**APPLICATION NO.**  P13/S2070/FUL  
**APPLICATION TYPE**  FULL APPLICATION  
**REGISTERED**  2.7.2013  
**PARISH**  SOUTH STOKE  
**WARD MEMBER(S)**  Mrs Ann Ducker, MBE  
Mrs Pearl Slatter  
**APPLICANT**  J & I Construction  
**SITE**  No 3 Freedom Cottages & land to r/o Robinsmead  
Woodcote Road South Stoke, RG8 0JH  
**PROPOSAL**  Two new dwellings and two storey extension to existing house.  
**AMENDMENTS**  As amended by drawings accompanying letter from agent dated 10 October 2013 and amplified by Extended Phase 1 Habitat Survey and Bat Habitat Suitability Assessment dated 6 September 2013.  
**GRID REFERENCE**  460329/183791  
**OFFICER**  Mr P Bowers

### 1.0 INTRODUCTION

1.1 The application is referred to the planning committee as the views of the parish council differ from the officer’s recommendation and at the request of Councillor Ann Ducker MBE.

1.2 The application site comprises 3 Freedom Cottages and land to the rear of Robinsmead, South Stoke.

1.3 3 Freedom Cottages is one half of a pair of semi detached cottages which were at one point a terrace of three separate dwellings. The pair are the first properties on the northern side of Woodcote Road when travelling east from the nearby cross roads with Wallingford Road and Ferry Road. The site shares a boundary with the edge of the village and open countryside beyond.

1.4 The site as a whole is located within the Chilterns Area of Outstanding Natural Beauty.

1.5 A plan identifying the site can be found at Appendix 1 to this report.

### 2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of 1 x 3 bedroom dwelling and 1 x 4 bedroom dwelling on the site comprising parts of the rear garden of 3 Freedom Cottages and Robinsmead. The dwellings are two storeys high with attached car ports. In addition a two storey side extension is proposed to the existing
3 Freedom Cottages. Vehicular access will be made via the existing access for 3 Freedom Cottages.

2.2 The application has been amended altering the first floor windows on Plot 1 and altering the position of the single storey rear projection. In addition further information was submitted to support the application in the form of an extended habitat survey and a bat habitat suitability assessment.

2.3 Full plans can be found at Appendix 2 to this report. In addition the full set of plans, supporting information accompanying the application, full representations that have been submitted to the Council 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 South Stoke Parish Council – Recommend refusal of planning permission. The parish concerns cover the following issues;

- Overdevelopment of small area.
- Size of the dwellings would not be in keeping with the smaller surrounding properties.
- Overlooking and unneighbourly impacts to properties on Wallingford Road.
- Parking and highway safety concerns.
- The design of the dwellings is out of keeping.

3.2 Neighbour Objections – 21 representations have been made from 21 separate members of the public to both the original and amended plans. The representations that have been received cover the following issues;

- Concern about the access opposite an existing access.
- Concern about parking so close to the junction.
- Cramped over development.
- Unneighbourly due to overlooking.
- Oppressive and overbearing particularly to 16 Wallingford Road (both original and amended scheme).
- Impact on ecology.
- Design of buildings are out of keeping.

3.3 OCC Highways Liaison Officer – No objection on the grounds of highway safety. Recommend conditions in relation to parking, drainage and vision at the access.

3.4 OCC County Archaeological Services - No objections.

3.5 Berks, Bucks & Oxon Wildlife Trust - No objections and support the views of the SODC Countryside Officer.

3.6 Countryside Officer - No objection subject to a condition relating to construction environmental management plan being submitted and approved by the council before the clearance of the site.

3.7 Drainage Engineer - No objection subject to a condition relating to a surface water drainage scheme and the provision of a plan showing the position of the foul sewer on the site.

3.8 Forestry Officer - No objection subject to a condition relating to landscaping.
4.0 RELEVANT PLANNING HISTORY
4.1 None relevant to this specific proposal.

