
APPLICATION NO.	P17/S0994/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	24.3.2017
PARISH	NETTLEBED
WARD MEMBER(S)	David Nimmo-Smith Charles Bailey
APPLICANT	Mr A Elston
SITE	13 The Ridgeway, Nettlebed, RG9 5AN
PROPOSAL	Erection of detached two storey 3 bedroom dwelling and formation of vehicular access and parking (parking layout revised, ridge height reduced and dwelling lowered into ground as shown on amended plans received 21st July 2017 and eaves lowered on northern side elevation as shown on amended plan received 7th November 2017 and floor plan received 4th January 2017).
OFFICER	Paul Lucas

1.0 **INTRODUCTION**

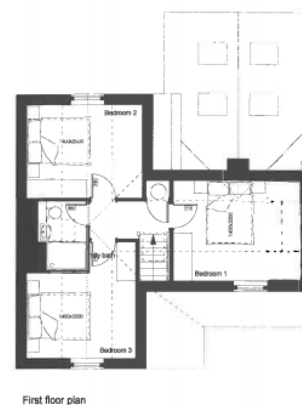
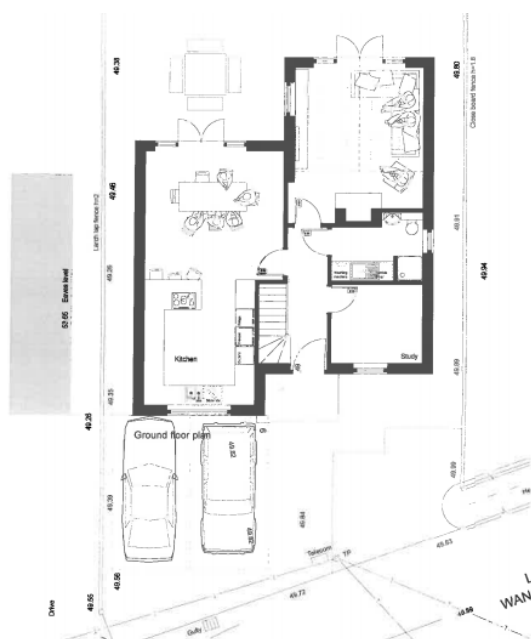
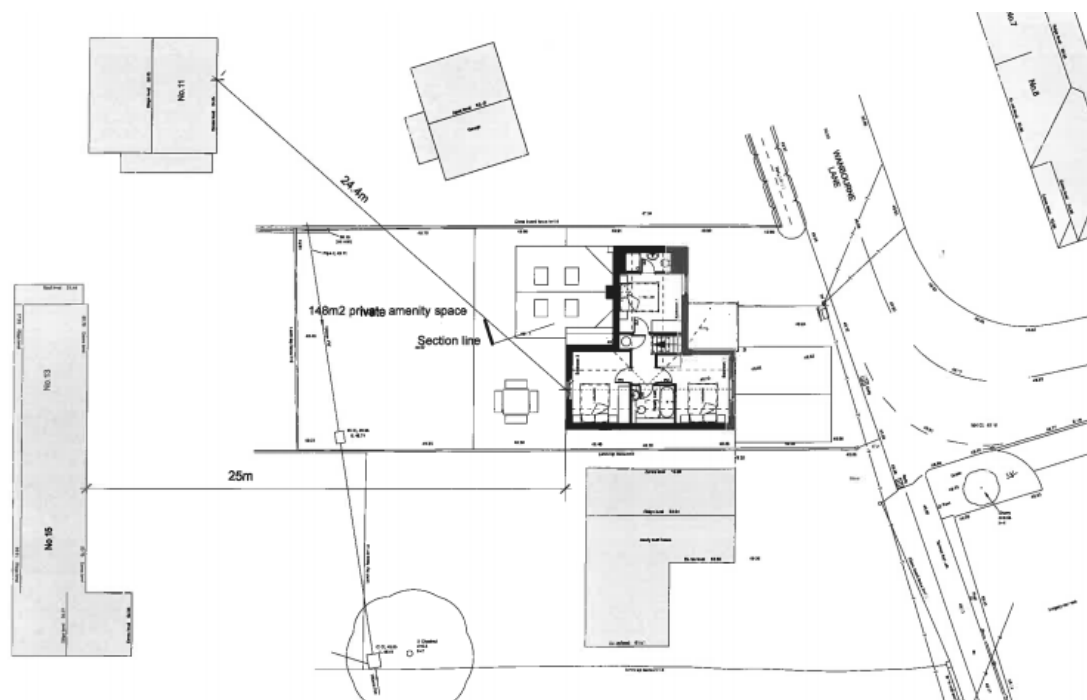
1.1 Officers recommend that planning permission should be granted. This report explains how officers have reached this conclusion. The application is referred to Planning Committee due to Nettlebed Parish Council's objection to the revised plans.

