

APPLICATION NO.	P08/E0525
APPLICATION TYPE REGISTERED	Full 16 May 2008
PARISH	Goring Heath
WARD MEMBER(S)	Ann Ducker and Pearl Slatter
APPLICANT	Mr P Arrowsmith
SITE PROPOSAL	4 Airey House, Bridle Road, Whitchurch Hill Erection of detached house and garage (amendment to planning permission P06/E0837/R).
AMENDMENTS	Two – Extension and garage reduced in size and garage repositioned.
GRID REFERENCE	464072/179111
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 is currently occupied by one half of a semi-detached pair of two-storey houses in the small settlement of Whitchurch Hill and also includes part of the rear garden of 15 Hocketts Close, which adjoins the pair of semis to the north. The applicant owns all of the site. It is at the northern end of an unmade single track known as Bridle Road, which continues northwards beyond the site where it is inaccessible for vehicles. The character of buildings on Bridle Road is very varied in style, age and design and the pair of semis are of little architectural merit. The site lies within the Chilterns Area of Outstanding Natural Beauty, which washes over the settlement. There are a number of mature trees along Bridle Road opposite the site and a mature Sycamore in the rear garden of the properties. Bridle Road has a public right of way status as Goring Heath Bridleway 65.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for an amendment to a planning permission (P06/E0837/R) granted in December 2007 involving the demolition of the existing pair of semis and garages and the erection of two 2-storey detached four bedroom dwellings and garages that was granted in October 2006 (a renewal of an original planning permission P01/S0628). This current application involves only the northernmost dwelling from the original scheme (Plot 1), which would replace No.4 Airey House. It differs from planning permission P06/E0837 as follows:

- The replacement of the attached garage on the northern side elevation with a two storey element with a catslide roof and a dormer window on the front and rear; and
- The erection of a detached hip roof single garage positioned between the two storey side element and the northern boundary;
- Access and hardstanding positioned further north to line up with the garage; and
- The repositioning of the chimney from the front gable to the northern elevation.

2.2 The plans of the proposed development are **attached** as Appendix 2. The plans of the most approved development are **attached** as Appendix 3.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 **Goring Heath Parish Council** – Comments on original plans: The application should be refused due to overdevelopment of the site above what was originally approved. Please note strong objections from local residents for the use of Bridle Road for construction access.

Comments on amended plans: The application should be refused on the grounds of overdevelopment of the site. The plot area has been misrepresented on the plans, as the corner to the north of the plot has been absorbed into the garden of 15 Hocketts Close, meaning that the proposed garage would be in the garden of another property.

3.2 **OCC Highways** – Comments on P06/E0837/R still apply: No objection subject to standard parking and manoeuvring condition.

3.3 **OCC Footpaths** – Informatives required on any permission in relation to obstruction or damage to public footpath during the proposed development.

3.4 **Forestry Officer** – No objection subject to landscaping condition.

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

3.6 **Neighbours** – One representation of objection to the original plans received making the following points:

- Proposal would make the plot appear over-developed when viewed in conjunction with the replacement dwelling on the adjacent plot.
- Plot is currently smaller than shown on the plans.
- Loss of turning area resulting in large delivery vehicles reversing down Bridle Road.
- Inaccurate in relation to trees and hedges.

4.0 RELEVANT PLANNING HISTORY

4.1 P01/S0628 – Planning permission was refused in November 2001 for two replacement dwellings due to inappropriate appearance and relationship with adjoining dwellings.

4.2 P02/S0641 – Planning permission was granted in November 2002 for two replacement dwellings.

4.3 P03/E0585/RET – Planning permission was granted in October 2003 for the re-alignment of the boundary fence between 15 Hocketts Close and 4 Airey House.

4.4 P06/E0837/R – Renewal of planning permission was granted in October 2006 for the replacement dwellings approved under P02/S0641 above.

4.5 P07/E1330 – Planning permission was granted in December 2008 for an amendment to Plot 2 involving an attached rather than a detached garage.

- 4.6 P08/E0264 – A planning application for a further increase in the scale of the dwelling, involving increases in the ridge height and dormers at Plot 2 was withdrawn, following Officers' indication that the resultant dwelling would be excessive.
- 4.7 P08/E0522 – Planning permission was granted by the Planning Committee in October 2008 for some minor alterations to the approved dwelling at Plot 2 including one dormer window, a sunroom, a swimming pool in the rear garden, repositioning of chimney and alterations to windows.

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
- 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
- G6 – Promoting Good Design
- 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
- D8 – Energy, Water and Materials Efficient Design
- D10 – Waste Management
- H12 – Replacement Dwellings
- R8 – Public Rights of Way
- 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 small settlement of Whitchurch Hill. This is a settlement where new dwellings 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 not 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; and
- 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 measures.

