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SUBJECT            **COMMITTEE SITE VISIT REPORTS**  
**16 OCTOBER 2013**  
Attendance – Verbally updated at Committee

REPORT OF        Head of Planning & Building Control

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<b>APPLICATION NO.</b>	<a href="#">P13/S1046/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	11.4.2013
<b>PARISH</b>	CHINNOR
<b>WARD MEMBERS</b>	Dr Christopher Hood & Ms Lynn Lloyd
<b>APPLICANT</b>	Mr Tony Dakin
<b>SITE</b>	Land adjacent 4 Old Orchard, Henton
<b>PROPOSAL</b>	Erection of a detached dwelling with detached double garage, new vehicular access and associated amenity space provision (amended plans received 4th July 2013).
<b>AMENDMENTS</b>	Alterations to design of dwelling
<b>OFFICER</b>	Paul Lucas

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## 1.0 INTRODUCTION

1.1 This application is reported to the Planning Committee as a result of a conflict between officers' recommendation and the views of Chinnor Parish Council. Members will recall that the application was deferred by the Planning Committee on 11 September 2013 to allow a site visit to be carried out on 14 October 2013.

1.2 The application site is identified at **Appendix 1**. It comprises part of a parcel of domestic recreational land belonging to a dwelling within the linear settlement of Henton. At the southern end of this former paddock is an L-shaped garage/store/office with separate access onto the main road. The site lies above the road level and there is a watercourse between the front boundary and the road. There is a noticeable slope, which falls down from the southern to the northern end of the site. There is built form in depth on either side of the site, with mid 20<sup>th</sup> century dwellings on The Old Orchard development on higher ground to the south, and 5 & 6 Pleckspool Cottages, Grade II listed buildings to the north on lower ground than the site, with the access to these dwellings running alongside the northern site boundary. There is also some development opposite the site in the form of Manor Farm Bungalow and the entrance to Manor Farm, an equestrian enterprise. The site itself is largely open, but there are some mature trees and shrubs located along part of the front boundary. There is a pond in the north east corner with some mature trees surrounding it.

## 2.0 PROPOSAL

2.1 The application seeks planning permission for the erection of a two storey three bedroom dwelling. The amended plans show that the proposed house would have an L-shaped footprint and would be positioned towards the front of the site. It would have a width of 18.3 metres, a main depth of 9.5 metres and a projecting single storey rear wing of 6.6 metres close to the southern boundary. The ridge height would be about

8 metres. It would have a projecting gable on the front elevation and on the rear elevation. The main windows would be on the front and rear elevations. There are two small windows on the southern side elevation and some high-level glazing in the lean-to on the northern side elevation. The dwelling would be set back on average 11.5 metres from the front boundary. The northern side wall would be set in by 2 metres from the boundary at single storey level and 4 metres at first floor level. There would be a new vehicular access with a detached garage, which would be positioned in front of the house, 2.3 metres back from the front boundary and 3.2 metres from the northern site boundary at right-angles to the road with a turning area in front. The main external materials would be facing bricks, cedar boarding and plain clay roof tiles.

- 2.2 A copy of the current plans is attached at **Appendix 2** whilst other documentation associated with the application can be viewed on the Council's website: [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Chinnor Parish Council** – The application should be refused. The reasons for refusal are that the proposal would be un-neighbourly, not in keeping with the historic environment, the building is too dominant in the landscape.

