

APPLICATION NO.	P17/S4335/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	13.12.2017
PARISH	EAST HAGBOURNE
WARD MEMBER(S)	Pat Dawe Jane Murphy
APPLICANT	Corcoran Homes Ltd
SITE	12 The Croft, East Hagbourne, OX11 9LS
PROPOSAL	Demolition of existing dwelling and outbuildings. Closure of existing vehicular accesses. Erection of two detached dwellings via new shared single vehicular access off The Croft. (As amended by drawing R713.04A)
OFFICER	Kim Gould

1.0 INTRODUCTION

1.1 This application is referred to the Planning Committee because the views of the East Hagbourne Parish Council differ from the officer's recommendation. 12 The Croft is a detached, non-listed dwelling located within the built-up limits of East Hagbourne. The property has first floor accommodation, a garage, green house and two outbuildings. There is a conservatory to the rear. The property has a large rear and side garden. The East Hagbourne conservation boundary runs along the western edge of the site and part of the rear garden lies within the conservation area. The site lies within an archaeologically sensitive area and a public footpath runs along the north-western boundary of the site.

1.2 The Croft comprises a mix of dwelling types, scales and characters including single storey bungalows and two storey dwellings. There is also a variety of materials in the locality. Three grade II listed buildings are near the site: Cobblers Cottage to the South West, Crumble Cottage to the north west and no 21 The Croft to the north. Any sizeable trees which lie within the conservation area are protected by the conservation area status. The Croft is a public right of way and a public footpath runs along the north-western boundary of the site and separates the site from Crumble Cottage. A plan identifying the site can be found at **Appendix 1** to this report

1.3 Planning application ref P17/S0894/FUL was submitted last year to provide two large two-storey detached dwellings on this site and was withdrawn prior to determination. A meeting between the applicant, his agents and officers followed to discuss the concerns which had arisen during the consideration of this application. The revisions to the scheme include increased set-back from the frontage of the proposed dwellings, a shared access drive, increased spacing between existing and proposed dwellings and a reduction to a single storey dwelling for one of the units.

2.0 PROPOSAL

2.1 This application seeks full planning permission to demolish the existing detached dwelling, garage and outbuildings and erect 2 no detached dwellings. One dwelling would be a two storey, 4-bedroom dwelling and the other a single storey, 2- bedroom dwelling. Proposed materials include clay tiles, painted timber cladding and brick.

An amended plan (R713.04A) was submitted following a holding objection by the Highway Authority.

- 2.2 Two existing vehicular accesses which currently serve no 12 would be closed and a new, central access would be shared by both dwellings. Off street vehicular and cycle parking would be provided for both dwellings. Planting is proposed along the front and side boundary of the site. The details of this would be the subject of a landscaping condition. The new dwellings would be set further back into the site than the existing dwelling.
- 2.3 Reduced copies of the plans accompanying the application are attached at **Appendix 2** of this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **East Hagbourne Parish Council** – Objection. The concerns of the Parish Council can be summarised as follows:

- Overdevelopment of the site
- Inadequate parking provision
- Lack of details regarding proposed materials
- Lack of details regarding hard and soft landscaping
- Preference for single dwelling rather than two.

OCC Archaeological Services - No strong views

Conservation Officer – No objection. I am satisfied that overall this scheme would not result in harm to the significance or special interest of the neighbouring conservation area.

Forestry Officer - No objection. None of the trees within this site are protected by a tree preservation order. The trees at the rear of the garden are in the conservation area and are therefore protected by that legislation. The proposed development allows for the retention of most of the trees, therefore with suitable tree protection measures being implemented prior to any works starting on site, the trees could be retained undamaged. Tree protection and landscaping conditions to be attached to any planning permission.

OCC (Highways) – Original Plans – Holding objection:

- Turning on site frontage does not meet current standards
- Insufficient space for manoeuvring
- Parking spaces not to standard
- No vehicle swept path drawings have been supplied.

