

<b>APPLICATION NO.</b>	<a href="#">P15/S4360/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	23.12.2015
<b>PARISH</b>	WALLINGFORD
<b>WARD MEMBER(S)</b>	Elaine Hornsby Imran Lokhon
<b>APPLICANT</b>	Mr G Wells
<b>SITE</b>	99 High Street, Wallingford, OX10 0BW
<b>PROPOSAL</b>	Demolition of barn; erection of a two-storey dwellinghouse.
<b>AMENDMENTS</b>	As clarified/ amended by drawing no 2520- 301A, 302A, 303A and 304A accompanying Agent's letter dated 22 February 2016 and further clarified by Agent's emails dated 11 and 12 April 2016 in relation to ownership of wall.
<b>GRID REFERENCE</b>	460930/189528
<b>OFFICER</b>	Sharon Crawford

1.0 **INTRODUCTION**

- 1.1 The application has been referred to the Planning Committee because the recommendation to grant planning permission conflicts with the views of the Wallingford Town Council. The Town council object to the application on amenity and archaeology grounds.
- 1.2 The site lies in backland location behind properties on the north side of The High Street in Wallingford. The site is within the Wallingford conservation area and some 25 metres away from the boundary with the Scheduled Ancient Monument of Wallingford Castle; the site is also with an archaeologically sensitive area of the Anglo Saxon/medieval settlement of Wallingford. Access to the site is provided from an existing lane. The battlemented, octagonal stone piers and gates on the High Street frontage are listed as a grade II listed building. 100 and 102 (The Town Arms) High St to the south of the site are also grade II listed buildings.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.
- 1.4 This application follows on from pre-application advice in 2014 and 2015 (ref P14/S1207/PEM).

2.0 **PROPOSAL**

- 2.1.1 The application seeks full planning permission for the demolition of an existing dilapidated barn and the construction of a two storey, three bedroom dwelling on a similar footprint. The existing building is some 7m x 4m and the proposed replacement building is some 12.8 x 5m with a single storey, lean-to off shoot for an entrance hall and utility/WC.
- 2.1.2 Amended plans have been received to clarify the ridge height and changes of levels in relation to the adjacent boundary wall and surrounding buildings and to reduce the number of rooflights in the southern elevation. Clarification on the ownership of the boundary walls has also been received.
- 2.2 Reduced copies of the plans accompanying the application are **attached** at Appendix

2. Full copies of the plans and consultation responses are available for inspection on the Council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full responses can be found on the Council's website

- 3.1 Wallingford Town Council      Original plans – **Approve** subject to archaeology conditions – comments re wood burning stove and impact on air quality.
- Amended plans – **Refuse**  
When the amended plans came through, it was obvious that the footprint of the building was larger than we had first thought. It was recommended to refuse due to being unneighbourly given its size and because it was felt that it was not in keeping with the conservation area.
- 3.2 OCC (Highways)      The proposal is unlikely to result in any significant intensification of transport activity at the site. No change is proposed to the existing access arrangements. The proposal is unlikely to have a significant adverse impact on the highway network.  
No objection subject to a condition to secure parking and turning.
- 3.3 OCC (Archaeology)      It is likely that this development could encounter archaeological deposits related to the Castle defences and the late Saxon and Medieval development of the town. No objection subject to conditions to require further investigations.
- 3.4 Conservation      **Original plans** - If the existing ground level is to be reduced this should be clarified and the implications on the footings of the curtilage listed walls which form part of the site boundary be considered. I suggest this is clarified prior to determination.
- There will be some harm to the character of this site and its ancillary relationship to neighbouring buildings as a result of domestic use here. Overall, this harm constitutes less than substantial harm to the designated heritage assets and as such you should be satisfied that this harm is outweighed by public benefit as per the test of paragraph 134 of the NPPF and the guidance set out in the accompanying NPPG.
- Amended plans** - As with any digging down where there has been no assessment of the existing footings of a building or structure, it can be difficult to accurately assess what impact there might be. The letter makes it clear that there is no intention to alter the wall or even foresee having to rebuild it once footings are in. We could either condition a structural report for the footings of the new dwelling once they have undertaken a proper assessment or condition that a mitigation strategy for the existing curtilage listed wall needs to be agreed by way of engineers report.
- 3.5 Countryside Officer      I have assessed the proposals and I am satisfied that there are unlikely to be any significant ecological impacts if planning permission is granted.
- 3.6 Environmental      Based on the size and location of the proposed development being

Health (Air Quality) adjacent to an existing Air Quality Management Area (AQMA), basic good practice design should be applied to this site in order to help mitigate against the air quality impacts and the potential cumulative effects of piecemeal developments and to enable future proofing of the development.

