
APPLICATION NO.	P08/E0284 & P08/E0285/CA
APPLICATION TYPE	Full & Conservation Area Consent
REGISTERED	10 March 2008
PARISH	Chinnor
WARD MEMBER(S)	Geoff Andrews and Christopher Hood
APPLICANT	Mr R W Turner
SITE	47 High Street, Chinnor
PROPOSAL	1. Planning application for erection of two storey rear extension to premises to provide two 1-bedroom flats and erection of two storey 2-bedroom dwelling to rear of site. 2. Conservation Area Consent application for the demolition of two storage buildings.
AMENDMENTS	One – alteration to rear elevation of 2-bedroom dwelling and surface finishing, additional information provided concerning evidence of extant permission for two storey rear extension, sustainability measures and retention or like for like replacement of boundary wall with No.45.
GRID REFERENCE	475786/201015
OFFICER	Paul Lucas

1.0 INTRODUCTION

- 1.1 This application is reported to the Planning Committee as a result of a conflict between the Planning Manager's recommendation and the views of Chinnor Parish Council.
- 1.2 The application site is shown on the OS extract **attached** as Appendix 1. The site lies within the built-up area of Chinnor, on the north-eastern side of High Street. The site currently contains a two storey frontage building comprising a ground floor shop with offices above. The premises has been previously extended to create a 'double' two storey gable projecting to the rear with a further single storey extension on part of the rear elevation, which is attached to a single storey storage building running alongside the north-western site boundary. There is a second, larger detached pitched roofed storage building positioned to the rear of the site, spanning its width. The open area around these buildings consists of hard surfacing and is used for access and parking by the existing premises. Behind the building at the rear, there is a rectangular undeveloped area, which is rather overgrown with a number of small trees and shrubs. No.47 is positioned very close to the boundary with No.45, a detached two-storey frontage dwelling to the north-west, with a very long rear garden, some 90 metres in depth, wrapping round the rear of No.47. Part of the boundary with No.45 at the rear of the premises comprises a high attractive brick and flint wall. There is a driveway leading to the rear of No.47, which separates the main building from No.49, a detached two storey frontage dwelling located to the south-east of the site, which also has a long rear garden of similar depth to No.45. Behind these rear gardens lies open countryside. The form of buildings in the immediate surroundings is varied, with considerable differences in plot sizes and distance of buildings from the main road. A car park lies opposite the site, adjacent to the village hall. The site and its surroundings lie within the Chinnor Conservation Area.

