

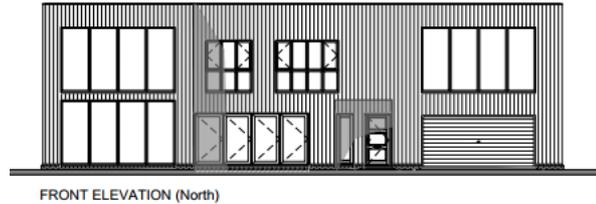
APPLICATION NO.	P21/S3669/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	20.8.2021
PARISH	WALLINGFORD
WARD MEMBER(S)	Sue Roberts
APPLICANT	Mr and Mrs Harris
SITE	Land opposite Whitecross House, Winterbrook Wallingford, OX10 9ED
PROPOSAL	Erection of dwelling (Amended scheme pursuant to extant consent P20/S0912/FUL). As clarified by site survey submitted on 15 September 2021.
OFFICER	Kim Gould

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application has been referred to Planning Committee because the officer's recommendation of approval conflicts with the objections of Wallingford Town Council. This report sets out the reasoning for my recommendation taking into account all the material planning considerations.
- 1.2 The site lies outside any area of restraint. White Cross House, a grade II listed building, lies to the east of the site on the opposite side of Reading Road.
- 1.3 Planning permission was granted in 2021 for the erection of a single, three-storey dwelling and associated works including new access onto Wallingford Road under ref P20/S0912/FUL. That permission has not been implemented but remains extant.
- 1.4 The front elevation of the approved scheme is shown below:



- 1.5 This application seeks full planning permission to erect a single dwelling on the site. It would be sited differently to the approved scheme and would be a two storey contemporary, flat roof structure. The front elevation of the proposed dwelling is shown below:



- 1.6 The current proposal would be sited at right angles to the road with its front elevation facing north. The extant permission was orientated west to face the entrance to the site.
- 1.7 The site is located towards the southern edge of Wallingford approximately 1km from the town centre. The land is part of a triangle contained by Reading Road to the east and Wallingford Road to the west. To the south west, a large care home has recently been constructed. A site location plan is **attached** as Appendix 1.
- 1.8 The site is some 0.13 hectares in size. It contains some dense vegetation around the perimeter and a number of mature trees some of which are protected by a tree preservation order.
- 1.9 Since the 2020 application was approved, a number of trees on the site have been removed. The Town Council have suggested that some of these were ones which were to be retained. I have spoken to the council's forestry officer and shown him photographs taken by the Town Council of felled trees. The situation in respect of trees will be updated verbally at the meeting.
- 1.10 The proposed new dwelling has been designed to take account of the site constraints, particularly the protected trees. The proposed dwelling is sited towards the southern edge of the site away from the protected trees which are towards the northern edge of the site.
- 1.11 Reduced copies of the plans accompanying the application are **attached** as Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council's website at www.southoxon.gov.uk
- 2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 2.1 **Wallingford Town Council** – Strongly Object due to habitat destruction including trees identified for keeping, overlooking and loss of daylight to care home residents
- 2.2 **Forestry Officer** – No objection. The proposed layout is an improvement when compared to P20/S0912/FUL from an arboricultural perspective, as the proposed dwelling is located further from the protected trees.
- 2.3 **Countryside Officer** – No objection subject to condition requiring a biodiversity mitigation and enhancement strategy to be submitted prior to the commencement of works.
- 2.4 **OCC Highways Liaison Officer** – No objection subject to conditions in relation to access, visibility, and parking.
- 2.5 **Contaminated Land** – No objection
- 2.6 **Drainage** – No objection was raised on drainage grounds for the 2020 application subject to pre commencement conditions for foul and sw drainage.

2.7 **Neighbours** – none received

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P20/S0912/FUL](#) - Approved (06/11/2020)

Erection of a single dwelling and associated works including new access onto Wallingford Road. (As amended by plan refs 3043-301 A, 3043-302 A, 3043-304 A, 3043-312 A, 3043-307 A, 3043-305 A and 3043-305 A received on 6 August 2020).

