1.0 INTRODUCTION
1.1 Officers recommend that planning permission is granted and this report explains how officers have reached this conclusion. The application is referred to the Planning Committee due to the recommendation conflicting with Rotherfield Peppard Parish Council’s recommendation of refusal.

1.2 The application site is as shown at Appendix A. It comprises a rectangular parcel of land containing a two-storey detached dwelling called Mulberry House with vehicular access directly onto Peppard Hill. This dwelling previously occupied a larger triangular plot extending to the south, on which three detached houses have been built with a shared vehicular access. The residential plot occupied by Holly Trees and its detached garage lies adjacent to the south-western site boundary. The north-eastern site boundary is with the spacious plot occupied by Springwood Court. The south-eastern site boundary is with the rear garden of Starlings. The eastern corner of the site boundary lies adjacent to the Chilterns AONB designation, which passes through some of the Springwood Court plot. The trees on the application site are subject to an area Tree Preservation Order Reference: 10S02.

2.0 PROPOSAL
2.1 The application seeks full planning permission for the demolition of the existing dwelling and the erection of a pair of two-storey 4-bedroom semi-detached dwellings and a terrace of two-storey 2 and 3-bedroom dwellings, as illustrated on the plans and supporting documents submitted with the application.

2.2 The application has been subject to a series of amended plans, which have:
- Reduced the overall amount of built form;
- Reduced the amount of space taken up by hard surfacing;
- Moved built form further back from Peppard Hill;
- Increased the separation to adjoining dwellings;
- Provided a comprehensive landscaping scheme including detailed front boundary treatment; and
- Updated bat surveys and mitigation.
2.3 The current plans can be found at Appendix B. Other documents can be viewed on the Council’s website.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Rotherfield Peppard Parish Council - recommends that this application should be refused for the following reasons:

1. Mulberry House is in the smaller village of Peppard Common see Appendix 4 Policy CSR1 Housing in Villages not in the larger village of Sonning Common. There are no housing allocations for smaller villages and this site cannot properly be considered as infill;

2. The surrounding houses are all detached houses of varying sizes set in their own gardens and there are no terraced houses in the immediate area. The application represents overdevelopment of the site as the density is out of character with the surrounding area;

3. Impact on neighbouring properties particularly Starlings, Holly Trees, Maple House and Springwood Court. In addition, we understand that boundary issues between Mulberry House and Springwood Court and enforcement issues against the applicant in relation to a site next door are still to be resolved see SE17/332;

4. The development is on a dangerous bend with poor visibility. This development will further add to the already serious traffic hazards created by new development accesses recently created at the junction of the B481 and Stoke Row Road. The development of 5 additional homes presumably with at least two cars per property will add to the congestion and impact road safety on an already dangerous junction;

5. The plans show parking for 10 cars there is no provision for visitor parking so there is a possibility that visitors will park on the B481 which is a dangerous road, with many heavy goods vehicle movements per day;

6. The Council is also concerned about a number of trees on the site some of which may have been damaged despite being subject to TPO’s and further trees that are to be removed we were unable to discuss this aspect of the application with the applicant's representatives as we were refused access to the site by the present occupant;

7. There is no proper provision for waste vehicles or large delivery vehicles to turn on site so waste will have to be collected by the roadside on Peppard Hill adding to road safety issues on a sharp bend on a busy road; Should this application be approved RPPC strongly recommends that permitted development rights are removed from all the houses especially numbers 3, 4 and 5 so that they remain three bedroomed houses.

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

Countryside Officer (South Oxfordshire) - No objection subject to implementation of bat mitigation condition.

Forestry Officer (South Oxfordshire) - No objection subject to conditions requiring details of tree pit and implementation of tree protection and landscaping details.

Waste Management Officer (South Oxfordshire) - No strong views.
Neighbours – 11 households raising objection and concern during the application process. Four representations of objection and concern have been received for the current set of amended plans:

- Overdevelopment of the site with a cramped development of five dwellings, maximum should be 2-3 dwellings.
- This is an inappropriate development as there are no other terraced properties in the area.
- This layout would be out of kilter with the building lines of Holly Trees and Maple House.
- Impact of two storey side wall of proposed Plot 5 close to Holly Trees.
- Loss of privacy to from front windows of proposed Plots 1 & 2 overlooking front of Holly Trees & Maple House.
- Loss of privacy from rear windows of Plots 3, 4 & 5 overlooking rear garden of Starlings.
- Noise and pollution to the bedrooms of Holly Trees from parking other side of fence.
- Plots 1 & 2 would have north facing gardens lacking in daylight.
- A significant number of trees will be removed.
- The five properties are likely to have 10 cars and this number will potentially lead to accidents on a busy highway where the access has poor sightlines.
- The ownership of land shown does not agree to the Land Registry. Plans are misrepresented to give the impression of better placement of the buildings - plans and ownership need to be investigated as these are the same developers as our property.
- Trees shown at Holly Trees do not exist as the developer has failed to deliver on previous plans - there is an enforcement order on our development that is yet to be resolved.

