

REPORT 2

APPLICATION NO.	P06/W1205
APPLICATION TYPE	FULL
REGISTERED	13.11.2006
PARISH	CHOLSEY
WARD MEMBER(S)	Mrs Pat Dawe
	Mrs Andrea Leadsom
APPLICANT	Ms G Parks & Mr S Beechey
SITE	Downlands Kennels, Westfield Road Cholsey
PROPOSAL	Erection of dwelling.
AMENDMENTS	
GRID REFERENCE	457407184039
OFFICER	Mrs S Crawford

1.0 INTRODUCTION

- 1.1 The application has been referred to the Committee because the recommendation conflicts with the views of the Parish Council and at the request of the local members Cllr Dawe and Cllr Leadsom.
- 1.2 The site lies in an isolated rural location and fronts onto the rural end of Westfield Road. At present there is a detached chalet bungalow and mobile home on the frontage of the site and a range of buildings to the rear used as a cattery and boarding kennels. The site is close to the brow of a hill and is visible in distance views when approaching from the west on the Downs Road, The site lies within the North Wessex Downs Area of Outstanding Natural Beauty.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the erection of a detached dwelling with a detached two bay garage and store. The dwelling would provide three bedrooms, two bathrooms and a sitting room with balcony at first floor and a kitchen, utility, dining, study, living room and w/c at ground floor. The house would be some 8.5 metres to the ridge, with a rear wing some 7.1 metres high to the ridge. It would be constructed in brick with stone detailing under a plain tile roof; the garage would be clad in timber boarding under a plain tile roof. A street scene plan and section through the site have been submitted for clarification. As part of the proposal, the existing mobile home on the site would be removed. Reduced copies of the plans accompanying the application together with the design and access statement and the supporting statement are **attached** at Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

3.1 OCC (Highways)	Traffic movements to the site are unlikely to alter significantly, therefore no objection subject to conditions.
CPRE	Objection – The site is in open countryside and a new dwelling is contrary to policy.
Cholsey Parish Council	Approve – The business provides a valuable facility and source of local employment which should be encouraged. Construction of this dwelling enabling better staff accommodation should be approved.
Neighbour objectors (1)	Unsuitable location for a new dwelling, extra accommodation could be accommodated in an extension.
Neighbour Supporters (53)	Most of these letters are from customers of the kennels from a wide range of addresses across and outside of the district. Also several letters from local schools in support as kennels provide work experience for pupils.
Neighbour Representations (1)	

4.0 RELEVANT PLANNING HISTORY

4.1 P87/W0401 – Cattery for boarding cats – Approved

P70/R4209 – Proposed use of existing buildings for dog breeding and boarding – Approved.

5.0 POLICY & GUIDANCE

5.1 Adopted SOLP Policies

G2 – Protection of District's resources, G4 – Development in the countryside, G6 – Quality of design and local distinctiveness, C1 – Landscape character, C2 – Areas of Outstanding Natural beauty, D1 – Principles of good design, D2 – Parking for vehicles and cycles, D3 – Provision of private amenity areas, D4 – Privacy for new dwellings, D8 – Conservation and efficient design, D9 – Renewable energy, D10 – Management of waste, H6 – locations where housing will not be allowed. CF1 – safeguarding community facilities.

South Oxfordshire Design Guide

South Oxfordshire Landscape Assessment

PPS1 – Delivering sustainable development

PPS3 – Housing

PPS7 – Sustainable Development In Rural Areas

PPG13 – Transport

PPS22 – Renewable Energy

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in this case are;

- Whether the principle of development is acceptable,
- The case of need,
- Landscape impact,
- Plot coverage, density and provision of gardens,
- Sustainability issues; and
- Neighbour impact

6.2 **Principle.** With regard to the principle of residential development on the site, this is not a location where new residential development would normally be allowed because of the sites isolated rural location (Policy H6 of the adopted South Oxfordshire Local Plan). New houses are allowed in the countryside in only very exceptional circumstances to serve the essential needs of a viable agricultural holding (Policy A6) and it has to be demonstrated that the need can not be served by any existing accommodation. A kennel/ cattery use does not fall within the definition of agriculture and in this case there is already a dwelling and a mobile home on the site that provide accommodation.

In this case, the principle of development is therefore unacceptable.

6.3 **The case for need.** Notwithstanding the objection in principle it is essential to consider whether there are any special circumstances that would justify granting planning permission in this case. It is accepted that the existing use requires a 24 hour presence on site for the care of the animals. This requirement is met at present by the existing chalet bungalow where the applicants live and by the mobile home where another full time employee lives. The applicant's justification suggests that at least 4 people are required to live on site to cover the existing evening outs and required 24 hour presence.

The requirement for a 24 hour presence is, in my view, adequately met by the existing accommodation on the site. There is no essential need for additional accommodation other than the applicant's wish to live on the site but have less commitment to the 24 hour care needed for the animals. There is no reason why the 24 hour care for animals could not be provided by a live-in manager or couple in the existing house, with stand in cover provided by the mobile unit. Any additional accommodation does not need to be accommodated on the site but could easily be provided in or near to Cholsey. Accommodation in Cholsey would still provide the proximity to the business to allow quick access in the event of an emergency without the harm to the landscape that a new, large, detached dwelling would entail.

If additional on site accommodation is required, then it would be more appropriate to provide such accommodation in an extension to the existing dwelling and not in a substantial detached dwelling. One of the provisos of Policy A6, if it were relevant, is that any dwelling should be of a size and style appropriate to the requirements of the enterprise and the need for such a substantial building that is much in excess of the existing, relatively modest, dwelling has to be questioned.

