

SUBJECT **DEVELOPMENT APPLICATION REPORTS** **ITEM 7**
REPORT OF Head of Planning & Building Control

APPLICATION NO. P07/W0653
APPLICATION TYPE FULL (MINOR)
REGISTERED 13 June 2007
PARISH Goring-on-Thames
WARD MEMBER(S) Mrs Ann Ducker & Mrs Pearl Slatter
APPLICANT Mr and Mrs A Smith-Maxwell
SITE Haydown, Elvendon Road, Goring-on-Thames
PROPOSAL Erection of a detached country house and double garage
AMENDMENTS None
GRID REFERENCE 461124/181539
OFFICER Natasha Ireland

1.0 INTRODUCTION

- 1.1 This application is before the Planning Committee as the Officer's recommendation conflicts with the views of the Parish Council.
- 1.2 The property falls within Goring-on-Thames as shown on the attached location plan at **Appendix 1**. The site lies within the Chilterns Area of Outstanding Natural Beauty and is the subject of a group TPO which was issued in January 2007 and subsequently confirmed in March 2007.

2.0 PROPOSAL

- 2.1 The application seeks planning permission for the erection of a substantial detached country house with forward-facing detached double garage. The application site forms part of the residential curtilage to Haydown. Access to the proposed dwelling would be via the existing vehicular access to Haydown. Haydown currently has two vehicular access points and it is proposed that the new dwelling will take the western-most access.
- 2.2 The dwelling is proposed to be set back from the road frontage by approximately 24 metres. The property would be positioned approximately 13m from the western flank elevation of Haydown and approximately 20m from the eastern flank of 'Shepherds'.
- 2.3 The design and form of the property has come from the typical country house style of Charles Voysey from the Arts-and-Crafts movement.
- 2.4 Due to the proposed siting of the dwelling, it is necessary to remove four trees which are protected under the TPO, although the information accompanying the application indicates the removal of three protected trees. The Arboricultural Report accompanying the application suggests that these identified trees are of

limited quality and amenity value. It is the applicant's intention to undertake new tree planting within the site and create formal landscaped gardens as a form of mitigation against the removal of the TPO trees.

- 2.5 The applicant's design and access statement is attached as **Appendix 2** and copies of the proposed plans are attached as **Appendix 3**.

3.0 CONSULTATIONS & REPRESENTATIONS

3.1 **Goring Parish Council** – Approve the application.

3.2 **OCC Highways** – No objections subject to parking and manoeuvring areas to be provided in accordance with the plans and to be constructed, laid out, drained and completed and to be retained unobstructed at all times (except for the parking and manoeuvring of vehicles).

3.3 **Forestry Officer** – Trees T25 and T26 are well formed Lime trees with the potential to grow into fine specimens with considerable future life expectancy, thereby providing a significant feature for the area. These trees have been categorised as C2 - trees of low-quality and value (Category and definition as set out in BS5837:2005). I consider this to be inappropriately assessed, they should be categorised as either B1 or B2 - trees of moderate quality and value and, as such, should be retained. Given the significant tree loss on this site, it is considered unacceptable to concede the removal of any further trees deemed worthy of retention.

3.4 **Waste Management** – The development does not show provision for refuse or recycling.

3.5 **Neighbours (1)** – Objection – the proposed house is beyond the village map, it is out of keeping with the area, the development is intense and it is in an area of outstanding natural beauty. These grounds are the very same grounds which you successfully rejected more recently this year at Icknield Road. Approval of building upon gardens creates a precedent in the Elvendon Road, Icknield Road and 'Elvendon Woods' triangle which will be followed by planning application for the rear of these gardens and the adjoining farmland. The garage planned for this site is out of the building alignment.

4.0 RELEVANT PLANNING HISTORY

4.1 P64/H0578 – Site for one house with integral garage and new access. Planning permission granted 22 July 1964.

5.0 POLICY & GUIDANCE

5.1 Adopted Structure Plan 2016 policies:

- G1 – General Policies for Development
- G2 – Improving the Quality and Design of Development
- EN1 – Landscape Character
- H1 – Amount and Distribution of Housing
- H3 – Design, Quality and Density of Housing Development

5.2 Adopted South Oxfordshire Local Plan 2011 policies:

- G2 – Protection of the Environment
- G4 – Development in the Countryside and on the Edge of Settlements
- G6 – Promoting Good Design
- C1 – Landscape Character
- C2 – Areas of Outstanding Natural Beauty
- C4 – The Landscape Setting of Settlements
- C9 – Landscape Features
- D8 – Energy, Water and Materials Efficient Design
- H4 – Towns and Larger Villages Outside the Green Belt
- H6 – Locations where New Housing will not be Permitted

5.3 Supplementary Planning Guidance:

- South Oxfordshire Design Guide – Sections
- South Oxfordshire Landscape Assessment

5.4 National Government Guidance – PPS1, PPS3, PPS7 and PPG13

6.0 PLANNING CONSIDERATIONS

6.1 The planning issues that are relevant to this application are whether:

- The principle of the development would be acceptable and impact upon the landscape setting;
- The size and appearance of the dwelling would be in keeping with the character and appearance of the surrounding area;
- The living conditions of the proposed dwelling or the neighbouring residential properties would be compromised;
- The proposal would involve the loss of any TPO trees;
- The development incorporates energy efficient measures;
- There are any other material considerations.