Abandonment

- 6.2 No.4 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. No volume calculations have been provided, but it is clear that the 10% limit would be exceeded. However, the site has an unusual and complicated planning history. The original planning permission (P02/S0641) for the redevelopment of the pair of semi-detached houses was granted planning permission following an assessment under Policy H16 of SOLP 1997, which contained no volume limit. By the time a planning application was made for its renewal (P06/E0837/R), Policy H12 had been adopted with the 10% volume limit, but the primary consideration for the renewal application was whether there had been any material change in site circumstances since the original planning permission was granted and consequently the permission was renewed until October 2009. In the light of that extant permission, a planning application (P07/E1330) to increase the size of Plot 2 by attaching the garage to the house was considered acceptable, because although the 10% volume limit would have been exceeded, the enlarged dwelling would not have been significantly greater in size than the approved dwelling for Plot 2. A subsequent planning application proposed further changes to Plot 2 that were less significant in volume (a dormer and a conservatory) than the previous set of changes. The current proposal involves enlarging Plot 1 to a similar footprint as that most recently approved for Plot 2. It is acknowledged that the proposed development would be in breach of the volume criteria of Policy H12. However, having regard to the complex planning history and the fact that the resultant dwelling would be less bulky than the refused proposal P01/S0628, officers consider this development to be acceptable.

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 planning permission P06/E0837/R and this proposal would involve an additional two storey side element. This would take on the form of a two storey side extension, with a set back from the front and set down from the rear and significantly narrower in width than the approved footprint of the dwelling, which would have been likely to be acceptable as a later addition had the dwelling been built as originally approved. There would then be very limited scope for any further expansion to the dwelling once constructed. The two storey element would replace the approved attached double garage, and there would be a single detached garage to the side, which is considered to be a visual improvement. It is correct that part of the red line area currently resides within the plot of No.15 Hocketts Close, because the boundary fence was re-aligned and approved retrospectively in 2003 (P03/E0585/RET). However, the applicant owns No.15 and therefore it is reasonable to impose a planning condition requiring the boundary to be re-established as shown on the plans prior to the commencement of other works. This would ensure that the garage can be built as shown and that the dwelling would not appear cramped on its plot. The resultant dwelling would be in keeping with the mixed form of development in the locality and, in particular, the approved scale and design of the replacement dwelling at Plot 2. Specifically, the ratio of built form to open space would comply with the 40% maximum plot coverage as recommended in SODG 2008. It would have no significant impact on the wider Chilterns AONB. In light of this assessment; the proposed dwelling would comply with the above criteria.

Living Conditions

- 6.6 The relationship between the proposed dwelling and No.15 would be acceptable as the original boundary would be reinstated and the two storey element would be positioned between 4 to 11 metres from the boundary. The garage would be 1 to 3.5 metres from the boundary. These separation distances would prevent any significant loss of light or outlook to No.15. The rear dormer window would introduce a further first floor window at a distance of 4 metres from the boundary with No.12 Hocketts Close. As it would serve a bathroom, a condition could be imposed to ensure that it would be obscure glazed, thereby preventing any overlooking of No.12's rear garden and loss of privacy to the occupiers, who have not objected to the proposal. The relationship between Plot 1 and Plot 2 would remain not materially different to that previously permitted. Consequently, there would be no loss of light, outlook or privacy to nearby dwellings and with a garden area in excess of 100 square metres, the living conditions for future occupiers would be acceptable.

Highways

- 6.7 The parking and access arrangements remain similar as previously approved, with the garage and hardstanding capable of accommodating a total of 3 vehicles, sufficient for a five bedroom house. The Local Highway Authority had previously raised no objection, subject to a condition requiring parking and manoeuvring areas to be established prior to occupation and the garage could also be conditioned to be retained for vehicle and cycle parking. The development would therefore not give rise to conditions prejudicial to highway or pedestrian safety.

Sustainability Measures

- 6.8 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 application makes no reference to such matters, however, neither do the extant permissions. However, the adoption of the SODG 2008

in July 2008 is a material consideration and it is considered reasonable to impose a condition requiring details to be submitted. A further condition requiring details of refuse, recycling and composting storage could also be imposed to ensure compliance with Policy D10, which would make a further contribution to sustainability.

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 significantly greater in size than the combined massing of the extant planning permissions for a dwelling on this site and the adjacent plot. There would be no adverse impact on the locality or the wider Chilterns AONB. The proposal would not have a significant impact upon the amenities enjoyed by the occupiers of neighbouring properties and would be of a more sustainable design than the earlier planning permission. Consequently the proposal would generally comply with the relevant Development Plan Policies and subject to the attached conditions, the proposed development would not materially harm the living conditions of nearby residents or the character and appearance of the area or give rise to conditions prejudicial to highway or pedestrian safety.

8.0 RECOMMENDATION

8.1 Grant Planning Permission subject to the following conditions:

- 1. Standard 3 Year Time Limit**
- 2. Samples of materials prior to commencement**
- 3. First floor rear dormer window to be obscure glazed and fixed shut**
- 4. Removal of Permitted Development Rights first floor windows, extensions, rooflights, dormers, porches and outbuildings**
- 5. Details of sustainability measures at least Level 1 of Code for Sustainable Homes prior to commencement**
- 6. Details of refuse, recycling and composting facilities prior to commencement**
- 7. Provision of access, parking and turning areas prior to occupation and retention of garage accommodation for parking of vehicles and cycles**
- 8. Reinstatement of northern boundary fence as shown on the approved plans prior to commencement**
- 9. Details of hard and soft landscaping prior to commencement**
- 10. Details of contamination investigation and mitigation as necessary prior to commencement**

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