

APPLICATION NO.	P18/S4099/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	20.12.2018
PARISH	ASTON TIRROLD
WARD MEMBERS	Pat Dawe Jane Murphy
APPLICANT	Mr & Mrs M Holburn
SITE	Ashbrook The Croft Aston Tirrold, OX11 9DL
PROPOSAL	Erection of a detached chalet-style dwelling with parking and amenity space.
OFFICER	Kim Gould

1.0 **INTRODUCTION**

- 1.1 This application has been referred to Planning Committee because the recommendation to grant planning permission conflicts with the views of Aston Tirrold Parish Council.
- 1.2 The site lies on the southern side of The Croft close to the corner with Aston Street. It is currently the side and part rear garden of a detached property known as Ashcroft.
- 1.3 Ashcroft is a non-listed building which has been previously extended and has a detached garage with games room in its roofspace. To the west of the site is a two-storey detached property and to the south is The Gate House, a two-storey detached dwelling. On the opposite side of The Croft is the burial ground which is recognised within the Aston Tirrold/Upthorpe Conservation Area Character Study as an important open space.
- 1.4 The site lies within the North Wessex Downs Area of Outstanding Natural Beauty. A narrow strip of the site lies within the Aston Tirrold conservation area with the majority of the site lying outside but abutting the conservation area as illustrated below. The hatched area represents the conservation area. A public footpath (116/2) runs northwards from The Croft, from a point adjacent to the site and along the western edge of the burial ground. An OS extract showing the location of the site is **attached** as Appendix1.



2.0 **PROPOSAL**

2.1 This application seeks full planning permission to erect a detached, two-storey, three-bedroom dwelling within the side garden of Ashbrook.

2.2 A copy of the submitted plans is **attached** as Appendix 2. A copy of the full submission can be found on the council's website at www.southoxon.gov.uk

2.3 The proposed single dwelling would be sited some 15 metres from The Croft and some 4 metres from the existing side elevation of Ashbrook. Access would be via the existing entrance to Ashbrook which is off The Croft and the new property would have 2 parking spaces and turning at the front of the site.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Aston Tirrold Parish Council – Objection

- Height and scale of the proposed new dwelling
- Impact on views from the conservation area
- Precedent
- Artificial light pollution

3.2 County Archaeological Services (SODC) - No objection

3.3 Conservation Officer – No comments received to date

3.4 Countryside Officer – No comments received to date

3.5 Highways Liaison Officer (Oxfordshire County Council) - No objection subject to conditions relating to access and parking

3.6 Neighbours – One representation of support:

The proposed new building is infill and entirely in keeping with the vicinity. Moreover, it provides a much-needed smaller property. Many similar sized properties in the villages have been enlarged, this building would form a replacement for the small dwellings that have effectively been lost, thus redressing the balance and variety of sizes of property available locally. There will be no loss of amenity as a result of the development. The depth of the plot is far greater than its neighbours on the same side of The Croft, so the housing density is in keeping, and still leaves Ashbrook with a very generous plot. I would support this application wholeheartedly.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/S0902/HH](#) - Approved (26/05/2015)

Partial conversion of garage block. Raise roof pitch and convert loft, add dormer and roof-light.

[P11/W0169](#) - Approved (01/04/2011)

Single-storey side extension to dwellinghouse to provide an additional bedroom.

[P07/W0869](#) - Approved (14/09/2007)

Erection of single storey, side extension.

[P84/W0513](#) - Approved (12/06/1985)

New double garage and extension to bungalow (as amended by drawings received on 3 May 1985).

[P84/W0273](#) - Approved (01/08/1984)

New double garage; existing garage converted into bedroom/gallery; erection of porch/hall extension; bathroom extended; one bedroom converted to study. (As amended by drawings received on 25 June 1984).

[P66/R3579](#) - Approved (02/02/1967)

PROPOSED BUNGALOW AND GARAGE

[P66/R3461](#) - Approved (04/08/1966)

PROPOSED DWELLING HOUSE AND DOUBLE GARAGE

[P65/R3176](#) - Approved (02/07/1965)

PROPOSED SITE FOR TWO DWELLINGS

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSEN3 – Historic environment

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

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

- C9 - Loss of landscape features
- 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
- 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 Aston Tirrold and Aston Upthorpe Conservation Character Appraisal 2005

5.4 Neighbourhood Plan policies; The NPPF allows 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 of the NPPF.

Aston Tirrold are working towards the adoption of a Neighbourhood Plan. As such, it has limited weight at this stage.

