

APPLICATION NO.	P22/S1241/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	29.3.2022
PARISH	LITTLE MILTON
WARD MEMBER(S)	Georgina Heritage
APPLICANT	Grange Mill Developments
SITE	The Site Of Milton House Gold Street Little Milton
PROPOSAL	Demolition of existing dwelling. Redevelopment of existing site to provide 4 dwellings with associated development including access works to Gold Street access (As amplified by; <ul style="list-style-type: none"> - Preliminary Ecological Appraisal received 29 March 2022 - Energy information received 25 July 2022 - Services Plan received 27 July 2022, - Drainage Information received 6 October 2022, - Ecological and landscape information received 21 November 2022, images received 29 November 2022 and information received 25 January 2025 and Nature Space information received 8 March 2023 - Email from agent dated 8 March 2023 and as amended by; <ul style="list-style-type: none"> - Drawings received 13 July 2022 reduction in height of houses, alteration in garage, materials and layout).
OFFICER	Paul Bowers

1.0 INTRODUCTION AND PROPOSAL

1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations relevant to the development and development plan policies.

1.2 The application is referred to planning committee at the request of the former local ward member Councillor Caroline Newton.

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- 1.3 Milton House is situated within a large plot (7,300sqm) to the east of Church Hill (A329) which is the main route through the village of Little Milton. The curtilage extends to the south with a boundary to Gold Street and to the east with the neighbouring property Manor House, which is a Grade II* Listed Building. The site is identified on the map extract **attached** at **Appendix 1**.
- 1.4 There is an existing access directly onto Church Hill to the northwest which is via the shared access between the neighbouring properties. The existing house was built in the 1980's and is a low level building.
- 1.5 The application seeks full planning permission to demolish the existing dwelling and replace it with four detached, two storey dwellings with accompanying garages, parking and amenity space.
- 1.6 The development provides for 3 x 5 bedroom properties and 1 x 4 bedroom property.
- 1.7 The scheme had been amended and amplified during the course of the application with modest changes to the materials shown on the elevations of the dwellings and garages and a reduction in the height of the houses. In addition, new information relating to ecology and drainage has been submitted.
- 1.8 Reduced copies of the plans accompanying the application are attached as **Appendix 2** to this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 **Little Milton Parish Council** – No strong views.

In making a recommendation of No Strong Views the Parish Council recognises:

- Everything has been done to discourage pedestrian access to and from the site through the Pepper Pots and there will be no vehicle access via this route.
- The Construction Traffic Management Plan must ensure traffic does not enter the site during school drop off and pick up times, all traffic associated with the site must park on site and vehicles leaving the site must ensure that their wheels are washed to ensure minimal transfer of mud, etc., off site.
- Materials – the developer has committed to using stone which is in keeping with other dwellings in this part of the village. They will build a sample wall prior to construction for approval by SODC to ensure the stone is suitable.

County Archaeological Services – No objection subject to conditions relating to a scheme of investigation and reporting.

Conservation Officer – Identified less than substantial harm as result of the loss of the openness of the site.

Countryside Officer - No objection to the latest biodiversity net gain information and the confirmation that the applicant has entered in to the district licence scheme.

Drainage – No objection subject to condition relating to surface water drainage.

Forestry Officer – No objection subject to a condition relating to new planting and tree protection.

OCC Highways Liaison Officer – No objection subject to condition relating to the improvement of the access on to Gold Street, the protection of vision splays and the retention of the parking and manoeuvring areas.

Energy Assessor – No objection subject to a condition relating to verification that the design meets the required standard.

Third Party Representations –

19 x letters of objection to the plans as originally submitted

- Damage to the local environment and ecology.
- Not in keeping with surroundings.
- Large and imposing dwellings
- Problems will be created with sewage.
- Light pollution.
- Impact on traffic and parking on Gold Street.
- There is a need for smaller units not larger properties.
- Concerns for the safety of students and parents travelling to the nearby school.
- The site should be retained for a single dwelling.
- Impact on the privacy of adjoining properties.
- Harm to the conservation area.
- Concern over the materials
- Garage on Plot 1 too close to the boundary with Church Hill Cottage
- Inadequate parking provision
- The development is not infill.
- Harm to the conservation area
- Impact on views from the garage block
- Concern over pedestrian access via Church Hill
- Loss of trees
- Increased noise and disturbance

2 x Petitions objecting to the development comprising 22 signatures and 28 signatures

7 x letters to the amended plans (including multiple representations containing additional points received from the same property) relating to reduction in height of houses, materials and garages

- No requirements for housing in the village.
- Out of keeping
- Flooding concerns
- Impact on wildlife

- Concern over the use of the access.
- Changes to the design are minimal
- Concern over noise and disturbance
- Concern over the ability for people to erect outbuildings in the gardens
- Concerns over the accuracy and content of the ecological information.

