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<b>APPLICATION NO.</b>	<a href="#">P10/W0778/RET</a>
<b>APPLICATION TYPE</b>	RETROSPECTIVE
<b>REGISTERED</b>	04.06.2010
<b>PARISH</b>	GORING
<b>WARD MEMBER(S)</b>	Mrs Ann Ducker MBE Mrs Pearl Slatter
<b>APPLICANT</b>	Mr M Lyndon
<b>SITE</b>	Haydown Elvendon Road Goring-on-Thames
<b>PROPOSAL</b>	New detached house with detached garage and swimming pool wing
<b>AMENDMENTS</b>	As amplified by additional information accompanying letter from agent dated 21 June 2010) (As amplified by additional information on Landscape Plan dated July 2010 received 21 July 2010.
<b>GRID REFERENCE</b>	461125/181546
<b>OFFICER</b>	Mrs E Hamerton (W)

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## 1.0 INTRODUCTION

1.1 This application has been referred to Planning Committee as the views of the Parish Council differ from the officer's recommendation.

1.2 This site lies within Goring-on-Thames. Previously the site was part of the extensive garden area of Haydown, the property to the east. The site is within the Chilterns Area of Outstanding Natural Beauty and is the subject of a group Tree Preservation Order that was issued on all the remaining trees on this site. **Attached** at Appendix 1 is an OS location plan of the site.

## 2.0 PROPOSAL

2.1 This application is for a new house with a detached garage and swimming pool wing. The site has its own access, which is one of the access points that originally served Haydown the main house on the adjacent site. A copy of the plans are **attached** at Appendix 2. The applicant has submitted additional information in relation to landscaping. Copies of the additional information and supporting documents can be viewed on the Council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

## 3.0 CONSULTATIONS & REPRESENTATIONS

### 3.1 Goring Parish Council

#### Original Comments

- Refused
- Consider the development would be an overdevelopment of the site which would have an adverse impact on the street scene and the surrounding area
- The development would be unneighbourly
- It was noted although there have since been small amendments in response to Mr Taylor's concerns and although the roof height has somewhat been lowered the footprint of the proposed property appears to largely remain the same.
- Concerns about the possible damage to trees and tree roots that have Tree Preservation Orders

Additional Information

- Refused
- Same reasons as above.

3.2 **Neighbour**

Original Comments

- Object unless the following matters can be dealt with:
- The window on the first floor of the west facing elevation should be glazed in obscure glass to protect our privacy
- An obscure screen should be included in the west facing elevation of the balcony to protect our privacy
- The roots to all trees on the boundary between Haydown Plot and Shepherds should be fully protected during the building of the new property and in the future all trees on that boundary continue to be protected by Tree Preservation Orders from felling or significant pruning to protect our privacy and the enjoyment of our property
- All other conditions included in the planning approval application P09/W0670 still apply
- In the Design, Access and Sustainability Statement, mention is made that "*The proposed distance from the flank wall to the common boundary with Shepherds (NW corner 5.677m) matches that of the existing distance from Shepherds to the common boundary (5.660m)*" –this is identical to the statement made in planning application PO9W1237 (that was refused) – how does this reconcile with an earlier statement made in the current application that the "*gap between Shepherds and the swimming pool wing has been increased*"?
- If the distance between the flank wall of Shepherds and the common boundary and the west flank of the Haydown building and the common boundary are identical, then the block plan is very misleading.
- We are still concerned that the addition of the utility room means that the roofing of the main house almost joins the garage roof and forms a virtually continuous line of roofing running from south to north on the property.

3.3 **Forestry Officer**

Original Comments

- The remaining trees are the subject of a tree preservation order.
- The reduction in the size of the proposed swimming pool will reduce the impact of the development on the adjacent trees.
- Therefore subject to appropriate tree protection I would have no objection.

