

SUBJECT DEVELOPMENT APPLICATION REPORTS ITEM 8

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P10/E0760
APPLICATION TYPE	Full
REGISTERED	09.06.2010
PARISH	Thame
WARD MEMBERS	Mr David Dodds Mrs Ann Midwinter
APPLICANT	Mr A Pudsey-Dawson
SITE	Demolish existing garage and shed. Erection of two storey detached dwelling
PROPOSALS	Land to the rear of 9 Hazelton Close, Thame
AMENDMENTS	None
GRID REFERENCE	470475/205909
OFFICER	Mr T Wyatt

1.0 INTRODUCTION

- 1.1 This application is referred to Committee due to being called in by one of the Ward Members, Cllr. Ann Midwinter.
- 1.2 The application site, which is shown on the OS extract **attached** as Appendix A, is located close to the centre of Thame. The site is within the Thame Conservation Area and is also identified as a burgage plot. The site is a largely open strip of land surrounded by existing residential development, however, the site contains a pre-fabricated garage structure used for domestic purposes in relation to 9 Hazelton Close and the site is essentially part of the garden area of this property although a close board fence forms the southern boundary of the site and the enclosed garden immediately to the rear of 9 Hazelton Close. The site is effectively in two halves being divided by a brick wall. The northern half is laid to lawn with a few fruit trees. The southern half contains the garage and shed.
- 1.3 Much of the surrounding residential development is relatively modern with the three dwellings immediately to the west (Burgage Place) receiving planning permission in 1995. Hazelton Close is a 1960s development whilst an existing bungalow to the east of the site dates from the 1970s.
- 1.4 There have been previous unsuccessful applications for residential development on the application site. Most recently planning permission was refused at Planning Committee on 18th November 2009 for a two storey dwelling under application P09/E1015.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for the construction of a new detached dwelling. The proposed two storey dwelling is of an unusual, contemporary design with sections of curved and mono-pitched roof with irregular wall heights and glazing

patterns. The dwelling would have maximum dimensions of 11 metres deep, 7.5 metres wide and 5.5 metres high. The main materials proposed are timber weatherboarding for the external walls and a sedum mat for the roof areas.

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 **Thame Town Council** – The application should be approved.

3.2 **Highway Authority** – No objections subject to conditions. .

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

3.4 **Conservation Officer** – The principle of the development remains unacceptable further to the previous proposals on the site.

3.5 **Contaminated Land Officer** – No objections.

3.6 **Neighbours** – 3 letters of objection received, which raise the following concerns:

- Overlooking into neighbouring properties
- Impact on trees
- Impact on the burgage plot and conservation area

4.0 **RELEVANT PLANNING HISTORY**

4.1 P10/E0338 - Demolish existing garage and shed and construct a two storey detached sustainable dwelling. Withdrawn prior to determination on 07 May 2010.

4.2 P09/E1015 - Demolish existing garage and shed, construct a two storey detached sustainable dwelling. Refusal of planning permission on 18th November 2009 for the following reason:

The proposed development is located on a burgage plot within the Thame Conservation Area. The proposed development, due to its siting, design, size, and bulk, would fail to preserve the character and appearance of the Conservation Area and the open character and historic integrity of the burgage plot. As a result, the proposal would be contrary to Policies G2, G6, D1, H4, CON7 and CON10 of the South Oxfordshire Local Plan 2011 and guidance contained within the South Oxfordshire Design Guide 2008 and PPS1, PPS3 and PPG15.

A copy of the plans relating to this application are **attached** at Appendix C.

4.3 P09/E0525 – Erection of two storey dwelling. Withdrawn prior to determination on 25th August 2009.

This application was also for a contemporary style two storey detached dwelling located on a similar building line but slightly further to the east of the siting of the dwelling now proposed. This application also proposed a detached garage. The application was withdrawn following Officer concerns regarding the impact on adjacent trees as well as the impact on the burgage plot and Conservation Area.

