

APPLICATION NO.	P22/S4374/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	30.11.2022
PARISH	BINFIELD HEATH
WARD MEMBERS	Leigh Rawlins Mike Giles
APPLICANT	Mr J Cocks
SITE	Bournes Farmhouse, Harpsden Road, Binfield Heath, RG9 4JT
PROPOSAL	Demolition of existing dwelling and erection of two semi-detached 3-bedroom dwellings and a detached 3-bedroom dwelling and two-bay car barn with retained access from Harpsden Road (dwellings redesigned to more closely reflect previous planning permission P19/S4261/FUL, as shown on amended plans received 17th February 2023 and revised energy statement received 22nd February 2023).
OFFICER	Paul Lucas

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This report sets out the justification for officers’ recommendation to grant planning permission and listed building consent having regard to the development plan and any other material planning considerations. The applications are referred to the planning committee due to a difference between the officers’ recommendation and the views of Binfield Heath Parish Council.
- 1.2 The application site is shown at **Appendix A**. It comprises a detached two storey dwelling at the northern end of Binfield Heath within the Chilterns AONB. The existing dwelling is constructed in red brick with a slate roof. The site boundaries are denoted by mature and semi-mature trees and close board fencing. In recent years two-storey dwellings have been built on either side of Bournes Farmhouse on land that formed part of its curtilage, Mulberry Cottage to the north-east and Acacia House to the south-west. The Bottle & Glass public house, a Grade II listed building lies further to the north-east. There are other dwellings to the south-west that form a continuous built-up frontage along this part of Harpsden Road. There is a slight fall in land levels across the site and continuing beyond from south-west to north-east. There are no other special designations on this site.
- 1.3 The application seeks full planning permission for the demolition of the existing dwelling and its replacement with one pair of semi-detached 3-bedroom dwellings and a detached 3-bedroom dwelling, as detailed on the current plans and supporting documents submitted with the application. The application was amended to redesign the three detached dwellings originally proposed to more closely reflect the appearance of an earlier, but now lapsed planning permission for two dwellings.
- 1.4 Copies of the current plans are provided at **Appendix B** whilst other documentation associated with the application can be viewed on the Council’s [website](#).

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Binfield Heath Parish Council – Objection to original and amended plans:

- Loss of the character house
- Over-development of the site
- Detriment to the AONB setting
- Intensification in a country lane
- Visual impact
- Design
- Access
- Sustainability
- Highway Safety
- Drainage
- Precedent
- Prefer to see existing house extended and subdivided as an alternative

South and Vale Countryside Officer – No objection subject to ecological-related conditions.

Drainage - (South and Vale) – No objection subject to surface water drainage and foul water drainage conditions.

Forestry Officer (South and Vale) – No objection subject to tree protection and landscaping conditions.

Highways Liaison Officer (Oxfordshire County Council) – No objection subject to highways-related conditions.

SGN Plant Protection Team – Comments provided.

Energy Assessor (ESE Ltd) – No objection subject to verification condition.

Third Parties – Six representations of objection and concern to the original plans, three of which were repeated for the amended plans, raising the following issues:

- Overdevelopment with basements
- Unsympathetic designs resulting in AONB harm
- Lack of off-street parking causing highway safety risk
- Should not be occupied as short-term holiday lets
- Unsustainable location due to loss of bus service
- Existing dwelling should be extended and subdivided instead

These representations can be viewed in full on the council's [website](#).

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P19/S4261/FUL](#) - Approved (06/03/2020) – this planning permission has lapsed Demolition of existing dwelling and erection of a two-storey 4-bedroom detached dwelling with basement and detached carport and a two storey 3-bedroom detached dwelling with basement and integral garage, both using retained access from Harpsden Road.

[P15/S2278/FUL](#) - Approved (28/08/2015) – this planning permission has been implemented.

Erection of a detached two-storey 3-bedroom dwelling and attached single garage to the north-east of the existing dwelling and a detached two-storey 4-bedroom dwelling and detached carport to the south-west of the existing dwelling and formation of vehicular accesses from Harpsden Road.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Whilst located in a sensitive area, the proposal is not of a scale that would require an Environmental Statement.

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

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

ENV6 - Historic Environment

H1 - Delivering New Homes

H16 - Backland and Infill Development and Redevelopment

INF4 - Water Resources

STRAT1 - The Overall Strategy

STRAT5 - Residential Densities

TRANS2 - Promoting Sustainable Transport and Accessibility

TRANS5 - Consideration of Development Proposals

5.2 Binfield Heath Neighbourhood Plan

The Parish Council is consulting on their draft neighbourhood plan. The six-week consultation ended on 19 June 2023. This carries limited weight at this stage.

