

SUBJECT DEVELOPMENT APPLICATION REPORTS ITEM 8

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P08/E0999
APPLICATION TYPE	Full
REGISTERED	8 September 2008
PARISH	Goring Heath
WARD MEMBER(S)	Ann Ducker and Pearl Slatter
APPLICANT	Mr K Deacon
SITE	Owl Cottage, Cold Harbour
PROPOSAL	Erection of replacement dwelling with attached garage and new vehicular access.
AMENDMENTS	None.
GRID REFERENCE	463096/179840
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 Goring Heath Parish Council.

1.2 The application site is shown on the OS extract **attached** as Appendix 1. The site extends to some 0.125 hectares and is currently occupied by a detached bungalow. It is positioned at the western end of a country lane containing 9 dwellings, forming the hamlet of Cold Harbour, located between Whitchurch Hill and Crays Pond. The site is bordered by the lane to the south, the residential curtilage of Coldharbour Farm to the east and open countryside to the north and to the west and the site lies within the Chilterns Area of Outstanding Natural Beauty. There are a number of mature trees in the garden of Coldharbour Farm, close to the eastern site boundary and other mature trees along the lane to the west of the site. A public footpath runs across the open countryside on the southern side of the lane.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the erection of a replacement dwelling incorporating a link to an attached garage and the transfer of the existing access from the western corner of the site to the eastern corner. The dwelling would be reoriented on the site and measure 17 metres in width on the front (south-east facing) elevation and 12 metres in depth on the side (south-west facing) elevation fronting the road. The closest corner of the dwelling would be 4 metres from the boundary with the lane. The height to the main ridge would be 6.8 metres, allowing accommodation to be provided on two floors. The dwelling would have gable ends and a further gable projection at the rear (north-west facing) elevation. There would be a turret feature accommodating a staircase on the front elevation and the main roof slopes would each contain two flat roof dormers. There would be chimneys on both side elevations and the single storey link to the garage would be curved. The garage itself would be located close to the eastern boundary of the site and would

accommodate two vehicles. It would measure 7.5 metres in width and depth and would have a 5.5 metre high ridge height. Details of sustainable measures have been submitted with the application, including solar panels to the garage roof.

2.2 The applicant's Design and Access Statement is **attached** as Appendix 2. The plans of the proposed development are **attached** as Appendix 3.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Goring Heath Parish Council** – The application should be refused due to:

- Impact significantly greater than existing
- Architecturally poor – the 'stair tower' is Art Deco and the whole design is overly fussy
- The proposed garage is positioned as to pose a significant threat to the mature hedge to the east of the site

3.2 **OCC Highways** – No objection subject to standard conditions.

3.3 **Forestry Officer** – No objection subject to tree protection condition.

3.4 **Countryside Officer** – No objection.

3.5 **Environmental Services (Waste Management)** – The waste collection area requires an access for workmen and a gravel buffer zone. This could be secured via a planning condition.

3.6 **Environmental Services (Contamination)** – No objection subject to standard condition requiring investigation and mitigation as necessary.

3.7 **Building Control** – Level access to front entrance required.

3.8 **Neighbours** – No representations received.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P53/H0397 – Planning permission was granted in February 1954 for an agricultural workers' bungalow.

4.2 P05/E1186/LD – A certificate of lawful development was granted in December 2005 on the basis that on the balance of probabilities the agricultural occupation of the bungalow had ceased for more than 10 years.

4.3 P06/E0409 – Planning permission was granted in June 2006 for side and rear extensions incorporating accommodation in the roof space and a replacement double garage. The plans of the approved development are **attached** as Appendix 4.

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
- G3 – Infrastructure and Service Provision
- G6 – Energy Conservation
- T8 – Development Proposals
- EN1 – Landscape Character
- 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
 - 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
 - D1 – Good Design and Local Distinctiveness
 - D2 – Vehicle and Bicycle Parking
 - D3 – Plot Coverage and Garden Areas
 - D4 – Privacy and Daylight
 - D7 – Access for All
 - D8 – Energy, Water and Materials Efficient Design
 - D10 – Waste Management
 - H12 – Replacement Dwellings
 - T1 – Transport Requirements for New Developments
 - T2 – Transport Requirements for New Developments

- 5.3 Supplementary Planning Guidance:
- South Oxfordshire Design Guide 2008 – Sections 3, 4 and 5.
 - South Oxfordshire Landscape Assessment – Character Area 10.
 - Chilterns Buildings Design Guide – Chapter 3.

