

SUBJECT DEVELOPMENT APPLICATION REPORTS ITEM 7

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P09/E0472
APPLICATION TYPE	Full
REGISTERED	22.05.2009
PARISH	Harpsden
WARD MEMBERS	Mr Malcolm Leonard Mr Robert Peasgood
APPLICANT	Mr Mike Cooper
SITE	New England Cottage, Harpsden Bottom, Harpsden
PROPOSALS	Erection of a replacement dwelling and car port
AMENDMENTS	Yes
GRID REFERENCE	474386/180497
OFFICER	Mr T Wyatt

1.0 INTRODUCTION

- 1.1 This application is referred to Committee as the Officer's recommendations conflict 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 a relatively isolated position within the Chilterns Areas of Outstanding Natural Beauty. The site is surrounded by open agricultural land and woodland giving the site and its surroundings a strong rural character and appearance. The existing dwelling, which lies in a slightly elevated position above the highway, is a two storey timber clad dwelling dating from the 1950s. The dwelling was originally granted on the basis of agricultural need, however, the restrictive agricultural condition was removed on appeal in 1982.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for the replacement of the existing dwelling with a new dwelling on a similar siting. The new dwelling would consist of three storeys, including the proposed basement, and would comprise 4 bedrooms. The proposed facing materials would consist of brickwork and clay tiles to the roof. A modest car port is also proposed to the side of the detached garage single garage.
- 2.2 A copy of the proposed plans is **attached** at Appendix B whilst other documents relating to the application can be found on the Council's website, www.southoxon.gov.uk.

3.0 CONSULTATIONS AND REPRESENTATIONS

- 3.1 **Harpsden Parish Council** – The application should be refused. The dwelling is too large and of a suburban design. The proposal does not comply with Policies H12, C2 or G6 of the SOLP. The sustainability of the basement is also questioned.
- 3.2 **Forestry Officer** – No objection subject to a tree protection condition.

- 3.3 **Countryside Officer** – No objections.
- 3.4 **OCC (Rights of Way Convenor)** – There should be no encroachment onto the adjacent rights of way.
- 3.5 **Neighbours** – Two letters of objection received to both the original and amended plans:
- Poor design in terms of its bulk and suburban appearance
 - Not in keeping with the Chilterns AONB
 - Concern over drainage and spoil disposal from the basement
- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 P08/E0970 - Two storey side and rear extensions and single storey side extension. Planning permission granted on 8th October 2008.
- 4.2 P56/H0287 – Dwellinghouse and access. Planning permission granted on 23rd May 1956.
- 5.0 **POLICY AND GUIDANCE**
- 5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
- G1 – General Restraint and Sustainable Development
 - G2 – Protection and Enhancement of the Environment
 - G6 – Promoting Good Design
 - C2 – Areas of Outstanding Natural Beauty
 - C8 – Species Protection
 - C9 – Landscape Features
 - EP8 – Contaminated Land
 - 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
 - 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 July 2008 (SODG)
 - Chilterns Buildings Design Guide
- 6.0 **PLANNING ISSUES**
- 6.1 The planning issues that are relevant to this application are:
1. The impact on the character and appearance of the surrounding area
 2. Other material considerations

The Impact on the Character and Appearance of the Surrounding Area

- 6.2 Policy H12 of the SOLP is a permissive policy allowing for the replacement of existing dwellings within the countryside providing certain criteria are met.

