

<b>APPLICATION NO.</b>	<a href="#">P15/S4367/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	6.1.2016
<b>PARISH</b>	GORING
<b>WARD MEMBER(S)</b>	Kevin Bulmer
<b>APPLICANT</b>	Mr & Mrs W Kos
<b>SITE</b>	South Woden Manor Road Goring, RG8 9EB
<b>PROPOSAL</b>	New house in grounds of main residence (as amended and amplified by location and block plans and site survey plans accompanying e-mail from agent received 15 January 2016 and amended by drawings accompanying e-mail from agent received 3 June 2016 and illustrated by drawings accompanying e-mail from agent received 16 June 2016 reducing the size of the forward and rear projecting elements of the building and amplified by Glanville Technical Note - Highways and Transport dated April 2016 and Proposed Site Plan Drawing P/S01 Rev C accompanying e-mail received 1 July 2016)
<b>AMENDMENTS</b>	Yes
<b>GRID REFERENCE</b>	459971/180424
<b>OFFICER</b>	Paul Bowers

**1.0 INTRODUCTION**

- 1.1 The application is referred to planning committee as the views of the Goring Parish Council differ from the officer's recommendation.
- 1.2 The application site comprises part of the rear of garden associated with South Woden which is the service wing of a substantial Edwardian house which has been divided in to a number of separate residential properties. The site is accessed via a shared driveway from Manor Road which also serves the application property and two others.
- 1.3 The site is located outside of the Goring on Thames Conservation Area but like the rest of the village is washed over by the designation of the Chilterns Area of Outstanding Natural Beauty. A plan identifying the site can be found at **Appendix 1** to this report.

**2.0 PROPOSAL**

- 2.1 The application seeks full planning permission to erect a two storey detached four bedroom property on the area of garden to the south west of the existing dwelling at South Woden. It includes an attached forward projecting garage and would be accessed by the same private driveway serving the existing property and two neighbouring properties.
- 2.2 The application has been amended several times over the course of the application in an attempt to address the impact of the development on adjoining properties. The last amendment to the scheme is the proposal the subject of this report. In terms of how the scheme has been altered since it was originally submitted this mainly focuses on the depth of the building on the boundary to Mulberry Cottage, the reduction of the first

floor projection at the front of the building that is now single storey incorporating a garage and the removal of a balcony.

- 2.3 A selection of plans accompanying the application can be found at **Appendix 2** to this report.

The full application and consultation responses can be viewed on the councils website [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Goring Parish Council** – Recommend refusal of planning permission to the original plans and subsequent amendments for the following reasons;

- Overdevelopment of the site.
- Unneighbourly.
- Reduce amenity space.
- Negative impact on the AONB.
- Set a precedent.

**Neighbour Representations** – objections from 10 different properties who have commented and objected to the original plans and subsequent amendments for the following reasons;

- Concern about the traffic movements at the junction with Manor Road.
- Breaking up of the landscaped gardens of Woden House.
- Loss of light and overbearing to Mulberry Cottage.
- Light pollution.
- Overbearing and overshadowing and overlooking of 6 Woden House.
- Loss of wildlife.
- Lack of agreement by the owners of land adjoining the access drive to widening the junction.
- Out of keeping with the character of the area.
- The building is too big.
- Woden House cannot be accessed by emergency vehicles.

**OCC (Highways)** - No objection subject to conditions relating to no conversion of the garage and that the car parking and turning areas are retained.

**Forestry Officer** - No objection.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P15/S0684/HH](#) – Withdrawn prior to determination (26/06/2015)

1 1/2 storey side extension and associated works.

- [P13/S0127/HH](#) - Approved (15/03/2013)

Construction of a 2 bay traditional green oak garage with store (As amended by drawing numbers TB 13 01 01, 02 & 03 accompanying email from agent dated 29 January 2013).

- [P12/S1990/HH](#) – Withdrawn (21/11/2012)

Demolition of existing double garage with erection of 1no. studio with associated parking.

