

APPLICATION NO.	P19/S2503/O
APPLICATION TYPE	OUTLINE
REGISTERED	6.8.2019
PARISH	GREAT HASELEY
WARD MEMBER(S)	Caroline Newton
APPLICANT	Mr Dean
SITE	Haseley End Rectory Road Great Haseley, OX44 7JL
PROPOSAL	Demolition of existing building and garages. Construction of a terrace of 3 new dwellings, car parking and new vehicle crossover with access, appearance, layout and scale to be determined at this stage. (As amended by plan 103 Rev A (landscaping) and plans received 24 October 2019 reducing the number of units from 4 to 3. Reduction in number of parking spaces, alteration to design and materials of dwellings, by Heritage Statement dated December 2019 and by plans C781 100C, 102B and 101B which reduces the size of the development to 2 x 3 bed units and 1 x 1 bed units and removes the proposed new access. As amplified by tree protection details received on 3 April, 2020).
OFFICER	Kim Gould

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to Planning Committee at the Planning Manager’s discretion because the application was registered before 23 March 2020 and the recommendation that planning permission is granted conflicts with the views of Great Haseley Parish Council. This report sets out my justification for the recommendation.
- 1.2 The site lies on the south western edge of Great Haseley outside but immediately adjacent to the Great Haseley conservation area. It is occupied by a single-storey residential property known as Haseley End which sits in a large plot. There are a number of outbuildings on the site including two detached garage. The site abuts open agricultural land to the south, Rectory Road to the west and residential properties to the north and east. A site location plan is **attached** as Appendix 1.
- 1.3 There are a number of listed buildings in the immediate vicinity. No 5 and 6 Rectory Road are opposite the site entrance to the north west whilst Rose and Clematis Cottages lie immediately north east of the site and have rear gardens which abut onto the western boundary of the application site. A tree on the site is protected by a Tree Preservation Order.
- 1.4 In its amended form, this application seeks outline planning permission to erect a terrace of 3 dwellings. Access, appearance, layout and scale of the development are to be considered at the outline stage with landscaping only to be considered at the reserved matters stage.

- 1.5 The proposal comprises of 2 x 3 and 1 x 1-bedroom properties. Each property would have its own private amenity area to the rear and parking at the front. The development would be served by the existing vehicular access off Rectory Road.
- 1.6 The proposed materials are a mixture of brick and stone with clay tiled roofs. Reduced copies of the plans accompanying the application are **attached** as Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council's website at www.southoxon.gov.uk.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

Full responses can be found on the Council's website

2.1 Great Haseley Parish Council –

Original plans –Summary of objections

- No objection in principle to a replacement dwelling on the site but would suggest that any replacement dwelling on this site should be restricted to the height and footprint of the existing dwelling.
- Overdevelopment – the proposal to construct four new dwellings on the plot represents overdevelopment of the site which currently accommodated one, discretely sited single storey dwelling.
- Contrary to policy H4 of the SOLP
- Adverse impact on the adjacent conservation area – CON7 SOLP
- Adverse impact on the setting of the listed buildings- CON5 SOLP
- Proposed parking arrangement is out of keeping – D2 SOLP
- Unsustainable form of development
- Dangerous access and egress points
- Surface water run off – large area of parking EP6 DOLP
- Overlooking to properties opposite
- Materials are inappropriate – yellow brick not in keeping. Dormers also not in keeping.
- Waste and recycling are shared and should be dwellings specific.

Most recent amended plans – Object

- All council's original reasons for objection to this planning application continue to apply
- Site is an important local landscape feature which contributes to the visual and historic character and appearance of the settlement – the site is surrounded by stone buildings with thatched roofs – the building proposed is significantly different in terms of design and would appear out of keeping.
- Design, scale and materials of proposal is damaging to the setting of the conservation area

County Archaeological Services - No objection – The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such, there are no archaeological constraints to this scheme.

Conservation Officer – Original Plans – holding objection

- The scheme is not supported by an assessment of the heritage impacts of the proposal – conservation area and listed buildings
- The scheme is likely to have considerable visual impact on the character of the area.

