

APPLICATION NO.	P17/S4168/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	24.11.2017
PARISH	WATERSTOCK
WARD MEMBER(S)	John Walsh
APPLICANT	Mrs A Bull
SITE	Park Farm, Waterstock, OX33 1JT
PROPOSAL	Demolish agricultural storage unit and erect two detached dwellings with associated landscaping and parking. (as clarified by drawing no 1765(PL)105 accompanying Agent's email dated 7 December 2017 submitted to address highway concerns). As clarified by Agent's letter dated 4 January 2018. As amended by drawing nos 1765_PL_100B, 101B, 200A, 201A, 302 and 400B accompanying Agent's email dated 5 February 2018.
OFFICER	Sharon Crawford

1.0 INTRODUCTION

1.1 The application has been referred to the Planning Committee because the recommendation to grant planning permission conflicts with the views of the Waterstock Parish meeting.

1.2 The site lies on the south western edge of Waterstock village within the Waterstock conservation area. The site is part of the former yard to Park Farm and was part of a larger site until recently. Three residential units have already been constructed to the south of the current site. Park Farm House, a grade II listed building lies to the south east and Waterstock House, which includes the stables, pump house and attached wall and gate pier are also grade II listed buildings situated to the north west of the site on the opposite side of the road. The site lies in the Oxford Green Belt and in the archaeology consultation area for the Medieval village of Waterstock.

1.3 The barn subject of this application is a 4 bay barn. Three bays are used for open agricultural storage. One bay is enclosed and planning permission was granted in 2002 for a change of use to a B1(c) use for wood stripping and wood storage.

1.4 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the demolition of the existing 4 bay barn and its replacement with two detached, two bedroom dwellings. Both buildings would have an L shape plan form and consist of two storey and single storey elements. The first floor rooms are within the roof space under steeply pitched roofs with those rooms being lit by roof lights. The style is barn like in character and the palette of materials proposed are stonework and timber cladding for the walls with natural slate for the roofs.

2.2 Parking facilities for two cars for each plot are provided within the site with turning available on the shared access for the rest of the former farm yard. A small amenity area is shown to the front of each dwelling with some privacy screening provided by

raised planters. The front boundary for each property is marked by an open 3 bar fence.

2.3 Amended plans have been received to address highway and conservation concerns.

2.4 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**

Full responses can be found on the Council's website

- 3.1 Waterstock Parish Meeting
- Development in Waterstock is unsustainable
 - The site is neither previously developed nor infill
 - Harmful to openness of the Green Belt
 - Loss of Heritage
 - Proposed houses are too large
 - Too crowded and untypical of conservation area
 - Light intrusion
 - Design is jarring and alien

The amendments do not address objections.

- 3.2 OCC (Highways)
- The proposal seeks the demolition of an agricultural storage building and the construction of two dwellings. Following the previous Highway Authority comments, an additional plan has been submitted which addresses the issues raised. The proposal is unlikely to have a significant adverse impact on the highway network.
No objection subject to conditions.

- 3.3 OCC (Archaeology)
- The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

- 3.4 Conservation Officer
- Original plans.**

Overall, I do not consider that the demolition of the existing large barn and its replacement with residential units would harm the character and appearance of the conservation area subject to a suitable design. I am concerned that some elements of the proposed scheme the large amount of subdivision by enclosing walls and the domestic nature of two detached dwellings do not enhance or better reveal the significance of the site and wider conservation area in line with paragraph 137 of the NPPF. If you are minded to approve the application you should be satisfied that the scheme responds positively to the site constraints and I suggest that a schedule of external materials is agreed by condition.

Amended plans.

Amended plans have been submitted. There has been no change to the appearance or massing of the proposed buildings which are still two detached dwellings. As such, my previous comments remain valid with regard to this aspect of the scheme. The layout of the amenity space for the proposal has been amended. The domestic character

has been removed and more of a subdivided yard character is now proposed which is an improvement.

3.5 Countryside Officer I have assessed the proposals and I am satisfied that there are unlikely to be any significant ecological impacts if planning permission is granted.

