

APPLICATION NO.	P22/S0332/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	27.1.2022
PARISH	HIGHMOOR
WARD MEMBER(S)	Lorraine Hillier Jo Robb
APPLICANT	Ms S Craig
SITE	2 Stonehouse Cottages, Highmoor Cross, RG9 5DU
PROPOSAL	Variation of condition 2 (Approved plans) on planning application P21/S1647/FUL to vary the style of the external appearance. (Two storey side extension, demolition of existing garage and erection of a new two storey house and associated parking.)
OFFICER	Lillian Duffield

1.0 INTRODUCTION AND PROPOSAL

- 1.1 Officers recommend that planning permission is granted. The application has been referred to Planning Committee because the view of Highmoor Parish Council conflicts with that of officers.

The Site

- 1.2 The application site is shown at **Appendix A**. It lies between 1 Stonehouse Cottages and 7/8, The Glebe within the built up limits of Highmoor Cross. It contains a semi-detached two storey dwelling and an area to the north where there was previously a garage.
- 1.3 The site is within the Chilterns Area of Outstanding Natural Beauty (AONB).

The Proposal

- 1.4 This application is made under Section 73 of the Town and Country Planning Act 1990 and seeks to vary the plans approved under condition 2 of application reference P21/S1647/FUL (Two storey side extension, demolition of existing garage and erection of a new two storey house and associated parking.) which was approved on 7th September 2021.
- 1.5 No changes are proposed to the approved extension to 2 Stonehouse Cottages.
- 1.6 The proposed changes relate to the new two storey house. This includes changes to the external appearance and materials. This includes:
- Changes to materials - the walls natural colour timber cladding, the corner trims, verges and barge-boards black stained timber all over a brick plinth. The roof remains natural slate. The approved plans for P21/S1647/FUL show a slate roof, with red brick and black timber boarding for the walls.
 - Changes to the position and design of openings.
 - Addition of a flue on the northern roof slope.

1.7 The overall form, scale and height of the proposed dwelling is the same as the extant scheme. No changes to the site layout are proposed.

1.8 The proposed plans can be found at **Appendix B** and the approved plans under application P21/S1647/FUL are shown at **Appendix C**. Other supporting documents can be found on the council's website, www.southoxon.gov.uk.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Highmoor Parish Council – Objection. Will lead to a major and damaging change to the visual amenity of the street scene in this area of Highmoor Cross – a rural village in the Chiltern's AONB and will present an incongruous, modern, contemporary aspect both to its immediate neighbour at No 1 Stonehouse Cottages and those at The Glebe. Gives a major impact on this prominent site in the village of Highmoor Cross.

Drainage - (South and Vale) – No objection

Forestry Officer (South and Vale) - No objections to the proposed changes. Conditions 9 and 10 of P21/S1647/FUL should still be attached

Neighbour - No Strong Views (1)

3.0 RELEVANT PLANNING HISTORY

3.1 [P21/S1647/FUL](#) - Approved (07/09/2021)

Two storey side extension, demolition of existing garage and erection of a new two storey house and associated parking. (as amended by plans received 17 & 18 May 2021 omitting the hedge and window on north elevation, altering the internal layout of existing and proposed dwellings and altering site / parking layout to accommodate replacement hedge and tree planting, by plans received 24 May 2021 amending vehicle vision splays and arboricultural impact assessment received 18 June 2021 and additional energy statement received 20 July 2021).

[P20/S2956/PEM](#) - Advice provided (02/10/2020)

Retention of the existing three bed single dwelling and the erection of an additional two bed single dwelling, with associated access and parking

[P20/S1956/HH](#) - Approved (15/09/2020)

Change of use garage to annex accommodation ancillary to the enjoyment of Stonehouse Cottage. Replace existing roof & raise ridge height to provide room in roofspace.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Not applicable.

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

ENV1 - Landscape and Countryside

ENV3 - Biodiversity
H1 - Delivering New Homes
INF4 - Water Resources
STRAT1 - The Overall Strategy
TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

There is no neighbourhood plan covering this area

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

**5.4 National Planning Policy Framework and Planning Practice Guidance
Chilterns Buildings Design Guide
Chilterns AONB Management Plan**

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 When assessing section 73 applications the Council can only consider the original condition and the reasons for applying the condition; new conditions can be attached but only in so far as they apply to the original condition. If the Council decides that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they should refuse the application.

6.2 Paragraph 15 of NPPG notes where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact. It further advises that to assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

6.3 It is not intended to go through all of the planning issues that were assessed in connection with the principle of development at the site given that this was determined to be acceptable under P21/S1647/FUL. The planning report setting out all of those issues and the appropriate assessments can be found under reference number P21/S1647/FUL. The section 73 proposal does not affect the previously approved site layout in terms of parking, access, trees, ecology and drainage matters.