**County Archaeological Services (Oxfordshire County Council)** - No objection

**Conservation Officer (South Oxfordshire District Council)** – Concerns about impact of original proposal on setting of nearby listed buildings in terms of being a large complex building with overly dominant elevations on rising topography with a substantially higher ridge resulting in disruption in important views of the listed buildings: these have been addressed through amended plans

**Drainage Engineer (South Oxfordshire - Monson)** - No objection subject to foul drainage and culverting conditions

**Highways Liaison Officer (Oxfordshire County Council)** - No objection subject to access, parking and turning and surface water drainage conditions

**Forestry Officer (South Oxfordshire District Council)** - No objection subject to tree protection and landscaping conditions

**Neighbours** – 25 objectors to the original plans and 24 objectors to the amended plans and a petition containing 79 signatures opposed to further development in Henton, the points raised are summarised as follows:

- Application site forms part of a larger 0.55 hectare parcel of land and it is a contrived approach to subdivide it in order to fit within the size limit specified in Policy CSR1
- Henton is an unsustainable location with very limited services and facilities, contrary to spirits of relevant SOCS policies and NPPF guidance
- 1987 appeal decision where two houses were dismissed due to the detrimental impact on the rural character of the locality is still relevant
- Would set a precedent for further development on remaining former paddock behind the application site, conversion of garage building to a dwelling and development of other undeveloped parcels of land in northern part of hamlet
- Not regarded as an infilling of a small gap in a built up frontage due to distance to the next roadside property to the north, College Farm
- Not regarded as being closely surrounded by buildings due to the distances

- involved between the proposed dwelling and nearby buildings
- Objection to proposed vehicular access on steepest and fastest part of land which is hazardous in wet and icy conditions opposite the busy Manor Farm entrance
- Amended plans have not addressed concerns set out by Conservation Officer in relation to scale/proportion/height massing/alignment/use of materials all still harmful to the setting of nearby listed buildings
- Garage should not be in front of building line
- Adverse impact on residential amenity of occupiers of listed buildings through loss of light/outlook/privacy

The consultation responses can be viewed in full on the Council's website:  
[www.southoxon.gov.uk](http://www.southoxon.gov.uk).

**4.0 RELEVANT PLANNING HISTORY**

4.1 [P11/E0278/RET](#) - Approved (12/04/2011)

Retention of car port and store (to regularise discrepancies with original permission).

[P10/E0809](#) - Approved (30/07/2010) Erection of car port and store.

[P09/E0814/LD](#) - Approved (27/10/2009) Use of land as domestic garden.

[P86/N0482/O](#) - Refused (17/09/1986) - Dismissed on appeal (09/02/1987)  
 Erection of 2 number dwellings with private access drive and garages.

**5.0 POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSEN3 - Historic environment

CSM1 - Transport

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSR1 - Housing in villages

CSS1 – Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

C4 - Landscape setting of settlements

C9 - Loss of landscape features

CON5 - Setting of listed building

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

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008 – Sections 3, 4 & 5

South Oxfordshire Landscape Assessment – Character Area 3

5.3 National Planning Policy Framework

The policies within the SOCS and SOLP 2011 of relevance to this application are considered to be in general conformity with the provisions of the NPPF and therefore this application can be determined against these relevant policies.

6.0 **PLANNING CONSIDERATIONS**

6.1 The planning issues that are relevant to this application are whether the development would:

- be acceptable in principle in this location;
- result in the loss of an open space or view of public, environmental or ecological value;
- preserve the setting of the nearby Grade II listed buildings, 5 Henton and Pleckspool Cottage, and be in keeping with the character and appearance of the surrounding area;
- safeguard the living conditions of neighbouring residential occupiers and would provide suitable living conditions for future occupiers;
- demonstrate an acceptable provision of off-street parking spaces for the resultant dwelling or other conditions prejudicial to highway safety;
- provide adequate sustainability and waste management measures; and
- give rise to any other material planning considerations