3.6 Neighbours Objecting (5) I object to the planning application and support the views put forward by the Waterstock parish council. I'm concerned about the development of a village with very few facilities which is unsustainable. Our view will be changed from an agricultural farm building set back from the road, to one of windows of cramped properties built close to road. The proposed buildings encroach substantially on the existing footprint of the barn and the existing building line of neighbouring properties. The proposed development brings the building almost to the road. The proposed buildings would remove the agricultural aspect of the farmyard completely, remove several established trees and completely alter the view into the village from the road as approaching from the church. The village has presently retained its rare street appearance. This would be lost. The village has been downgraded to unsustainable. There are no facilities within the village whatsoever. There have recently been several (unwanted) developments which have increased the traffic demands on our narrow village access. In summary, I enjoy the vestiges of village life as displayed in the farmyard and barn proposed for demolition. I would be saddened to see that disappear.

1. Two three-bedroom houses in such a small area and extending well beyond the current barn line as well as the line of existing cottages. The existing open space would be lost encroaching on the rural character at the centre of the village.
2. Three big houses have already been built on the other side of the yard (where originally permission was only given to two!). Another two houses so close and occupying such a small area would give the appearance of an urban development right at the heart of our tiny village in contradiction with the Conservation Area and Green Belt ethos.
3. We are an unsustainable village and don't possess the infrastructure needed to support further development.
4. The design and materials proposed are not in keeping with the existing Waterstock dwelling.

It is difficult to see clearly from the plans submitted but I am concerned that this proposed new development extends beyond the floor plan of the existing barns and extends beyond the existing housing and window lines at the front (road side) and further into the yard, thereby restricting access. Are not new developments meant to be restricted to existing building footprints and to stay within existing building lines? My back garden is currently dominated for its length by the large black agricultural building to the south west. Whilst this was in place when I bought the house, and I have lived with it for over thirty years, it does reduce the amount of sunlight to the rear of the house and in the

garden. I had therefore hoped that any development in the farmyard would be an improvement, or at worst neutral. Unfortunately, the proposed dwelling closer to the road extends well beyond the end of the existing barn so as to come within a few metres of the village road. The result is that the important existing opening viewed from my garden, between the end of the barn and the corner of Kings Cottage, which currently lets light into my garden, and in particular evening sunlight, will be closed. My property will thus: 1, lose the benefit the access of light and suffer reduced daylight.

3.7 Neighbour support (1)
Neighbour comments

No objection to the removal of the barn as it is not suitable for conversion. No objection to the houses proposed.

1. The current use of the open barn is as a store and stable, and as a site coordinating shooting parties. It thus contributes to the rural character of the village, and we anticipate some of these activities might be at risk or lost as a result of the development. We would strongly support any proposals that aim to retain these activities if they are under threat as a consequence.

2. We take the pragmatic view that the Park Farm site has irrevocably changed its function, with what we think has been a valid attempt to convert existing farm structures, combined with new build that modernises and complements the site. It is therefore inevitable that the open barn will follow, and its current construction necessitates a new build. We take the view that the matter is now how this development can be best integrated with the site and village, rather than whether it should or should not take place.

3. We strongly support the development of the site to private dwellings as proposed, with a maximum two small dwellings, with the number of bedrooms irrelevant to us. There are a number of caveats we do however share with those that have responded.

4. We appreciate the design challenges and the attempts presented. We agree with our neighbours, and the parish council, with respect to the question of a brick build. At the same time, the use of horizontal panels reflects the barn features and those of the new stabling on the Park Farm site. A degree of compromise with respect to these features is needed and expected in order to move this aspect forward. Our preference would be similar brick facing the road complementing the Hay Barn and nearby properties, and brick for any partitioning or boundary walls on the site.

5. We would not support the build if it significantly compromised light access to neighbouring properties, as we have been alerted. This aspect clearly also needs validating and may thus require adjustment to the height (partly single story) and design.

6. Likewise, we would not support the expansion of the footprint of the site if it were to compromise drive access and the need for adequate vehicle turning circles. We think it mandatory to retain generous two car widths for the common drive, also to facilitate larger vehicles, such as heating gas deliveries, horse transporters, farm vehicles etc. and access to retained barn.

