

## REPORT

**APPLICATION NO.** P07/E0500  
**APPLICATION TYPE** Full  
**REGISTERED** 01.05.2007  
**PARISH** Checkendon  
**WARD MEMBER** Mr Maurice Newland  
**APPLICANT** Mrs M McNair  
**SITE** Oakwood Farm, Hook End Lane, Checkendon  
**PROPOSALS** Removal of existing buildings. The erection of a new dwelling, walled vegetable garden, leanto greenhouse, garden store, tennis court, associated landscaping operations and the resiting of the site access.  
**AMENDMENTS** As amended by drawing nos. 02B, 03B, 08B, 09B, 10B, 11B and 12B accompanying Agent's letter dated 11 June 2007 and drawing no. 14A accompanying agent's letter dated 4 June 2007.  
**GRID REFERENCE** 466738/181925  
**OFFICER** Mr T Wyatt

### 1.0 INTRODUCTION

1.1 This application is referred to Committee as the Officer's recommendation conflicts with the views of the Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is located in an isolated position approximately 1000 metres to the south of the centre of the village of Checkendon. The site, which runs parallel with Hook End Lane for a distance of 500 metres extends to an area of approximately 14.5 acres. The northern part of the site is dominated by deciduous woodland whilst the southern part of the site comprises open grassland, currently in equestrian use. The existing dwelling and the majority of the associated outbuildings lie across the middle section of the site. The site lies within the Chilterns Area of Outstanding Natural Beauty.

1.3 The existing property stems from a 1967 planning permission, which was subject to an agricultural occupancy condition. However, this condition was removed through a separate planning permission in November 1991. The existing dwelling comprises a large bungalow with a separate single storey annex building.

## 2.0 THE PROPOSAL

- 2.1 The application seeks permission for a replacement dwelling. To facilitate this development it is proposed that all of the existing buildings on the site are demolished. The existing buildings consist of the existing bungalow, a separate residential annex and several outbuildings associated with the former agricultural use of the site.
- 2.2 The proposed replacement dwelling would be sited in the approximate position of the existing bungalow although it would be slightly further to the south and east of the existing dwelling. The proposed dwelling is of a contemporary design with the main elevation facing south and therefore extending across the site on an east/west axis in similar fashion to the existing. This main part of the dwelling would extend to two storeys below a monopitch roof rising to a height of approximately 8.5 metres at its highest point. The external materials would consist of brickwork at lower levels with timber boarding between large expanses of aluminium framed glazing whilst the roof would be finished in titanium zinc.

- Extending to the rear of the main south elevation at 90 degrees are two separate
- 2.3 single storey wings, which would also be topped by a simple monopitch roof that would be inward facing towards a central courtyard area. These elements would also be contemporary in design as a continuation of the main south elevation and would be constructed with the same external facing materials.

- In terms of size, the proposed dwelling would have a width of 35 metres in respect
- 2.4 of its south elevation whilst the single storey elements to the rear would mean that the overall depth of the dwelling on the north/south axis would be approximately 25 metres. The dwelling would have a total volume of approximately 2423 m<sup>3</sup>.

- As well as the new dwelling it is also proposed to provide a vegetable garden
- 2.5 32 metres to the east of the dwelling, which would be enclosed by a brick wall. A new greenhouse and garden store would be constructed at the northern end of the vegetable garden. Immediately to the east of this garden, a tennis court would be constructed, which would run adjacent to and parallel with the eastern boundary of the site. A swimming pool was also included in the original plans immediately adjacent to the west elevation of the proposed dwelling, however, this part of the proposal has now been omitted from the scheme.

- Finally it is proposed to relocate the existing vehicular access approximately
- 2.6 40 metres to the north of the existing access in order to achieve improved visibility at the junction with Hook End Lane. The new access would also necessitate the provision of a new driveway through the existing woodland to the north of the

dwelling.

2.7

A copy of the proposed plans is **attached** as Appendix B.

### 3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 **Checkendon Parish Council** – The Parish Council considers that the application should be refused due to overdevelopment, impact on the character of the area due to the design and materials of the proposal, and the impact on trees.

3.2 **OCC Highways Liaison Officer** – No objections subject to conditions relating to the provision of the new access and the stopping up of the existing access.

3.3 **Forestry** – No objections subject to conditions requiring tree protection measures and landscaping to be approved and implemented.

3.4 **Environmental Health** – Conditions should be imposed on any planning permission to ensure that any contamination of the site is fully addressed.