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

Chilterns Buildings Design Guide – Chapter 3

South Oxfordshire Landscape Assessment – Character Area 10

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**
- **Historic environment**
- **Design and character**
- **Residential amenity**
- **Access and parking**
- **Housing mix**
- **Other material planning considerations**

6.2 **Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently comprises the South Oxfordshire Local Plan 2035 (SOLP 2035).

6.3 Policy STRAT1 of the SOLP 2035 sets out the overall strategy for the district. It seeks to focus most major new development at the growth point of Didcot and other allocated sites, with Henley, Thame and Wallingford also being a focus for development and regeneration. The SOLP 2035 Policy H16 states that within smaller villages and other villages, development should be limited to infill and the redevelopment of previously developed land or buildings. Appendix 7 of the SOLP 2035 contains the council's Settlement Hierarchy, which classifies Binfield Heath as a 'smaller village'.

6.4 Policy H16 Criterion 1 explains that "development should be limited to infill and the redevelopment of previously developed land". Criterion 2 states that "infill development 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" and that "the scale of infill should be appropriate to its location." The site is located within the built-up area of the settlement, in an otherwise built-up frontage. It is notable that this frontage includes three other dwellings (Acacia House to the south-west and Mulberry Cottage and Pipkin Cottage to the north-east) that have been built in recent years. This was following the grant of planning permissions assessed against the similar infill criterion under Policy CSR1 from the previous development plan.

6.5 Although planning permission [P19/S4261/FUL](#) has now lapsed, officers consider that this previously approved redevelopment of the site with two dwellings of a similar footprint and massing to the three dwellings now proposed represents a further material planning consideration weighing in favour of the principle of this form of development. Officers consider the introduction of a net gain of two dwellings onto this site would fit within the Policy H16 definition and would represent an appropriate scale of infill in a smaller village.

6.6 The Highway Liaison Officer (HLO) has commented that in their view the accessibility of the development is poor and future residents would be highly dependent on the private motor car to access essential services, employment, and shops. The site has no pedestrian (or cycle) infrastructure provided to connect it to the rest of the village. In addition, they also consider that there are limited local facilities in the village. The Local Planning Authority is advised to give due consideration to this matter when evaluating the overall sustainability and environmental, economic, and social merits of the proposed development.

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- 6.7 By way of background, the HLO's comments have regard to OCC's Local Transport and Connectivity Plan (LTCP), which sets out OCC's aims, policies, and objectives for more sustainable travel across Oxfordshire. Whilst the LTCP is a material consideration it does not form part of the council's development plan, and planning applications in South Oxfordshire must be decided in line with the SOLP 2035 and any relevant neighbourhood plan, unless there is a very good reason not to do so.
- 6.8 It is important to note that the HLO's comments do not constitute a formal objection from the Local Highway Authority and that they recognise that this is a matter on which the Local Planning Authority should form a view. The HLO's concerns do not align with the relevant housing policies set out within the SOLP 2035, particularly Appendix 7, which identifies Binfield Heath as a smaller village, capable of accommodating some housing growth. Furthermore, Policy STRAT1 is consistent with the rural housing policy in the NPPF, which states at Paragraph 79, 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.' Based on the above assessment, officers consider that the principle of the proposed development is acceptable.
- 6.9 **Historic environment**
The SOLP 2035 Policy ENV6 seeks to preserve or enhance the District's designated heritage assets, including conservation areas and listed buildings. Policy ENV7 sets out the Council's statutory duty to protect the fabric and setting of listed buildings. The site is not formally designated and a heritage impact assessment was not required. The council's Conservation Officer has advised that historic Ordnance Survey mapping indicated that Bourne's Farmhouse was present in 1870 which would accord with a general assessment of photographs which suggest a building date c.mid C19th. The plan form, Flemish brickwork, gauged brick lintels reinforce this view. Buildings of this age and date and of similar design and construction are numerous and widespread, not being specific to the local vernacular of the Chilterns. The building is not likely to meet the high bar for listing buildings of this date under Historic England Guidance.
- 6.10 Provision is made under the NPPF for the identification of buildings as non-designated heritage assets and for their heritage interest to be given some weight within the planning balance. The replacement of the original sash windows with UPVC has diminished some of the architectural value of Bourne's Farmhouse. The alteration to the building's setting through infilling and the loss of and separation from associated farm buildings and outbuildings reduces the legibility of the building as a farmhouse. Having regard to the above, and to the Historic England guides for Local Listing, which act as a good benchmark for the identification of non-designated heritage assets, the Conservation Officer considers that the building is not of sufficient interest that demolition could be reasonably resisted. The building does not lie within a conservation area for which the preservation of character and appearance would be statutorily protected.
- 6.11 Officers also consider that the building does not make a direct contribution to the setting and significance of The Bottle and Glass as a Grade II listed building or the reasons for that building's listing. Officers are of the view that whilst Bourne's Farmhouse may have some charm, it is not of sufficient heritage interest to be a constraint to development that would be required to be weighed in the planning balance. Officers arrived at a similar conclusion about the heritage status of the building when granting planning permission [P19/S4261/FUL](#).