There are no objections to the application subject to a pre-commencement condition requiring the applicant to agree measures to mitigate the impact on air quality in the area I have identified. These proposed measures should have regard to the council's 'developer's guidance' which details minimum best practice standards and additional mitigation measures for air quality.

3.7 Neighbours Objecting (3)

**Comments on original and amended plans.** Excavation will undermine the boundary wall, which is listed. Concern about overlooking. The ridge height and level changes need to be clarified as the plans are inaccurate and misleading.

The proposed development would have a massively overbearing effect on my property. Furthermore the application and the revisions do not demonstrate a considered and sympathetic approach to the development within a Conservation Area and there is no identifiable public benefit.

A modest single storey dwelling would be better suited.

There is an increase in the height of the glazing over the stairwell to the ridge and this is considered to be intrusive and out of keeping with the immediate area.

The increased depth of glazing on the west elevation increases the potential for overlooking of the garden of St Nicholas, the house to the west of the application site.

The first floor window on the east elevation will clearly overlook the garden and into the conservatory of Thames Cottage to the east of the application site.

The reduced number of rooflights in the south elevation is noted but as this only serves a landing corridor, this number should be reduced further, particularly as this has an impact on 101 High Street where the major part of the living accommodation of this house is at first floor level. We do not consider albeit minor changes to the design to be in keeping with the character of the surrounding area.

Concerns about overlooking from first floor windows

The approach to the revisions of the design of this development has been based upon resolving the issue of limitation of height required for the proposed dwelling. It has not been based upon a design sympathetic to the immediate environment. The proposal constitutes an overdevelopment of a site within a Conservation Area with a building out of proportion to the location. Such a development would have a severe and detrimental impact on the site and surrounding area and for these reasons, the application should be refused.

Neighbours Supporting (2)

**Comments on original and amended plans.** I fully support the proposed development as it will be replacing an unsightly barn that is in an unstable condition. The dwelling house shown on the plans appears to be well designed, proportional and in keeping with the surrounding area and, if built, will no doubt have a neat garden

alongside. I would like to see the existing leylandii hedge removed and I would prefer that no window be permitted on the East Elevation.

The sooner work starts the sooner we get rid of a dangerous derelict eyesore

Neighbour No Strong Views (1) The Wallingford Historical and Archaeological Society (TWHAS) wishes to draw attention to the importance of this site in relation to the original outworks of the castle, which is not fully appreciated in the submitted Heritage Assessment. Further investigations should be required.

#### 4.0 RELEVANT PLANNING HISTORY

##### 4.1 [P14/S1207/PEM](#) - Response (21/05/2014)

Demolition of barn and erection of a three bed detached dwelling.

##### [P88/W0983](#) - Approved (27/02/1989)

Removal of dilapidated greenhouse and erection of garage.

##### [P87/W0268](#) - Approved (08/07/1987)

Extension to outbuilding barn to form loft over garage. Demolition of existing garage.

#### 5.0 POLICY & GUIDANCE

##### 5.1 South Oxfordshire Core Strategy policies

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSEN3 - Historic environment

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSH4 - Meeting housing needs

CSWAL1 - The Strategy for Wallingford

##### 5.2 South Oxfordshire Local Plan 2011 policies;

CON3 – Alterations to listed buildings

CON5 - Setting of listed building

CON6 – Demolishing buildings in Conservation Areas

CON7 - Proposals in a conservation area

CON11 - Archaeology

CON12 - Archaeology

EP1 - Adverse affect on people and environment

EP3 - Adverse affect by external lighting

EP6 - Sustainable drainage

EP8 - Contaminated land

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

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

### 5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Wallingford Town Council are working towards the adoption of a neighbourhood plan and are at stage 1 in the process - (Area designation) claim submitted to DCLG. The neighbourhood plan has limited weight at this stage.