Amended plans – No objection subject to conditions relating to:

- New access to specification
- Vision splay details
- Parking and manoeuvring areas to be retained
- Provision of cycle parking as per submitted plan
- Off site highway works to be implemented as shown on the plan.

Waste Management Officer - No strong views. Properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property.

Neighbour Object (11) Some of these neighbours commented again following the amended plans to confirm that their concerns has not been addressed. The objections can be summarised as follows;

- Adverse impact on Crumble Cottage – grade II listed and other listed buildings
- Insufficient information regarding foul sewage
- Insufficient width of road, concerns about poor visibility at the point of access
- Road must be used by horse transporters to access stables at the end of The Croft.
- Proposed tree planting will spoil the view of Cobblers Cottage
- Two storey property is out of keeping with established character of the area
- Overdevelopment of the site
- Proposed parking is not discreet and sensitive – does not accord with DG advice.
- Insufficient parking for 4-bedroom dwelling, resulting in on street-parking
- Loss of light to Crumble Cottage and 12 A The Croft
- Lack of information regarding hard landscaping
- Insufficient advertisement for this application.
- Increase in traffic
- Safety for pedestrian traffic
- Harm to the character of the area
- Loss of privacy
- Plot best suited to one dwelling
- Precedent and the impact of further infill development in The Croft

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P17/S0894/FUL](#) - Withdrawn(11/05/2017)

Demolition of existing dwelling and outbuildings. Erection of 2 no. detached dwellings with vehicular access to each off The Croft.

[P15/S2959/PEM](#) - (23/09/2015)

Option 1 - Construction of 3/4 bedroom dwelling adjacent to existing dwelling.

Option 2 - Alteration and extension of existing dwelling to provide 4/5 bedroom dwelling.

[SO/W/500/79/O](#) – Outline application for the erection of a dwelling and garage. Refused 05/11/1979. Dismissed at appeal 19/05/1980.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

National Planning Policy Framework Planning Practice Guidance (NPPG)

South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSEN3 - Historic environment

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

C9 - Loss of landscape features

CON5 - Setting of listed building

CON6 - Demolition in conservation area
CON7 - Proposals in a conservation area
Con 11-14 Archaeology
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
G2 - Protect district from adverse development
H4 - Housing sites in towns and larger villages outside Green Belt
H12 Replacement dwellings
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2016 (SODG 2016)

East Hagbourne conservation area study 2000

Emerging East Hagbourne Neighbourhood Plan –

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 plan policies within the NPPF.

As the Neighbourhood Plan is at the pre-submission consultation stage, it can only be given limited weight in the determination of this application.

6.0 PLANNING CONSIDERATIONS

6.1 The main issues to be considered in the determination of this planning application are:

- Whether the principle of the development is acceptable
- Policy H4 criteria
- Impact on the setting of the adjacent listed buildings
- Impact on the character and appearance of the East Hagbourne conservation area.
- Garden sizes
- Highway issues
- Trees
- CIL
- Other issues

6.2 Principle of development

The site is located within East Hagbourne which is recognised as a smaller village in the Council's Core Strategy. Policy CSR1 allows for infilling within smaller villages, on sites of up to 0.2ha. Paragraph 10.10 defines infill as "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." The site is within a built up frontage and is closely surrounded by buildings and on this basis, the proposal is in accordance with Policy CSR1 of the SOCs.

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.

With regards to this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy 2027 (SOCS) which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011(SOLP).

- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.4 The National Planning Policy Framework (NPPF) is a material consideration in determining planning applications. Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”
- 6.5 Paragraph 14 of the NPPF states that “ At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...

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 impact 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 the Framework indicate development should be restricted

As the Council cannot currently demonstrate a five year housing land supply, this would suggest that the Council’s policies for housing are out of date and therefore do not carry full weight and that there is a presumption in favour of sustainable development.

