

APPLICATION NO.	P21/S1458/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	25.3.2021
PARISH	ASTON ROWANT
WARD MEMBERS	Lynn Lloyd Ian White
APPLICANT	Mr Chris Rogers
SITE	Wayside, Stert Road, Chinnor, OX39 4NL
PROPOSAL	Demolition of existing three bedroom detached dwelling house and outbuildings; Construction of new private self-contained seven bedroom dwelling house with landscaping (as amended to reduce the scale of the development and revise the layout).
OFFICER	Tom Wyatt

1.0 INTRODUCTION AND PROPOSAL

- 1.1 The application is referred to Planning Committee due to Aston Rowant Parish Council's objections.
- 1.2 The application site, which is shown on the OS extract attached as **Appendix A**, comprises a large residential plot totalling approximately 7700 square metres. The plot is occupied by a relatively modest detached two storey dwelling and several outbuildings to its side and rear. The site is located within the small settlement of Kingston Stert and is not subject to any special designations (AONB, etc), however, the rear part of the site is located within Flood Zone 3.
- 1.3 The application seeks planning permission for the demolition of the existing dwelling and its replacement with a new 7 bedroom dwelling spread over three floors although the third floor would be contained within the roofspace of the main part of the dwelling. A copy of the proposed plans are attached as **Appendix B**, and other plans, documentation and consultation responses can be found on the council's website, www.southoxon.gov.uk.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 Aston Rowant Parish Council – Objects – ‘We feel that any amendments made (and it is hard to see what exactly has changed) do not go far enough to mitigate the poor design and over-bearing impact on this site, or that the materials simply do not fit in with the rural character typified by the location.’

Sydenham Parish Council – No strong views following the amended plans.

Countryside Officer – No objections subject to conditions to protect bats and great crested newts.

Drainage Officer – No objections subject to surface water and foul drainage being agreed through conditions.

Forestry Officer - No objections subject to tree protection and landscaping being agreed through conditions.

Highways Liaison Officer (Oxfordshire County Council) – No objections subject to conditions to secure the parking and turning areas, gravel spread on to the highway and the stopping up of the northernmost access.

SGN Plant Protection Team – Guidance provided regarding working near gas pipes and electricity apparatus.

South Oxfordshire District of CPRE – Concerns expressed regarding light and noise pollution arising from the development.

Neighbours (comments in respect of original plans; no further comments have been received in respect of the amended plans).

- The projection to the rear will impact on the neighbouring garden
- Scale of development will have an adverse impact on the rural feel to the back of the properties.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P19/S4134/FUL](#) - Withdrawn (28/09/2020)

Demolition of the existing dwelling and garage and replacement with dwelling and garage

[P19/S4132/LDE](#) - Withdrawn (28/09/2020)

Certificate of Lawful Use for the continued use of a timber business.

[P19/S0817/LDE](#) - Withdrawn (01/08/2019)

Continuing use of land as a commercial tree surgeons yard including the storage and maintenance of plant, equipment and machinery used in connection with the business, the storage, processing, burning and sale of timber, and the parking of commercial vehicles (as clarified by agent's covering letter dated 31st May 2019)

[P18/S3159/PIP](#) - Withdrawn (09/11/2018)

Demolition of existing house and buildings and replacement with four dwellings.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 Not application to this scale of development.

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

STRAT1 – The overall strategy

DES1 – Delivering High Quality Development

DES2 – Enhancing Local Character

DES5 – Outdoor Amenity Space

DES6 – Residential Amenity

DES8 – Promoting Sustainable Design

DES10 – Carbon Reduction

ENV1 – Landscape and Countryside

ENV2 – Biodiversity – Designated sites, Priority Habitats and Species

ENV3 – Biodiversity

ENV11 – Pollution – Potential Receptors of Pollution

ENV12 – Pollution – Potential Sources of Pollution

EP4 – Flood Risk

H18 – Replacement Dwellings

INF4 – Water Resources

TRANS5 – Consideration of Development Proposals

5.2 **Aston Rowant Neighbourhood Plan**

The Parish Council ran the statutory pre-submission consultation on the draft plan, which ended on 30 June 2020. The local community and statutory consultees were invited to offer their comments on the draft neighbourhood plan. The Parish Council are reviewing comments received and making changes to the draft plan before formally submitting it to the District Council. The Neighbourhood Plan has limited weight at this stage.