### 5.4 Other Relevant Legislation

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010

## 6.0 PLANNING CONSIDERATIONS

### 6.1 The main issues in this case are;

- Whether the principle of development is acceptable
- H4 criteria
- Provision of gardens
- Impact on setting of surrounding listed buildings
- Impact on the conservation area
- Air quality
- CIL

6.2 **Principle.** The National Planning Policy Framework advises that there is a presumption in favour of sustainable development. This is echoed within policy CS1 of the South Oxfordshire Core Strategy. The site lies in the centre of Wallingford, one of the towns in the district. It is a sustainable location and Policy CSWAL1 of SOCS sets out the overall strategy for the town. One of the aims of CSWAL1 allows for housing on suitable infill and redevelopment sites within the town. The scheme involves the redevelopment of a brownfield site which would accord with the overall strategy for Wallingford and is acceptable in principle.

6.3.1 If a proposed housing development is acceptable in principle then the detail of the proposal must be assessed against the criteria of saved Policy H4 of the SOLP.

#### **H4 criteria issues.**

- That an important open space of public, environmental or ecological value is not lost;**

6.3.2 There is no public access to the site and views from public vantage points are limited. The existing building (a barn) is visible from the south-east in the gap between the Boat House PH and Town Arms PH. Views from the south-west from the High Street are almost completely obscured. As such the site cannot be regarded as an important open space of public value.

6.3.3 The countryside officer has assessed the proposed demolition of the barn and redevelopment. He has advised that there is unlikely to be any significant ecological result of the development.  
Environmental elements are assessed further below.

6.4.1 **ii Design, height and bulk in keeping with the surroundings;**

The replacement building is barn style in order to largely replicate and correspond to the existing structure on the site. The proposed materials of timber cladding, brick and plain clay roof tiles are also the same as existing. The proposed building has a greater footprint than the existing barn but the submitted plans show that the ridge height will be roughly equal to the existing (allowing for excavation to lower the ground floor levels).

6.4.2 From the south only a small portion of new wall and the whole roof would be visible over the existing boundary walls. The appearance to the north and west is more strikingly altered to introduce light into the dwelling, this will, however, have limited impact from glimpsed vantage points within the Conservation Area.

6.4.3 Whilst the proposed building has a larger footprint, it is of a similar form, height and materials to the existing building, it is therefore in keeping with the surroundings.

6.5.1 **iii That the character of the area is not adversely affected;**

This is an extremely sensitive site within Wallingford with a number of listed buildings and buildings of local note surrounding and it is close to the scheduled ancient monument of Wallingford Castle. The High Street is defined by a number of highly significant buildings and its character is such that with few exceptions they front directly onto the street, there are few gaps along High Street that allow for rear access as in this case.

6.5.2 Historically, it appears from available mapping that there has been a building at this location since at least 1899 (2<sup>nd</sup> Edition OS Map). Whilst the condition of the existing building does not enhance the Conservation Area, the total loss of a C19 structure is not a preservation of character as attested in the Design and Access Statement (p22). However, the barnlike design of the replacement building goes some way to preserve the character of the site and its relationship to surrounding built structures will remain similar.

6.5.3 The existing building extends across the rear boundary of 101 High Street, the increase in footprint will extend across the rear boundary of 100 High Street, altering its setting (see para 6.9). The height of the building remains the same as existing, although the ground level will be lowered. The principle of rooflights to the southern roof slope over the first floor bathroom and landing are acceptable. As this will be the most prominent part of the building within the Conservation Area it is important that the appearance is characteristic of the design style chosen, the number of rooflights has been reduced on this elevation and a condition is recommended to ensure that the rooflights are of a conservation style.

6.5.4 Your officers had some reservations at pre-application stage that the introduction of domestic residential use on this site would compromise the setting of neighbouring listed buildings, the pattern of development within the Conservation Area and the historic use of this site as ancillary to a main domestic dwelling.

6.5.5 In considering this further your officers acknowledge that there will be some change to the character of this site and its ancillary relationship to neighbouring buildings as a result of domestic use here. There is no alteration proposed to the existing

definition of the plot boundary and access and the scale of the new dwelling is acceptable in relation to the existing structure. Overall, this change constitutes less than substantial harm to the designated heritage assets and as such this harm is outweighed by public benefit as per the test of paragraph 134 of the NPPF and the guidance set out in the accompanying NPPG. Given the highly sustainable location of the site and the limited visibility of the site from public vantage points the proposal will not adversely affect the character of the area in your officer's view.