2.0 **PROPOSAL**

- 2.1 The planning application seeks full planning permission for the erection of a two storey rear extension to the premises to provide two 1-bedroom flats and erection of a two storey 2-bedroom dwelling to rear of site. The extension would measure 4.7 metres deep and 8 metres wide at two storey level with a single storey lean-to on the south-eastern side, increasing the ground floor width to 9 metres and spanning the entire rear elevation. It would follow the double-gable roof shape at the rear of the premises, with two ridges at 6.7 metres and 6.2 metres, both set down by 0.3 metre from the main ridges. The eaves height on the north-west side elevation would be 4.1 metres and on the south-east side it would be 4.7 metres high. The extension would provide a 1-bedroom flat on the ground floor and a 1-bedroom flat on the first floor, both with open plan internal layouts. The majority of the windows would be inserted in the north-east rear elevation, with the entrances to the flats on the south-eastern side. This elevation would have recessed brick panels at first floor level. The north-western side elevation would contain a ground floor bedroom window and a single rooflight serving a bathroom. The external materials would consist of red clay brick and plain clay tiles to match the existing. The extension would replace the existing extension at the rear of the premises and would require the demolition of the outbuilding (Building 'A') that is attached to that extension. The existing hardstanding to the rear of No.47 would be increased by the demolition of Building A. The plans show a parking area containing one space for each of the proposed flats and three spaces for the shop and offices and a turning area so that vehicles can enter and exit the site in forward gear. An area designated for refuse and recycling and cycle parking would be positioned alongside the boundary wall with No.49.
- 2.2 The proposed dwelling would be located towards the rear of the site and would require the demolition of the larger detached outbuilding (Building 'B'). The dwelling would have two storeys and would have the appearance of a chalet bungalow. It would have an L-shaped plan with a maximum of 11 metres in depth and 9 metres in width and would have a ridged roof at 6.3 metres high. The dwelling would be set in from the side boundaries with No's 45 and 49 by about 1.2 metres. It would have gable ends at the north-western and south-eastern sides and a rear gable. There would be two dormers on the front roof slope and a single dormer on the rear roof slope. All three dormers would have gable roofs over and would be set down from the ridge by 0.5 metre. The dwelling would contain two bedrooms on the first floor, both with en-suite and would have sitting, kitchen/dining, study, utility and integral carport. The carport would allow 2 vehicles to be parked in tandem alongside the dwelling. The first floor windows would all be on the front and rear elevations, with some ground floor openings on all elevations. A solar panel would be attached to the south-eastern roof slope. The external materials would consist of clay facing bricks and plain clay tiles. The dwelling would have a rear garden area of approximately 10 metres deep by 10 metres wide and containing a composter. There would be an area of paviors and a 0.9 metre high brick wall at the front of the house to separate the dwelling from the remaining parking area.
- 2.3 The application for Conservation Area Consent relates to the demolition of Buildings A and B. These buildings are located close to the boundary walls with No.45 and No.49, including the high brick and flint wall adjoining No.49. The amended plans indicate that these walls would remain and where this may not be possible, it would be replaced with a structure of like for like construction.
- 2.4 The applicant's supporting design and access statement and subsequent supporting letter are **attached** as Appendix 2. The amended plans of the proposed development are **attached** as Appendix 3.

3.0 **CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Chinnor Parish Council** – Original planning application: The application should be refused due to overlooking neighbouring property – obtrusive.
- Amended planning application: The application should be refused due to overdevelopment and overlooking.
 - Conservation Area Consent: The application should be approved.
- 3.2 **OCC Highways** – The required visibility standards would be achieved at the existing vehicle access. The proposed parking for the flats, dwelling and office would meet required standards. Tracking shows that parking layout would be useable. Cycle parking would be sheltered and secure. No objections subject to standard conditions relating to provision of parking and manoeuvring areas and retention of carport and a unilateral undertaking being entered into to provide a financial contribution towards public transport infrastructure.
- 3.3 **OCC Archaeology** – Standard informative required.
- 3.4 **Conservation Officer** – Conservation Area Consent: No objection to demolition of buildings, but care must be taken to retain adjacent to boundary wall and any reinstatement to be carried out using materials, bond and mortar.
- Planning application: some concerns about the design of the detached dwelling. The application is otherwise acceptable subject to conditions requiring materials and joinery details to be agreed.
- 3.5 **Environmental Services (Waste Management)** – Refuse, recycling and composting requirements only partially met on original plans (Amended plans provide additional recycling and composting as requested).
- 3.6 **Environmental Health (Contamination)** – No objection subject to the imposition of a standard condition requiring investigation and mitigation as necessary.
- 3.7 **Neighbours** – One representation of objection to the original plans raising the following points:
- In general:
 - Overdevelopment of site and would dominate and be imposing upon No.45.
 - Dwelling:
 - Larger than Building B, dominating garden of No.45, loss of direct sunshine to closest section of garden in winter months.
 - Loss of privacy to No.45 from east facing windows and ground floor north-facing window.
 - Failure to preserve or enhance character of Chinnor Conservation Area.
 - Concern about choice of materials.
 - Extension:
 - Higher than existing leading to increased overshadowing of kitchen/dining room of No.45 in winter months.
 - Rooflight would enable overlooking of No.45's bedroom.
 - Concern about treatment of north-west elevation of extension.
 - Other:
 - Concerns about boundary treatment.
 - Concern about inadequate parking and deliveries in front of shop worsening congestion.