- 5.4 Government Guidance:
- PPS1 – Delivering Sustainable Development
 - PPS3 – Housing
 - PPS7 – Sustainable Development in Rural Areas

6.0 **PLANNING ISSUES**

6.1 The site is considered to lie within the built-up area of the hamlet of Cold Harbour. This is an isolated group of dwellings, where new housing would not normally be permitted and replacement dwellings are therefore assessed against the criteria of Policy H12. The planning issues that are relevant to this application are whether:

- The use has been abandoned;
- The existing dwelling is listed, or of historic, visual or architectural interest;
- The proposed dwelling is not materially greater in volume than the existing dwelling (taking account of permitted development rights);
- The overall impact would not be any greater than the existing dwelling on the character and appearance of the site and the surrounding area;
- The siting, design and materials are in keeping with the locality;
- The living conditions of neighbouring residential occupiers would be compromised and the development would provide suitable living conditions for future occupiers;
- The development would not result in an unacceptable deficiency of off-street parking spaces for the resultant dwelling or other conditions prejudicial to highway safety; and
- The proposal would incorporate sufficient sustainable development and waste management measures and would have level access.

Abandonment

6.2 Owl Cottage is still in use as a dwelling and criterion (i) is therefore met.

Historic Value

6.3 The existing dwelling is not listed and is of no particular architectural merit. Criterion (ii) would therefore be complied with.

Volume

6.4 Criterion (iii) of Policy H12 of the SOLP 2011 specifies a limit of 10% for increases in volume for replacement dwellings. The volume of the existing dwelling is 321.54 cubic metres, whereas the proposed volume would be 709.7 cubic metres. This would represent a 120% increase in volume, thereby clearly exceeding the above limit. However, the proposed dwelling has been designed so as to be the same volume as the resultant dwelling that would be created by the extant planning permission for extensions to the existing dwelling (P06/E0409). The proposed dwelling would have a greater amount of first floor accommodation, but the approved scheme involves a greater footprint. The existence of the extant planning permission, which could be implemented until 19th June 2009, is a material planning consideration. Whilst it is acknowledged that the proposed development would be in breach of the above criterion of Policy H12, having regard to the planning history of the site, this is considered to be acceptable in this particular instance.

Character and Appearance + Design

6.5 Criteria (iv) and (v) of Policy H12 of the SOLP 2011 are concerned with the impact of a replacement dwelling on the character and appearance of the surrounding area and that the design would be appropriate. The main differences between the approved and proposed schemes are set out below:

	Approved Dwelling	Extended Dwelling	Proposed Dwelling
Ridge Heights	6.8 metres	5.5 metres 4.9 metres 4.2 metres	6.8 metres
Width of front elevation	18 metres		17 metres
Width of side elevation	15.5 metres		12 metres
Distance to Front Boundary (closest)	9 metres		4 metres
Distance to Front Boundary (average)	12 metres		11 metres
Garage Dimensions	6 metres (D) 6 metres (W) 5.5 metres (H)		7.5 metres (D) 7.5 metres (W) 5.5 metres (H)

6.6 As explained above, the proposed development compares favourably with the approved scheme in terms of footprint. Although the approved development would have a more varied ridge height, the proposal would be no higher than the highest part of the approved roofline. The reorientation of the dwelling would result in it being positioned closer to the lane than the approved dwelling. However, the width of the proposed elevation facing the road would be narrower than the front elevation of the extant planning permission. The front entrance, for example, would be positioned at a

similar distance from the lane than the existing.