- The Conservation Area Management Plan identifies that open spaces, generous plot sizes and separation between dwellings is an important characteristic in the conservation area.
- I am concerned that the overbearing nature of the scale and massing of the terrace would erode the character of this edge of the settlement and the approach to the conservation area.
- The provision of 4 no dwellings in this location increases the massing of the built form and perhaps a reduced number would be necessary here to try and address this.
- This scheme is likely to constitute harm to the significance of the neighbouring designated heritage assets and that this harm would be equivalent to less-than-substantial harm under the tests of the NPPF

Most recent amended plans

No objection to this outline proposal subject to reserved matters conditions relating to external materials, boundary treatments and landscaping.

Most recent amended plans – No further comments.

Highways Liaison Officer (Oxfordshire County Council) – Original plans – holding objection

- The Highway Authority recommends a Holding Objection until further information is supplied to address the following:
- Whilst the proposal will utilise the existing access, no visibility splay have been demonstrated for consideration. Given the intensification of the existing access these will need to be provided in accordance with standards
- The parking spaces do not meet current dimensional standards; for a standard car parking space one which is not obstructed on either side this minimum internal dimension is required to be 2.5m wide by 5.0m in length. For a parking space which is obstructed on one side this minimum internal dimension is required to be 2.7m wide by 5.0m in length • No turning opportunity for a delivery vehicle has been demonstrated for consideration so as to allow the vehicle to egress in a forward gear.

Most recent amended plans – No objection subject to conditions relating to the existing vehicular access, parking and manoeuvring areas retained and no surface water drainage to the highway

CPRE - (Rights of Way) - Original plans – Objection

The scale of the proposed development is unsuitable for the site. The proposed building impacts unsympathetically on the adjoining Conservation Area. The site is too small for four dwellings. The proposed materials and style of building are inappropriate in this location surrounded, as it is, by low thatched cottages at the entrance to the village of Great Haseley. We recommend that this application be turned down for the above reasons.

Most recent amended plans – no comments received

Countryside Officer – No objection. As a precautionary measure, a detailed bat informative is recommended.

Forestry Officer – Objection to original plan

- There are trees protected under the Great Haseley Conservation Area to the east of the site, T1 as marked on the submitted plan is now protected by a TPO

- Limited arboricultural information has been submitted to support this application and it is not possible to fully assess the impacts of the proposed development
- The applicant is advised to submit an Arboricultural Impact Assessment and Arboricultural Method Statement.
- The proposed new vehicular crossover and parking area to the south west of the site could lead to the foreseeable loss of T1 which is a protected tree.

Amended plans. No objection.

- The amended plans submitted on 21 May have addressed my concerns relating to sufficient landscaping opportunities and I am satisfied the proposed layout is arboriculturally acceptable.
- In order to ensure trees to be retained would be suitably safeguarded, a detailed Arboricultural Method Statement would be required, this should include a full specification of the proposed cellular confinement system within the RPA of T11, a protected Horse Chestnut
- Tree and hedge planting condition
- Tree protection condition

Drainage Engineers – No objection subject to pre-commencement conditions relating to surface water and foul water drainage.

Neighbour Object (7) Original plans (summary)

- Historically this has been an open site with a village pond
- Visually intrusive development
- Adversely affect the setting of listed buildings and character of the conservation area.
- New dwellings are closer to the listed buildings than the existing property
- Design and Access statement is misleading in relation to trees and landscaping
- Adverse impact of the development from odour, polluting fumes and light pollution.
- Adverse impact of carparking on neighbouring properties
- Increase in traffic to the site
- Inadequate visibility splays
- Highway danger to walkers, joggers and cyclists
- Higher roof levels will block light and overwhelm the modest cottages
- Adverse impact on property values
- Adverse impact on view
- Inappropriate scale of development
- Inadequate storage space provided
- Shared parking and bins storage is not acceptable
- Site is above an underground spring – this needs investigating
- Proposed yellow bricks are out of keeping

Most recent revised drawings

- All previous comments apply
- Landscaping information is inaccurate
- little reduction in the ambition of this development

3.0 **RELEVANT PLANNING HISTORY**

3.1 None relevant

4.0 **Environmental Impact Assessment – N/A**

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Core Strategy (SOCS) Policies:

CS1 Presumption in favour of sustainable development
CSB1 Conservation and improvement of biodiversity
CSEN3 Historic environment
CSH4 Meeting housing needs
CSQ3 Design
CSR1 Housing in villages
CSS1 The overall strategy

South Oxfordshire Local Plan 2011 (SOLP 2011) Policies:

C8 Adverse affect on protected species
C9 Loss of landscape features
CON5 setting of listed building
CON7 proposals in a conservation area
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
G2 Protect district from adverse development
G4 Protection of countryside
T1 safe, convenient and adequate highway network for all users
T2 Unloading, turning and parking for all highway users

South Oxfordshire Emerging Local Plan 2034 Policies

The council is currently progressing the emerging local plan through the examination stage. The plan currently carries limited weight. Relevant policies include;

DES1 Delivering high quality development
DES2 Enhancing local character
DES3 Design and Access statements
DES6 Residential amenity
DES9 Promoting sustainable design
ENV3 biodiversity non designated sites, habitats and species
EN6 Historic environment
ENV7 Listed buildings
ENV8 Conservation areas
H8 Housing in smaller villages

5.2 **Neighbourhood Plan- no plan in preparation.**

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)
Great Haseley Conservation Area Character Study

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 **The key considerations are:**

- **Principle of development**
- **Policy H4 criteria**
- **Impact on neighbours**
- **Impact on the conservation area**
- **Impact on the setting of listed building**
- **Highways**
- **Trees**
- **Garden sizes**
- **CIL**
- **Other issues**

6.2 **Principle of development**

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. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan, applications for planning permission must be determined in accordance with the Plan unless material considerations indicate otherwise.

6.3 In the case of this proposal, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012 and the saved policies in the South Oxfordshire Local Plan 2011.

6.4 The National Planning Policy Framework does not form part of the statutory Development Plan but is an important material consideration in decision taking. Paragraph 10 of the NPPF advises that there is a presumption in favour of sustainable development.

For decision-taking this means:

- Approving development proposals that accords with the development plan without delay;
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.5 Policy CS1 of the SOCS reflects the presumption in favour of sustainable development. The spatial strategy in Policy CSS1 establishes a settlement hierarchy where the amount and location of new housing is related to the availability of facilities and services in order to achieve a sustainable pattern of development.

6.6 Policy CSR1 of the SOCS relates to the council's housing strategy in the villages within the district. Great Haseley is designated as a 'smaller village'. As such the policy allows some additional housing in the smaller villages via allocated sites, 'infill' plots and rural exception sites. 'Infill' is defined as "the filling of a small gap in an otherwise built-up frontage or on sites within settlements where the site is closely surrounded by

buildings”. In addition, redevelopment proposals in all categories of settlements may be acceptable but will be considered on a case by case basis. This proposal falls within a redevelopment proposal given that the site is currently occupied by a single dwelling and its domestic curtilage.

6.7 As such, it is my opinion that the principle of residential development on this site is acceptable. The detail of the proposal falls to be considered within the criteria of policy H4 of the SOLP.

6.8 Policy H4 of the SOLP

Policy H4 allows for housing on sites within the built-up areas of the 4 main towns of the district and within the built-up areas of the villages subject to the following criteria:

- (i) an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt;
- (ii) the design, height, scale and materials of the proposed development are in keeping with its surroundings;
- (iii) the character of the area is not adversely affected;
- (iv) there are no overriding amenity, environmental or highway objections; and
- (v) if the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.

Taking each of these in turn.

6.9 (i) the site is occupied by a dwelling and its domestic curtilage and is not important open space. The council's ecologist has considered the proposal and has no objection on ecology grounds. The site has a variety of mature vegetation on it including a tree covered by a Tree Protection Order and provides a “soft” edge to the village when entering from the south west. It is not, however a public view which will be spoilt.