- 6.3 Criterion (i) requires that the existing use has not been abandoned. The existing dwelling is still in use, and therefore, this criterion is satisfied.
- 6.4 Criterion (ii) requires that the existing dwelling is not listed, or of historic, visual or architectural interest. The existing dwelling is not listed, is not historic and is of limited architectural interest. Therefore, this criterion is satisfied.
- 6.5 Criterion (iii) requires that the proposed dwelling is not materially greater in volume than the existing dwelling. 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, including the extensions approved under application P08/E0970, has a volume of approximately 511m³ whilst the proposed dwelling has a volume of 533m³ when the proposed basement is excluded.
- 6.6 I consider that it reasonable to include the volume of the approved extensions within the volume of the 'existing' dwelling as the permission is still extant and that the extensions could be constructed at any time up to 7th October 2011. I also consider it reasonable to omit the volume of the proposed basement from the volume calculations as this part of the dwelling would be below ground and would not be readily visible from the surrounding area. On this basis, the proposed dwelling would be approximately 4% larger in volume than the existing dwelling.
- 6.7 Criterion (iv) requires that the overall impact of the dwelling would be no greater than the existing on the character and appearance of the site and surrounding area. The proposed dwelling would be slightly lower, narrower and shallower in depth than the existing dwelling with its extant extensions. In addition, the replacement dwelling would be on a very similar siting to the existing. As a result I do not consider that the visual impact of the development would be significantly greater than the existing. The replacement dwelling would display a greater bulk, due primarily to a higher eaves height, particularly on the front elevation. However, this would not make the dwelling significantly more prominent or intrusive than the existing.
- 6.8 Criterion (v) requires that the siting, design and materials are in keeping with the locality. The siting is acceptable being similar to that of the existing dwelling. The amended plans were submitted mainly in response to some initial concerns regarding the height and bulk of the dwelling. The amended plans were also requested to address initial concerns regarding the design of the development, which was considered to be too dominant and urban in appearance given the attractive rural character and appearance of the site and its surroundings. The amended plans have improved the design of the proposal primarily through a reduction in its height and simplifying the proportions of the dwelling. The bulk and massing of the development has been broken up through staggered building lines and ridge heights. However, I do still consider that the proposed dwelling is somewhat 'suburban' in appearance and would be more suitable within an urban townscape setting.
- 6.9 Concerns have been raised by the Parish Council and local objectors that the design of the proposed dwelling is not appropriate for the site. The inference is that a more 'traditional' vernacular form of development would be appropriate in this location. 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.'

- 6.10 The site is in an isolated location in the countryside, and in public views the built form on the site is not readily viewed in context with other existing development. 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 dwelling on the site has no particular architectural merit and cannot be regarded as traditional residential development within the Chilterns AONB. Although relatively unobtrusive, the existing dwelling does not itself make a positive contribution to the appearance of the site or surrounding area. In this case, I consider 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, without immediate comparison to existing buildings I consider that the design of the dwelling is acceptable. Undoubtedly the design could be improved, however, I do not consider that objections to the design itself would justify the refusal of the application.
- 6.11 The proposed use of traditional facing materials would be in keeping with the character and appearance of the surrounding area, and would comply with the Chilterns Buildings Design Guide. Certainly the proposed materials are more appropriate than the facing materials of the existing dwelling, which have presumably led to the existing name of the property, New England Cottage.
- 6.12 As well as Policy H12, several other policies of the SOLP are also relevant to the consideration of the proposal. Policy C2 of the SOLP relates to development within AONBs. It seeks to ensure that development does not harm the natural beauty and special landscape quality of the area. In light of the above considerations regarding the siting, size, height, bulk and design of the development, I consider that the proposal would result in a neutral impact on the AONB.

Other Material Considerations

- 6.13 The proposal would retain the existing timber garage on the southern boundary of the site. A modest car port would be attached to the garage, which would provide an additional covered parking space. The existing access into the site would be retained. The car port would be a small simple structure set back from the highway. It would have a very limited visual impact and would be entirely subservient in scale to the dwelling.
- 6.14 The Forestry Officer has confirmed that the proposal would not require the removal of any significant trees and that it would be outside of the root protection areas of these trees. There is good tree cover on and adjacent to the site, and this vegetation would help to soften the development and assimilate it into the rural scene. A condition requiring tree protection measures should be attached to any planning permission.
- 6.15 The application is accompanied by a short sustainability statement. Further details of sustainability measures in relation to the use of water, energy and materials can be secured and agreed through the imposition of a suitable condition.

6.16 There are no close neighbouring properties to the application site, and as such I do not consider that the development would adversely affect the amenity of neighbouring occupiers.

7.0 **CONCLUSION**

7.1 The application proposal is considered to be 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. **Samples of materials to be approved**
3. **Details of fencing/means of enclosure to be approved**
4. **Proposed floor and ground levels to be approved**
5. **Tree protection to be approved**
6. **Permitted development rights for extensions and outbuildings restricted**
7. **Details of spoil disposal to be approved**
8. **Details of sustainability measures to be approved**

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