

**Site Address: Land south of Greenacre  
adj to South Side Steeple Aston**

**14/01434/F**

**Ward: The Astons and Heyfords**

**District Councillor: Cllrs Kerford-Byrnes and  
Macnamara**

**Case Officer: Shona King**

**Recommendation: Approval**

**Applicant: Mr Ellis and Ms Carlisle**

**Application Description: Dwelling with garage and access**

**Committee Referral: Member Request**

**Committee Date: 22 January 2015**

**1. Site Description and Proposed Development**

- 1.1 The application site is located within the village of Steeple Aston. It is currently a vacant, overgrown piece of former garden land on the southern side of South Side with a track bounding the site to the east and a dwelling to the south. A public footpath runs along the western and southern boundary. There is a natural stone wall along the northern boundary with South Side and along the eastern boundary with the track. The site is elevated from South Side and slopes sharply up towards the south.
- 1.2 The application site is within the setting of the Conservation Area and several listed buildings. The Conservation Area boundary runs along the northern and eastern boundaries of the site.
- 1.3 Consent is sought for the erection of a two storey dwelling and vehicular access into the site. The application has been amended omitting a detached garage.

**2. Application Publicity**

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 30th November 2014.

21 letters have been received in response to the original and amended plans. The following issues were raised:

- Highway safety
- Scale of dwelling
- Size of plot
- Character of area
- Impact on the Conservation Area and listed buildings
- Impact on visual amenities of the area
- Impact on the footpath
- Fenestration
- Overlooking
- Overbearing
- Loss of light
- Accuracy of plans and planning statement
- Loss of stone building and walling
- Timescale for re-consultation

**3. Consultations**

- 3.1 Steeple Aston Parish Council (original plans): This application gives rise to a number

of concerns, such that Steeple Aston Parish Council wishes to object to the granting of planning permission.

#### 1. Context

The site abuts the village Conservation Area, separated by the low stone wall fronting the site – the wall itself being the boundary. As the site is fully visible from South Side and all the listed and other properties close by, we consider that the impact of the proposal should be considered as if it is in the Conservation Area. The siting of the house so close to the road and in a location where there has traditionally been no development, means that its introduction will have a very significant impact on the views up, down and across South Side. If any scheme were to be permitted here, the site context demands that it be designed with the utmost sensitivity to the Conservation Area, which we consider this proposal has not achieved. We would ask that the comments of the Council's conservation team are sought.

#### 2. Scale

We believe that one of the main reasons for the incompatibility with the Conservation area is the size of the house in relation to its tight site. It would appear that the applicants wish to have a three-bedroom property here, which has required a rear extension of some size. One effect of this is to eliminate any chance of having private outdoor space, which for a family house seems most unfortunate. If any scheme were to be permitted, we would wish to see a more modest cottage-like dwelling, probably of two bedrooms, and without the two-storey rear extension. Additionally, we believe that the impact on the Conservation area would be lessened if such a smaller property was to be sited further to the west of the site than envisaged for the property in the present plans.

#### 3. Impact on Listed Building

We would also seek the views of the Conservation Officer on the impact of the proposal on the Grade II listed building Radley Cottage, directly opposite the planned dwelling. The ground floor level of Radley Cottage is, in common with other houses of C17th origin, set down below the current road level. The proposed dwelling directly opposite has, on the other hand, its ground floor about one metre above the road level. This will not only result in severe overlooking of windows opposite, but also will have an unfortunate effect on the setting of the listed building. We consider that, if the proposals were to be permitted, the dwelling could be set lower on the site, and designed in such a way that it does not damage the setting of the listed building opposite. This also support the view expressed earlier that a modest cottage-like dwelling would be much more appropriate.

#### 4. Design

While attempts have been made to make the front elevation of the proposed house "fit in", the rear and side elevations bear no relation to the traditional building forms in the village. Here the window shapes and proportions are quite wrong for the context, the approach to design being more appropriate for a one-off house on an isolated site, or a modern suburban estate. We therefore object to the inappropriate design of the house. The design guidelines in the Conservation Area Appraisal document support this view, referring as they do to the need for "high quality design" and to the careful use of appropriate materials. In particular, we would want to see stonework of uncoursed rubble, window shapes and forms similar to those in nearby properties, and other sympathetic detailing.

#### 5. Road safety.

The speed of traffic on South Side has been a source of concern over the last few years, and the Parish Council has discussed the problem on several occasions. At the September meeting, before this application was received, it was agreed to request Oxfordshire CC to install a counter to establish the number of vehicles exceeding 30mph, so that an approach can be made to Thames Valley Police to

establish a SpeedAware campaign. The planning application has prompted a number of householders in South Side to make representations to the Parish Council about the possible adverse impact of vehicles serving the new house on road safety, because of its location at a narrowing of the road, close to the well-used farm track up to Seven Springs, from which access to South Side is quite difficult.

