

APPLICATION NO.	P14/S1361/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	2.5.2014
PARISH	SHIPLAKE
WARD MEMBERS	Mr Malcolm Leonard & Mr Robert Simister
APPLICANT	Chesterton Commercial Group
SITE	Chelford House, Reading Road, Lower Shiplake
PROPOSAL	Erection of a two-storey 5-bedroom dwelling incorporating construction of new vehicular access and landscaping and alterations to existing vehicular access to Chelford House (Dwelling and garage repositioned and first floor balcony removed as shown on amended plans received 8 July 2014)
AMENDMENTS	As above
OFFICER	Paul Lucas

1.0 INTRODUCTION

1.1 This application is reported to the Planning Committee as a result of a conflict with the views of Shiplake Parish Council. Members will recall that this application was deferred for a site visit at the Planning Committee meeting on 17 September 2014. The site visit took place on Monday 13 October 2014.

1.2 The application site, shown on the OS extract at **Appendix 1**, is a residential plot with an area of 0.4 hectares. This is occupied by a large detached two-storey dwelling, one of five dwellings fronting onto the eastern side of this section of Reading Road (A4155), towards the southern end of Lower Shiplake. There are a further three dwellings located behind the main frontage dwellings, which are also accessed from Reading Road. Chelford House is constructed on one of the larger plots and its external materials consist primarily of red bricks and slate roofing. The existing vehicular access serving Chelford House is located at the south-western corner of the plot and leads to a detached double garage on the southern side of Chelford House. There is a footpath running between the site boundary and the road. The ground level of the northern part of the site is about 0.5 metre lower than the land on which Chelford House sits. The north-eastern boundary of the site consists of a line of mature Leylandii. There is a mature Cedar located towards the rear of the site. There are two Oaks that are subject to a recent Tree Preservation Order, which are outside the site, but one of them is positioned close to the site boundary. There were numerous trees and shrubs along the front boundary of the site; however, these were cleared prior to the application being submitted. There are no other special designations on this site.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of a two storey four-bedroom dwelling and attached double garage on a 0.13 hectares portion of the site, which forms the north-eastern part of the garden of Chelford House. The proposal includes a new vehicular access onto Reading Road. The application was amended to remove the proposed garage back from the highway and to position the dwelling outside of the root protection area of the Cedar. The proposal also now seeks to retain the majority of the Leylandii on the northern boundary. A new Hornbeam hedge would be planted along the front boundary of the proposed dwelling and Chelford House, behind the line of the previous hedge.

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2.2 The application also includes some indicative plans for Chelford House, showing some alterations that the applicant is intending to make to this dwelling, which can be carried out under householder permitted development rights. The amended plans of the proposed development can be found at **Appendix 2**. Other documents in support of the application can be viewed on the Council's [website](#).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Shiplake Parish Council** – The application should be refused for the following reasons:

- Highway and pedestrian safety along A4155 – previous fatality and numerous unreported accidents. As a car approaches from the north from Henley, there is very little braking time available and with a number of junctions at this particular stretch the thinking and stopping times for any driver are likely to be elongated making this section of road particularly dangerous. Our preferred solution would be for a single access for the two houses.
- Trees – objection to loss of mature trees from site frontage and to loss of Leylandii.
- Visual and noise impact on occupiers of Chilton House from loss of Leylandii.
- Concern that this would set a precedent for further development of site and loss of one of the few remaining Victorian houses in Lower Shiplake.
- No clear reference to the use of materials.

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

Forestry Officer (South Oxfordshire District Council) - No objection to amended plans subject to conditions

Neighbours – Eleven representations of objection and one of no objection, summarised as follows:

- Risk to highway and pedestrian safety as a result of new access with an extra 3-4 cars pulling out onto a dangerous bend where there is a bus stop opposite and speeding traffic
- Previous applications in the locality were refused and dismissed on appeal on highway safety grounds
- Deterioration of appearance of site as a result of removal of frontage trees and shrubs, which detracts from local character
- Proposed removal of boundary screening along boundary with Chilton House and Pinecroft would result in loss of privacy and exposure to noise nuisance from main road
- Overlooking of Chilton House and Pinecroft, including from first floor terrace [removed from amended plans]
- Loss of outlook from Chilton House – design and access statement is incorrect: 5 habitable rooms have windows facing towards the site, including kitchen, conservatory and bedrooms
- Impact of noise and fumes from proposed garage into living areas of Chilton House
- Dwelling would be a cramped overdevelopment of the site, squeezed in between the existing dwelling and the northern boundary, out of character with the large spacious plots in the vicinity and poor relationship with Chelford House

3.2 All consultation responses can be viewed in full on the Council's [website](#).

4.0 RELEVANT PLANNING HISTORY

- 4.1 [P00/S0226](#) – Erect close boarded fence to front boundary. Refused (15/5/2000) due to obstruction to visibility at the access point.

There are also two relevant applications at Pinecroft involving the shared access adjacent to the north of the site:

[P05/E0251/O](#) – Division of existing site to provide separate building plot of 0.12ha. for erection of 2 storey, 4 bedroom chalet/bungalow with double garage. Refused (8/4/2005) – Appeal Dismissed (28/7/2005) due to intensification of use of a substandard access.

[P87/S0531/O](#) - Division of existing site to provide separate building plot of 0.12h for 2 storey (roof), 4 bedroom bungalow/chalet with double garage. Refused (21/10/1987) – Appeal Dismissed (25/07/1988) due to intensification of use of a substandard access.

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy policies

- CS1 - Presumption in favour of sustainable development
- CSB1 - Conservation and improvement of biodiversity
- CSEN1 - Landscape protection
- CSM1 - Transport
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSR1 - Housing in villages
- CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C9 - Loss of landscape features
- 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
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP6 - Sustainable drainage
- 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
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008 – Sections 3 & 5

5.3 National Planning Policy Framework

Paragraph 32 – “....Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

National Planning Policy Framework Planning Practice Guidance

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 site is located within the built-up confines of the village of Lower Shiplake, which is classified as a 'smaller village' where infill residential development on sites up to 0.2 is considered to be acceptable in principle under the SOCS Policy CSR1. Officers consider that the proposal would represent the infilling of a small gap in an otherwise built up frontage. Consequently the proposal falls to be assessed primarily against the impact-based criteria of Policy H4 of the SOLP 2011. The planning issues that are relevant to the planning application are whether the development would:

- Result in the loss of an open space or view of public, environmental or ecological value;
- Be in keeping with the character and appearance of the site and the surrounding area, including the preservation of important trees;
- Safeguard the living conditions of neighbouring residential occupiers and provide suitable living conditions for future occupiers;
- Provide safe and convenient access and off-street parking provision for the resultant dwelling; and
- Provide sufficient sustainable and waste management measures

Loss of Open Space

6.2 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. The site has formed part of a plot containing a dwelling since the late 1800s. It is surrounded by residential plots on three sides and there is no evidence that the site has any particular ecological value. The site is visible in public views along the adjoining section of Reading Road and from the junction with Woodlands Road, where it would be seen in the context of established residential development. This criterion would therefore be satisfied.

Visual Impact

6.3 Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 explain that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area should not be adversely affected. The erection of the new dwelling would inevitably lead to an intensification of built form on the original Chelford House plot. However, this is one of the largest plots in the locality. The plot on which the new dwelling would sit would have a similar plot area to Chilton House to the north of the site. The dwelling and garage would take up about 17.5% of the proposed plot, well below the Council's recommended maximum plot coverage set out at 3.19 of the SODG 2008. There would be a gap of about 3.8 metres between the south-western facing side wall of the proposed dwelling and the north-eastern facing side wall of Chelford House. Officers consider that this would represent sufficient spacing between the two dwellings, particularly as the existing and proposed site levels would mean that the ridge and eaves heights of the proposed dwelling would be about a metre lower than Chelford House. This would also reduce the relative prominence of the proposed dwelling when compared to the existing dwelling. Although the ridge height of the proposed dwelling would be 8.9 metres (Chelford House is 9.25 metres), it would appear as 8.2 metres above road level (Chelford House is 8.8 metres). The proposed dwelling would be set back between 16.5 and 17.5 metres from the front site boundary, about 1 to 2 metres further back than Chelford House. The proposed dwelling would have a simple square plan form and the elevations would reflect the appearance of Chelford House and the use of traditional materials for the external finishes could be secured through a planning condition. The amended plans have repositioned the proposed garage from the front corner of the site to alongside the northern elevation of the dwelling, where it would appear as a subservient structure to the main dwelling.