6.12 **Design and character**

The SOLP 2035 Policy DES1 seeks to ensure that all new development is of a high-quality design subject to a series of criteria. The SOLP 2035 Policy DES2 states that all new 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. The SOLP 2035 Policy ENV1 aims to provide the highest level of protection to designated landscapes, such as the Chilterns AONB. Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) sets out the duty to conserve and enhance the natural beauty of an AONB. The SOLP Policy STRAT5 Criterion 2 explains that amongst other things the density of a development should be informed by the need to achieve high quality design that respects local character and local circumstances and site constraints, including the need to protect or enhance the local environment, AONBs, heritage assets, and important landscapes. These policies are supplemented by advice contained within Section 5 of the JDG 2022.

6.13 Although the Chilterns AONB washes over the settlement, the site is clearly within the built-up confines of the village. The plot sizes of the proposed dwellings would be narrower than the existing dwellings on either side and also narrower than those previously approved under planning permission [P19/S4261/FUL](#). However, in officers' opinion, these plots would still fit in with the variety of nearby density and grain of development in this part of the village along Harpsden Road and Common Lane. The front door to Plot 1 would be located at the side, so only the front door to Plot 2 would be visible from the public realm. This means that the proposed semi-detached pair could be read as a single property and the physical plot subdivision at the rear of the dwellings would only be apparent over a distance of at least 60 metres from the public right of way to the north.

6.14 The proposed dwellings would be set in from the side boundaries by 5.5 metres with Acacia House and 2.5 metres with Mulberry House. This means that there would be gaps of approximately 10 metres and 7 metres, respectively between the proposed and existing buildings. There would also be a gap of about 4 metres between Plots 2 and 3. This would represent a generous level of separation and the submitted street scene elevation demonstrates that the footprint and massing of the proposed dwellings would be generally in keeping with those on either side. The design of the dwellings would broadly reflect the advice set out in Section 5 of the JDG 2022, using traditional form and materials, reflective of the Chilterns AONB vernacular, including brick and flint, timber weatherboarding, clay tiles and natural slate and incorporating chimneys. The inclusion of basements would not be discernible from outside of the plots and would not give rise to any appreciable visual harm.

6.15 Plot 1 would have a carport positioned in front of the dwelling. However, this would be a modest structure with a hipped roof that would be set back at about 5.7 metres from the street frontage. It would be located next to a garage of similar proportions at Acacia House, to the south-west of the site, which is positioned around 1 metre closer to the front boundary. The retention of the existing boundary planting means that the carport in this position would not be unduly prominent in the street scene. The inclusion of any external lighting could be controlled through the recommended condition requiring details to be agreed to secure elements such as low level, downlighting and switch-off timers in accordance with the SOLP 2035 Policy ENV12. In the light of the above assessment, the proposal would be in accordance with the above policies and guidance.

6.16 **Residential amenity**

The SOLP 2035 Policy DES6 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, daylight and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution, and external lighting. The SOLP 2035 Policy DES5 requires satisfactory outdoor amenity space in line with the guidance under Section 4 of the JDG 2022.

6.17 The proposed dwellings would be positioned broadly in line with the front building line of Acacia House and Mulberry Cottage and the rear building line of Acacia House. Although Plot 3 would project further back than Mulberry House, the gap to the boundary would mean that it would lie outside a notional 45-degree line of sight from the closest rear-facing windows on the adjoining property. This means that the proposal would not result in loss of light or outlook to the main front and rear windows of the adjoining properties. The main aspect of the proposed dwellings would be to the front and rear elevations, which would be roughly in line with each other, so levels of light and outlook for future occupiers would be acceptable. The proposed first floor side windows would serve either bathrooms or a dressing room. These could be subject to an obscure glazing/ fixed shut condition to prevent any loss of privacy to the existing dwellings or between Plots 2 and 3. The private gardens serving the proposed dwellings would comply with the recommended minimum 100 square metre area and 10 metre depth for dwellings of this size as set out in Section 4 of the JDG 2022. Based on this assessment, the proposal would accord with the above policies and guidance.