5.5 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.6 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

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

- Whether the principle of residential development is acceptable
- Policy H4 criteria
- Impact on neighbours
- Garden sizes
- Impact on the character and appearance of the Aston Tirrold conservation area
- Impact on the landscape character of the North Wessex Downs AONB
- CIL
- Other issues

6.2 **Principle**

The NPPF (2018) advocates a presumption in favour of sustainable development. In relation to planning applications this presumption in favour of sustainable development means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no development plan policies or the policies which are most important for determining the application are out-of-date, granting planning permission unless:

- i. The application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this framework taken as a whole (paragraph 11)
- 6.3 Aston Tirrold is identified in Appendix 4 of the SOCS as a smaller village where the principle of residential development by way of infilling or redevelopment is considered acceptable. Infill development is defined within the SOCS as being “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.”
- 6.4 This site lies within the built-up limits of Aston Tirrold. It is both a small gap in an otherwise built up frontage and is closely surrounded by buildings. As such, it is my view that the principle of infill development is acceptable in this location. Having established that the principle of residential development the detail of the proposal falls to be considered by assessing it within the context of policy H4 of the SOLP.
- 6.5 **Policy H4 Criteria**
Policy H4 of the SOLP allows proposals for housing within the built up areas of the towns and villages within the district provided that they meet the following criteria:
- 6.6 **An important open space of public, environmental or ecological value is not lost nor an important public view spoilt.**
The site is currently part of the garden for Ashcroft. It is therefore not an important open space of public importance. I have consulted the council’s Countryside Officer but have not yet received his response. I will update Members on this at the meeting.
- 6.7 **The design, height, scale and materials of the proposed development are in keeping with its surroundings**
One of the Parish Council’s objections is the height and scale of the proposed development. Within The Croft there is a variety of house styles. Ashcroft is a bungalow, Bryony to the west is a detached two storey property with those on the north side of the Croft being predominantly semidetached two storey properties. The proposed single dwelling would be a detached two-storey property which would be finished using render and timber boarding with a tiled roof. There are examples of these materials being used on properties in the vicinity with contemporary replacement dwellings in Aston Street. A two-storey property with a maximum ridge height of 7.3 m would be in keeping with its surroundings in my opinion.
- 6.8 **The character of the area is not adversely affected**
The established character is predominantly residential with the burial ground being the anomaly. The existing dwelling face onto The Croft and the proposed new dwelling would reflect this orientation. Gaps to the east and western boundaries would remain and existing and proposed planting would help assimilate the proposed development into its surroundings.
- 6.9 **There are no overriding amenity, environment or highway objections**
The proposed dwelling would have 3 bedrooms. The council’s parking standards require 2 car parking spaces for this size of dwelling. The proposed development has 2 spaces provided at the front of the property and the County Highway Authority has raised no objection to the proposal on parking or access grounds. The impact of the proposal on neighbours’ amenity is discussed in paragraph 6.5 below.

