

<b>APPLICATION NO.</b>	P18/S2811/FUL
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	20.08.2018
<b>PARISH</b>	South Moreton
<b>WARD MEMBER(S)</b>	Anne-Marie Simpson Jane Murphy
<b>APPLICANT</b>	Mr & Mrs Luke
<b>SITE</b>	Chislehurst, Hithercroft, South Moreton
<b>PROPOSAL</b>	Demolition of existing extension and ancillary buildings, and the erection of an additional new dwelling, with associated works. As clarified by revised flooding information submitted on 20.01.2019 and as amended by drawing numbers 746-LO2A, P01A and P12A accompanying Agent's email dated 14 February 2019 (revising the siting of the dwelling). As further clarified by flood note accompanying agent's email dated 5 March 2019.
<b>OFFICER</b>	Emily Hamerton

1.0 **INTRODUCTION**

1.1 This planning application has been referred to Planning Committee at the discretion of the Planning Manager in consultation with the Head of Service.

1.2 **Attached** at Appendix 1 is a site location plan. The site lies within the village of South Moreton. This village has a school, church, workshop units and a fitness club. There is a pub, however this is not currently open. It sits on the edge of the village, with neighbouring properties to the north (Cherry Orchard), east (Woodpeckers) and south (Copse Close). The site is within the North Wessex Downs Area of Outstanding Natural Beauty. Flood zones 2 and 3 cover parts of this site. To the west is Mill Brook which abuts the garden area of the site.

1.3 The site currently comprises a timber clad bungalow set within a generous plot. The existing house is accessed by a track off Hithercroft Road. The access and access track are not within the ownership of the applicants, although they have a right of access over them.

1.4 There have been previous planning applications for a new house and a replacement house at this site. Details of this are set out in section 4 of the report. Planning permission has been granted for a replacement house (ref P18/S2813/FUL) which is an extant permission. Planning permission was also granted in May 2016 for a replacement house, however this permission has now expired.

2.0 **PROPOSAL**

2.1 This application is for a new four-bedroom house. It will be positioned to the east of the approved replacement house and adjacent to the western boundary of Woodpeckers. The new house would be constructed from timber, white render under a dark grey zinc roof. The amended plans changed the siting of the house moving it approximately 1m to the north. The additional information received in November 2019 related to flooding, visual impact of the new house and the access. The application was updated with a Flood Summary, a photomontage of the house and updated information in relation to the access and access track.

The application was originally submitted in August 2018.

- In January 2019 revised flooding information was submitted.
- In February 2019 amended plans were submitted which changed the position of the house.
- In March 2019 further additional flooding information was submitted
- In November 2019 a flooding summary was submitted with a photomontage of the replacement house and the proposed new house. Works were also undertaken to the access by the applicants to widen this

2.2 The proposed new house includes an adjoining double garage. The driveway access would be shared with Chislehurst and the new house would also need to be accessed from the track that currently leads to the site. **Attached** at Appendix 2 are a copy of the proposed plans. Also attached are a copy of the plans for the replacement house in relation to planning permission reference P18/2813/FUL.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Below is a summary of the consultation responses received in relation to the original plans and the most recent additional information. A full copy of the response can be viewed on the Council’s website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.2 The table below includes a summary of comments on the original plans, amended plans submitted in February 2019 which changed the position of the house and also the most recent additional information received on the application.

3.3	<b>Consultee</b>	<b>Comments on original plans &amp; amended plans</b>	<b>Comments on additional information - Flood Risk Summary, photomontage, annotated photomontage received November 2019.</b>
	Parish Council	<p><b>Original Plans</b> No objection Have reservations about the encroachment into the open countryside</p> <p><b>Amended plans</b> No response received</p>	No strong views
	Neighbours	<p><b>Original Plans</b> 3 letters of objection Acknowledge that improvements have been made in design and siting from the previous original refused application P17/S1569/FUL, however the principles of the development have not altered.</p>	<p>3 letters of objection Previous comments still apply The Environment Agency are firmly against this development and the Landscape Architect recommends refusal In relation to the photomontage, just because you cannot see the proposed new house</p>

