

APPLICATION NO.	P14/S1852/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	13.6.2014
PARISH	SHIPLAKE
WARD MEMBER	Paul Harrison
APPLICANT	Ms Sara Louise Langton
SITE	The Hockett, Lashbrook Road, Lower Shiplake, RG9 3NX
PROPOSAL	Excavation and forming of navigation channels. (As supplemented by addendum report to the Flood Risk Assessment accompanying agent's email dated 27th February 2015 and Botanical Survey dated May 2015).
AMENDMENTS	None
GRID REFERENCE	477849/179668
OFFICER	Tom Wyatt

1.0 INTRODUCTION

1.1 The application is referred to Planning Committee as the Officers' recommendation differs from the views of Shiplake Parish Council.

1.2 The application site, which is indicated on the copy of the OS plan **attached** as Appendix A, comprises an area of undeveloped land on the western edge of Lower Shiplake and immediately alongside the River Thames.

2.0 PROPOSAL

2.1 The application seeks planning permission for the formation of a new navigation channel across an area of land between the main river channel and a backwater to the east. The main channel would provide access to an existing boathouse and would be 4 metres wide and approximately 60 metres long. A secondary channel would be provided of approximately 3 metres in width and 20 metres in length, and an existing channel extending into the grounds of The Hockett would be filled in and reverted back to lawn.

2.2 A copy of the submitted plans are **attached** as Appendix B, and other documentation associated with the application can be found on the council's website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Shiplake Parish Council – Objects due to no evident reason to change the river bank, concerns about flood risk and biodiversity, removal of soil and obstruction of private access rights.

Environment Agency (Lesley Tims & Cathy Harrison) - No objections subject to conditions following the submission of additional information regarding flood risk and biodiversity.

Countryside Officer(South Oxfordshire & Vale of White Horse) – No specific comments as the impact on biodiversity is being dealt with by the Environment Agency.

Forestry Officer (South Oxfordshire District Council) – A full tree survey and arboricultural impact assessment is recommended.

Neighbours – Objections have been received from 30 properties with the vast majority of comments relating to the impact that the proposal would have on the private mooring rights on the land in relation to obstructing access rights to the land. Other concerns raised are the impact on the biodiversity of the site, the lack of need for the development, the creation of an island and the impact on flood risk.

4.0 RELEVANT PLANNING HISTORY

- 4.1 [P13/S2444/FUL](#) – Withdrawn prior to determination (23/09/2013)
Proposed navigation channel.

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
CSQ3 - Design
- 5.2 South Oxfordshire Local Plan 2011 policies;
C3 - Special character of the River Thames
C4 - Landscape setting of settlements
C6 - Maintain & enhance biodiversity
C8 - Adverse affect on protected species
C9 - Loss of landscape features
D1 - Principles of good design
G2 - Protect district from adverse development
G4 - Protection of Countryside

South Oxfordshire Design Guide 2008

- 5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

6.0 PLANNING CONSIDERATIONS

- 6.1 The main planning issues in relation to this application are:
1. The impact on the character and appearance of the site and the surrounding area
 2. The impact on the amenity of neighbouring occupiers
 3. Flood risk
 4. The impact on biodiversity
 5. Other material considerations

The Impact on the Character and Appearance of the Site and the Surrounding Area

- 6.2 The application site is within a small area of wooded land between the main channel of the River Thames and Lashbrook Creek. There are existing residential plots to the east and west of the site whilst open and undeveloped land extends along the river to the south of the site. The application site does not fall within any specially designated area of landscape, however, Policy C3 of the SOLP specifically relates to the River Thames and its valley and seeks to ensure that the distinctive character of the River Thames and its valley and the settlements on its banks are maintained.

- 6.3 Due to its narrow width and the presence of existing trees on the land, the channel would only be readily visible in public views from a short stretch of the river and from the opposite river bank. As such the channel would have a very limited and unobtrusive visual impact to users of the river, and only when directly opposite the entrance to the channel would its full length be appreciated. Although the application site lies within an attractive area of undeveloped land; when passing along the river it is apparent that the immediate area is characterised by housing fronting on to the river rather than a natural undeveloped landscape. In this context the narrow and relatively short engineered channels would not appear incongruous.
- 6.4 Having viewed the site of the proposed channel it is apparent that it would result in the loss of a very small number of trees, particularly in the context of the overall wooded area. The loss of the individual trees would not have a significant impact on the overall aesthetic qualities of the woodland and its contribution to the landscape setting of the river and the settlement of Lower Shiplake.
- 6.5 In light of the above Officers consider that the proposal would accord with Policies C3 and C4 of the SOLP.

The Impact on the Amenity of Neighbouring Occupiers

- 6.6 The only property, which directly adjoins the site of the proposed channel is The Hockett, which belongs to the applicant. This property would benefit from a larger garden area as a result of the filling in of the existing channel. The amenity of occupiers of other properties in the vicinity of the site would not be directly affected by the development or the subsequent use of the channel.

Flood Risk

- 6.7 The site lies in Flood Zone 3, which is at the highest risk of flooding. The Environment Agency (EA) initially objected to the proposal due to the lack of a flood risk assessment (FRA) as it is important to assess the impacts of the proposed works on the flows and hydro geomorphology of the River Thames and the ordinary watercourse system. The FRA was required to demonstrate that the proposed works would not increase flood risk, erosion or siltation in the River Thames or the ordinary watercourse system. The applicant has submitted an FRA and the EA has confirmed that this is acceptable and therefore alleviates their concerns.

The Impact on Biodiversity

- 6.8 Policy C6 of the SOLP seeks to ensure that proposals maintain and enhance the biodiversity resource of the district. In relation to the site the EA also initially objected on nature conservation grounds, in particular in relation to the lack of accurate survey information for *Leucojum aestivum* (Summer snowflake), a plant found locally on sites with similar habitat conditions and which has a localised distribution on the River Thames.
- 6.9 The applicant has subsequently submitted additional survey information regarding the summer snowflake, which is present on the site, and the EA has now removed its objection on nature conservation grounds subject to conditions as set out in the recommendation below.

Other Material Considerations

6.10 Many correspondents are concerned that the application proposal will prevent them from exercising their private access rights over the land in respect of private mooring rights on the land. This is a private matter between the relevant parties and cannot be taken into account when determining the planning application, however, the applicant has acknowledged the private access rights across the land and has committed to ensuring that such rights are maintained by way of providing a form of crossing over the proposed channel. A letter to this effect is **attached** as Appendix C.

6.11 Correspondents have also raised concern about the lack of need for the development. Again this is not a matter that should be taken into account when determining the application.

7.0 **CONCLUSION**

7.1 The application proposal is in accordance with the relevant development plan policies and national planning policy as, subject to conditions, the development would respect the character and appearance of the site and the surrounding area and would not cause any harm to the amenities of neighbouring occupiers, flood risk or biodiversity.

8.0 **RECOMMENDATION**

8.1 **That planning permission be granted subject to the following conditions:**

1. **Commencement within three years of this permission.**
2. **Development in accordance with the approved plans.**
3. **A landscape management plan for the areas adjacent to the new channels and the areas containing the relocated *Leucojum aestivum* plants/bulbs shall be submitted and approved prior to development commencing.**
4. **Development to be carried out in accordance with the approved flood risk assessment.**

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