7. We agree that the provision of adequate parking on the properties is an important issue, as we enjoy at the Hay Barn. This would limit the routine parking of vehicles on the road and in front of the stone boundary wall of the Hay Barn, restricting vehicle and horse access for our neighbours.

8. Overall, we enthusiastically support the need for iterative improvements to the design of the site, that we believe will neither materially alter the spirit of the initiative, nor impact on the village sustainability issue significantly.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S2482/FUL](#) - Approved (17/09/2014)

Demolition of existing buildings. Retention of existing stone buildings within scheme to erect two dwellings with outbuildings. (Revision to approved scheme P13/S1463/FUL) (As amended by documentation received 16 August 2014, amplified by drwgno.14043-P05 accompanying email from Agent dated 20 August 2014, amplified by additional information received regarding comparison of extant permission with current proposal and amended by drawing nos.14043-P03B & P03C showing the hayloft dormer window on the side elevations of the proposed plans).

[P14/S0490/FUL](#) - Approved (28/04/2014)

Temporary change of use of stone barn (B1 use) to a dwelling (C3 use) for a period of one year

[P13/S1463/FUL](#) - Approved (16/08/2013)

Demolition of existing buildings. Erection of two new dwellings, retention of traditional buildings as ancillary outbuildings and erection of new stables/outbuildings (As amended by plans accompanying e-mail from agent dated 18 July 2013 & As amended by Revised Application form received 25 July 2013).

[P09/W1300](#) - Approved (10/02/2010)

Continued use of building for stone storage - revocation of Condition 1 of Planning Permission P05/W1051/RET.

[P05/W1051/RET](#) - Refused (20/01/2006) - Appeal allowed (01/11/2006)

Change of use of barn for storage (B8) purposes.

[P02/N0301/RET](#) - Approved (25/09/2002)

Change of use of part of building 2 to garaging of vehicles and external alterations. Change of use to private equestrian use and external alterations to building 5. External alterations to two stable blocks (buildings 3 and 4). Extension and hard surface adjacent to building 1.

[P02/N0073/RET](#) - Approved (19/03/2002)

Change of use of one bay of 8 bay agricultural barn to Use Class B1c (wood stripping and wood storage) (Retrospective).

5.0 **POLICY & GUIDANCE**

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

CSEN1 - Landscape protection
CSEN2 - Green Belt protection
CSEN3 - Historic environment
CSH4 - Meeting housing needs
CSQ3 - Design

- CSR1 - Housing in villages
- CSR2 - Employment in rural areas
- CSS1 - The Overall Strategy

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

- C6 - Maintain & enhance biodiversity
- CON5 - Setting of listed building
- CON7 - Proposals in a conservation area
- D1 - Principles of good design
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- E8 - Re-use or adaptation of rural buildings outside built up areas
- EP1 - Adverse affect on people and environment
- EP4 - Impact on water resources
- GB4 - Openness of Green Belt maintained
- 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 Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Emerging South Oxfordshire Local Plan 2032. Policy H16 and Appendix 7

The Local Plan and supporting documents is being prepared for submission to the Secretary of State after which, a Planning Inspector will then be appointed to carry out an Independent Examination of the Local Plan. The Local Plan does not allocate sites for development in villages and instead devolves delivery of new houses in these locations to the Neighbourhood Plan process. In the emerging Local Plan Waterstock is no longer included in the list of settlements that can accommodate growth. The emerging Local Plan has limited weight at this stage

5.4 Neighbourhood Plan policies;

Waterstock Parish Plan was originally published in 2010. The 2010 action plan has been reviewed and updated (January 2015) in the light of a new household questionnaire (2014/15) at a Parish Meeting attended by 22 people representing 14/34 (41%) of households. The reviewed plan was adopted at the Parish AGM on 9 March 2015. The parish plan does not constitute a neighbourhood plan and has limited weight as a material consideration.