3.5 **Ecologist** – No signs or bats or barn owl activity was found at the site. No objections raised on ecological grounds.

3.6 **Public Amenities** – Refuse and recycling provision is needed for the new dwelling.

3.7 **Neighbours** – Three letters of objection have been received.

- No objection to the removal of the existing buildings.
- The design and materials of the dwelling are not appropriate in this location.

### 4.0 RELEVANT PLANNING HISTORY

4.1 P05/E1360/LD - Extensions to dwellinghouse and annex building in ancillary use. Certificate of Lawful Use or Development on 07 March 2006.

4.2 P81/S0574 – Use as a private dwelling without compliance with agricultural occupancy Condition attached to planning permission H.483/67. Planning Permission on 04 November 1981.

4.3 P67/H0483 - Dwellinghouse, garage and accesses.

## 5.0 POLICY AND GUIDANCE

5.1 Adopted Structure Plan 2016 Policies:

- G1 – General Policies for Development
- G2 – Improving the Quality and Design of Development
- G5 – Development Outside Settlements
- T1 – Sustainable Travel
- T2 – Car Parking
- T8 – Development Proposals
- EN1 – Landscape Character
- H3 – Design, Quality, and Density of Housing Development

5.2 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):

- G1 – General Restraint and Sustainable Development
- G2 – Protection and Enhancement of the Environment
- G3 – Locational Strategy
- G4 – Development in the Countryside and on the Edge of Settlements
- G6 – Promoting Good Design
- C1 – Landscape Character
- C2 – Areas of Outstanding Natural Beauty
- C8 – Species Protection
- C9 – Landscape Features
- D1 – Good Design and Local Distinctiveness
- D2 – Vehicle and Bicycle Parking
- D3 – Plot Coverage and Garden Areas
- D4 – Privacy and Daylight
- D8 – Energy, Water and Materials Efficient Design
- D10 – Waste Management
- H6 – Locations where New Housing will not be Permitted
- H12 – Replacement Dwellings
- T1 & T2 – Transport Requirements for New Developments

5.3 Government Guidance:

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPS7 – Sustainable Development in Rural Areas

## 5.4 Supplementary Planning Guidance

- South Oxfordshire Design Guide December 2000 (SODG)

## 6.0 PLANNING ISSUES

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

1. The principle of the development
2. The impact of the development on the character and appearance of the surrounding area
3. The design of the proposed dwelling
4. The impact on neighbouring amenity
5. The impact on trees
6. Highway considerations

### The Principle of the Development

6.2 The application site is located in an area of countryside some distance from the main built up area of Checkendon. As such the site is not in a sustainable location and the principle of new residential development is generally not acceptable having regard to Policies G3 and H6 of the SOLP. However, Policy H12 of the SOLP allows for replacement dwellings in the countryside subject to compliance with various criteria, including that the replacement dwelling is not materially greater in volume than the existing dwelling, and that the overall impact would not be any greater than the existing dwelling on the character and appearance of the site and the surrounding area. A further requirement is the need for the siting, design and materials to be in keeping with the locality.

6.3

The issues of design and impact on the site and surrounding area are dealt with in the relevant sections below. In the first instance the main issue governing the principle of replacement dwellings relates to the size of the replacement dwelling over the existing. The supporting text of Policy H12 of the SOLP defines the term 'not materially greater' in relation to the replacement dwelling as not being more than 10% larger in volume than the existing dwelling plus any unused 'permitted development' rights. In this case, the existing dwelling has a volume of 1876m<sup>3</sup> (this includes the detached residential annex) whilst the replacement dwelling would have a volume of 2423m<sup>3</sup>. This represents an increase of 547m<sup>3</sup> or 29% over the volume of the existing dwelling.

6.4

In light of the above calculations, it is apparent that the volume of the replacement dwelling is substantially greater than 10% larger than the existing dwelling. As

such there is an apparent conflict with Policy H12. Although Policy H12 specifically excludes the volume of other existing outbuildings when assessing the increase in volume in relation to a replacement dwelling and their removal has to be considered as part of an assessment of the application as a whole. This proposal would involve the demolition of every existing building on the site, some of which are relatively modern agricultural buildings of substantial size. These buildings occupy an open position to the east of the existing dwelling where they are prominent in views from the open land to the south, and in particular from the public bridleway running alongside the southern boundary of the site.