- 6.7 The garage would also be of a similar scale and distance from the lane than the approved replacement garage, albeit that it would be on the eastern, rather than the western side of the plot. The enlarged dwelling would inevitably be more visible than the existing bungalow, but its prominence would not be significant when compared with the size of the approved development on the site. The other dwellings in the locality are detached on fairly spacious plots and most are larger than Owl Cottage. Some are well spaced and others grouped closely together, with variety in appearance and orientation to the lane. Many of them contain dormer windows, and plain clay tiles, red brick and horizontal timber weatherboarding are common materials. In this context, the side-on orientation to the lane and the design and external finish of the proposed dwelling would be acceptable. The approved development involves extensions that would create a number of different elements to the dwelling. The current proposal, whilst having a different design philosophy with the use of gables rather than half-hips, would not result in a more complex form. Although flat roofed dormers are not normally encouraged, these would appear as small incidents in the roof slopes and would comply with the thrust of the SODG 2008. The staircase turret would be an unusual feature, but it would not overly dominate the appearance of the proposed dwelling.
- 6.8 The Forestry Officer has confirmed that the established trees and hedgerows would be safeguarded from the development through standard tree protection measures that could be required by a planning condition. Consequently, the significant screening of the dwelling in views from the east and west along the lane would remain. Additional landscaping could also be implemented to help assimilate the dwelling into its surroundings. The replacement dwelling would be in keeping with the mixed form of development in the locality and, although it would be seen from the public footpath opposite, it would have no significant impact on the wider Chilterns AONB. In light of this assessment, the proposed dwelling would fail to comply with the above criteria.

Living Conditions

- 6.9 Policy D4 of the SOLP 2011 seeks to safeguard residential amenity. The nearest and only immediate neighbour is Coldharbour Farm, which is located over 50 metres from the eastern site boundary. Consequently, there would be no loss of light, outlook or privacy to nearby residential occupiers. Neighbouring occupiers have not raised any objections. The amount of garden space and internal room sizes would meet recommended standards for future occupiers.

Highways

- 6.10 Policies D2, T1 and T2 of the SOLP 2011 seek to ensure that development provides secure and convenient parking and would have a safe means of access. The Local Highway Authority has commented that parking and access are appropriate for the size of dwelling and the development would therefore not give rise to conditions prejudicial to highway safety.

Sustainability Measures, Waste Collection and Disabled Access

- 6.11 Policy D8 of the SOLP 2011 requires proposals to incorporate sustainability measures in terms of energy, water and materials efficient design. The SODG 2008 recommends that developments of up to 4 dwellings should demonstrate that Level 1 of Code for Sustainable Homes would be met. The Design and Access statement contains a section making reference to a number of detailed measures. This is a clear

benefit of the proposal, as the approved scheme does not include many of these specific measures. A planning condition is recommended requiring submission of finalised measures in accordance with Level 1 of the Code for Sustainable Homes to be submitted. A further condition requiring amendments to the waste collection area as suggested by the Waste Management Officer could also be imposed to ensure compliance with Policy D10, which would make a further contribution to sustainability. The Building Control Officer has commented that the proposed front entrance would not have level access, however, this could be addressed through a planning condition requiring amended details to be submitted to ensure compliance with Policy D7.

7.0 **CONCLUSION**

7.1 Whilst the application proposal would not strictly accord with the volume requirements of the Council's replacement dwellings Policy, Officers consider that the proposed dwelling would not be materially greater in size than the extant planning permission for an extended dwelling on this site. There would be no adverse impact on the locality or the wider Chilterns AONB and the proposal would not have a significantly adverse impact upon the residential amenities enjoyed by the occupiers of neighbouring properties, would not give rise to conditions prejudicial to highway safety and would be of a more sustainable design than the earlier planning permission. Consequently, the proposal would comply with the spirit of the relevant Development Plan Policies and Supplementary Planning Guidance and Government Guidance.

8.0 **RECOMMENDATION**

8.1 **Grant Planning Permission**

Subject to the following conditions:

1. **Standard 3 Year Time Limit**
2. **Garage to be implemented only as alternative to garage approved under P06/E0409 and not in addition**
3. **Samples of materials prior to commencement**
4. **Removal of Permitted Development Rights extensions, rooflights, porches and outbuildings**
5. **Details of sustainability measures having regard to Level 1 of Code for Sustainable Homes prior to commencement**
6. **Revised waste collection facilities prior to commencement**
7. **Details of level access to front door prior to commencement**
8. **Provision of access and vision splays to standards prior to commencement**
9. **Closure of existing access prior to occupation**
10. **Provision of parking and turning areas prior to occupation and retention of garage accommodation for parking of vehicles and cycles**
11. **Details of hard and soft landscaping prior to commencement**
12. **Details of tree protection scheme prior to commencement**
13. **Details of contamination investigation and mitigation as necessary prior to commencement**

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