5.5 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

Waterstock Conservation Area Character Study dated 6 April 2000

5.6 National Planning Policy Framework (NPPF)

Paragraph 14	Presumption in favour of sustainable development
Paragraph 17	Core planning principles
Paragraphs 47 and 49	Delivering a wide choice of high quality homes
Paragraphs 56, 57 and 61 to 66	Requiring good design
Section 9	Protecting Green Belt Land
Paragraph 95	Meeting the challenge of climate change
Paragraphs 128 to 134	Conserving the historic environment
Paragraphs 186 to 187	Decision taking
Paragraphs 203 to 206	Planning conditions

National Planning Policy Framework Planning Practice Guidance (NPPG)

5.7 Planning (Listed Buildings and Conservation Areas) Act 1990: Section 66 and 72

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in this case are;

- Whether the principle of development is acceptable
- Green Belt impact
- H4 criteria
- Provision of gardens
- Mix of units
- Impact on setting of surrounding listed buildings
- Impact on the conservation area
- Affordable housing
- CIL
- Other issues

6.2 **Principle and housing land supply.** Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

6.3 Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development.

For decision-taking this means “approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: – any adverse impacts of doing so would **significantly and demonstrably outweigh the benefits**, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.”

6.4 The NPPF does not suggest that populations of settlements should be limited in some way or not be expanded by any particular figure. It expects housing to be boosted significantly. Additional housing can help support and secure local services

and it may be possible to address infrastructure deficiencies through planning conditions or through a legal agreement.

- 6.5 Currently the council cannot 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.
- 6.6 Sustainable development should now be permitted unless there is planning harm that outweighs the benefit of providing new housing. Applications for housing should now be considered in the context of the presumption in favour of sustainable development and should be permitted unless there is planning harm that outweighs the benefit of providing new housing.
Footnote 9 of Page 4 of the NPPF introduces the specific policies in the NPPF that indicate where development should be restricted. Amongst these are policies relating to Green Belts and conservation areas which are considered under Sections 9 and 12 respectively of the NPPF.
- 6.7 The South Oxfordshire Core Strategy (SOCS) allows for the provision of some housing in the smaller and other villages subject to the provisions of Policy CSR1. Waterstock is identified as a “other” village. For the other villages this will amount to infill developments on sites of up to 0.1 hectares the equivalent of 2 – 3 houses. Infill development is defined as being the filling in of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings. CSR1 also allows for the redevelopment of existing sites in all categories of settlement on a case by case basis. CSR1 and CSEN2 also make reference to respecting Green Belt designations.

To summarise, Waterstock is identified in the current local plan as a settlement where infill and redevelopment proposals will be acceptable subject to H4 criteria. New housing on a small scale is acceptable in principle and unless there is harm that significantly and demonstrably outweighs the benefits of providing new housing, planning permission should be granted.
- 6.8 The parish meeting has objected on the grounds that Waterstock is not a sustainable location and that the emerging local plan removes Waterstock from the settlement hierarchy where new housing will be allowed, However, it is possible that some development proposals may come forward over the Plan period in the unclassified villages, such as the redevelopment of existing sites and conversions from other uses. Such proposals will be considered against the relevant policies in the Local Plan”. In any event the emerging local plan has limited weight at this stage and it is my view that the proposed development to provide two dwellings is in accordance with the current local plan in this respect.
- 6.9 **Development in the Green Belt.** The NPPF attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the most important attribute of Green Belts is their openness.
- 6.10 It is important to note that whilst the Green Belt contains areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land in the Green Belt or its continued protection. It is the openness of land that is important.

To protect openness there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt.

New buildings in the Green Belt are not appropriate unless for the following purposes (paragraph 89 of the NPPF);

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- **limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.**

6.11 The NPPF says that where villages are included within the Green Belt, it has to be because they too contribute to the openness (para 86). A reasonable interpretation is that there are features in the character of the village (open spaces) that make that contribution in particular.

