1.0 INTRODUCTION

1.1 This application is referred to the planning committee as the officer’s recommendation of approval conflicts with the views of Aston Rowant Parish Council.

1.2 The application site (which is shown on the OS extract attached at Appendix A) contains a 1970’s extended dwelling set within generous 0.65ha grounds, of which a substantial portion comprises a relatively open paddock. The property is bordered by residential development to the north-east and south-west and the main access is via a shared driveway leading to the High Street/ B4009. There is an additional field access gate between the north-west boundary and the adjacent single lane track access lane which is also a public right of way (Aston Rowant Footpath 28). Although the footpath is approximately 86m from the existing dwelling, there is a relatively high level of public visibility of the site due to the low-key rail fencing and topography of the land. The site falls wholly within the Kingston Blout Conservation Area.

1.3 In 2018, full planning permission was granted for the demolition of the existing dwelling and its replacement with a larger property, with a new defined garden area, rear access driveway and associated landscaping works. Work has commenced on aspects of the approved scheme. Copies of the approved plans are attached at Appendix B

2.0 PROPOSAL

2.1 As detailed in the application submission, consent is now sought for a variation of the approved scheme. The key changes are as follows:-

- Increase in the width and eaves height of the hips at the gable ends
- Addition of flue
- Enlarged basement and vehicular ramp; for access to the garaging underground
- Basement doors/windows to utility and pool room and two associated light wells;
- Additional dormer and rooflights
- Conversion of integral garage to habitable space
- Formation of colonnade to side elevation
- Hipped projection of the roof at NE elevation, to create covered balcony
- Alterations to ground floor doors

P18/S4243/FUL

Application Type: FULL APPLICATION

Registered: 14.1.2019

Parish: ASTON ROWANT

Applicant: Mr Pope

Site: Hill Cottage High Street Kingston Blount, OX39 4SJ

Proposal: Variation of condition 2 (drawings) on application ref. P17/S4288/FUL to incorporate design changes.


Officer: Simon Kitson
- Additional high level window to bathroom inserted into northern elevation with a cill height of 1.7m above Finished Floor Level and with obscured glass

2.2 The current proposed site plans, elevations and floor plans are attached as Appendix C. All associated documents and consultation responses can be viewed on the council’s website: www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Aston Rowant Parish Council – Objection
- The changes being proposed are material in terms of their scale and effect and threaten harm to the setting of a Conservation Area. Inappropriate in a small, rural village.
- ARPC would probably support the changes to roof heights and windows. These really make little difference on the application that has already been approved.
- Building a ramp in a conservation area is inappropriate. The council’s conservation officer’s views should be sought.

Conservation Officer (South) - No strong views
- There would not be a change to the overall height
- The appearance of the building is slightly changed with some differences in the fenestration with an additional covered balcony area. These changes have no greater visual impact on the conservation area and would be largely consistent with the approved scheme.
- The scheme also includes a basement which has no impact on the conservation area. Following the submission of an additional plan showing the enclosing safety railings, this would not comprise an inappropriate feature within the site.

Neighbours – 8 representations of objection – key issues raised
- The neighbouring properties objected to the original scheme. Any further amendments are inherently unacceptable in principle.
- The changes are material in nature and the council should refuse to determine the application on the basis that a full application is required. S73 applications are a mechanism for developers to gain consent by avoiding following the correct procedure. If the authority were to determine this, consent should be refused.
- The proposal would result in structural damage to the public footpath and neighbouring properties
- The house would appear less rural. The basement ramp and lightwells, and the change to the size and massing of the building, are excessive and harmful to the rural surroundings.
- The changes would be highly visible from public vantage points, contrary to the views expressed within supporting documents
- There would be material harm to the character and appearance of the conservation area. The application has not been considered by the council’s specialist conservation and design team.
- The fenestration changes and the new balcony would result in severe losses of privacy to the nearest residential properties

