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<b>APPLICATION NO.</b>	P08/W1350
<b>APPLICATION TYPE</b>	Minor
<b>REGISTERED</b>	21 January 2009
<b>PARISH</b>	Beckley
<b>WARD MEMBER(S)</b>	Anne Purse
<b>APPLICANT</b>	David & Fiona Singleton
<b>SITE</b>	Hollybush House Woodperry Road Beckley OX3 9UZ
<b>PROPOSAL</b>	Replacement four bedroom dwelling
<b>AMENDMENTS</b>	Additional site plan showing vehicular access
<b>GRID REFERENCE</b>	456766/210821
<b>OFFICER</b>	Brian Crooks

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**1.0 INTRODUCTION**

- 1.1 This application is reported to committee at the request of Cllr Anne Purse.
- 1.2 The application site is located in Green Belt and countryside outside the recognised built up limits of Beckley, to the south of Woodperry Road. It is accessed from Woodperry Road via a private track. The site has two accesses to the private track, one at each end of its frontage; the northern one is used for vehicular access. A plan showing the location of the application site is **attached** at Appendix 1.
- 1.3 Hollybush House, formerly known as Hillview, is a small single storey rendered, tiled, and extended two bedroom dwelling set back from the private track and discreetly sited close to the southern boundary of its large 0.4 ha plot. Its attached garage and flat roofed timber clad rear extension both appear to have been added since the dwelling was built. A drawing showing the elevations of the existing dwelling is **attached** at Appendix 2.
- 1.4 There is an evergreen hedge along the site's frontage and the existing dwelling, and two associated and ramshackle sheds, are screened by a number of mature evergreen trees planted round about them.
- 1.5 Hollybush House is one of a group of four small single storey dwellings in large plots which are served by the private track, and there similar properties scattered about the locality within the countryside on the outskirts of Beckley to the west and south of the application site.
- 1.6 Woodperry Road to the north of the application site is intensively developed and has a suburban appearance, which contrasts sharply with the rural character and appearance of the area around the application site and beyond.

**2.0 PROPOSAL**

- 2.1 The proposal is to demolish the existing extended bungalow (and its attached garage and the sheds) and to construct a much larger two storey four bedroom replacement house.

- 2.2 The volume of the proposed replacement dwelling at 960 cubic metres is 136% greater than that of the existing dwelling. Its footprint at 170 square metres is 70% larger, and at 7 metres to its ridge it is 13% higher than the existing dwelling. The existing bungalow is 407 cubic metres in volume with a footprint of 100 square metres and a maximum height of 6.2 metres.
- 2.3 The replacement house will be set back to the same line as the existing dwelling but it will be sited on the opposite side of the plot, close to its northern boundary, which would entail the loss of some of the mature evergreen trees. The existing (northern) access is proposed to be retained for vehicular access to the replacement dwelling.
- 2.4 The new house is proposed to be of timber frame construction, (the frame supplied by a proprietary manufacturer), and to be finished mainly in render, with some timber cladding, with timber fenestration and a red tile roof. A drawing showing the elevations of the proposed replacement house is **attached** at Appendix 3.
- 2.5 The submitted plans do not include any proposals to replace the existing garage or sheds as part of the application.
- 2.6 The applicants have confirmed that if planning permission were to be granted they would accept planning conditions requiring the landscaping and sustainable construction of the replacement dwelling, and ensuring the demolition of the existing dwelling on occupation of the replacement dwelling.

### 3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 The Beckley Parish Council has no strong views on the application.

### 4.0 RELEVANT PLANNING HISTORY

- 4.1 None

### 5.0 POLICY & GUIDANCE

- 5.1 South Oxfordshire Local Plan 2011  
G4 – Development in the countryside and on the edge of settlements  
G6 – Promoting good design  
C4 – The landscape setting of settlements  
GB2 – New building in the Green Belt  
D1 – Good design and local distinctiveness  
D8 – Energy, water and materials efficient design  
H6 – Locations where new housing will not be permitted  
H12 – Replacement dwellings

South Oxfordshire Design Guide 2008  
Section 5 - Building Design

Government Guidance  
PPS1 – Delivering Sustainable Development  
PPG2 – Green Belts  
PPS7 – Sustainable Development in Rural Areas.