5.0 POLICY & GUIDANCE
5.1 South Oxfordshire Core Strategy 2027 policies

- CSEN1 - Landscape protection
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSR1 - Housing in villages

South Oxfordshire Local Plan 2011 policies;

- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- 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
- G2 - Protect district from adverse development
- H4 - Housing sites in towns and larger villages outside Green Belt
- T1 - Safe, convenient and adequate highway network for all users

South Oxfordshire Design Guide 2008

National Planning Policy Framework

6.0 PLANNING CONSIDERATIONS
6.1 The main issues to consider in relation to this proposal are;

- The principle of development.
- Impact on the character of the site and area.
- Impact on nearby properties.
- Impact on highway safety.
- Impact on ecology.
- Impact on the Area of Outstanding Natural Beauty.
- Sustainable design.
- Impact on trees.
- Drainage.

The principle of development.

6.2 Policy CSR1 of the South Oxfordshire Core Strategy 2027 (SOCS) permits infill development within the settlement of smaller villages such as South Stoke.

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’.

6.3 The site does not comprise a small gap in an otherwise built up frontage. However there are existing dwellings to the south (Freedom Cottages) and to the west (on Wallingford Road). To the north beyond the rear gardens of Fairways and Hill View are a terrace of three dwellings which extend to the east approximately the same amount as the proposed second dwelling. Given that there is built form on three sides and that
the development does not extend in to the countryside beyond the boundaries of the existing garden of 3 Freedom Cottages your officers consider that this constitutes infill development.

6.4 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) which set out below;

- An important open space of public, environmental or ecological value is not lost, nor an important view spoilt
- The design, height, scale and materials of the proposed development are in keeping with its surroundings.
- The character of the area is not adversely affected.
- There should be no overriding amenity, environmental or highway objections.
- In relation 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.

6.5 The following sections consider how the proposed development deals with each of these criteria.

6.6 In respect of the two storey extension to the existing dwelling the principle is acceptable subject to the criteria of Policy H13 of SOLP.

**Impact on the character of the site and area.**

6.7 The two new dwellings occupy existing garden land. In doing so they will naturally alter the character of the site and the surrounding area. In terms of whether the addition of two dwellings amounts to an overdevelopment regard must be had as to whether the properties can accommodate for the minimum amount of parking and garden space.

6.8 For three bedroom dwellings and above the Council advises that as a minimum 100 square metres of private amenity space should be provided. Both properties allow for an area of 204 square metres. They therefore provide for more than twice the minimum amount of garden area that the Council would normally seek.

6.9 Paragraph 6.21 deals with parking in detail, however the conclusion is that there is sufficient provision on the site. This is then weighed in the balance along with the visual appearance of the dwellings and the size of garden relative to surrounding properties. The dwellings themselves do not appear disproportionate to the garden areas or appear unduly cramped. The size of the surrounding garden areas are not uniform and vary considerably. The proposed plots do not therefore appear at odds with the surrounding development.

6.10 Equally while the new dwellings differ in design to nearby properties there is no one uniform architectural style in the vicinity. The existing two cottages to the south share a style due to the nature of their history as three separate dwellings. The properties to the east which front on to Wallingford Road are similar to each other being pairs of semi detached properties with rendered finish and painted white. To the north are a terrace of three more modern dwellings whereas to the south, on the other side of Woodcote Road, are larger single storey properties on larger plots. The two new properties will add to this mixture and given that they share architectural features which are traditional in the wider Chilterns area they are considered in keeping rather than at odds with the areas character.
6.11 The proposed extension is relatively large in comparison to the existing building. However its ridge height is significantly lower than the main roof which assists in giving the impression of a subservient modern extension. In addition the form of the extension is not dissimilar to the single storey extension to the side of Robinsmead. The extension brings about a degree of visual balance in the appearance of the two properties given that Robinsmead once formed two properties.

6.12 Overall the scale of the extension does not overwhelm or detract from the existing building or appear at odds with the wider character of the area.

Impact on nearby properties.

6.13 The surrounding properties are affected by the proposal for two dwellings to varying degrees.

6.14 Robinsmead and 3 Freedom Cottages will be located to the south of the new dwellings. They will not therefore suffer in terms of loss of direct sunlight and will not be directly overlooked.