4.0 RELEVANT PLANNING HISTORY

- 4.1 Numerous applications for alterations and extensions to the premises were granted during the 1950's through to the early 1990's. The following are of most relevance:
- 4.2 P58/M0395 – Planning permission granted for a part two storey part single storey extension along the boundary with No.45 (replacing existing buildings and creating a two storey gable and single storey extension connected to Building A).
- 4.3 P70/M0058 – Planning permission was granted for the replacement of a garage and store building towards the rear of the site (Building B).
- 4.4 P90/N0767 – Planning permission was granted for the erection of a first floor extension for office use (this formed the second two storey gable).
- 4.5 P90/N0917 – Planning permission was granted for the erection of a two storey rear extension to provide further office accommodation (this was to replace the single storey element built under P58/M0395 and was an addition to the rear of the extension built under P90/N0767 – however only the foundations of this extension were constructed up to one brick course above ground level).
- 4.6 P07/E0619 & P07/E0618/CA – A planning application for a similar extension to that now under consideration to provide two flats and a terrace of four one-bedroom dwellings at the rear of the site and a conservation area consent application for the demolition of Buildings A and B were withdrawn following Officers' indication that the proposals could not be supported for a number of reasons.
- 4.7 P07/E1228 & P07/E1227/CA – A planning application for a similar extension to that now under consideration to provide two flats and a three-bedroom dwelling at the rear of the site and a conservation area consent application for the demolition of Buildings A and B were withdrawn following Officers' indication that the proposals could not be supported for a number of reasons.

5.0 POLICY & GUIDANCE

- 5.1 Adopted Structure Plan 2016 Policies:
G1 – General Policies for Development
G2 – Improving the Quality and Design of Development
G3 – Infrastructure and Service Provision
EN4 – Historic and Cultural Heritage
T8 – Development Proposals
H1 – The 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
G5 – Making the Best Use of Land
G6 – Promoting Good Design
EP8 – Contaminated Land
C9 – Landscape Features
CON7 – Proposals Affecting a Conservation Area
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
D11 – Infrastructure and Service Requirements Policy
H4 – Towns and Larger Villages Outside the Green Belt
H7 – Housing Mix
T1 – Transport Requirements for New Developments
T2 – Transport Requirements for New Developments

5.3 Supplementary Planning Guidance:
South Oxfordshire Design Guide – Sections 4.2, 4.3, 4.4 and 4.5.

5.4 Government Guidance:
PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG13 – Transport
PPG15 – Planning and the Historic Environment

6.0 **PLANNING CONSIDERATIONS**

6.1 In respect of the planning application, the proposed residential development would be located within the built-up area of Chinnor. Although in a backland location, it would not extend the built limits of the settlement and consequently the proposal falls to be assessed against the criteria of Policy H4, which sets out a presumption in favour of residential development. The planning issues that are relevant to this application are whether:

- The development would not result in the loss of an open space or view of public, environmental or ecological value;
- The size and appearance of the proposal would be in keeping with the surroundings and in particular whether it would preserve or enhance the character and appearance of the Chinnor Conservation Area;
- The living conditions of neighbouring residential occupiers would be compromised and the development would provide suitable living conditions for future occupiers;
- The development would result in an unacceptable deficiency of off-street parking spaces for the resultant dwellings or other conditions prejudicial to highway safety;
- The development would have an appropriate mix of housing types; and
- The proposal would incorporate sufficient sustainability measures.

6.2 In respect of the Conservation Area Consent application the key issues are whether:

- The existing buildings are of sufficient architectural merit and make such a contribution to the Chinnor Conservation Area that their retention is justified; and

There is an acceptable scheme for the redevelopment of the site.

Loss of Open Space

6.3 Criterion (i) of Policy H4 of the adopted SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site has historically been a largely developed site. The only undeveloped area is not visible from the street scene. There is no evidence that it has any particular ecological value. This criterion would therefore be satisfied.