4.0 RELEVANT PLANNING HISTORY

P18/S2878/DIS - Approved (02/10/2018)
Discharge of conditions: 3-Schedule of Materials, 6-Landscaping, 8-Turning Area & Car Parking, 10-Construction Traffic Management, 11-Wildlife Protection & 12-Spoil Removal on application P17/S4288/FUL

Demolition of Hill Cottage and stable. Erection of new detached dwelling. Provision of new approach drive. Landscaping, fencing and other related works (as amended by revised plans received 28th March 2018, amending the building and driveway design)

P17/S4235/FUL - Approved (02/10/2018)
Proposed conversion of existing buildings via adaptation and partial demolition to create new dwelling. Provision of new garage. (landscaping plan received 29th March 2018).

P17/S4288/FUL - Approved (15/06/2018)
Demolition of Hill Cottage and stable. Erection of new detached dwelling. Provision of new approach drive. Landscaping, fencing and other related works (as amended by revised plans received 28th March 2018, amending the building and driveway design)

5.0 POLICY & GUIDANCE
5.1 South Oxfordshire Core Strategy (SOCS) Policies;
CS1 - Presumption in favour of sustainable development
CSEN3 - Historic environment
CSQ3 - Design
CSR1 - Housing in villages

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;
CON6 - Demolition in conservation area
CON7 - Proposals in a conservation area
C4 - Landscape setting of settlements
G2 - Protect district from adverse development
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
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)

5.4 National Planning Policy Framework (NPPF)
National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 PLANNING CONSIDERATIONS
6.1 Officers accept that the changes are material, but they are also minor in the context of the approved scheme. It is considered appropriate to determine the current proposal under the ‘material minor amendments’ procedure set out under Section 73 of the Town and Country Planning Act 1990 (as amended). For the avoidance of doubt, this type of application has the same statutory consultation requirements and determination period...
as the original application. This type of application also follows the same committee referral rules set out under the council’s constitution and an assessment against the same Development Plan polices apply.

6.2 The key areas considered are as follows:
- Whether the principle of the development is acceptable
- Whether the design, height, scale and materials would impact adversely upon the character of the site, the street scene and the wider conservation area;
- Whether there would be a harmful impact upon neighbouring amenity, in terms of light, outlook and privacy
- Whether the proposal would be prejudicial to highway safety

**Principle of development**

6.3 The previous consent established the principle of a replacement dwelling in this location, together with its siting and access arrangements.

6.4 The visual impact upon the site and its surroundings would still need to comply with the housing and design objectives of the Development Plan, as expressed by SOCS Policy CSQ3 and SOLP Policies H4 and D1. SOCS Policy CSEN3 and SOLP Policy CON7 remain relevant as they reinforce the council’s statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as per Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

**Scale, design and heritage impact**

6.5 The council’s Conservation and Design Team, who are not a statutory consultee, have again been involved in discussions over the proposed design. They do not raise objection to any aspect of the proposed works.

6.6 The dwelling would continue to be more than 70m from Mutton Lane, even after the modest increase in the depth of the north-west projecting gable. It would also continue to be afforded a level of screening through the retained trees. The change to the hips would not result in a discernible increase in the height and it would not be readily apparent in views from public vantage points. The building would still sit below the ridgeline of the barn to the south and the new builds within the former curtilage of Apsley Cottage. Officers consider that the fenestration additions and other alterations would not significantly change the overall form and character of the approved building. It would continue to have an appearance consistent with the agricultural vernacular of the site. This does not appear to be disputed by the Parish Council, whose objection is largely confined to the addition of the basement ramp.

6.7 With regard to the enlarged basement and new undercroft parking, officers acknowledge that this departure from the approved plans would create an increase in the subterranean volume of the approved dwelling, with a greater amount of excavation required. However, the spoil removal would be covered by the scheme approved under the original consent, the ramp would be more than 70m from the public footpath and it would be located in a fairly innocuous location at the end of the winding driveway. Even with the addition of a 1.1m high black security rail around part of its perimeter, this feature would not be prominent in any public views and officers do not accept that it would harm the visual amenity of the area or the wider historic environment.