With reference to Development Control Advice Note 15, it would appear that this scheme will not comply with the guidance: the application drawings show splay lengths for the new access of 38m and 39m, whereas we understand that 60m is required on each side. We also suspect that the gradient of the proposed driveway will be steeper than the 8% recommended. These non-compliances, whilst not very serious in themselves, could, in our view, create a potential road safety hazard to add to the concerns already expressed.

3.2 Steeple Aston Parish Council (amended plans): No comment to date

### **Cherwell District Council Consultees**

3.3 Conservation Officer (original plans): This site is on the boundary of the Steeple Aston Conservation Area. The proposed development could affect the setting of a number of heritage assets including the conservation area itself and a number of grade two listed buildings (Grange Cottage, Staithe Cottage). The development would also involve the demolition of a section of a historic stone boundary wall.

While it may be possible to build a house on this site without unduly affecting heritage assets, I am concerned about the scale and design proposed. I would consider a more symmetrical design of the front façade to be more in keeping with the character of the immediate vicinity on South Side – this would mean the removal of the utility out-shut, re-ordering of the windows, two chimneys etc. Similarly, gables in the area tend to have little or no fenestration whereas the proposed design includes a relatively large amount of fenestration. Both gable ends would be quite visible from the conservation area travelling up and down South Side.

The windows proposed on the drawings are oak but I would consider that painted timber joinery would be more appropriate than varnished/oiled oak. Similarly, metal rainwater goods would be more appropriate than the proposed uPVC.

I would suggest that a revised design for a smaller, more sympathetic house that would be more suitable for this site. If, however, you are minded to approve I would suggest the following conditions:

- Joinery details at 1:20 including elevations, sections and colour/finish details to be approved. Trickle vents would not be appropriate and provision for adequate ventilation should be made by other means at the design stage.
- Slate sample to be approved.
- Sample panel of stonework to be approved.
- Lime mortar to be used in construction and pointing of stonework.
- Design details of boundary walls and entrances to be approved.

3.4 Conservation Officer (amended plans): Unfortunately the revised drawings don't appear to address any of my concerns. I would still consider the proposed development to be harmful to the setting of both the conservation area and near-by listed buildings.

### **Oxfordshire County Council Consultees**

3.5 Highways Liaison Officer: No objections subject to construction of the vehicular and pedestrian access to specification, construction and retention of parking and manoeuvring areas and protection of visibility splays.  
NB

- 1) The vision splay is shown above the proposed walls this is not acceptable. The walls should be set back
- 2) The boundary must reflect the extent of public highway if there is any doubt contact OCC Lands and Records

3.6 Archaeologist: The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

#### **4. Relevant National and Local Policy and Guidance**

##### 4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- H13: Category 1 Settlement
- C27: Development in villages to respect historic settlement pattern
- C28: Layout, design and external appearance of new development
- C30: Design of new residential development

##### 4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance

Submission Local Plan (January 2014) (SLP)

SLP has been through public consultation and was submitted to the Secretary of State for examination in January 2014, with the examination beginning in June 2014. The Examination was suspended by the Inspector to allow further work to be undertaken by the Council to propose modifications to the plan in light of the higher level of housing need identified through the Oxfordshire Strategic Housing Market Assessment (SHMA), which is an objective assessment of need. Proposed modifications (August 2014) to meet the Objectively Assessed Need were subject to public consultation and the examination reconvened on 9<sup>th</sup> December 2014. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The plan sets out the Council's strategy for the District to 2031.

- Villages 1: Village Categorisation
- Policy ESD16: Character of the Built Environment

#### **5. Appraisal**

5.1 The key issues for consideration in this application are:

- Principle of the development
- Impact on the visual amenities of the area and setting of the Conservation Area and nearby listed buildings
- Highway safety

##### **Principle of the development**

5.2 Steeple Aston is a Category 1 settlement as designated by Policy H13 of the Adopted Cherwell Local Plan. This Policy restricts development to infilling, minor development

comprising small groups of dwellings within the built-up area of the settlement and conversions.

- 5.3 Policy Villages 1 of the Submission Local Plan categorises Steeple Aston as a Category A settlement where minor development, infilling and conversions are appropriate within the built-up limits of the settlement. The Proposed Main Modifications to the Submission Local Plan (August 2014) do not change this position.
- 5.4 The NPPF indicates that the Adopted Cherwell Local Plan 1996 is considered to be out of date as it was adopted prior to 2004, however it also advises that due weight should also be given to relevant policies within existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 5.5 The NPPF states at para 49 “that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”. The Council cannot currently demonstrate that it has a five year housing land supply, however the development of an additional house would not have a significant impact on the overall housing land supply figure.
- 5.6 The development does not comply with the infilling or conversion requirement of either the adopted Cherwell Local Plan or the Submission Local Plan however it would in my opinion comply with minor development within the built-up limits of the settlement, being surrounded on three sides by development, and having been previously garden land, and therefore it complies with the adopted and emerging Cherwell Housing Policies.
- 5.7 Paragraph 14 of the NPPF states that where the development plan is out-of-date permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted
- 5.8 The development is bounded on three sides by dwellings (south, east and on the northern side of South Side) and is within the built-up limits of the settlement. The other impacts of the development are discussed in more detail below however it is considered that the development will not result in significant detriment to the visual amenities of the area or setting of the Conservation Area and nearby listed buildings nor will it result in significant detriment to the living amenities of the neighbouring properties or highway safety.
- 5.9 Therefore it is considered that there should be a presumption in favour of the development.