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

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 relevant planning considerations are the following:**

1. **Principle of the development**
2. **Impact on the character and appearance of the site and surrounding area**
3. **Impact on the amenity of neighbouring occupiers**
4. **Access and Parking**
5. **Impact on Trees**
6. **Impact on Protected Species**
7. **Carbon Reduction**
8. **Flood Risk**

Principle of the Development

6.2 The site is located in an area of countryside where new residential development is strictly controlled and generally only permitted in accordance with the circumstances outlined within Policy H1 of the SOLP. However, the proposal is to replace the existing dwelling, and Policy H18 allows for replacement dwellings in the countryside provided that the following criteria can be met:

- i) the residential use of the existing dwelling has not been abandoned;
- ii) the existing dwelling is not subject to a temporary or time limited planning permission;
- iv) within the Green Belt, the proposed replacement dwelling is not materially larger than the dwelling it replaces; and
- v) the proposal can demonstrate that satisfactory vehicular access and parking arrangements and adequate amenity areas are retained for the replacement dwelling

6.3 The site is not within the Green Belt. The existing building is in residential use and it is not subject to any temporary or time limited permission. As such the principle of a replacement dwelling is acceptable.

Impact on the Character and Appearance of the Site and Surrounding Area

- 6.4 Policy DES1 of the SOLP seeks to deliver high quality development, including through demonstrating a respect for the local context working with and complementing the scale, height, density, grain, massing, type, and details of the surrounding area. Policy DES2 of the SOLP states that ‘all new development must be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings’. The NPPF also places a strong emphasis on good design. Para. 126 states that ‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development’.
- 6.5 The existing dwelling within the site is relatively modest in scale and height and is of an unassuming design that has a neutral impact on its surroundings. The site and surrounding area lie within a flat rural landscape and the immediate locality is characterised by loose knit residential development of varying scale, age and design with the majority of dwellings occupying large verdant plots. The neighbouring dwellings to either side of the application site comprise a two storey dwelling to the south, and a bungalow to the north and they are set in similarly large plots to the application site allowing for substantial gaps between the respective dwellings. The footprint of Wayside is substantially less than that of the neighbouring dwellings and there is clear scope for a larger dwelling to be provided on the site having regard to the size of the plot.
- 6.6 The proposed dwelling comprises of two main sections linked at ground floor and a first floor terrace above. Both of the main sections comprise gables to the front and rear and are offset such that the main part of the southern section of the dwelling is set approximately 12 metres to the rear of the northern section. The dwelling would be set back further back into the plot compared to the existing dwelling and would be approximately 16.5 metres back from Stert Road compared to the comparative distance of approximately 12 metres with the existing dwelling. Also compared to the existing dwelling the proposed dwelling would be more than double the width at approximately 23 metres. However, the plot is approximately 39 metres in width and gaps to the northern and southern boundaries of the site of approximately 8 metres would be retained. In this regard, despite the significant increase in the size of the proposed dwelling compared to the existing the dwelling would not appear cramped in its plot.
- 6.7 The front and rear building lines of the dwelling would be similar in respect of the relationship to Stert Road as the neighbouring dwelling and in plan form the siting of the dwelling would respect this linear aspect of the adjoining built form allowing for substantial space to the front of the dwelling to soften its appearance through the retention of existing hedging and providing an opportunity for new planting. The height and massing of the dwelling would be substantial, but would not be harmful to the appearance of the area in my view due to the considerable variety of the built form in the local area and the substantial size of the plot. Visibility of the proposed dwelling would be limited due to the flat topography of the surrounding area and the screening and softening effects of the boundary vegetation. Public views of the site are limited to a short section of Stert Road. At 8.5 metres in height, the dwelling would not be disproportionately high compared to the surrounding dwellings and whilst its massing would be significantly greater than neighbouring dwellings this is mitigated by the staggered form of the dwelling and the large size of the plot.
- 6.8 The proposed dwelling has a contemporary appearance but within the context of a traditional pitched roof form. The form and appearance of the main gabled sections of