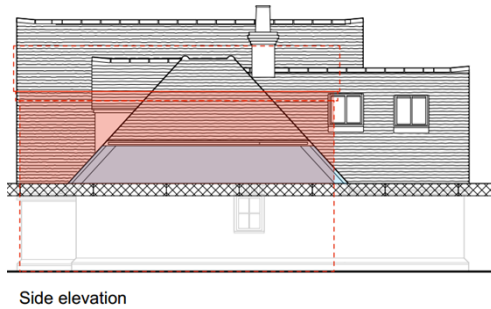
1.2 The application site is shown at **Appendix A**. It comprises part of the rear garden of 13 The Ridgeway, a semi-detached two storey dwelling located within the built-up confines of Nettlebed. The garden backs onto Wanbourne Lane and is close to the junction between Wanbourne Lane and Lion Meadow. The boundary with the road consists of close-boarded fencing with a narrow strip of verge in front. Wanbourne Lane has a narrow carriageway and there is a footpath on the opposite side of the road to the site. There is a slight slope downwards from north to south across the site. Most of the dwellings in the locality were built in the mid-20th century. There is a more recently constructed dwelling, No.9 Wanbourne Lane, located in the rear garden of No.15, directly to the south of the application site. The northern site boundary is denoted by the rear garden of No.11 The Ridgeway, where the main outdoor area of that property is located to the rear of the garden to the east of an air-raid shelter. There is a nearby surgery and associated car park, with its access located to the south of the aforementioned junction. There is also a public footpath that emerges onto the junction from the south between the surgery and the frontage of No.9. The Chilterns AONB washes over the village, but there are no other designations on the site.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the erection of a two-storey 3-bedroom dwelling and construction of a new vehicular access from Wanbourne Lane, as detailed in the current plans and supporting documents submitted with the application.

2.2 The application was amended to revise the parking layout, reduce the ridge height and eaves height next to No.11 and to lower the dwelling into the ground as shown on the current plans overleaf.





These plans can be viewed in full at **Appendix B** and other documents can be viewed on the Council's [website](#).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Nettlebed Parish Council** – Objection to original and amended plans, most recent response as follows:

- The single dwelling is almost equivalent in bulk to the earlier planning application - for two semi-detached dwellings on this small site.
- The *massive bulk* of the proposed dwelling is out of character with all the neighbouring dwellings, particularly 9 Wanbourne Lane, which it claims to emulate.
- The bulk of the proposed dwelling would cause *deprivation of light* to the neighbour to the north (11 The Ridgeway) for most of the year. The tweaking of ridge heights does nothing to eliminate this.
- No 9 Wanbourne Lane had a condition that came with approval: that the dwelling should be built far enough back from the road to ensure that an appropriate *turning circle be provided* at the front so that, at no time at this very busy junction, would vehicles have to reverse on to this narrow road. NPC insisted on this in our response on 8 August – this has not been addressed.

3.2 **Highways Liaison Officer** (Oxfordshire County Council) - No objection subject to conditions.

3.3 **Neighbours** – Six representations of objection, summarised as follows:

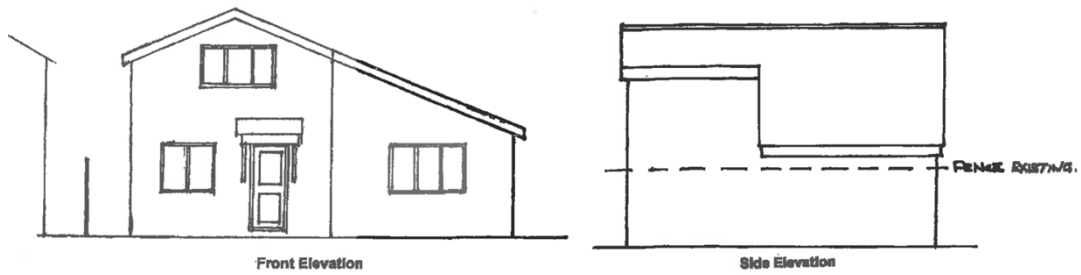
- Overbearing and intrusive and loss of light to No.11
- Loss of light to No.17
- Loss of privacy to No's 11, 13, 15 & 17
- Out of keeping with nearby properties
- Larger than approved house on this site; same as first application for pair of houses dismissed at appeal
- Unsuitable location for additional vehicular access
- Inadequate on-site parking

The above representations can be read in full on the Council's [website](#).