The representations can be read in full on the Council’s website.

4.0 RELEVANT PLANNING HISTORY

4.1 P14/S2137/FUL - Refused (15/07/2016) due to lack of legal agreement to deliver affordable housing contribution
Demolition of existing building and erection of two two-storey 5-bedroom detached dwellings with associated access and parking.

P13/S1538/FUL - Refused (05/12/2013) - Appeal dismissed (02/07/2014) due to lack of legal agreement to deliver affordable housing contribution
Demolition of existing two storey dwelling and erection of 2x two-storey 5-bedroom detached houses with associated access and parking.

P11/E2556 - Refused (07/08/2012) - Appeal allowed (28/01/2013)
Erection of 3 dwellings with associated access and parking provision. – This is the planning permission for Holly Trees, Maple House and Maple Cottage.

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
CSH2 - Housing density
CSH4 - Meeting housing needs
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
C8 – Adverse affect on protected species
C9 – Loss of landscape features
D1 – Principles of good design
D10 – Waste Management
D2 – Safe and secure parking for vehicles and cycles
D3 – Outdoor amenity area
D4 – Reasonable level of privacy for occupiers
EP3 – External Lighting
EP6 – Sustainable drainage
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 Supplementary Planning Guidance/Documents
South Oxfordshire Design Guide 2016 (SODG 2016) – Section 7 – Plots & Buildings

5.4 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 and therefore this application can be determined against these relevant policies.

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 Housing Strategy;
- 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, having regard to the nearby Chilterns AONB and the preservation of important trees on the site;
- safeguard the residential amenity of surrounding occupiers and the living conditions of future occupiers of the new dwellings;
- provide adequate off-street parking spaces for the resultant development and prevent conditions prejudicial to highway safety from arising;
- provide an appropriate mix of market housing; and
- give rise to any other material planning considerations

6.2 Principle of Development
The site is located within the built-up confines of the settlement of Peppard Common. This is because it would be closely surrounded by buildings, being bordered by residential plots on three sides. The SOCS Policy relevant to this proposal is CSR1. The SOCS classifies Peppard Common as a “smaller village”. Under Policy CSR1, residential development equivalent of 5-6 dwellings on infill sites of up to 0.2 hectares 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." The site area would be about 0.2 hectares, however, this limit does not apply to redevelopment proposals, which Policy CSR1 explains are considered on a case by case basis. Officers consider that the proposal would represent a redevelopment proposal through the demolition of the existing dwelling and are therefore satisfied the principle of this development is acceptable under the SOCS.

6.3 It is also a material planning consideration that the previous application P14/S2137/FUL for a redevelopment with two dwellings was considered under the same Development Plan policies and similar national planning guidance and only refused on grounds of lack of affordable housing contribution. Although the current proposal would increase the net gain of dwellings from one to four, this would still be within the envisaged 5-6 dwellings as an acceptable amount of development envisaged for infill sites in smaller villages. 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.

6.4 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 currently comprises a residential plot containing a detached dwelling and outbuildings and is not accessible to the public. It is viewed in the context of surrounding residential properties. There is limited visibility towards the nearby Chilterns AONB from either Peppard Road to the east or Hillcrest Lane to the south due to the position of existing buildings, trees and boundary fencing. The Council’s Countryside Officer has raised no objection on ecological grounds subject to a bat mitigation condition. As such, the proposal would comply with the above criterion.

6.5 Visual Impact
Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 explain that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area should not be adversely affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 expand on this requirement in respect of ensuring good design and maintaining local distinctiveness. The SOCS Policy CSEN1 and the SOLP 2011 Policy C4 seek to ensure that proposed development conserves the landscape setting of the District’s settlements. The SOLP 2011 Policy C9 aims to retain important landscape features. Whilst concerns have been expressed from third parties about the density of the proposed development, five dwellings on a 0.2-hectare site equates to 25 dwellings per hectare, which is the minimum density set out under Policy CSH2 of the SOCS. This would also accord with the aims of the SOLP 2011 Policy G5 to make best use of land in built-up areas.

