

<b>APPLICATION NO.</b>	<a href="#">P17/S2452/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	6.7.2017
<b>PARISH</b>	HIGHMOOR
<b>WARD MEMBERS</b>	Charles Bailey & David Nimmo-Smith
<b>APPLICANT</b>	Ms Crocker
<b>SITE</b>	Land adjacent to 1 Post Office Cottages, Highmoor, Cross, RG9 5DS
<b>PROPOSAL</b>	New detached residential property (As amended by plans received 7 September 2017 to amend elevations and further by plans received 25 September 2017 to amend scale of dwelling).
<b>OFFICER</b>	Marc Pullen

1.0 **INTRODUCTION**

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

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) belongs to the curtilage of 1 Post Office Cottages. The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB).

2.0 **PROPOSAL**

2.1 This application seeks planning permission for the erection of a two storey detached dwelling.

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](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Highmoor Parish Council – Object**

- Property would be out of keeping with the grade II listed church, the street scene and neighbouring Post Office Cottages
- Speed survey supporting the application does not tally with Parish's own
- Concerns relating to sightlines and access/egress

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

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

**Neighbours - Object (3)**

- Neighbour's garden would be faced with brick wall and tile edifice
- Loss of tree would be bad
- Increased use of a shared access could cause logistical issues
- Impact on neighbour's garden and their privacy
- Property would be too large for its plot
- Not in keeping with the Victorian terraced houses
- Concern relating to an increase in vehicular traffic locally
- Property would be overly dominant
- Unsympathetic design that will spoil the character of a beautiful green surrounded by character Chiltern red brick houses
- New road access very close to a dangerous junction

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P16/S3995/FUL](#) – Withdrawn Prior to Determination (30/01/2017)  
Transportable Log Home and associated works.

5.0 **POLICY & GUIDANCE**

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

5.2 **South Oxfordshire Core Strategy 2012 policies;**

- CS1 - Presumption in favour of sustainable development
- CSB1 - Conservation and improvement of biodiversity
- CSEN1 - Landscape protection
- CSEN3 – Historic environment
- CSQ3 - Design
- CSR1 - Housing in villages
- CSS1 - The Overall Strategy

5.3 **South Oxfordshire Local Plan 2011 policies;**

- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON5 - Setting of listed building
- 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
- EP6 - Sustainable drainage
- 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 2016**

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning issues related to this development are:

- The principle of residential development
- Impact on both the character and appearance of the site and its surroundings
- Impact on the amenity of neighbouring properties
- Impact on nearby trees
- Impact that the development might have on the highway
- Other matters

**Principle of residential development**

- 6.2 The site lies within Highmoor parish to the east of nos. 1-3 Post Office Cottages, north-west of St Paul's Church and west of nos. 1-2 Church Cottages. In this location the principle of residential development is largely governed by Policies CSS1 and CSR1 of the South Oxfordshire Core Strategy (SOCS, 2012), which allows for new housing in Highmoor on suitable infill or redevelopment sites.

- 6.3 The definition of infill as stated within the SOCS is 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. It is my view that this site would meet the definition of infill development owing to its location and proximity to existing built form. In addition the

development would fill a visual gap between existing buildings to either side. As such the principle of the development would be broadly supported by Policy CSR1 of the SOCS and Policy H4 of the South Oxfordshire Local Plan (SOLP, 2011).