6.5

The removal of the existing buildings would be a significant benefit in terms of the appearance of the application site and in terms of the character and appearance of the surrounding area. These buildings are located within the red line of the application site, and the benefit of their removal cannot be discounted in this case. The total volume of these outbuildings is over 3000m<sup>3</sup>, and therefore, this proposal would result in a net loss of approximately 2500m<sup>3</sup> of built volume. This represents a significant reduction in the amount of built form on the site, and it is considered that this improvement represents a material consideration of sufficient weight to override the usual volume increase allowable under Policy H12.

#### 6.6 The Impact of the Development on the Character and Appearance of the Surrounding Area

The site lies in an area of countryside within the Chilterns AONB. Within such areas there is duty to conserve, and, where possible, enhance the natural beauty and special landscape qualities of the area. The application site itself is dominated by woodland and open grassland, with further large areas of woodland lying immediately to the east of the site and open countryside lying further to the west of Hook End Lane. There are examples of other isolated developments in the locality, however, the site and the surrounding area is dominated by open countryside and the natural features of the landscape.

6.7

The site is heavily wooded, particularly on its northern section. The tree cover extends down the western boundary of the site with Hook End Lane and through the large area of woodland to the east of the site. Therefore, views into the site from the north, east and west are limited by the existing vegetation. However, the views into the site from Hook End Lane would not be completely screened due to the thinness of the vegetation along this boundary. In particular, the existing access to the site provides an open view of the existing dwelling from Hook End Lane and views of the existing dwelling looking north from Hook End Lane are also possible. The proposed dwelling would be sited on a similar footprint to the existing, and thus would still be visible in views from Hook End Lane. However, it

6.8 is proposed to stop up the existing access and the planting of additional trees on this part of the boundary would help to soften and screen the development from Hook End Lane at its closest point.

6.9 As well as views of the dwelling from Hook End Lane to the south of the site, it is also possible to view the large agricultural buildings on the eastern side of the site from the road. The demolition of these buildings would help to open up the site and the attractive views of the woodland beyond the eastern boundary of the site would be enhanced. The modern agricultural buildings are effectively to be replaced by a vegetable garden and tennis court, which would be less intrusive in the local landscape.

6.10 The main view of the existing dwelling and the various outbuildings is from a 150 metre length of public bridleway running parallel with the southern boundary of the application site. In views from the bridleway the buildings are between 150 and 250 metres away, however, due to the lack of any vegetation to screen the views the buildings are visually prominent in the landscape. The buildings, which consist of the existing dwelling and the outbuildings are spread across the site from west to east, and this only serves to increase the prominence of the development. However, the buildings are seen against the backdrop of the mature woodland to the north.

6.11 Again the replacement of the existing outbuildings on the east side of the site with a tennis court and vegetable garden would substantially reduce the visual impact of the built form on this side of the site allowing for more unobstructed views of the trees immediately to the north and east. However, the height of the southern elevation of the replacement dwelling extends to approximately 8.5 metres at its highest point, which would be approximately 3 metres above the ridge height of the existing bungalow. This increase in height along with the substantial width of the south elevation of the replacement dwelling at 35 metres would make the proposed dwelling more prominent in views, particularly from the south, than the existing dwelling. However, the removal of the large buildings on the east side of the site would provide mitigation for the increased visual impact of the dwelling. Furthermore, the loss of the existing outbuildings would consolidate the built form on the site allowing for a greater degree of openness within the site that would be appreciated from public views into the site from the west, but particularly from the south.

The original plans submitted showed a new brick wall extending from Hook End Lane to the west elevation of the dwelling, and carrying through from the east elevation of the dwelling before terminating at the proposed vegetable garden. This wall, along with the wide expanse of the dwelling itself would have resulted in

built form extending across almost the whole width of the site, which would have been a substantial physical barrier between the open southern part of the site and the wooded northern part. This would have been highly prominent in views from the south and would have been detrimental to the integration of the dwelling and its landscaped grounds into the woodland setting of the site. The amended plans have addressed this concern by substituting two sections of the wall totalling over 50 metres in length with hedging. This form of enclosure is appropriate given the dominance of the vegetation both on the site and the surrounding area.

It is acknowledged that the proposed dwelling would have a significantly greater visual impact than the existing dwelling. However, in overall terms the proposal would reduce the amount of development on the site quite considerably to the benefit of the rural character and appearance of the site and the surrounding area, and the natural beauty and landscape qualities of the AONB.

