

APPLICATION NO.	P15/S2778/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	13.8.2015
PARISH	SONNING COMMON
WARD MEMBERS	Will Hall Paul Harrison
APPLICANT	Bluejays Developments Ltd
SITE	2A Grove Road Sonning Common, RG4 9RL
PROPOSAL	Demolition of existing commercial buildings. Erection of one 2-bedroom dwelling and one 4-bedroom dwelling with associated landscaping and parking.
AMENDMENTS	None
GRID REFERENCE	471018/180353
OFFICER	Emma Bowerman

1.0 INTRODUCTION

- 1.1 This application is referred to the Planning Committee at the request of Paul Harrison Ward Councillor for Sonning Common. The reason for this request is that the proposal would reuse a derelict site and the mitigation would provide trees elsewhere within the community.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is a rectangular piece of land measuring around 0.1ha towards the eastern end of Grove Road. The site is overgrown with vegetation and there are a handful of small scale and dilapidated buildings on the land associated with the last use of the site as a building contractors business. The site does not fall within any areas of special designation.
- 1.3 Until recent years, the site was covered in mature trees and formed a small woodland. In 2012 South Oxfordshire District Council issued consent to allow for the removal of 17 mature Beech trees that were the subject of a long standing Tree Preservation Order (TPO). The reason for the removal was because the trees were in poor structural condition. The tree removal was granted subject to a condition to replant the site, giving two possible replanting options, both of which would restrict development on the site.
- 1.4 The tree removal also required a felling licence application to be made to the Forestry Commission (FC). The FC renewed consent for the tree removal in 2012, subject to the condition that replacement trees are replanted within a clearly defined timeframe. The deadline for the replanting was June 2014 and the FC are aware that the site has not been restocked.

2.0 PROPOSAL

- 2.1 The application seeks planning permission to construct two dwellings on the site with associated landscaping and parking. The materials proposed are tiled roofs above red brick walls. The development would provide a mix of 1 two bedroom property and 1 three bedroom dwelling.
- 2.2 The application is accompanied by a detailed landscaping scheme. The Applicant also proposes to plant trees within the public realm around Sonning Common to provide

mitigation against the reduced planting on site and has supplied details of 10 sites where 112 trees would be planted. This includes schools, play areas and woodland. The Parish Council have provided a letter in support of the planting proposals, as has the Head Teacher from one of the local schools. A 16 signature petition has also been submitted in support of the proposal.

- 2.3 A copy of the proposed plans is **attached** as Appendix B. The application is accompanied by a design and access assessment, biodiversity report and tree survey, which can be viewed online at www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Sonning Common Parish Council – Considers the application should be approved as it represents good design.

- 3.2 Forestry Officer - Objects to the development for the reasons outlined in the main body of the report below.

- 3.3 Highways Liaison Officer - No objection subject to conditions to secure a suitable access, vision splays, parking and turning area.

- 3.4 Countryside Officer - No objection subject to a condition to secure appropriate ecological surveys and mitigation measures.

- 3.5 Neighbour representations -

One in support commenting that this abandoned site should be brought under control following years of neglect.

One in objection raising concern with overlooking. Commented that it would be preferable to see the site replanted and maintained as a copse.

One further representation commenting that additional parking should be provided and that the trees on the boundary should be retained to screen the development.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P15/S1060/FUL](#) – Withdrawn prior to determination (11/06/2015)

Demolition of existing commercial buildings & construction of 1 two bedroom dwelling & 1 five bedroom dwelling with associated landscaping & parking.

- [P06/E1285](#) – Withdrawn prior to determination (21/02/2007)

Dwelling development of 2 x 3 Bedroom houses and 1 x 2 bedroom flat and 1 x 1 bedroom flat.

[P03/S0176/O](#) - Refused (13/08/2003) - Refused on appeal (22/06/2004) Construction of detached dwellinghouse

Refused for the following reason:

The development would result in the loss of trees protected by a Tree Preservation Order that make an important contribution to the streetscene and would prevent the replanting of trees in a manner that would preserve and enhance the inherent character of this woodland which is an important feature within the locality. Furthermore the planting as proposed by the applicant would be subject to pressure from the future occupants of the proposed dwelling which would be likely to result in their loss in the future. As such, the proposal would have a detrimental effect upon the character and appearance of the village.....

The Inspectors report is **attached** as Appendix C.