#### **Impact on character and appearance**

- 6.4 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” (paragraph 24, NPPG).
- 6.5 Policy CSQ3 of the SOCS allows for new development that is of a high quality and inclusive design that responds positively to and respects the character of the site and its surroundings, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting. Policies D1 and G2 of the SOLP seek to protect the district from any adverse development and seek to support development that reinforces local distinctiveness and settlement types and their character. Policy H4, criteria (i) (ii) and (ii), of the SOLP require development to: be of a design, height, scale and appearance that responds with its surroundings; to be in keeping with the character of the area and not result in an important open space of important value being lost.
- 6.6 The site lies within the Chilterns AONB. Council policy and guidance states that new development should conserve and enhance the Chilterns AONB for its landscape character and key features.
- 6.7 The proposed development is mostly two storey but has a single storey aspect to the rear. The dwelling would measure an overall height of 7.5 metres. The properties to the west (nos.1-3 Post Office Cottage) measure an overall height of approximately 7.9 metres. Highmoor Cottage measures an overall height of 6.7 metres. The siting of the dwelling would be forward of the build line of neighbours and the garden allocation would be sited mostly forward of the proposed dwelling. The proposed garden area would exceed the advised requirement set out within the South Oxfordshire Design Guide (SODG) for a three bedroom dwelling of 100 square metres.
- 6.8 The locality is largely dominated by semi-detached and terraced properties. These properties are of similar design and portray a red brick and clay tile appearance. The proposed dwelling would have an open façade which would actively front onto the highway. The façade treatment of the proposed dwelling would be relatively uncomplicated with a clear symmetry and uncomplicated roof form. The appearance of the property seeks to draw from local built form with a notable example set by nearby Highmoor Cottage. The massing of the property is broken up with a single storey rear aspect and simple porch to the front of the property. In officer’s view the massing of the property is not discordant with local built form and does not introduce an incongruous design upon the street scene. The physical presence of the dwelling, as a result of its forward position, would be offset in part by the subservient height of the dwelling when held in comparison to neighbouring nos. 1-3 Post Office Cottages.
- 6.9 The scale, in officer’s view, is acceptable given the size of the plot and the physical constraints on site. Sufficient amenity area and parking would be provided on site and as a result officers do not consider the development to represent an overdevelopment or a cramped form of development on this site. Within the immediate area there is a variation in plot sizes, with a number of properties which fall below that of the size of

this proposed plot. The retained garden area for no.1 Post Office Cottage would largely be dominated by the driveway and parking spaces for the property. However when excluding this area, there would continue to be sufficient amenity space in accordance with the advice set out within the SODG. In officer's view the retained garden area would not be incongruous in the context of this area. It would not be too dissimilar to the plot size and amenity provision of no.3 Post Office Cottage.

- 6.10 The proposed use of materials is to be confirmed in greater detail should planning permission be granted. Indicatively it appears the dwelling would be finished in red brick and red clay tiles. This would be in keeping and typical of the local vernacular. It is officer's view that the appearance of the dwelling would not adversely harm the Chilterns AONB and the design and appearance of the dwelling seeks to enhance local built form by drawing upon nearby dwellings. The trees on site and surrounding the site make an important contribution to the rural character of the site and the impact upon these features will be explored later in this report.

#### **Impact on neighbour amenity**

- 6.11 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.
- 6.12 The proposed development has been designed to avoid any direct overlooking of neighbours to limit impact upon privacy. A condition is attached which seeks to safeguard the amenity of neighbouring no.1-2 Post Office Cottages by ensuring any side facing windows would be obscure glazed and to restrict any additional openings being proposed on the south (rear) facing elevation. The siting of the proposed dwelling; more than 12 metres away from neighbouring no.1 Post Office Cottage would ensure that the development does not have an overbearing impact upon this property or any of the windows serving habitable rooms. The proposed dwelling would lie to the north-east of this dwelling and would avoid any physical obstruction of sunlight. In officer's view the proposed dwelling would not adversely impact upon the daylight of this neighbour either.
- 6.13 Due to the complicated arrangement of these properties, garden areas are somewhat dispersed and disjointed and the garden area of no. 2 Post Office Cottage lies to the rear of this site. Objections have been raised by neighbouring no.2 Post Office Cottage regarding the proximity that the proposed dwelling would have on the boundary to their garden area. It is due to the height and size of the dwelling proposed that this neighbour is concerned. Further to this the loss of the silver birch tree would open this boundary up which the neighbour considers harmful.
- 6.14 Efforts have been made to reduce the impact upon this garden area by designing out windows and by reducing the height of the rear aspect from two storey to single storey. The dwelling would be sited two metres from the boundary to no.2 Post Office Cottage's garden area. It is officer's view that the presence of the proposed dwelling from the neighbour's garden area would not be adversely harmful. The garden is currently cast into shadow for the most part of the day due to the line of protected lime trees and horse chestnut tree which run alongside the access to St Pauls Church. The garden functions as an ancillary area for the property to enjoy and this in officer's view would not be prevented by having this proposed dwelling built. It is officer's view that having the proposed dwelling across the boundary to the garden would not render the garden unusable and it would not be adversely overlooked or cast into shadow. It is