6.8 In summary, officers are satisfied that the cumulative changes to the approved plans would neither result in material harm to the rural character of the site nor have a
significant impact upon the character and appearance of the Kingston Blount Conservation Area.

**Neighbouring amenity**

6.9 Whilst it is acknowledged that the changes to the approved scheme would have a greater degree of visibility from the gardens of some of the surrounding properties, it is well established that the impact of a proposal upon private views is not a material planning consideration. The council can only take into consideration material losses of light, outlook or privacy.

6.10 As with the original scheme, there are considerable separating distances between the proposed dwelling and the nearest dwellings, well in excess of the SODG recommendations. The minor increase in height would not result in a materially harmful impact in terms of losses of daylight or sunlight to the neighbouring living accommodation and gardens.

6.11 With regard to privacy, the additional north-east facing bathroom strip windows would be high level and obscure glazed. The dormer window at the south-west elevation would be nearly 20m from the nearest dwelling at Appleton House and views over the garden of that property would mostly be oblique. The approximate 16.5m distance to the garden boundary at Hazeldene House would exceed the 10m minimum recommended within Section 7 of the SODG. Whilst the proposed balcony at the north-west elevation would allow for the occupants to look over the sides, the distance to the shared boundary with Hill House is approximately 17m and the main outlook would be across the applicant’s field. Officers are satisfied that the proposed changes are acceptable in terms of the impact upon neighbouring privacy.

**Highway safety**

6.12 Aside from the revised parking layout, which would continue to meet the maximum standards set out under Appendix 5 to the SOLP, there would not be an appreciable change to the site access arrangements. Accordingly, officers are satisfied that the amended proposal remains acceptable in terms of pedestrian and highway safety and further consultation with the Local Highways Authority was not required.

7.0 **CONCLUSION**

7.1 The proposal is in accordance with the relevant Development Plan policies and national planning policy. Officers are satisfied that the proposed replacement dwelling and associated access alterations would not materially harm the rural character of the site as a whole, or the special historic interest of the wider Kingston Blount Conservation Area. The proposal is also considered acceptable in terms of the impact upon the amenity of the neighbouring properties and it would not be prejudicial to highway safety.

8.0 **RECOMMENDATION**

8.1 Grant Planning Permission, subject to the following conditions:

1. That the development hereby approved shall be carried out in accordance with the details shown on the approved plans, except as controlled or modified by conditions of this permission
2. The proposal is to be implemented in accordance with the previously approved schedule of external materials. Any variation to be agreed in writing by the Local Planning Authority.

3. No extensions, roof extensions or outbuildings as described in Schedule 2, Part 1, Class A, B and E of the GPDO shall be erected without obtaining planning permission from the Local Planning Authority.

4. No gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the GPDO shall be erected within the site without obtaining planning permission from the Local Planning Authority.

5. The previously approved landscaping measures shall be implemented prior to the first occupation and thereafter maintained in accordance with the approved plans.

6. Prior to occupation of the development hereby permitted the proposed means of access onto the highway is to be formed and laid out in accordance with the local highway authority's specifications.

7. Prior to the first occupation of the development hereby approved, a turning area and car parking spaces shall be provided within the curtilage of the site in accordance with the approved site plan.

8. The off-site highway works shall be implemented in full before the first occupation/use of the development or in accordance with a programme of implementation agreed in writing with the Local Planning Authority and retained in use.

9. Unless otherwise agreed in writing by the Local Planning Authority, the previously approved Construction Traffic Management Plan (CTMP) shall be implemented throughout the course of the development.

10. Prior to first occupation of the dwelling, the spoil arising from the formation of the basement shall be disposed of strictly in accordance with the previously agreed details.

11. Obscure glazing is to be applied to the bathroom windows in the northeast elevation prior to first occupation of the dwelling hereby approved and retained as such thereafter.

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