- 6.4 The visual impact of the proposed access would be similar to other established accesses along this section of Reading Road and would not result in any significant visual harm. Although permission was not required for the removal of the mature front boundary foliage, due to the absence of any statutory protection, this was regrettable and has opened up the site in views from the road, unlike most of the other nearby dwellings which remain screened by significant trees and hedging. The Council's Forestry Officer objected to the original plans due to the proximity of the dwelling to the root protection area of the Cedar and the garage to the root protection area of the Oak. Although there was no arboricultural objection to the removal of the Leylandii along the northern boundary, officers considered that their removal would be harmful to the character and appearance of the surroundings, where there is mature planting around many site boundaries.
- 6.5 The amended plans have largely addressed the Forestry Officer's concerns. Any impact of the no-dig drive on the internal floor level of the garage could be dealt with through the levels condition and a requirement to clip the sides and reduce the top of the conifer hedge by 2 metres could be covered through the tree protection condition. Although two Leylandii would be removed next to the proposed garage, the majority would remain, which would largely retain the visual barrier between the site and the adjoining driveway. Whilst the proposal shows that a replacement frontage hedge would be planted, the Forestry Officer considers that there is sufficient space along the frontage of the site for a comprehensive planting scheme, which should include both hedging and tree planting to be implemented to mitigate all of the past tree removal. In the light of the above assessment, the proposal would comply with the above criteria.

Neighbour Impact

- 6.6 Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. The main concern raised is the impact upon the living conditions of the occupiers of Chilton House. Officers accept that the creation of the gap in the Leylandii hedge would mean that the proposed dwelling would be noticeable from some of the habitable rooms of Chilton House and from parts of the adjoining rear garden, whereas Chelford House is completely screened in these views. The distance between the closest ground floor rooms of Chilton House and the garage wall of the proposed dwelling would be about 14 metres. The distance between the closest first floor windows of Chilton House and the north-east facing side elevation of the proposed dwelling would be about 22.5 metres. In relation to light and outlook, the dwelling would be visible through the proposed gap in the Leylandii hedge. However, the level of separation involved between the respective facing walls and neighbouring windows would be such that the rooms involved would retain acceptable levels of light and outlook. Both garage and main roofs would be hipped away from the northern boundary. In views towards the site from the closest part of Chilton House's garden, the boundary hedge along this neighbour's side of the driveway would continue to provide some screening of the development where the gap would be formed. From other parts of the garden, where views towards the dwelling would be more oblique, the retained Leylandii would continue to provide significant screening of the proposed dwelling. The north-east elevation of the proposed dwelling would not contain any first floor windows and the balcony has been removed on the amended plans, so there would be no loss of privacy. Concerns about noise nuisance and fumes from the proposed garage would not be sufficient to warrant refusal of planning permission given its domestic scale and the 14 metre distance to the closest neighbouring windows.

- 6.7 There would be a distance of about 30 metres between the rear windows of the proposed dwelling and the rear boundary with Pinecroft and the rear boundary planting would be retained. Consequently, there would be no discernible loss of light, outlook or privacy to the occupiers of this adjoining property. Officers have also considered the potential impact on the future occupiers of Chelford House. The proposed footprint would be broadly in line with the footprint of Chelford House, so there would be no adverse impact on the rear aspect and garden. Chelford House currently has four ground floor windows and two first floor windows facing the proposed dwelling. Whilst most of these are secondary windows, one of the ground floor windows is the only source of light to a dining room and one of the first floor windows is the sole source of light to a bedroom. The proximity of the south-west facing side wall to these windows would lead to substandard levels of light and outlook from these rooms. However, the applicant retains control of Chelford House and has provided an indicative plan showing changes that could be carried out under householder permitted development rights. These would open up the drawing room into a sitting room with the main outlook through a rear-facing window and change the first floor window so that it would serve an en-suite to a master bedroom. This would provide an acceptable arrangement and the necessary internal alterations could be required to be completed prior to the occupation of the proposed dwelling through a planning condition. The amount of garden area at the rear of both the proposed dwelling and Chelford House would comply with the recommended minimum standard of 100m² for dwellings of this size as set out in Section 3 of the SODG 2008. On the basis of this assessment, the proposal would be in accordance with the above criterion.

