

<b>APPLICATION NO.</b>	<a href="#">P16/S1138/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	4.5.2016
<b>PARISH</b>	WATERSTOCK
<b>WARD MEMBER(S)</b>	John Walsh
<b>APPLICANT</b>	Talbot Homes Ltd
<b>SITE</b>	Park Farm Waterstock, OX33 1JT
<b>PROPOSAL</b>	Two new dwellings.
<b>AMENDMENTS</b>	As amended by drawing nos WG288-002G, WG288-013A which address highway issues and as further amended by drawing nos WG288 014B, WG288 015C, WG288 016C, WG288 018A, and WG288 019B which address design and conservation concerns.
<b>GRID REFERENCE</b>	463703/205658
<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 Waterstock Parish meeting.
- 1.2 The site lies on the south western edge of Waterstock village within the Waterstock conservation area. The site is known as Park Farm and was part of a larger site until recently. Plot 2 of the larger site lies to the south east. There is open farm land to the south of the site. Park Farm House, a grade II listed building lies to the east and Waterstock House with the stables and the pump house with attached wall and gate pier are also grade II listed buildings to the west of the site on the opposite side of the road. The site lies in the Oxford Green Belt
- 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 2015 (ref P15/S4059/PEM).

**2.0 PROPOSAL**

- 2.1 The application seeks full planning permission for the retention of stone and brick facades to existing buildings and new build to create two new dwellings on plot 1 of a larger site from a series of previous planning applications.
- 2.2 The new Plot 1 dwelling would provide a 4 /5 bed unit. A home office (potentially bed 5), bed 4, utility room, kitchen, dining room, lounge and garage are proposed at ground floor, with two bedrooms and an ensuite at first floor.
- 2.3 The Plot 2 dwelling would also provide a 4/ 5 bed unit. A home office (potentially bed 5), bed 4, utility room, kitchen/dining room, lounge and garage are proposed at ground floor, with three bedrooms, family bathroom, ensuite and walk in wardrobe at first floor.
- 2.4 Parking and turning facilities for two cars for each plot are provided within the site with parking for an additional two cars provided on the frontage with the road.
- 2.5 Amended plans have been received to address highway and conservation concerns.

2.6 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 Waterstock Parish Meeting The Parish meeting comments are **attached** at Appendix 3.

- Contrary to Parish Plan
- Unsustainable
- Green belt and conservation area
- Layout and Design
- Not a previously developed site
- Answers on application form incorrect Q4 and Q25
- Footpath issues

3.2 OCC (Highways) Following the submission of revised plans to address the previous Highway Authority comments, the Highway Authority changes its recommendation from a Holding Objection to No Objection subject to Conditions.  
The proposal seeks the construction of two new residential dwellings. No change is proposed to the existing access arrangements. The proposal is unlikely to have a significant adverse impact on the highway network.

3.3 OCC (Archaeology) The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

3.4 OCC (Countryside Access) Waterstock Footpath 5 runs to the South West of the site. Following examination of the plans supplied, and noting that a historical alignment of the path has recently been extinguished by a legal order, the proposed application does not appear to affect any recorded Public Rights of Way.

3.5 Conservation Officer **Original plans.** The scheme as submitted will result in the preservation of some character of the site from the roadside. The retention of large parts of two of the buildings will retain the character of the site when viewed from the roadside. There will be some alteration to the character when viewed from within the site and in longer views from the south as a result of the new development being more domestic in character than agricultural, as existing

**Amended plans.** The amendments have responded to the points I raised previously about design details. No objections.

3.6 Countryside Officer This current application is not supported by any ecological information. However, the site has been subject to detailed surveys in 2012. The surveys in 2012 found that the structures to be lost or converted under this specific application were mostly unsuitable for bat and barn owl habitation and were assessed as having low/little potential to support roosting bats or barn owls. Taking these previous surveys into consideration and assessing the existing

structures, it is unlikely that any protected species are using the existing structures. The habitats are not a constraint to the development in this instance. As such, there is no objection to the proposed development - subject to the addition of an informative in respect of bats.

