
APPLICATION NO.	P13/S2795/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	9.9.2013
PARISH	MARSH BALDON
WARD MEMBER(S)	Mrs Elizabeth Gillespie
APPLICANT	Mr R Wells
SITE	Land adjoining Seven Stars Public House Baldon Lane Marsh Baldon, OX44 9LS
PROPOSAL	Erection of a 3-bed dwelling and creation of pond to front of site.
AMENDMENTS	As clarified by e-mail from agent received 14 October 2013.
GRID REFERENCE	456261/199222
OFFICER	Mr P Bowers

1.0 INTRODUCTION

- 1.1 The application has been referred to the Planning Committee at the request of the local ward member Mrs Gillespie.
- 1.2 A plan of the site can found at **Appendix 1**. The site comprises an existing vehicular access to a field that sits between the Seven Stars Public House to the east and Home Close, a detached dwelling, to the west. The field is currently used by the Caravan Club for touring caravans.
- 1.3 The front portion of the site which currently comprises the entrance to the field is located within the Marsh Baldon Conservation Area. The remaining two thirds of the site to the south, which includes the field, is not. The site as a whole is however within the Oxford Green Belt.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission from the council to erect a detached, two storey, 3 bedroom dwelling and a pond on the frontage of the site.

The main roof at the front of the property is proposed to be thatched with a subservient rear wing with a tiled roof. The building will be built in brick with areas of timber cladding.

- 2.2 A selection of plans can be found at **Appendix 2** to this report. The full application including the forms, plans and supporting documentation can be found on the council's website www.southoxon.gov.uk along with all of the representations the council has received in respect of the proposal.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **Marsh Baldon Parish Council** – They have concerns about the impact of the development on the openness of the Green Belt and the loss of the gap which provides for views. They are concerned about the impact on the conservation area but also comment that the proposal is sympathetic to its surroundings.

3.2 **Neighbour Responses –**

6 x letters from supporters of the application commented as follows;

The dwelling fits in well with the area.

Well thought out scheme.

Sympathetic scheme.

Respects the conservation area.

3 x letters of objectors of the application commented as follows;

The site should not be considered for building as it is an area of farm land.

Concern about the loss of gaps between buildings.

The design is a pastiche.

Concern that Code Level 4 cannot be achieved.

Concern about the use of thatch.

The development would set a precedent.

1 x letter of general comments;

Queries over the future of the caravan site.

3.3 **County Archaeological Services** - No objection subject to conditions relating to investigation and recording.

3.4 **Conservation Officer** - No objection subject to conditions relating to materials and joinery.

3.5 **Highways Liaison Officer** - No objection subject to conditions relating to vision splays, parking and turning areas and no drainage on to the highway.

3.6 **Drainage Engineer** – Request details of a scheme relating to surface water drainage.

4.0 **RELEVANT PLANNING HISTORY**

4.1 None relevant to this proposal.

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy 2027** policies

CSEN2 - Green Belt protection

CSEN3 - Historic environment

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSR1 - Housing in villages

South Oxfordshire Local Plan 2011 policies;

CON11 - Protection of archaeological remains

CON13 - Archaeological investigation recording & publication

CON7 - Proposals in a conservation area

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

EP4 – Protection of water resources

EP6 – Surface water protection

G2 - Protect district from adverse development

GB4 - Openness of Green Belt maintained
 H4 - Housing sites in towns and larger villages outside Green Belt
 T1 - Safe, convenient and adequate highway network for all users
 T2 - Unloading, turning and parking for all highway users
South Oxfordshire Design Guide 2008

National Planning Policy Framework

6.0 PLANNING CONSIDERATIONS

6.1 The issues to consider in relation to this proposal are;

- **Whether the site constitutes an infill plot.**
- **Impact on the Green Belt.**
- **Impact on the Marsh Baldon Conservation Area.**
- **Whether the proposal accords with the criteria of Policy H4.**
- **Impact on an archeologically sensitive area.**
- **Drainage.**
- **Sustainability.**

Whether the site constitutes an infill plot.

6.2 Policy CSR1 of the South Oxfordshire Core Strategy 2027 (SOCS) permits infill development within the settlement of ‘Smaller Villages’ such as Marsh Baldon.

6.3 Infill development is defined in the Appendix 1 of SOCS 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’.*

6.4 The front of the application site includes an existing access to a field. It sits between The Seven Stars Public House and Home Close. The line of development is continuous from the east on The Green moving westward and goes beyond the application site for a further two properties. There are also dwellings on the opposite side of the road. Your officers consider that the site is within the settlement and that the erection of a single dwelling in between the two existing buildings fits within the definition of the infill development. The principle of the development is acceptable.