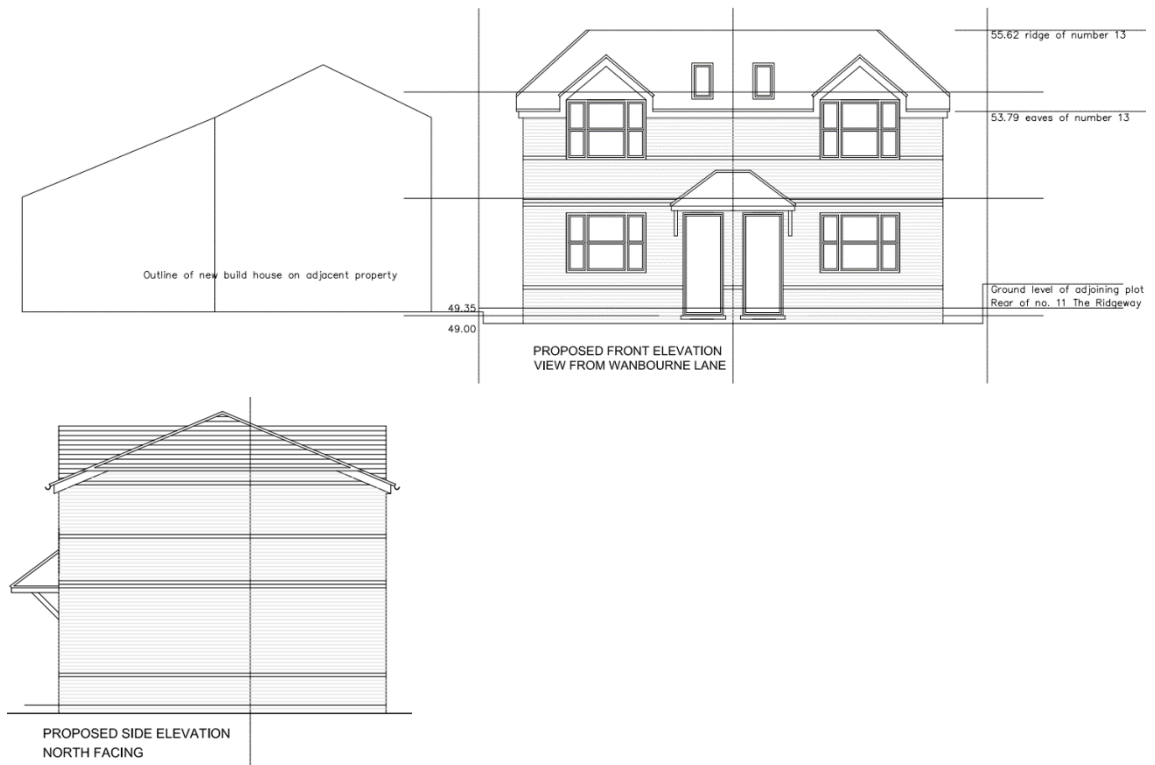
4.0 **RELEVANT PLANNING HISTORY**

4.1 On the application site:

[P16/S0972/FUL](#) - Approved (07/09/2016)
Erection of a two storey 2-bedroom dwelling.

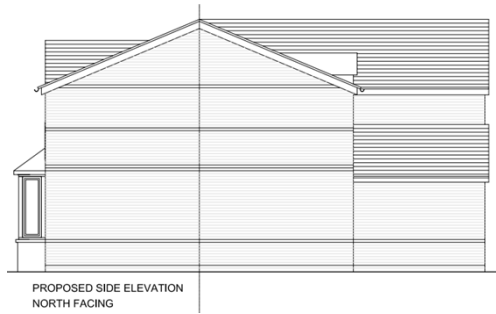


- 4.2 [P15/S1602/FUL](#) - Erection of two x 2 bed dwellings – Refused (27/07/2015) - Appeal dismissed (23/02/2016) due to visual impact and loss of outlook to rear garden of No.11.