6.6.1 **iv Amenity, environmental or highway/ parking objections;**

**Highway issues.** The scheme proposes to use an existing vehicular access point onto High Street and no changes are proposed to the access. The proposal is unlikely to result in any significant intensification of transport activity at the site. The Highway Engineer has no objection to the scheme subject to a condition to secure turning and parking areas.

6.6.2 **Neighbour impact**

The site has neighbouring residential properties on all sides. 100 and 101 High street to the south, Thames Cottage to the east, Castle Lane House to the north, and St Nicholas House and 98 High Street to the west. Neighbours have expressed concerns about overlooking, oppressive development and undermining of the wall on the southern boundary of the site.

6.6.3 **100 High Street.** The increase in footprint of the new building will extend across the rear boundary of 100 High Street, which is currently marked by a high wall. There is also a difference in levels with the garden of 100 being 0.45m above the existing level of the site. The height of the building remains the same as existing, although the ground level will be lowered by some 0.65m. The new wall along this boundary will be some 0.8metres higher than existing and the new wall and the roof will be clearly visible from the garden of 100. Neighbours have expressed concern about the impact of the increased height of the wall and building on the use of the garden and blocking an existing view. There will undoubtedly be an additional impact on the garden to 100 High Street but given the changes in levels, with the garden of 100 being higher and the orientation of the building the impact is not considered to be unacceptable given the presence of the existing building. New rooflights are proposed in the southern elevation of the new dwelling to light a first floor corridor. The section drawing shows that these rooflights will be well above normal head height and any overlooking will not be possible. A condition to restrict the addition of new windows in the southern elevation of the new dwelling is considered reasonable and necessary to avoid any potential overlooking.

**101 High Street.** The existing building extends across the rear boundary of 101 High Street, and the height of the new building will be similar. New rooflights are proposed in the southern elevation of the new dwelling to light a first floor corridor. Neighbours have expressed some concern about potential overlooking from these rooflights. The section drawing shows that these rooflights will be well above normal head height and any overlooking will not be possible. The impact on the amenity of the occupants at 101 High Street will be very similar to the impact from the existing building. A condition to restrict the addition of new windows in the southern elevation of the new dwelling is considered reasonable and necessary to avoid any potential overlooking

**Thames Cottage.** The east elevation of the proposed new dwelling includes a small bedroom window at first floor. Neighbours have expressed some concern about potential overlooking from this window. Given the relative positions of the new dwelling with Thames Cottage, the new window would look onto a blank flank wall and any views over the boundary hedge into the garden area would be limited.

**Castle Lane House.** There is a substantial Leylandii hedge on the northern

boundary of the site and a 40m distance between the proposed new building and Castle Lane House. The occupants of Castle Lane House are concerned about potential overlooking. Given the distances involved the overlooking from any windows is not considered to materially harm neighbour amenity.

**St Nicolas.** The substantial garden area to St Nicolas lies to the west of the site on the opposite side of the access track. The west elevation of the new dwelling includes large areas of glazing to a kitchen on the ground floor and a bedroom at first floor. Neighbours have expressed some concern about potential overlooking from these windows. Given the boundary wall and screening to the St Nicolas garden and to the distances involved the overlooking from any windows is not considered to materially harm neighbour amenity.

**98 High Street.** The rear garden of 98 High Street lies to the south west of the site on the opposite side of the access track. The west elevation of the new dwelling includes large areas of glazing to a kitchen on the ground floor and a bedroom at first floor. Neighbours have expressed some concern about potential overlooking from these windows. Given the orientation, boundary wall and screening to 98 and to the distances involved the overlooking from any windows is not considered to materially harm neighbour amenity.

In the circumstances the neighbour impact is considered to be acceptable.

6.7 **v Backland development issues**

The site is in a backland location but will be accessed off an existing access. Backland development can be acceptable where there are no issues of privacy or access. These issues are considered above at paragraph 6.6.

6.8 **Provision of gardens.** Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in saved Policy D3 of the Local Plan. A minimum of 100 square metres for three and four (or above) bed dwellings is required. The site provides over 200 square metres of amenity area which is in excess of the requirement and is acceptable in this respect.

