

<b>APPLICATION NO.</b>	<a href="#">P18/S0560/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	22.02.2018
<b>PARISH</b>	STOKE ROW
<b>WARD MEMBERS</b>	David Nimmo-Smith Charles Bailey
<b>APPLICANT</b>	Mr Stow
<b>SITE</b>	Land adjacent to Village Green, Newlands Lane, Stoke Row, RG9 5PS
<b>PROPOSAL</b>	Erection of 2 new dwellings based on previously approved scheme (as amended to revise fenestration details)
<b>OFFICER</b>	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 is 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 December 2017 following approval by the Planning Committee in November 2017 for the erection of two dwellings on the site (application P17/S2845/FUL). This permission remains extant until December 2020.

2.2 This application seeks planning permission for a revised scheme very similar to the approved scheme. The differences between the approved and current scheme are set out below.

Plot 1

- Addition of basement (49m<sup>2</sup>)
- Increase in height of main ridge by 0.4m
- Increase in width of side facing gable by 0.9m
- Additional dormer window on the front elevation
- Single storey addition on rear elevation
- Two additional windows in the side elevation

Plot 2

- Addition of basement (42m<sup>2</sup>)
- Increase in height of main ridge of 0.3m
- Single storey additions to front and rear elevations
- Alterations to fenestration details on the side elevations

2.3 The position of the dwellings on the site and the access and turning arrangements remain the same as with the approved scheme. 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 whilst a copy of the approved plans relating to application P17/S2845/FUL is **attached** as Appendix C. Other documentation relating to the application can be viewed on the council's website, [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

### 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Stoke Row Parish Council** – Objects. The dwellings are not sympathetic adjacent to the conservation area. Each planning request increases the amount of building and leads to increasing urbanisation of what is a very rural village.

- 3.2 **Neighbours** - 4 letters of objection received raising the following concerns:

- Permitted development rights should be restricted
- Lighting should be restricted
- The driveway should be shingle
- Concerns over maintenance of 'orchard' area
- Concern about overlooking from the dwellings
- One dwelling would have been more acceptable
- Sightlines over third party land cannot be provided
- Concern that delivery and collection vehicles cannot enter and exit the site in forward gear

### 4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P17/S2845/FUL – Approved (5/12/17)

Erection of two 4-bedroom dwellings and formation of vehicular access.(as amended to reduce the width of the access and indicate sight lines)

[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).

### 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)  
Chilterns Buildings Design Guide

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 P17/S2845/FUL, 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 most significant changes to the dwellings relate to the addition of basements, which would be entirely below ground level. Consequently, the basements would give rise to no additional visual impact and would preserve the character and appearance of the Conservation Area.
- 6.6 The above ground amendments to the dwellings are modest being that they relate to minor additions to the dwellings, minor fenestration changes and a very modest increase in the height of the dwellings. The cumulative impact of these changes on the character and appearance of the Conservation Area would be negligible particularly having regard to the unobtrusive position of the dwellings in respect of public views from Newlands Lane or other vantage points.
- 6.7 The layout of the development and the access arrangements have not altered from the approved scheme, and therefore, do not need to be reconsidered under this application. The modest changes to the design of the dwellings compared to the approved scheme causes no detriment to the landscape qualities of the Chilterns AONB.

#### Impact on the Amenity of Neighbouring Occupiers

- 6.8 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.
- 6.9 The footprint and siting of the dwellings has not changed from the approved scheme. Due to the distances to the boundaries with existing neighbouring properties the modest single storey additions and modest increase in roof height would cause no material harm to neighbouring occupiers through loss of light or outlook.
- 6.10 In respect of the fenestration changes to Plot 1 the additional front dormer would look over the front of the site and cause no material loss of privacy to neighbouring occupiers. The additional windows in the side elevation would look towards the side elevation of Plot 2 and I recommend that the first floor ensuite window is conditioned to be obscure glazed to avoid loss of privacy to Plot 2. The only first floor window proposed in the side elevation of Plot 2 would look towards Plot 1 and I recommend that this window is similarly conditioned to be obscure glazed.

#### Highway Considerations

- 6.11 The proposed, access and parking arrangements would be exactly the same as those approved under P17/S2845/FUL. Therefore, these matters do not need to be revisited under this current scheme.

Other Material Considerations

- 6.12 Issues relating to trees and ecology were considered under the previous application and do not need to be revisited having regard to the nature of the amendments now proposed.
- 6.13 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**

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

1. **Commencement of development within three years.**
2. **Development to be carried out in accordance with the approved plans.**
3. **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. **First floor side facing windows to be obscure glazed and fixed shut.**
7. **No additional first floor windows or roof openings.**
8. **Details of spoil disposal to be agreed in relation to excavation of basements.**
9. **Withdrawal of permitted development rights for extensions and outbuildings.**
10. **Improvements to existing vehicular access to be implemented prior to occupation of the dwelling.**
11. **Vision splay details implemented and retained as approved.**
12. **Parking and manoeuvring areas retained as approved.**
13. **No surface water drainage to the public highway.**
14. **Any gates to be set back a minimum of 5 metres from the carriageway.**
15. **Soft landscaping scheme including details of planting of trees and any replacement hedgerows and hard landscaping including driveway and**
16. **parking surfacing and boundary treatments to be submitted and agreed prior to commencement.**
17. **A long-term management plan for the orchard area to be agreed.**
18. **Tree protection measures to be agreed prior to commencement of development.**

**Author:** Tom Wyatt

**Email:** [Planning@southoxon.gov.uk](mailto:Planning@southoxon.gov.uk)

**Tel:** 01235 422600

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