

<b>APPLICATION NO.</b>	<a href="#">P19/S1853/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	17.6.2019
<b>PARISH</b>	GORING
<b>WARD MEMBER(S)</b>	Maggie Filipova-Rivers
<b>APPLICANT</b>	Bentier Homes Ltd
<b>SITE</b>	Linwood Limetree Road Goring, RG8 9EY
<b>PROPOSAL</b>	Demolition of the existing dwelling and the erection of a replacement dwelling with integral garage. Modification of existing access with entrance gates.
	(As amended by drawings and Tree Survey Report accompanying email from agent received 30 August 2019 reducing the width of the building).
<b>OFFICER</b>	Paul Bowers

1.0 **INTRODUCTION**

- 1.1 The application is recommended for approval subject to planning conditions.
- 1.2 The application is referred to planning committee because the officer recommendation of approval conflicts with the views of the Goring on Thames Parish Council which objects to the development.
- 1.3 The site is located within the village of Goring on Thames on the southern side of Limetree Road. The site adjoins but is not within the Goring on Thames Conservation Area but it is within the Chilterns Area of Outstanding Natural Beauty (AONB).
- There is an existing single storey dwelling on the site which is well screened on three sides by trees and hedging both within the site and on adjoining properties.
- 1.4 A plan identifying the site is **attached** as Appendix 1.

2.0 **PROPOSAL**

- 2.1 The application seeks full planning permission to demolish the existing single storey dwelling and replace it with a two-storey dwelling with a further floor within the roof space to create a 4 bedroom property with attached garage to the side.
- 2.2 The plans have been amended from their original form reducing the number of bedrooms and reducing the width of the building by losing a bay of what was originally a double garage.
- 2.3 Reduced copies of the plans accompanying the application is **attached** as Appendix 2 to this report. All the plans and representations can be viewed on the council's website [www.southoxon.gov.uk](http://www.southoxon.gov.uk) under the planning application reference number.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Goring Parish Council –**

Object to the original plans for the following reasons;

- Out of keeping with the plot and other properties.

- Over development.

Object to the amended plans for the following reasons;

- Overdevelopment of the site.
- The building is forward of the property line.

**Neighbour Responses –**

3 x letters of objection to the original plans covering the following issues;

- Out of keeping with the character of properties in the area.
- Overdevelopment of the site.
- The building is too tall and dominant.
- The proposal would overlook Lime Cottage.
- The building will dominate the street scene.

3 x letters of objection covering the following issues;

- Welcome the reduction in the width.
- Remain concerned about the size of the building and the impact it will have on nearby properties.
- Request further reductions to the size of the building.

**Highways Liaison Officer**– No objection subject to conditions.

**Forestry Officer** – No objection following amendment to the original plans and subject to conditions relating to protection and landscaping details to be submitted.

**Drainage** - No objection subject to conditions relating to surface and foul water drainage

**Countryside Officer**- No objection subject to a condition requiring a bat box to be added to the dwelling.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [None](#)

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

**National Planning Policy Framework Planning Practice Guidance (NPPG)**

**South Oxfordshire Core Strategy (SOCS) Policies**

- CS1 - Presumption in favour of sustainable development
- CSS1 - The Overall Strategy
- CSR1 - Housing in villages
- CSB1 - Conservation and improvement of biodiversity
- CSEN1 - Landscape protection
- CSEN3 – Historic Environment
- CSQ3 - Design

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

- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 – Landscape features.
- CON7 – 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
- EP1 - Adverse affect on people and environment
- EP6 - Sustainable drainage
- G2 - Protect district from adverse development
- H4 - Housing on sites within the built up areas of towns and villages
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

**Goring on Thames Neighbourhood Plan** policies;

- Policy 0.2 : Infill
- Policy 1.1 : Conserving and enhancing Goring's landscape
- Policy 12 : Conserve and enhance biodiversity
- Policy 15: Water, sewerage and drainage capacity
- Policy 16: Building design principles
- Policy 19 : Adequate parking within new developments

**South Oxfordshire Design Guide 2016** (SODG 2016)

- 5.2 Paragraph 48 of the NPPF allows for 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 with the NPPF.

**Emerging South Oxfordshire Local Plan 2034**

The council has submitted the Local Plan 2034 to the Planning Inspector for an independent examination following public consultation. It holds limited weight in the determination of planning applications.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy 2027 (SOCS) which was adopted in December 2012, the saved policies of the South Oxfordshire Local Plan 2011 (SOLP) and the adopted Goring on Thames Neighbourhood Plan (GNDP).