6.9.1 **Setting of listed buildings and ancient monument.** The battlemented octagonal stone piers and gates on the High Street frontage are listed as a grade II listed building. These gates mark one of the former entrances to the Castle grounds. 100 and 102 (The Town Arms) High St to the south of the site are also grade II listed buildings. The listing for 100 High Street includes the side and rear boundary wall. All the listed buildings are designated heritage assets. Paragraph 132 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

6.9.2 **Impact on setting.**

The proposed building is of a similar form, height and materials to the existing building. The increase in footprint will extend across the rear boundary of 100 High Street, which is currently marked by a high wall, altering the setting. I consider this change to the setting to constitute less than substantial harm (Paragraph 134 of the NPPF) as the building was not designed to look out specifically to this area and the special interest of the buildings will not be totally eroded.

6.9.3 **Impact on structure of the wall.** Neighbours have expressed concern about the structure of the listed wall to 100 High Street given the reduction of ground level of some 0.65m and to difficulties of future maintenance. As with any digging down where there has been no assessment of the existing footings of a building or structure, it can be difficult to accurately assess what impact there might be. However, there is no intention to alter the listed wall and it is not unusual to have



construction occurring in close proximity to existing structures. The section drawing shows the use of short-bored piles into the gravel substratum and use of a timber frame construction. This should minimise ground disturbance. However, a condition to secure a structural report for the footings of the new dwelling once a proper assessment has been undertaken and detailing a mitigation strategy for the existing curtilage listed wall is considered reasonable and necessary.

6.9.4 In terms of maintenance the rear wall of the 101 High Street and the listed wall at 100 High Street are not in complete alignment. The rear wall of 101 will form the rear wall of the new dwelling and a new wall is to be construction adjacent to the listed wall. Any gap between the new and listed wall will be sealed to prevent water penetration and the collection of debris.

6.10 **Impact on conservation area.** The site lies in the Wallingford conservation area and within 25 metres of the Scheduled Ancient Monument (SAM) of Wallingford Castle. The conservation area and SAM are designated heritage assets. Paragraph 132 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

For the reasons set out in paragraph 6.5 the impact on the character of the conservation area and the SAM is considered acceptable.

6.11 **Air quality.** The historic form of the town and its river crossings lead to issues of air quality in the centre and there is an Air Quality Management Area (AQMA) for Wallingford to monitor air quality. Based on the size and location of the proposed development being adjacent to an existing (AQMA), basic good practice design should be applied to this site in order to help mitigate against the air quality impacts and the potential cumulative effects of piecemeal developments and to enable future proofing of the development. There are no objections to the application subject to a pre-commencement condition requiring the applicant to agree measures to mitigate the impact on air quality in the area.

6.12 **Community Infrastructure Levy (CIL).** The council's CIL charging schedule has recently been adopted and will apply to relevant proposals from 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development.

In this case CIL is liable for the whole building because the existing building has not been in use and the proposal involves the creation of a new dwelling. The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (Zone 1). 15% of the CIL payment will go directly to Wallingford Town Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

## 7.0 CONCLUSION

7.1 Wallingford is a sustainable location where infill development and redevelopment of existing sites is permitted in principle.

The new dwelling would replace an existing building. The proposed building is of a similar form, height and materials to the existing building. The increase in footprint can be accommodated on the site in a way that conserves the setting of the surrounding listed buildings, SAM and the conservation area.

The design and materials reflects local vernacular and building materials and does not

detract from the wider character of the area, the setting of the conservation area or the setting of listed buildings. The site affords for sufficient amenity space and parking and does not result in a materially harmful unneighbourly impact to adjacent properties. Conditions are proposed relating to highway matters, air quality, materials and archaeology.

The development accords with the relevant development plan policies.

8.0 **RECOMMENDATION**

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

1. **Commencement three years - full planning permission.**
2. **Approved plans.**
3. **Sample materials required (all).**
4. **No windows, doors or other openings.**
5. **Submit written scheme of investigation.**
6. **Implementation of programme or archaeological work.**
7. **Turning area and car parking.**
8. **UNIQUE - Air quality.**
9. **Conservation style rooflights.**
10. **Details of levels, footings of new building and mitigation strategy for protection of listed wall.**

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