	<p>Encroachment onto open countryside                  Detracts from the AONB                  Attempting to squeeze a new property into this site                  Adding this dwelling would force the other proposed house to a point extremely close to the boundary of Copse Close in a low-density open countryside</p> <p><b>Amended plans</b>                  No comments received</p>	<p>does not mean planning permission should be granted for it</p>
Forestry Officer	<p><b>Original plans</b>                  Not consulted on original plans.</p> <p><b>Amended plans</b>                  No objection                  The trees within and adjacent to this site are outside the conservation area. However, the site is within the AONB and the treescape does make a positive contribution to the character of the area.                  With suitable tree protection measures being taken the house could be constructed without affecting any of the surrounding trees.                  No objection subject to a tree protection condition</p>	<p>Comments on amended plans still apply</p>
Landscape Architect	<p><b>Original Plans</b>                  Objection.                  The project would impact on the character of the village of South Moreton. The proposal preserves the open space adjacent to the stream which is welcome. Constructing 2 substantially sized homes in the remainder of the plot creates a dense and awkward arrangement which will affect the character of the village and have longer term impacts to the character of</p>	<p>No objection                  The proposed replacement dwelling would have an impact on the landscape character of the site and the adjacent residential dwellings by intensifying the amount of built development but this change in character would have limited impact on the wider local landscape including the AONB landscape character due to the residential dwelling being wholly contained within an existing area of</p>

	<p>the AONB. The effect on the AONB would be to cause harm through densification of the area, notwithstanding the fact there are existing homes already.</p> <p><b>Amended plans</b> Not consulted</p>	<p>residential dwellings. The visual impact of the proposed development is limited by its location being screened by existing residential development and their associated vegetated gardens.</p>
Drainage Officer	<p><b>Original plans</b> No objection subject to pre-commencement surface water and foul water conditions.</p> <p><b>Amended plans</b> Not consulted</p>	<p>Original comments and recommended conditions still apply</p>
Countryside Officer	<p><b>Original plans</b> Not consulted</p> <p><b>Amended plans</b> Not consulted</p>	<p>No objection Bat protection informative recommended as a precautionary measure</p>
OCC Highways	<p><b>Original plans</b> No objection Provided that the conditions are imposed – Improve existing vehicular access, creation of parking and turning area, off site highway works as shown on drawing A3 3018</p> <p><b>Amended plans</b> No comments received</p>	<p>Highways – still awaiting comments</p>
OCC Archaeology	<p><b>Original Plans</b> No objection. The proposal outlined would not appear to have an invasive impact upon any known archaeological sites or features.</p> <p><b>Amended plans</b> No comments received</p>	<p>No objection Original comments still apply</p>
Environment Agency	<p><b>Original plans</b> Objection</p>	<p>Objection Withdraw second objection, maintain first objection</p>

	<b>Amended plans</b>	Conditions recommended
North Wessex Downs AONB Board	<b>Original plans</b> No comments received  <b>Amended plans</b> No comments received	No comments received

#### 4.0 **RELEVANT PLANNING HISTORY**

4.1 The following is a summary of the relevant planning history.

P16/S0467/FUL – Demolition of existing bungalow, replacement house. Approved (planning permission expired on 19.05.19)

P17/S1569/FUL – Proposed new house. Refused

P17/S1567/FUL – Demolition of existing bungalow, replacement house. Refused

P18/2813/FUL – Demolition of existing bungalow, replacement house. Approved

#### 5.0 **POLICY & GUIDANCE**

On 10<sup>th</sup> October 2019 the Secretary of State for Housing Communities and Local Government issued a Holding Direction on the Council in relation to the emerging Local Plan 2034. The holding direction has been made under the provisions of Section 21A of the Planning and Compulsory Purchase Act 2004. This means that the emerging plan has 'no effect whilst the direction is in force', this is set out in section 21A(2) of the Planning and Compulsory Purchase Act 2004.