- [P12/S1553/HH](#) - Approved (24/09/2012)

To take down front section of the house, leaving the tower and L-shaped wing to the west intact and replacing it with a new structure closely following the same footprint, with an extension containing a conservatory and breakfast and dining room.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

CS1 - Presumption in favour of sustainable development

CSEN1 – Landscape protection

CSQ3 - Design

CSR1 - Housing in villages

**South Oxfordshire Local Plan 2011** 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

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**

**National Planning Policy Framework**

**National Planning Policy Framework Planning Practice Guidance**

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to consider in relation to this proposal are as follows;

- **Principle of development.**
- **Whether the proposal accords with the criteria of Policy H4.**
- **Impact on the amenities of the occupants of nearby properties.**
- **Impact on highway safety.**
- **Impact on special landscape of the AONB.**
- **Community Infrastructure Levy (CIL).**

**Principle of development.**

6.2 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.

6.2i 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.”

- 6.2ii 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.
- 6.2iii 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.
- 6.2iv 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.
- 6.2v *However in this case* the site is located within the settlement and although the application site forms part of the garden of an existing dwelling this would meet the definition of infill and in my view, the principle of a dwelling in this sustainable location is acceptable.
- 6.3 **Whether the proposal accords with the criteria of Policy H4.**
- If a proposed housing development is acceptable in principle and accords with Policy CSR1 of SOCS then the detail of the proposal must be assessed against the criteria of saved Policy H4 of the South Oxfordshire Local Plan 2011 (SOLP).
- 6.4 Provision (i) of Policy H4 states *'an important open space of public, environmental or ecological value is not lost, nor an important view spoilt.'*
- The site is part of an existing garden. It does not comprise an important open space of either public or environmental value. There are no wider views of the open countryside from public vantage points which will be lost as a result of this development.
- 6.5 Provision (ii) states *'the design, height, scale and materials of the proposed development are in keeping with its surroundings.'* whilst Provision (iii) states that the *'character of the area is not adversely affected.'*
- The original Woden House to the north and the north east is a larger building and different to the adjacent properties in terms of scale, design and materials. Equally the adjoining properties differ from each other in terms of their scale, age and design. There is no clear distinct character or appearance in the built form, the proposed detached two storey building would not be at odds with this varied character. Equally the building would not be unduly prominent in wider public views given its position away from the public highway. It is acknowledged that this is a larger building when considering the properties to the west and to the south however the diversity in buildings and set back from public views means that in isolation, the harm that would be caused is not material and in my view would not constitute a reason for refusal.
- 6.6 *Provision iv) of Policy H4 states that there should be no overriding amenity or*

*environmental or highway objections.*

In terms of amenity this refers to both the amenity of the new property but also the amenity and the impact on surrounding properties. The latter is dealt with as a separate issue at paragraph 6.17 of this report.

- 6.7 For a four bedroom property and above the council's standard seeks to ensure that as a minimum 100 square metres of private amenity space is provided. The subdivision of the site as shown on the plans affords the new dwelling some 300 square metres and the existing dwelling also benefitting from a retained area of some 310 square metres. This is far in excess of what the council would normally require. The size of gardens varies in the immediate vicinity and although the building is relatively large for the size of the plot it does not appear unduly cramped or entirely at odds with surrounding and nearby garden sizes.

In respect of the highway aspect of provision iv) of Policy H4 this is dealt with separately see paragraphs 6.17- 6.20.

**Impact on the amenities of the occupants of nearby properties.**

- 6.8 The rear of the proposed building faces north and at its nearest point comes within 16 metres of the shared boundary with 6 Woden House. The rear elevation includes openings on the ground floor and first floor.

The depth of the garden reflects the minimum standards set out in the Design Guide which advise 10 metres. The position of the building relative to the orientation and position of the rear windows and doors at South Woden is sufficient in my view to offset the bulk and height of the new building such that it will not be significantly overbearing or oppressive.

- 6.9 In respect of overlooking, the revised scheme which omits previously proposed balconies on the rear elevation will look directly over the rear portion of the garden of 6 South Woden. This area of garden is currently quite exposed due to a lack of significant boundary treatment. However with the introduction of a 2 metre high fence (which could be erected at any time without planning permission) and in conjunction with the 17 metres distance and only oblique views back toward the house itself, the overall level of overlooking is no more harmful than that which already exists from first floor windows of the other neighbour at 3 South Woden.

