
APPLICATION NO.	P11/E1321
APPLICATION TYPE	FULL
REGISTERED	2 September 2011
PARISH	ROTHERFIELD GREYS
APPLICANT	Sir Martyn Arbib
WARD MEMBER	Judith Nimmo-Smith
SITE	New Farm Bungalow, Badgemore
PROPOSAL	Demolition of existing bungalow, main barn & grain barn. Erection of replacement house, detached garage building and replacement barn.
AMENDMENTS	None
OFFICER	Paul Lucas

1.0 INTRODUCTION

- 1.1 This application is reported to the Planning Committee due to a conflict between the officers' recommendation and the views of Rotherfield Greys Parish Council.
- 1.2 The application site shown as **Appendix 1** is an enclosed parcel of land of about 0.58 hectares in area. It has historically formed part of a farm complex and now accommodates four buildings – a former farm workers' bungalow at the northern end of the site, known as New Farm Bungalow, a large enclosed barn in the centre of the site and a second open barn at the southern end of the site and a grain barn close to the western site boundary. All of these buildings are within the applicant's control. The applicant also owns the farmland to the west and south of the site. The 450 metres of access track to the site runs across this land, the first 270 metres is shared with Rotherfield Greys Public Footpath 18. The vehicular access is onto the road between Greys Green and Gravel Hill in Henley. The adjoining land to the north and east belongs to New Farm, in separate ownership. The site lies in an isolated location within the Chilterns Area of Outstanding Natural Beauty and all of the boundaries are denoted by established tree, shrub and hedge planting.

2.0 PROPOSAL

- 2.1 This application seeks full planning permission for the demolition of the existing bungalow, large barn and grain barn and erection of a two-storey five-bedroom replacement dwelling on the site of the main barn, a three-bay garage and workshop on the site of the existing bungalow and a replacement barn on the site of the grain barn. The established residential curtilage which presently occupies the northern section of the site would be reoriented to extend from the north-east corner into the centre of the site. The proposed dwelling would have a T-shaped plan and would measure 18.5 metres long by 7 to 11 metres wide. It would be 7.8 metres high at its highest point. The slab level would be lowered by 0.5 metres. It would have gable ends with hip roof dormer windows on three of the roof slopes, providing first floor accommodation within the roof. The materials would consist of brick and flint, clay tile roofs, hanging tiles and timber windows and doors.
- 2.2 The garage/workshop/store would be an L-shaped structure, which would measure 15.5 metres long and would have a width of 6 metres, extending to 11 metres. The main ridge would run North-South and would be 5.9 metres high. It would be constructed as an oak framed structure with traditional weather boarding on a brick plinth with a clay tile roof and three open bays and a lean-to open log store attached

to the south gable. The replacement barn would measure 18.8 metres long, 8.8 metres wide and would have a 7.3 metre high ridge with gable ends. It would use similar materials to the garage. It would have three rooflights in the eastern roof slope. It would lie outside the proposed residential curtilage of the proposed dwelling.

- 2.3 The plans of the proposed development can be found at **Appendix 2**. Other documents associated with the application can be viewed on the Council's website www.southoxon.gov.uk.

3.0 **CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Rotherfield Greys Parish Council** – The application should be refused for the following reasons: Excessive overdevelopment of former agricultural permitted site in AONB and visually intrusive into landscape with public access via bridleway and footpaths. A response to the parish's concerns from the applicant is included at **Appendix 3**.

- 3.2 **OCC Rights of Way Officer** – Informative recommended to ensure that any damage to the footpath during construction is put right by the applicant.

- 3.3 **Forestry Officer** – No objection subject to standard landscaping and tree protection conditions.

- 3.4 **Countryside Officer** – Previous surveys undertaken require updating and re-design of mitigation. Due to low level of previous bat usage, this can be secured through a pre-commencement condition. Informative also recommended ensuring a European Protected Species Licence is obtained.

- 3.5 **Neighbours** – No representations received.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P80/S0400/O & P81/S0173/RM – Outline and detailed planning permissions for farm workers' dwelling granted in 1981.

- 4.2 P04/E1129/LD – Certificate of Established Lawful Use granted in November 2004 for continued residential use without compliance with agricultural occupancy condition, evidence submitted sufficient on balance of probabilities that New Farm Bungalow had been continually occupied by persons not employed in agriculture for at least 10 years.

- 4.3 P09/E0632 – A planning application for the erection of extensions to the bungalow was withdrawn in August 2009, following Officers advice that a new bat survey was required.

- 4.4 P09/E1109 – Planning permission was granted in December 2009 for the erection of extensions to the bungalow to create first floor accommodation incorporating dormer windows. This has not been implemented. The approved plans are attached at **Appendix 4**.

- 4.5 P10/E1950/LD – Certificate of Established Lawful Use granted in February 2011 for the continued use of the main barn in the centre of the site for a mixed use of domestic and general storage.