#### The Design of the Proposed Dwelling

Criterion (v) of Policy H12 requires that the siting, design and materials are in keeping with the locality. The contemporary design of the dwelling with large areas of glazing, mono-pitched roofs and modern facing materials is clearly a departure from more traditional forms of construction or vernacular architecture. In the architect's words, 'the house is conceived as 'stockade' – buildings grouped around an external courtyard which is fully secure'. A copy of the design statement accompanying this application is **attached** at Appendix C.

Concerns have been raised by the Parish Council and local objectors that the proposed dwelling is not appropriate for the site. The inference is that a more 'traditional' form of development would be appropriate. Guidance on design is contained in PPS1 – Delivering Sustainable Development. Paragraph 38 of PPS1 states:

*'Design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally. Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies or*



*supplementary planning documents on design.'*

The site is in an isolated location in the countryside, and in public views the built form on the site is not viewed in context with other existing development. The nearest neighbouring property is Lower Farm, which is located approximately 250 metres to the south of the proposed dwelling. Therefore, there is no immediate requirement for development on the site to replicate the proportions and design of other buildings in the locality. Indeed, the existing bungalow on the site has no particular architectural merit and, although relatively unobtrusive, it does not itself make a positive contribution to the appearance of the site or surrounding area. It is recognised that a dwelling that follows traditional design and construction would be more in keeping with the building tradition in this area, however, where a site allows there should be scope for interesting and innovative development without slavishly following traditional form. Indeed, as the guidance above states, innovative design should not be stifled. In this case, it is considered that the siting, height and overall size of the development is broadly acceptable. Furthermore, given that the dwelling would be seen as a stand alone development within a woodland setting, without immediate comparison to existing buildings it is considered that the site is suitable for a unique and contemporary style dwelling.

The architect has advised that investigations are being undertaken as to the viability of a geothermal store being the source of heating for the house. However, rainwater harvesting is to be incorporated within the design and the southern aspect of the main elevation of the house allows for ample opportunity for solar gain. Whilst not fully explored or advocated there are sustainability benefits to the proposed dwelling.

#### The Impact on Neighbouring Amenity

The proposed dwelling would be approximately 20 metres from the closest neighbouring residential property. At this distance, the proposal would have no significant impact on the amenity of the occupiers of this dwelling or any other neighbours in the locality.

#### The Impact on Trees

The existing trees on the site are very important features that help to define the character and appearance of the site and help to screen and soften development

on the site from the surrounding area. The proposed dwelling would be sited on an area of open ground away from any mature trees. The new access would be provided through the vegetation on the western boundary of the site and the formation of the access and the associated driveway would only necessitate the removal of three dead trees. The swathe of woodland on the northern section of the site would remain unaffected.

One tree would be removed between the dwelling and the vegetable garden. On its own this tree is not a significant feature in the local landscape and its removal would not cause any significant harm. Additional planting to help soften the development and enhance the landscape setting of the development would be secured by planning condition.

The Tree Officer has raised no objections to the proposal subject to tree protection and landscaping conditions being imposed on any planning permission.

#### Highway Considerations

The relocation of the access further to the north off Hook End Lane represents a highway safety benefit in terms of providing better visibility. Sufficient parking and turning areas are being provided for the dwelling, and overall there are no highway concerns with the proposal as indicated by the Highway Authority's comments.

### **7.0 CONCLUSION**

7.1 The application proposal is in accordance with the relevant development plan policies and national planning policy, as the proposal would not cause any significant harm to the character and appearance of the site and the surrounding area, or the natural beauty and special landscape qualities of the Chilterns AONB.

### **8.0 RECOMMENDATIONS**

**8.1 That planning permission be granted, subject to the following conditions:**

1. **Commencement – 3 years**
2. **Demolition of all existing buildings prior to occupation**
3. **Samples of materials to be approved**
4. **Details of hardsurfacing to be approved**
5. **Details of external lighting to be approved**
6. **Details of fencing/means of enclosure to be approved**
7. **Floor levels to be approved**
8. **Soft landscaping to be approved**

9. **Tree protection to be approved**
10. **Arboricultural method statement to be approved**
11. **Access to be constructed prior to occupation**
12. **Existing access to be stopped up prior to occupation**
13. **Contaminated land assessment to be approved**
14. **Contaminated land remediation to be approved if necessary during development**
15. **Permitted development rights for extensions and outbuildings restricted**

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