Principle of Residential Development and Impact upon the Landscape Setting of Goring

6.2 The settlements in the district have been categorised by the services and facilities they have on offer and a hierarchy of policies has been established on this basis. This framework ensures that development takes place within the more sustainable locations of the district and in accordance with Structure Plan policy. Goring-on-Thames has been classified as a larger village outside of the Green Belt where policy H4 of the adopted SOLP is applicable.

6.3 Policy H4 stipulates that proposals for housing within the built-up areas of the larger villages will be permitted provided that:

- i. An important open space of public, environmental or ecological value is not lost, nor an important public view spoiled;
- ii. The design, height, scale and materials of the proposed development are in keeping with its surroundings;

- iii. The character of the area is not adversely affected;
 - iv. There are no overriding amenity, environmental or highway objections; and
 - v. If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.
- 6.4 Policy H6 of the adopted SOLP advises on those locations where new housing will not be permitted. Criterion (iii) states that planning permission will not be granted for new houses on the edge of settlements where the built-up area of the settlement would be extended. The supporting text to policy H6 at paragraph 5.24 states that:
- ‘Development on the edge of towns and villages, **including consolidating ribbon development** (my emphasis), will not normally be allowed because it would extend the built-up area, encroach upon the surrounding countryside and spoil the landscape setting of the district’s settlements, contrary to policy C4’.*
- 6.5 The application site itself was once covered with mixed conifer and broadleaf trees, such as Yew, Ash regeneration, Horse Chestnut, Lime and Sycamore. Many of these trees were felled prior to the submission of this planning application. A TPO was placed on the remaining trees to prevent further tree loss. The site currently maintains a rural, albeit open appearance.
- 6.6 Whilst the application site falls within the settlement of Goring-on-Thames, regard should be had to the character of the area and the location of the site on the eastern extremity of the village. The locality can only be described as verdant and semi-rural in nature, views of the countryside (Chilterns Area of Outstanding Natural Beauty) across the site to the rear can be clearly achieved from Elvendon Road which further confirms the rural setting of the application site. This part of Elvendon Road has a clear and distinctive character of substantial detached dwellings centrally positioned within spacious and mature plots. The properties are well-maintained with good vegetative coverage which positively contributes to the rural scene. When travelling along Elvendon Road from the centre of the village out towards the countryside in an easterly direction, it is only a matter of some 265 metres from the application site before the residential properties end and one is in open countryside. It is clearly an edge of settlement location.
- 6.7 The setting of Goring-on-Thames is considered to be enhanced by the modest density of development along its approaches, namely, Icknield Road, Elvendon Road. Along Elvendon Road the proximity of open countryside and the presence of road frontage that appears undeveloped, or where development is set well back from the roadside, provides a gradual transition from open countryside to the more built-up areas in the village and as such positively contributes to the form and setting of Goring. The proposal would result in an intensification of the use of the site, which would consolidate the established ribbon of development, weakening the landscape edge to the settlement and increasing the urbanisation of this part of the countryside. The proposal is considered to conflict with the aims of policies G2, G4, C1, C4 and H6 and advice contained within PPS7.
- 6.8 Since the adoption of the Local Plan in January 2006 the issue of consolidation of ribbon development on the edge of settlements is one which has been taken to appeal on a number of occasions and has been successfully defended.
- 6.9 In the event of the site not being considered consolidation of ribbon development

and consequently an H6 location, the proposal should be assessed against policy H4 of the adopted SOLP and criteria (i) and (iii) are considered most relevant. The ability to view the open countryside and the wider Chilterns AONB across the site together with the open nature and visual relief the site provides from built form on the edge of settlement, the proposal is considered to conflict with (i) and (iii) of policy H4.

Impact upon the Character and Appearance of the Locality

- 6.10 The form and design of the proposed dwelling in relation to existing properties in the vicinity of the application site is considered to be in-keeping with this part of Elvendon Road; there are no objections raised over the appearance and design of the proposal. With regard to the scale of the dwelling and how comfortably it fits within the streetscene, the property will sit approximately 1.0m below the ridge level of Haydown and some 3.0m above the ridge level of 'Shepherds' - the dwelling to the west. Whilst an increase in ridge height of 3.0m within the streetscene causes some concern, it is acknowledged that there is a clear gradient to Elvendon Road, this together with a 15.0m gap between the application property and 'Shepherds' itself is considered sufficient to limit the bulk and massing of the proposal to an acceptable level.