6.10 (ii) The design, height and scale of the terrace and number of dwellings has been reduced in the amended plans. The scheme is now for 3 smaller dwellings (rather than 4) and does not require a new access. The overall height of the terrace has also been reduced. In its amended form, the design of this small terrace of dwellings is considered to be in keeping with surrounding cottages such as Clematis and Rose Cottage and numbers 5 and 6 Rectory Road. The design of the dormer windows has also been revised so that they sit above eaves level. The materials proposed are brick, stone and clay tiles all to be approved by way of condition. As such the proposed scheme is considered to be in keeping with surrounding development.

6.11 (iii) The character of the existing area is residential. There is a variety of styles of property and pallet of materials. The listed buildings which are close to the site are built of stone with thatched roofs. The proposed terrace would be constructed using traditional materials including stone and clay tile which would be in keeping with the established character of the area. The properties opposite are semi-detached as are the two properties to the north east. The existing dwelling on the site is a single detached dwelling which occupies a very large plot. In my view the existing dwelling is the anomaly in the immediate vicinity of the site. The redevelopment of this site for a modest terrace of 3 properties would be in keeping with the surrounding character.

6.12 (iv) There is a separate section on highway issues and impact on neighbours below. There are no environmental objections to this proposal.

6.13 (v) The site does not constitute backland development.

6.14 **Impact on neighbours**

Policy H4 (iv) seeks to ensure that proposals for housing does not result in overriding amenity objections. In relation to this proposal, 7 neighbours have objected to this development and their concerns which are summarised in paragraph 2.1 of this report can be broken down into the following broad categories:

- Visually intrusive/scale of development
- Impact on listed buildings and conservation area
- Traffic/highway safety
- Trees/landscaping

6.15 **Scale of development**

The scale of the development has been reduced; three dwellings rather than four are now proposed giving an increase of 2 dwellings on the site overall. The block plan below shows the footprint of the existing dwelling and outbuildings in relation to the footprint of the proposed dwellings. The footprint of the new dwellings is modest and not dissimilar to those of neighbouring properties such as Clematis and Rose Cottage.



6.16 The first-floor bedroom windows in the front elevation are north facing and look towards Rectory Road over the proposed parking and turning area. These windows are some 28m (min) from the nearest neighbour, Rose Cottage. As such the proposal is not considered to be overbearing or oppressive on the occupiers of neighbouring properties or to result in unacceptable overlooking.

- 6.17 When originally submitted, the parking provision for the four dwellings was proposed in two areas within the site. The revised scheme for three dwellings now includes one access and one parking area only. The parking is proposed in the north eastern corner of the site, close to the joint boundary with the front gardens of Rose and Clematis Cottages. Concern has been raised by these neighbours in relation to the potential noise and disturbance from this parking area and the lack of screening proposed.
- 6.18 In relation to noise and disturbance, it is my opinion that the level of vehicular activity from this development would not be unacceptable on neighbour amenity grounds given that there is an addition of 2 dwellings only on the site and that the proposed parking area faces the front of the neighbouring properties rather than their private rear gardens. There is a mature hedge which runs along the joint boundary which offers a degree of privacy. Further landscaping will be sought at the Reserved Matters stage (see below).
- 6.19 The occupiers of numbers 5 and 6 Rectory Road have commented that the proposal will be oppressive and overbearing on their dwellings. A gap of some 10.3m across Rectory Road would remain between the side elevation of the new development and the front elevation of these properties. The proposed height of the new development in its revised form is 7.4m. This compares to a ridge height of approximately 6.5 of numbers 5 and 6 Rectory Road. It is my opinion that less than 1m difference in height would not be overbearing or oppressive on the occupiers of these properties.

6.20



- 6.21 **Impact on setting of listed buildings and the conservation area.**
The NPPF advises that proposals which preserve the setting of heritage assets should be treated favourably. Policy CSEN3 of the SOCS seeks to ensure that the setting of the district's designated historic assets be conserved and enhanced. Policy CON5 of the SOLP advises that development which would adversely affect the setting of a listed building will be refused.
- 6.22 The NPPF advises that great weight should be given to the conservation of a heritage asset.
- 6.23 CSEN3 of the SOCS seeks to ensure that conservation areas will be conserved and enhanced and that proposals that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

CON 7 of the SOLP seeks to ensure that development in a conservation area does not harm the character and appearance of the area; that the design and scale of the new work is in sympathy with the established character of the area and that traditional materials are used whenever appropriate.

