

Case Officer: Will Anstey

Recommendation:

Applicant: Mr John Henry

Proposal: Reserved matters application to 21/02147/OUT – Details of appearance, landscaping and layout

Expiry Date: 26 July 2022

Extension of Time:

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to land and outbuildings associated with The Beeches, a single dwelling sitting at the edge of Steeple Aston. The Beeches is a large two-and-a-half storey property with brick and painted rendered elevations under a clay tiled roof, sitting within a substantial garden. To the north-east of the main dwelling towards the northern boundary is a single-/two-storey rendered outbuilding providing garage/workshop accommodation with home-office space at first floor level, and a further separate single storey timber-clad garage building. There are several further, low-rise outbuildings within the site associated with a narrow-gauge railway that has been built within the site.
- 1.2. The Beeches sits to the south-west of residential properties fronting onto Heyford Road. A further dwelling (Orchard House) sits immediately to the east of the Beeches. The site is served by an existing access and private driveway which rises up from Heyford Road. Land levels drop across the site from the north-west to the south-east, down to the adjacent highway. The site contains several significant trees and predominantly bounded by mature hedgerows again including mature trees, with paddock and open countryside beyond.
- 1.3. In terms of site constraints, whilst the site is not within the designated Steeple Aston Conservation Area, the boundary of the Rousham Conservation Area lies on the opposite side of Heyford Road. The site is within an area of high archaeological interest and is within a Minerals Consultation Area. A Public Right of Way (ref. Footpath 364/8/10) crosses land west of the site. There are records of protected and notable species (including: Swifts and Eurasian Badgers) as being present within the vicinity of the site. The site sits within an area where the geology is known to contain natural occurring elevated levels of Arsenic, Nickel and Chromium; as seen across much of the district, and further, an area of higher probability (10-30%) of natural occurring Radon Gas being above Action Levels.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. This application seeks reserved matters consent in respect of appearance, landscaping and layout following the grant of outline planning permission for a single dwelling under permission 21/02147/OUT. The outline consent included access and scale. In respect of scale the proposed dwelling is to be a two storey property. A maximum ridge height of 8.8m and gross floor area of 270.47sqm are shown on the approved plans. Access is via the existing tarmac driveway serving The Beeches.
- 2.2. The details submitted for this reserved matters application show a two storey dwelling with a maximum ridge height of 8.1m and a floor area of 212.14 sq m. The dwelling would be finished in low level brickwork with render above and elements of

exposed oak framing. The roof is finished in slate. An existing three bay timber garage is to be retained to the east of the building.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

Application: 03/01943/F Permitted 31 October 2003

Erection of a station pavilion and tractor shed

Application: 05/00840/F Permitted 17 June 2005

Single storey rear extension.

Application: 19/01206/OUT Not proceeded with

Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road.

Application: 19/00457/OUT Application Withdrawn 9 May 2019

Erection of up to 8 No dwellings with all matters reserved except the means of access onto Heyford Road

Application: 19/01601/OUT Refused 31 October 2019

Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road.

Application: 20/00964/OUT Appeal Dismissed 1 June 2020
(Against Refusal)

Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road

Application: 20/02227/OUT Refused 12 November 2020

Erection of up to 10 dwellings with all matters reserved except the means of access on to Heyford Road

Application: 20/02539/SO Screening Opinion not 21 October 2020
requesting EIA

Screening opinion to 20/02227/OUT - Erection of up to 10 dwellings with all matters reserved except the means of access on to Heyford Road

Application: 21/02147/OUT Permitted 17 January 2022

Outline:- 1 new dwelling

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice expiring 20 July 2022 and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **20 July 2022**.
- 5.2. No public comments have been received.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. STEEPLE ASTON PARISH CLERK: No objection

OTHER CONSULTEES

- 6.3. CDC LAND DRAINAGE: No comments
- 6.4. OCC ARCHAEOLOGY: The site is in an area of archaeological interest, however, the proposals are of a small scale and do not impact on any known archaeological features. Therefore, there are no archaeological constraints to this scheme.
- 6.5. OCC HIGHWAY ENGINEERS: No objection – The proposals are unlikely to have any adverse impact on the local highway network in traffic and safety terms. OCC does not object to the granting of planning permission.
- 6.6. CDC ENVIRONMENTAL HEALTH:
Noise: No comments
Contaminated Land: No comments
Air Quality: No comments
Odour: No comments
Light: No comments
- 6.7. No response received from Arboriculture, Building Control, Ecology, Mid Cherwell Neighbourhood Forum, Minerals and Waste (OCC).

