

APPLICATION NO.	P14/S3959/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	5.1.2015
PARISH	BINFIELD HEATH
WARD MEMBER(S)	Robert Simister Malcolm Leonard
APPLICANT	Hamilton Properties Ltd
SITE	Marroways Road, between Dunsden Green and Arch Hill, Binfield Heath, RG9 4LE
PROPOSAL	Demolition of existing house and erection of two new dwellings and creation of additional vehicular access.
AMENDMENTS	None
GRID REFERENCE	474585/178394
OFFICER	Victoria Butterworth

1.0 INTRODUCTION

- 1.1 This application is referred to the Planning Committee because the officer's recommendation differs from the views of Binfield Heath Parish Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is positioned between two residential properties in a village setting and contains a two-storey detached dwelling. The existing property is located within a large plot which has a very slight gradient sloping upwards from the north east to the south west of the site. The site has a vehicular access onto Dunsden Way, the main road between Dunsden Green and Binfield Heath.
- 1.3 The site does not fall within any areas of special designation.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the existing dwelling, and the application seeks full planning permission to redevelop the site for the erection of two detached dwellings.
- 2.2 One dwelling would be served by the existing vehicular access and the second dwelling would be served by a new vehicular access onto Dunsden Way to the south-west of the existing access. The plans accompanying the application are **attached** as Appendix B and other details relating to the application can be found on the council's website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 Binfield Heath Parish Council – Object:
- Built form will be closer to the boundary and will be overbearing on adjacent properties (Blossom Cottage and the bungalow permitted on the Elm Cottage site).
 - Vehicular access will result in loss of boundary planting which will be out of keeping with village character.
 - Design of dwelling will be out of keeping with the character of the village.
- 3.2 County Archaeological Services (SODC) - No strong views. Will not affect any known archaeological features.

- 3.3 Highways Liaison Officer (Oxfordshire County Council) – No strong views. Recommends vehicular access and vision splay conditions.
- 3.4 Forestry Officer (South Oxfordshire District Council) - No strong views. Recommends tree protection and landscaping scheme conditions.
- 3.5 Countryside Officer (South Oxfordshire & Vale of White Horse) - No strong views. Recommends bat protection informative.
- 3.6 Three neighbour representations have been received objecting to the proposed development and raising the following issues:
- Design, height and mass of three-storey houses would be much greater than existing property and would be out of character with surrounding properties, street scene and village
 - Dwellings will be visually prominent and will not be screened by existing deciduous trees on the front boundary and will have a negative visual impact on street scene
 - Proximity to the boundary
 - Impact on privacy to patio and garden of neighbouring property
 - Dwellings positioned further back into the site than existing property and will impact on sunlight to terrace of proposed neighbouring bungalow and won't benefit from existing tree screening
 - Garage of Unit 2 will be close to boundary and introduce overlooking
 - Contravention of covenant relating to the site stipulating one dwelling

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P65/H0437](#) - Approved (26/07/1965)
ERECTION OF DWELLINGHOUSE AND GARAGE

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

5.2 **NPPF Planning Practice Guidance**

5.3 **South Oxfordshire Core Strategy (SOCS) 2027**

- CS1 - Presumption in favour of sustainable development
- CSS1 - The Overall Strategy
- CSR1 - Housing in villages
- CSH2 - Housing density
- CSH4 - Meeting housing needs
- CSQ2 - Sustainable design and construction
- CSQ3 - Design

5.4 **South Oxfordshire Local Plan (SOLP) 2011 saved policies**

- 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
- D6 - Community safety
- D10 - Waste Management
- G3 - Development well served by facilities and transport
- 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

- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON11 - Protection of archaeological remains
- EP6 - Sustainable drainage

5.5 **South Oxfordshire Design Guide (SODG) 2008**

Sections 3, 4, 5 and 6

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered are:

1. The principle of the development
2. The impact on the character and appearance of the site and surrounding area
3. The impact on neighbouring properties
4. The impact on highway safety

Principle

6.2 The site is located within the built up limits of Binfield Heath, which is classed as a smaller village under policy CSR1 of the SOCS. Policy CSR1 allows for redevelopment of sites on a case by case basis provided proposals are in line with other policies in the Development Plan. The proposal therefore falls to be assessed against the criteria of Policy H4 of the SOLP. Policy H4 supports new housing in villages, subject to a number of environmental and amenity considerations, which are addressed below.

6.3 It has been brought to officers' attention that there is a restrictive covenant on the land stipulating that only one dwelling may be constructed on the site. This is a legal rather than planning matter and if planning permission is granted for the two dwellings on the site the lifting of the covenant would need to be resolved outside of the planning process.

