
APPLICATION NO.	P10/W1752
APPLICATION TYPE	FULL
REGISTERED	19.11.2010
PARISH	CROWMARSH GIFFORD
WARD MEMBER(S)	Mr John Griffin
APPLICANT	Mrs Maria Zeckler
SITE	The Wall House Mongewell Park Mongewell (in the parish of Crowmarsh Gifford)
PROPOSAL	Demolition of existing dwellings and associated ancillary buildings. Construction of five detached replacement dwellings. Creation of three new vehicle and one new pedestrian gates through existing boundary wall (As amended by drawings nos BS223 - 002A, 003A and 004A accompanying Agent's email dated 14 January 2011).
AMENDMENTS	
GRID REFERENCE	461224187924
OFFICER	Mrs S Crawford

1.0 **INTRODUCTION**

- 1.1 The application has been referred to the Committee because the recommendation conflicts with the views of the Parish Council.
- 1.2 The Wall House is a large single storey flat roofed dwellinghouse dating from the mid-1950's. It has been altered and extended in an ad hoc fashion on either side of a large brick and chalk stone wall from which the premises derives its name. This high boundary wall is thought to be Victorian in origin. At present the property is single storey but there is an extant planning permission for works to create a second storey with a ridge height of some 6.75 metres. The building has a history of past mixed use as a residence and bed & breakfast accommodation for which a retrospective planning permission was granted in 1997. In more recent times the building has been divided internally, by the reconfiguration of walls and the closure of interlinking doors, to create a number of separate self-contained flats or dwellings.
- 1.3 There are a number of trees on the site; all the trees are covered by a blanket Tree Preservation Order. The site is an archaeologically sensitive area. The lake lies in a flood zone – category 2 but the land adjacent to the lake within the site area is not in the flood area. The site lies in the Chilterns Area of Outstanding Natural Beauty.
- 1.4 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 **PROPOSAL**

- 2.1 The application seeks full planning permission for 5, two storey dwellings of a modern design. Two 4 bed dwellings are proposed on Plots 1 and 2; three 3 bed dwellings are proposed on plots 3, 4 and 5. Plots 1, 2 and 3 also show or have potential for 1 bedroom on the ground floor. The walls would be a mixture of brick and render under asymmetric zinc covered roofing. The houses would sit behind the existing boundary wall each served by their own driveway. Each property would be provided with a courtyard behind the wall and covered parking for 3 vehicles. Reduced copies of the plans accompanying the application are **attached** at Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Parish Council The site has been the subject of a number of planning violations, lawful development investigations and development by stealth over a number of years. The Parish Council welcome the regularization by the applicant but recommends this application be refused on the grounds of overdevelopment and having an overbearing impact on the overall setting of the vicinity.
- Environment Agency. No objection subject to a condition to ensure that a buffer zone from the lake margin for wildlife is secured.
- SODC Countryside Officer This site was identified at pre-app stage as having good potential for a number of protected species due to its location amongst good wildlife habitats. The Extended Phase 1 Habitat Survey, Bat Survey and Reptile Survey Report looked at the main constraints on the site and includes details of surveys conducted which have concluded that the only ecological constraint relates to the presence of bats which occasionally use the some buildings which are due for demolition.
- Forestry Officer No objection to amended details subject to a tree protection condition and a landscaping condition.
- Environmental Health Contamination condition included
- OCC (Archaeology) The building concerned lies within an area of some archaeological interest located 200m NW of the deserted medieval village of Mongewell. The site is also located 150m south of Grim’s Ditch, an ancient track way, of probable Iron Age date. Neolithic and Saxon settlement evidence has been recorded 250m west of the application site along with a Saxon sunken featured building. The application site has been disturbed by recent development however archaeological features and deposits related to these periods could still survive on the site and could be disturbed by this development. No objection subject to a watching brief condition.
- OCC (Highways) No objection subject to conditions.
- Thames Water and Monson No objection subject to conditions in respect of surface and foul water details.
- Neighbour Objectors (3) Concern about traffic generation. The property is in an area of outstanding natural beauty and is illegally occupied. The verges are owned by Comer Homes. The design looks like a mobile homes, the flat roofs are not in keeping with the area. There will be light pollution across the lake which will have an impact on birds and water voles. Overdevelopment. The footprint of the houses is several times bigger than what is there now. Some redevelopment is desirable but this proposal is not the answer.

Neighbour comments (2) The current site is unkempt and the demolition would be a good thing but 5 dwellings is too many particularly with regard to sewage and the location adjacent to the lake. A smaller number would be more appropriate. Concern about who will look after the lake and the parking arrangement.