[P17/S3564/FUL](#) - Approved (16/07/2018) – **Adjacent site**

Erection of a 70 bed care home (within Use Class C2), access, parking, landscaping and other associated works.(as amplified and amended by information accompanying email from Agent dated 11 December 2017).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 N/A

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES10 - Carbon Reduction

DES2 - Enhancing Local Character

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

ENV1 - Landscape and Countryside

ENV3 - Biodiversity

H1 - Delivering New Homes

H3 - Housing in the towns of Henley-on-Thames, Thame and Wallingford

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

WAL1 - The strategy for Wallingford

5.2 **Neighbourhood Plan**

Wallingford Neighbourhood Plan policies

WS1 Strategy for Wallingford

WS2 The land allocation for housing in Wallingford

WS3 Development within the built-up area

HD1 Design

HD2 Sustainable design

HD4 Self build

HA2 Effects of Development on Historic and Heritage Assets

MC3 Promotion of cycling

MC5 Vehicle parking

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- **Principle of development**
- **Design and character**
- **Residential amenity**
- **Access and Parking**
- **Garden size**
- **Impact on trees**
- **Ecology**
- **Drainage**
- **Sustainable development and carbon reduction**

6.2 Current Policy

Section 36 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.3 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 applications, and to any other considerations. In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Local Plan 2035 and the Wallingford Neighbourhood Plan.

6.4 Policy STRAT1 of the SOLP provides the overall strategy for the district. Of relevance to this application, the policy focusses major new development in Science Vale including sustainable growth in Didcot Garden Town and Culham. Local Plan policy H1 stems from the overall strategy and relates to proposals for residential development on land that is not specifically allocated for development in the plan. Part 3 (iii) of the policy states that development will be permitted if it is within the existing built-up areas of towns and larger villages (as defined in the settlement hierarchy); provided an important open space of public; environmental, historical or ecological value is not lost, nor an important public view harmed.

6.5 Neighbourhood Plan policy WS3 allows for infill development within the built-up limits of the town. The application site is located within the built-up area of Wallingford.

6.6 In this case, the site is not an important open space. Some of the trees on the site are protected by a TPO but these are to be retained. It is of no historical importance and the council's countryside officer has no objections to the proposal on ecology grounds subject to a biodiversity mitigation and enhancement strategy being carried out. As such, it is my opinion that the principle of a new dwelling on this site is acceptable

6.7 Planning permission was granted for a single dwelling on this site under planning ref P20/S0912/FUL. This permission remains extant and therefore the principle of erecting a single dwelling on this site has been established.

6.8 **Design and character**

Policy DES2 of the SOLP seeks to ensure that all new development is designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings.

6.9 In this case, the surrounding built form is generally detached dwellings set in plots of varying size and style. There are also some bungalows including Sixpenny Buckle which is located opposite the proposed new entrance to the site. There is a variety of house types and styles in this part of Winterbrook, mainly of traditional vernacular but with little uniformity. The design of the proposed new dwelling is contemporary with a flat roof. A condition is recommended requiring details of materials to be submitted but the agent has indicated that the walls of the dwelling would be timber clad with the roof consisting of a bituminous waterproof membrane. This does not, however, make the contrast harmful in my opinion. The proposal represents a high-quality development which responds well to its setting. This is encouraged by local and national policy and the South Oxfordshire Design Guide. The new dwelling will be read against the backdrop of the very large care home immediately south of the site. In addition the extant scheme was also of very contemporary design and materials.

6.10 The extant scheme has a ridge height which is 2.2 metres higher than that now proposed and was orientated to face Sixpenny Buckle. The current proposal is set closer to the southern boundary and sits end on to the road with its front elevation facing north so reducing any direct overlooking to Sixpenny Buckle.

6.11 **Residential amenity**

Policy DES6 of the SOLP seeks to ensure that development does not result in significant adverse impacts on the amenity of neighbouring uses by way of, for example, loss of privacy, dominance or visual intrusion.

6.12 In this case, the neighbours which are closest to the proposed dwelling would be occupiers of the adjacent care home. The Town Council have specifically referred to this in their objection to this proposal. The submitted block plan demonstrates that the siting and orientation of the proposed dwelling provides sufficient separation gaps to the site boundaries and adjoining properties to ensure that the development would not have a significant adverse impact on neighbour amenity. There is existing vegetation along the boundary with the care home. All first windows in the proposed new dwelling which face the care home would be either obscure glazed, serving bathrooms or set at high level to avoid any direct overlooking.

6.13 There have been no letters of objection or support from neighbours. When the 2020 proposal was considered there were 5 letters of objection neighbours.

6.14 **Access and Parking**

Policy TRANS5 of the SOLP seeks to ensure that all new development has safe access to and from the highway network with sufficient off-street parking. In this case, the property would have 6 bedrooms (this includes one first floor room which is shown as a gym but has the potential to be a bedroom). A new access off Wallingford Road is proposed with turning and parking for up to 4 cars provided within the site and the design of the dwelling includes an integral double garage/workshop.