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

CS1 Presumption in favour of sustainable development  
 CSR1 Housing in villages  
 CSEN1 Landscape  
 CSC1 Delivery and contingency  
 CSM1 Transport  
 CS1 Presumption in favour of sustainable development  
 CSH1 Amount and distribution of housing  
 CSH4 Meeting housing needs  
 CSI1 Infrastructure provision  
 CSQ2 Sustainable design and construction  
 CSQ3 Design  
 CSS1 The Overall Strategy

##### 5.2 **South Oxfordshire Local Plan 2011 (SOLP 2011) policies**

C6 Biodiversity conservation  
 C8 Species protection  
 C9 Landscape features  
 C4 The landscape setting of settlements  
 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
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	Prevention of polluting emissions
EP6	Sustainable drainage
G2	Protection and enhancement of the environment
G5	Making the best use of land
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

### 5.3 Neighbourhood Plan

There is no Neighbourhood Plan covering this area

### 5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019

### 5.5 National planning policy

National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

## 6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations in the determination of this application are:

- The principle of the development
- Impact on the AONB / landscape impact
- Impact on the amenity of nearby neighbours
- Impact on highway safety and convenience
- Flooding and drainage
- Design
- Impact on trees
- Protected species
- Archaeology

### 6.2 The principle of the development

In 2017 planning permission was refused for a new house on this site (planning permission reference P17/S1569/FUL). The application was refused for three reasons. The first refusal reason related to the principle of the development. The site was considered to be outside the built-up limits of the village, did not constitute infill development and was in an unsustainable location. The second reason was due to the detrimental impact on the AONB. The third reason was due to the location of the site within flood zones 2 and 3. During the time that this application was refused the district did not have a 5-year supply of housing.

- 6.3 This current planning application seeks to address the reasons for refusal of the previous application. Matters in relation to flooding and the AONB will be covered in the following sections of this report.
- 6.4 Policy CSS1 of the South Oxfordshire Core Strategy 2012 sets out the Council's overall strategy for development, indicating the focus for development in the most sustainable locations, with limited amounts of housing permitted in 'other villages'. Policy CSR1 of the Core Strategy follows this through and allows housing in villages in accordance with the scale and nature outlined in that policy. In 'smaller villages' which South Moreton is identified as, infill development is allowed on sites of up to 0.2ha, equivalent of up to 5-6 houses. This is subject to development respecting local character and national designations, including Areas of Outstanding Natural Beauty (AONB).
- 6.5 In relation to the principle of the development the applicants' supporting statement has included historical research into the way in which the village has grown and developed over the years. In the Planning Statement submitted by the applicants in support of this application (paragraphs 7.4 – 7.16) it states that the proposed house does conform with Policy CSR1 which defines in-fill development as 'the filling of a gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings'. It is the applicant's view that this site is closely surrounded by other buildings, which Officers agree with. This is because there are neighbouring properties to the north-west, east and south west. In addition, there is an extant planning permission for a replacement house immediately to the west. Therefore any new house would be located amongst an existing group of houses.
- 6.6 The other aspect that should be considered under Policy CSR1 is whether or not the site lies within the settlement. There are no settlement boundaries as part of this policy, therefore it is a matter of judgement as to whether or not this site is within or outside the settlement.
- 6.7 South Moreton has a linear character. This is defined by Sands Road which leads into High Street where the majority of the properties in the village are located. To the north / north east of the village there is a railway track. There is a railway bridge which goes over the road to the eastern edge of the village and a railway bridge under the road to the north/ western edge. It is your Officer's opinion that these could be considered to 'mark' the built-up confines of the village. Given, the site is closely surrounded by buildings, the application site is considered to be on the edge of but within the built-up area of the village for the purposes of Policy CSR1. The assessment made in relation to the previous planning application (reference P17/S1569/FUL) stated that the application site was outside the built-up limits. For the reasons set out above and the supporting information submitted by the applicant I have come to a different conclusion.
- 6.8 The site previously considered to be in an un-sustainable location as it is physically separated from the main body of the village as there is no pavement link from the site to the main body of the village. It was noted that there is a public footpath, however it was considered this was not a convenient route to use as there would be stiles to climb over and it would involve walking on the road for a short distance. The assessment of this application also concluded that the public transport opportunities are limited as there was only a local bus running 3 times a day. It was noted that there is a primary school and pub in the village, however dependence on the private car would be likely. In my assessment South Moreton is not entirely isolated and therefore un-sustainable location as there are some facilities in the village and it is served by a bus service. There are however no pavements from this site to the main village. Balancing all of these considerations, the village could be viewed as a sustainable location for limited housing subject to other material considerations being acceptable.