4.0 **RELEVANT PLANNING HISTORY**

4.1 Planning permission (P88/W0840) was granted for alterations to The Wall House including a second storey extension. This planning permission remains extant due to the commencement of works.

A Certificate of Lawful Existing Use exists for the use of Blueberry Lodge as a separate self-contained unit of residential accommodation – P08/W0605/LD

A Certificate of Lawful Existing Use exists for ‘The Art Room’ and ‘Hunters Lodge’ as separate self-contained dwellings – P08/W0599/LD

5.0 **POLICY & GUIDANCE**

5.1 Adopted SOLP Policies

G2 – Protection of District’s resources, G3, proximity of new development to existing services and links to public transport, G4 – Development in the countryside, G6 – Quality of design and local distinctiveness, C1 – Landscape character, C2 – development within the AONB, C8 – development affecting protected species, EP1 – adverse affects of development, EP3 – proposals for external lighting, EP4 – Protection of water resources, EP5 – Flood risk impact, EP6 - Surface water drainage requirements, EP7 – Ground water resources, EP8 – Contaminated land, D1 – Principles of good design, D2 – Parking for vehicles and cycles, D3 – Provision of private amenity areas, D6 – design against crime, D8 – Conservation and efficient design, D9 – Renewable energy, D10 – Management of waste, H6 – locations where housing will not be permitted, H12 – replacement dwellings, H7 – Mix of units, H8 - density, H9 – affordable housing, T1 transport.
South Oxfordshire Design Guide

PPS1 – Delivering sustainable development

PPS3 - Housing

PPS7 –Sustainable Development In Rural Areas

PPG13 – Transport

PPS22 – Renewable Energy

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in this case are;

- Whether the principle of development is acceptable
- H12 Criteria
- Highway issues
- Neighbour impact
- Tree issues
- Sustainable design issues
- Nature conservation issues
- Flooding issues

6.2 **Principle.** The adopted South Oxfordshire Local Plan 2011 (SOLP) classifies villages and settlements for residential development by the services and facilities they provide. Where there are adequate services and facilities, residential development is allowed on appropriate sites subject to the criteria of policies H4 and H5. Development on larger

sites is allowed in the towns and larger villages and infill and some backland development is allowed in the smaller villages.

New residential development is not allowed in settlements that do not have an adequate range of services and facilities to cater for growth under the terms of Policy H6. Whilst Mongewell is not an appropriate location for new housing, the replacement of existing dwellings is acceptable subject to the criteria specified in Policy H12.

In this case the site has an unusual history and there are 5 lawful residential units on the site. In these circumstances the principle of their replacement is acceptable and there is considerable scope for an enhancement of the site which lies within an Area of Outstanding Natural Beauty. There could be several advantages to the replacements as they would allow for a comprehensive approach to be taken and all the ad hoc buildings to be cleared.

6.3 H12 Criteria issues.

i. The use has not been abandoned;
The use has not been abandoned.

ii. The existing dwelling is not listed, or of historic, visual or architectural interest;
The Wall House was constructed in the late 1950's and it has been altered and extended in an ad hoc fashion on either side of the existing front boundary wall. The building is not of any particular visual or historic interest. However, the high brick boundary wall to the access road is attractive and it appears sound; it is an important element that contributes to the character of the area and it is important that this wall is retained.

iii. The proposed dwelling is not materially greater in volume than the existing dwelling (taking account of permitted development rights);
The existing buildings (excluding ancillary structures) cover approximately 830 square meters of ground but are concentrated in the north west corner of the site. The volume of the buildings is in the region of 2007m cubed, which includes the extant permission for first floor extensions to the Wall House. The proposed replacement dwellings occupy a similar floor area and volume but are sited differently. The new dwellings would be evenly spaced behind the existing wall across a wider area of the site but still contained within the boundaries of the existing wall. The maximum ridge height of the dwellings would be some 6.4metres and the first floor elements would be visible over the top of the wall. At present The Wall House is single storey but there is an extant planning permission for works to create a second storey with a ridge height of some 6.75 metres.

From the lake side the buildings would appear to cover more of the site but the contemporary design presents an almost totally glazed frontage which would appear quite lightweight. It is acknowledged that a greater portion (not floor area per se) of the site is covered but the scheme provides for a comprehensive redevelopment of the site of considerably higher quality in terms of design and form than the existing buildings. It is also recommended that permitted development rights to extend or alter the dwellings, to erect walls or fences or ancillary buildings within the curtilage are removed by condition so that the council would have control over any future development on the site.