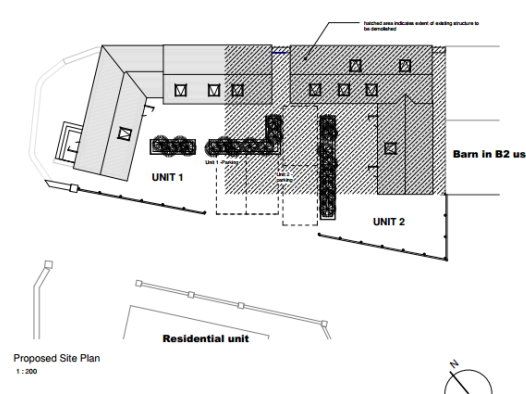
CSR1 considers that if a site is an infill site, then it will be part of a built-up area/ frontage and there would be harm to the openness but it would be limited; unless it was an important open space within the village, then that is serious harm and will not be allowed. These are the *balanced* judgements CSEN2 is seeking.

In the case of this site, the NPPF allows for the redevelopment of previously developed sites where the impact on openness is no greater; it would also allow for limited infill on an undeveloped site. The site is not a greenfield site and is not open. Part of the site falls within the definition of previously developed land because it is part covered by large scale, utilitarian, former farm building (1 of the 4 bays). The redevelopment of this site is in accordance with the thrust of the NPPF and development plan policies in my view.

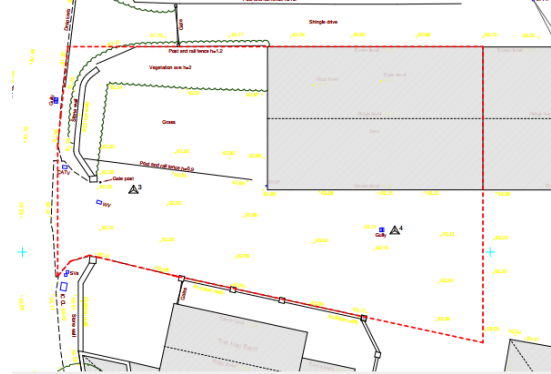
The parish meeting maintain that the site is not part of a continuously built up frontage nor closely surrounded by buildings but I would have to disagree with this assumption. Unit 2 will be immediately adjacent to an existing, retained barn, some 13m to Fairholme to the north and some 11m to the new dwelling to the south. This relationship can certainly not be described as distant.

6.12 The requirement in the NPPF is that any redevelopment would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The existing barn on the site is a relatively large, utilitarian structure with an overall height of approximately 6.5m and sitting on land that rises away from the main village road. In the case of the proposed buildings, the ridge height of the single storey elements is 2.3m lower than the existing ridge height and the 1 ½-storey elements are 0.6m lower with a more domestic and well-articulated mass and bulk. Whilst one of the buildings is closer to the road the impact on the openness reduces as there is a net reduction in the volume of built development on the site of 14%.

6.13 **Proposed layout**



Existing layout



6.14 **Sustainability of site.** The 'network of settlements' under policy CSS1 remains a good basis for determining what are the 'sustainable locations' for development. The settlement assessment background paper (2011) looked carefully at the services and links available for different settlements. Waterstock has a services and facilities score of 1 and is categorised as an other village. At the time Waterstock performed less well than other settlements in terms of services for day to day living and therefore does not justify extra development (other than infill or redevelopment) which would undermine the distribution strategy to ensure new dwellings can access services, it was however deemed acceptable for limited infill.

6.15 Waterstock Parish meeting and local residents have questioned the sustainability rating of Waterstock and have claimed that CSR1 and the hierarchy of settlements must be considered out of date in totality. It is their view that Waterstock should be removed from the list of settlements where new development is acceptable.

6.16 Whilst the classification of Waterstock has been reviewed in the emerging local plan, for the time being the hierarchy of settlements and distribution of development set out CSS1 and CSR1 has been found to be relatively sound by recent inspectors. It is only in respect of the lack of a 5 year land supply that the housing policies are out of date.

6.17 In any event, in the emerging Local Plan 2033, Waterstock the site is at least partially classified as previously developed, it is possible that some development proposals may come forward over the emerging Plan period in non classified villages, such as redevelopment and conversions from other uses. Such proposals will be considered against the relevant policies in the emerging Local Plan.

6.18 Waterstock is deemed to be an appropriate location for limited infill development and redevelopment of existing sites in the current local plan and the current proposal falls within the definition of a redevelopment as the site is partly previously developed. As there is a net reduction of some 14% the impact of development is reduced and there is no harm to openness of the Green Belt.