- 6.9 In July 2019, the Council received an appeal decision for a site within the district that was within an Area of Outstanding Natural Beauty and was on the edge of a settlement. This appeal tested the development plan policies for the location of residential development. The Inspector concluded that as the site was proposing a modest number of dwellings and there was housing located either side of the site then it could be considered to in-fill within the meaning of policy CSR1. A copy of this appeal decision is **attached** at Appendix 3.
- 6.10 As there are not settlement boundaries, the assessment as to whether this site lies within the built-up limits or not is a matter of judgement. For the reasons set out in paragraph 6.7, it is my opinion that the site is within the built-up limits of the village. Having regard to the character of the area and the nearby surrounding neighbouring properties and a recent appeal decision testing the location of residential development, on balance your Officer considers that the principle of this development is acceptable. Therefore, the proposal accords with Policy CSR1 and is in accordance with the overall housing strategy.
- 6.11 **Impact on the AONB / Landscape impact**  
This site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- Policy CSEN1 of the Core Strategy and Policy C4 of the adopted Local Plan relate to landscape and landscape setting of settlements. Overall these policies seek to protect the landscape character and key features against inappropriate development and where possible enhance it. As set out in Policy CSEN1 high priority will be given to the conservation and enhancement of the North Wessex Downs Area of Outstanding Natural Beauty.
- 6.12 No consultation response has been received from the North Wessex Downs AONB Board. However, the Landscape Officer objected to the original proposal raising concerns that the development would adversely impact on the character of the village and the AONB. Their assessment stated that constructing two substantially sized homes in the remainder of the plot creates a dense and awkward arrangement which will affect the character of the village and have long term impacts to the character of the AONB. The assessment goes on to note that just because the new house may not be particularly visible does not mean that it is acceptable in the countryside. Otherwise the countryside would soon become covered in well concealed houses.
- 6.13 In response to the concerns and objections raised by the Landscape Officer, the applicants submitted a photomontage as a supporting document which illustrated the replacement house which has an extant permission and the proposed new house. This illustrated that the main impact and the dominant building is the replacement dwelling. The impact of the new house is not as great and would be viewed in the context of the surrounding buildings.
- 6.14 Considering all the information, the Landscape Officer has not objected to the additional information.  
The Landscape Officer notes the planning permission reference P16/S0467/FUL for a replacement dwelling which proposes a similar mass of built development in the south eastern corner of the site as the additional dwelling proposes. The applicant has submitted a Landscape and Visual Impact Assessment of the site which covers the impact of the proposed replacement dwelling and the additional dwelling on both the landscape character of the area and its visual impact and overall. The Landscape Officer agrees with its conclusions.

There is a cluster of 4 properties including Chislehurst with associated gardens and outbuildings north west of Hithercroft Road. The proposed new dwelling is located to the east of the existing/ replacement dwelling at Chislehurst and is in a central location between the gardens and properties of Cherry Orchard to the north west, Woodpeckers to the south east and Copse Close to the south. The proposed additional dwelling is contained within this existing cluster of residential properties and associated gardens. While the additional dwelling would have an impact on the local landscape character of this cluster of residential properties by intensifying development, changing garden to an additional property, with associated garden boundaries and parking spaces the impacts of these changes are localised due to the proposed building being situated in the centre of the cluster of residential buildings and these character features are already part of this cluster of residential properties.

The proposed dwelling, as it is contained within the centre of this residential cluster does not extend the envelope of this residential landscape character into the adjacent fields. It also does not change how this area of residential landscape character sits within the wider landscape character.

With regards to visual impact, again the proposed dwelling is contained within an existing cluster of residential properties and their associated gardens, which in association with hedgerows and trees limit the extend of visual impact.

The plans below show the comparison between the developments previously approved and the current application.

**Plan showing extent of footprint for the replacement house permitted in 2016. Planning permission reference P16/S0467/FUL (planning permission expired on 19.05.19).**



Plan below showing the footprint of the replacement house allowed under planning permission reference P18/2813/FUL.



