
APPLICATION NO.	P16/S3690/O
APPLICATION TYPE	OUTLINE
REGISTERED	23.2.2017
PARISH	STADHAMPTON
WARD MEMBER(S)	Caroline Newton
APPLICANT	Iverna Ltd
SITE	Land at Cat Lane, Stadhampton, OX44 7UN
PROPOSAL	Outline application for the erection of two detached dwellings. (as amended and supported by Agent's email and attached documents received on 23 February 2017, and as amplified by ecology survey received 7 September 2017).
OFFICER	Luke Veillet / Katherine Canavan

1.0 INTRODUCTION

- 1.1 The application has been referred to Planning Committee because the officer's recommendation conflicts with the views of the Parish Council. The objections raised are as follows:
- Poor access
 - Damage to track from large construction vehicles
 - Increased traffic impacting on narrow track and public footpath
 - No access agreed over private land (civil matter)
- 1.2 The development site is located south-east of Stadhampton green, outside the built limits of the settlement. The undeveloped site sits between The Old Hunt Stables and Cat Lane Cottages and is accessed via a narrow private road, Cat's Lane, which is connected to the highway along The Green.
- 1.3 Area designations and site constraints:
- The site is located 340m west of Ascott Park (Registered Park and Gardens)
 - Great Crested Newts (protected species) have been identified close to the site at Manor Pond
 - Grade II Listed buildings and structures: The Manor House (and attached front wall, piers and railings), and ice house; Green House; Lime Cottages (and outbuildings).
 - The following Public Rights of Way are located close to the site: Stadhampton Footpaths 1, 2 and 19, and Stadhampton Bridleway 4.
- 1.4 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 The applicant seeks outline permission for the erection of two detached dwellings and access onto Cat Lane.
- 2.2 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Stadhampton Parish Council	<p>Objection: Poor access Damage to track from large construction vehicles Increased traffic impacting on narrow track and public footpath No access agreed over private land (civil matter)</p> <p>Objection maintained (as above)</p>
Highways Liaison Officer (OCC)	<p>Objection: Site not shown to connect to highways land Limited forward visibility and passing opportunities Lack of information on servicing and refuse collection Over-reliance on private transport, increasing vehicle movements on narrow lane</p> <p>No strong views: Transport appraisal and additional information addresses previous concerns. Conditions recommended.</p>
Countryside Officer	<p>Holding objection: Site visit indicates habitats with high biodiversity potential, and great crested newts have been identified 90m away. Detailed survey required to make full assessment.</p> <p>No objection: Surveys address previous concern. Condition recommended.</p>
Conservation Officer	<p>No strong views: Significance of the nearby listed buildings and the Registered Park and Gardens of Ascott Park unaffected by proposal.</p>
Countryside Access	<p>No strong views: General public right of way guidance recommended.</p>

Neighbour representations - 6 objections received to original proposal;

- Unsuitable narrow access track – no street lighting, pavement, passing places or turning area at end of lane
- Lane cannot accommodate any additional households or vehicles – damage is caused to properties and walls by vehicles as it is
- Increased traffic impacting on narrow track and public footpath
- Unsuitable access for construction vehicles; residents' access would be obstructed by construction traffic
- No existing access to site
- Loss of undeveloped agricultural land
- Raised levels of plot would result in overlooking and loss of privacy to nearby neighbours
- Integrity of boundary treatment with adjoining properties
- Impact on open countryside
- Over-reliance on private transport
- Pressure on sewerage and waste removal services
- With sizeable levels of development planned for Stadhampton and Chalgrove, this proposed small development is not required
- Previous refusal of residential development at appeal (1986)
- No access agreed over private land (civil matter)

Neighbour representations - 8 objections received following the receipt of additional information

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| <ul style="list-style-type: none"> • Previous objections maintained • Additional information does not address concerns • Information and consultation advice provided by technical officers and applicant challenged by residents |
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4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P84/N0698/O](#) - Refused (03/04/1985) - Appeal dismissed (10/02/1986)
Erection of one dwelling house, access (As amended by plans and Section 27 Notice accompanying Agents letter dated 6 February 1985)

