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| <b>APPLICATION NO.</b>  | <a href="#">P14/S2171/FUL</a>   |
| <b>APPLICATION TYPE</b> | FULL APPLICATION  |
| <b>REGISTERED</b>       | 21.7.2014   |
| <b>PARISH</b>           | BRIGHTWELL-CUM-SOTWELL  |
| <b>WARD MEMBER(S)</b>   | Celia Collett, MBE  |
| <b>APPLICANT</b>        | Mr and Mrs K & J Stockdale  |
| <b>SITE</b>             | Deacons House, Church Lane, Brightwell-cum-Sotwell, OX10 0SD  |
| <b>PROPOSAL</b>         | Demolition of existing house, garage and ancillary structures and erection of two detached houses with garages. Closure of existing vehicular access and creation of a new shared vehicular access.   |
| <b>AMENDMENTS</b>       | As amended by plans PL20, PL21, PL22, PL23, PL24, PL25, PL26, PL27, PL28 and PL29A and revised Design & Access Statement & Tree Survey Report received on 07 November 2014. Revisions include changes to locations of properties within the plot and a reduction in the footprint of the dwellings. |
| <b>GRID REFERENCE</b>   | 458001/190959   |
| <b>OFFICER</b>          | Gabriella Brown   |

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## 1.0 INTRODUCTION

- 1.1 This application is referred to the Planning Committee because the Officer's recommendation conflicts with the views of Brightwell-cum-Sotwell Parish Council.
- 1.2 The application site is shown on the OS extract **attached** as Appendix 1. The site is located within the built-up limits of the village and it comprises a generous plot measuring 0.2 hectares in size. There is currently a two storey detached dwelling and a detached garage on the site. The property sits centrally within the plot and towards the rear of the site. It sits in an elevated position above the lane and it backs on to a playing field. The site lies just outside of the Brightwell-cum-Sotwell Conservation Area.

## 2.0 PROPOSAL

- 2.1 It is proposed to demolish the existing dwelling and to erect two detached four bedroom dwellings. The first house would be located within the northern part of the site and it would have a detached, single garage. The second dwelling would be located within the southern part of the site and would have an attached single garage. The existing access is to be closed and a new vehicular access created slightly further to the north.
- 2.2 Amended plans have been submitted during the course of the application in an attempt to address the concerns raised by the Parish Council and local residents and the plans of the proposed development can be **found** at Appendix 2. Full details of the application and the consultation responses can be viewed on the Council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

### 3.1 Original Plans

- 3.2 **Brightwell-cum-Sotwell Parish Council** – Objection. The proposed houses are too close to the northern and southern boundaries and are unneighbourly. They should be

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set closer together towards the centre of the site. The houses are too close together and do not respect the established building line. The three bedroom house is extremely large and will be overdominant. The development as proposed will be damaging to the rural nature of this part of Church Lane and detrimental to the conservation area. The importance of maintaining the rural nature of the settlement is emphasised in the new Community Led Plan. There is no good reason to change the existing entrance into the site and there is concern that two houses will have an undesirable impact on traffic. An approved planting scheme should be a condition of any approval.