- 4.4 P98/N0117 - Erection of detached dwelling and garage. Refusal of Planning Permission on 20th May 1998 and appeal dismissed on 15th October 1998. The application was refused for the following reason:

That the proposal constitutes an inappropriate form of development which detracts from and conflicts with the special character and appearance of the Conservation Area thereby being contrary to CON15 of the South Oxfordshire Local Plan (adopted April 1997).

- 4.5 P97/N0596 - Demolition of existing garage/shed. Erection of detached dwelling and garage. Refusal of Planning Permission on 19th November 1997.
- 4.6 P92/N0067 - Erection of two domestic dwellings and garages. Refusal of Planning Permission on 2nd April 1992 and appeal dismissed on 11th November 1992.
- 4.7 P91/N0108/O - 4 No. domestic dwellings for the elderly. Refusal of outline planning permission on 8th July 1991.

5.0 **POLICY AND GUIDANCE**

- 5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):

-G1, G2, G6, C9, CON6, CON7, CON10, EP8, D1, D2, D3, D4, D8, D10, H4, H5, T1, T2

- 5.2 Government Guidance:

-PPS1 – Delivering Sustainable Development
-PPS3 – Housing
-PPS5 – Planning for the Historic Environment
-PPG13 – Transport
-PPS23 – Planning and Pollution Control

- 5.3 Supplementary Planning Guidance

-South Oxfordshire Design Guide July 2008 (SODG)
-Thame Conservation Area Character Appraisal

6.0 **PLANNING ISSUES**

- 6.1 The planning issues that are relevant to this application are:

1. The principle of the development
2. The Impact on the character and appearance of the surrounding area
3. The impact on the amenity of neighbouring occupiers
4. The impact on trees
5. Other material considerations

The Principle of the Development

- 6.2 The site lies within a central location within the main built up area of Thame where the principle of new residential development is broadly acceptable having regard to Policy H4 of the SOLP. However, Policy H4 outlines several criteria, which a development proposal should meet and a broad assessment of the proposal against these criteria is outlined below.

The Impact on the Character and Appearance of the Surrounding Area

- 6.3 The site is located within the Thame Conservation Area and is also within a burgage plot. A previous application for a dwelling on the site, P09/E1015, was refused due to impact on 'the character and appearance of the Conservation Area and the open

character and historic integrity of the burgage plot'. This followed an earlier refusal under application P98/N0117, which was also dismissed on appeal with the Inspector raising concerns about the impact on the burgage plot and the Conservation Area. Paragraph 12 of the Inspector's decision notice states:

I observed on my site inspection that the burgage plot to the rear of Number 16 High Street is particularly well preserved and that its historic linear and enclosed nature could be readily appreciated when viewed from the rear of the frontage buildings on the High Street and from the turning head of Hazelton Close. Although the proposal would leave boundary walls intact the new dwelling would effectively reduce the length of the burgage plot and much of its open and spacious quality would be lost.

- 6.4 When compared to the previously refused scheme, the main differences are the retention of a cross-wall between the proposed patio area to the rear of the dwelling and an adjoining orchard area. The orchard area is now outside of the proposed garden area of the dwelling whereas before it was proposed as part of the garden. As a result of retaining the cross-wall the dwelling has been moved forward on the plot by approximately 2 metres and reduced in depth by approximately 0.5 metres so that the end result is that the front elevation of the dwelling is approximately 1.5 metres further forward than the previous scheme. As before, a 'restored' burgage plot wall would be constructed on the east side of the plot, which would form part of the east elevation of the dwelling.
- 6.5 Apart from the resiting of the dwelling, its slight reduction in depth and the retention of the cross-wall, the design and size of the dwelling are essentially as proposed under the previously refused scheme. There have been no material changes in either planning policy or the appearance of the site and its surroundings since the previous refusal.
- 6.6 The retention of the cross-wall and the retention of the orchard area outside of the formal garden area of the dwelling would be beneficial to the appearance of the site, however, the proposal would still reduce the length of the burgage plot and would erode its open and spacious quality.
- 6.7 Policy CON10 of the SOLP states that burgage plots to the rear of principal streets should be protected from amalgamation and from development that detracts from their historic interest, amenity and nature conservation value. The supporting text of this Policy states that, 'the structural prominence of new built development, where there has been none in the past, is particularly damaging to the open nature of plots undeveloped since the foundation of the towns in the Middle Ages'. There are existing domestic buildings on the site, however, the proposed dwelling and garage would result in a much more intensive form of development. There is also evidence of a previous structure on the site, apparently a dovecot. However, this building has long since been demolished and was in any case a much more appropriate development within the burgage plot.
- 6.8 Policy CON7 of the SOLP seeks to ensure that development does not harm the character and appearance of a conservation area. The burgage plot is a key feature of the Conservation Area and the proposal to introduce a new two storey dwelling largely infilling the width of the plot would have a negative impact on the character and appearance of Thame Conservation Area.