7 x letters of objection to the amendment setting out the public benefits

- The development is not needed.
- The addition of a bench does not constitute a public benefit.
- The size of the dwellings does not provide an appropriate mix.
- Concern over the pedestrian access on to Church Hill

3.0 RELEVANT PLANNING HISTORY

3.1 [P20/S3421/PEM](#) - Advice provided (18/08/2021)

Proposed demolition of the existing dwelling and garage, and the proposed residential development of five dwellings with associated amendments to the existing access, landscaping and amenities.

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:

STRAT1 - The Overall Strategy

DES1 - Delivering High Quality Development

DES10 - Carbon Reduction

DES2 - Enhancing Local Character

DES3 - Design and Access Statements

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 – Efficient use of resources

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

ENV4 - Watercourses

ENV6 - Historic Environment

ENV7 - Listed Buildings

ENV8 - Conservation Areas

ENV9 – Archaeology

EP1 - Air Quality

EP4 - Flood Risk

H1 - Delivering New Homes

H11 – Housing mix

H16 - Backland and Infill Development and Redevelopment

INF4 - Water Resources

TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

Little Milton Neighbourhood Plan (LMNP) policies;

LM1- Spatial strategy and development pattern
LM2 - Mitigation of flood risk
LM3 - High grade agricultural land
LM4 - Conservation of heritage assets
LM5 - Design and character
LM6 - Biodiversity and wildlife corridors
LM9 - Protection of views
LM11 - Residential parking
LM12 - Waste water system
LM13 - Dwelling mix

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

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 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 South Oxfordshire Local Plan 2035 (SOLP) and Little Milton Neighbourhood Plan (GNP)

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

- **The principle of the development**
- **Impact on Heritage Assets**
- **Impact on Ecology.**
- **Impact on trees.**
- **Impact on archaeology.**
- **Housing mix.**
- **Neighbour impact.**
- **Highway impact.**
- **Amenity space.**
- **Carbon reduction.**
- **Flooding and Drainage.**

- Community Infrastructure Levy.

6.3 The principle of the development

Policy STRAT1 of the SOLP sets out the overall strategy for development in the district. The policy includes specific reference to supporting ‘smaller’ and ‘other’ villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services. In addition to protecting and enhancing the countryside and particularly those areas within the two AONBs and Oxford Green Belt by ensuring that outside of the towns and villages any change relates to very specific needs such as those of the agricultural industry or enhancement of the environment.

6.4 Policy H1 of the SOLP relates to delivering new homes and states that the residential development of previously developed land will be permitted within and adjacent to the existing built-up areas of towns, larger villages and smaller villages.

6.5 Policy H8 of the SOLP relates to housing in ‘smaller’ villages – which would include Little Milton. It states that the Council will support development within the Smaller Villages in accordance with Policy H16.

6.6 Policy H16 of the SOLP relates to infill development and states that within ‘Smaller’ and ‘Other’ villages development should be limited to infill and the redevelopment of previously developed land or buildings.

Infill is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings.

6.7 Policy LM1 of the LMNP states that housing development will be supported where it is consistent with the development plan policies for smaller villages in the district which includes infill development in addition to development adjacent to the built-up area provided that;

1. The site is immediately adjacent to the built-up area and is well-connected to the current built form of the village; and
2. The site is not separated from the built-up area by farmland, paddock land, large gardens or other land with an open and undeveloped character; and
3. The development, individually or cumulatively, would not result in a linear form of development along a geographical feature, such as a road or watercourse, that would be out of keeping with the historic compact development form of the village and

It goes on to state that development proposals that are not within or immediately adjacent to the current built-up area or are not well-connected to the current built form of the village will only be supported if they are necessary or suited to a countryside location and they are consistent with local Development Plan policies on local landscape protection and the protection of the natural environment.

6.8 The first question to consider is whether or not this site falls within or outside of the settlement and then secondly whether the proposal falls within the definition of infill development.