6.15 The properties to the east, numbers 18 and 17 Wallingford Road will be affected by the new property on Plot 1. Number 18 will be affected to a lesser extent due to the building of Plot 1 being situated primarily in line with rear boundary of number 17. The two storey element of the new building will be 28.1 metres from the rear elevation of number 17 Wallingford Road. This distance is sufficient to offset the bulk and mass of the new building to such an extent that it would not be overbearing or oppressive. In terms of first floor windows the new dwelling will have windows looking toward the rear of number 17. Understandably the occupiers of that property are concerned about overlooking. However the back-to-back window distance between the proposed and existing property is 28.1 metres which is 3.1 metres greater than the minimum advised distance as set out in the South Oxfordshire Design Guide. In light of this, the level of overlooking is not so great that it would justify the Council in refusing planning permission for this reason.

6.16 The main impact of the development will be to Fairways, 16 Wallingford Road to the north east. As originally submitted Plot 1 included a first floor window on the nearest part of the rear elevation to the boundary with Fairways. The window-to-window distance here would have been less than the advised 25 metres and was considered harmful. This has been removed as part of the amended plan and the single storey wing moved closer to assist in obscuring the level of oblique overlooking that would be caused from the remaining first floor windows. The main effect will therefore be from the mass and height of the building and is proximity to the boundary and its siting to the south west.

6.17 From the rear corner of Fairways to the nearest part of the single storey wing of the new property would be 14 metres and to the two storey element of the building would be 20 metres. It is accepted that any building on any part of the boundary with the garden of this property will have an impact on the occupants of Fairways. However, the degree of harm is generally accepted to be greater the closer a development is to the dwelling and immediate garden area adjacent to the building. The distances involved are sufficient to mitigate the overall bulk and mass of the building to such an extent that it would not be materially overbearing or oppressive. Equally the distances involved and the height of the building will not result in an unacceptable level of overshadowing or loss of direct sunlight.
6.18 The two storey extension is to the side of 3 Freedom Cottages and will not cause any unneighbourly issues.

6.19 Overall the proposed development does not significantly harm the amenities of nearby properties to an unacceptable extent.

**Impact on highway safety.**

6.20 Policies T1 and T2 of SOLP seek to ensure that proposals for development protect the safety of users of the public highway and amongst other things provide for the parking of vehicles in accordance with the Council’s maximum standards. Appendix 5 of the South Oxfordshire Local Plan 2011 (SOLP) sets out the Council’s current, maximum, parking requirements. Parking requirements are broken down in to various uses which include residential properties. The requirement for a 3 bedroom property would be 2 spaces and a 4 bedroom property 2 + spaces on merit.

6.21 The plans demonstrate that both new properties and the extended existing dwelling can provide for the required amount of on site parking. The provision of this level of parking will not therefore mean that there will be an increased pressure to park on the public highway and have a detrimental impact on highway safety.

6.22 There is local concern that visitors to the property will park on the road adjacent to the junction with Woodcote Road and Wallingford Road. The Council does not have a requirement for the provision of specific on site visitor parking and as such the Council cannot insist that on site provision is made.

6.23 In respect of the use of the existing access to create the new private driveway this is considered acceptable. Whilst it will be opposite an existing access serving dwellings to the south of Woodcote Road this does not in itself create a harmful impact to the safety of the users of the public highway given the number of dwellings each will serve and the relatively low number of vehicle movements.

6.24 The Oxfordshire County Council has not raised an objection on highway safety grounds. They have however recommended a number of conditions relating to the following:

- **New vehicular access** - The access must be formed and laid out prior to the occupation of the dwellings.
- **Vision splay dimensions** – Vision splays must be provided of 2.4 metres by 90 metres.
- **Turning Area & Car Parking** – The parking and turning areas must be provided in accordance with a scheme to be approved.
- **Construction Traffic Management** – This must be submitted and approved prior to the commencement of development.
- **No Surface Water Drainage to Highway**
- **No Garage conversion into accommodation**

6.25 In conjunction with these conditions the proposal accords with the objectives of policies T1 and T2 of SOLP and does not cause any material harm to the safety and convenience of the users of the public highway.
Impact on ecology.