[P69/M0642](#) - Refused (31/12/1969)

SITE FOR 2 DETACHED BUNGALOWS WITH GARAGES. ACCESS

[P57/M0528](#) - Refused (03/09/1957)

SITE FOR DWELLINGHOUSES WITH ACCESSES

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Core Strategy (SOCS) Policies
CS1 – Presumption in favour of sustainable development
CSS1 – The overall strategy
CSR1 – Housing in villages
CSQ3 – Design
- 5.2 South Oxfordshire Local Plan policies
C4 – Landscape setting of settlements
G2 – Protect district from adverse development
H4 – Proposals for houses
D1 – Design
D2 – Parking provision
D3 – Plot coverage and garden areas
D4 – Privacy and overlooking
D10 - Waste Management
T1 – Safe, convenient and adequate highway network for all users
T2 – Unloading, turning and parking for all highway users
- 5.3 Neighbourhood Plan policies
While early discussions have taken place with Stadhampton Parish Council, no formal plan is progressing at the moment.
- 5.4 Supplementary Planning Guidance/Documents
South Oxfordshire Design Guide 2016 (SODG 2016)
- 5.5 National Planning Policy Framework (NPPF)
National Planning Policy Framework Planning Practice Guidance (NPPG)
- #### 6.0 **PLANNING CONSIDERATIONS**
- 6.1 The key planning considerations in determining the application are:
- Principle of residential development
 - 5 Year Housing Land Supply position
 - Sustainable development
 - Impact on rural character

- Highway safety and access
- Additional matters

6.2 **Principle of residential development**

Proposals for new dwellings are required to meet the criteria set out in policy CSR1 of the South Oxfordshire Core Strategy (SOCS). The aim of the policy is to locate new development in areas that can support additional households with the services, facilities and transport connections that are already provided in a village or town. In terms of reviewing planning proposals, policies require that residential development is directed to sustainable locations. These locations, where new residential development may be acceptable, are identified in 'Appendix 4 – Category list for settlement strategy' of the SOCS. In these particular towns and villages development may be acceptable as long as the development area sits within the built limits of the settlement and can be defined as 'infill' development.

The proposed development site lies to the side of The Old Hunt Stables and to the rear of Cat Lane Cottages which are three of the seven properties on Cat Lane. The dwellings form a small cluster of development which is detached from the main body of the settlement, being separated from the village by the green. The proposal site lies outside of the confines of Stadhampton, away from any settlement identified within the SOCS settlement hierarchy. The principle of a residential development in this location would ordinarily be contrary to housing policy, unless there are material considerations that offset the harm.

6.3 **5 Year Housing Land Supply position**

The weight to be attached to the council's policies for the supply of housing needs to be considered in the context of the five year supply of deliverable housing sites (NPPF, paragraph 49). Recent appeal decisions have concluded that policies CSH1 and CSR1 are out of date due to the housing land supply shortfall but inspectors have given considerable weight to the underlying spatial strategy – policy CSS1. The appeal decisions have also clarified that the presumption in favour of sustainable development, set out in Paragraph 14 of the NPPF (and drawn through to policy CS1), continues to apply.

For this reason, the principle of the development is dependent on its level of sustainability and in establishing whether there is other harm that would significantly and demonstrably outweighs its benefits.

6.4 **Sustainable development**

Outline planning permission was refused in 1985 for the erection of one dwelling on the site and the subsequent appeal was dismissed. The Planning Inspector concluded that the site was outside the built-up limits of the settlement and that the erection of a new dwelling would consolidate development around Cat Lane and extend the built-up limits of the settlement into the countryside.

The main route to the village is along a made single lane track. Although there are no pavements or streetlights, it is recognised as being a Public Right of Way. Vehicular traffic is light and generally travelling at slow speeds, as a result of the lane being a dead end and only serving the 7 dwellings on the lane. The site is 370m from the edge of the village, and services and facilities include a primary school, village shop, a petrol filling station, two pubs, village hall and an hourly bus service between Oxford, Chalgrove and Watlington. There are also sports clubs, a cinema club and activity clubs in the village hall. Residents would not be solely reliant on private transport to

reach other services, and could access services in the village with relative ease and by foot, without being exposed to highway risk.