6.9 Neither the South Oxfordshire Local Plan nor the Little Milton Neighbourhood Plan defines the settlement boundary of the village. It is therefore a matter of judgement as to whether or not a site is within or outside of the settlement.

In my view having regard to the position of the site relative to the built form of the village and surrounding development I am satisfied that the application site sits comfortably within the built confines of Little Milton.

6.10 There is built form to the North East the South and the West of the site. Whilst there is some open land to the South on the opposite side of Gold Street I am satisfied that the application site is considered to be closely surrounded by buildings and development here would meet the definition of infill.

6.11 In the context of housing policies within both the local and neighbourhood plan the development of this site is acceptable in principle.

6.12 Impact on Heritage Assets

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 72 (1) must also be considered alongside relevant policies contained in the NPPF.

Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 206 of the NPPF requires local planning authorities to look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

This is followed through into the development plan by Policies ENV6, ENV7 and ENV8 of the SOLP and Policy LM4 and LM5 of LMNP.

6.13 The existing house on the site dates from the late 1970s and is not considered a heritage asset. The site is situated within the Little Milton Conservation Area, occupying a large area of open space that is particularly noticeable from Gold Street, with the mature trees, stone retaining wall and steeply sloping open

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garden adding to the character of Gold Street as forming part of this rural edge to the village.

The site is closely surrounded by a number of listed buildings, most notably the Grade II* listed Manor House and associated grade II listed Lodges and former Dovecote.

- 6.14 This application is for the demolition of Milton House and the erection of 4no. detached dwellings with detached garaging and improved access from Gold Street. The existing site is a large open space within the conservation area. The topography of the site is such that the ground level sits over 2m above the street level at its lowest point increasing to over 7m at the top of the site.
- 6.15 The open character of the site is very perceptible from within the conservation area, especially from Gold Street. Moving east along Gold Street there is a sense of this being the rural edge of the settlement with no development directly along the north side of the street and striking open views across the landscape to the south.
- 6.16 The proposed development will result in a distinct change in the character of the street scene. This will be particularly emphasised by the rising ground levels of the application site where new structures will have an elevated position over Gold Street.
- 6.17 The elevated effect of new built form will be partially mitigated by the set-back in siting which is welcomed. The visual impact of increased built form will still be experienced along Gold Street but the retention of a wider area of open space will soften this.

Whilst the set-back siting reduces the impact of new built form here, there remains a need for defensible private space. A new boundary treatment along the road is proposed which creates a higher level of enclosure than is currently experienced along the northern side of Gold Street. This is proposed as a tall native hedge.

- 6.18 The Council's Conservation Officer agrees with the Planning Heritage Statement that there are limited views into the site from Church Hill. There will be glimpses of the roof tops of new dwellings from Church Hill but the high stone wall channels views up and down the road rather than into the site. I am satisfied that there will be little impact to this part of the conservation area.
- 6.19 Contrary to the submitted statement, the Council's Conservation Officer considers there will be a much greater visual impact from Gold Street and I agree. It is acknowledged that a garden boundary could be added to this area at any time currently and the proposed use of a native hedge is a welcome compromise to form a private boundary. The main concern is the introduction of built form in an otherwise open environment and the impact that has on the sense of space an openness along Gold Street which gives a distinctly open and rural edge of to the settlement . The set-back nature and low density of the proposed development goes some way to mitigate this.

- 6.20 The design of the buildings is considered suitable in this location in your officers' view.
- 6.21 There is not considered to be any significant impact on the setting of nearby listed buildings. The site does not relate specifically to a listed building and residential development here would not directly impact nearby listed buildings to the detriment of their significance. Views towards the church tower across longer landscape vistas will not be lost and as such the relationship of the church to its wider parish setting will not be compromised. Other listed buildings will not be impacted by this development.
- 6.22 The existing treescape makes a positive contribution to the conservation area and character of Gold Street. This is an issue dealt with separately in a following section of this report.
- 6.23 Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 require the Local Authority to have regard to the desirability of preserving or enhancing the special interest, character and appearance of listed buildings and conservation areas. The character and appearance of the conservation area is not preserved or enhanced by this proposal. The loss of the sense of openness in this part of Gold Street results in harm to this character.
- 6.24 However, the harm is localised and as such, against the test of the NPPF, this is considered **less-than-substantial harm**. The Conservation Officer in their assessment suggests this is **at the lower end of this scale given the localised nature of the impacts**. However, the policy tests do not include a scale of harm and as per paragraphs 199 and 202, great weight should be given to an asset's conservation and identified harm should be weighed against public benefits.
- 6.25 The applicants have produced a list of public benefits they believe will outweigh the harm to the conservation area by the development of this site. These include the following;
- A proposed seating area
 - Provision of housing in a small village
 - CIL receipts.
 - Limited scope for development of this scale elsewhere in the village.
- 6.26 The application proposes a bench to be located within the application site providing public access which doesn't exist at present. In this elevated position above the road it will provide for views out of the conservation area and into the open countryside to the south which the public does not currently enjoy.