6.15 The County Highway Authority has raised no objection to the proposal on highway safety grounds subject to a number of standard conditions being added to any planning permission in relation to access, visibility, parking and the retention of the garage accommodation.

6.16 Garden size

Policy DES5 of the SOLP requires all new dwellings to have a private outdoor garden or amenity space. The amount of land that should be provided for the garden or amenity space will be determined by the size of the dwelling proposed and by the character of the surrounding development. In this case, the property has six bedrooms. The South Oxfordshire Design Guide requires dwellings with 4 bedrooms or more to have a minimum garden area of some 100sqm. In this case an area of over 600sqm would be available for amenity space.

6.17 Impact on trees

Policy ENV1 of the SOLP seeks to ensure that South Oxfordshire's landscape is protected against harmful development and that features such as trees which contribute to the nature and quality of the landscape are retained where possible. This site has mature trees on the site. Some are protected by way of TPOs, some have been removed following the granting of planning permission in 2020 for a single dwelling which has not been built. An arboricultural report has been submitted with this application which demonstrates that the proposed development does not require the pruning or removal of any trees which are protected by a TPO. The council's forestry officer has no objection to the proposal and has commented that the current layout is an improvement when compared to the extant scheme from an arboricultural perspective as the proposed dwelling is located further from the protected trees. Tree protection and landscape conditions are recommended.

6.18 Ecology

Policy ENV3 of the SOLP requires all development to provide a net gain in biodiversity where possible. The site has been subject to ecological surveys in 2019 and update surveys in 2021. These surveys have been considered by the council's ecologist who does not consider that the ecological status of the site to have changed since permission was granted under reference P20/S0912/FUL. He has raised no objection to the proposal on ecology grounds subject to a condition which requires a biodiversity mitigation and enhancement strategy to be submitted prior to the commencement of development.

6.19 Drainage

Policy INF4 of the SOLP seeks to ensure that development proposals demonstrate that there is or will be adequate water supply, surface water, foul drainage, and sewerage treatment capacity to serve the whole development. In this case, the council's drainage engineer has no objection to this proposal subject to conditions requiring details of foul and surface water drainage to be submitted prior to the commencement of development.

6.20 Sustainable development and Carbon reduction

Policy DES8 of the SOLP seeks to ensure that all new development minimises the carbon and energy impacts of their design and construction. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design etc. Policy DES9 encourages schemes for renewable and low energy generation and associated infrastructure at all scale including domestic schemes. Policy DES10 requires new dwellings to achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case.

6.21 Planning application ref P20/S0912/FUL was determined prior to the adoption of the SOLP 2035. This permission remains extant and is a valid fall-back position. As such the council cannot require that this current proposal meets the requirements of the

SOLP policies. Given that the dwelling is a contemporary building, it is likely that it will exceed the requirements of current building regulations. The agent has confirmed that through the inclusion of passive measures, fabric improvements and carbon reducing technologies and systems, carbon emissions will be reduced significantly beyond Part L1a 2013 Building Regulations to achieve in excess of the minimum 40% reduction as required by policy DES10 of the SOLP.

6.22 Community Infrastructure Levy

The proposal is CIL liable. The information required at this stage of the process has been submitted.

6.23 Pre-commencement conditions

A number of pre-commencement conditions are proposed in relation to materials, ecology, forestry and drainage. These have been agreed with the agent.

7.0 CONCLUSION

7.1 Officers recommend that planning permission is granted because the principle of a dwelling on this site is acceptable. The contemporary design of the proposal is considered to represent a high quality and sustainable development which will maintain the character of the site and will not appear prominent or out of keeping with the surrounding area. The scheme is not unneighbourly and is acceptable in terms of the highway impact, ecology issues and impact on protected trees. Subject to the suggested conditions the development accords with the Development Plan Policies

8.0 RECOMMENDATION

8.1 Planning Permission

- 1. Commencement three years - Full Planning Permission**
- 2. Approved plans**
- 3. Sample materials required (walls and roof)**
- 4. New vehicular access**
- 5. Vision splay protection**
- 6. Parking & Manoeuvring Areas Retained**
- 7. No Garage conversion into accommodation**
- 8. Landscaping Scheme (trees and shrubs only)**
- 9. Tree Protection (Detailed)**
- 10. Ecology**
- 11. Surface Water Drainage scheme**
- 12. Foul Water Drainage scheme**

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