#### **Impact on the visual amenities of the area and setting of the Conservation Area and nearby listed buildings**

- 5.10 The proposed development is considered to be of an acceptable design. It is to be constructed from natural stone with a 40 degree pitched roof and a 6m wide gable span. The footprint of the building has been reduced following discussions with officers. The length has been reduced by approximately 1m and the rear projection reduced by approximately 0.5m. Whilst the utility out-shut has been retained on the amended plans it is set well back from the front elevation and it will not in my opinion make the front elevation unbalanced. Whilst it would be more traditional to have two

chimneys there are other examples of dwellings in Steeple Aston where there is a single chimney.

- 5.11 Whilst it is an open site currently it is bounded to the east and south by dwellings and it is well related to built form. In my opinion it will not appear as an isolated dwelling but will be viewed in the context of the surrounding development. The land immediately to the west however is considered to be an important gap in the street scene which adds to the loose knit character of the village.
- 5.12 The site is elevated above South Side and the land rises to the south. The proposed dwelling will be positioned above the highway and whilst the properties on the opposite side of the road are positioned at the same level as the highway the dwellings to the south and east of the site are at a significantly higher level. It will be necessary to impose a condition on any permission to ensure that the finished ground floor level is as low as viably possible. Therefore in my opinion the dwelling will not appear out of keeping with the surroundings. Also in my opinion it will not appear overbearing and dominant in the street scene due to the other dwellings on the southern side of South Side.
- 5.13 The small stone outbuilding on the site is to be demolished, whilst it is old it is not considered to be of such historic interest to warrant its protection and therefore retention. The stone boundary walls are to be retained and repaired apart from the section to create the access. The height of the wall within the visibility splay will not be able to be more than 0.6m high.
- 5.14 The proposed development is considered to preserve the setting of the adjacent Conservation Area and nearby listed buildings.

#### **Impact on the living amenities of neighbouring properties**

- 5.15 The proposed dwelling due to its position, orientation and the land levels will not in my opinion result in any unacceptable overshadowing of nearby dwellings and whilst it is to the south of the properties on the northern side of South Side it will not result in any significant loss of light to the habitable room windows of those properties. Given the distance between the new dwelling, Radley Cottage and the other dwellings on the northern side of South Side it is not considered that it will overly dominate the outlook from those properties to an unacceptable extent, even with the elevation above the highway and the height of the proposed dwelling.
- 5.15 The dwelling has been designed so as to minimise overlooking of the neighbouring properties. The distances between habitable room windows will meet the Council's informal space standards. The properties opposite the dwelling can be currently overlooked by passing pedestrians on the pavement and occupiers of vehicles using the highway.

#### **Highway safety**

- 5.16 The Highway Authority is satisfied that the development will not result in any significant harm to highway safety. The application has been amended to omit a garage on the site and to reduce the footprint of the building which increases the parking and turning area for vehicles. Conditions are recommended regarding the construction of the proposed access the layout and construction of the parking/manoeuvring area and the protection of visibility splays.

#### **Engagement**

- 5.17 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged as discussions have been undertaken to secure amendments to ensure that an appropriate form of development has been arrived at.

## **Conclusion**

- 5.18 The development is within the built-up limits of the settlement and is considered to comply with the adopted and emerging housing policies. It is also considered that the development will not result in significant detriment to the visual amenities of the area or setting of the Conservation Area and nearby listed buildings nor will it result in significant detriment to the living amenities of the neighbouring properties or highway safety.

## **6. Recommendation**

**Approval**, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms site plan and drawing numbered 14:3603:3a

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural limestone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. The roof of the development hereby approved shall be covered with natural blue/black slates.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed

development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing and proposed site levels for the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason - To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

7. Except to allow for the means of vehicular access and vision splays, the existing natural stone wall along the northern and eastern boundaries of the site shall be retained and maintained at the existing height of not less than 1 metre.

Reason - To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policies C28 and C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. Prior to the construction of the dwelling hereby approved, the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

9. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

10. The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

11. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be



erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining dwellings in accordance with Policies C28 and C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

12. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, no new window(s) or other openings, other than those shown on the approved plans, shall be inserted in the walls or roof of the dwelling without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining dwellings in accordance with Policies C28 and C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Planning Notes**

1. Trickle vents would not be appropriate within the windows and provision for adequate ventilation should be made by other means at the design stage
2. The vision splay is shown to include the proposed walls this is not acceptable. The walls should be set back within the site to avoid the vision splays.
3. The boundary must reflect the extent of public highway if there is any doubt contact OCC Lands and Records

### **STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as discussions have been undertaken to secure amendments to ensure that an appropriate form of development has been arrived at.