Character and Appearance

- 6.4 Criteria (ii) and (iii) of Policy H4 of the adopted SOLP 2011 states that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area is not adversely affected. Policy CON7 explains that the Council has a statutory duty to ensure that development preserves or enhances the character and appearance of conservation areas. The extension to provide the flats would constitute a fairly significant further addition to the rear of the building. It would mirror the dual-gable shape of the existing rear elevation, would be set down from the existing ridge line and stepped in at first floor level from the existing south-eastern facing side wall and would incorporate matching brick and tile materials. The massing of the extension would be broken up on the south-eastern elevation by a lean-to roof and first floor recessed brick panels and by several windows on the north-east elevation. Overall, the extension would appear as a subordinate addition to the premises and its visual impact would be compensated for by the demolition of the existing single storey rear extension (approved under P58/M0395) and Building 'A', which currently make the rear of the premises look rather cluttered. The extension would not appear prominent in public views in the Chinnor Conservation Area and on balance would preserve its character and appearance.
- 6.5 The dwelling would have the appearance of a chalet bungalow, located on the part of the site currently occupied by Building 'B'. It would be at a distance of 30 metres from the street frontage. In the immediate locality, there are a number of similar sized buildings already located towards the rear of plots at No's 41 and 53 High Street, Dairy Farm and 5 & 7 Keens Lane, which means that the dwelling would not be against the grain of established development in the Chinnor Conservation Area. The Council's Conservation Officer has stated some reservations about the design of the dwelling, but concluded that these would not be sufficient to justify a refusal of planning permission, because the dwelling would be relatively low-key in scale, would replace an existing functional building and would not be out of keeping with the established form of development on the site, which with the exception of the brick and flint boundary wall, is of no particular merit. Although it would be larger than the existing building in terms of depth and ridge height, the existing building is hard up against both side boundaries, whereas the dwelling would be stepped in by 1.5 metres. The amended plans have improved the rear elevation of the building and the asymmetrical design of the front elevation would not be out of kilter with the variety of building forms in the locality. The main materials would consist of plain clay tiles, clay facing bricks and timber windows, which would be sympathetic to the surroundings. The amended plans have also indicated some paviors to the frontage of the dwelling to create a visual separation between the frontage and the remainder of the parking area behind the flats. This area currently consists of a hardstanding and consequently could be improved with appropriate materials. In addition, the amended plans show that the side boundary walls with No's 45 and 49, including the attractive brick and flint section would be retained, or replaced with like for like structures. On balance, the proposed dwelling would have a neutral impact on the character and appearance of the Chinnor Conservation Area. In light of this assessment, the proposed development would comply with the above Policies and criteria.

Living Conditions

- 6.6 Criterion (iv) of Policy H4 of the adopted SOLP 2011 requires that there are no overriding amenity objections. The occupiers of No.45 have objected to the impact of several aspects of the proposed development on their property. Concerns have been expressed that the increased height of the proposed extension when compared with

the existing structure would lead to increased overshadowing of the kitchen and dining room at No.45, which contain windows facing towards No.47. These windows would be at a distance of approximately 10 metres from the north-west elevation of the proposed extension, with No.45's driveway being located between the side wall of the house and the boundary. Due to the stepped nature of No.45's side wall, three of the ground floor windows on this side face south-eastwards towards No.47 and the remaining ground floor window and a set of patio doors face north-eastwards towards the long rear garden. The proposed extension would have an eaves height 1.5 metres higher and a ridge height 1.3 metres higher than the existing structure. Given the distance involved, the orientation of the windows and the existence of some foliage on No.45's side of the boundary, it is considered that whilst there would be some additional loss of light, this would be limited to the early part of the day in the winter months and would not significantly impact upon the adjacent occupiers enjoyment of these ground floor rooms. The demolition of Building 'A', would remove a 9 metre section of roofing that is currently visible above the boundary wall and this would somewhat compensate for the additional extension. It is also worth noting that a planning permission (P90/N0917 – see paragraph 4.5 above) for a higher two storey extension to that now applied for was commenced and this could be implemented instead of and would have a greater impact than the proposed extension. There is a first floor bedroom window at No.45 facing No.47 and the occupiers are concerned that the proposed rooflight on the north-west elevation would give rise to overlooking and loss of privacy to that room. However, this rooflight would serve a bathroom and an obscure glazing/fixed shut condition could be imposed to prevent overlooking from occurring. The south-east elevation of the extension would be 10 metres from the closest side windows of No.49, to the south-east. Taking into account this distance and the lack of any first floor windows, it is considered that there would be no adverse impact from the extension to the residential occupiers to the south-east.