Plan below showing the footprint of the proposed house, subject of this planning application.



In assessing this application, having regard to the Landscape Officer's original comments, some weight should be given to the 2016 planning permission. Whilst this permission has expired it does form part of the planning history of the site. The block plan for the 2016 permission shows the extent of the built form on across the site which is for a replacement house. Having regard to the footprint and design comparing this with the current permission for the replacement house and this current application I do not consider that the current planning application proposes a level of massing and density that is significantly different to a previously approved permission which was not considered to be harmful to the character and appearance of the AONB.

- 6.15 The introduction of a new house onto the site would result in a change to the present appearance of the site, so too will the replacement dwelling that has previously been approved. However, the proposed house would not extend built development beyond the surrounding neighbouring properties. The perception of the new house when glimpsed at from public views to the south would not be significant and would be viewed within the context of surrounding built form. In addition, when comparing the 2016 permission for the replacement house with the proposed new house and replacement dwelling the difference in impact is not considered to be significant or harmful. Therefore, the proposal is considered to accord with policies CSR1, CSEN1 and CSQ3 of the Core Strategy which seek to protect local distinctiveness and the district's landscape character, and to give high priority to the conservation and enhancement of AONB's.

**6.16 Impact on the amenity of nearby neighbours**

There are three nearby neighbouring properties to the application site. All three neighbours objected the original plans and to the most recent additional information.

The closest neighbouring property to the proposed house is Copes Close which at its closest corner sits some 14m away to the south west. The occupiers of Copse Close have objected to the application as they consider the new house would force the other proposed dwelling submitted under P18/S2813/FUL to a point extremely close to their boundary in what they consider to be in open countryside and a low-density area. Given the arrangement of the nearby neighbouring properties, the proposed new house would be positioned in front of Copes Close. The established boundary of trees along the southern elevation of the site would afford privacy to the occupiers of Copse Close and any potential occupiers of the new house. Therefore, on balance and given the distance between the properties this is considered acceptable. If the planting along the southern boundary did not remain, then there is potential for the proposed new house to create a perception of overlooking Copse Close. Therefore, in order to control this a condition is recommended in relation to boundary details that should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This boundary treatment should include retention of the existing planting along with a hard boundary treatment such as a fence. Given the distance between Copse Close and the proposed new house the development is not considered to be oppressive or overbearing or lead to a significant loss of light.

- 6.17 The other nearby neighbouring property is Woodpeckers which at the closest point would sit approximately 38m from the edge of the proposed new house to the south east of the application site. The occupiers of this property have also objected to the proposal as they do not consider that the principles of the previous application have not materially altered. They have also stated that should the application be approved a condition to protect the established trees and hedges along the boundary with Woodpeckers should be included.

The established trees and hedges are part of the character of this part of the village and they also help to create privacy between the houses. Therefore, the condition relating to boundary treatments is also recommended for the common boundary with Woodpeckers. Given the distances between the proposed house and Woodpeckers this development is not considered to be oppressive or overbearing or lead to a significant loss of light.

- 6.18 Cherry Orchard is the third neighbouring property to the site. Cherry Orchard will be closer to the replacement house rather than the proposed new house. Given the relationship between Cherry Orchard and the proposed new house the development is not considered to be harmful to the amenity of the occupiers of Cherry Orchard. The occupiers of Cherry Orchard have objected to the application on the grounds of encroachment into the open countryside which will detract from the AONB. In addition, that the site has poor access to the main body of the village and that attempting to squeeze a new property into this site is unnecessary. The objection also states that this application should be refused for the reasons the previous application was refused.

The proposed new house would create an impact on the neighbouring properties and would result in change of outlook for the occupiers of these houses, however on balance Officers consider the development would not be harmful to the amenity of the occupiers.

**6.19 Impact on highway safety and convenience**

Previous applications for this site have included the access onto Hithercroft Road and the access track within the red site boundary. This has meant that the conditions that the Highway Officer recommended could have been applied.