- 3.7 CPRE Objection. Unsustainable and harmful to the openness of the Green Belt and the character of the conservation area.
- 3.8 Neighbours Objecting (11)
1. The precious tiny rural village/hamlet of Waterstock cannot sustain this massive increase in housing stock that is being introduced bit by bit as parts of Park Farm are sold. This planning application must be considered as one development of Park Farm by the planning authorities.
  2. The 2 proposed large red brick 5 bedroom semi-detached houses are architecturally out of place in a prominent position in the centre of Waterstock, which is surrounded by many Listed Buildings.
  3. This development is creating an unapproved unplanned new private road with a T-junction onto the narrow Waterstock lane. This will cause unconsidered unplanned traffic problems. This planning application P16/S1138/FUL shows seven parking spaces, 6 outdoors plus 1 in a garage. These cars will be in addition to all the other approved traffic allowed to use this new private road.
  4. We also object to the conversion/demolition of the landmark Stable Block on the northwest corner of the site next to the road. The current building must be retained to keep some connection to the sites historical agricultural past.
  5. Unit 1 involves converting existing brick stables at the entrance. By raising the roof, and having windows directly overlooking the yard outside, it will be intrusive and represent a major change to the current view from the road.
  6. Unit 2 sits close to the boundary and footpath, and by lining up with the house on the Eastern plot from the previous planning consent, will present an unbroken line of development from the footpaths, including the Oxfordshire way. The previous planning consent was for a single house, angled behind the other to prevent overlooking and also to reduce the impact from the footpath.
  7. A new house is already being built on a plot to the East of this site, which would make a total of three new houses being built on this part of the former Park Farmyard. This represents a significant percentage increase in housing stock in this small village, which has no amenities. All the houses are substantial in size, with no consideration having been made to the provision of affordable housing.
  8. Our only amenity is a bus stop more than half a mile away via an unlit road. Our poorly maintained road is already unable to cope with the traffic that uses it and it is simply not fair to residents to keep worsening the problem by adding to the number of houses. We feel that being in a conservation area and within the green belt should protect us.
- Neighbours (2) **Amended plans** – Our objections still stand.

4.0 **RELEVANT PLANNING HISTORY (from 2012 only)**

4.1 [P16/S0552/DIS](#) - Approved (14/04/2016)

Demolition of existing buildings. Retention of existing stone buildings within scheme to erect two dwellings with outbuildings. (Revision to approved scheme P13/S1463/FUL) – shortened description

P15/S S4059/PEM – Response  
Redevelopment of Plot 1 with 2 dwellings.

[P14/S2482/FUL](#) - Approved (17/09/2014)

Demolition of existing buildings. Retention of existing stone buildings within scheme to erect two dwellings with outbuildings. (Revision to approved scheme P13/S1463/FUL) – shortened description

[P13/S3198/DIS](#) - Approved (10/12/2013)

Discharge conditions 4 (Construction Management Plan) and 6 (Contamination Report) of planning permission P13/S1463/FUL

[P13/S1463/FUL](#) - Approved (16/08/2013)

Demolition of existing buildings. Erection of two new dwellings, retention of traditional buildings as ancillary outbuildings and erection of new stables/outbuildings – shortened description

[P13/S1464/CA](#) - Approved (16/08/2013)

Demolition of existing buildings (As amended by Revised Application form received 25 July 2013).