I give this some weight in my considerations however it must be acknowledged that this creates a new situation that doesn't currently exist.

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- 6.27 The applicants argue that the receipts received through the community infrastructure levy (CIL) created by this development will be put towards aiding village infrastructure. As there is a made neighbourhood plan in place 25% of the CIL money will go directly towards the parish council for them to spend within the parish. Whilst there will clearly be some public benefit as a consequence of CIL receipts this is not a unique situation and is something all new housing development must contribute. I acknowledge it has a benefit but in my view a limited one.
- 6.28 The applicants argue that the provision of housing is a benefit. The creation of new housing and the consequential additional residents to the village increase demand and support for existing local facilities.
- 6.29 The applicants go on to consider the potential for other sites in this village to provide for a similar level of development. In their submission they consider various other options in and around the village. I acknowledge that the village is constrained in terms of potential for development of this number of houses. For example to the West of the village is the Oxford green belt and in addition to that the village is surrounded by “excellent” and “very good” agricultural land (official agricultural land classification definitions) which should be retained for agriculture. Planning applications have also been made for housing outside of the village limits which have been refused by the council in recent months due to the loss of agricultural land and the location outside of the settlement.
- 6.30 There is a need to make the best use of land which would be acceptable for housing. In my view, the existing single dwelling does not make the best use of land and the size of the site is sufficient to accommodate multiple dwellings in a way that other sites in the village could not.
- 6.31 The neighbourhood plan and the local plan both accept that within the settlement, new housing is acceptable in smaller villages. The purpose of a neighbourhood plan is to bring forward development to help the village.
- 6.32 The existing property on the site has no heritage value and its loss would not cause harm to the conservation area. The harm to the conservation area comes from the loss of openness of the existing garden. The Conservation Officer has acknowledged that the harm is less than substantial and in the context of less than substantial harm it is at the lower end.

The public benefits do not therefore have to be significant in my view to tip the balance to outweigh the harm.

- 6.33 Opportunities for this scale of development in the village are extremely limited. The provision of new housing has inherent public benefits and, in addition to the public access to part of the site and the bench and public access to wider views in the countryside, are sufficient in my view to outweigh the identified harm to the conservation area.

6.34 Impact on Ecology.

Policy ENV2 of the SOLP seeks to protect ecological receptors (designated sites, protected species, priority habitats, etc.). Where adverse impacts are likely to occur, development must meet the criteria outlined under the policy.

Policy ENV3 of the SOLP seeks to secure net gains for biodiversity and requires that applications are supported by a biodiversity metric assessment. Net losses to biodiversity will not be supported.

Policy ENV4 of the SOLP seeks to protect the district's watercourses by establishing a minimum 10 metre buffer adjacent to the bank of watercourses.

Policy LM6 of the LMNP states that Development proposals should maintain and enhance existing on-site biodiversity assets, delivering biodiversity 'net gain' in line with the Development Plan and provide for wildlife needs on site where possible. It goes on to state that where site circumstances make such an approach appropriate, proposals for new residential development should provide wildlife corridors that allow wildlife to move from one area of habitat to another and should not obstruct existing corridors.

6.35 The dwelling proposed for demolition has been the subject of two separate surveys for the presence of bats. It was concluded that the dwelling did have features which could lead to bat activity. Consequently, activity surveys were undertaken and these identified that no bats were using the building but it was noted that a single bat was roosting in a tree.

6.36 The tree providing the roost is proposed to be removed. This will require a licence from Natural England – a separate process to the planning application. Given that it is a single bat which can be compensated for with a bat box as set out in the supporting information accompanying the application it is likely that such a licence will be granted.