While the site is still considered to be located outside the built limits, the planning context has altered since 1985, and both the sustainability of the village and the district's need for housing are material considerations that weigh positively in the planning balance.

6.5 **Impact on rural character**

Policy CSEN1 of the SOCS states that the district's distinct landscape character and key features will be protected against inappropriate development. Cat Lane is characterised as loose-knit development outside the built limits of the settlement, and the proposal for two dwellings would reduce the spacing to some degree. The gap that the site provides was also identified by the appeal inspector in 1985 as an important feature that helps to maintain the rural character of the area.

In assessing the current context of the site, views into the site from the Public Right of Way / Shakespeare Way are screened by the built form of existing dwellings, and the units would continue to be seen against the backdrop of the loosely developed group. While it would not constitute infill development, it would sit between two dwellings; screened to the rear by hedging, and views from the south / south-west would be screened by trees along a field boundary.

The site is accessed via a lane running past the village green, which forms an integral focal point on the approach to the village, along with the important setting and the landscape / recreational benefits it provides. However, the application site is set beyond the green, and would be separated by existing dwellings at the entrance to the lane, and would not be visible from the green.

In summary, development of the site would reduce the gap between dwellings, but as the two dwellings would sit in amongst the small group of dwellings, it would retain the loose-knit character of the group, and the rural character of the group of dwellings would not be eroded. Given the screening provided by the nearby dwellings, and natural screening along the boundaries, the development would have minimal impact on the wider landscape setting or long-reaching views from key footpaths.

6.6 **Highway safety and access**

In accordance with policies T1 and T2, developments are required to provide safe and convenient access to the highway, and parking to meet the Parking Standards set out in the South Oxfordshire Local Plan – Appendix 5.

The Highways Liaison Officer initially raised concerns over the development boundary not including access to the highway, poor visibility, insufficient detail of waste storage and over-reliance on private transport. Further to the receipt of the Transport Access Appraisal Report, which provided additional highways information, the objection has been withdrawn.

On the basis of the additional information submitted, the current proposal addresses highways concerns, as follows:

- Amended plan C169.03F shows the red-lined development area abutting the highway – Cat Lane / The Green.
- Sightlines can be achieved measuring 2.4 metres x 43 metres, in an area where there is slow moving and infrequent traffic. The visibility exceeds the required 'Manual for Streets' sightlines.
- There is ample space on-site to meet Development Plan policies relating to waste and recycling storage – details to be provided at reserved matters stage.

- Future occupants would not be solely reliant on private vehicles, given the ease of pedestrian access to the village and the sustainability of the village (as identified in the SOCS settlement hierarchy assessment).

The proposal involves the creation of a new access. As set out above, the new access can be provided with the necessary sightlines, and would open out onto a lane where there is slow moving and infrequent traffic. There is sufficient space on site to provide parking and on-site turning to serve two households. On this basis the new access would not result in harm to highway safety, or increase pressure for parking on or obstructing the lane.

6.7 **Additional matters**

6.7i **Ecology and biodiversity**

There are records of Great Crested Newts (protected species) 90m north of the site in Manor Farm pond, and also other ponds within 500m of the site potentially creating a network of aquatic habitats capable of supporting a meta-population. This has prompted the need for a great crested newt survey and a reptile survey of the site to accurately assess the impact of the development on ecology.

The report concluded that there would be no foreseeable impacts on great crested newts or their habitats as a result of the proposals. The footprint of the proposed development is not considered to offer terrestrial habitat to the species, as there is no obvious shelter for great crested newts and the grassland is managed in such a manner that makes it unsuitable for amphibians whilst they are on land. Notwithstanding this, the report recommends a cautionary approach is taken and that contractors are briefed on the ecological sensitivities of the area.

Further to the submission of detailed ecology information, the Ecology Officer has no objection, subject to the development being implemented in accordance with the report's recommendations.