[P13/S1647/PDO](#) – Withdrawn (04/07/2013)

Change of use of Office B1a to dwelling.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSC1 – Delivery and Contingency

CSEM1 – Supporting a Successful Economy

CSEN1 - Landscape protection

CSEN2 - Green Belt protection

CSEN3 - Historic environment

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSH4 - Meeting housing needs

CSR1 - Housing in villages

5.2 South Oxfordshire Local Plan 2011 policies;

C6 - Maintain & enhance biodiversity

CON5 - Setting of listed building

CON6 – Demolishing buildings in Conservation Areas

CON7 - Proposals in a conservation area

D1 - Principles of good design

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

E8 - Re-use or adaptation of rural buildings outside built up areas

- EP1 - Adverse affect on people and environment
- EP4 - Impact on water resources
- GB4 - Openness of Green Belt maintained
- H4 - Housing sites in towns and larger villages outside Green Belt
- R8 – Protection of public rights of way.
- 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

Emerging South Oxfordshire Local Plan 2032

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.

Waterstock Parish Plan was originally published in 2010. The 2010 action plan has been reviewed and updated (January 2015) in the light of a new household questionnaire (2014/15) at a Parish Meeting attended by 22 people representing 14/34 (41%) of households. The reviewed plan was adopted at the Parish AGM on 9 March 2015. The parish plan does not constitute a neighbourhood plan and has limited weight as a material consideration.

Waterstock Conservation Area Character Study dated 6 April 2000

### 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
- Human Rights Act 1998
- Equality Act 2010 section 149

## 6.0 PLANNING CONSIDERATIONS

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

- Background
- Whether the principle of development is acceptable
- Green Belt impact
- H4 criteria
- Provision of gardens
- Mix of units
- Impact on setting of surrounding listed buildings
- Impact on the conservation area
- Affordable housing
- CIL
- Other issues

### 6.2i **Background.** Planning permission has already been granted for 1 dwelling on this site

as part of a larger scheme for two dwellings with outbuildings P13/S1463/FUL and P14/S2482/FUL (revised scheme) A copy of the approved layout and elevations for P14/S2482/FUL are **attached** at Appendix 4. Construction is ongoing on the dwelling on plot 2 and the plot 1 site has been cleared of former farm buildings.

- 6.2ii Development of the site has been contentious with a judicial review (JR) being lodged against a previous planning permission for two dwellings. The JR is a mechanism by which a judge considers whether a public body has acted in accordance with its legal obligations and if not, can declare a decision taken by it invalid. In April 2014 the judge issued his judgment, that none of appellant's grounds were reasonably arguable. This confirmed that the previous planning permission is valid.
- 6.2iii There was also a complaint to the Local Government Ombudsman; the Ombudsman refused to investigate because the complaint was over 12 months old and had been the subject of separate court proceedings. In addition, there are ongoing legal challenges to the stopping up of an adjacent footpath.
- 6.2iv Despite the contrary views of the parish meeting and local residents, it has been established as matters of fact through the recent applications that;
- the site is previously developed land; and
  - Waterstock is a suitable location for limited infill development.
- 6.3 **Principle of development.** Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In the case of this application, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011. Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.
- 6.4 Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development. For decision-taking this means “approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.”
- 6.5i Policy CS1 of the SOCS echoes the provisions of Paragraph 14 of the NPPF. Policy CSS1 of the SOCS sets out the overall development strategy for the District and advises that proposals should be consistent with the overall strategy of focusing major new development in Didcot; supporting the roles of Henley, Thame and Wallingford by regenerating town centres and providing new housing, services and infrastructure; supporting the 12 larger villages of the District as local service centres; supporting the smaller and other villages by allowing for limited amounts of housing; and outside of the above areas, any changes will need to relate to very specific needs.
- 6.5ii Policy CSR1 indicates that housing provision in the villages will be achieved through allocations, infill development and rural exception sites for affordable housing. Policy

CSR1 also allows for redevelopment proposals in all categories of settlement. Such schemes will be considered on a case by case basis through the development management process in line with other policies in the Development Plan.