6.37 The applicant has demonstrated through biodiversity calculations that a net gain in biodiversity is proposed in the application and as such will accord with Policy ENV3 of SOLP.

6.38 The developer has submitted documents showing that they have chosen to utilise district level licensing (DLL) to address potential impacts on Great Crested Newts (GCN). Conditions have been specifically worded to meet the requirements of the scheme.

6.39 The submitted report and impact plan are acceptable to the council's ecologist. As such, all matters regarding GCN are addressed. This ensures compliance with Policy ENV2 and ENV3.

6.40 Impact on trees.

Policy ENV1 of the SOLP states that South Oxfordshire's landscape, countryside and rural areas will be protected against harmful development.

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Development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's landscapes, in particular trees (including individual trees, groups of trees and woodlands), hedgerows and field boundaries.

Policy ENV5 of the SOLP states that proposals should protect, conserve or enhance the district's Green Infrastructure and avoid the loss, fragmentation, severance or other negative impact on the function of Green Infrastructure and provide appropriate mitigation where there would be an adverse impact on Green Infrastructure.

- 6.41 The trees within this site and the neighbouring sites are protected as they are located within the conservation area. Many of the trees across the site make an important contribution to the character and appearance of the area.
- 6.42 The proposal requires the removal of 4 groups of trees, 1 hedge and 9 individual trees as shown at section 5.3 of the arboricultural report. Most of these trees have been categorised in accordance with BS 5837 as either being in a condition that cannot realistically be retained (category U) or of trees of low quality (category C) and should therefore not be considered a constraint to the proposed development. Replacement planting will be required to mitigate their loss.
- 6.43 As set out at section 5.3 of the tree report accompanying the application, one group of trees shown as G13 and one individual tree shown as T10, have been categorised as having moderate quality (category B) when assessed in accordance BS 5837. It is these trees that make a more significant contribution to the character and appearance of the conservation area, when compared to other trees to be removed, due to their position close to the front of the site, making them more prominent from the street scene.
- 6.44 The Tree Officer carried out a detailed site inspection of the trees on the site to consider the impact of the proposed development on trees, on and adjacent to the site, In relation to T10, this inspection found that there is extensive decay in root plate of this tree. The decay is likely to have affected the structural condition of this tree and its remaining life expectancy and therefore the Tree Officer considers the tree is a category C tree in accordance with BS 5837.
- 6.45 In relation to G13 and T14, a group of lime trees adjacent to the gate the Tree Officer has considered that given the structural condition of the trees and also the very close proximity of the trees, to the existing retaining wall to the South (less than 1m), which is likely to be unsustainable in the long term, he considers that this group of trees is also of low quality when assessed in accordance with BS 5837.
- 6.46 It is acknowledged that the removal of T10, T14 and G13 will have a detrimental impact on the conservation area, given the visual contribution that the trees currently make. However, given their low arboricultural quality, these trees do not meet the criteria to be subject to a Tree Preservation Order and

therefore their long term protection cannot be secured. Substantial tree planting will be required to mitigate their loss.

6.47 The application includes a Tree Planting Strategy document and Comparative Tree Canopy Calculations documents that demonstrate that there will be a net gain in canopy cover in the long term, in accordance with policy ENV1 of the local plan. The proposed planting will satisfactorily mitigate the loss of the trees proposed to be removed and help assimilate the proposal into its surroundings. A condition will be required to secure the proposed planting.

6.48 The applicant has submitted amended plans including a combined services plan. This plan has addressed the Tree Officer's previous concerns relating to service locations and levels.

6.49 Subject to conditions relation to tree protection and that the landscaping shall be carried out as per the new planting plan, the development will accord with the development plan.

6.50 Impact on archaeology.

Policy ENV9 of the SOLP relates to archaeology. It states that applicants will be expected to undertake an assessment of appropriate detail to determine whether the development site is known to, or is likely to, contain archaeological remains. Proposals must show the development proposals have had regard to any such remains.

6.51 The application site is located in an area of archaeological interest and potential as identified by a desk based assessment undertaken by Thames Valley Archaeological Services and submitted by the applicant.

This identifies that the application site has a potential to contain archaeological remains of prehistoric and/or later date that could be impacted by development. There are however currently no known heritage assets within the application site and the assessment concludes that there is currently no indication that heritage assets of such significance will be present as to preclude the principle of development. The Oxfordshire County Council archaeologist concurs with this conclusion.