Character and appearance:

6.4 Criterion (i) of Policy H4 of the SOLP requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is enclosed and is not open to the public. The site has no particular environmental or ecological value and there are no important views across the site. On this basis, the proposal would be in accordance with the above criterion.

6.5 Criterion (ii) of Policy H4 of the SOLP requires that the design, scale, height, and materials of the proposed development are in keeping with its surroundings. The proposed dwellings would be traditional in design and would have dual pitched roofs. They would be of different design to each other to maintain the diversity of size and shape of dwellings in the locality. Unit 1 would have two gables on the front elevation and Unit 2 would have a roof slope with two dormer windows facing the road. This design approach, with staggered building lines, detailing, and single storey elements, would generally follow the guidance in the Design Guide and would be in keeping with the character of the local area which has a variety of house designs.

6.6 The proposed dwellings would be large but given the size of the plot would fit comfortably within the site and would not be out of character with the grain and pattern of development found elsewhere in Binfield Heath. The use of staggered building lines and other architectural detailing would reduce their bulk and they have been designed to integrate with the dwellings on either side in respect of roof lines and types. The overall scale of the proposed dwellings is considered acceptable.

6.7 The existing property, Marraways has a roof ridge height of 9 metres and the proposed dwelling would match this. Unit 1 would have a roof ridge height of 9 metres and an

eaves height of 5 metres. A detached bungalow with detached garage was granted consent in 2014 (reference P14/S2789/FUL) on the adjacent site between the application site and Elm Cottage. The bungalow is yet to be constructed but it would have a roof height of 5 metres. It is proposed that Unit 1 would have a single storey element to its north east side elevation which would have a pitched roof sloping away from the boundary with the neighbouring site at Elm Cottage. The single storey element would have an eaves height of 2.2 metres and would be 4.4 metres at the highest part of its pitch. Officers consider that the proposed height of Unit 1 would not be out of keeping with, or overbearing on, the permitted bungalow on the adjacent site.

- 6.8 Unit 2 would appear very slightly taller than the existing dwelling, Marraways, due to the gradient of the site. At its highest point the roof ridge would be 9 metres but it would have a subservient element set down at 8.5 metres near to the boundary with the neighbouring property, Blossom Cottage. The roof ridge height of Blossom Cottage would be slightly below that of proposed Unit 2. However, the two storey gable element of the proposed dwelling would be approximately 6 metres from the closest part of Blossom Cottage – and over 10 metres from the two storey element of Blossom Cottage – and therefore due to the size of the site and the design and positioning of the proposed dwellings it is considered that the proposal would be in keeping with the character of the street scene and the local area.
- 6.9 It is proposed that the dwellings would be constructed of brick and tile. The existing dwelling, Marraways, is a brick dwelling with a clay tiled roof and on the opposite side of Dunsden Way there is a development constructed of brick and clay tiles. Elm Cottage is a rendered building with a slate roof and the permitted bungalow would be clad in timber, but the general character of the area is one of brick buildings. It is therefore considered that the proposed dwellings would be in keeping with their surroundings.
- 6.10 Criterion (iii) of policy H4 requires the development to not adversely affect the character of the area. The proposed dwellings would be set back slightly behind the front building lines of other properties on Dunsden Way but they are considered to be in an appropriate position fronting onto Dunsden Way and would be approximately 25 metres from the frontage of their plots. There would be sufficient space between the proposed dwellings and the side boundaries of the site to ensure that the development would not appear cramped. The proposed garages would be positioned forward of the dwellings but would still be set back from the street frontage so that they would not be overly prominent, and are considered to be of an appropriate scale and design.
- 6.11 In the light of the above assessment, I consider that the development would have an acceptable impact on the character of the site and surrounding area and that the proposal would comply with criterion (iii) of policy H4 and the other policies which seek to secure high quality design and protect the character of the area, including policies G2 and D1 of the SOLP, and policy CSQ3 of the SOCS.

Neighbours

- 6.12 Criterion (iv) of Policy H4 of the SOLP requires that there are no overriding amenity objections.
- 6.13 Given the positioning of the proposed dwellings and the use of subservient elements which would reduce their height closer to the boundaries, it is considered that their height and scale would not be overbearing on neighbouring properties.
- 6.14 The owner of the permitted bungalow on the adjacent site has raised concerns about the impact of Unit 1 on the terrace and garden area of the bungalow by way of loss of sunlight to the outdoor area. The proposed dwelling would be positioned to the south

of the terrace and would have some impact on the amount of sunlight to the terrace area. However, the existing property, Marraways, would itself be positioned to the south west of the bungalow and would have affected sunlight reaching the terrace. The proposed dwelling would bring two storey development closer to the boundary and would have a greater impact than Marraways but it is not considered that this impact will be harmful to the future occupiers of the permitted bungalow.