- 6.10 **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 proposed development would not constitute backland development.
- 6.11 **Impact on neighbours**
The neighbours most affected by this proposal are Bryony to the west and Ashcroft to the east. A distance of some 12 metres would separate the side elevations of the new dwelling and Bryony. A mature hedge currently runs along the west of the site and is proposed to be retained. There is only one first floor side window proposed and that would serve a bathroom which is conditioned to be obscure glazed. Two first floor bedroom windows are proposed in the rear elevation. These would look out towards open land at the rear of the site with only very oblique views towards Bryony possible. As such, the proposed development would not lead to direct overlooking into the private rear garden of this neighbouring property.
- 6.12 The new dwelling would have two, first floor bedroom windows in the side elevation facing Ashcroft. As Ashcroft is a single storey property, these new windows would be at a higher level than the existing ground floor side windows of Ashcroft. These windows are secondary bedroom windows so could be obscure glazed and fixed shut to allow light only into these rooms. The first-floor rear window would look out towards open land to the rear with oblique views towards the rear garden of Ashcroft. This relationship is no different to that which already exists in The Croft with the houses sitting side by side with rear first floor windows. A 2m high fence would extend along the shared boundary and therefore privacy would not be compromised. It is my opinion that the proposed development would not lead to an unacceptable impact on neighbour amenity.
- 6.13 **Garden sizes**
Minimum standards for garden areas for new residential development are recommended in the South Oxfordshire Design Guide and in policy D3 of the SOLP. The SODG recommends that a 3 or 4-bedroom dwelling should have an amenity space of at least 100sqm. In this case, the new dwelling would have a garden in excess of 300sqm and Ashcroft, which is a 4-bedroom dwelling, would be left with a garden in excess of 1300 sqm. As such, both properties would have garden sizes which well exceed the council's minimum standards in relation to amenity space.
- 6.14 **Impact on the character and appearance of the Aston Tirrold conservation area**
The Parish Council has objected to the proposal on a number grounds listed in paragraph 3.1. These include the impact of the proposal on the character of the conservation area. The NPPF advises that great weight should be given to the conservation of a heritage asset – in this case, the Aston Tirrold conservation area.
- 6.15 Policy CSEN3 of the SOCS seeks to ensure that conservation areas will be conserved and enhanced and that proposals that affect non-designated assets will be considered taking account of the scale of any loss in the significance of the heritage asset. Policy CON7 of the SOLP seeks to ensure that development in a conservation area does not harm the character and appearance of the area; that the design and scale of the new work is in sympathy with the established character of the area and that traditional materials are used whenever appropriate.
- 6.16 In this case, only a small section of the site actually lies within the conservation area. However, views into and out of the conservation area are important and should be carefully considered. The existing use of the site is domestic garden which could include ancillary garden buildings erected under permitted development. The site would

retain the residential use and would, in my opinion, preserve the character of the conservation area. At the time of writing, I have not yet received the response from the council's conservation officer. I will update Members at the committee meeting.

- 6.17 In the Conservation Area Character Appraisal reference is made to The Croft stating "Although these views towards and out of the conservation area are important, the architecture of The Croft does not reflect the distinctively local character of the village and it is not proposed that the conservation area should be extended to include this part of the village." The part of the site to be developed lies outside the conservation area and would not, in my view, detract from the character and appearance of the Aston Tirrold conservation area.
- 6.18 **Impact on the landscape character of the North Wessex Downs AONB**
The site lies within the North Wessex Downs AONB. The NPPF advises that great weight should be given to conserving these areas. Policy CSEN1 of the SOCS seeks to enhance AONBs and to protect them from inappropriate development. The proposed development of a single detached dwelling within the built up limits of the village within an existing residential plot would not, in my opinion, have any material adverse impact on the special character of the AONB.
- 6.19 **Community Infrastructure Levy**
CIL is payable on this scheme. The appropriate forms and information have been submitted at this stage.
- 6.20 **Other issues**
As background, planning permission was originally granted in 1965 for 2 dwellings on this site. A subsequent planning application for a single dwelling on the site was approved and that is what has been built.
- 6.21 Two of the Parish Council's concerns include the precedent the approval of this application would establish, and the harm caused by artificial light pollution. With regards to precedent, each application falls to be considered on its own planning merits and the setting of precedent as a reason for refusal is not appropriate in my opinion. With regards to light pollution. The application is for a modest 3-bedroom dwelling within an established residential area. It is my opinion that this development would not materially increase the amount of artificial light pollution to warrant a refusal of planning permission.
- 7.0 **CONCLUSION**
- 7.1 The principle of residential development is acceptable on this infill site. The proposal provides sufficient garden sizes and parking for both the host dwelling and the new property. The proposed dwelling would not result in any unacceptable overlooking or amenity issues and would not detract from the established character of the conservation area or the AONB. The proposal accords with Development Plan policies.
- 8.0 **RECOMMENDATION**
That planning permission is granted 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. Sample materials (walls and roof) to be agreed prior to commencement of development.**
 - 4. Landscaping scheme (trees and shrubs only) to be agreed prior to commencement of development.**

- 5. Vehicular access to be provided in accordance with the Highway Authority's Specifications.**
- 6. Parking and manoeuvring areas to be provided and retained in accordance with the approved details.**
- 7. Obscure glazing to side facing first floor windows.**

Author: Kim Gould
Contact No: 01235 422600
e-mail: planning@southoxon.gov.uk