The main issues that need to be considered in relation to this proposal are;

- **The principle of the development.**
- **Impact on the setting of the conservation area.**
- **Impact on the Area of Outstanding Natural Beauty.**
- **Impact on the character and appearance of the site and the wider area.**
- **Neighbour impact.**
- **Highway Impact.**
- **Amenity space.**

- **Flooding and drainage.**
- **Ecology.**
- **Impact on trees.**
- **Community Infrastructure Levy.**

## 6.2 The principle of the development.

Policy CSR1 of SOCS permits infill development and redevelopment within villages subject to the size of the site or equivalent number of houses depending on whether the village is a defined within SOCS as a 'Larger', 'Smaller' or 'Other' village.

Goring on Thames is categorized at Appendix 4 of SOCS as a 'Larger Village' where Policy CSR1 does not restrict the number of dwellings or the size of a site either in terms of infill development or redevelopment.

Policy 02 of the GNDP allows for dwellings on sites within the built-up area subject to a series of provisions.

This is a proposal for the replacement of an existing dwelling which is within the built confines of the village. Such a proposal constitutes redevelopment in my opinion and therefore I conclude that in the context of Policy CSR1 of SOCS and Policy 02 of the GNDP the proposal is acceptable in principle.

- 6.3 If a proposed housing development is acceptable in principle, then the detail of the proposal must be assessed against the criteria of Policy H4 of SOLP and Policy 02 of the GNDP which deals with new housing.

Policy H4 criteria are as follows;

- (i) An important open space of public, environmental or ecological value is not lost, nor an important view spoiled.'*
- (ii) states 'the design, height, scale and materials of the proposed development are in keeping with its surroundings.'*
- (iii) states that the 'character of the area is not adversely affected.'*
- (iv) there should be no overriding amenity or environmental or highway objections.*

Policy 02 criteria are as follows;

- **That an important open space of public, environmental or ecological value is not lost, nor an important public view is harmed. In particular, the views that must be protected are the following;**
  - between Goring and Gatehampton;**
  - between Goring and South Stoke;**
  - east of Goring above Fairfield Road;**
  - north east of Goring above Fairfiled Icknield and Elvendon Roads;**
  - within the river setting;**
- **If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the village;**
- **It does not conflict with other policies in the Goring Plan or Local Development Plan**
- **The scale of development is appropriate to the neighbouring area and does not have an adverse impact on its character.**

The following sections of this report deal with the relevant criteria set out in this report.

**6.4 Impact on the setting of the conservation area.**

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides:

In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 72 (1) must also be considered alongside relevant policies contained in the NPPF.

Paragraph 192 states that in determining applications LPA's should take account of the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable use consistent with conservation, the positive contribution that conservation deals within the impact of a proposed development on the "significance" of a heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The NPPF requirements are followed through in to the development plan in SOCS Policy CSEN3 and Policies CON1-CON16

In this case the designated heritage asset is the Goring on Thames Conservation Area.

Policy CON7 states that proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted

- 6.5 The building, like all those on the southern side of Limetree Road, is outside of the conservation area which stops on the opposite side of the road. However, the erection of a dwelling so close will have an impact on its setting.

The replacement dwelling in this location will not obscure views in to the conservation area. It is of a style and design that is in keeping with the area and that would not look out of place even if the site were located in the conservation area itself. The separation of the road means that in terms of distance and relationship the addition of a new dwelling here will not, in your officer's view, adversely affect the conservation areas setting.

**6.6 Impact on the Area of Outstanding Natural Beauty.**

Goring is located within the wider Chilterns Area of Outstanding Natural Beauty.

Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

This feeds down in to SOCS policy CSEN1 which states that the district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced.

(i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.

(ii) High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting. Proposals which support the economies and social wellbeing of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.

- 6.7 The site is located within the village and already contains a dwelling. The proposed dwelling in its design and materials reflects the characteristics of properties that can be found throughout the Chilterns AONB. In my view this proposal conserves the immediate character of the AONB and does not create a harmful impact to the wider special landscape.

I conclude that the development accords with Policy CSEN1.

**6.8 Impact on the character and appearance of the site and the wider area.**

Provision (ii) of Policy H4 states *'the design, height, scale and materials of the proposed development are in keeping with its surroundings.'* whilst Provision (iii) states *that the 'character of the area is not adversely affected.'*

There have been concerns expressed by residents that the building is too high and too wide. However, there is no uniformity along the southern side of Limetree Road in terms of siting, width, design or materials. The new dwelling would retain gaps either side of the building to the boundary. The gaps allow for a separation from the boundary and access to the rear on both sides.