### 6.0 PLANNING CONSIDERATIONS

- 6.1 The main issues in this case are: -
- whether the proposed development comprises appropriate development within the Green Belt;
  - the effect of the proposed development upon the openness of the Green Belt;

- the effect of the proposed development upon the character and appearance of the area and the setting of Beckley;
- the design of the proposed development; and
- other matters

**Inappropriate development within Green Belt**

- 6.2 There is a presumption against inappropriate development within the Green Belt. In order to determine whether the proposed development is inappropriate development or not it is first necessary to outline the relevant planning policy background which must be taken into consideration, and recent changes to the permitted development regime that affect it.
- 6.3 PPG2 states at para. 3.6 that replacement dwellings need not be inappropriate development within the Green Belt providing they are not materially larger. It further states that local authorities should make it clear in development plans in what circumstances replacement dwellings are acceptable. In the Council's case this is done by policies GB2 and H12 of the South Oxfordshire Local Plan 2011.
- 6.4 Policy GB2 allows for the construction of replacement dwellings within the Green Belt where consistent with policy H12. Policy H12 allows for replacement dwellings in the countryside (and Green Belt) subject to criteria including: (iii) the proposed dwelling is not materially greater in volume than the existing dwellings (taking account of permitted development rights).
- 6.5 The supporting text of the South Oxfordshire Local Plan states at para. 5.57 in relation to criterion (iii) that not materially greater means that, in addition to any unused permitted development rights, an increase of up to, but no more than, 10% in volume may be acceptable provided that criterion (iv) on no greater impact can still be met.
- 6.6 Permitted development rights changed and became more permissive in October 2008, since the South Oxfordshire Local Plan was adopted. Whereas in the past there was a volumetric limit for extensions to dwellings carried out as permitted development this is no longer the case.
- 6.7 The applicants claim they would be able to extend the existing dwelling (to the rear, side, and front) under permitted development rights to a greater volume than that proposed for the replacement dwelling. They argue on the basis that criterion (iii) of policy H12 specifically requires that permitted development rights are taken into account, the large 136% increase in the volume of the proposed dwelling over that of the existing dwelling falls within the scope of policy H12 in their view.
- 6.8 It is accepted that the change in the permitted development regime must be acknowledged but it is clear that criterion (iii) of policy H12 is now out of step with PPG2 guidance. This will be addressed and rectified in the new local development framework. However, in considering the inappropriateness or otherwise of the proposed development the Council must also have regard to PPG2, which clearly states that replacement dwellings need not be inappropriate providing the new dwelling is not materially larger. The proposed replacement for Hollybush House is, as described in para. 2.2 of this report, materially larger than the existing dwelling to a considerable degree, so the application is inappropriate development which is contrary to Green Belt policy set out in PPG2.
- 6.9 Inappropriate development within the Green Belt is harmful by definition and the applicants have not put forward any very special circumstances that would justify the proposed development, and the harm it would cause by reason of its

inappropriateness.

**Effect upon the openness of the Green Belt**

- 6.10 As well as causing harm to the Green Belt by inappropriateness the increased size of the proposed replacement dwelling would erode the openness of the Green Belt; its most important attribute. As such the proposed development is contrary to the fundamental aim of Green Belt policy identified in PPG2.
- 6.11 As the application does not include any proposals for replacing the garaging and ancillary buildings to be demolished with the existing dwelling it can be anticipated that replacements would be sought in due course, either as permitted development or by application. The erection of replacement garaging and other buildings would further erode the openness of the Green Belt.

**Effect upon character and appearance of the area and setting of Beckley**

- 6.12 The greater impact the proposed dwelling would have due to its size would be exacerbated by the fact its siting would be prominent. Whereas the existing dwelling is small, discreetly sited, and largely screened near the site's southern boundary siting the much larger replacement, within 2m of the site's northern boundary would render it open to public view, from the track and through the vehicular access. See photographs **attached** at Appendix 4. A large, prominent house in this position would harm the rural character and appearance of the area immediately around the site and, more widely, Beckley's countryside setting. This being so the proposed development is contrary to criterion (iv) of policy H12 and it therefore fails to meet all the tests set out in the policy. In failing to meet all the criteria and in being contrary to policy H12 the proposed development it is also contrary to policy GB2.