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1: Presumption in Favour of Sustainable Development
- BSC1: District Wide Housing Distribution
- BSC2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems (SuDs)
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13: Local Landscape Protection and Enhancement
- ESD15: The Character of the Built and Historic Environment
- Villages 1: Village Categorisation
- Villages 2: Distribution Growth Across the Rural Areas
- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18: New dwellings in the countryside
- C8: Sporadic development in the open countryside
- C28: Layout, design and external appearance of new development
- C30: Design of new residential development
- ENV1: Environmental pollution
- ENV12: Potentially contaminated land

7.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the **Mid-Cherwell Neighbourhood Plan (MCNP)** and the following Policies of the Neighbourhood Plan are considered relevant:

- PD1: Development at Category A Villages
- PD4: Protection of Important Views and Vistas
- PD5: Building and Site Design
- PD6: Control of light pollution
- PH1: Open Market Schemes
- PH5: Parking, Garaging and Waste Storage Provision

7.1 Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Rousham Conservation Area Appraisal 2018
- Steeple Aston Conservation Area Appraisal 2014
- Cherwell Residential Design Guide SPD (July 2018)

- Annual Monitoring Report (AMR) (December 2019)
- Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy, (September 2017)
- Oxfordshire County Council: Local Transport Plan 4 (2015-2031)
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2010
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Oxfordshire Wildlife & Landscape Study 2004

8. APPRAISAL

8.1. The key issues relating to this application area:

- Principle of development
- Impact on character and appearance of site and surrounding area
- Impact on heritage assets
- Impact on residential amenity
- Impact on highway safety
- Impact on drainage and flood risk
- Impact on ecology

Principle of development

- 8.2. The principle of a single dwelling on the site was established under outline planning permission 21/02147/OUT. This granted consent for a single two storey dwelling on the site with access off the existing driveway serving The Beeches.
- 8.3. The proposed dwelling is a two-storey house and is slightly smaller in both height and floor area than that shown in the plans submitted for the outline consent. However, Officers consider the overall scale of the current proposal is consistent with that approved in the outline consent.

Impact on character and appearance of site and surrounding area

Policy Context

- 8.4. Policy ESD15 of the CLP 2015 seeks to control new development to ensure it complements and enhances the character of the area through sensitive siting, layout and high quality design. The policy also aims to control the impact of development on heritage assets, residential amenity and sustainability.
- 8.5. From the CLP 1996, saved policy C28 aims to ensure new development has sympathetic standards of layout, design and external appearance whilst saved policy C29 requires development adjacent to the canal to be of a high standard. Policy PD5 of the Mid Cherwell Neighbourhood Plan requires new development to be designed to a high standard and respond to the distinctive character of the settlement.
- 8.6. Within the NPPF, paragraph 130 requires new development to add to the overall quality of the area in both the short and long term, be visually attractive and be sympathetic to local character. Paragraph 134 states that poor design should be refused.

Assessment

- 8.7. The proposed dwelling would occupy the site of a collection of one and two storey outbuildings. Demolition of these buildings has already been accepted under the outline consent. Siting the proposed dwelling in the same position as the outbuildings centres it on the site and would not appear cramped in relation to The Beeches. The dwelling faces due south and does not address the highway; however, given it is set back significantly from the highway this is not inappropriate. Driveway parking is between the proposed dwelling and the retained garage, which appears a natural and practical position. Altogether Officers are satisfied that the proposed layout is acceptable.
- 8.8. In terms of appearance, the proposed dwelling would be finished in low level brickwork with painted render above and areas of exposed oak frame. Whilst this material choice is unusual in the locality, the combination of brick and render is consistent with the existing house on site (The Beeches). Further, the house is set back from the road and screened by existing hedging and trees limiting its visibility from the public realm. Overall, therefore, the design is not considered to cause harm to the character and appearance of the locality.
- 8.9. Conditions would be added requiring a material schedule to specify the brick to be used, the render colour and finish, the roof slate and external joinery colour, to ensure a high quality development.
- 8.10. In respect of landscaping, the plans show the driveway between the proposed dwelling and the retained timber garage, existing shrubbery to be thinned, a new kitchen garden and areas of lawn. The site already has a residential character and it is considered that the light touch approach shown in the landscaping proposals is appropriate. However, it is unclear which trees are to remain and which are to be felled and there is no detail of any additional planting that may be proposed or be necessary following any felling. There is also no detail on boundary treatments. It is considered that these details can be provided by condition.