6.6 **Whether the proposal accords with the criteria of Policy H4 of the SOLP**

If a proposed development is acceptable in principle, then the detail of the proposal must be assessed against the criteria of policy H4 which deals with new housing. Policy H4 of the SOLP allows for housing within the built-up areas of the villages provided that the proposal meets the following criteria:

1. **An important opens space of public, environmental or ecological value is not lost, nor an important public view spoilt.** The site is part of a residential garden. It does not comprise an important public open space. The site has no ecological value and the development will not spoil or harm any important views beyond the site.
2. **The design, height, scale and materials of the proposed development are in keeping with its surroundings.** The site is situated on a quiet residential road comprising a mixture of dwelling types, scales and characters. These range from single-storey bungalows to large detached dwellings, some with rooms in their roofspace with a variety of materials being used from brick/block, brick/stone. The dwellings will be finished using timber cladding, and brick and clay tiles will be used.

3. **The character of the area is not adversely affected.** The dwellings have been positioned to line through with the existing dwellings and to follow the curvature of the road. They have been set back from the road boundary to retain openness to the road whilst providing front gardens to reinforce local distinctiveness and to minimise on street parking. Planting will help to soften the dwellings.
4. **There is no overriding amenity environmental or highway objections.** In terms of amenity this refers to both the amenity space being provided for the occupants of the existing and new property and also the amenity of occupants of nearby properties. These issues are also covered by other policies within SOLP such as policy D3 and T1 and they are considered separately in sections 6.7 and highway issues are considered in 6.9 below as they are fundamental to this proposal.
5. **If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.** The proposal does not constitute backland development.

6.7 **Neighbour impact**

Policy D4 is concerned with ensuring that new dwellings are designed and laid out to secure reasonable privacy for the occupants and neighbours. Impact on residential amenity is normally assessed in terms of whether a development would result in material harm by way of overlooking, loss of sunlight or by being so large or close that it is considered oppressive and overbearing. The submitted plans show a comparison in outline between the existing situation and the proposed scheme.

The new dwelling adjoining no. 12 A The Croft has been designed to ensure that the impact on no 12A is kept to a minimum. It projects beyond the rear boundary of no 12A by some 3 metres. A distance of some 1.75 metres would remain between the 2 dwellings and the new dwelling would not be materially closer to no 12 A than the existing property.

Cobblers Cottage lies some 22m to the south west of the site. Two sizeable outbuildings would remain on the joint boundary between these properties. Given the distances between the two dwellings and the single storey design of the new dwelling, the development would not adversely affect the residential amenity of the occupiers of Cobblers Cottage in your officers' opinion.

Crumble Cottage lies to the west of the site on the other side of Shoe Lane. A distance of some 12.5 metres would exist between the new single storey dwelling and this property. The maximum ridge height of the new dwelling would be some 4.8 metres. Given this relationship the proposed single storey dwelling would not adversely affect the residential amenity of the occupiers of Crumble Cottage.

In relation to the distances between properties, orientation and positioning of windows, this development accords with advice set out in the South Oxfordshire Design Guide.

Overall, I conclude that the proposal is not unneighbourly.

6.8 **Impact on the setting of the listed building and the conservation area**

Part of the site lies within the East Hagbourne conservation area and there are 3 listed buildings within the vicinity of the site.

Paragraph 132 of the NPPF requires Local Planning Authorities to consider the impact of a proposed development on the significance of a heritage asset with great weight given to the asset's conservation. Where the proposed development will lead to

substantial harm, paragraph 133 requires that planning permission is refused. Where a development proposal will lead to less than substantial harm, paragraph 134 requires that the harm should be weighted against the public benefits of the proposal. In relation to this planning application, the conservation officer has concluded that the proposal will not result in harm to the significance or special interest of the neighbouring conservation area or harm the setting of the listed buildings.