- 6.6 There have been a number of appeal decisions relating to proposed residential development on sites within the District where the 5 year land supply has been tested.
- 6.7 The outcome of these recent appeal decisions is that the presumption in favour of sustainable development, set out in Paragraph 14 of the NPPF, applies. This means that our core strategy housing policies, including SOCS Policy CSR1 relating to housing in villages, are out of date and are given less weight in our decision making. It should however, be noted that the presumption in favour of sustainable development will not apply where specific policies in the NPPF indicate development should be restricted i.e. in AONBs and the Green Belt. Therefore if the proposed development does not comply with the Green Belt or heritage policies within the NPPF then paragraph 14 and the presumption in favour of sustainable development is not engaged.
- 6.8i **Green Belt impact.** The NPPF attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the most important attribute of Green Belts is their openness.
- 6.9i It is important to note that whilst the Green Belt contains areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land in the Green Belt or its continued protection. It is the openness of land that is important.
- 6.9ii To protect openness there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt. New buildings in the Green Belt are not appropriate unless for the following purposes (bullet point in **bold** is my emphasis);
- buildings for agriculture and forestry;
  - provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
  - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
  - **limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.**
- 6.10i The NPPF says that where villages are included within the Green Belt, it has to be because they too contribute to the openness (para 86). A reasonable interpretation is that there are features in the character of the village (open spaces) that make that contribution in particular.
- 6.10ii In the case of this site, the NPPF allows for the redevelopment of previously developed sites where the impact on openness is no greater; it would also allow for

limited infill on an undeveloped site.

- 6.10.iii The site is not a greenfield site and is not open. It falls within the definition of previously developed land because until recently it was almost completely covered by large scale, utilitarian, former farm buildings. The requirement in the NPPF is that any redevelopment would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. In my view the proposed development (and the previous approved schemes) is/are acceptable in principle because the site quite clearly falls within the definition of previously developed land and the footprint and the massing of the proposed buildings is considerably less than the original buildings on the site. Consequently the impact on openness is reduced.
- 6.11i **Sustainability of site.** The 'network of settlements' under policy CSS1 remains a good basis for determining what are the 'sustainable locations' for development. The settlement assessment background paper (2011) looked carefully at the services and links available for different settlements. Waterstock has a services and facilities score of 1 and is categorised as an other village. At the time Waterstock performed less well than other settlements in terms of services for day to day living and therefore does not justify extra development (other than infill or redevelopment) which would undermine the distribution strategy to ensure new dwellings can access services, it was however deemed acceptable for limited infill.
- 6.11ii Although we had originally intended to update the settlement classifications annually by undertaking a review of the settlement assessment information, our Core Strategy Inspector indicated that we should not do this. He stated that 'This approach means that individuals' commercial decisions would drive changes to village classifications rather than such decisions resulting from due consideration of wider planning policy issues affecting the rural service network'.
- 6.11iii Waterstock is currently classified as an other village where new housing will be allowed on infill sites of up to 0.1 of a hectare. In addition, CSR1 allows for redevelopment proposals in **all categories** of settlements provided that the schemes are in accordance with other policies in the Development Plan.
- It is noted that Policy CSR1 now carries less weight and regard must be had to the requirements of paragraph 14 of the NPPF and the presumption in favour of sustainable development unless other material factors indicate otherwise.
- 6.11iv Waterstock Parish meeting and local residents have questioned the sustainability rating of Waterstock and have claimed that CSR1 and the hierarchy of settlements must be considered out of date in totality. It is their view that Waterstock should be removed from the list of settlements where new development is acceptable.
- 6.11v As part of the work for the South Oxfordshire Local Plan 2032, a new settlement Assessment Background Paper has been prepared. This report concludes "The evidence collected in the study showed that there is potential for adjustments to be made to the settlement hierarchy. However, further research is preferable. Therefore, at this time officers' judgement is that the hierarchy should remain the same for the purposes of the consultation. This will enable further consideration of the results of the study and deeper research to be conducted, using this study as a basis."
- 6.11vi Whilst the classification of Waterstock may come under review in the future, for the time being the hierarchy of settlements and distribution of development set out CSS1 and CSR1 has been found to be relatively sound by recent inspectors. It is only in



respect of the lack of a 5 year land supply that the housing policies are out of date.