Impact on heritage assets

- 8.11. The proposed dwelling occupies the same position as a group of existing buildings, within a site that already has an established residential use. Given the separation between the proposed dwelling and the edge of Rousham Conservation Area, the established residential character of the site and scale of the proposal Officers are satisfied that the proposed dwelling would not harm the setting of the Conservation Area.

Impact on residential amenity

- 8.12. There are four properties in close proximity to the proposed dwelling: the Beeches to the south west, Orchard House to the south east and 29 & 29A Heyford Road to the north east.
- 8.13. At its closest the proposed dwelling is approximately 13m from the corner of the Beeches. There are several ground and first floor windows to the eastern elevation of the Beeches and the new dwelling would allow a view towards these windows. However, given the oblique angle of that view Officers do not consider the proposal would unacceptably impact on the privacy of the occupants of the Beeches. Further, given the separation distance there are no concerns in respect of loss of light or overbearing influence.

- 8.14. A greater separation of 28m exists to Orchard House and therefore Officers do not consider the proposed dwelling would unacceptably impact on the resident's amenities. Turning to 29 & 29A Heyford Road, a pair of semi-detached homes, at first floor level the proposed dwelling would be approximately 36m from these properties and therefore Officers are satisfied the relationship between the proposed dwelling and these existing dwellings is acceptable.
- 8.15. With regard to the living conditions for future occupiers of the proposed dwelling, it provides ample internal and external space, and would have good levels of natural light.

Impact on highway safety

- 8.16. OCC as local highway authority has raised no objection to the proposal and it is noted that conditions exist on the outline consent relating to access, as this was not a reserved matter. In respect of the internal layout Officers are satisfied that the scheme provides sufficient off road parking.

Impact on drainage and flood risk

- 8.17. A condition requiring a surface water drainage scheme was imposed on the outline consent. Officers are satisfied that this will ensure adequate surface water drainage will be provided and therefore no additional comment is necessary here.

Climate change and sustainability

- 8.18. A sustainability statement has been included with the application however there is a condition on the outline consent which will handle this matter.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. In respect of appearance, layout and landscaping, the reserved matters in respect of outline consent 21/02147/OUT, the proposed schedule is concluded to be appropriate to its site and does not result in unacceptable harm to the character of the area, the setting of the conservation area or residential amenity. The application is therefore recommended for approval.

10. RECOMMENDATION

That permission is granted, subject to the following conditions

1. The development shall not be carried out otherwise than in complete accordance with the approved plans and documents listed below unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).:
 - Site Plan – 2110160.STO-02 Rev C
 - Proposed Location Plan – 2110160.STO-03 Rev C
 - Proposed Site Plan – 2110160.STO-04 Rev C
 - Site Layout rev 1 received 24 June 2022
 - Proposed floor plan – 2110160.STO-05 Rev C

- Proposed floor plan – 2110160.STO-06 Rev C
- Proposed elevations – 2110160.STO-07 Rev C (south elevation)
- Proposed elevations – 2110160.STO-08 Rev C (east and west elevations)
- Proposed elevations – 2110160.STO-09 Rev C (north elevation)
- Proposed roof plan – 2110160.STO-10 Rev C
- Landscape Site Plan 1 rev 1 – received 24 June 2022

Reason: To clarify the permission and for the avoidance of doubt.

2. A schedule of materials and finishes to be used in the external walls, roof and external joinery of the dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of existing and proposed boundary treatments

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development. The approved boundary treatments shall be carried out prior to the first occupation of the development and shall be retained thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

INFORMATIVE

1. Approval of Reserved Matters - Attention is drawn to the conditions imposed on the “outline” permission (App. No 21/02147/OUT) granted on 17 January 2022 which should be read together with this approval. Any outstanding requirement of the conditions to submit details for approval by the Local Planning Authority should be particularly noted (see conditions 5, 6, 7, 8, 9, 10 and 12)

Case Officer: Will Anstey

DATE: 22 July 2022

Checked By: Nathanael Stock

DATE: 26.07.2022