- 4.3 [P14/S0712/FUL](#) - Erection of two x two-storey 2 bedroom dwellings and construction of access. – Refused (16/06/2014) - Appeal dismissed (12/12/2014) - due to visual and neighbour impact.





4.4 On the site of No.9 Wanbourne Lane:

[P11/E2036](#) - Approved (31/01/2012)

Demolition of existing garage/workshop building and erection of one 3 bedroom dwelling (revision to P11/E0354 to allow for re-siting of approved dwelling)

[P11/E0354](#) - Approved (23/06/2011)

Demolition of existing garage/workshop building and erection of one 3-bedroom dwelling and new vehicular access onto Wanbourne Lane.

[P06/E1208/RET](#) - Approved (24/01/2007)

Erect single storey garden workshop at rear of garden. Remove two existing sheds. New vehicular access with double gates at rear (part retrospective).

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

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;

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

G5 - Best use of land/buildings in built up areas

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) – Section 7 – Plots & Buildings

5.4 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

The policies within the SOCS and the SOLP 2011 of relevance to this application are considered to be in general conformity with the provisions of the NPPF and NPPG and therefore this application can be determined against the relevant policies above.

6.0 PLANNING CONSIDERATIONS

6.1 The planning issues that are relevant to this application are whether the development would:

- be in accordance with the Council's Housing Strategy;
- result in the loss of open space or view of public, environmental or ecological value;
- be in keeping with the character and appearance of the surrounding area, bearing in mind its location within the Chilterns AONB;
- safeguard the residential amenity of neighbouring occupiers and would provide suitable living conditions for future occupiers;
- demonstrate safe and convenient access and adequate off-street parking provision for the development; and
- give rise to any other material planning considerations.

6.2 Principle of Development

The SOCS Policy CSR1 allows for infill residential development in Nettlebed and does not set any limits in relation to site size or number of dwellings. The site is located within the built-up confines of the village and although it does not form a small gap in an otherwise built-up frontage, the proposed development would be closely surrounded by buildings in all directions and would therefore be compliant with Policy CSR1 and acceptable in principle. Furthermore, it is a material planning consideration that planning permission has already been granted under [P16/S0972/FUL](#) for a dwelling on this site. Consequently, the proposal can be assessed against the impact-based criteria of the SOLP 2011 Policy H4.

6.3 Loss of Open Space

Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is not accessible to the public. Although there are views of the site from the road, these are in the context of adjoining development rather than open countryside. There would also be no identified ecological implications arising from this proposal. On this basis, the proposal would be in accordance with the above criterion.

6.4 Visual Impact

Criterion (ii) of Policy H4 of the SOLP 2011 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings and criterion (iii) requires that the character of the area is not affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 expand on this requirement in respect of ensuring good design and maintaining local distinctiveness. Policy CSEN1 of the SOCS explains that high priority will be given to conservation and enhancement of AONBs and planning decisions will have regard to their setting. It is clear that being located within an AONB does not preclude housing development, provided it is found to be visually acceptable.

6.5 In comparison with the applications dismissed at appeal, this application proposes a single dwelling rather than a pair of semis. The design of the dwelling previously approved would be a mirror image of the dwelling built in the rear garden of No.15, now known as No.9 Wanbourne Lane – refer to the front elevation image at 4.3 above. Many of the dwellings in the vicinity are semi-detached from the mid-20th century.

