

APPLICATION NO.	P21/S1389/O
APPLICATION TYPE	OUTLINE
REGISTERED	22.3.2021
PARISH	SHIPLAKE
WARD MEMBERS	Leigh Rawlins & David Bartholomew
APPLICANT	Mr & Mrs Stewart
SITE	Kingsley House, Crowsley Road, Lower Shiplake, RG9 3LU
PROPOSAL	Outline application for refurbishment, extension and alteration of Kingsley House from 4 Flats to up to 8 Flats incorporating access matters with all other matters reserved (block, site and site access plans revised on arboricultural grounds received 21st May 2021 and corrected by plans received 7th June 2021 and footprint of Firs Lodge corrected and details of parking, bin storage and extension proposals removed as shown on amended plans received 24th June 2021).
OFFICER	Paul Lucas

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This report sets out the justification for officers’ recommendation to grant outline planning permission having regard to the development plan and any other material planning considerations. The application is referred to the planning committee due to a difference between officers’ recommendation and the views of Shiplake Parish Council.
- 1.2 The application site is shown at **Appendix A**. It comprises a residential plot at the southern edge of Lower Shiplake containing a large brick and tile dwelling that has been converted into four flats. Access is taken from Crowsley Road via a 150-metre-long private driveway. Frontage residential development along Crowsley Road lies to the north of the site. A detached dwelling, Orchard House, is under construction on the western side of the driveway. Open countryside adjoins the site to the west and the gardens of Thornfield House, Lock End House and Highwood to the north, south and east, respectively. The trees on the site boundary with the driveway and with the open countryside to the rear are covered by Tree Protection Orders. There are no other special designations on the site.
- 1.3 The application seeks outline planning permission for the refurbishment, extension and alteration of Kingsley House from 4 Flats to up to 8 Flats with detailed consent sought for access at this stage, as detailed on the current plans. Matters of appearance, landscaping, layout and scale are reserved for later consideration. The application includes alterations to the driveway to widen a section of it close to the junction to 4.5 metres. It also includes the formation of two passing places further up the driveway.
- 1.4 The application was amended to remove details of proposed car parking and bin storage, as these are related to ‘layout’ which is a reserved matter and so cannot be fixed at this stage. The current plans can be found at **Appendix B**. Other documents can be viewed on the Council’s [website](#).

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Shiplake Parish Council -

OBJECTS to this application for the following reasons :

- 1) Council continues to object to the overdevelopment of this whole site.
- 2) Development is in conflict with policy H 17
- 4) Council concerned about construction of two flats underground without natural light and out of character
- 5) Parking facilities are currently limited to two cars per household which means that there would be no onsite parking facilities for guests.

Drainage - (South and Vale) – No objection subject to surface water and foul water drainage conditions

Forestry Officer (South and Vale) – No objection subject to tree protection conditions

Highways Liaison Officer (Oxfordshire County Council) – No objection subject to conditions

Third Parties – Fifteen representations of objection and one of support, raising similar issues to Shiplake Parish Council

- Over-intensive development in a rural setting;
- Increased traffic congestion using driveway and Crowsley Road and parking overspill presenting risk to highway and pedestrian safety;
- Excessive use of driveway and manoeuvring causing disturbance to nearby residential occupiers;
- Loss of green space from driveway widening and passing spaces;
- Car parking area out of keeping (reserved matter);
- Lack of private amenity space for future occupiers (reserved matter);
- Location of bin store harmful to the amenity of Firs Lodge (reserved matter);
- Basement flats would have no natural light (reserved matter); and
- Will enhance the property and the locality and provide much-needed flats in the area.

The representations can be viewed in full on the Council's [website](#).

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P20/S3602/PEM](#) - Advice provided (03/11/2020)

Redevelopment & subdivision of the existing building (currently 4 flats) to create a total of 8 flats.

[P75/S0383](#) - Approved (22/09/1975)
DIVISION INTO TWO DWELLINGS.

[P72/H0247](#) - Approved (19/04/1972)
Conversion of kitchen wing to two self-contained flats.

Adjacent to the site access at Orchard House:

[P20/S2709/FUL](#) - Approved (09/10/2020)

Erection of detached 4-bedroom dwelling and garage.

Adjacent to the east of Kinglsey House:

[P21/S3776/FUL](#) – Approved (04/02/2022)

Erection of a new build dwelling (Kingsley Court).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The proposed development is not Schedule 1 or 2 development as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 so an Environmental Impact Assessment is not required.

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES3 - Design and Access Statements

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

EP3 - Waste collection and Recycling

EP4 - Flood Risk

H1 - Delivering New Homes

H11 - Housing Mix

H17 - Sub-division and Conversion to Multiple Occupation

INF4 - Water Resources

STRAT1 - The Overall Strategy

STRAT5 - Residential Densities

TRANS5 - Consideration of Development Proposals

5.2 **Draft Shiplake Neighbourhood Plan**

Shiplake Parish Council has prepared a submission draft neighbourhood plan, the publicity period on the draft plan concluded on Tuesday 7 December 2021 and the draft plan has been submitted for independent examination. At this stage the policies in the plan can be given limited weight as it has not been examined

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016) – Section 7 Plots & Buildings

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:**

- **Principle of Development**
- **Visual Impact**
- **Residential Amenity Impact**
- **Access**
- **Other Material Planning Considerations**

6.2 **Principle of Development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently comprises the South Oxfordshire Local Plan 2035 (SOLP 2035).