officer's view therefore that the amenity of these neighbours would be safeguarded and would not be adversely harmed.

### **Impact on trees**

- 6.15 Policy C9 of the SOLP 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, and/or provide all or part of an important wildlife habitat and/or have important historical value. As has already been referred to, the site is bounded by a row of protected trees consisting of five lime trees and one horse chestnut. The site is also within the Chilterns AONB.
- 6.16 The proposal will require the removal of a mature Silver Birch within the garden, its loss is regrettable however the proposed mitigation planting shown on the landscaping plan will more than compensate for its loss over time. In time the proposed planting will soften the impact of the dwelling when viewed from the highway. The location of the dwelling is far enough away from the protected trees and the proposed tree protection measures shown on the tree protection plan are considered acceptable, therefore the council's forestry officer has no objection to the proposed development on arboricultural grounds. Conditions are requested to ensure these trees are protected in accordance with the details submitted. Permitted development rights should be removed to ensure that any future applications to extend the property or to site outbuildings do not have any impact upon these trees.

### **Parking and Access**

- 6.17 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. Policies H4, T1 and T2 of the SOLP seek to ensure among other things that all developments make provision for safe and convenient access to the highway network and be served by an adequate road network. Development should provide for sufficient parking and access arrangements in accordance with the Council's parking standards.
- 6.18 The proposed dwelling would be served by the existing access and not by a new access. On behalf of Oxfordshire County Council, the highway liaison officer raises no objection to the proposed development, citing that the development is unlikely to have a significant adverse impact on the highway network. Conditions have been requested to seek improvements to the existing access to accommodate the new dwelling, to achieve sufficient visibility splays at the access and to secure parking and manoeuvring areas.

### **Other matters**

- 6.19 The council does not consider that there would be any ecological impact caused as a result of this development.
- 6.20 The council's conservation officer raises no objection to the proposed development having regard to the impact on the setting of nearby St Paul's Church. Previously the conservation officer was principally concerned with the impact upon the tree line which separates the church from the site. Matters relating to these trees have been assessed and subject to conditions these will be protected. The design of the dwelling is in keeping with the local buildings and as such the character is not considered to be

compromised. It is officer's view that the impact on the setting of the grade II listed church would not be harmful.

- 6.21 Community Infrastructure Levy (CIL) - The council's CIL charging schedule has 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 dwelling and is charged on floor area. The CIL charge applied to new residential development in this case is £150 (index linked) per square metre of floorspace (Zone 1). Of this payment, 15% will go directly to the parish council (as they do not have an adopted Neighbourhood Plan) for spending towards local projects.

7.0 **CONCLUSION**

- 7.1 Planning permission should be granted as the proposed development is considered to comply 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, protected landscape features, 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. **Commencement of development within three years.**
2. **Development to be carried out in accordance with the approved plans.**
3. **Schedule of materials to be agreed prior to the commencement of development.**
4. **Levels (details required) to be agreed prior to the commencement of development.**
5. **Obscure glazing to first floor side facing windows in the west elevation.**
6. **No windows, doors or other openings to the south elevation.**
7. **Withdrawal of permitted development rights for extensions (Part 1 Class A).**
8. **Withdrawal of permitted development rights for outbuildings (Part 1 Class E).**
9. **Existing vehicular access to be improved.**
10. **Vision splay details to be agreed prior to occupation.**
11. **Parking and manoeuvring areas retained in accordance with the approved plans.**
12. **Tree protection (implementation as approved).**

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