

APPLICATION NO.	P18/S0493/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	19.2.2018
PARISH	KIDMORE END
WARD MEMBER	Robert Simister
APPLICANT	Mr Richard Bowles
SITE	Yew Tree Cottage, Horsepond Road, Gallowstree Common
PROPOSAL	Erection of two-storey 3-bedroom dwelling at rear of garden (position of dwelling and parking and design of dwelling altered as shown on amended plans received 22nd April 2018).
OFFICER	Paul Lucas

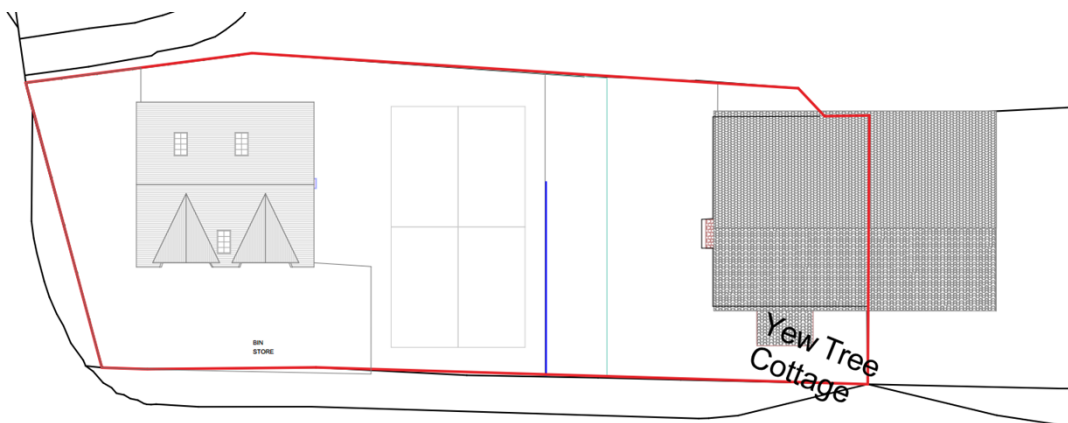
1.0 INTRODUCTION

1.1 The application is referred to the planning committee due to the difference in views between officers' recommendation and Kidmore End Parish Council. Officers recommend that planning permission is granted. This report explains how officers have reached this conclusion.

1.2 The application site is attached at **Appendix 1**. It is a 0.0486 hectare parcel of land that is occupied by a semi-detached two-storey dwelling and its garden. The site lies within the built-up confines of Gallowstree Common. The garden lies wholly to the west of the dwelling and borders the junction of Horsepond Road with The Hamlet. Vehicular access is taken onto The Hamlet, close to the junction. The site is bordered by the garden of Applegarth to the north and the attached semi Syringa Cottage to the east. The site lies within the Chilterns AONB, otherwise there are no other special designations on this site.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the subdivision of the plot and the erection of a two-storey three-bedroom dwelling at the western end of the garden. The existing vehicular access would be closed and replaced with a new vehicular access onto Horsepond Road serving both existing and proposed dwellings. The application was amended during the process to reposition the dwelling and the access and change the design, as shown on the current plans.



2.2 A copy of the relevant plans can be found at **Appendix 2**, and other documentation associated with the application can be found on the Council's [website](#).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Kidmore End Parish Council – The application should be refused due to:

- Overdevelopment of site
- Concern about access so close to existing junction
- Windows will overlook neighbour's garden

Objection sustained for amended plans.

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

Countryside Officer (South Oxfordshire & Vale of White Horse) - No objection subject to nesting birds informative

Forestry Officer (South Oxfordshire District Council) - No objection

Neighbours – One representation to the original consultation concerned about unneighbourliness and out of proportion with the plot, request no windows facing Applegarth, minimise noise disruption and no obstruction of private access during construction. No further representations to the amended plans

SGN Plant Protection Team - No strong views

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P17/S2640/PEM](#) – Advice provided (25/10/2017)
Erection of 2 or 3 bedroom detached house

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
 - 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
 - C9 - Loss of landscape features
 - 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
 - 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 Kidmore End Neighbourhood Plan – Kidmore End Neighbourhood Area was formally designated on 20 December 2017. The parish council has started the process of gathering evidence and engaging with the local community. This is to give the plan a direction and draft policies that will form the neighbourhood plan.
- 5.4 Supplementary Planning Guidance/Documents
South Oxfordshire Design Guide 2016 (SODG 2016) – Chapter 7 – Plots & Buildings
Chilterns Buildings Design Guide – Chapter 3
- 5.5 National Planning Policy Framework (NPPF)
National Planning Policy Framework Planning Practice Guidance (NPPG)
The policies within the SOCS and the SOLP 2011 of relevance to this application are in general conformity with the provisions of the NPPF and NPPG 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 strategy for housing development in rural areas;
 - result in the loss of an 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;
 - cause harm to the vitality and longevity of protected trees;
 - safeguard the living conditions of neighbouring residential occupiers and provide suitable living conditions for future occupiers;
 - provide adequate off-street parking for the development and not give rise to any conditions prejudicial to highway safety; and
 - give rise to any other material planning considerations.