5.0 **POLICY & GUIDANCE**

- 5.1 Adopted South Oxfordshire Local Plan 2011 Policies:-
- G2 – Protection and enhancement 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
- C8 – Species Protection
- C9 – Landscape Features
- 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
- H13 – Extensions to Dwellings
- A1 – Agricultural Buildings
- T1 – Transport Requirements for New Developments
- T2 – Transport Requirements for New Developments

5.2 Supplementary Planning Guidance:

- South Oxfordshire Design Guide 2008 – Sections 3, 4, 5 and 6
- South Oxfordshire Landscape Assessment – Character Area 10
- Chilterns Building Design Guide (CBDG) – Chapter 3

5.3 Government Guidance: PPS1, PPS3, PPS7, PPS9 and PPG13

6.0 **PLANNING CONSIDERATIONS**

6.1 The application site lies in an isolated rural location where new housing is generally unacceptable in principle in accordance with the provisions of Policy H6 of the South Oxfordshire Local Plan 2011 (SOLP 2011). However, Policy H12, allows for the replacement of existing dwellings, subject to several criteria being met. The planning issues that are relevant to this application are whether the development would:

- entail a residential use that has been abandoned;
- involve demolition of an existing dwelling, which is listed, or of historic, visual or architectural interest;
- be materially greater in volume than the existing dwelling (taking account of permitted development rights);
- have an overall impact, which would be greater than the existing dwelling on the character and appearance of the site and the surrounding area, including the retention of important trees and the location within the Chilterns AONB;
- compromise the living conditions of neighbouring residential occupiers and whether the development would provide suitable living conditions for future occupiers;
- result in an unacceptable deficiency of off-street parking spaces for the resultant development or other conditions prejudicial to highway safety;
- incorporate adequate mitigation to safeguard protected species; and
- provide sufficient sustainable and waste management measures.

Abandonment

6.2 At the time the application was submitted, New Farm Bungalow was occupied as a dwelling. This criterion would be met.

Historic Value

- 6.3 The dwelling is not listed or of other historic value and is of no particular architectural merit. This criterion would therefore be complied with.

Volume

- 6.4 Criterion (iii) of Policy H12 of the SOLP 2011 specifies a limit of 10% for increases in volume for replacement dwellings. The volume of the proposed dwelling would be 898.8 cubic metres and a detailed calculation has been provided by the applicant. The existing bungalow has a volume of 599.5 cubic metres, so the increase of 50% would clearly exceed the 10% allowance. Also, the existing dwelling has the benefit of permitted development rights, which officers estimate would enable it to be extended without planning permission along its rear elevation by at least 175 cubic metres. The volume increase of the replacement dwelling would be reduced to 16% when this permitted development is taken into account. Also, the approved extensions are a material planning consideration. The volume of the dwelling that would be achieved if the extensions permitted under P09/E1109 were built, would be 818 cubic metres – a 37% increase. Whilst the proposal would not be in strict accordance with the volume criterion, the replacement dwelling would increase the volume of the approved extended dwelling by 10%. Although the calculations provided do not include the volume of canopy areas, these are present on both approved and proposed plans and so their exclusion does not materially alter the difference in volume between the two schemes. Under these particular circumstances, it is considered that the proposal would be in compliance with the spirit of the above criterion.

Character and Appearance, and Design

- 6.5 Criteria (iv) and (v) of Policy H12 of the SOLP 2011 are concerned with the impact of a replacement dwelling on the character and appearance of the surrounding area and ensuring appropriate design. Criterion (ii) of Policy H13 requires that the scale and design of ancillary buildings are in keeping with the character of the dwelling and the site and with the appearance of the surrounding area. Policy A1 encourages replacement agricultural buildings to be erected in the same location. Policy C2 seeks to safeguard the natural beauty and landscape quality of AONBs. The existing bungalow is a relatively low-key structure in comparison to the agricultural buildings on the site. The increase in the footprint of the existing bungalow would be less than 5%. The ridge height of the proposed dwelling would be 2 metres higher than the existing bungalow at its highest point, taking into account the proposed lowering of ground levels. The overall height would be comparable to the approved extended dwelling, with the additional volume of the replacement dwelling being offset by its location towards the centre of the site, in line with the north elevation of the existing main barn. The form, design and traditional materials of the replacement dwelling would be similar to the approved resultant dwelling, with two additional dormers being the main change.
- 6.6 The majority of the dormer windows would be located on the more private southern and eastern sides of the dwelling, where they would be less visible outside the site boundaries. The existing residential curtilage presently extends to about 1,500 square metres, plus about 200 square metres of domestic storage space within the main barn, established as part of its lawful use. The north-east corner of this land would be retained and the remainder of the residential curtilage would be transferred to form a private garden area on the site of the main barn in the middle of the site. The

Council's Forestry Officer is satisfied that the proposed development would enable the majority of important trees to be retained and there would be scope for additional planting to supplement and strengthen the site boundaries.