- 6.6 The proposed dwelling would continue to have a similar plot size as No.9 and would therefore take its lead from an established density. In any public views along Wanbourne Lane, Lion Meadow or the public footpath, the proposed dwelling would be seen in the context of No.9. Although larger than No.9, officers consider that the proposed dwelling would not represent a significant increase in bulk and massing when compared with the approved dwelling. Further, the design of the proposed dwelling would be more in keeping with the Chilterns vernacular with steeper roof pitches and more sympathetic detailing. On this basis, officers conclude that the dwelling would not appear unduly prominent and its visual appearance would not detract from the character and appearance of the surrounding area. As the site would be well contained within a built-up area, there would be no discernible impact on the wider Chilterns AONB landscape. In the light of the above assessment, the proposal would be in accordance with the above criteria.
- 6.7 Neighbour Impact
Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out to secure a reasonable degree of privacy for the occupiers. The current proposal would be a less intensive development in comparison with the appeal schemes – compare the front elevation images at 2.2, 4.2 and 4.3. However, it would represent an increase in built form when compared to the approved dwelling, which had only the ground floor eaves of a catslide roof adjoining the boundary with No.11. In contrast, the proposed dwelling would have a section of brickwork raised to about 1 metre above the top of the boundary trellis, a maximum of 3.2 metres above No.11's land – compare the north elevation images at 2.2 and 4.1. The area of brickwork would amount to 5.57 square metres. The roof would then hip away from the boundary to a secondary ridge height of 5.19 metres at 2.55 metres from the boundary. The main ridge would be approximately 8.4 metres from the boundary. The staggered depth of the dwelling would be increased from the approved 4.45 metres to 9.85 metres closest to No.11 and from 7.7 metres to 8.55 metres closest to No.9. In comparison with the approved dwelling, it is evident that the proposed dwelling would result in a further reduction in the light received by and outlook from the main rear garden area of No.11. However, officers consider that, on balance, this additional impact would not result in an overbearing and oppressive effect on the adjoining occupiers that would be sufficient to warrant refusal of planning permission.
- 6.8 There would be 25 metres between the first-floor rear window of the proposed dwelling and the rear bedroom windows of No.13. This would accord with the recommended minimum dimension set out in Section 7 of the SODG 2016. The distance between this window and the rear bedroom window of No.11 would be 24.4 metres. As this would be at an angle of about 40-degrees and could not be deemed to be a directly facing window, officers also consider that this would not give rise to significant loss of privacy to the occupiers of No.11. Views towards No.11's rear garden from this window would be at least 10 metres before becoming very oblique. Again, officers consider that this level of separation would be sufficient to maintain privacy. The ground floor window facing towards No.11 would be located beneath the level of the boundary trellis. The two rooflights facing No.11 would serve a ground floor space and therefore it would not be possible to look out of them and the cill height could be secured through a planning condition to maintain adequate levels of privacy for the neighbouring occupiers.

6.9 The proposed dwelling would be located alongside No.9 where there is a blank wall and would only project about 1 metre beyond these neighbours' rear elevation. The rooflights in the southern-facing roofslope would be more than 10 metres from the boundary. Consequently, there would be no discernible loss of residential amenity to the occupiers of this dwelling, whom have not objected to the application. Other neighbours would be located further away and would also not be unduly affected by the proposal. The proposed rear garden and retained garden of No.13 would both comply with the 100-square metre recommended minimum standard and 10 metre depth as set out in Section 7 of the SODG 2016. Based on the above assessment, the proposal would follow the above criterion and guidance.

6.10 Access and Parking

Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Policy T1 of the SOLP 2011 seeks to ensure that all new development would provide a safe and convenient access for all users of the highway. Nettlebed Parish Council and residents are concerned that the proposal would result in conditions prejudicial to highway and pedestrian safety. Planning permission has already been granted for a parking arrangement with two spaces at the northern end of the site where the vehicles would have to either reverse into or out of the spaces. The Highway Liaison Officer (HLO) commented at that time that the existing situation is noted, but the proposal would not generate a significant number of traffic movements to warrant a recommendation for refusal under the NPPF Paragraph 32 test of 'severe harm'. Given vehicle movements will be slow and considering this road is lightly trafficked this again would not be considered 'severe harm' to warrant a recommendation for refusal. The HLO does not object to the proposed parking layout with the spaces shown at the southern end of the site. As such, the proposal would comply with this element of the above criterion.

6.11 Other Material Planning Considerations

Officers consider that it is reasonable to restrict permitted development rights for the proposed dwelling for extensions, rooflights and outbuildings. This would enable the Council to retain control over future householder development that might otherwise have an unacceptable impact visually or on neighbour amenity.

6.12 Community Infrastructure Levy

The proposed dwelling is liable for the Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre (index linked). 15% of the CIL payment would go Nettlebed Parish Council in the absence of an adopted 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 and would not materially harm the character and appearance of the locality or unduly detract from the living conditions of nearby residents or result in conditions prejudicial to highway safety.

8.0 **RECOMMENDATION**

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

1. **Commencement of development with three years.**
2. **Development in accordance with the approved plans.**
3. **Levels details required prior to commencement of development.**
4. **Schedule of materials required prior to commencement of development.**

5. North-facing rooflights to have cill level minimum 1.7 metres above internal floor level.
6. Withdrawal of permitted development rights for extensions, rooflights and outbuildings.
7. New vehicular access to be provided prior to occupation.
8. Car parking retained in accordance with approved plans.
9. No surface water drainage to highway.
10. No vehicular access gates.
11. Landscaping (including hardsurfacing and boundary treatment) to be agreed prior to commencement of development.

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