- 6.19 If a proposed housing development is acceptable in principle, then the detail of the proposal must be assessed against the criteria of saved Policy H4 of the SOLP.

H4 criteria issues.

- i **That an important open space of public, environmental or ecological value is not lost;**

Open space. Some 30% of the site is currently covered by a large and unattractive agricultural building, the remainder of the site is laid to concrete hardstanding. As such the site cannot be regarded as an important open space of public value.

- 6.20 **Ecology.** The countryside officer has assessed the application. He is satisfied that there are unlikely to be any significant ecological impacts if planning permission is granted.

- 6.21 ii **Design, height and bulk in keeping with the surroundings;**

The proposals two detached buildings with an L shape footprint in a barn style character. The height and bulk of buildings are considerably less than the original building on the site and are not at odds with the development approved on the adjacent plot or other surrounding development. The character of the buildings is domestic but represents a considerable improvement over the unattractive former farm buildings on the site.

- 6.22 iii **That the character of the area is not adversely affected;**

There will be a considerable change to the character and this is considered in more detail in paragraph 6.32.

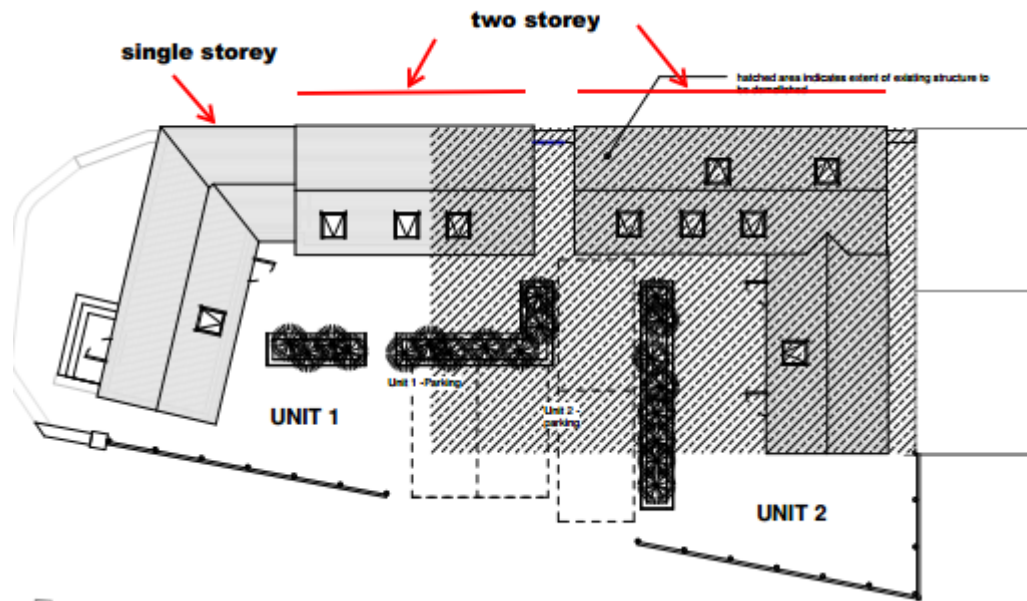
- 6.23 iv **Amenity, environmental or highway/ parking objections;**

Highway issues. The scheme proposes to use an existing vehicular access point from the former farmyard/commercial area onto the main road. Amended plans have been submitted to demonstrate adequate parking facilities and an adequate vision splay at the junction of the private access drive to the main road to address the Highway engineer's initial concerns. These concerns have been addressed with the submission of the amended plans. The Highway Engineer has no objection to the scheme subject to conditions.

- 6.24 **Neighbour impact**

The Most affected neighbours are those in the terrace to the north of the site, Fairholme, Kingscote and Reballo. The rear gardens of these properties are currently dominated by 35 m in length of barn to a height of some 6.5 metres to the ridge. Half of the barn length is to be removed. The overall length of two storey section is not materially greater than at present and the overall height will be reduced by some 0.6 metres. The reduction in bulk and massing will represent an improvement over the existing situation in my view.