- 6.11vii Waterstock is deemed to be an appropriate location for limited infill development and redevelopment of existing sites and the current proposal falls within the definition of a redevelopment as the site is previously developed. As there is no harm to openness of the Green Belt paragraph 14 of the NPPF to bring forward sustainable development without delay is engaged.
- 6.12 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.**

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

- 6.12.i **Open space.** Until recently the site has been almost totally covered by large and unattractive former agricultural buildings. It has only been cleared recently as a result of the recent planning permissions. As such the site cannot be regarded as an important open space of public value.
- 6.12ii **Ecology.** The countryside officer has assessed the application. The site has been subject to detailed surveys in 2012. The surveys in 2012 found that the structures to be lost or converted under this specific application were mostly unsuitable for bat and barn owl habitation and were assessed as having low/little potential to support roosting bats or barn owls. Taking these previous surveys into consideration and assessing the existing structures, it is unlikely that any protected species are using the existing structures. The habitats are not a constraint to the development in this instance. As such, there is no objection to the proposed development - subject to the addition of an informative in respect of bats.
- 6.12iii Environmental elements are assessed further below.

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

The proposals include the retention of the stone walls of the single storey roadside building and the facades of the brick building to the north of the application site. The scheme as submitted will result in the preservation of some character of the site from the roadside. The retention of large parts of two of the buildings will retain the character of the site when viewed from the roadside.

- 6.13i The new elements of the structures propose 1 ½ storey cottage style buildings with dormer roofs lighting first floor rooms. The height and bulk of buildings are considerably less than the original buildings on the site and are not at odds with the development approved on the adjacent plot or other surrounding development. The character of the buildings is domestic but represents a considerable improvement over the unattractive former farm buildings on the site.

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

The proposals include the retention of the stone walls of the single storey roadside building and the facades of the brick building to the north of the application site. The scheme as submitted will result in the preservation of some character of the site from the roadside. The retention of large parts of two of the buildings will retain the character of the site when viewed from the roadside.

There will be some alteration to the character when viewed from within the site, from the public footpath to the south and in longer views from the south as a result of the

new development being more domestic in character than agricultural, as existing.

Unit 1: The existing opening on the west elevation of unit 1 has been retained in response to concerns from the conservation officer as this provides some natural surveillance and avoids having a completely blank elevation to the roadside. Although the proposed ground floor openings on the north elevation are more domestic in character than the existing openings which relate to its stable use, the building is set slightly into the site which goes some way to mitigate the visual impact of this change in character.

Unit 2: The increase in massing above ground level of unit two is set away from the roadside by a single storey link from the existing roadside building; this will reduce the visual impact of the new dwelling in this location. The design of the central dormers on both the north and south elevations have been amended in response to the concerns of the conservation officer. A 1.8m high brick wall is proposed to separate the two dwellings. Such a solid division is unlikely to have historically been used in farmstead settings and it would be of benefit to lower the height of the wall, reducing the impact of the physical enclosure. However, this wall will not harm the contribution the character of the site makes to the Conservation Area or neighbouring listed building so there is no strong objection to the wall. Also, in the context of the former buildings on the site this concern is limited.

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. Taking into account the location of the site and the retention of important historic elements the proposal will not adversely affect the character of the area in your officer's view.

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

- 6.15i **Highway issues.** The scheme proposes to use an existing vehicular access point from the former farmyard/commercial area onto the main road. The access point for both dwellings is in the same position as the previously approved access for an approved single dwelling. The Highway engineer had initial concerns about the size of parking spaces and wanted clarification on tracking and servicing details. These concerns have been addressed with the submission of the amended plans.
- 6.15ii The site as a whole will provide a total of 3 dwellings rather than two as originally approved. The traffic associated with three dwellings is less than that generated when the site was in a commercial use. As such, 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.
- 6.15iii **Neighbour impact**  
The site is in a rural village with generous distances to the neighbours. At such a distance I believe that the dwellings have been designed in a way that would not create an unneighbourly form of development for neighbours outside of the site.
- 6.15iv The only affected neighbour is the new dwelling being constructed on plot 2 of the scheme approved under P14/S2482/FUL. The 3D massing plan included at Appendix 2 shows how the new buildings relate to the already approved development. There are no windows proposed that would overlook and a condition is recommended to withdraw permitted development rights to extend or provide new

outbuildings to protect neighbour amenity and the openness of the Green Belt. Neighbour impact is considered acceptable in this case.