- 6.7 The occupiers of No.45 are opposed to the new dwelling, because it would be larger than Building 'B', thereby dominating the garden of No.45, resulting in loss of direct sunshine to the closest section of garden to the house in the winter months. It is acknowledged that the proposed dwelling would be 5 metres greater in overall depth and 1.7 metres greater in ridge height than Building 'B'. Although the proposed dwelling would be stepped in from the side boundary with No.45 by about 1.5 metres, whereas the existing building is hard against the boundary, it is inevitable that the proposed dwelling would result in some additional loss of sunlight and outlook to the adjoining garden. However, it has to be recognised that the proposed dwelling would only impact on a small part of No.45's large rear garden, which is approximately 17 metres wide and 70 metres deep. The overall impact of the dwelling on the adjoining garden would therefore not be sufficient to justify refusal of planning permission. The dwelling would be positioned some 25 metres from the aforementioned rear windows at No.45. The adjoining residents are concerned about loss of privacy to their garden from the first floor north-east facing bedroom windows and a ground floor north-west facing kitchen window of the proposed dwelling. The closest rear window to No.45's rear garden would be positioned 10 metres from the rear boundary of the proposed dwelling's rear garden. It is considered that this distance, combined with the amount of established foliage on No.45's side of the boundary would be sufficient to prevent any significant direct views into No.45's garden. This window would also be located 4 metres from the side boundary towards which oblique views would be possible, but such a situation is not unusual in residential areas and would not lead to a significant loss of privacy to the adjoining occupiers. The ground floor window would face onto the existing boundary fence and this would prevent overlooking into No.45's garden from this window. A landscaping scheme could be required via a planning condition, which would strengthen the boundary treatment around the perimeter of the proposed dwelling. The proposed dwelling would be located about 15 metres from the rear of

No.49 and would be stepped back by 1.5 metres from the side boundary with this adjoining property. As a result, the relationship of the proposed dwelling with the adjoining garden to the south-east would be similar to the relationship with No.45 and it can be concluded there would be no material loss of light, outlook or privacy to the occupiers of No.49, whom have raised no objections to the proposed development.

- 6.8 The relationship between the proposed flats and the detached dwelling would be acceptable. At a distance of 15 metres, the windows to habitable rooms on the rear elevation of the flats would face towards first floor en-suite windows (these would be conditioned to be obscure glazed) and a ground floor study window on the front elevation of the dwelling and thereby habitable rooms would not overlook one another. The parking areas would be appropriately segregated between the flats, office and dwelling, which would avoid excessive vehicular movements and potential conflict between the uses. The garden area would be over 100 square metres, which would be in excess of the 50 square metre SODG standard for a two-bedroom dwelling. The flats would not have any dedicated private amenity space, but this is an acceptable situation for small residential units in a village centre with good access to public amenity areas. The proposed development would also provide generous room sizes for future occupiers. On the basis of this assessment, the proposed development would meet the above criterion.

Highways and Parking

- 6.9 Criterion (iv) of Policy H4 of the adopted SOLP 2011 also requires that there are no overriding highway objections. Although an adjoining resident has raised concerns about intensification of uses on the site worsening highway safety and congestion, the Highway Authority is satisfied that the proposed visibility at the access point and parking and manoeuvring arrangement would meet adopted standards. The development would also provide sheltered and secure cycle parking. Moreover, at the request of the Highway Authority the applicant has agreed to enter into a unilateral undertaking to provide a financial contribution towards public transport infrastructure in the locality. The proposed development would therefore satisfy the above criterion.