The fact that there is such a mixture along Lime Tree Road in terms of design and appearance and scale gives the street scene much of its character. The existing building differs the most from the properties along Limetree Road, in my opinion, due to its single storey height. The replacement will be larger but, in my view, it sits comfortably within the plot and adds to the existing mixture of buildings along the road whilst at the same time creating a dwelling that is more in keeping with the scale of development than the existing property. The new building will not be out of keeping in as much as it will add to the mix of properties in the street scene at the same time as being sufficiently similar to Croft House that it is not at odds with the closest dwelling.

**6.9 Neighbour impact.**

Impact on residential amenity is normally considered in terms of whether a development results in material harm by way of overlooking, loss of sunlight or being so large and close that it is considered oppressive and overbearing.

Policies H4 and D4 of the SOLP and Policy 02 of GNDP seek to protect the amenities of the occupants of nearby properties.

- 6.10 To the west of the site is Hope Cottage which has a rear to side relationship with the existing and proposed building at Linwood. The council's standing advice when it comes to such relationships set out in the South Oxfordshire Design Guide is that there should be at least 12 metres between the rear of one property and the side of another. In this case the distance would be well over this amount.

In addition, between is an existing garage within the garden of Hope Cottage. This garage along with the screening on the boundary and the distance would in my view mitigate the impact of the increase in height and mass of the building over and above what is there at the moment.

- 6.11 To the south west is Lime Cottage which is the other half of the pair of properties to Hope Cottage. The distance and position of the dwelling to the north east is such that it will not in my view cause a loss of sunlight, overshadow or be oppressive. Any impact from new first floor windows would be from oblique views across the rear garden which would arguably be no greater than the level of overlooking from Hope Cottage.
- 6.12 Tilia House to the east is separated by an access drive to the properties at Woden House to the south. The gap and alignment of the two properties in a standard side by side relationship would not cause issues of oppressiveness. Unlike the original plans there are no first floor windows in the side of the new dwelling and as such there will be no materially harmful overlooking of that property.
- 6.13 Kite House to the north will have an across street relationship with the new dwelling as it does with the existing property. The increase in height and first floor windows will of course increase the impact to this property.

Where properties face each other across a road the council has a minimum distance of 10 metres which should be maintained between properties. This is exceeded in this case. The relationship between the two properties will be of a typical across the street type which can be found in most streets in towns and villages. I do not conclude that the increase in height and mass of the building compared to what is there at the moment is materially harmful.

- 6.14 Overall it is my view the proposal is not unneighbourly and accords with policies H4 and 4 of SOLP and 02 of the GNDP.
- 6.15 **Highway Impact.**

With respect to highway safety matters the advice from Central Government set out in paragraph 109 of the National Planning Policy Framework (NPPF) is as follows:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.*

Policies T1 and T2 of SOLP seeks to ensure that development does not harm highway safety and provides for sufficient parking and turning areas.

- 6.16 The Oxfordshire County Council's Highway Officer has commented to that given the characteristics of the carriageway, vehicular traffic and speeds are considered to be relatively low.

The proposal is unlikely to have a significant adverse impact on the highway network.

However planning conditions have been suggested and these form part of this recommendation which seeks to ensure that the existing access is improved to the County Council's standards, that the parking and manoeuvring areas shown on the plans are provided and retained and that the normal right to convert the garage shown on the plans is removed such that planning permission would be necessary if this were something future occupants wanted to do.

In conjunction with these conditions I am of the view the proposal accords with policies T1 and T2 of SOLP.

**6.17 Plot coverage and garden size.**

Policy D3 of SOCS seeks to ensure that new dwellings should provide adequate private outdoor space. The amount of land to be used for garden or amenity space will be determined by the size of the dwelling and the character of surrounding development

The South Oxfordshire Design Guide advises that as a minimum a 3 bedroom property should provide for at least 100 square metres, a 2 bedroom property at least 50 square metres and for a 1 bedroom property.

- 6.18 The proposed dwelling has 4 bedrooms and therefore the site should accommodate at least 100 square metres of rear garden. In this case it provides over 300 square metres in excess of the council's minimum standard.

The site can meet and exceed garden and parking areas and retains gaps to the boundaries. I conclude that this is not a cramped development or an overdevelopment of the site in accordance with Policy D3.