**[P93/S0502](#) - Refused (01/11/1993) - Refused on appeal (24/03/1994)
One 5 bedroom house and garage. Formation of new access.**

Refused for the following reason:

.....The erection of a dwelling on this site would necessitate the removal of trees which are the subject of a Tree Preservation Order and in order to alleviate overshadowing of any such dwelling, would prevent the replanting of trees in a manner which would preserve the inherent character of this dense copse which is currently an important feature within the locality and would thereby have a detrimental effect upon the visual and environmental amenity of this part of the village of Sonning Common.

[P93/S0124/O](#) - Refused (21/04/1993)

Construction of a dwelling.

[P92/S0152/O](#) - Refused (17/06/1992)

Erection of dwelling.

[P91/S0455/O](#) - Refused (09/10/1991)

Construction of dwelling and garage.

[P91/S0164/O](#) - Refused (12/06/1991)

Two residential dwellings

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

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

5.4 South Oxfordshire Local Plan (SOLP) 2011 saved policies

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

D6 - Community safety

D10 - Waste Management

EP1 - Adverse affect on people and environment

EP6 - Sustainable drainage

EP7 - Impact on ground water resources

EP8 - Contaminated land

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

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

Sections 3, 4 and 5

The supporting Trees and Development best practice guidance.

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 parking provision / highway safety
5. Other material planning considerations

Principle:

6.2 The site is located within the built up limits of Sonning Common, which is classed as a larger village under policy CSR1 of the SOCS. Policy CSR1 allows for infill development within larger villages and as such, I consider that the principle of the development is acceptable.

6.3 The proposal therefore falls to be assessed against the other relevant Development Plan policies including 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.

Character and appearance:

6.4 Criterion (i) of policy H4 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. In my opinion, when the site is a fully planted woodland (as required by the felling licence and TPO approval) it would be an important space that is perceived from public viewpoints and is of public value. Indeed, the Inspector in 1994 described the site as *visible from not only Grove Road but also Peppard Road and Wood Lane*. The replanted woodland would also have environmental and ecological benefits. As such, the proposal would conflict with criterion (i) of policy H4.

6.5 Criterion (ii) of policy H4 requires that the design, materials, height and scale of the proposed development are in keeping with its surroundings. The dwellings have been designed with a single storey element between the two buildings to retain adequate visual separation between them. The streetscene drawing submitted with the application shows that the dwellings would be staggered down the hill and would be of a similar height to the neighbour at No.2 Grove Road. In my opinion, the scale of the buildings would be appropriate to the character of the area and the materials would be acceptable. The development would therefore comply with criterion (ii) of policy H4.

6.6 Criterion (iii) of policy H4 requires the development to not adversely affect the character of the area. The Inspector who considered the appeal in 2004 commented that *'the contribution of this woodland to the character and appearance of the area is recognised by a Tree Preservation Order (TPO) and its loss would have a significant impact'*. At the time the appeal was determined, the felling licence had been issued by the Forestry Commission. Although the site circumstances are different than when the Inspector considered the 2004 appeal (as the trees have now been removed), the Inspector dismissed the appeal with the knowledge of the felling order and the requirement to replant. This issue is therefore as relevant to the current proposal as it was when the appeal was dismissed in 2003.

6.7 The aim of the restocking is to create a woodland of the same area as that felled and in

the same position and in time create a woodland as impressive as that which previously existed. The proposal would prejudice this aim. The replacement trees carry the same weight as the trees that were protected by TPO's that were removed from the site. Permission was only granted to remove the trees on the basis that the value of the site as a woodland would be restored when the site is replanted.

6.8 The previous reasons for refusal highlighted the impact that the loss of the woodland would have on the character and appearance of the area stating that '*...the inherent character of this woodland is an important feature within the locality*'. Failing to comply with the requirements of the felling order and not replanting the site would result in exactly the same outcome. The Inspector who considered the previous appeal recognised the replanting obligation as a constraint to development. He also clearly acknowledges the landscape value of the area of woodland and the need for the replacement of the trees, as in time they will re-establish a prominent wooded landscape feature once more.

6.9 In my opinion the proposal would result in unacceptable harm to the character of the area by prejudicing the aim of restocking the site. This area of woodland has been determined to be an important feature in the locality and made a valuable contribution to the character of the area. The permanent loss of the woodland would be harmful to the character of the area and at odds with a number of Development Plan policies, including criterion (iii) of policy H4 and policies G2, D1, C9 and CSQ3. Together these policies seek to resist the loss of landscape features that make an important contribution to the local scene, protect local distinctiveness and secure development that is appropriate to its setting.