the dwelling are not dissimilar to typical agricultural buildings found in the vicinity and the flat roof terraced element is clearly subservient in height and scale to the main parts of the dwelling and would be recessive in views from Stert Road. In my view there is no clear justification to prescribe a particular design approach in respect of this site, particularly due to the varied designs locally and the site not falling within the AONB or any other designated area. The design is innovative, and appropriate in terms of the proposed form and materials, and in my view would not be out of keeping with the character and appearance of the site and its surroundings.

Impact on the Amenity of Neighbouring and Future Occupiers

- 6.9 Policy DES6 of the SOLP states that ‘development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts’ in relation to a number of factors including loss of privacy, daylight or sunlight, dominance or visual intrusion, and noise or vibration.
- 6.10 The site shares boundaries with Willowmead to the south and Little Bray to the north. The boundary to Willowmead is relatively open and there is little scope for any substantial vegetative screening on the boundary due to the presence of the nearby power lines. The proposed dwelling would be set back considerably further into its plot than Willowmead so that it would be clearly visible from the rear garden area of Willowmead. However, it is separated from the boundary by over 7 metres and by a much further distance to the main part of the house and garden of Willowmead. Having regard to this separation I do not consider that the development would give rise to any significant loss of outlook or light to Willowmead. There are first floor windows on the side elevation facing Willowmead, however, loss of privacy can be avoided through ensuring that these are set at high level or obscure glazed.
- 6.11 There is substantial evergreen vegetation on the boundary between the site and Little Bray to the north. The retention of this vegetation would reduce the impact on the neighbouring property. Nevertheless, even if this vegetation is removed the gap between the dwelling and the shared boundary is sufficient to avoid any significant loss of light or outlook, and again first floor side facing windows are either secondary bedroom windows or relate to bathroom accommodation and can be set at high level or obscure glazed. Views from the proposed central first floor terraced area and small rear facing balcony are restricted by the main sections of the dwelling and in any case the terrace is positioned well over 10 metres from either boundary.
- 6.12 Policy DES5 of the SOLP seeks to ensure that a suitable outdoor garden area is provided for all new dwellings. The site benefits from a very large plot, and the development clearly meets this requirement.

Access and Parking

- 6.13 Policy TRANS5 of the SOLP seeks, inter alia, to ensure that development is provided with a safe and convenient access and sufficient parking. The proposal seeks to retain the existing accesses and there is clearly scope to provide sufficient parking and turning within the site. Any increased traffic as a result of the larger dwelling compared to the existing would not be significant in the context of the local highway network.

Impact on Trees

- 6.14 Policy ENV1 of the SOLP states that development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and

quality of South Oxfordshire's landscapes, including trees, hedgerows, and field boundaries. There are no protected trees within or adjacent to the site, nevertheless, the trees within the site, particularly on the northern boundary, make a valuable contribution to the local landscape and should be retained. A tree survey and tree constraints plan has been submitted in support of the application and demonstrates that the development can be carried out without detriment to the adjacent trees that contribute positively to the character of the area. Tree protection measures will be required during the construction period. Through the submission of a landscaping scheme there is also scope for significant new tree planting to soften the development and help to assimilate it into its rural surrounding.