6.3 Policy STRAT1 of the SOLP 2035 sets out the overall strategy for the District. It seeks to focus most major new development at the growth point of Didcot and other allocated sites with Henley, Thame and Wallingford also being a focus for development and regeneration. The SOLP 2035 Policy H17 states that the subdivision of dwellings will be permitted provided certain criteria are met. The policy does not contain any restriction limiting such subdivisions to within settlements. Therefore, the proposal would comply with the Council's Housing Distribution Strategy.

6.4 **Visual Impact**

The SOLP 2035 Policy DES1 seeks to ensure that all new development is of a high-quality design subject to a series of criteria. The SOLP 2035 Policy DES2 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 SOLP 2035 Policy ENV1 seeks to ensure 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.

6.5 The application is in outline, with only the matter of access to be considered at this stage. The proposal incorporates some changes to the existing driveway to widen it to 4.6 metres near the junction with Crowsley Road and to provide two passing spaces along its length. These changes would be surrounded by residential built form and so would have no discernible direct impact on the surrounding landscape. The Council's Tree Officer has commented that these alterations could be implemented without causing harm to protected trees along the edge of the driveway and has raised no objection subject to the inclusion of specific conditions related to tree protection. On this basis, officers consider that the proposed physical changes to the driveway would not significantly detract from the sylvan character of the surrounding area and would be visually acceptable in accordance with the above policies. The visual impact of any other elements of the subdivision and extension of the building, bearing in mind it is already in use as flats, would be assessed at the reserved matters stage.

6.6 **Residential Amenity Impact**

Policy H17 Criterion i) explains that the sub-division of dwellings and conversions to multiple occupation will be permitted provided that the development would not harm the amenity of the occupants of nearby properties. The SOLP 2035 Policy DES6 relates to residential amenity and requires 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 loss of privacy, daylight and sunlight, dominance or visual intrusion, noise or vibration, smell, dust, heat, odour or other emissions, pollution, and external lighting.

- 6.7 Third parties have raised concerns about increased noise and disturbance from an intensification of vehicular use of the driveway by more households, in addition to the under-construction Orchard House. At this stage, the increase in the number of flats is not fixed, as an acceptable number of residential units will be determined by an assessment of layout, scale, appearance and landscaping at the reserved matters stage. This outline application proposes alterations to the existing driveway to make it easier for vehicles travelling in opposite directions to pass each other. This would be an improvement to the existing situation and the OCC Highway Liaison Officer (HLO) considers that these alterations would be appropriate for the level of vehicular activity that would be likely to occur in the future. From this it is possible to infer that the amount of vehicular activity associated with the increased residential use of Kingsley House would not result in significant additional noise nuisance to adjoining residents because of excessive manoeuvring on the driveway. The proposal would comply with the above policies.
- 6.8 Concerns were also raised about the location of a bin store, previously shown adjacent to the boundary with Firs Lodge. However, this has been removed from the current plans and the applicant has confirmed that at the reserved matters stage, bin storage would be accommodated next to the flats, with the bins being wheeled down on collection day to a specified collection point at the junction with Crowsley Road, which is what most residents presently do.
- 6.9 **Access**
The SOLP 2035 Policy TRANS5 seeks to ensure that development would not be prejudicial to highway and pedestrian safety. The applicant has submitted a Transport Statement that includes the traffic impact of the recently approved dwelling known as 'Kingsley Court'. As referred to above, the HLO has commented that the site is located on a private access drive and the adoptable highway is located at the junctions of Baskerville Lane and Mill Road. The potential maximum increase in the number of residential units will result in a relatively modest increase in vehicular numbers, this however in the HLO's expert opinion, would be unlikely to significantly impact the highway, given that the driveway is to be improved to provide passing opportunities along its length. The plans have also demonstrated that fire tender access and egress is feasible. The HLO is also satisfied that there would be scope for acceptable parking and turning opportunity for the range of additional units proposed at the reserved matters stage.
- 6.10 **Other Material Planning Considerations**
Concerns raised by third parties about the amount of parking provision, location of bin stores and basement-only flats are understood, but all of these are related to layout, which is a reserved matter. The exclusion of some land from the garden area for the proposed flats has been questioned, however, the site area would allow for a communal garden area of around 800 square metres, which would provide sufficient private outdoor amenity space for the eventual number of future occupiers. Matters related to tree protection, drainage and external lighting can be dealt with through pre-commencement planning conditions. An appropriate mix of residential units in line with the latest market housing need data, as required by the SOLP 2035 Policy H11, could be secured at the reserved matters stage through a planning condition.
- 6.11 Policy DES8 of SOLP states that all new development must demonstrate how they are seeking to reduce greenhouse emissions through location, building orientation, design,

landscape and planting. At the reserved matters stage, officers would seek to ensure that the development would be designed to enable charging of plug-in and other low emission vehicles in safe, accessible and convenient locations, as required by the SOLP 2035 Policy TRANS5 criterion (ix).

6.12 **Community Infrastructure Levy**

Residential sub-divisions are not liable for CIL, however where the creation of additional floor space (over 100 square metres or more) is involved, then CIL would be liable for that additional floorspace at a rate of £150/square metre (index-linked) should a reserved matters or full application be granted in the future.

6.13 **Pre-commencement Conditions**

Tree Protection

Surface Water Drainage

Foul Water Drainage

7.0 **CONCLUSION**

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

8.0 **RECOMMENDATION**

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

1 : Commencement - Outline with Reserved Matters

2 : Development in accordance with the approved plans

3 : Market Housing Mix (Outline)

4 : Implementation of private carriageway works

5 : Tree Protection details to be agreed

6 : Implementation of access construction as agreed to protect trees

7 : External Lighting details to be agreed

8 : Surface Water Drainage details to be agreed

9 : Foul Water Drainage details to be agreed

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