- 3.3 **County Archaeological Services** - There are no archaeological constraints to this scheme.
- 3.4 **Forestry Officer** – Objection. The trees within this site are not protected by a tree preservation order or a conservation area. Although there has been a substantial amount of site clearance the significant tree features have been retained. I have no objection to house 1 subject to a landscaping condition being used to secure a comprehensive planting scheme to improve the screening around the boundaries and tree protection measures being taken prior to work starting. However the size, levels and driveway design for house 2 is likely to cause damage to the adjacent Beech tree (T2). This should be addressed prior to the determination of this application.
- 3.5 **SODC Drainage Engineer** - No objection. Details of surface water drainage should be secured by way of a condition.
- 3.6 **Highways Liaison Officer** - The proposals indicate a net addition of 1 house to the site. The proposed location of access is somewhat more central to the frontage than the present one and will be shared by the two properties. The Lane onto which they will access has low ambient speeds and so the visibility provided is adequate. Ample parking for the context is provided as shown in the plans drawing 213/PL05. No objection subject to conditions securing the parking and manoeuvring areas and the closure of the existing access on to Church Lane.
- 3.7 **Countryside Officer** - I have assessed this application and I am happy with the survey/findings of the protected species report which has been submitted with the application. The mitigation proposals submitted in the report will ensure this development results in no net loss to biodiversity and actively enhances the ecological value of the site. The recommendations contained in the bat report should be conditioned if this application is approved.
- 3.8 **Neighbour Representations** – (8)
- 3.8.i -The proposed plans for two large houses where one small house currently sits will have an adverse impact on this beautiful area of Brightwell. The outlook from our 400 year old house will be totally dominated by two huge new builds with little consideration for the surrounding countryside within a conservation area. The removal of so many trees has already irreparably destroyed the nature of Church Lane. The two houses are situated too close to each border and will dominate any property on their perimeter. The situation of the shared driveway will be a hazard as its position will be on the narrower part of Church Lane which already endures too much traffic.
- 3.8.ii -I wish to raise an objection to the proposed redevelopment of Deacon's Orchard. The average sized house in the immediate vicinity is smaller than the two proposed. The proposed houses are sited much too near to the boundaries of the site

and too close to the existing property of Dannebrog to the north.

House no. 1 would much reduce the amount of sunlight presently afforded to Dannebrog which is a bungalow. The proposed houses are set too far forward on the site. The building of two would necessitate the taking down of even more trees than those already removed opening up a very rural country lane. Two houses would also increase the amount of traffic on what is a very narrow part of the lane and the suggested opening would come out on the narrowest part.

- 3.8.iii -The planned houses are extremely large for the size of the plot and as such, combined with the proposed removal of mature trees, will substantially alter the rural feel and look of Church Lane in particular and of the village more generally. Two extra family dwellings will increase the traffic passage in what is already a busy lane. The proposed houses are situated very close to the plot boundaries offering little potential for screening with trees and as such represent a significant deterioration in the overlook from all aspects.
- 3.8.iv -House one is far too large for the plot. It could be reduced in size and situated further back on the plot. Both houses are too close to the boundaries and could be situated closer together if house one was smaller. The proposed drive comes out onto a very narrow section of Church Lane. I am not apposed to the redevelopment of the site with maybe two medium sized houses with a shared drive in its present position.
- 3.8.v -The proposed houses are too large for the plot and are not in keeping with the scale of development on Church Lane. The houses are too close to the site boundaries and the new access point is not well sited. The development would result in the loss of open space and further denudation of an ancient orchard site. The development would result in an increase in vehicle numbers and add to village traffic. The development would have a negative impact on vegetation and wildlife as well as on the adjacent conservation area and several listed buildings.
- 3.8.vi -A number of the plans are inaccurate. The houses are too large and would be unneighbourly. The development would extend the urbanisation of the lane at the edge of the conservation area. Vehicle movements will be at least doubled at the lane pinch point. There could well be increased water run off into a lane subject to high water levels and flooding. We are concerned that the development would kill our apple tree. There has been a very significant appeal decision in the village and the Inspector emphasised a number of critical factors regarding development of open spaces in the village which will no doubt serve as a precedent for similar applications.
- 3.8.vii -My main concern is over the location of the properties within the plot and the impact that they will have on the rural outlook from my property. All I will see is the back of the house, back and front. The house closest to me is also too big and will block the sun to my back garden.
- 3.8.viii I am concerned about the increased risk of flooding in Church Lane and The Square. The development in its current form seems likely to increase run-off and action needs to be taken to reduce this.

### 3.9 **Amended Plans**

- 3.10 **Brightwell-cum-Sotwell Parish Council** – Objection. There is no objection to the principle of two houses being built on this site but we do object to the scale of the proposed houses especially as the site has already been greatly impacted by the removal of several trees. The proposal represents an overdevelopment of the site and as such, has a detrimental impact on the street scene and rural character of the parish.