Neighbours:

6.10 Criterion (iv) of policy H4 requires that there are no overriding amenity objections. Given the position of the proposal in relation to neighbours I do not consider that the development would result in any harm to neighbours in terms of light and outlook.

6.11 With regards to overlooking, a condition requiring obscure glazing would ensure that the roof lights closest to No.18 Binds Close would not result in any unacceptable loss of privacy for this neighbour. There would be no windows that would overlook No.2 Grove Road and the separation to the properties on the opposite side of the road would be sufficient to ensure that the privacy of these properties would not be compromised. As such, I am satisfied that the development would have an acceptable impact on neighbouring properties in accordance with criterion (iv) of policy H4.

Parking provision / highway safety:

6.12 Criterion (iv) of policy H4 also requires there to be no overriding highway objections. The County Highways Officer has raised no objection subject to conditions requiring details of vision splays and retention of parking areas. The level of parking would meet the council's parking standards and in my opinion the development would not be prejudicial to highway safety and would comply with criterion (iv) of policy H4.

Other matters:

6.13 The Applicant has put forward a landscaping scheme to mitigate against the removal of the mature Beech trees that were previously on the site. This would be as an alternative to the Forestry Commissions requirement to replant around 110 new trees in an equal mix of Beech, Pedunculate Oak, Field Maple and Wild Cherry. The landscaping scheme submitted with the application shows additional tree planting on the front boundary and also in the rear garden.

- 6.14 The trees in the rear garden would mature and in time, much of the rear amenity space would be overshadowed by the trees. I am concerned that as the trees mature, there would be pressure from the future residents of the dwellings to remove them, which could be difficult for the council to resist. This would further undermine the aim of restocking the site.
- 6.15 The council's forestry officer does not consider that the proposed on site planting would be a suitable alternative to the substantial replanting that the landowner has a legal obligation to undertake on this site. The council's forestry officer has also considered the planting that is proposed around the village and does not consider that this is in any way appropriate mitigation for the loss of 17, twenty metre tall, mature Beech trees that formed the well-established wooded copse with significant landscape value, within the heart of the village.
- 6.16 Furthermore, planning proposals should be considered on their merits and the proposed off site planting would be remote from the site and not related to the development that is proposed. I do not consider that harm caused on one site should be compensated for by providing benefits on another site. Furthermore, it would be very difficult to secure the off-site planting as the owners or mortgagees of the 10 proposed planting sites would need to be party to a legal agreement.

7.0 CONCLUSION

- 7.1 The planning history on this site shows that housing has been resisted on a number of occasions. The Inspector who considered the 2004 appeal agreed with the council's position that a new dwelling on the site would prejudice the aim of restocking the site and that a new dwelling would not sit well with the planting required under the terms of felling licence. The appeal was therefore dismissed on the basis that the proposal would be detrimental to the character and appearance of the area.
- 7.2 I appreciate that this site is an isolated pocket of relatively undeveloped land in a residential setting. I also accept that in principle the size and location of the site and the nature of the residential development proposed would be acceptable under Policy CSR1. However, the councils policies do not allow for all spaces in villages to be developed and this is a site that was previously considered to be a pleasant woodland that contributed to the character of the area and provided some relief in a built up residential area.
- 7.3 Permission was granted for the removal of the trees on site on the basis that the woodland would be re-established. The proposal would undermine this and result in the permanent loss of a significant landscape feature in this part of Sonning Common. I do not consider that the proposal would sit well with the planting required under the terms of the felling licence and TPO approval and that would inevitably be to the detriment of the character and appearance of the area.

8.0 RECOMMENDATION

- 8.1 **That planning permission is refused for the development contained in planning application P15/S2778/FUL for the following reason:**

The development would prevent the replanting of trees in a manner that would preserve and enhance the character of the area and would fail to re-establish an area of woodland that was an important feature in the locality. The proposed tree planting would also be subject to pressure from the future occupants of the dwellings which would further undermine the requirement to restock the site. The development would result in the permanent loss of a previously well-established landscape feature to the detriment of the character and appearance

of the area and contrary to policies G2, D1, H4 and C9 of the South Oxfordshire Local Plan, policy CSQ3 of the South Oxfordshire Core Strategy and the advice set out in the South Oxfordshire Design Guide and the supporting Trees and Development best practice guidance.

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