6.16 **v Backland development issues**

Whilst both properties share a boundary with the road access to the dwellings is achieved through the former farm yard. Access to plot 2 is through plot 1. Backland development can be acceptable where there are no issues of privacy or access. These issues are considered above at paragraph 6.15.

6.17 **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. Plot 1 provides for some 129 square metres of amenity space and Plot 2 provides for some 120 square metres of amenity space. As such the proposal is acceptable in this respect.

6.18 **Mix of units.** Taken as a whole site including the already consented dwelling, there would be a net gain of 3 dwellings and a mix of units is required by Policy CSH4 of the Adopted Core Strategy to meet the requirements of the district's Housing Needs Survey. This is to ensure that there is a satisfactory provision of smaller units across the district. The two proposed dwellings are 4/5 bedrooms each and therefore the scheme does not comply with policy CSH4. However, given the lack of a 5 year land supply for housing and the acceptability of the scheme in other respects a refusal of planning permission on these grounds is not justified.

6.19 **Setting of listed buildings.** Park Farm House, a grade II listed building lies to the east of the site and Waterstock House with the stables, pump house, attached wall and gate pier are also grade II listed buildings which lie to the west of the site on the opposite side of the road. 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.

6.19i In the context of the former buildings on the site, I do not consider the proposal will harm the setting of the neighbouring listed buildings to the west which fall within the wider curtilage of Waterstock House or Park Farm House to the east. 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.

6.20 **Impact on conservation area.** The site lies in the Waterstock conservation area. The conservation area is a designated heritage asset. 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.

6.20i The Waterstock Conservation Area Study sets out one of the characteristics of Waterstock as follows  
"Most of the buildings are slightly set back from the road and the gaps between are often fronted with either stone or brick walls, giving a sense of enclosure". The proposed scheme would provide development along these lines.

6.20ii The Park Farm site is referenced in the conservation area study in the section 3 "Possible areas for enhancement" as follows;  
"There have been several proposals for residential development at Park Farm, the

large modern farm buildings of which are now largely redundant for agricultural purposes. Although not attractive in themselves, these buildings do relatively little to detract from the rural appearance of the village as a whole and have been described by a Planning Inspector as making a "neutral contribution" to its character. Recently, a number of appropriate rural uses such as storage of equestrian equipment and feed and a furniture restoration workshop have been installed in some of the buildings. The stone walled and slate roofed farm building on the village street is of traditional construction and provides a strong sense of enclosure at this point"

- 6.20iii The large modern farm buildings which have recently been removed from the site to make way for new development, did not make a positive contribution to the character of the conservation area. The conservation area has benefited from their removal. The historic elements on the site that provide the strong sense of enclosure at this point are retained in the current proposal.
- 6.20iv The amendments have resolved design concerns in respect of the original plans. There will be some alteration to the character and appearance of the conservation area. This alteration will result in less than substantial harm owing to the increased domestic character on the site. However, the retention of part of the roadside elevations of some of the more historic structures on the site goes some way to mitigate against this. For the reasons set the impact on the character of the conservation area is considered acceptable.
- 6.21 **Affordable housing.** Taken as a whole site including the already consented dwelling, there would be a net gain of 3 dwellings. Policy CSH3 of the core strategy seeks to achieve 40% of affordable housing on sites where there is a net gain of 3 houses. There is therefore a requirement to provide 1.2 units as affordable dwellings unless the provision of the affordable element makes the scheme non-viable.
- However, in May 2016 the Court of Appeal effectively re-instated the Government's ministerial statement on affordable housing from November 2014. This means that developments of no more than 10 homes (with a gross floorspace not exceeding 1,000 sq m) would be exempted from levies for affordable housing and tariff-based contributions. In designated rural areas, National Parks and AONBs, the exemptions would apply only to developments not exceeding 5 new homes; developments of 6 to 10 homes could pay a commuted sum, either at or after completion of the development. In the case of this site the requirement to provide affordable housing would only be triggered on schemes for 11 houses or more.
- 6.22 **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.
- 6.22i In this case CIL is liable for the whole development because it involves the creation of new dwellings. 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 Waterstock Parish Meeting (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.
- 6.23 **Other issues.** The Waterstock Parish Meeting and local residents claim that the proposal is contrary to the Waterstock Parish Plan which was adopted in 2015. The Parish Plan found that residents did not want any new housing, there is no housing need in the village and if there were a need it would be for smaller units.