6.6 Concerns have also been raised about the proposed layout as a form of tandem development, resulting in a building line that would be inconsistent with the adjoining dwellings to the south. Plot 1 would be about 13.5 metres from the front boundary with Peppard Hill, which would be further back than Maple House, at around 9.5 metres from the boundary. The proposed dwellings would be of a similar height to the existing dwellings to the south and on that basis would not be of an excessive bulk and massing, nor appear unduly prominent in the street scene. In relation to the position of Plots 3-5 towards the rear of the site, both Hilcrest Lane and Butlers Yard are established residential developments that have introduced development in depth behind the building line on the eastern side of Peppard Hill. The proposed terrace would not extend as far back as those developments. Officers also consider that this element of the proposal would not detract from the landscape setting of this part of Peppard Common. This is because the closest public views from the Chilterns AONB to the east, would be at a distance of around 450 metres and against the backdrop of
residential plots and through intervening woodland and mature planting in surrounding gardens.

6.7 Officers are also mindful that a previous application P13/S1538/FUL, where two large dwellings in a tandem arrangement were refused planning permission. However in connection with that appeal, the Inspector noted a variety in the built form within the vicinity of the site and that there is no consistent pattern of development or clear relationship between dwellings and the highway. The proposed arrangement was found not to be undue harmful or incongruous and the appeal was not dismissed on visual grounds. Having regard to this variety, officers consider that the proposed terrace instead of a single detached dwelling would not detract significantly from the character and appearance of the surroundings to warrant refusal of planning permission. A planning condition should be imposed to ensure that the dwellings would be constructed from appropriate external materials, with traditional bricks and clay tiles as the primary materials to respect the nearby Chilterns AONB.

6.8 A detailed landscaping scheme has been submitted, which seeks to replace some of the lower category trees around the site boundaries with new species and to introduce additional planting, particularly between around the frontage to the public highway. The Council’s Forestry Officer is satisfied that this element of the application would provide improved longer-term tree cover and enable the proposal to assimilate into the surrounding environment, to be secured through a compliance planning condition. The Forestry Officer is content that the arboricultural report demonstrates that the protected trees on site shown to be retained could be adequately protected through the course of development, to be secured through a compliance planning condition. The Forestry Officer also accepts that the position of the dwellings in relation to retained and new trees would not result in undue pressure for their future removal.

6.9 The landscaping scheme also incorporates details of boundary treatment. In particular, the front boundary would comprise post and rail fencing with a hedge and intermittent tree planting behind. This would be a more appropriate form of boundary treatment than the existing close-boarded fence and would be more in keeping with the character of the surrounding area than other fencing in the immediate locality. In the light of the above assessment, the proposal would be in accordance with the above policies and criterion.

6.10 Residential Amenity Impact
Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D3 requires adequate amenity space to be provided for future occupiers. 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. Adjoining residents have raised concerns about the impact of the proposed development on their properties. The position of Plots 3-5 would mean they would be staggered to the rear of the adjacent Holly Trees. Plots 3-5 would be positioned about 5.5 metres from the boundary with Holly Trees. In spite of the rear projection, the two-storey side wall of Plot 5 would lie outside a 45-degree line from the closest ground and first floor rear windows at Holly Trees. As Plots 3-5 would be to the north-east of Holly Trees, the sunlight received by this dwelling would not be affected. The front windows of Plots 1&2 would be oriented at right-angles to the front of Holly Trees and Maple House, however, these frontages are not private gardens and the distance of around 10 metres is typical of most residential situations. Furthermore, this area is already somewhat overlooked by the first-floor windows on the south-elevation of the existing Mulberry House. The amount of activity associated with the domestic use of parking spaces adjacent to the boundary with Holly Trees would be unlikely to result in excessive noise nuisance. In one respect, the demolition of Mulberry House would
arguably improve the amenity of Holly Trees by removing windows that directly face the adjoining north-east facing side windows, serving en-suites and a staircase.

6.11 The upper floor rear windows of Plots 3-5, including a second-floor dormer window to Plot 5, facing south-east towards Starlings would be in excess of 15 metres from the boundary. Given the intervening mature boundary screening and that the rear of Starlings is about 20 metres from the boundary, the proposed level of separation would be sufficient to prevent any significant loss of privacy to this adjoining dwelling and its garden. The level of separation between the rear elevations of Plots 1&2 and the side elevation of Plot 3 would be sufficient to avoid any significant loss of light, outlook or privacy to Springwood Court to the north.

