (details required) – slab, finished floor levels and ridge levels.**

6. Full landscaping details (including hardsurfacing and boundary treatment).
7. Wildlife protection – development to be in accordance with bat mitigation strategy.
8. Parking and turning areas implemented prior to occupation.
9. No garage conversion into accommodation.

Author: Luke Veillet
Contact No: 01235 422600
Email: planning@southoxon.gov.uk

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