Principle of Development

6.2 The site is located within the small settlement of Henton. Under the previous Local Plan regime, Henton was not a location where new housing was supported. However, in December 2012, the Council adopted its Core Strategy (SOCS). Thus, the SOCS Policy relevant to this proposal is CSR1, which outlines a new approach for assessing proposals for infill residential development in the District. The SOCS classifies Henton as an “Other” village. Under Policy CSR1, residential development on infill sites of up to 0.1 hectares in size is acceptable in principle in “Other” villages. The supporting text for Policy CSR1 states, “*Infill development is defined as the filling of a small gap in an otherwise built up frontage, or on other sites within settlements where the site is closely surrounded by buildings.*” There is a gap of 42 metres between the north-facing side wall of the existing garage/store/office and the south-facing wall of the listed buildings and a gap of 65 metres between the garage/store/office and the southern side wall of College Farm. There is also a gap of about 40 metres between the front of the garage/store/office and Manor Farm Bungalow opposite. There is no discernible break in development between the application site and the other dwellings in the village to the south. The break of 40-65 metres between the application site and the nearest properties to the north is comparatively small, given the scale of development that lies beyond, with an approximately 64 metre wide strip of residential plots from Pleckspool Cottage and 5 Henton to Minstrels Barn and then, further to the north, a line of residential development spanning over 300 metres of road frontage. On this basis, officers consider that the site is closely surrounded by other residential buildings to the north, south and opposite to the east. The listed buildings and The Old Orchard development are situated further to the west of the rear boundary of the application site. As the application site is 0.1 hectares in size, this is within the allowances of Policy CSR1 and officers are satisfied the principle of this development is acceptable under the SOCS. Consequently the proposal falls to be assessed primarily against the criteria of Policy H4 of the SOLP 2011 for new dwellings which are addressed below.

Loss of Open Space

- 6.3 Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. Officers have had regard to the 1987 appeal decision. At that time, it appears that the site was in agricultural use and had the appearance of a paddock. However, since then, the use of the site as part of a domestic garden was established through the grant of lawful development certificate P09/E0814/LD. The site now has the appearance of a private garden, emphasised by the construction of the ancillary garage/store/office building. Therefore, under the present circumstances, it is your officers' view the previous appeal decision carries limited weight. The site is not accessible to the public. Although visible from the road, it is seen in the context of adjacent dwellings and their gardens to the north and the south and there is a backdrop of mature trees along the western boundary of the former paddock area. As such, the erection of a dwelling on this site would not obstruct any significant public views into the open countryside. There would also be no adverse ecological implications arising from this proposal. On this basis, the proposal would be in accordance with the above criterion.

Visual Impact

- 6.4 Criterion (ii) of Policy H4 of the SOLP 2011 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings and criterion (iii) requires that the character of the area is not affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 amplify this requirement. Policy CON5 of the SOLP 2011 sets out the statutory duty to preserve the setting of listed buildings. The impact of the proposed dwelling upon the setting of 5 Henton and Pleckspool Cottage would be increased as a result of the application site being at a higher level. The Council's Conservation Consultant is satisfied that the current proposal would address the concerns raised by the original submission. Specifically, the repositioning of a smaller single storey wing from the northern side of the rear elevation to the southern side, combined with the removal of the junction between the house and the garage would simplify the design sufficiently to significantly reduce the amount of development along the elevated boundary with the listed buildings. Although the proposed dwelling would partly obstruct a present public view of the listed buildings from the main road, the gap of over 20 metres between the two buildings would be sufficient to avoid harm to the setting of these designated heritage assets.
- 6.5 The siting of the dwelling would be generally comparable with the existing frontage development to the south of the site. Residential development in Henton is varied with a mixture of traditional buildings interspersed with mid-20<sup>th</sup> century development of differing scales. Examples of both types of housing can be found close to the site. In this context, the scale and design of the proposed dwelling, incorporating some traditional materials would be broadly acceptable having regard to SODG 2008 guidance. The location of parking area in front of the dwelling is not ideal, however, some of the other dwellings to the south of the site have forward parking and there would be enough remaining front garden and retained trees on either side, plus scope for some boundary planting. Similarly, whilst Section 3.3.1 of the SODG 2008 advises that garages should be set back from the street frontage, there are other examples of ancillary buildings located close to the front boundaries. In this particular instance, the design of the garage has been simplified to more closely resemble a small barn structure and would be relatively well screened by the mature planting already in place along the frontage boundary in both northward and southward directions. As discussed above, as the dwelling would be closely surrounded by other buildings it would have no discernible impact on the wider landscape character of the settlement. The proposed house would preserve the setting of nearby listed buildings, would not be unduly prominent in the street scene and would be in keeping with the character of the

surroundings. In the light of the above assessment, the proposal would comply with the relevant policies and guidance.