Whilst there is an existing mobile home on the site that has been stationed on the site for some 15 years, this mobile home is a relatively modest, one bedroom unit that sits low in the site and is relatively unobtrusive. The mobile home has never been the subject of a planning application, but it may have now become lawful. This has not, however, been tested by the submission of a lawful development certificate and remains unresolved. Even if there is a case for the lawful use of land to station a mobile home, this does not in anyway create a presumption in favour of granting planning permission for a large, potentially four bedroom property.

Furthermore, the existing dwelling is not the subject of an occupancy condition that links it to the existing kennels/cattery and its occupancy can not now be controlled by the imposition of a condition. There is nothing to ensure that this premises would stay linked to the cattery/kennels in perpetuity.

A substantial number of letters of support have been received in a standard format; all acknowledge the quality of the service provided and wish to see the service continue. The existing service could continue without the need for a detached new dwelling in the countryside.

In this case, it is my view that the justification for the additional accommodation would not outweigh the harm of a new dwelling in this very sensitive location.

6.4 Landscape impact. The site lies within the North Wessex Downs Area of Outstanding Natural Beauty. This is a designation that gives the same high status and protection assigned to National Parks. The South Oxfordshire Landscape Assessment classifies the area as open rolling downs within the Wessex Downs and Western Vale Fringes area. The open landscape results in high intervisibility, particularly on hill tops, and extensive views therefore any new development would be particularly prominent in the landscape. In this case, the site is located on the brow of a hill and is prominent in distant views when approaching on the Downs Road from the west in particular. The provision of a new and large building within this landscape would have a significant and harmful impact in the landscape. It would appear that the siting of the new dwelling, so far back from the frontage of the site, is required to mask the height of the building by using the natural drop in levels

on the site to disguise this aspect of the proposal. It creates a siting that is at odds with the character of neighbouring buildings that are located much closer to the road.

With regard to the size of the existing dwelling, it is not clear how it compares to the height of the existing dwelling or the neighbouring property. Whilst a site survey drawing and street scene elevation have now been prepared they do not indicate how the building would relate in terms of height with the neighbouring properties. In terms of ridge height the building would be some 8.5 metres; Kingstanding House to the north of the site measures some 7 metres to the ridge. The proposed dwelling would be a substantial building, the height, scale, bulk and siting of which are at odds with the buildings to either side.

- 6.5 Plot Coverage, density and provision of gardens.** Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in policies D3, H7 and H8 of the Local Plan. In all respects, given the size of the site and the character of the area, these aspects of the proposal are acceptable
- 6.6 Sustainability issues.** Policy D8 of the adopted Local Plan seeks to encourage the use of sustainable materials and forms of buildings that incorporate design solutions to increase water and energy efficiency. The supporting information indicates that the house would be built in an environmentally considerate way, with possible underground heating and a high standard of insulation and materials.
- 6.7 Neighbour impact.** Even with the submitted site survey and street scene elevation, it is difficult to assess accurately the impact of the proposal on the occupants of Kingstanding House because the neighbouring properties are not shown on these drawings. However, given the distance between the properties the proposal would not create an oppressive form of development or unneighbourly overlooking. An objection has been received from the nearest neighbour. Whilst they very much support the applicants in their business and are very happy with the current situation, the neighbours are very concerned about the prospect of a new dwelling in this location in terms of principle and the impact on their enjoyment of the countryside.

7.0 CONCLUSION

- 7.1** The proposal is for a large detached house in an exposed location in the open countryside in the Area of Outstanding Natural Beauty where planning permission would not normally be allowed for new houses. In this case, there is already accommodation on the site in the form of a dwelling and mobile home, which already provide adequate 24 hour cover. There is no reason why additional staff can not be accommodated in Cholsey and the case for the accommodation is not sufficient to override established planning policy.

8.0 RECOMMENDATION

- 8.1 That planning permission be refused for the following reasons:**

1. The proposal would be contrary to Policies G1 and G2 of the adopted Structure Plan for Oxfordshire 2016, Policies G2 and H6 of the adopted South Oxfordshire Local Plan 2011 (SOLP) and the advice set out in PPS1 "Delivering Sustainable Development", PPS7 "Delivering Sustainable Development in rural areas" and PPS3 "Housing". Policy H6 (SOLP) identifies locations where new housing will not be allowed and this includes new housing in the countryside unless there is a proven agricultural need. In this case the site lies in the open countryside which is not a sustainable location for new housing and the need put forward for additional staff accommodation is not considered to be sufficient to override established planning policy.

2. The proposal would be contrary to Policies G2, G4, C1, C2 and D1 of the adopted South Oxfordshire Local Plan 2011 and the advice contained within PPS7 "Sustainable Development in Rural Areas". There is insufficient information accompanying the application to assess how the proposed house would relate to the neighbouring buildings. As such it is impossible to assess the full impact of the proposed house on the visual amenity of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) or neighbour impact. Notwithstanding this, the proposed house is large in size, bulk and scale and the plans indicate that it is located to the frontage of the site on a ridge that is prominent in distance views. A new dwelling in this location would consolidate built development in the open countryside and would detract significantly from the character, appearance and visual amenity of the countryside in general and the Area of Outstanding Natural Beauty.

3. That having regard to the size, scale, bulk and siting of the proposal, the new dwelling would provide for a considerably larger dwelling than those in the immediate vicinity and a siting that would be out of keeping with the character of the area and would fail to reinforce local distinctiveness. As such, the proposal is contrary to Policies G2 and D1 of the adopted South Oxfordshire Local Plan and the advice contained in the South Oxfordshire Design Guide.

Author	Sharon Crawford
Contact No.	01491 823739
Email Add.	planning.west@southoxon.gov.uk