- 6.7 The garage and workshop/store building would be erected on the north-eastern parcel of this curtilage, slightly further east of the footprint of the existing bungalow, with a parking, turning and yard area located between it and the replacement dwelling. Although the existing bungalow has no dedicated garage, it does benefit from ancillary storage space in the main barn. The scale of the building dedicated to parking would be a typical three-bay carport in traditional materials. The footprint of this ancillary building is increased by the additional workshop and store element, which officers consider is acceptable as a trade-off for the ancillary domestic storage space that would be lost through the demolition of the main barn. The design of this structure would employ traditional materials, with ridge and eaves heights noticeably lower than the replacement dwelling that it would serve and this would ensure that it would appear as a subservient structure and would be relatively well screened on this secluded site.
- 6.8 The grain store has been disused for a number of years and this would be demolished and replaced by a barn with a similar footprint, but a reduced profile with a ridge 0.6 metres to 2 metres lower and eaves about 3 metres lower. When combined with the use of more traditional materials, rather than the existing functional profile sheet cladding, the replacement barn would have a reduced visual impact both in views from within and outside the site. The barn is shown outside the proposed residential curtilage. A track would be retained within the site to allow separate access to the new barn and also to the existing barn, which would continue to be used for storage of farm equipment at the southern end of the site.
- 6.9 In summary, officers are satisfied that the replacement dwelling would not have a materially greater visual impact on the site or its surroundings than the existing or approved dwellings, the garage and workshop accommodation would appear sufficiently subordinate to the proposed dwelling and the replacement barn would have a reduced visual impact when compared with the existing grain store and main barn that would be demolished. The primary public views of the site are from the public footpath passing to the west of the site over a distance of about 180 metres and there is no public access to the site. The appearance of these three new buildings from the footpath would not be unduly prominent when compared with the existing structures and would ensure that the secluded nature of the site would be maintained. As such, the proposal would comply with the above policies and specifically would conserve the Chilterns AONB landscape.

Living Conditions

- 6.10 Policies D3 and D4 of the SOLP 2011 seek to safeguard residential amenity. There are no immediately adjoining residential occupiers, the closest property is New Farm, which is located about 100 metres to the north of the proposed garage/workshop building. The occupiers have not objected.

Highways

- 6.11 Policies D2, T1 and T2 of the SOLP 2011 seek to ensure that developments provide secure and convenient parking and would have a safe means of access. There would be no alterations to the existing access and the proposed parking and turning arrangements would be sufficient to meet adopted standards.

Protected Species

- 6.12 Policy C8 of the SOLP 2011 requires that development adequately safeguards species that are protected by British and/or European Legislation. Due to evidence of a previously low level of bat usage revealed by surveys submitted with previous applications, the Council's Countryside Officer has recommended a planning condition to require the submission of further surveys and updated mitigation measures as appropriate, to be agreed prior to commencement of development.

Sustainability Measures and Waste Management

- 6.13 Policy D8 of SOLP 2011 requires all new development to demonstrate a high standard of energy, water and materials efficient design. Section 3 of the SODG 2008 recommends that development involving a single dwelling reaches at least Level 3 of the Code for Sustainable Homes. Some measures are listed in a sustainability template, incorporating aspects such as energy, water, materials and recycling. A planning condition requiring a more definitive sustainability statement to be submitted prior to commencement is recommended. A sensitive location for the provision of refuse, recycling and composting facilities in order to comply with the Waste Management Officer's requirements could also form the basis of a planning condition. The proposal would therefore comply with Policies D8 and D10.

7.0 CONCLUSION

- 7.1 Whilst the proposed development would conflict with one of the replacement dwelling criteria, officers consider that the proposed dwelling would be of a very similar size to the extant permission for an extended dwelling on this site. There would be no harmful visual impact on the immediate locality or the wider Chilterns AONB landscape. The proposal would not harm adjoining residential amenity nor give rise to conditions prejudicial to highway safety, would safeguard important trees and protected species and would be of a more sustainable design than the existing dwelling. Consequently, the proposal is considered acceptable in relation to the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance.

8.0 RECOMMENDATION

8.1 Grant Planning Permission

Subject to the following conditions:

- 1. Standard 3 Year Time Limit**
- 2. Development to be in accordance with the approved plans**
- 3. Details of ridge levels against fixed datum point prior to commencement**
- 4. Schedule of materials prior to commencement**
- 5. Removal of Permitted Development Rights for Dwelling – extensions, rooflights, outbuildings**
- 6. Details of sustainable measures prior to commencement**
- 7. Details of waste storage and collection facilities prior to commencement**
- 8. Implementation of garaging, parking and turning prior to occupation**
- 9. Details of hard and soft landscaping prior to commencement**
- 10. Details of tree protection prior to commencement**
- 11. Details of updated bat survey and amended mitigation strategy prior to commencement**

- 12. Use of garage/workshop/store to be incidental to replacement dwelling only**
- 13. Use of replacement barn to be for agricultural purposes only and not for ancillary residential purposes.**
- 14. Details of contamination desktop study and remediation as necessary prior to commencement**

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