- iv. The overall impact would not be any greater than the existing dwelling on the character and appearance of the site and the surrounding area; and

For the reasons outlined above, and subject to the conditions to withdraw permitted development rights, the benefits of achieving a comprehensive redevelopment of the site of a considerably higher quality represent an improvement to the character and appearance of the area.

- v. The siting, design and materials are in keeping with the locality.

Design. The application adopts a modern design for the dwellings which the design guide supports in principle. However, some neighbours have objected to the design as they do not consider it is in keeping with the character of the area. The design seeks to restrict the height of the new dwellings whilst making as much as possible of the aspect towards and setting of the lake. Many of the existing buildings on the old Carmel College site are of a modernist design and the contemporary approach chosen does not detract from the character or local distinctiveness of the area, situated as the houses are behind the wall. Care and attention will need to be given to the alterations required to wall itself to secure the appropriate and uniform treatment of openings; and its ongoing maintenance; this can be secured by condition.

Layout. The layout provides from some boundary treatment between dwellings near to the houses but then provides an open park-like setting nearer the lake. The conditions to withdraw permitted development rights will prevent the erection of further subdividing walls.

- 6.4 **Highway issues.** Neighbours have expressed concern about traffic generation from the site. However, the application proposes to replace 5 existing dwellings with 5 new dwellings and the traffic generation will be similar. Each property would be provided with an independent access into their own courtyard, the access is long enough to allow a car to park without protruding onto the road. Whilst some trees may inhibit the vision splay to some degree, it is important that the trees are retained. In addition traffic speeds along this single track road are generally low and the development will not create problems of highway safety.

Parking provision. Each property would be provided with a covered car port providing parking space for 3 cars and manoeuvring space for turning vehicles. The application is acceptable in this respect.

- 6.5 **Neighbour impact.** The nearest neighbours are Lychgate House and the properties on the opposite side of the lake which are all over 60 metres away from any of the new houses. Whilst the new houses would be visible from neighbouring properties this distance is well over the minimum standard for overlooking distances.

- 6.6 **Tree issues.** The trees on the site behind the wall and on the verge in front of the wall are subject to a Tree Preservation Order. The plans have been amended in line with the suggestions of the Forestry Officer and subject to the conditions recommended there is now no objection in this respect.

- 6.7 **Sustainable design issues.** Policy D8 of the SOLP seeks to ensure that all new development demonstrates high standards in the conservation and efficient use of energy, water and materials. The Sustainability Statement indicates that a Code 3 of the Code for Sustainable Homes can be achieved.

- 6.8 **Nature conservation issues.** Policy H4 of the adopted Local Plan seeks to ensure that sites of ecological value are not lost. Policy C8 also aims to ensure that protected

species and their habitats are not adversely affected by new development. The Countryside Officer has asked for additional survey work to be carried out with respect to the impact on bat habitats. This has now been carried out and the comments of the Countryside Officer on the amended details will be reported verbally at the meeting. The Environment Agency has also requested a buffer zone between the lake and the dwellings to protect wildlife habitats and this can be secured by condition.

6.9 **Flooding issues.** Policies EP4 and EP5 of the adopted Local Plan seek to protect existing water resources and, within areas liable to flood, proposals include mitigation measures. In this case the land surrounding the lake is not within the flood area, however attention will need to be given to foul water disposal and water quality issues relating to the lake. Conditions are recommended to cover these issues.

7.0 **CONCLUSION**

7.1 It is recommended that planning permission is granted because there are five lawful residential properties which are not attractive and do not contribute to the character of the area. The proposal would remove all the ad hoc buildings and allow for a comprehensive redevelopment of a higher quality design and layout. The proposal is not unneighbourly and provides for a safe and convenient access. Subject to the recommended conditions the proposal accords with the Development Plan Policies.

8.0 **RECOMMENDATION**

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

1. **Commencement 5 years**
2. **Compliance with approved plans**
3. **Sample materials**
4. **Landscaping scheme**
5. **Tree Protection**
6. **Surface water drainage details**
7. **Foul drainage details**
8. **Parking and manoeuvring areas to be provided**
9. **Cycle parking facilities**
10. **Archaeology**
11. **Archaeology**
12. **Wildlife protection**
13. **Contamination**
14. **Demolish specified buildings before occupation of any new dwelling**
15. **Withdraw permitted development rights, Part 1 Class E (outbuildings)**
16. **Withdraw permitted development rights, Part 1 Class A (extensions and alterations)**
17. **Withdraw permitted development rights, Part 2 Class A (fences and walls)**
18. **Retention of wall and making good to match existing fabric**

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