Impact on Protected Species

- 6.15 Policy ENV2 of the SOLP relates to the protection of biodiversity, including protected habitats and species. Development would normally only be acceptable if any impact on protected species can be avoided or mitigated. In response to the Countryside Officer's initial comments a stage 1 ecological assessment was carried out and found evidence of bats roosting at the site. The assessment outlines proposals to mitigate and compensate for the loss of the bat roost, including the installation of bat boxes.
- 6.16 The development has been entered into the Great Crested Newt (GCN) district licence scheme to address the risk of impacts to GCN. Conditions are recommended to ensure that the scheme meets the requirements of the licence.

Carbon Reduction

- 6.17 Policy DES10 of the SOLP seeks to ensure that new dwellings achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case. This reduction will be secured through renewable energy and other low carbon technologies and/ or energy efficiency measures. The application is not accompanied by an Energy Statement, however, in accordance with the council's public information regarding the application of Policy DES10 it is appropriate in this instance for a condition to be imposed pursuant to the requirements of this Policy because the application was registered prior to 1 April 2021. It is clear from the design and access statement that the intention is to create an energy efficient dwelling in any case. The relevant section of the statement is repeated below.

The emphasis is to create a more passive house with minimal energy demand to start with, by thoroughly insulating the envelope throughout, using high-performance materials, boarding and airtight membranes – mitigated by a mechanical background ventilation system with heat recovery, for optimum efficiency....With reduced heating requirements and A to A+++ rated appliances, the only other electrical energy draw is from the lighting. This is offset by large and regularly spaced windows to all areas including the more central parts. Rainwater harvesting is also incorporated into the proposals, to ensure a holistic and sustainable development. With a roof of greater than 300sqm in area more than half the demand can be met for a house of this size (in terms of flushing toilets, using the washing machine and for outdoor irrigation/cleaning etc.) In order to store and protect against drought days a 5,000 litre tank is required and will be fitted below ground in the rear garden for this purpose.

- 6.18 Having regard to the requirements of Policy TRANS5 I have recommended a condition to secure an electric vehicle charging point.

Flood Risk

- 6.19 The rear part of the application site lies within Flood Zone 3, however, the proposed development is taking place on the front part of the site, which is within Flood Zone 1. Therefore, there are no constraints to the development on the grounds of flood risk. The council's drainage engineer is satisfied that the scheme is acceptable subject to the surface water and foul drainage being agreed.

Community Infrastructure Levy

- 6.20 The proposed development comprises a new dwelling which will be liable for CIL.

7.0 CONCLUSION

- 7.1 The application site is located within the countryside where the principle of a replacement dwelling is acceptable having regard to Policy H18 of the SOLP. The proposed development would respect the character and appearance of the site and the surrounding area and would not result in material harm to the amenity of adjoining residential occupiers. Subject to the recommended conditions, the development would also have an acceptable impact on protected species and trees and would not be prejudicial to highway safety.

8.0 RECOMMENDATION

- 8.1 **Grant Planning Permission subject to the following conditions:**

1. **Commencement of development within three years**
2. **Development in accordance with the approved plans**
3. **A schedule of external facing materials to be agreed**
4. **A soft and hard landscaping scheme to be agreed**
5. **Tree protection details to be agreed**
6. **Surface water drainage details to be agreed**
7. **Foul water drainage details to be agreed**
8. **Development in accordance with bat mitigation plan**
9. **Development in accordance with requirements of the district GCN licence**
10. **No development to take place until a certificate confirming all GCN compensation measures has been submitted**
11. **Demolition of existing buildings prior to occupation of dwelling**
12. **Energy statement to be agreed**
13. **Electric vehicle charging point to be installed**
14. **Closure of existing access**
15. **Parking and turning to be carried out in accordance with the approved plans**
16. **Windows at first and second floor level in north west and south east to be obscure glazed or at least 1.7m above internal floor area**
17. **Withdrawal of permitted development for Class A extensions**

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