

APPLICATION NO.	P17/S2845/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	9.8.2017
PARISH	Stoke Row
WARD MEMBERS	David Nimmo-Smith Charles Bailey
APPLICANT	Mr Stow
SITE	Land adjacent to Village Green, Newlands Lane, Stoke Row, RG9 5PS
PROPOSAL	Erection of two 4-bedroom dwellings and formation of vehicular access.(as amended to reduce the width of the access and indicate sight lines)
OFFICER	Tom Wyatt

1.0 **INTRODUCTION**

1.1 This application is referred to Planning Committee due to a conflict between the Officers' recommendation and the views of Stoke Row Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is currently an undeveloped area of land totalling approximately 0.2ha. The site located within the Stoke Row Conservation Area and is surrounded by existing housing to the north, east and partially to the south. The site also borders the village green to the south and Newlands Lane to the west. Stoke Row lies within the Chilterns Area of Outstanding Natural Beauty (AONB).

2.0 **PROPOSAL**

2.1 Planning permission was granted in November 2015 under application P13/S3896/FUL for the erection of a single dwelling on the site. This permission remains extant but unimplemented.

2.2 This application seeks planning permission for the erection of two detached two storey dwellings. The dwellings would be almost identical in size and would be approximately 12 metres wide, 13 metres deep and 6.8 metres high. The design of both dwellings would be similar but differences in the elevational treatment are expressed through the front and rear elevations of each dwelling effectively being swapped.

2.3 The dwellings would be served by a single access point off Newlands Lane and would be set back by over 30 metres from the road. The front part of the site is proposed to be set aside to provide an orchard area outside of the main garden areas of the proposed dwellings, which would be provided to the rear.

2.4 A copy of the plans accompanying the application is **attached** as Appendix B. Other documentation relating to the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Stoke Row Parish Council** – Objects to two houses on this sensitive site within the Conservation Area. The proposed demonstrates a lack of varied design, and the widened access and parking areas are not acceptable. One well designed dwelling should be the maximum permitted.

- 3.2 **Conservation Officer**– No objections. Flint work must be traditionally laid knapped flint in slim mortar beds. There should be no development to the west of the proposed built form. Management of orchard area will need to be agreed.
- 3.3 **Waste Management Officer (District Council)** – Waste provision requirements outlined
- 3.4 **Countryside Officer** - No objections
- 3.5 **Forestry Officer** – No objections subject to tree protection and landscaping conditions.
- 3.6 **Highways Liaison Officer (Oxfordshire County Council)** – No objections subject to conditions.
- 3.7 **Drainage Engineer (MONSON)** – Surface water drainage details should be agreed by condition.
- 3.8 **Neighbours** - 7 letters of objection received raising the following concerns:
- Further details are required to properly assess the impact of the development.
 - Houses are too similar in design
 - Parking area too large in relation to visual impact
 - How will orchard area be managed?
 - Hazardous access in terms of visibility
 - Detrimental impact on the character and appearance of the area
 - Impact on wildlife

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P13/S3896/FUL](#) - Approved (18/11/2015)

Erection of a two storey, 4 bedroom house and detached two-bay garage parking and driveway (garage, parking and driveway repositioned to north-western part of site and appearance of dwelling revised with steeper pitch roofs, lower eaves and altered window design, as shown on amended plans received 25th June 2015).

A copy of the plans associated with the above planning permission is **attached** as Appendix C.

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Core Strategy (SOCS) Policies:
- CS1 - Presumption in favour of sustainable development
 - CSB1 - Conservation and improvement of biodiversity
 - CSEN1 - Landscape protection
 - CSEN3 - Historic environment
 - CSH1 - Amount and distribution of housing
 - CSH2 - Housing density
 - CSM1 - Transport
 - CSQ2 - Sustainable design and construction
 - CSQ3 - Design
 - CSR1 - Housing in villages
 - CSS1 - The Overall Strategy
- 5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) Policies;
- C4 - Landscape setting of settlements

- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON5 - Setting of listed building
- CON7 - Proposals in a conservation area
- 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 - Adverse affect by noise or vibration
- 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

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations in relation to this application are:

1. Principle of the development
2. Impact on the character and appearance of the site and surrounding area
3. Impact on the amenity of neighbouring occupiers
4. Highway considerations
5. Other material considerations

Principle of Development

6.2 Further to the grant of planning permission under application P13/S3896/FUL for a single dwelling on the site, the principle of new housing on the site remains acceptable. The site lies within the settlement of Stoke Row, a smaller village having regard to the council's settlement hierarchy, where the principle of infill housing on sites of up to 0.2ha is acceptable.

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

6.3 The site is in a sensitive location having regard to being within the Stoke Row Conservation Area and Chilterns AONB. In relation to development within a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'. This is reflected by Policy CON7 of the SOLP, which states that development will not be permitted which would harm the character or appearance of a conservation area.