6.18 **Access and parking**

The SOLP 2035 Policy TRANS5 seeks to ensure that development would not be prejudicial to highway and pedestrian safety. Concerns have been expressed by third parties that there would be insufficient off-street parking provision, which would present a highway and pedestrian safety risk. However, the HLO has commented that the proposal is likely to result in a modest increase in vehicular trips from the site and would retain an existing vehicular access onto Harpsden Road, where the carriageway is relatively straight in its alignment. The visibility splays at this access are considered acceptable. The proposal provides ample parking and turning provision and the HLO considers it is unlikely that vehicles would be displaced onto the adopted highway to cause an obstruction. As such, the HLO has raised no objections to the proposed access and parking and turning arrangements within the site, subject to several highways-related planning conditions. The proposal would accord with the above policy.

6.19 **Housing mix**

The SOLP 2035 Policy H11 explains that to meet the needs of current and future households, the mix of housing should have regard to the council's latest evidence, monitoring and delivery and Neighbourhood Development Plan evidence where applicable for the relevant area. The current evidence (the Oxfordshire SHMA 2014) found a shortfall in smaller units and recommended for most units to be 2 and 3 bedrooms. The proposal would result in a net-gain of two dwellings compared with the existing situation. It would provide three 3-bedroom dwellings and so would compare favourably in that respect with the lapsed planning permission [P19/S4261/FUL](#), which proposed a 3-bedroom and a 4-bedroom dwelling. The proposal would therefore comply with the aims and objectives of the above policy.

6.20 Other material planning considerations

The SOLP 2035 Policies DES8 & DES10 seek to ensure that all new development minimises the carbon and energy impacts of their design and construction and should be designed to improve resilience to the anticipated effects of climate change. The Energy Statement submitted in support of the development has been vetted and a verification planning condition would be imposed to require implementation details. A planning condition is necessary to secure details of the location and appearance of the Air Source Heat Pumps. A planning condition to secure EV charge points is also recommended in accordance with the SOLP 2035 Policy TRANS5 ix).

6.21 Binfield Heath Parish Council are concerned that the dwellings would be used as holiday lets rather than being made available for local people to buy or rent. However, if the dwellings were to be let to family groups whom, during their stay, constitute a single household, it is unlikely that a material change of use would have occurred for which planning permission would be required.

6.22 Matters relating to surface water and foul water drainage could be dealt with by pre-commencement planning conditions, as confirmed by the council's Flood Risk and Drainage Engineer. The council's Tree Officer is satisfied that matters relating to tree protection and landscaping could be dealt with by planning conditions. The council's Countryside Officer is also content that ecological avoidance and mitigation measures for bats and great crested newts could be secured through planning conditions.

6.23 Exceptionally, a condition removing permitted development rights for various forms of householder development is considered necessary to allow the council to exercise control over any future additions to the dwellings that might otherwise result in visual or neighbour harm, or damage/loss of retained trees, or reduction in off-street parking capacity. Although there are concerns about this development setting a precedent for further development, it is an established planning principle that each application must be determined on the basis of its individual merits.

6.24 Community Infrastructure Levy

The proposal is CIL liable, 15% of which would go to Binfield Heath Parish Council due to the absence of an adopted Neighbourhood Plan.

6.25 Pre-commencement conditions

Great Crested Newt Mitigation
Surface Water Drainage
Foul Water Drainage

7.0 CONCLUSION

7.1 Officers consider that the proposed development would be acceptable in principle, would not result in harm to the historic environment and would be in keeping with the character and appearance of the surrounding area, including the Chilterns AONB landscape. Also that it would not detract from the living conditions of adjoining residents or be prejudicial to highway safety. Subject to the following conditions, it would be in accordance with Development Plan Policies, Supplementary Planning Guidance and Government Guidance.

8.0 RECOMMENDATION

Grant Planning Permission subject to the following conditions:

- 1. Commencement of development within 3 years**
- 2. Development in accordance with the approved plans**
- 3. No change in levels unless otherwise agreed**
- 4. Schedule of Materials to be agreed**

- 5. Flintwork - traditional construction**
- 6. Obscure glazing to upper floor side facing windows**
- 7. Withdrawal of permitted development for extensions, outbuildings, hardsurfacing and means of enclosure**
- 8. Energy Statement Verification (prior to occupation)**
- 9. Details of Microgeneration System (prior to installation) to be agreed**
- 10. Parking and Manoeuvring Areas Retained in accordance with the approved plans**
- 11. No Garage conversion into accommodation**
- 12. Landscaping (including hardsurfacing and boundary treatment) to be agreed**
- 13. Tree protection to be implemented in accordance with submitted details**
- 14. Ecological Avoidance and Mitigation in accordance with submitted details**
- 15. Great Crested Newt Mitigation to be agreed**
- 16. External Lighting details to be agreed**
- 17. Surface Water Drainage details to be agreed**
- 18. Foul Water Drainage details to be agreed**
- 19. Electric Vehicles Charging Points to be provided**

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