6.25



□ **Hatched area indicates barn to be removed.**

6.26 The other most affected neighbour is the new dwelling on plot 1 of the scheme approved under P16/S1138/FUL. The properties would have a front to front relationship at a distance of some 11 metres; the acceptable distance specified in part 2 of the Design Guide is 10m or more. Neighbour impact is considered acceptable in this case.

6.27 **v Backland development issues**

Whilst one property shares a boundary with the road access to the dwellings is achieved through the former farm yard. Backland development can be acceptable where there are no issues of privacy or access. These issues are considered above at paragraph 6.15.

6.28 **Provision of gardens.** Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in saved Policy D3 of the Local Plan. A minimum of 50 square metres for two bed dwellings is required. Plot 1 provides for some 70 square metres of amenity space and Plot 2 provides for some 74 square metres of amenity space. Whilst all the amenity space is provided to the front of the buildings some privacy can be provided by the use of raised planters. As such the proposal is acceptable in this respect.

6.29 **Mix of units.** Policy CSH4 of the Adopted Core Strategy aims to provide a satisfactory mix of units to meet the requirements of the district's Housing Needs Survey. This is to ensure that there is a satisfactory provision of smaller units across the district. The two proposed dwellings are both two bedroom units and it is the smaller units that the policy aims to achieve. As such the scheme is acceptable in my view.

6.30 **Setting of listed buildings.** Park Farm House, a grade II listed building lies to the south east of the site and Waterstock House with the stables, pump house, attached wall and gate pier are also grade II listed buildings lie to the north west of the site on the opposite side of the road. All the listed buildings are designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 132 of the NPPF reflects this requirement, stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. CON5 of SOLP is the relevant local plan policy used to secure appropriate development within the setting of listed buildings.

In the context of the former buildings on the site, I do not consider the proposal will harm the setting of the neighbouring listed buildings to the west which fall within the wider curtilage of Waterstock House or Park Farm House to the east. I consider this change to the setting to constitute less than substantial harm (Paragraph 134 of the NPPF) as the building was not designed to look out specifically to this area and the special interest of the buildings will not be totally eroded.

- 6.31 **Impact on conservation area.** The site lies in the Waterstock conservation area. The conservation area is a designated heritage asset. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 132 of the NPPF reflects this requirement, stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 133 of the NPPF requires that planning permission should be refused if there is substantial harm or the total loss of a designated heritage asset. Paragraph 134 of the NPPF establishes that where the harm is less than substantial that any harm should be weighed against the public benefits of the proposal. CON7 of SOLP is the relevant local plan policy seeking to provide appropriate development within or adjacent to conservation areas.

- 6.32 The Waterstock Conservation Area Study sets out one of the characteristics of Waterstock as follows
“Most of the buildings are slightly set back from the road and the gaps between are often fronted with either stone or brick walls, giving a sense of enclosure”. The proposed scheme would provide development along these lines and provide a better sense of enclosure than the existing farm building.
- 6.33 The Park Farm site is referenced in the conservation area study in the section 3 “Possible areas for enhancement” as follows;
“There have been several proposals for residential development at Park Farm, the large modern farm buildings of which are now largely redundant for agricultural purposes. Although not attractive in themselves, these buildings do relatively little to detract from the rural appearance of the village as a whole and have been described by a Planning Inspector as making a "neutral contribution" to its character. Recently, a number of appropriate rural uses such as storage of equestrian equipment and feed and a furniture restoration workshop have been installed in some of the buildings. The stone walled and slate roofed farm building on the village street is of traditional construction and provides a strong sense of enclosure at this point”
- 6.34 The large modern farm buildings, some of which have been removed from the site to make way for new development, do not make a positive contribution to the character of the conservation area. The conservation area has benefited from their removal and the proposed scheme increases the sense of enclosure at this point in the village.

6.35 The amendments have resolved some design concerns in respect of the original plans. There will be a distinct change to the character and appearance of the conservation area. Overall, this change constitutes less than substantial harm to the designated heritage assets and as such this harm is outweighed by public benefit as per the test of paragraph 134 of the NPPF and the guidance set out in the accompanying NPPG. This alteration will result in less than substantial harm owing to the increased domestic character on the site, however the increase in the sense of enclosure will serve to enhance the character of the area in my view.