- 6.4 Policy CSEN3 of the SOCS states that the district's historic heritage assets (including Conservation Areas) will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Guidance within the NPPF also seeks to manage the planning of the historic environment in an appropriate way and it states at Para. 131;

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality*
- the desirability of new development making a positive contribution to local character and distinctiveness.*

- 6.5 The Stoke Row Conservation Area is focused on the village green, and the surrounding area is characterised by a low density of dwellings laid out informally on generous plots. The Stoke Row Character Appraisal explains that within the conservation area the open spaces and groups of trees predominate and that buildings are subservient to this. The proposed dwellings would be sited in a similar part of the site to the already approved dwelling. This allows for the front half of the site to retain its undeveloped appearance and for the continuation of the open space of the village green through the front of the site, which is particularly important in views from the south.
- 6.6 The widened access would be a prominent feature adjacent to Newlands Lane, and this, along with the loss of vegetation to facilitate the access, would detract from the appearance of the immediate street scene. However, the access would only be 2 metres wider than the previously approved access and the visual impact from the access is limited to a short section of Newlands Lane due to the alignment of the road and boundary vegetation. The urban form of the access would also be softened by the proposed orchard area to the front of the site.
- 6.7 The dwellings would be set back over 30 metres from Newlands Lane, in a similar position on the plot to the previously approved dwelling. The dwellings, particularly Plot 2, would be visible from Newlands Lane but would not be intrusive due to the relatively modest scale and height of the development and the softening effects of the orchard area to the front of the site. Importantly the siting of the dwellings, and their modest height, means that the development would not be visually prominent in important views from the village green to the south with the attractive frontage of The Old Bakery still dominating the views from this direction.
- 6.8 The design of the dwellings is simple and traditional and appropriate to the site's location within the Conservation Area. Whilst the dwellings are very similar in size and design, only the front elevations of the dwellings would be publicly visible and they are of sufficiently individual appearance to reflect the variety of building forms within this part of the Conservation Area.
- 6.9 Guidance contained within the NPPF states that great weight should be given to conserving the landscape and scenic beauty of AONBs. This is reflected in Policy CSEN1 of the SOCS. The site is within the built up area of Stoke Row and the development would be viewed in context with existing buildings. The lack of significant public views of the development from within the surrounding area, and the retention and supplementation of existing vegetation would ensure that the development would have a limited impact on the AONB and would conserve its landscape qualities in this locality.

Impact on the Amenity of Neighbouring Occupiers

- 6.10 Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. The development borders existing residential properties to the north, east and south. Plot 2 would be sited approximately 5 metres from the southern boundary whilst Plot 1 would be sited approximately 7 metres from the northern boundary. With these distances I consider that the dwellings would not cause any significant loss of light to the neighbouring garden areas. Furthermore there are no first floor side facing windows that would compromise the privacy of the adjoining garden areas to north and south.
- 6.11 The rear elevations of the dwellings would be sited between 14 and 20 metres from the boundary with The White House to the east. There is one small bedroom window facing over the application site in the west elevation of The White House. The distance between the rear gable window of Plot 2 and this bedroom window is slightly over 21 metres. This falls short of the guidance within the SODG, however, having regard to the modest size of the secondary window and the intervening garden area of Plot 2 Officers do not consider that the development would cause significant harm to the privacy of The White House. There would be a similar gap between the rear windows of Plot 1 and the west facing bedroom window of The White House. However, the angle between the respective windows is oblique and privacy would not unduly be compromised.
- 6.12 Both dwellings would be provided with generous garden areas that would comfortably exceed minimum standards set out within the SODG.

Highway Considerations

- 6.13 The proposed access would be in the same location as that approved in relation to application P13/S3896/FUL but would be widened to accommodate passing traffic close to the junction with Newlands Lane. The visibility splays to be provided would be consistent with those proposed under the previous scheme and as a result should be regarded as acceptable. Visibility to the north would be curtailed by existing vegetation, and this would need to be trimmed back and if necessary replanted further into the site. Visibility to the north is also curtailed by vegetation on the west boundary of Primrose Cottage, and visibility beyond the confines of the application site cannot be provided.
- 6.14 The visibility splays do not meet highway standards, however, this was accepted in relation to the previous scheme, and one additional dwelling would not result in a significant increase in traffic movements to warrant refusal on highway safety grounds having regard to Para. 32 of the NPPF, which states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

Other Material Considerations

- 6.15 The trees and hedges on the site and its borders make a positive contribution to the character of the site and its surroundings. With the exception of the access it is apparent that the development can be constructed with no significant loss of vegetation. There is also sufficient space, particularly to the front of the proposed dwellings to provide new planting, which will soften and enhance the appearance of the site as it matures.

- 6.16 There is no evidence of any protected species being present on the site, and the council's Countryside Officer has raised no objections to the proposal.
- 6.17 The development would be liable to pay the Community Infrastructure Levy (CIL) at a rate of £150 per square metre with 15% of the funds going to the Parish Council in the absence of a Neighbourhood Plan.

7.0 CONCLUSION

- 7.1 The application proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would be acceptable in principle, preserve the character and appearance of the Stoke Row Conservation Area and the openness of the village green, safeguard important landscape features, would not detract from the residential amenity of adjoining occupiers, and would not give rise to conditions prejudicial to highway safety.

8.0 RECOMMENDATION

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. Levels to be agreed prior to commencement of development.**
- 4. Samples of all external materials to be submitted and agreed prior to commencement of development.**
- 5. Sample panel of flint work to be knapped flint in slim mortar beds to be submitted and agreed prior to commencement.**
- 6. Flush fitting conservation roof lights.**
- 7. No additional first floor windows or roof openings.**
- 8. Withdrawal of permitted development rights for extensions and outbuildings.**
- 9. Improvements to existing vehicular access to be implemented prior to occupation of the dwelling.**
- 10. Vision splay details implemented and retained as approved.**
- 11. Parking and manoeuvring Areas retained as approved.**
- 12. No surface water drainage to the public highway.**
- 13. Any gates to be set back a minimum of 5 metres from the carriageway.**
- 14. Soft landscaping scheme including details of planting of trees and any replacement hedgerows and hard landscaping including driveway and parking surfacing and boundary treatments to be submitted and agreed prior to commencement.**
- 15. A long-term management plan for the orchard area to be agreed.**
- 16. Tree protection measures to be agreed prior to commencement of development.**

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