6.52 Therefore, Oxfordshire County Council's Archaeologists have recommended that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the conditions forming part of this recommendation that will require the applicant to prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority. Following the approval of the Written Scheme of Investigation and prior to any demolition on the site and the commencement of the development a staged programme of archaeological evaluation and mitigation shall be carried out by

the commissioned archaeological organisation. In conjunction with these conditions the development will comply with Policy ENV9 of the SOLP.

6.53 Housing mix.

Policy H11 of the SOLP states that a mix of dwelling types and sizes to meet the needs of current and future households will be sought on all new residential developments.

Policy LM13 of LMNP states that proposals for new residential development will be required to demonstrate a mix of dwelling types and sizes which:

1. Meet the needs of current and future households, and
2. Address the district wide shortage of smaller houses, and
3. Are appropriate to the site in terms of style and design,

Proposals that recognise the need for smaller dwellings and comprise single houses, terraced cottages or groups of small detached or semi-detached houses with a maximum of 3 bedrooms will be particularly supported.

6.54 The application provides for 3 x 5 bedroom 1 x 3 bedroom properties. Whilst this provides a limited mix of property sizes and does not address the need for smaller units.

6.55 This issue does however need to be considered in the round. The development proposes four new build properties but only creates a net gain of three dwellings.

The site could comfortably take a greater number of smaller units. However in doing so that is likely to consume a larger area of the site reducing openness and consequently have a greater impact on the conservation area.

6.56 A balance needs to be struck between providing small units with heritage impact on a site that is within the village and can make a positive contribution towards new housing and the benefits that brings with it. Therefore, in my view taking all of this into account the provision of 3 larger additional dwellings does not result in a conflict with the development plan as a whole.

6.57 Neighbour impact.

Policy DES6 of the SOLP relates to residential amenity and requires 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 in relation to loss of privacy, day light and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution and external lighting.

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- 6.58 The main impact of the development will be to the amenities of the occupants of Church Hill Cottage to the west. That property is at a significantly lower level than the application site and the building abuts the boundary.
- 6.59 The greatest impact will be from the garage serving Plot 1 to the north east of Church Hill Cottage and to a lesser extent the houses on Plot 2 and on Plot 1.
- 6.60 The garage will be some 4.2 metres high at the ridge with a hipped roof located some 4.8 metres from the nearest part of the boundary. In my view this does not result in a significantly oppressive or overbearing impact. The house on Plot 2 is located further north but much higher than the garage. There are no first floor windows in the south side elevation looking back to Church Hill Cottage. Its position to the north will ensure that there is no overshadowing or loss of sun light. The distance, height and position of the house will not have an overbearing or oppressive impact.
- 6.61 The house on Plot 1 is side on to Church Hill Cottage and some 10 metres away. There are no first-floor windows proposed in the side elevation. I am of the view that this distance and orientation ensure that it will not cause an oppressive or overbearing impact.
- 6.62 Considering the remaining adjacent properties, I am of the view that the dwellings are located a sufficient distance away and orientated in such a manner that they will not cause any material harm to the amenities of the occupants of nearby dwellings.
- 6.63 Overall, it is my opinion that the development does not cause an unneighbourly impact and accords with Policy DES6.
- 6.64 **Highway impact.**

With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.

Policy TRANS5 of the SOLP seeks to ensure that development does not harm highway safety and provides for sufficient parking and turning areas. It also requires that development provides for facilities to support the take up of electric and/or low emission vehicles.

- 6.55 The proposal seeks the demolition of the existing dwelling and the construction of four residential units. The existing access is proposed to be improved

- 6.56 The existing access is to be improved by increasing the width and providing visibility splays in accordance with guidance and this is considered acceptable. Vehicular parking has been demonstrated within the site by spaces and within certain plots by garage accommodation.

With the parking and turning opportunity provided within the site this is unlikely to result in displaced parking onto the Public Highway.

- 6.57 Pedestrian rights are to be maintained along ‘Church Hill’, allowing pedestrian access from the development onto the wider pedestrian infrastructure.
- 6.58 In conjunction with conditions proposed by the Highway Authority that relate to the means of access onto Gold Street being improved, the vision splays shown to be protected in addition to the retention of the parking and manoeuvring areas proposed development is unlikely to have a significant adverse impact on the highway network and will accord with Policy TRANS5.