The Impact on the Amenity of Neighbouring Occupiers

- 6.9 Compared to the previous scheme, the only material change in terms of the impact on adjoining occupiers is that the proposed dwelling has moved forward by approximately 1.5 metres. This has reduced the distance between the front of the proposed dwelling and the rear of elevations of 8 and 9 Hazelton Close but the distance between the respective elevations of the properties would still be sufficient to ensure that harmful levels of overlooking would not occur.
- 6.10 The east elevation of the dwelling itself would be approximately 3 metres from the shared boundary with the rear garden of 8 Hazelton Close and within 3 metres of the boundary with the garden area of 15c High Street to the north. Although close to the boundary with Number 8 Hazelton Close, the dwelling is relatively low in height and would partially slope away from the boundary. Given these factors, and the separation distance to the eastern boundary along with the size of the neighbouring garden area, I do not consider that the proposal would have a detrimental impact on the occupiers of 8 Hazelton Close through overshadowing or overbearing effects. The part of the proposed dwelling closest to the boundary with 15c High Street has been deliberately designed to slope away from a small section of the shared boundary and again I do not consider that the proposal would harm the outlook from this property. Windows have also been positioned and designed to reduce the possibility of overlooking to 15c High Street to an acceptable level.
- 6.11 The front building line of the dwelling would now project more forward of the front building line of the adjacent property to the west, 1 Burgage Place. However, the distance between the properties as well as the modest height of the proposed dwelling would ensure that there would be no significant harm caused to the amenities of the occupiers of this neighbouring property. The position of openings within the proposed dwelling remains as previously approved and subject to conditions requiring certain openings to be glazed with obscure glass, I do not consider that the proposal would result in any significant overlooking to neighbouring properties. The previous scheme was not refused in respect of its impact on neighbouring amenity, and there is no reason to refuse the current scheme on these grounds.

The Impact on Trees

- 6.12 Trees affected by the development are not protected by TPOs but are afforded protection by their position within the Conservation Area. The Forestry Officer has raised no objections to the proposal. The impact on the adjacent trees remains acceptable in line with the previous scheme.

Other Material Considerations

- 6.13 The proposal would utilise the existing access to the land, which serves an existing garage that would be demolished. There would be sufficient space for parking within the site. The Highway Authority has no objections to the proposal.
- 6.14 Policy D8 of the SOLP seeks to ensure that new development demonstrates high standards in the conservation and efficient use of energy, water and materials. This policy is supported by guidance contained within the SODG. The applicant has outlined a number of measures that would enhance the sustainability of the development, including rainwater harvesting, high levels of insulation, heat exchangers, solar panels, and a ground source heat pump. In light of these measures I consider that the proposal would comply with the requirements of policy D8.

7.0 **RECOMMENDATION**

7.1 **That planning permission be refused for the following reason:**

1. **The proposed development is located on a burgage plot within the Thame Conservation Area. The proposed development, due to its siting, design, size, and bulk, would fail to preserve the character and appearance of the Conservation Area and the open character and historic integrity of the burgage plot. As a result, the proposal would be contrary to Policies G2, G6, D1, H4, CON7 and CON10 of the South Oxfordshire Local Plan 2011 and guidance contained within the South Oxfordshire Design Guide 2008 and PPS1, PPS3 and PPS5.**

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