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In views from both the east (public land) and from Church Lane to the west the development will appear almost as continuous building from the north to the south of the site. Therefore it is contrary to policy C4 Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered. It should also be noted that 98 % of respondents to the Brightwell-cum-Sotwell Community Led Parish Plan 2014 indicated that the rural character of the parish is important. The Council also consider that the development would detract from the adjacent conservation area.

3.11 **Forestry Officer** - No further objections subject to a detailed tree condition being attached to any planning permission.

3.12 **Neighbour Representations** – None received

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S1204/PEM](#) – Responded (19/05/2014)

Demolition of existing dwelling and garage/store and erection of two detached dwellings with detached garages and the creation of an additional vehicular access.  
Pre-application advice comprising of an office meeting followed by a letter.

[P80/W0156](#) - Approved (13/05/1980)

Formation of playroom over existing garage and workshop in roof space.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies;

CSB1 - Conservation and improvement of biodiversity  
CSEN3 - Historic environment  
CSH4 - Meeting housing needs  
CSQ2 - Sustainable design and construction  
CSQ3 - Design  
CSR1 - Housing in villages  
CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 policies;

C8 - Adverse affect on protected species  
CON12 - Archaeological field evaluation  
CON13 - Archaeological investigation recording & publication  
CON14 - Building record survey  
CON7 - Proposals in a conservation area  
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  
EP4 - Impact on water resources  
EP6 - Sustainable drainage  
EP7 - Impact on ground water resources  
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

National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

Brightwell-cum-Sotwell Community Led Plan 2014

**6.0 PLANNING CONSIDERATIONS**

6.1 The main considerations in the determination of the application are:

- The principle of the proposed development
- Whether it would be detrimental to an important open space of public, environmental or ecological value
- Whether the design, height, scale and materials of the proposed development are acceptable
- Whether the character of the area would be adversely affected including the setting of the adjacent conservation area
- Whether there are any overriding amenity, environmental or highway objections
- Whether the proposal constitutes backland development
- Impact on listed buildings
- Parking and amenity provision
- Housing mix
- Sustainability

6.2 **The principle of the proposed development.** The site lies within the built-up limits of Brightwell-cum-Sotwell which is listed at Appendix 4 of the South Oxfordshire Core Strategy (SOCS) as a 'smaller village'. Policy CSR1 of the SOCS permits redevelopment proposals in all categories of settlement where they comply with other policies in the Development Plan. As the site lies within the built-up limits of the settlement, the proposal falls to be considered against the criteria of Policy H4 of the South Oxfordshire Local Plan (SOLP).

6.2.i The Brightwell-cum-Sotwell Community Led Parish Plan states that one of the main concerns for residents is 'unsuitable house building in the parish'. It also states that 'Redevelopment (the demolition and re-building of existing properties) could be appropriate but any new build should not increase their size or change their use (78%). Any new building should enhance the character of the built area'.

6.2.ii The merits of this particular development in relation to the above mentioned policies along with all other material considerations are explored below.

6.3 **Whether it would be detrimental to an important open space of public, environmental or ecological value.** There is an existing detached dwelling on the site and detached garage and until very recently, views into the site from Church Lane were severely restricted due to the amount of vegetation on the site frontage. As such, officers do not consider that the proposed development would involve the loss of an important space or spoil an important view.

6.4 **Whether the design, height, scale and materials of the proposed development are acceptable.** The surrounding residential properties are very varied in character ranging from historic listed buildings to modern chalet style properties and 1950's bungalows. Immediately to the south of the proposed development site are two one and half storey

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dwellings for which planning permission was granted in the late 1960's. The size of the plot that these two houses sit on is not dissimilar in size to the application site. The property immediately to the north of Deacons House is a detached bungalow and the residential plots to the north of the application site are much smaller. The development plot at 41 metres wide is considerably wider than the majority of plots on Church Lane. For example, the average plot width of the properties to the north is 16 metres whilst the average plot width of the four properties to the south is some 23 metres. The erection of two dwellings on this very wide plot would not therefore be out of keeping with the established pattern of development in the area and there is a shared rather than two separate accesses in to the site, as is the case with Deacon's Orchard and Mellstock to the south. Under the revised scheme the dwellings have been pulled further back in to the site such that they respect the established building line along this part of Church Lane which follows the gentle curve of the road (Deacon's Orchard immediately to the south is an anomaly to this pattern as it sits much further back from the road).