6.23i The Parish Plan does not constitute a Neighbourhood Plan and is not consistent with the policies of the Development Plan or those from the NPPF. It, therefore, has limited weight as a material consideration.

7.0 **CONCLUSION**

7.1 Waterstock is classified as a settlement where limited infill development and redevelopment of existing sites is permitted in principle.

7.1i The new dwellings would replace former buildings which were considerably greater in scale and massing. The proposed buildings are designed and sited in a way that conserves the setting of the surrounding listed buildings and the conservation area and reduces the impact on the openness of the Green Belt.

7.1ii 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 and materials.

7.1iii As set out under the 'principle of development' section of this report this application needs to be assessed against the presumption in favour of sustainable development at paragraph 14 of the NPPF. This is because the Core Strategy Policy CSR1 has been found to be silent on housing in larger villages by the High Court and the district also does not currently have a five year housing land supply. The report describes the proposals in full and assesses the proposal against the relevant material planning considerations. The three strands of sustainable development are set out at paragraph 7 of the NPPF as economic, social and environmental. My conclusions against each of the strands is summarised below.

7.1iv *Economic role*

The Government has made clear its view that house building plays an important role in promoting economic growth. In economic terms, the scheme would provide construction jobs and some local investment during its build out, as well as longer term expenditure in the local economy supporting the ongoing vibrancy of the village. I consider that moderate weight should be afforded to this benefit.

7.1v *Social role*

The proposal helps to support strong, vibrant and healthy communities, by providing the supply of 2 houses towards those required to meet the needs of present and future generations. It also does this by creating a high quality built environment, in a location where limited new growth is acceptable. I consider moderate weight should be given to these social benefits.

*Environmental role*

7.1vi In environmental terms, the scheme offers opportunities for enhancement of the conservation area by removal of the original buildings, which is a matter to which I afford moderate weight.

7.1vii Although the Parish Meeting and local residents have identified concerns in terms of sustainability, highway safety and capacity of facilities there is no evidence of harm that cannot be mitigated. There are no objections from Oxfordshire County Council subject to conditions.

7.1viii Taking into account the benefits of the development and weighing these against the

limited harm, I consider that the proposal represents a sustainable development, consistent with Para.14 of the NPPF and Policy CS1 of the South Oxfordshire Core Strategy. The proposal would contribute towards the objective to boost the supply of housing, consistent with Para.47 of the NPPF.

- 7.1viii Therefore, placing all of the relevant material considerations in the balance I conclude that the limited adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal and recommend the application for approval.

8.0 **RECOMMENDATION**

**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. Construction traffic management plan.**
- 5. Provision of parking and turning facilities.**
- 6. No conversion of garages.**
- 7. Withdrawal of permitted development rights (Part 1 Class A) - no extensions etc.**
- 8. Withdrawal of permitted development rights (Part 1 Class E) - no outbuildings etc.**

**Author:** Sharon Crawford  
**Contact No:** 01235 422600  
**Email:** [planning@southoxon.gov.uk](mailto:planning@southoxon.gov.uk)