Housing Mix

- 6.10 Policy H7 of the adopted SOLP 2011 requires a suitable mix of housing to be provided and the sub-text indicates that the Council will seek to ensure that developments of a net gain of two or more dwellings would contain 45% 2-bedroom dwellings. The proposal would provide one 2-bedroom dwelling, which would equate to 33% of the total number of units. This shortfall is considered to be acceptable in this particular instance as the one-bedroom flats are also considered to provide appropriate accommodation in a village centre and the lack of private garden areas would be more unsuitable for larger family accommodation. The proposal would therefore comply with the spirit of Policy H7.

Sustainability Measures

- 6.11 Policy D8 of the adopted SOLP 2011 requires proposals to incorporate sustainability measures in terms of energy, water and materials efficient design. The detached dwelling would be designed to a 10% higher energy efficiency than required by current building regulations, assisted by the solar water panels and would incorporate internal potable water consumption measures through efficient WCs, taps, showers, dishwasher and washing machine. There would also be porous paving areas and garden, an accessible drying space and provision of cycle storage within the car port. A planning condition is recommended requiring further details to demonstrate how the

proposed development would take account of Level 2 of the Code for Sustainable Homes. Recycling and composting facilities are also proposed in accordance with Policy D10, thus making a contribution to the objectives of Policy D8.

Conservation Area Consent

- 6.12 The Council's Conservation Officer considers that Buildings 'A' and 'B' are functional single storey stores and garages that have a neutral impact on the character and appearance of the Chinnor Conservation Area, but are not of architectural or historical interest. Hence their demolition is acceptable and it is considered that there are appropriate circumstances to consider a redevelopment of the site.
- 6.13 The assessment from paragraphs 6.1 to paragraphs 6.8 has revealed that there would be no material harm caused as a result of the proposed development. Consequently, it can be concluded in the context of an acceptable redevelopment scheme, Policy CON6 would therefore be complied with and the demolition of the existing buildings could be supported.

7.0 **CONCLUSION**

- 7.1 The application proposal would comply with the relevant Development Plan Policies and it is considered that, subject to the attached conditions and completion of a legal agreement, the demolition of the buildings would be acceptable and the proposed development would have a neutral impact upon the character and appearance of the Chinnor Conservation Area. It would not materially harm the living conditions of nearby residents nor would it result in conditions prejudicial to highway safety. It would also provide an appropriate mix of housing and would incorporate sustainable measures and waste management facilities.

8.0 **RECOMMENDATION**

- 8.1 **It is recommended that the grant of planning permission be delegated to the Head of Planning, subject to the prior completion of a unilateral undertaking with Oxfordshire County Council to secure a financial contribution towards local public transport infrastructure, and the following conditions:**

1. **Standard 3 Year Time Limit**
2. **Samples of Materials prior to commencement**
3. **Joinery Details prior to commencement**
4. **Rainwater Goods to be metal and painted black**
5. **Extension – Rooflight to bathroom to be obscure glazed and fixed shut**
6. **Detached dwelling - First floor en-suite windows to be obscure glazed and hinged to open inwards**
7. **Detached dwelling - Removal of Permitted Development Rights (extensions, porch and outbuildings)**
8. **Details of boundary treatment prior to commencement**
9. **Tree protection measures to BS5837:2005 to be in place for the duration of the development**
10. **Details of hard and soft landscaping prior to commencement**
11. **Parking and manoeuvring areas to be provided prior to occupation**
12. **Retention of carport for parking only**
13. **Refuse and Recycling facilities to be implemented as approved prior to occupation**
14. **Details of Sustainability Measures assessed against Level 2 of Code for Sustainable Homes to be submitted**
15. **Contamination Investigation to be carried out and remediation as necessary**

That Conservation Area Consent be granted subject to the following conditions:

- 1. Standard 3 Year Time Limit**
- 2. Demolition not to take place until all conditions of P08/E0284 requiring prior approval of details have been agreed**
- 3. No demolition until contract agreed**

Author: Paul Lucas
Contact No: 01491 823434
Email: Planning.east@southoxon.gov.uk