- 6.20 This current application does not include the access and access track as part of the red site area. Therefore, the conditions that the Highway Officer has recommended as part of their original consultation response could not be applied. These conditions included widening and improvements to the access and track leading to the site.
- 6.21 Since this application was originally submitted, the applicants have undertaken works to the access to widen it. The Highway Officer has visited the site and measured the widened access and is now satisfied this is an acceptable width. Therefore, this condition is no longer required. In relation to the widening of the access track, the vegetation along the boundary of this track has been cut back and given the low level of vehicle movements generated by an additional house, the Highway Officer no longer considers it necessary to condition widening of the access track. The Highway Officer therefore has no objection to this proposal and is now not recommending any conditions.

Still awaiting formal Highway Officer comments to confirm the above.

**6.22 Flooding and drainage**

There are three water courses close to this site, The Mill Brook, The Mill Spur and a drainage ditch. Mill Brook and Mill Spur are identified by the Environment Agency as main rivers. Initially the Environment Agency raised two objections to the application. The first objection related to the location of the site within Flood Zone 3b. The Planning Practice Guidance (PPG) classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. The site lies within Flood Zone 3b 'functional floodplain', which is land defined by the Strategic Flood Risk Assessment as having a high probability of flooding.

The proposed development is classed as 'more vulnerable' in accordance with Table 2 of the flood zones and flood risk tables of the PPG on flood risk and coastal change. These tables state that this type of development is not compatible with this flood zone and therefore should not be permitted. The Environment Agency concluded that where possible, the applicant must propose an alternative location for this proposal which shows that the site is not located within Flood Zone 3b.

- 6.23 The Environment Agency's second objection related to the absence of a Flood Risk Assessment (FRA). The FRA that was submitted with the application did not comply with the requirements for site-specific flood risk assessments as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the PPG. Therefore, the Environment Agency did not consider that the FRA adequately assessed the developments flood risk.
- 6.24 The existing Environment Agency's flood map shows this site to be within flood zones 1,2 and 3. As these flood maps are based on broad scale modelling, the applicant in support of their application commissioned JBA Consulting to undertake detailed modelling work for this site. In addition, the applicant's consultants also submitted a Floodplain Storage technical note dated March 2019 which addressed the second objection. Therefore, the Environment Agency withdrew their second objection.
- 6.25 In relation to the first objection the additional detailed modelling work that the applicant's consultants undertook found the following:
- Significant change in flood extent at the site and surrounding areas compared to the flood map for planning
  - Most of the site is predicted to be at low flood risk but there are still some areas which fall within the higher risk flood zones
  - The model results show the flood mechanism at the site is not over topping of the Mill Stream to the west of the site but overland flood plain flow from the south and the north
  - The onset of flooding to the site is slow, with over 10 hours from the start of the event to it reaching the site
  - The predicted flood depth do not exceed 0.5m
  - The maximum flood risk to the proposed access is very low
  - The site has been designed so the most vulnerable uses are in the lowest flood risk areas
- 6.26 The applicants Flood Risk summary concludes that the technical evidence they have produced shows that the current flood map for the site over estimates that flood risk from rivers to the site. However, there is still a fluvial flood risk predicted at the site. However, the flood mechanism of overland floodplain means that the flooding predicted at the site is likely to be slow and shallow. The proposed development has been designated sequentially to place the lowest vulnerability land uses in the areas of highest flood probability and remove existing buildings. Therefore, the applicant's flood risk summary concludes that the proposed scheme would generate an overall reduction in flood risk.
- 6.27 The Environment Agency were consulted on the Flood Risk summary. In response to this they are maintaining their objection in relation to flood risk and do not consider the flood risk summary provides any revised or additional information that changes the original objection. The Environment Agency have recommended conditions; however, they have also stated that this does not superseded their objection.

6.28 Drainage

The Council's internal Flood Risk Engineer has not raised any objection to this proposal subject to surface water and foul water conditions. They consider this site to be considered at low to medium risk of groundwater flooding and low risk of sewer flooding. They have been in correspondence with the Environment Agency, given the concerns raised. It is the Drainage Officers view that having regard to the additional modelling work undertaken by the applicant, conditions could overcome the concerns raised by the Environment Agency. The Drainage Officer has recommended a full surface water drainage scheme, a foul water drainage scheme and an evacuation plan.