3.4 **Environmental Protection**

- Concerned about the potential impact of the swimming pool pump on the neighbouring residential properties. The applicant should take care when positioning / designing the unit so as not to cause noise nuisance to the nearby residential properties
- For these reasons a condition relating to the pool pump equipment is recommended

4.0 **RELEVANT PLANNING HISTORY / BACKGROUND**

4.1 The principle of a new house on this site was established at appeal in 2008. Planning permission reference P07/W0653.

Since then there have been a number of other applications that have sought amendments to the application allowed at appeal.

P09/W0094 – Erection of a single dwelling and detached garage (amendment to P07/W0653). Planning permission April 2009.

This planning application reduced the width and depth of the plot, however the design of the house remained the same.

P09/W0670 – Detached house and garage. Planning permission November 2009.

This application was for a larger house which was designed differently to the appeal scheme.

P09/W1237 – New detached house with swimming pool wing and garage. This application proposed a two storey 'wing' on the west elevation creating a swimming pool and changing facility at ground floor and a gallery area at first floor. This application was refused planning permission in March 2010. It was refused for three reasons. Firstly due to the impact the additional wing would have on the character of the area and the AONB. Secondly due to the overbearing impact it would have on the amenity of the occupiers of Shepherds and thirdly due to the potential impact and pressure it would have on the TPO trees along the western boundary of the site.

## **BACKGROUND**

- 4.2 Development has started on site and the house that was approved under planning permission reference P09/W0670 is being built. The west elevation of this house is not being built in accordance with the approved plans, as the position of the chimney and the windows and doors do not correspond with the approved plans hence this application is retrospective.

## **5.0 POLICY & GUIDANCE**

### **5.1 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
- D8 – Energy, water and materials efficient design
- H4 – Towns and large villages outside the Green Belt

### **National Government Guidance**

- Planning Policy Statement 1
- Planning Policy Statement 3
- Planning Policy Statement 7

South Oxfordshire Design Guide

South Oxfordshire Landscape Assessment

Goring-on-Thames Village Plan 2006

## **6.0 PLANNING CONSIDERATIONS**

- 6.1 The principle of a new house on this site was established at appeal when it was confirmed by the Inspector that this site was within the built up limits of Goring and therefore should be considered under Policy H4 of the adopted South Oxfordshire Local Plan housing policy. This report focuses on the difference between the extant permission (ref P09/W0670) and this current application. The relevant planning considerations are:

- Impact on neighbours
- Impact on the character of the street scene
- Impact on trees and landscaping
- Impact on the AONB

### **Impact on neighbours**

- 6.2 The neighbour at Shepherds has some concerns and observations in relation to the current planning application. The Parish Council also has concerns about the impact of this development on the nearby neighbour.
- 6.3 The common boundary between Shepherds and the application site is not straight and tapers out towards the north and south of the site. The trees that are along the common boundary are protected by a TPO. Despite this existing vegetation, it is still quite open between Shepherds and the application site, even during the months when the trees are in full leaf. Given the topography of this part of the road, Shepherds sits at a lower level than the site and Haydown sits at a higher level.
- 6.4 The main physical difference between this current application and the extant permission is that the width of the house has increased from 22.3m to 25.3m wide to accommodate a swimming pool and changing room on the west elevation. The swimming pool wing is 6m high with access from both the ground and first floor. As a result of this addition the utility room now sits forward of the kitchen, as opposed to being stepped back as it was on the extant permission.
- 6.5 The neighbours object unless the following are addressed:
- Obscuring the glazing of the first floor window on the west elevation
  - Including an obscure screen on the west elevation of the balcony
  - Protection of the roots to all trees on the boundary between Haydown plot and Shepherds during construction and in future all trees on that boundary continue to be protected by Tree Preservation Orders from felling or significant pruning
  - All other conditions included in the planning approval application P09/W0670 are implemented.
- 6.6 The house that is proposed under this application is some 3m wider than the extant permission which means that it does sit closer to Shepherds. Although part of the building will sit closer to Shepherds it would not be harmful to the amenity of the occupiers of this property and the concerns the neighbours have raised have been addressed through the conditions set out in section 8 of this report.