Neighbour Impact

- 6.6 Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties through loss of privacy, daylight or sunlight. Advice on privacy standards is also included in the SODG 2008. In Section 3.2.6 it advocates that a distance of 25 metres between facing habitable rooms is desirable. The proposed rear two storey gable would be at a distance of around 23-25 metres from the windows of the front elevation of 5 Henton and Pleckspool Cottage. Although the higher level of the proposed dwelling would increase the potential for overlooking of these neighbouring windows and gardens, the gable would almost be at right angles to the front wall and this angle would be too oblique to enable direct overlooking and therefore any significant loss of privacy to take place.
- 6.7 It is recognised that the dwelling would be clearly noticeable in views from the south elevation of 5 Henton and Pleckspool Cottage. However, in your officers' opinion, the distances involved and the positioning of the proposed dwelling would mean that the open aspect would remain sufficiently to preserve the outlook and daylight presently enjoyed by the respective residential occupiers. Due to the level of separation involved, there would be no discernible impact on the residential amenity of any other residential occupiers. On the basis of this assessment, the proposal would accord with the above policies and guidance.

Access and Parking

- 6.8 Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Although local residents consider that the construction of a new access point in this location would be dangerous, the Highway Liaison Officer is satisfied with the proposed access and parking arrangements, as long as several planning conditions are imposed. The number of parking spaces would be adequate for a dwelling of this size and turning space would be provided within the site. On this basis, the proposal would comply with the above criterion.

Sustainability and Waste Management Measures

- 6.9 Policy CSQ2 of the SOCS and Section 4 of the SODG 2008 require single dwellings to achieve Level 4 of the Code for Sustainable Homes. This could be achieved through the imposition of a planning condition requiring details to be provided prior to occupation. With regard to waste management, the plans indicate that there would be adequate scope on site for waste bin storage, which would allow for both boxes and wheeled bins to be presented for collection at the highway junction with the driveway as is the case for nearby dwellings. Therefore the requirements of the above policies would be satisfied.

Other Material Planning Considerations

- 6.10 Officers understand the concerns of local residents in respect of any precedent they believe would be set through granting this planning application, either through the development of the remainder of the paddock, conversion of the adjacent ancillary building or development of other gaps between buildings elsewhere in the settlement. However, it is an established planning principle that each application must be judged on its individual merits. Matters relating to foul drainage and culverting could be dealt with through planning conditions.

**7.0 CONCLUSION**

7.1 The proposed development would be acceptable in principle, would preserve the setting of nearby listed buildings, would safeguard the character and appearance the surrounding area, would safeguard important trees, would not detract from the living conditions of adjoining residents or be prejudicial to highway safety and would be in accordance with Development Plan Policies, Supplementary Planning Guidance and Government Guidance.

**8.0 RECOMMENDATION**

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

1. **Commencement 3 yrs - Full Planning Permission**
2. **Approved plans**
3. **Levels to be submitted (details required)**
4. **Schedule of materials required (all)**
5. **Withdrawal of permitted development rights relating to extensions/roof extensions/outbuildings**
6. **Obscure glazing first floor south-facing window**
7. **Code Level 4**
8. **New vehicular access**
9. **Garaging, Parking & Manoeuvring Areas Retained**
10. **No Surface Water Drainage to Highway**
11. **Landscaping (incl access road and hard standings)**
12. **Tree Protection to be implemented as approved**
13. **Surface water drainage works (details required)**
14. **Foul drainage works (details required)**

**Author:** Paul Lucas  
**Contact No:** 01491 823434  
**Email:** [Planning.east@southandvale.gov.uk](mailto:Planning.east@southandvale.gov.uk)

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