6.26 A number of the representations made to the Council include references to the presence of bats, badgers, deer and hedgehogs on the site. As originally submitted the application was not supported by an ecological survey. However, the Council’s Countryside Officer commented on the original submission to the effect that none of these animals have legal protection or protection in planning policy in respect of the loss of their foraging habitats unless the development isolates them in a way that they cannot travel widely enough to survive.

6.27 In relation to bat habitats the proposed extension to the existing property at 3 Freedom Cottages does not impact on the existing loft void and a bat survey was not considered necessary.

6.28 The garden however does appear likely to support hedgehogs which are a priority species. A condition is therefore proposed for a construction environmental management plan to ensure measures are taken to protect hedgehogs and nesting birds.

6.29 In addition to the positive comments from the Council’s Countryside Officer the Berks, Bucks and Oxon Wildlife Trust have commented supporting the Council’s Countryside Officers views.

6.30 In response to the strength of public concern to ecology the applicant chose to undertake an extended habitat survey and a bat habitat suitability assessment. These reports have subsequently been submitted in support of the application. They have not raised any concerns from the Countryside Officer.

6.31 Policy C8 of SOLP seeks to protect specially protected species from adverse development. This proposal is considered to accord with this policy.

Impact on the Area of Outstanding Natural Beauty.

6.32 Policy C2 of the SOLP seeks to protect the AONB. It states that the policies primary aim is to conserve and enhance the natural beauty, special landscape quality and distinctiveness of the area. Development that would harm the beauty or distinctiveness should not be permitted and to be acceptable it must be of a scale and type appropriate to the area and sympathetic in terms of its siting, design and materials.

6.33 The two new dwellings are on the edge of the settlement but they do not extend the built form in to the countryside. From wider views to the east, looking west toward the village the buildings will be visible but will be seen in the context of the surrounding built development.

6.34 The design and appearance of the properties and the extension reflect the two storey characteristics of traditional properties in the Chilterns and the use of traditional plain clay tile roofs and local red brick will help assimilate the development.

6.35 The overall impact on the wider landscape setting of the AONB will not be adversely affected by this development.
Sustainable design.

6.36 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. 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.

Impact on trees.

6.37 The trees within this site are not the subject of a tree preservation order and the site is not within the conservation area.

6.38 The trees across the site are not of sufficient arboricultural value to be considered as a constraint to development. When assessed against the criteria given in BS 5837, 2012 "Trees in Relation to Design, Demolition and Construction", all the trees are categorised as C as they are unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories. In addition the trees have low landscape value.

6.39 The proposed site layout just about provides enough space for a reasonable planting scheme but it will need careful consideration. A landscaping condition is proposed to secure some replacement planting, to help soften the new buildings and also mitigate the loss of the trees removed.

Drainage.

6.40 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 position of a public foul sewer which runs across the site.

7.0 CONCLUSION

7.1 The proposed erection of two dwellings in this location is acceptable in that it comprises infill development due to it being closely surrounded by buildings on three sides in line Policy CSR1 of the South Oxfordshire Core Strategy 2027.

7.2 The design and appearance of the dwellings and the extension is acceptable in the context of the surrounding area and the landscape of the Area of Outstanding Natural Beauty.

7.3 The proposal does not create issues for highway safety and does not materially impact the amenities of the occupants of nearby properties. There will be no material harm to ecology and in conjunction with the proposed conditions the proposal complies with 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. Matching materials (walls and roof) for the extension.
    4. Sample materials required (walls and roof) for the new dwellings.
    5. Withdrawal of P.D. (Part 1 Class A) - no extensions etc
    6. Withdrawal of P.D. (Part 1 Class E) - no buildings etc
    7. Code Level 4
    8. New vehicular access
    9. Vision splay dimensions
   10. Turning Area & Car Parking
    11. Construction Traffic Management
    12. No Surface Water Drainage to Highway
    13. No Garage conversion into accommodation
    14. Landscaping Scheme (trees and shrubs only)
    15. Wildlife Protection
    16. Surface water drainage works (details required)
    17. Foul drainage works (details required)

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