Impact on the Green Belt.

6.5 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is set out in Section 9 of the NPPF.

6.6 The five purposes of the green belt are;

- to check the unrestricted urban sprawl of large built up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.7 In addition there is a presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt.

- 6.8 The NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt except for the following purposes;
- Agriculture and forestry.
 - Appropriate facilities for outdoor sport and outdoor recreation, for cemeteries and other uses of land which preserve the openness of the green belt and don't conflict with the purposes of including land in it.
 - The extension alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
 - The replacement of a building where it is in the same use as the existing and is not materially larger.
 - Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan or;
 - **Limited infilling** or partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.9 The first step in assessing the impact on the Green Belt is to consider whether the proposal constitutes inappropriate development or not. If it is established that the development is not inappropriate then the second step is to consider whether the development harms the openness of Green Belt.
- 6.10 The NPPF says that where villages are included within the green belt, it has to be because they too contribute to its openness.
- 6.11 The site is considered an infill plot as it is a small gap in an otherwise built up frontage in a village where infill is acceptable. CSR1 considers that if it is an infill site, then it will be part of a built up area/ frontage and there would be harm to the openness but that it would be limited. However in some cases the site may be an important open space within the village and filling the gap would cause serious harm which would not be acceptable. The acceptability of this scheme revolves around the impact on the openness of the green belt and the impact on the character of the conservation area, these are the balanced views that Policy CSEN2 are seeking to achieve
- 6.12 As highlighted above, the last bullet point states that limited infilling is on the list of development that is not considered to be inappropriate in the Green Belt. The proposal amounts to filling a gap on an otherwise built up frontage with a single dwelling and constitutes infill development. In your officers view erecting a dwelling in this location is not an inappropriate form of development.
- 6.13 In terms of the impact to openness regard must be had to the position of the dwelling in respect of the existing built form. It sits between the two adjacent buildings and does not project further than Home Close at the rear. In respect of height it is similar to Home Close but lower than the Seven Stars.
- 6.14 Erecting a dwelling on an open piece of land will always have an impact on openness. However the fact that the NPPF does not consider infill development as inappropriate form of development means that there is an acceptance that some limited impact as a result of having new buildings is acceptable.

- 6.15 What must also be weighed in the balance is that the site is currently used for the stationing of caravans which can, and do, spread across the site. This has some impact on openness and the loss of this use will be of some benefit.
- 6.16 The proposal retains gaps to the boundaries on either side and includes a spacious frontage and adequate garden at the rear adjacent to an open field. Taking in to account the loss of the caravans on the application site, the limited height of the building relative to the adjacent buildings and the spacious open frontage the development as a whole will not result in a significantly harmful impact on the wider openness of the Green Belt.
- 6.17 The use of the land as residential curtilage means that the erection of outbuildings at the rear could be permitted development. This could have significant implications for the wider openness given the rear of the garden is adjacent to a larger open field. It is therefore considered necessary to remove permitted development rights for outbuildings to ensure that the Council retains some control over the future development of the rear garden

Impact on the Marsh Baldon Conservation Area.

- 6.18 The front third of the site is located within the Marsh Baldon Conservation Area. The dwelling itself will be sited just outside but will have an impact on the setting of the conservation area.
- 6.19 The closure of the existing access and unmade entrance will not detract from the conservation area. The erection of the dwelling will not result in a loss of views out of the conservation in to the open countryside beyond. The site is not therefore considered to be an important gap that needs to be retained to preserve the conservation areas setting.
- 6.20 The front elevation of the building includes a thatched roof. This has generated both support and objection from local people. Whilst supporters like the traditional appearance others consider it to be a pastiche of a by-gone era.
- 6.21 Whilst contemporary design is not resisted in conservation areas it is each case on its own merit. This dwelling will form part of a continuous line of development from The Green which includes a mixture of dwelling types, sizes and design which includes thatched buildings.
- 6.22 In this particular instance reflecting existing elements of buildings in the conservation area and utilising a traditional roofing design and material is acceptable and preserves the special character and appearance of the conservation area.

Whether the proposal accords with the criteria of Policy H4.

- 6.23 If a proposed housing development is acceptable in principle and accords with Policy CSR1 of SOCS then the detail of the proposal must then be assessed against the criteria of Policy H4 of the South Oxfordshire Local Plan 2011 (SOLP).
- 6.24 Provision (i) of Policy H4 states *‘an important open space of public, environmental or ecological value is not lost, nor an important view spoilt.’*
- 6.25 This is predominantly dealt with in paragraph 6.18 the site is not an important open space of either public or environmental value. There are not wider views of the open countryside to the rear which will be lost as a result of this development.