- 6.24 When originally submitted, the proposal was for 4 no. new dwellings. The conservation officer lodged a holding objection to this proposal requesting a heritage impact appraisal and suggesting it was reduced in size to reduce its impact. She considered that 4 dwellings and a new vehicular access to the site would erode the open and rural character of the site which contributes to the special historic and architectural interest of the designated heritage assets.
- 6.25 In its amended form, the proposal now has 3 new dwellings and does not include a new vehicular access. The ridge heights have been reduced and the style of the dormers revised.
- 6.26 The conservation officer no longer has an objection to the proposal on heritage grounds. In your officers' opinion the public benefit of providing small houses to the housing stock and the employment their construction would provide, outweighs the less than substantial harm the development would cause to heritage assets.
- 6.27 **Highway Safety**
Policies T1 and T2 of the SOLP seek to ensure that new development has sufficient off street parking and a safe access onto the highway. In its amended form, only the existing access is being used. 2-bed properties require 2 off street parking spaces and a 1-bed dwelling requires 1 space. 6 spaces in total are being provided as a visitor space is included in the parking provision. This meets the council's parking standards and the County Highway Liaison officer has not objected to this proposal on highway or parking grounds subject to conditions relating to parking, access and manoeuvrability. As such, there are no technical highway reasons to refuse the application.
- 6.28 **Trees/Landscaping**
Policy C9 of the SOLP seeks to ensure that features of high landscape value are not harmed by new development. A tree within the site is covered by a TPO (T1 on the block plan). In its original form, the proposal included a new vehicular access close to this tree. The council's forestry officer was concerned that Tree T1 could potentially be harmed by this proposal and that insufficient arboricultural information had been submitted.
- 6.29 The new vehicular access is no longer proposed and additional arboricultural information has been submitted. The council's forestry officer has confirmed that he has no further objection to the proposal subject to tree protection and tree and hedge planting conditions being added to any planning permission.
- 6.30 Neighbours have expressed concern over the lack of landscaping and the lack of screening between properties. This is an outline planning application and Landscaping is not a consideration at this stage. If outline planning permission is granted, a reserved matters application will have to be submitted to address landscaping. At that time, the detail of the size, species and siting of specific trees and other landscaping features can be considered in liaison with the council's forestry officers.
- 6.31 **Garden sizes**
Policy D3 of the SOLP requires that a private outdoor amenity space should be provided for all new dwellings. The amount of land to be used for the garden or amenity space will be determined by the size and the dwelling proposed. This policy and the

SODG seek to ensure that reasonable standards of private amenity space are provided in new developments. The council's recommended garden sizes for 3-bed and 1-bed dwellings is 100sqm and 35sqm respectively. In this case, the 3-bed dwellings have gardens of some 280sqm and 166sqm and the 1-bed dwelling has a private rear garden of some 63sqm. As such the proposal has sufficient amenity space for all 3 dwellings and does not constitute overdevelopment.

6.32 CIL

This proposal is CIL liable for all floor area over the existing floor area. The necessary information and forms for this stage of the process have been submitted.

7.0 CONCLUSION

7.1 The principle of redeveloping this site for residential use is acceptable. In its amended form, the proposal would not adversely affect the setting of listed buildings or the conservation area. The proposal would not be unacceptable in terms of neighbour amenity and would not result in issues of highway safety. A Reserved Matters application will be required to address both soft and hard landscaping within the site. Subject to the recommended conditions, the proposal does accord with Development Plan policies and Government advice.

8.0 RECOMMENDATION

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

- 1. Commencement – outline reserved matters**
- 2. Approved plans**
- 3. Schedule of materials**
- 4. Withdrawal of PD Class A**
- 5. Withdrawal of PD Class E**
- 6. Existing vehicular access**
- 7. Parking and manoeuvring areas retained**
- 8. No surface water drainage to highway**
- 9. Tree protection**
- 10. Provide hedge planting**

Author: Kim Gould
Contact No: 01235 422600
Email: planning@southoxon.gov.uk

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