6.2 Principle of Development

The site is located within Gallowstree Common. The SOCS Policy relevant to this proposal is CSR1, which outlines the approach for assessing proposals for infill residential development in the District. The SOCS classifies Gallowstree Common as a “Smaller” village. Policy CSR1 explains that residential development on infill sites of up to 0.2 hectares in size is acceptable in principle in “Smaller” villages. The supporting text for Policy CSR1 states: “Infill development is defined 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.” Officers consider that the site would be closely surrounded by dwellings, with the host dwelling to the east, Applegarth and The Crown adjacent to the north and No.9 Horsepond Road on the opposite side of The Hamlet. The plot for the proposed dwelling would be well below 0.2 hectares, which would comply with the maximum infill plot size. Based on the above assessment, officers are satisfied the principle of this development is acceptable under the SOCS. Consequently, the proposal falls to be assessed primarily against the criteria of Policy H4 of the SOLP 2011 for new dwellings, which are addressed below.

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 visible from the road it is seen in the context of surrounding buildings, hardstandings and gardens and it does not afford any significant views into the open countryside. Despite the land’s undeveloped status,

there is no evidence of any significant ecological implications arising from this proposal. The above criterion would therefore be met.

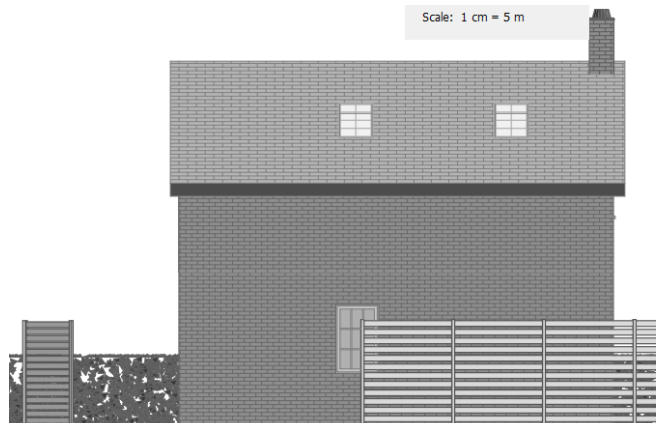
6.4 Visual Impact

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 amplify this requirement. Policy CSEN1 of the SOCS aims to safeguard landscape character, with particular weight being given to AONBs. The appearance of nearby dwellings is mixed, with variation in size and form. The dwelling would occupy a relatively small plot, but as it would be a modestly-sized property it would not appear disproportionate. It would also be on lower ground than Yew Tree Cottage, Applegarth and The Crown, which would reduce its relative prominence in public views. The proposal would follow guidance in Section 7 of the SODG 2016 in relation to the position and density of buildings. The external walling materials would be traditional in the form of brick. Although the application forms state that the proposed roof tiles would be red clay, the proposed roof slope of 30-degrees would likely preclude this. However, natural slate is an appropriate and common roofing material in the vicinity that could be secured through a planning condition. Consequently, the dwelling would appear in keeping with the varied form of development in the immediate locality and would not detract from the landscape setting of Gallowstree Common within this part of the Chilterns AONB.