6.36 **Affordable housing.** Taken as a whole site including the already consented dwellings, there would be a net gain of 5 dwellings. Policy CSH3 of the core strategy seeks to achieve 40% of affordable housing on sites where there is a net gain of 3 houses.

However, in May 2016 the Court of Appeal effectively re-instated the Government's ministerial statement on affordable housing from November 2014. This means that developments of no more than 10 homes (with a gross floorspace not exceeding 1,000 sq. m) would be exempted from levies for affordable housing and tariff-based contributions. In designated rural areas, National Parks and AONBs, the exemptions would apply only to developments not exceeding 5 new homes; developments of 6 to 10 homes could pay a commuted sum, either at or after completion of the development. In the case of this site the requirement to provide affordable housing would only be triggered on schemes for 11 houses or more and there is no requirement to provide affordable housing in this instance.

6.37 **Community Infrastructure Levy (CIL).** 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.

6.38 In this case CIL is liable for the whole development because it involves the creation of new dwellings. The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (adjusted to £156 as per indexing figure January 2017). 15% of the CIL payment will go directly to Waterstock Parish Meeting (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

7.0 CONCLUSION

7.1 Waterstock is classified as a settlement where limited infill development and redevelopment of existing sites is permitted in principle.

The new dwellings would replace former buildings which were considerably greater in scale and massing. The proposed buildings are designed and sited in a way that conserves the setting of the surrounding listed buildings and enhances the character of the conservation area; it also reduces the impact on the openness of the Green Belt.

The design and materials reflects local vernacular and building materials and does not detract from the wider character of the area, the setting of the conservation area or the setting of listed buildings. The site affords for sufficient amenity space and parking and does not result in a materially harmful unneighbourly impact to adjacent properties. Conditions are proposed relating to highway matters and materials.

As set out under the 'principle of development' section of this report this application needs to be assessed against the presumption in favour of sustainable development at

paragraph 14 of the NPPF. This is because the Core Strategy Policy CSR1 has been found to be silent on housing in larger villages by the High Court and the district also does not currently have a five year housing land supply. The report describes the proposals in full and assesses the proposal against the relevant material planning considerations. The three strands of sustainable development are set out at paragraph 7 of the NPPF as economic, social and environmental. My conclusions against each of the strands is summarised below.

Economic role

The Government has made clear its view that house building plays an important role in promoting economic growth. In economic terms, the scheme would provide construction jobs and some local investment during its build out, as well as longer term expenditure in the local economy supporting the ongoing vibrancy of the village. I consider that moderate weight should be afforded to this benefit.

Social role

The proposal helps to support strong, vibrant and healthy communities, by providing the supply of 2 houses towards those required to meet the needs of present and future generations. It also does this by creating a high quality built environment, in a location where limited new growth is acceptable. I consider moderate weight should be given to these social benefits.

Environmental role

In environmental terms, the scheme offers opportunities for enhancement of the conservation area by removal of the original buildings, which is a matter to which I afford moderate weight.

Although the Parish Meeting and local residents have identified concerns in terms of sustainability, highway safety and capacity of facilities there is no evidence of harm that cannot be mitigated. There are no objections from Oxfordshire County Council subject to conditions.

Taking into account the benefits of the development and weighing these against the limited harm, I consider that the proposal represents a sustainable development, consistent with Para.14 of the NPPF and Policy CS1 of the South Oxfordshire Core Strategy. The proposal would contribute towards the objective to boost the supply of housing, consistent with Para.47 of the NPPF.

Therefore, placing all of the relevant material considerations in the balance I conclude that the limited adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal and recommend the application for approval.

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. Sample materials required (all).
4. Joinery details.
5. Withdrawal of permitted development rights (Part 1 Class A) - no extensions etc.
6. Withdrawal of permitted development rights (Part 1 Class E) - no buildings etc.
7. Vision splay protection.
8. No surface water drainage to highway.
9. Contamination - (investigation).
10. Parking and manoeuvring areas retained

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