6.12 The private gardens for the proposed dwellings would all exceed the relevant recommended minimum areas (50 square metres for 2-bedrooms and 100 square metres for 3 & 4-bedrooms) and 10 metres depths as set out in Section 7 of the SODG 2016. Officers acknowledge that the rear gardens of Plots 1&2 would experience some shading by the position of the dwellings and the retained mature trees along the rear boundaries. However, as discussed above, the Forestry Officer has already commented that the relationship between gardens and trees would be adequate to prevent conflict. In addition, officers consider that the gardens would be sufficiently wide to allow acceptable levels of daylight and for morning sunlight to reach Plot 2 and afternoon sunlight to reach Plot 1. Officers are also satisfied that the distance between the front windows of Plots 3-5 and the side of Plot 2 would be suitably private. Based on the above assessment, the proposal would be in compliance with the above policies and criterion.

6.13 Access and Parking
Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Policy T1 of the SOLP 2011 seeks to ensure that all new development would provide a safe and convenient access for all users of the highway. Third parties are concerned that the access would have poor sightlines onto a busy road about the lack of visitor parking and insufficient turning space for waste collection and large delivery vehicles. However, Paragraph 109 of the NPPF explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highway Liaison Officer has raised no objections to the alterations to the existing vehicular access, proposed sightlines and proposed level of on-site parking shown on the amended plans. The maximum allocated parking requirement for the mix of dwellings proposed is 12 spaces and there are 13 provided, allowing for at least one dedicated visitor space. The Transport Statement submitted in support of the revised application includes a tracking plan, which demonstrates that the parking layout allows for a 7.5 tonne box van to be able to enter, turn and exit the site in forward gear. The Council’s Waste Management Officer has also not objected to the current plans. Taking the above factors into account, officers consider that the proposed development would not conflict with the NPPF guidance and would accord with the above policies.

6.14 Housing Mix
The SOCS Policy CSH4 requires developments providing market housing to demonstrate an appropriate housing mix. The housing need for South Oxfordshire identified in the Strategic Housing Market Assessment (SHMA), is as set out below:

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The application would provide a 2-bedroom dwelling; two 3-bedroom dwellings and two 4-bedroom dwellings. Given that there would be a net gain of four dwellings, with the demolition of a four-bedroom dwelling, officers consider that such a housing mix would be in general conformity with the SHMA, through concentrating the mix around the market housing type in greatest need.

**6.15 Other Material Planning Considerations**

Exceptionally due to the site constraints, officers consider it necessary to remove householder permitted development rights for extensions, outbuildings and hardstandings to ensure that the Council retains control over any future development that might otherwise cause harm visually or to neighbouring amenity or protected trees.

As referred to in the history above, the previous applications on this site P13/S1538/FUL and P14/S2137/FUL were only unsuccessful due to a lack of affordable housing contributions. However, the provisions of Policy CSH3 no longer apply to the site, because the NPPF has raised the threshold to trigger affordable housing provision to 10 dwellings.

**6.16 Matters relating to non-compliance with planning conditions related to planning permission P11/E2556 and associated contravention the Tree Preservation Order, which are not on the application site are being investigated separately by the Council’s Planning Enforcement Team. Matters related to land ownership and boundary disputes are private matters between the relevant parties.**

**6.17 Community Infrastructure Levy**

The proposed dwellings are 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 Rotherfield Peppard Parish Council in the absence of an adopted Neighbourhood Plan.

**7.0 CONCLUSION**

The application proposal would comply with the relevant Development Plan Policies and it is considered that, subject to the conditions set out below, the proposed development would be acceptable in principle, would be of a density and layout that would not significantly harm the character and appearance of the area, including the Chilterns AONB and protected trees, or the residential amenity of nearby residents. The development would provide acceptable living conditions for future occupiers of the proposed dwellings and would not result in conditions prejudicial to highway safety and would also provide an appropriate market housing mix.

**8.0 RECOMMENDATION**

**Grant Planning Permission**

1: Commencement three years - Full Planning Permission  
2: Approved plans  
3: Demolish specified buildings  
4: No change in levels  
5: Schedule of Materials prior to foundations  
6: Withdrawal of P.D. (extensions/roof extensions/outbuildings)  
7: Existing vehicular access  
8: Vision splay dimensions  
9: Allocated Parking & Manoeuvring Areas Retained  
10: Construction Traffic Management  
11: Landscaping implementation  
12: Tree Pit details prior to foundations
13 : Tree protection (implementation as approved)
14 : Wildlife Protection (mitigation as approved)
15 : External Lighting prior to occupation
16 : Highways Informatives

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