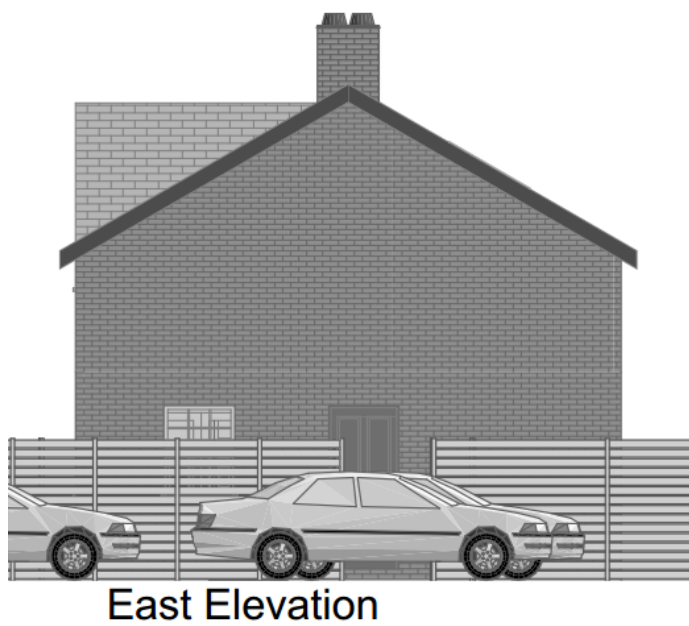
6.5 The shared vehicular access and parking would be located between the existing and proposed dwellings, but this would not look out of place, given that several other dwellings nearby have frontage parking. The Council's Forestry Officer has raised no objections and there would be sufficient scope for planting to help soften the impact of the development. In the light of the above assessment, the proposal would comply with the above policies.

6.6 Residential Amenity 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 north elevation of the dwelling would be about 2 metres from the boundary with Applegarth. However, the closest part of the neighbouring plot is occupied by the driveway to that dwelling. The distance between the proposed dwelling and the south-west facing wall of Applegarth would be around 35 metres, more than the 25-metre recommended minimum standard as set out in Section 7 of the SODG 2016. There would be no first floor windows in the north elevation facing towards Applegarth's garden. The rooflights could be subject to an obscure glazing/ fixed shut planning condition to ensure privacy would be maintained.



- 6.7 There would be about 18 metres between the east-facing side wall of the proposed dwelling and the west-facing side wall of Yew Tree Cottage. This would be sufficient to maintain acceptable levels of light and outlook for that existing property. The distance between the proposed dwelling and the retained garden of Yew Tree Cottage would also accord with the 10-metre recommended minimum standard set out in Section 7 of the SODG 2016. There would be no first floor windows in the east-facing side wall of the proposed dwelling that would overlook the existing dwelling. The first floor windows in the west-facing wall of Yew Tree Cottage would overlook the blank wall of the proposed dwelling, the shared parking area and would be over 10 metres from the garden of the proposed dwelling. All of the above factors would lead to a satisfactory relationship between the future occupiers of existing and proposed dwellings in relation to light, outlook and privacy.



- 6.8 The distance from other boundaries would prevent any discernible impact on other nearby dwellings to the north and west. The proposed garden and the retained garden for Yew Tree Cottage would both comply with the 100-square metre recommended minimum garden size for dwellings of this size, as set out in Section 7 of the SODG 2016. Based on the above assessment, the proposal would comply with the above policies.
- 6.9 Access and Parking
Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. The Highway Liaison Officer (HLO) raised a holding objection to the original layout, which would have intensified the use of the existing access onto The Hamlet. The HLO supports the revised layout, finding that a new access onto Horsepond Road would be an acceptable solution. The number of parking spaces would be adequate to serve both dwellings of this size and would limit on-street parking from occurring. On this basis, the proposal would comply with this element of the above criterion, subject to the imposition of several highways-related planning conditions.
- 6.10 Other Material Planning Considerations
Matters relating to noise could be dealt with under statutory nuisance legislation in the Environmental Protection Act 1990. An informative can be added to draw the applicant's attention to the Considerate Constructors Scheme in relation to construction traffic management. A planning condition is deemed necessary to remove certain

permitted development rights for extensions and outbuildings to enable the Council to retain control over future householder development that might otherwise have an unacceptable visual or neighbour impact.

6.11 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 Kidmore End 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 in keeping with the character and appearance of the area and the landscape character of the Chilterns AONB, would safeguard the living conditions of nearby residents and would not 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 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. **Schedule of materials to be agreed prior to commencement of development.**
5. **Rooflights in north elevation to avoid overlooking (specified cill level).**
6. **No additional first floor openings to be inserted in north elevation.**
7. **Withdrawal of permitted development for extensions and outbuildings.**
8. **New vehicular access to be formed prior to occupation.**
9. **Close existing access prior to the use of the new access.**
10. **Vision splays to be provided prior to occupation.**
11. **Pedestrian vision splays to be provided prior to occupation.**
12. **Parking and turning areas to be provided prior to occupation.**
13. **Landscaping (including hardsurfacing and boundary treatment) details to be agreed prior to commencement of development.**

Informatives

1. **Wild bird informative.**
2. **Considerate constructors scheme informative.**

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