- 6.4.i The density of the proposed development is 10 dwellings per hectare which is low given the village centre location. The average density of the development to the north of the application site is 19 dwellings per hectare and on the larger plots to the south it is 8 dwellings per hectare. Officers therefore consider that a density of 10 dwellings per hectare would be in keeping with the character of development in the area, in line with residents' aspirations as set out in the Community Led Plan.
- 6.4.ii As stated above, there is a mixture of property types on Church Lane ranging from single storey bungalows to one and a half and full two storey height dwellings. The height of the existing dwelling at Deacons House is 7 metres high. The plans show that House one is 7.96 metres high at its highest point and House two is 8.67 metres high at its highest point. Immediately to the south are Deacon's Orchard and Mellstock which are both 7.6 metres high, Walnut Cottage on the opposite side of the lane is 7.5 metres high and The Old Orchard and Anchorage which are located to the north of the application site are 8 metres and 7.7 metres high respectively. Officers therefore consider that the height of the proposed dwellings is comparable to that of other two storey properties on the lane.
- 6.4.iii The character of the lane is very mixed and it is made up of post-war chalet style bungalows, historic thatched properties and traditional semi-detached properties as well as a more recent development, The Old Orchard which was erected on a vacant site adjacent to Anchorage (planning permission was granted in 2003). A large number of properties on the lane have been extended and altered with many benefiting from loft conversions with associated dormer windows. House one has a traditional appearance and the intention of the architect is that it should resemble a barn-like building which has been extended over time. Traditional materials are to be used to match the local vernacular. The walls are to be clad with timber above a brick plinth. The east wing consists of a combination of brick and flint. The roofs are to be clad in clay tiles and windows and doors are to be painted timber.
- 6.4.iv House two is a four bedroom one and half storey house of a traditional appearance. The lower half of the walls are to be rendered above a brick plinth. Above this will be timber cladding and the roofs will be clad in clay tiles. Again, windows and doors are to be painted timber.
- 6.4.v Having regard to the very mixed character of the area officers consider that the design of the proposed dwellings is appropriate and that they would not look incongruous within the street scene. Furthermore, their traditional design is respectful of residents' desire (as set out in the Community Led Plan) to see traditional, high quality design and

traditional construction materials.

6.5 **Whether the character of the area would be adversely affected.** As discussed above, your officers' consider that the design, scale and density of the proposed development are appropriate to the site and its surroundings. Locally distinctive materials are to be used in the finish of the dwellings and the new planting across the site and on the frontage will help to soften the development and to reinforce the semi-rural and verdant character of the lane which is mentioned in the Brightwell-cum-Sotwell Conservation Area Character Appraisal. Officers therefore consider that the development would not detract from the character of the area or the setting of the adjacent conservation area.

6.6 **Whether there are any overriding amenity, environmental or highway objections.**

#### **Amenity**

6.6.i Policies D4 and H4 of the SOLP seek to resist development that would be harmful to the amenities of occupants of nearby properties or that would not provide a sufficient level of amenity for occupiers of the new dwelling.

6.6.ii There is a flat roof garage to the side of Dannebrog, a detached bungalow immediately to the north of the site. House one would be located at a distance of some 7 metres from the garage and over 9 metres from the side elevation of the bungalow. The garage associated with the new dwelling is located at a minimum distance of 1 metre from the shared boundary and the only first floor windows in the side elevation of the proposed dwelling are two roof lights which serve bathrooms. Having regard to the generous gap between the two properties and the fact that the respective garages sit between them and to the sensitive use of openings, officers are satisfied that the proposed development would not be overbearing or oppressive to the occupants of Dannebrog, have a material impact on the level of light reaching their property or garden or have a detrimental impact on their privacy.