**Design of proposed development**

- 6.13 The building form and design details of the proposed development do not reflect local building traditions and it would be conspicuous as a result. While it is true that the existing dwelling and the other three dwellings nearby are not traditional in form and design this does not mean that the Council should not take a positive approach and seek to improve upon this situation when considering applications for replacement dwellings. To do so would be in accordance with its adopted planning policy and government planning statements on design.

**Other matters**

- 6.14 If permission is refused on the grounds outlined above, as will be recommended, it would be appropriate to include further reasons relating to the absence of landscaping and sustainable construction details in the application. Although the applicants have indicated they would accept planning conditions to cover these matters at the application stage they should be included in the reasons for refusal to ensure that the Council could seek them in the event of an appeal.
- 6.15 For similar technical reasons the application should also be refused because it would result in an additional dwelling in the countryside. Although the applicants have indicated they would accept a condition ensuring the demolition of the existing dwelling the inclusion of this reason would ensure that the Council could seek a demolition condition in the event of an appeal.
- 6.16 If permission is refused for these reasons an informative should be added to the decision notice advising the applicants that they are technical in nature and that they could be addressed by the submission of the relevant details and agreeing to appropriate measures to ensure the demolition of the existing dwelling.

**7.0 CONCLUSION**

- 7.1 It is recommended that planning permission is refused because the proposed replacement dwelling is materially larger than the existing dwelling and comprises inappropriate development which would harm the Green Belt and erode its openness. In addition, due to its size and prominent siting the proposed development would be detrimental to the character and appearance of the rural area in which it is located, and Beckley's countryside setting, and the design of the proposed development does not reinforce local distinctiveness.
- 7.2 The application should also be refused because it does not include details of landscaping or sustainable design, and because it would result in the creation of a new dwelling in the countryside.

**8.0 RECOMMENDATION**

**It is recommended that planning permission is refused for the following reasons:-**

- 1. The proposed replacement dwelling is materially larger than the existing dwelling and it therefore comprises inappropriate development which is harmful to the Green Belt within which there is a presumption against inappropriate development, as set out in the government guidance on Green Belts in PPG2.**
- 2. By virtue of its increased size the proposed replacement dwelling will erode the openness of the Green Belt contrary to the government guidance on Green Belts set out in PPG2.**
- 3. Due to its size and prominent siting the proposed replacement dwelling would have a detrimental effect upon the character and appearance of the rural area in which it would be located and it would erode the countryside setting of Beckley, contrary to policies H12, GB2, and C4 of the South Oxfordshire Local Plan 2011.**
- 4. The built form and detailed design of the proposed development neither reflect nor reinforce local distinctiveness contrary to policy D1 of the South Oxfordshire Local Plan 2011, the guidance on building design set out in the South Oxfordshire Design Guide 2008, and government statements on design set out in PPS1 and PPS7.**
- 5. No landscaping details have been submitted to help assimilate the proposed replacement dwelling into its surroundings contrary to policy D1 of the South Oxfordshire Local Plan 2011.**
- 6. Insufficient details have been submitted to demonstrate a sustainable method of construction for the proposed development to ensure high standards in the conservation and efficient use of energy, water and materials, contrary to policy D8 of the South Oxfordshire Local Plan 2011.**

- 7. The proposed development would result in the creation of an additional residential dwelling within the Green Belt and countryside outside the built up limits of Beckley contrary to policies GB2 and H6 of the South Oxfordshire Local Plan 2011 and government guidance and statements on Green Belts and sustainable development in the countryside set out in PPG2 and PPS7.**

**Informative to applicants: Reasons for refusal 5, 6, and 7 are technical in nature and could be overcome by the submission of relevant details and agreeing to appropriate measures to ensure the demolition of the existing dwelling.**

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