**6.19 Flooding and drainage.**

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

In Flood Zones 2 and 3 a Sequential Test approach to development has to be carried out. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

This site is located within Flood Zone 2 but regard must be had to the fact that there is already a dwelling on the site. Therefore, I do not conclude that it is necessary to require the sequential test by looking at other sites for a new house to be erected when there is already a dwelling on the site.

The NPPF concludes by saying that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and

- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be

- 6.20 The application includes a Flood Risk Assessment and this has been considered by the council's drainage engineers. They have stated that having undertaken a review of the existing site levels, this assessment confirms that currently all of the site lies above the 1 in 100yr plus 35% flood level of 44.08m AOD.

The area within the site currently outside of the 1 in 1000yr flood envelope equates to approximately 258sqm, of which 185sqm consists of the existing building on site.

The new building proposes a slightly enlarged footprint at 279sqm, however approximately 45sqm of this relates to the garage at the eastern end of the building.

To ensure that the 1 in 1000yr flood storage within the site is not compromised as part of the development proposals, the garage is to be set at a lower level to the main house at 44.23mAOD.

It is also proposed that approximately 50sqm of the site currently above the 1 in 1000yr envelope are to be lowered as part of the development, so that these areas are absorbed within the flood envelope to provide betterment as part of the development and to fulfil requirement of the sequential test.

These are outlined on the drainage strategy drawings within Appendix D of flood risk assessment.

In terms of flooding the proposal will create a betterment and as such there is no objection to the development on the basis of the impact to flooding.

- 6.21 In respect of foul and surface water drainage the council's engineers are satisfied that in conjunction with conditions requiring details of the surface water and foul water drainage systems to be approved the development is acceptable.

6.22 **Ecology.**

The Council's Ecologist has considered the impact to ecology from the development and considered Preliminary Bat Roost Assessment which accompanied the application. The Officer has no objection the proposed development subject to a planning condition which seeks to ensure that a bat box is installed on the southern elevation of the dwelling so as to provide an enhancement to biodiversity in line with Policy CSB1 of SOCS.

6.23 **Impact on trees.**

Policy CSEN1 of SOCS seeks to protect the district's landscape character and key features.

Policy C9 states that any development that would cause the loss of landscape features will not be permitted where those features make an important contribution to the local scene.

- 6.24 Through the course of the application the plans have been amended and the supporting arboricultural report changed by reducing the size of the building so that it is outside of the root protection areas of trees outside of the application site.

The Council's Tree Officer is now satisfied that the revised plans and the carrying out of the tree protection measures set out in the Tree Survey Report ensure that the development is acceptable on tree grounds.

At his suggestion I am proposing two conditions; the first ensures that the tree protection is carried out as per the details in the report and a second condition which requires details of landscaping to be supplied for subsequent approval. In conjunction with those conditions the proposal will accord with policies CSEN1 and C9.

**6.25 Community Infrastructure Levy.**

The development is CIL liable as it creates additional floor space. The amount of CIL liable from this development is £49,261.09

**7.0 CONCLUSION**

7.1 The proposal amounts to redevelopment within the village which is acceptable in principle. The new dwelling in terms of design, mass and scale is not out of keeping with the rest of the street scene. The new dwelling would add to the mixture of properties along Limetree Road. The development does not harm either the setting of the Goring on Thames Conservation Area or the landscape of the Chilterns Area of Outstanding Natural Beauty. The site provides for adequate levels of garden area and parking and does not result in harmful impact to the flood zone. The new house would not cause any material harm to the occupants of nearby properties or protected species. As such the proposal accords with the Development Plan Policies.

**8.0 RECOMMENDATION**

8.1 **That planning permission is granted subject to the following conditions;**

- 1 : Commencement three years - full planning permission**
- 2 : Approved plans**
- 3 : Schedule of Materials**
- 4 : Existing vehicular access**
- 5 : Parking & Manoeuvring Areas Retained**
- 6 : No Garage conversion into accommodation**
- 7 : Wildlife Protection (mitigation as approved)**
- 8 : Surface water drainage works (details required)**
- 9 : Foul drainage works (details required)**
- 10 : Tree protection (implementation as approved)**
- 11 : Landscaping**

**Author:** Mr. P Bowers  
**E-mail :** [paul.bowers@southandvale.gov.uk](mailto:paul.bowers@southandvale.gov.uk)  
**Contact No:** 01235 422600