- 6.15 The proposed garage for Unit 2 would be positioned approximately 1 metre from the boundary with Blossom Cottage with a rooflight window proposed in each roof slope; one facing toward Blossom Cottage and one facing into the plot of Unit 2. It is proposed that the roof space for each of the proposed garages will be used as a home office for each of the units. It is therefore recommended that a condition requires the roof light windows proposed on the south west roof slope of each of the garages to be obscure glazed and fixed shut to protect the privacy of Blossom Cottage and the future occupiers of Unit 2.
- 6.16 Windows are also proposed in the side elevations of both dwellings at first floor level and in side facing roofslopes. It is recommended that a condition requiring these windows to be obscure glazed and fixed shut below a height of 1.9 metres above the finished floor levels of the rooms they serve should be attached to the consent to protect the privacy of the occupiers of neighbouring properties. The windows affected would be the first floor window of Bedroom 2 on the north east elevation of Unit 1, the rooflights on the north east roof slope serving Bedroom 5 / games room of Unit 1, the first floor window of Bedroom 2 south west elevation of Unit 2 and the Master En-suite window positioned on the south west elevation of Unit 2.
- 6.17 I do not consider that the height and design of the proposed dwellings would be intrusive or overbearing on neighbouring properties. It is considered that the development would have an acceptable impact on neighbouring properties, in accordance with policies H4 and D4 of the SOLP.

Parking provision / highway safety:

- 6.18 Criterion (iv) of policy H4 also requires there to be no overriding highway objections. Policies D1, D2, T1 and T2 of the SOLP also require an appropriate parking layout and that there would be no adverse impact on highway safety. The existing access would serve Unit 1 and a new access would be formed to serve Unit 2. Sufficient parking and turning space would be provided for each dwelling. The County highways officer has raised no objection to the application, subject to conditions, and I consider that the development would not be prejudicial to highway safety and would be in compliance with the relevant policies.

Other material considerations:

- 6.19 There is a small possibility that the existing dwelling could be used by bats, which are a protected species. The Countryside Officer has recommended an informative bringing this to the attention of the applicant and advising that a licence from Natural England may be required.
- 6.20 The trees within the site are not the subject of a tree preservation order and are not within a conservation area. The Forestry Officer is satisfied that the proposed development has taken into consideration the trees on site and has allowed for the retention of the better quality trees. He has no objection to the proposal, subject to the submission of a detailed tree protection scheme and a landscaping scheme.
- 6.21 In accordance with policy CSQ2 of the SOCS, officers recommend a condition requiring the new dwelling to meet Code Level 4 of the Code for Sustainable Homes. There

would be sufficient space to incorporate appropriate storage for waste and recycling on site, in accordance with policy D10 of the SOLP.

7.0 CONCLUSION

7.1 This proposal represents an appropriate redevelopment of a site within a settlement where the principle of additional residential development is acceptable. The proposed dwellings would be of an appropriate design and would be of a scale suitable to the size of the plot. The development would not detract from the character and appearance of the site or street scene, would not be unneighbourly and would not result in conditions prejudicial to highway safety. As such, the application is recommended for approval.

8.0 RECOMMENDATION

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

- 1 : Commencement within three years.**
- 2 : In accordance with approved plans.**
- 3 : Sample materials required (walls and roof).**
- 4 : Obscure glazing for first floor side elevation windows and some rooflights of Unit 1 and Unit 2.**
- 5 : Obscure glazing for rooflights in south west elevations of proposed garages.**
- 6 : Submission of levels details for approval.**
- 7 : New vehicular access to specification including vision splay dimensions.**
- 8 : Any new vehicular gates to be 5 metres from edge of carriageway.**
- 9 : Turning area and car parking to be provided and retained.**
- 10 : Dwellings to meet Code Level 4 standard of code for sustainable homes.**
- 11 : Submission of landscaping scheme (trees and shrubs only) for approval.**
- 12 : Tree protection details to be agreed.**
- 13 : Garage accommodation to be used in connection with the residential use of each dwelling.**

Informatives:

- 1 : Protection of bats.**
- 2 : No surface water to drain onto the highway.**

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