### **Impact on the character of the street scene**

- 6.7 The Parish Council have recommended the application is refused as they consider the development would be an overdevelopment of the site which would have an adverse impact on the street scene and the surrounding area.
- 6.8 This particular part of Elvendon Road is characterised by large houses set in good sized plots, although along the southern side of the road some of the houses are more closely positioned to each other and extend the entire width of the plot. Trees and vegetation becomes a more prominent feature along this part of the road. The combination of the topography of the road rising towards the east and the houses being set back from the road results in the properties becoming less prominent within the street scene and trees and vegetation become quite prominent. This all adds to the semi-rural character of this area.

- 6.9 Planning permission was recently refused for a new house at land adjacent to The Red House, which is to the west of this application site. (Planning Application Reference P09/W1047), an appeal has been lodged in relation to this decision. This application was refused because a new house in this location was considered to intensify the density of development and weaken the general rhythm and wide spacing of development along the northern side of Elvendon Road.
- 6.10 Planning permission for a new house at land adjacent to Haydown was allowed at appeal, therefore it is accepted that a new house in this location would not be harmful to the character of the area or the street scene. This current planning application will result in the gap between the proposed house and Shepherds decreasing by three metres, however there will still be a gap of some 12m at its closest point between the new house and Shepherds. It will not intensify the density of the built development or weaken the general rhythm and wide spacing of development along this particular part of the road as a new house would on land adjacent to the Red House.

**Impact on trees and landscaping**

- 6.11 Both the Parish Council and the nearby neighbour have concerns about the impact of this development on the trees across this site.
- 6.12 The remaining trees on this site are covered by a Tree Preservation Order. Although the width of the house will increase the development will remain outside the root protection area of the protected trees. The Council's Forestry Officer has not raised any objection to this proposal and it overcomes their original concerns in relation to the previous application that was refused.

**Impact on the AONB**

- 6.13 In the original appeal decision for a new house on this site, the Inspector did not consider that a new house on this site would be harmful to the AONB. It was his view that the proposed new house would close the gap between Haydown and the application site to a significant degree but it would not significantly diminish views of the landscape beyond. This is because from the road views beyond the trees, planting and fencing are limited and are not characteristic of the road in general which is essentially that of a linear enclosure.
- 6.14 Although as part of this proposal the new house will be wider than the previously approved one and the gap between Shepherds will be less, having regard to the Inspectors decision this development is not considered to be harmful to the natural beauty of the AONB
- 6.15 Given the development that is also underway at Haydown and the planning permissions that have been granted for a garage and extensions at this property, the gap between Haydown and this site is also less. However its impact on public views in and out of the AONB are minimal.

**7.0 CONCLUSION**

- 7.1 The principle of a new house and garage has been established in the original application (ref P07/W0653). Although the house is more substantial and planning permission has been granted for extensions and a garage at Haydown which reduce the gap between the houses, this is not considered to be harmful to the character of the street scene or lead to the loss of an important open space. The development is not considered to have a harmful impact on the AONB or the amenity of the occupiers of nearby neighbouring properties.

8.0 **RECOMMENDATION**

8.1 **That planning permission be granted subject to the following conditions:**

1. **Commencement 3 yrs - Full Planning Permission**
2. **Approved drawings**
3. **Matching materials (walls and roof)**
4. **Car parking space to be formed and laid before occupation**
5. **Slab Heights to be submitted**
6. **Hours of operation - construction/demolition sites**
7. **External lighting details to be submitted to and approved by the LPA**
8. **The development shall be implemented in accordance with the details of the Sustainability information submitted as part of the Design and Access Statement**
9. **Withdrawal of PD (Part 1 Class A and E) - no buildings/enclosures or extensions**
10. **No additional windows, doors or other openings**
11. **Obscure glaze bathroom windows in the west and east elevations**
12. **Garage accommodation to be retained and not converted without consent**
13. **Details of the obscure screen on the west elevation of the balcony to be submitted and approved.**
14. **Landscaping scheme**
15. **Noise level restriction of pool pump**
16. **Tree protection details**

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