Impact upon Residential Amenity Levels

- 6.12 The dwelling is proposed central to the plot and measures some 14.0m from eastern flank wall of Shepherds and approximately 20.0m from the western flank wall of Haydown. By virtue of the distances between the properties, together with the limited window openings in the side elevations of the proposed dwelling, the proposal is not considered harmful to the amenity levels of the neighbouring residential properties, or indeed those amenity levels of any future occupiers of the new dwelling.

Tree Issues

- 6.13 A general Tree Preservation Order was confirmed by the Council in March 2007 and covers the entire application area. To accommodate the dwelling and the detached garage building in the proposed location, the application seeks the removal of four trees covered by the Order – 1x Yew (T24) and 3x Lime trees (T16, T25, and T26).
- 6.14 An Arboricultural report was submitted with the application which identified T16 – Lime as being Category B2 (trees of moderate quality and value) and the remaining trees – T16, T25 and T26 as C2 (trees of low-quality and value). The Council's Forestry Officer has carried out an assessment on the quality of the trees and disputes the categorisation of T25 and T26 and considers that these trees are of a moderate quality and value (category B2) and as such should be retained on the site – there is no justification for their removal.
- 6.15 Policy C9 of the adopted SOLP concerns landscape features and advises that any development that would cause the loss of landscape features will not be permitted where those features are considered to make an important contribution to the local scene.
- 6.16 The trees at Haydown were considered worthy of retention and protection which led to the issuing of the TPO across the site. The trees are regarded as being an important feature and function of the landscape and their future has been protected to ensure their continued contribution to the landscape of the district. The sole reason for their removal from the site is to make way for residential

development; this is not justification for the loss of such landscape features which policy C9 seeks to protect.

- 6.17 It has been suggested that by way of mitigation, it is the applicants' intention to undertake a significant amount of new structural tree planting within the site and to create high quality formal landscaped gardens. Although it is acknowledged that a significant level of new structural tree planting would be beneficial, it is not sufficient enough to warrant the removal of further trees from the site; these trees are considered to be good species and should therefore remain on site. The creation of formal landscaped gardens would alter the landscape character which currently takes the form of an open rural space with positive views of the landscape to the north of the site. The proposal is considered to contravene policies C1 and C9 of the adopted SOLP 2011.

Energy Efficient Design

- 6.18 Policy D8 of the adopted SOLP requires all new development to demonstrate high standards in the conservation and efficient use of energy, water and materials through its siting, landscaping, building design, use of materials, layout and orientation of buildings.
- 6.19 The planning, design and access statement submitted with the planning application (a copy of which is appended to this report) is silent on the matter of energy efficient measures. The supporting text to policy D8 makes it clear that developers are expected to provide information on such measures as part of a design statement. It is often assumed that such matters can be dealt with by conditions attached to a planning permission, however, recent appeal decisions have supported the Council's stance that such matters are an integral part of the overall design and as such, should be considered as part of the development from the outset. With the absence of any information concerning energy efficient design, the proposal is considered to contravene policy D8 of the adopted SOLP.

Other Material Considerations

- 6.20 Reference has been made to the site being previously-developed land and the national support for developments making better use of previously-developed land. In this particular case and having regard to the character of the area, this point is considered to be of limited weight and is outweighed by the harm that would be caused by the proposal to the landscape setting of the settlement, character and appearance of the countryside which is designated as a landscape of national importance.

7.0 CONCLUSION

- 7.1 The application proposal does not accord with the relevant development plan policies and planning policy guidance. There are no material considerations of any sufficient weight to overcome the policy objections to the proposed development. The proposal would result in the consolidation of ribbon development on the edge of Goring which would detract from the landscape setting of the settlement which in turn would fail to conserve the special landscape quality of the Chilterns AONB. In addition, the proposal seeks to remove a number of protected trees which are considered to be of amenity value.

8.0 RECOMMENDATION

It is recommended that planning permission should be refused for the following reasons:

- 1. The Development Plan seeks to protect the District's countryside from adverse developments through generally restrictive policies. The erection of a dwelling on the site would result in the unacceptable consolidation of ribbon development on the edge of the settlement which would extend the built-up area, detract from the landscape setting of Goring-on-Thames and fail to conserve the special landscape quality of the Chilterns Area of Outstanding Natural Beauty contrary to policies G2, G4, C1, C2, C4 and H6 of the adopted South Oxfordshire Local Plan 2011 and advice set out in PPS3 and PPS7.**
- 2. That the development results in the loss of trees which are considered to be of significant amenity value and are the subject of a Tree Preservation Order, the loss of such trees would detract from the character and appearance of the locality, contrary to Policies C1, C2 and C9 of the adopted South Oxfordshire Local Plan 2011.**
- 3. The proposal fails to make any provision for or demonstrate a high standard in the conservation and efficient use of energy, water and materials as required by policy D8 of the adopted South Oxfordshire Local Plan 2011.**

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