6.7ii **Detail - Scale, design, site layout and impact on neighbouring occupants**

The outline application only considers the matters of two residential units and access; there is no requirement as part of the outline application to establish the internal layout, height, external detailing or openings, other than to establish that the proposal is deliverable within the space and constraints of the site. These details would be assessed at reserved matters stage.

Given the size of the site and its relationship with neighbouring buildings, I am satisfied that two dwellings could be accommodated on the site with safe and appropriate access onto the highway. The dwellings are also of an appropriate scale and have openings that would avoid harm to the amenity of neighbouring occupants. There is sufficient space to provide associated parking and amenity space, subject to the detail conforming to Development Plans policies at reserved matter stage.

6.7iii **Heritage significance**

The site is located 340m west of the Registered Park and Garden of Ascott Park. The manner in which the park is experienced in this part of its setting will not be altered. The footpath that leads to the western edge of the park from the top of Cat Lane would not be altered by modest development on the application site. As such, the legibility of the historic layout of the park that is experienced from this footpath would not be altered. The development would lie in an area of existing modest development along Cat Lane and would not appear as alien or distinct here. For these reasons, the application is consistent with the tests established by Paragraph 132 of the NPPF and Local Plan Policy CON15.

Similarly, the setting to nearby listed buildings would not be harmed. The indicative siting of the proposed dwellings would largely follow the pattern of development along Cat Lane where buildings are detached in spacious plots and sited close to the lane frontage. The modest scale of development along Cat Lane would remain and the legibility of the open rural parts of the settlement would be unaffected by the development. The wider setting of the listed buildings, in as much as it contributes to their significance, would not be harmed. As such, the application is consistent with the statutory tests of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the tests established by Paragraph 132 of the NPPF and Local Plan Policy CON5.

6.7iv Construction traffic

Some disturbance during development is unavoidable, but given the small scale of development, a construction management plan would not be required. Although the lane is narrow, there is sufficient space on site for construction access and storage to minimise congestion while deliveries are taking place.

6.7v Securing right of way to access site over private land

Cat's Lane is a private lane, but the applicant's location plan has been amended to indicate the development area extends to the highway. With regard to obtaining access across the land, this constitutes a private matter. While it will need to be resolved for the permission to be implemented it is not a planning matter and does serve as a planning reason to prevent a proposal from being determined.

6.7vi Community Infrastructure Levy

The CIL charge applied to new build residential development is £150 per square metre (adjusted to £157 as per indexing figure January 2017) in Stadhampton. 15% of the CIL payment will go directly to Stadhampton Parish Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects. The floor area would be calculated at reserved matters stage, when the details of the development are provided.

7.0 CONCLUSION

7.1i I recommend that outline planning permission is granted.

7.1ii Whilst the site is located outside the built limits of a smaller settlement, which would ordinarily be unable to support such a level of development, in light of the district's 5 year housing supply under-provision, the development has also been considered in light of the site's sustainability, and whether there is other harm that outweighs the benefits.

7.1iii Both the sustainability of the village and the district's need for housing are material considerations that weigh positively in the planning balance. The two dwellings would reduce the gap in a rural context but by virtue of sitting in amongst the small group of dwellings, it would retain the loose-knit character of the group, and the rural character of the group of dwellings would not be eroded. The development does not pose risk to highway safety or present pressure to the highway network in terms of obstruction or on-street parking.

In terms of the 5 year housing land supply position, the site represents a sustainable location, despite being located outside the built limits of a smaller village. In assessing any potential harm associated with the development, there are no material considerations that represent significant and demonstrable harm, or that would outweigh the benefits.

- 7.1iv Sufficient detail has been provided to establish that 2 dwellings and the access can be accommodated on the site. Taking into account the sustainable nature of the development, and having concluded that these benefits are not outweighed by any harm, I recommend the application for approval.

8.0 RECOMMENDATION

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

- 1. Commencement - outline with reserved matters (appearance, landscaping, layout, scale).**
- 2. In accordance with plans (access).**
- 3. New vehicular access.**
- 4. Vision splay protection.**
- 5. In accordance with ecology survey.**

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