The overall impact to 6 South Woden is not therefore materially harmful.

- 6.10 The amendments to the original scheme have been made throughout the course of the application in part to address the impact to Mulberry Cottage to the west. This property has an outlook to the east toward the application site. The plans the subject of this report have reduced the depth of the building and made the forward projecting garage element single storey as opposed to the previous full two storey projection.
- 6.11 There are no windows proposed at first floor level in the side of the building facing Mulberry Cottage. If these were later added then they would have to be obscure glazed and fixed shut otherwise they would require planning permission from the council. The impact therefore is one of loss of sunlight in the morning and from the bulk and mass of the building so close to the boundary.
- 6.12 The amended plans provide a significant improvement in terms of the impact. The flat roof garage improves the level of sunlight in the morning from the original plans and it

reduces the depth and bulk of the building. In my view these changes tip the balance to the extent that the building is no longer significantly oppressive or overbearing and the level of sunlight reduced to a minimum. On balance the impact to Mulberry Cottage is acceptable.

- 6.13 In respect of Applegarth to the south the impact of the development would come in terms of potential overlooking. The distance between the dormer window in the north facing elevation of Applegarth and the nearest first floor window in the proposed front elevation of the new building is 27 metres. This exceeds the 25 metres minimum distance set out the Design Guide and as such is not unneighbourly.

The furthestmost westerly window on the front of the building has the potential to overlook the garden of Applegarth in a way that it is not overlooked at present. However the proposed window is angled in such a way that it only overlooks the proposed buildings driveway and parking area. It is important that this window remains as shown on the plans and a condition to that effect is proposed as part of this recommendation.

- 6.14 The White House to the east is sufficiently far enough away from the proposed building that it will not present an unneighbourly impact to that property.

**Impact on highway safety.**

- 6.15 The scheme has been amended to address concerns expressed by the Highways Officer. The first amendment altered the red site area and demonstrated that the applicants have a right of access over the driveway to Manor Road. The second amendment increased the depth of the garage and the size of the car parking spaces so that they met the minimum standards of parking size. This change has followed through in all subsequent amendments and on the plans the subject of this report. In this respect the Highways Officers concerns have been addressed and adequate space for parking, amount of parking and manoeuvring can take place all within the site. It will not therefore increase the need to park on the public highway.

The amended plans also provide for a passing bay at the front of the property and adjacent to the gable end wall of the garage wing of the building. This is some 37 metres from the junction.

- 6.16 The plan provided by Glanville in the Highways Report shows a swept path analysis for the movements of an emergency vehicle to access the existing Woden House. This is considered sufficient to demonstrate access in the event of an emergency.
- 6.17 The main Highway objection originally related to the issue regarding the access point in terms of available width and the length of the single track access drive. The applicants have produced a Highways Report that demonstrate that there is improved passing opportunity to the extent that the Highways Authority have now removed their original objection.
- 6.18 Recent concerns have been expressed concerning the ability of a fire tender to access the existing South Woden once the development has been built. The most up to date plan provided by the applicant shows the tracking for fire trucks which with a slight movement of the building to avoid over run of the passing bay being able to gain access and turn at South Woden.

**Impact on special landscape of the AONB.**

- 6.19 The site is located within the settlement with surrounding buildings on all sides. The overall appearance and choice of materials is not out of place in the wider context of the Chilterns AONB. The harm that it would cause would not be material in the wider context of the special landscape of this part of the Chilterns.

**Community Infrastructure Levy (CIL).**

- 6.20 The council's CIL charging schedule has recently been adopted. 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 as 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).

**7.0 CONCLUSION**

- 7.1 The new dwelling is not out of keeping with the established character and appearance of the area given the variety of size, design and materials in the immediate vicinity. It provides for adequate levels of parking and amenity space and in conjunction with the attached conditions will not materially harm the amenities of the occupants of nearby properties. The special landscape of the Chilterns Area of Outstanding Natural Beauty and the proposal accords with 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. **Withdrawal of permitted no development rights – no extensions.**
6. **Retain triangular window to Bedroom 2.**
7. **Turning car parking area.**
8. **No garage conversion into accommodation.**
9. **Passing way to be provided prior to occupation.**

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