6.59 **Amenity space.**

Policy DES5 of the SOLP relates to outdoor amenity space and requires that a private outdoor garden or amenity areas should be provided for all new dwellings. The amount of land should be provided for amenity space will be determined by the size of the dwelling.

The Joint South and Vale Design Guide sets out the minimum amount of private amenity space (i.e. rear garden) based on the number bedrooms. For 1 bedroom units they should be providing for 40 square metres, 50 square metres for two bedroom units and for 3 bedroom units and above 100 square metres.

The distance from the rear of the building to the rear boundary should be at least 10 metres.

The inability to provide these minimum standards can be an indication that what is being proposed is an overdevelopment of the site.

- 6.60 As demonstrated by the proposed site plan each new dwelling will be provided with a garden area that either meets or exceeds the district councils’ minimum amount of garden space. In conjunction with the level and siting of parking in addition to the retained green space I am satisfied that the proposal is not an overdevelopment of the site and the development will record with Policy DES5 of the SOLP.

6.61 **Carbon reduction.**

Policy DES10 of the SOLP states that planning permission will only be granted for new build residential development that achieves a 9% reduction in carbon emissions compared with 2022 Building Regulations compliant base and that this reduction is to be secured through renewable energy and other low carbon technologies.

The policy also requires that an energy statement will be submitted to demonstrate compliance with this policy.

- 6.62 An energy statement including SAP calculations and monitoring afterwards has been submitted and considered by the council's appointed assessor.

In conjunction with a planning condition which would seek to ensure the measures have been carried out, the application would be compliant with Policy DES10 of the SOLP.

6.63 Flooding and Drainage.

Policy EP4 of the SOLP relates to matters of flooding and states that the risk of flooding will be minimised through;

- i) directing new development to areas with the lowest probability of flooding;
- ii) ensuring that all new development addresses the effective management of all sources of flood risk;
- iii) ensuring that development does not increase the risk of flooding elsewhere; and
- iv) ensuring wider environmental benefits of development in relation to flood risk.

Policy INF4 of the SOLP relates to water resources and requires that all new development proposals must demonstrate that there is or will be adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the whole development.

Policy LM12 of LMNP states that proposals for development will be supported if it can be demonstrated that, in consultation with Thames Water, the waste water network and treatment works either already have sufficient capacity or will be upgraded to provide sufficient capacity before any new development is occupied.

- 6.64 The site is located in Flood Zone 1 – land with the lowest probability of flooding.

The applicants have provided additional information requested by the council's drainage engineers. This information has been accepted by the engineer who is satisfied that, in conjunction with a planning condition that requires details of a full surface water drainage scheme the proposal will accord with the development plan.

6.65 Community Infrastructure Levy.

The development is CIL liable to the amount of £290,160. 25 % of the CIL money will be paid directly to Little Milton Parish Council because there is a made neighbourhood plan in place.

7.0 **CONCLUSION**

7.1 The application proposes four houses on an infill plot within the village and the conservation area.

There will be an impact on the character and appearance of the conservation area by the loss of the openness of the site. This is 'less than substantial harm' and at the lower end of the scale. The development brings with it public benefits which are sufficient to outweigh this harm.

The development is acceptable in terms of design and does not give rise to a harmful impact to trees, ecology or highway safety. In conjunction with the attached conditions the proposal will accord with the development plan.

8.0 **RECOMMENDATION**

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

Standard conditions

1 : Commencement 3 years - Full Planning Permission

2 : Approved plans *

Prior to commencement conditions

3 : Implementation of Programme or Archaeological Work

4 : Archaeology (Submission and implementation of WSI)

5 : Tree Protection (Detailed)

6 : Surface water drainage works (details required)

7 : District Licence certificate

Prior to development above slab level conditions

8 : Submission of sample materials

Prior to occupation conditions

9 : Landscaping implementation

10 : Existing vehicular access

11 : Vision splay protection

12 : Parking & Manoeuvring Areas Retained

13 : Landscape Management Plan

14 : Energy Statement Verification

15 : Electric Vehicles Charging Point (implementation)

Compliance conditions

16 : Compliance with District Licence

17 ; Wildlife protection (mitigation as approved)

18 : Withdrawal of P.D. (Part 2 Class A) - no walls, fences etc

19 : Withdrawal of P.D. (Part 1 Class E) - no buildings etc

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