- 6.26 Provision (ii) states *'the design, height, scale and materials of the proposed development are in keeping with its surroundings.'* whilst Provision (iii) states that the *'character of the area is not adversely affected.'*
- 6.27 The design of the building reflects traditional building form and materials. Its scale, height and siting is similar to the adjoining dwelling at Home Close. Appropriately its scale and height is less than the public house. It will not appear at odds with the established built form in the area which is quite mixed and consequently will not result in a harmful impact to the wider appearance of the area.
- 6.28 *Provision iv) of Policy H4 states that there should be no overriding amenity or environmental or highway objections.*
- 6.29 In terms of the amenity space, the garden area would be in excess of the council's minimum standards. There is adequate parking provision for the number of bedrooms and the highway authority has no objection to the residential use of the site when considered in comparison to the caravan site use which would have a larger number of movements with longer vehicles. Conditions are proposed relating to vision splays and turning areas within the site.
- 6.30 Provision v) relates to back land development and seeks ensure that it would not *create problems of privacy and access and would not extend the built up limits of the settlement.*
- 6.31 In respect of neighbour amenity the new dwelling would sit to the side of Home Close. This is an accepted relationship which would not result in an overbearing or oppressive impact. Any overlooking would be limited to oblique views across the rear part of the garden at Home Close which is already overlooked by Dunlain to the west.
- 6.32 There are windows in the side of the public house however the position of the new dwelling has taken this in to account by siting the dwelling further back in to the site. The position of the dwelling relative to the pub garden is such that the first floor windows on the front of the building will not give rise to direct overlooking.
- 6.33 The dwelling sits between two existing buildings within the village. It does not result in extending the village in to the countryside.

Impact on an archeologically sensitive area.

- 6.34 The site is located in an area of archaeological interest on the southern edge of the historic settlement, the layout of which is thought to have changed little since the medieval period. It is therefore possible that this development will encounter archaeological deposits related to the medieval and early post medieval development of the settlement.
- 6.35 The Oxfordshire County Council's archaeologist has recommended two conditions on any forthcoming planning permission that ensures that archaeological monitoring and recording action be maintained during the period of construction. These conditions are therefore proposed as part of this recommendation.

Drainage.

- 6.36 The council's drainage consultant has not raised an objection to the proposed development on grounds of either its impact to foul drainage or surface water drainage. However a condition is recommended that requires the applicant to submit a scheme that relates to surface water drainage and the proposed pond to ensure that the detail of the development does not create issues for surface water run off.

Sustainability.

- 6.37 Policy CSQ3 requires that proposals for dwellings shall attain a four star rating in respect of the code for sustainable homes. A sustainability statement has been submitted with the application setting out what measures are being undertaken under the relevant categories such as energy and CO2 emissions, materials, waste etc.
- 6.38 To ensure that the new dwelling meets the high standard expected in the policy a condition is proposed seeking to ensure that the building will be built to at least Code Level 4.

Other issues.

- 6.39 A number of representations including the parish council have queried the future of the caravan site.
- 6.40 The proposed dwelling and garden would physically block the existing site access. Proposals for the caravan site are not included with this application however the applicant's agent has confirmed in an e-mail received on the 14 October 2013 that it would close if planning permission were granted for this development.

7.0 CONCLUSION

- 7.1 I recommend that planning permission is granted because Marsh Baldon is a settlement where infill development is permitted in principle. Infill development is not inappropriate development in the Green Belt. The new house would sit within an existing gap between buildings on a continuous built line of development.
- 7.2 The proposal meets the definition of infill development and given its height, bulk, massing and siting will not materially harm the openness of the Green Belt. The loss of the gap between buildings will not adversely affect the setting of the Marsh Baldon Conservation Area.
- 7.3 The design and materials reflects local vernacular and building materials and does not detract from the wider character of the area.
- 7.4 The site affords for sufficient amenity space and parking and does not result in a materially harmful unneighbourly impact to either adjoining property.
- 7.5 Conditions are proposed relating to surface water drainage, archaeology and the code for sustainable homes. The development accords with the relevant development plan policies.

8.0 RECOMMENDATION

8.1 Planning Permission is granted subject to the following conditions:

- 8.2**
- 1. Commencement 3 yrs - Full Planning Permission**
 - 2. Approved plans**
 - 3. Vision splay details**
 - 4. Turning Area & Car Parking**
 - 5. No Surface Water Drainage to Highway**
 - 6. UNIQUE - Recording**
 - 7. Archaeological Watching Brief**
 - 8. Code Level 4**
 - 9. Submission of details**
 - 10. Submission of sample materials**
 - 11. Surface water drainage works (details required)**
 - 12. Withdrawal of P.D. (Part 1 Class E) - no buildings etc**

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