The proposed massing with a single storey dwelling preserves the sense of openness that the existing site contributes to on its north-west side to both the setting of the conservation area and the nearby listed buildings. The sense of openness is particularly experienced when moving between the conservation area and The Croft via the public footpath alongside Crumble Cottage. The smaller dwelling will appear subservient when viewed in the context of the adjacent listed building - Crumble Cottage. The council's conservation officer is satisfied that the proposed development would not harm the setting of the adjacent listed buildings, their significance or the special interest of the neighbouring conservation area

The proposed mass of the development is such that views are maintained and improved through the site. The variety of form and scale is more characteristic of The Croft and the bordering conservation area.

6.9 **Plot coverage and garden size**

Policy D3 of the SOCS seeks to ensure that new dwellings should provide adequate private outdoor space. The amount of land to be used for garden or amenity space will be determined by the size of the dwelling and the character of the surrounding development.

The South Oxfordshire Design Guide sets out the minimum amount of private amenity space for 3 bedroom units and above at 100 square metres and for 2 bedroom units 50 square metres.

The proposed dwellings have 4 and 2 bedrooms. The garden for the 4-bedroom dwelling exceeds 100 square metres and the garden for the 2-bedroom dwelling exceeds 50 square metres. The development therefore complies with the council's standards and appear in keeping with the surrounding area.

6.10 **Highway safety**

With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The applicant has worked with the Highway Liaison officer and the District Council to ensure that the relevant parking and manoeuvring standards are met. The proposals meet the required standards and the Highway Liaison Officer has no objection to the proposals, subject to conditions. I therefore consider the proposals are in accordance SOLP policies T1 and T2.

Residents have expressed concern regarding what they consider to be insufficient parking and the narrow nature of the road.

The site affords sufficient parking provision for each of the dwellings by providing 2 off street spaces per dwelling. This meets the council's standards in relation to 2 and 4 bedroom dwellings. The highway officer initially lodged a holding objection because the

parking/turning area on the site frontage did not meet current standards and was considered impractical and there was insufficient space for manoeuvring especially for the southernmost parking space. Revised plans addressed his concerns and he no longer has any objection to this proposal subject to conditions which relate to vision splay provision, closure of existing access and retention of parking / manoeuvring areas.

There are currently 2 accesses into the site. These will be closed and a new, shared access provided. By setting the properties back in the site, the width of the road is intended to be widened as per the submitted plan ref R713.04A. With regards to the concern about horse transporters, these vehicles currently use The Croft to access the stables at the end of the road. There will not be any additional accesses off The Croft and the width of the road is to be widened so the access by these vehicles to the stables will not be impeded.

Overall the proposed development does not give rise to severe harm and in highway safety terms it is acceptable.

6.11 **Trees**

None of the trees within this site are protected by a tree preservation order. The trees at the rear of the garden are in the conservation area and therefore protected by that legislation. The proposed development allows for the retention of most the trees. Therefore, with suitable tree protection measures being implemented prior to any works starting on site, the trees can be retained undamaged. A detailed tree protection condition and a landscaping condition has been recommended to ensure that trees are retained and the development can be “softened” by appropriate landscaping.

Community Infrastructure Levy

The council’s CIL charging schedule has been adopted. 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 creates as a result of the development.

In this case CIL is liable as the proposal involves the creation of a new dwelling and the replacement of a dwelling with a larger footprint than the existing.

7.0 **CONCLUSION**

7.1 The proposed development is considered to be acceptable for the following reasons: The principle of development is acceptable in accordance with the presumption in favour of sustainable development and it meets the criteria within policy CSR1 of the SOCS. The proposals would not harm the amenity of occupants of nearby properties or the setting of adjacent listed buildings. The proposal would enhance the character and appearance of the conservation area. The design of the dwellings is appropriate and there is sufficient amenity space and parking provided. The proposals do not result in any environmental or highway objections. The proposal accords with Development Plan policies and Government advice.

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 (walls and roof).**
4. **Landscaping (including hardsurfacing and boundary treatment).**
5. **Tree protection (detailed).**

6. New vehicular access.
7. Close existing accesses.
8. Vision splay details.
9. Parking and manoeuvring details retained.
10. Cycle parking as per the plan.
11. Off site highway works to be implemented as per plan.

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