6.4 The relevant planning considerations in relation to the amendments to the approved plans are the following:

- Design and character and impact on the AONB
- Residential amenity
- Other material planning considerations

Design and character and impact on the AONB

- 6.5 Policy DES1 of the SOLP requires high quality design in accordance with a number of criteria, including that development should respect the local context, complementing the scale, height, density, grain, massing, type, and details of the surrounding area.
- 6.6 Policy DES2 of the SOLP states that all development must be 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
- 6.7 Policy ENV1 of the SOLP states that the highest level of protection will be given to the landscape and scenic beauty of the Chilterns AONB. Development in an AONB or affecting the setting of an AONB will only be permitted where it conserves, and where possible, enhances the character and natural beauty of the AONB.
- 6.8 The scale, form and siting of the dwelling is the same as approved. Officers consider that the dwelling sits comfortably in the plot and relates well to the scale and form of surrounding development.
- 6.9 The main change to the approved plans is the proposed materials. The materials are proposed to be natural timber cladding for the walls and black stained timber for the corner trims, verges and barge-boards all over a brick plinth. The roof will remain natural slate. This is a change from the previously approved red brick and black timber boarding. It will make a perceptible difference to the character of the proposed dwelling, making it more contemporary in appearance. The design of the larger windows with projecting surrounds will also make the property more contemporary in character.
- 6.10 The number and location of openings are broadly the same with some minor changes. The two rooflights on the front (east) elevation are proposed to become two dormer windows. On the front gable the first floor window is moved off centre and two smaller windows are proposed on the ground floor rather than one. At the rear an additional full length glazed window is proposed on the ground floor and a first floor window is omitted. No new windows are added to side elevations facing neighbours, a single small rooflight on the southern elevation is added serving a bathroom.
- 6.11 A flue will be added on the northern roof slope. This does not project above the highest part of the roof. This addition is not considered to harm the character of the site or surrounding area.
- 6.12 It is acknowledged that the materials and design details proposed are now more contemporary than the approved scheme. The scale, form and siting of the dwelling remain the same as approved and this helps assimilate the dwelling into its local context. The site's location in the AONB does not preclude the use of contemporary design and materials and officers must consider whether this is appropriate on a site by site basis.
- 6.13 The site is located within the built up area of a village and is not located within a Conservation Area or adjacent to listed buildings. The majority of the buildings in the immediate vicinity are constructed primarily of brick with plain tile roofs, and are two storeys with pitched roofs. The surrounding buildings have no particular architectural merit in themselves. The approved plans included the extensive use of black timber boarding as a material. It is considered that the use of natural timber cladding is acceptable and references the use of timber elsewhere in the village as well as the

wooded backdrop to the site. The more contemporary appearance of the dwelling is considered to be acceptable in this location, with the form, scale and siting of the dwelling ensuring that it respects its context.

- 6.14 It is officers' view that the changes would not result in any materially greater impact on the character and appearance of the site and its surroundings or the landscape qualities of the Chilterns AONB compared to the approved scheme.
- 6.15 The proposal would continue to accord with Policies DES1, DES2 and ENV1 of the SOLP in my view.

Residential amenity

- 6.16 Policy DES6 of the SOLP sets out that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts.
- 6.17 As set out above the form, scale and siting of the proposed dwelling remains as approved. This application would not result in increased dominance or cause daylight or sunlight issues. The change in materials and design details would result in a change in views from neighbouring properties but not one that would be harmful to their amenity. No additional windows are proposed on the side elevations facing the adjacent dwellings and the changes do not result in additional privacy concerns.
- 6.18 In my view the proposed alterations to the dwelling would have no greater impact on the amenity of nearby neighbouring occupiers compared to the approved scheme. No objections from neighbours have been received. The proposal would continue to comply with Policy DES6 of the SOLP.

Other material planning considerations

- 6.19 Policy DES10 of the SOLP states that planning permission will only be granted where development proposals for new build residential dwelling houses achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case. An updated Energy Statement has been submitted with the application in accordance with this requirement. The Energy Assessor has reviewed this and has confirmed it complies with DES10. A condition is recommended requiring a verification report once the dwelling has been constructed.

Community Infrastructure Levy

- 6.20 The development remains CIL liable because the proposal involves the creation of a new dwelling.

Planning conditions

- 6.21 Planning conditions were attached to P21/S1647/FUL relating to materials, energy reporting, means of access, vision splays, parking and turning, landscaping, tree protection, biodiversity, drainage and electric vehicle parking. An application to discharge some of these conditions (P21/S4735/DIS) is currently being determined with some details having been agreed. Planning conditions are recommended accordingly to ensure these technical matters are still addressed. No additional conditions are considered necessary.

7.0 CONCLUSION

7.1 Officers consider that the proposal complies with the relevant Development Plan Policies and, subject to the attached conditions, would not be detrimental to the character and appearance of the existing site or the surrounding area, including the Chilterns Area of Outstanding Natural Beauty, and would not harm the amenity of the neighbouring uses.

8.0 RECOMMENDATION

8.1 **To grant planning permission subject to the following conditions:**

- 1. Development in accordance with approved plans**
- 2. Development in accordance with specified materials**
- 3. Carbon reduction energy efficiency measures to be implemented**
- 4. Proposed access to be provided prior to occupation and existing access to be stopped up**
- 5. Vision splays to be provided and maintained**
- 6. Parking and turning areas to be provided prior to occupation**
- 7. Landscaping details to be provided in accordance with approved details prior to occupation**
- 8. Tree protection to be in accordance with approved details**
- 9. Bird and bat boxes to be installed prior to occupation**
- 10. Surface water drainage to be provided in accordance with approved details prior to occupation**
- 11. Foul water drainage to be provided in accordance with approved details prior to occupation**
- 12. Electric vehicle charging point to be provided prior to occupation.**

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