6.6.iii House two is set away from the shared boundary with Deacon's Orchard to the south by over 5 metres and the overall distance between the properties would be over 17 metres. Only two roof lights are proposed within the side elevation of the new dwelling. Having regard to this significant distance between the two dwellings, to the sensitive siting of openings and to the location of the neighbouring dwelling to the south of the development site officers consider that the proposal would not detract from the residential amenity of the occupants of Deacon's Orchard.

6.6.iv The two new dwellings would be separated by a distance of some 10 metres and the first floor windows have been sited so as to avoid any mutual overlooking between the two properties.

#### **Environmental Impacts**

6.6.v The proposal involves the demolition of the existing dwelling and bats are known to be present in the area. The application is supported by a Bat Survey Report which has been assessed by the Council's countryside officer. He is satisfied with the survey and the findings of the report and considers that the mitigation proposals will ensure this development results in no net loss to biodiversity and actively enhances the ecological value of the site.

## **Highway Impacts**

- 6.6.vi The highway liaison officer has considered the merits of the proposed development and is satisfied that the introduction of one additional dwelling on the site would not have a detrimental impact on highway safety. The Lane onto which they will access generally has low ambient speeds and the visibility provided is considered adequate.
- 6.7 **Whether the proposal constitutes backland development.** Both of the proposed dwellings would have a road frontage and the proposal does not constitute backland development.
- 6.8 **Impact on listed buildings.** A neighbouring resident raised concerns over the impact of the original scheme on surrounding listed buildings. Old Priory Cottage is the nearest listed building to the application site and it is located on the opposite side of Church Lane and to the north-west. The amended scheme has pulled the properties further back from the lane and some new planting is proposed along the front boundary of the site. As discussed above, the scale and design of the proposed dwellings is considered to be in keeping with the site and its surroundings and as such, your officers do not consider that the proposed development would detract from the setting of any nearby listed buildings.
- 6.9 **Parking and amenity provision.** The plans show that House one would have a detached single garage and space for at least two vehicles on the driveway with a turning area within the north-western corner of the site. House two would have a single garage as well as two parking spaces on the driveway each with its own turning area. The parking provision for both properties therefore complies with the Council's standard of 2+ spaces for a four bedroom dwelling and above.
- 6.9.i The garden area for House one measures in excess of 400sq m and the garden for House two is in excess of 300 sq m and the Council's amenity standard for a four bed dwelling is 100 sq m.
- 6.10 **Housing mix.** Policy CSH4 requires a mix of dwelling types and sizes to be provided on all new developments. As the proposed development results in a net gain of only one dwelling your officers' do not consider that it would be reasonable to request that the properties have a different number of bedrooms. However, the gross internal floor area of House one is 275m sq and the floor area of House two is 216 m sq. As such, there is a size difference in the dwellings despite the fact that they both have four bedrooms.
- 6.11 **Sustainability.** The Design and Access Statement accompanying the application confirms that the houses will be designed to comply with Code 4 of the Code for Sustainable Homes which is in accordance with the current requirements of Policy CSQ2 of the SOCS. A suitably worded condition on any planning permission can secure this standard or an equivalent level should the CSH be replaced.
- 7.0 **CONCLUSION**
- 7.1 Your officers recommend that planning permission is granted because the development lies within the well defined confines of the built up part of Brightwell-cum-Sotwell and there is no objection to the principle of housing development. The proposals comply with the normal space and highway standards and the relationship of the development with neighbouring properties and trees is considered to be acceptable. The scheme is otherwise generally in accordance with Development Plan Policies.



**8.0 RECOMMENDATION**

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

- 1 : Commencement three years - full planning permission.**
- 2 : Approved plans.**
- 3 : Sample materials required (all).**
- 4 : Code Level 4.**
- 5 : Close existing access (a).**
- 6 : Parking and manoeuvring areas retained.**
- 7 : Tree protection (detailed).**
- 8 : Landscaping scheme (trees and shrubs only).**
- 9 : Wildlife protection.**
- 10 : Surface water drainage works (details required).**
- 11 : Rooflights (height).**
- 12 : Levels to be submitted.**

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