- 6.29 The previous planning application for a new house (planning application reference P17/S1569/FUL) included a refusal reason due to the location of the site within Flood Zone 2 and 3, although the Environment Agency and Drainage Officer were not consulted on this application. A Flood Risk assessment was produced in support of the application, however no detailed modelling work was undertaken.

As set out in the NPPF, the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. This application is proposing new development in a higher flood risk area. Arguably there are areas within the site where the flood risk may be lower, but to position a house in this location is likely to lead to an un-neighbourly form of development. However detailed modelling of the site provided by the applicant concludes that the flood risk is lower than the flood maps indicate. The Council's internal Drainage Officer in having regard to this, considers that with the recommended conditions this development could be acceptable.

Officers consider that the additional flood modelling and information has addressed the original concerns with the proposal. The Council's drainage Officer has recommended a number of conditions which are considered to address the concerns raised by the Environment Agency.

6.30 **Design**

The style of the surrounding houses next to the site are varied in terms of their style, materials and fenestration details. As such there is no strong design character in this part of the village.

- 6.31 The proposed house has a L shape footprint and will be positioned forward of the replacement when viewed from the access track. The proposed new house will have a modest sized garden in comparison with the nearby surrounding houses. This could be considered as out of character as the nearby properties are set within generous plots which is part of the character of the area. Whilst the modest garden area for the proposed new house could be viewed as out of keeping, it is not considered to be harmful.

- 6.32 The plans indicate that the house will be constructed of timber, incorporating rendered walls under a dark grey zinc roof. The accompanying Design and Access Statement explains that the new house has been designed to keep the eaves heights low to minimise the impact on the neighbours and the AONB. Consideration has also been given to the positioning of the windows to reduce any potential overlooking.

- 6.33 Your Officers consider the design is simple and functional and therefore acceptable.

6.34 **Impact on trees**

There are a number of trees along the common boundaries of the site and also within the wider site itself. The trees and landscaping in this area form part of its attractive

character. The trees within and adjacent to the site are not protected by a tree preservation order. With suitable tree protection measures being taken, The Council's Forestry Officer considers that the new house could be constructed without affecting any of the surrounding trees. Therefore, there is no objection to this new house on tree grounds subject to a tree protection condition.

#### 6.35 **Protected Species**

Policy C6 of the adopted Local Plan seeks to ensure there is no net loss in biodiversity resources. Policy C6 states that full account of the effects of development on wildlife will be taken. The Council's Countryside Officer has been consulted on this application and has not raised an objection. They have suggested that as a precautionary measure an informative is included if planning permission is granted in relation to bat protection, a full condition is not considered necessary.

#### 6.36 **Archaeology**

Oxfordshire County Council's Archaeologist has not raised any objection to this proposal as it would not have an invasive impact upon any known archaeological sites or features.

#### 6.37 **Community Infrastructure Levy (CIL)**

This development is CIL liable, which means a payment of £26,712 is due if planning permission is granted.

#### 7.0 **CONCLUSION**

7.1 In relation to principle of a new house in this particular location I consider on balance the proposal is acceptable and it would accord with the development plan in respect of the principle of new housing. The site is closely surrounded by three neighbouring properties and the village has a bus service, a primary school and a pub. The development would not have an adverse impact on the character and appearance of the North Wessex Downs AONB.

7.2 The Environment Agency are maintaining their objection in relation to flood risk and do not consider the flood risk summary provides any revised or additional information that changes the original objection. The Environment Agency have recommended conditions; however, they have also stated that this does not superseded their objection. The Council's Drainage Officer has a different opinion and has recommended conditions, set out below which are considered to address the Environment Agency's objection.

#### 8.0 **RECOMMENDATION**

##### 8.1 **Planning Permission**

1. **Commencement three years**
2. **Sample materials**
3. **Boundary details – common boundary with Copse Close and Woodpeckers**
4. **Drainage – surface and foul water details to be submitted**
5. **Flood water calculations and storage details**
6. **Flood phasing plan showing compensatory flood water storage**
7. **Maintenance strategy explaining how the flood water storage area will remain clear and operational**
8. **Flood resilience measures to be included in the design**

**9. Tree protection**

**Informative**

**1. Bat protection – precautionary**

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