Access and Parking

- 6.8 Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. The OCC Highway Liaison Officer (HLO) is satisfied that the proposed access and parking arrangements would be acceptable to serve the proposed dwelling, subject to standard planning conditions relating to the provision and retention of the new access and vision splays, parking and turning area provision and prevention of surface water discharge onto the highway. The HLO concurs with the analysis by the applicant's transport consultant that the visibility shown on the submitted plans for the proposed access would be to an appropriate standard in the light of the prevailing traffic conditions and with regard to the relevant guidance at Paragraph 32 of the NPPF. The visibility splays are across land within the applicant's control and their retention could therefore be secured through a planning condition
- 6.9 In relation to the previous applications at Pinecroft for a new dwelling that were dismissed at appeal on highway safety grounds, this was a different situation in that these proposals involved the intensification of use of an existing access, which was deemed to be substandard by both OCC and the Inspector. In relation to accident data, there are five incidents during the last five years in the area of interest. These are mainly due to driver error including a medical incident and are associated with the junction near the war memorial or some distance from the site of Chelford House. Additionally, the ten year record reveals a fatality in that period where an elderly driver crossed over to the wrong side of the carriageway and collided with an oncoming vehicle. The only incidents that are reported by the police are those resulting in personal injury. It may therefore be the case that insurance statistics or near misses would deliver a figure higher than the records attached. Although the HLO accepts that an ideal situation would include the stopping up of the current access to Chelford House, the retention of the access is not cause on its own, with the level of visibility available to the proposed access, for an objection to be made on the basis of 'severe harm'. According to Manual for Streets, the presence of multiple access points provides a visual queue to drivers that access is a feature of the road.

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- 6.10 Although the scale of development is such that the HLO does not recommend a construction traffic management plan condition, the applicant is encouraged to ensure that construction activity at the site embraces the principles of the Considerate Constructors Scheme (CCS) by following the Code of Considerate Practice, and is CCS registered. In this regard it is expected that contractors vehicles should pass slowly and with caution down Reading Road, endeavour to keep all construction related vehicle parking within the curtilage of the site and refrain from obstructing either Reading Road or adjoining private driveways. This matter can be dealt with through an informative on any planning permission. The proposal would therefore satisfy the above criterion.

Sustainability Measures

- 6.11 Core Strategy Policy CSQ2 requires proposals to incorporate sustainability measures in terms of energy, water and materials efficient design to reach at least Level 4 of the Code for Sustainable Homes. A planning condition is recommended requiring measures to achieve Code Level 4 to be implemented prior to occupation. There would also be sufficient space on the plot to store waste in line with the SOLP Policy D10.

7.0 CONCLUSION

- 7.1 The application proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would not materially harm the character and appearance of the area or the living conditions of nearby residents or result in conditions prejudicial to highway safety.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission subject to the following conditions:**

- 1 : Commencement 3 years - Full planning permission**
- 2 : Approved plans**
- 3 : Levels (details required)**
- 4 : Schedule of materials required (all)**
- 5 : Alterations to Chelford House prior to occupation of proposed dwelling**
- 6 : Restriction on use of roof**
- 7 : Withdrawal of permitted development (numerous)**
- 8 : Code Level 4**
- 9 : New vehicular access and retention of vision splays**
- 10 : Parking and manoeuvring areas retained**
- 11 : No surface water drainage to highway**
- 12 : Landscaping (access/hard standings/fencing/walls)**
- 13 : Tree protection (detailed)**
- 14 : Informative – No permission to enter land not in ownership**
- 15 : Informative – Considerate Constructors Scheme (CCS)**

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