
APPLICATION NO.	P11/E1701
APPLICATION TYPE	FULL
REGISTERED	18.10.2011
PARISH	Pishill with Stonor
WARD MEMBER(S)	The Reverend Angie Paterson Ms Anna Badcock
APPLICANT	Chesterton Commercial Developments Ltd
SITE	Beech Barn Russells Water
PROPOSAL	Erection of replacement dwelling and garage.
AMENDMENTS	None
GRID REFERENCE	470859189534
OFFICER	Emma Bowerman

1.0 INTRODUCTION

- 1.1 This application is referred to the Planning Committee as the Officer's recommendation differs from the views of Pishill with Stonor Parish Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) contains a detached dwelling that was permitted as a replacement dwelling in 1992. The existing dwelling is single storey and is of brick construction with a clay tile roof. There is also a detached brick built double garage to the northern side of the dwelling. The dwelling is positioned within a large plot and is set back from the road with a substantial parking area to the front. The site falls within the Chilterns Area of Outstanding Natural Beauty (AONB) and there is open countryside to the west.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of the existing house and garage and the erection of a replacement house and garage. The proposed dwelling would be designed to reflect a barn and would be set on a brick plinth, with timber boarding to the walls and clay tiles to the roofs. The building would be shaped around a courtyard, with two subservient 'barns' projecting forward and linked to the main body of the building. The proposed dwelling would have a width of 35m and the forward projecting element would project by 18-19m. The proposed dwelling would have a height of 7m. The proposed replacement garage would be a detached building and would be positioned to the north of the proposed dwelling. This would measure 8.5m x 7.5m with a store area projecting to the rear and would be pitched to a height of 5.7m. The materials would match those used in the proposed dwelling.
- 2.2 A copy of the proposed plans is **attached** as Appendix B. The application is accompanied by a Design and Access Statement which can be viewed online at www.southoxon.gov.uk.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Pishill with Stonor Parish Council – Considers the application should be refused and raised concerns that the proposal would represent an overdevelopment of the site due to the larger footprint and second storey. That the development would push the development closer to the neighbours and that there is no main sewer in Russells Water.
- 3.2 Swyncombe Parish Council – Considers the application should be refused as the

development would represent an overdevelopment of the site which would prove over-dominant in the village. Commented that the previous replacement was conditioned to not become two storey and that Russells Water has no mains drainage. Also commented that the proposal could lead to pressure for the garden to encroach on agricultural land.

- 3.3 Countryside Officer – No objection subject to an informative advising the applicant about the potential for bats to use the buildings on site.
- 3.4 County Archaeologist – No objection subject to an informative advising the applicant to consider archaeological finds during development.
- 3.5 Neighbour Representations – Two received in objection to the application. The issues of concern raised are:
- the size of the development and increase in height,
 - that a previous condition required the house to remain as a single storey structure,
 - that the rear garden is small and could lead to potential to encroach onto agricultural land,
 - there is no access provided for tractors to the adjoining agricultural land,
 - potential disturbance from the proposed garage,
 - additional pressure on the sewage system
 - that the development would be an over-development of the site, spreading the buildings closer to boundaries,
 - overlooking

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 Planning application P11/E1154 for extensions to the dwelling and a replacement garage were granted planning permission in September 2011.
- 4.2 Planning application P92/S0517 granted planning permission for the existing dwelling on site as a replacement of the original dwelling in 1992.

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Local Plan 2011 Policies: G2, G4, G6, C1, C2, C8, C9, D1, D2, D3, D4, D8, D10, CON11-14, EP1, EP8, H12, H13, T1 and T2
- 5.2 Supplementary Planning Guidance: South Oxfordshire Design Guide 2008
- 5.3 Government Guidance: PPS1, PPS7

6.0 **PLANNING CONSIDERATIONS**

- 6.1 Policy H12 of the South Oxfordshire Local Plan confirms that proposals for the replacement of dwellings outside the main confines of the towns and larger villages of the District will be permitted subject to compliance with certain criteria. In this instance, the principal issues to be considered are –
1. Whether the use of the property as a dwelling has been abandoned.
 2. Whether the demolition of the property would result in the loss of a dwelling of historic, visual or architectural interest.
 3. Whether the proposed dwelling is materially greater in volume than the existing dwelling.
 4. Whether the overall impact would be greater than the existing dwelling on the character and appearance of the site and surrounding area.
 5. Whether the siting, design and materials would be in keeping with the locality

6. Whether the proposal would materially harm the amenity of occupants of nearby properties
7. Whether the proposal would be acceptable in terms of highway safety, sustainability, protected species, archaeology, trees, drainage and contamination.

Use of the existing property

- 6.2 Criterion (i) of Policy H12 states that replacement dwellings will only be acceptable if the use has not been abandoned. The existing house is inhabited and as such, the proposal complies with this requirement.

Historic, visual or architectural interest of existing property

- 6.3 Criterion (ii) of Policy H12 states that replacement dwellings will only be acceptable if the existing dwelling is not listed, or of historic, visual or architectural interest. The existing building was constructed in the 1990's, is of no particular architectural merit and Officers have no objection to its demolition.

Volume of the replacement dwelling

- 6.3 Criterion (iii) of Policy H12 requires the proposed dwelling to not be materially greater in volume than the existing dwelling. The existing dwelling has an extant permission for extensions permitted under reference P11/E1154 and as this permission is a material planning consideration, it is reasonable to include the volume of the permitted extensions in the volume allowance for the replacement dwelling. The existing dwelling plus the permitted extensions has a volume of 1930 cubic metres and the proposed dwelling would have a volume of 1870 cubic metres. The proposed dwelling would therefore be smaller than the extended dwelling and as such, Officers consider that the proposal would comply with this part of Policy H12.

Impact of the replacement dwelling on the character and appearance of the area

- 6.4 Criterion (iv) of Policy H12 requires that the overall impact of the new dwelling is not any greater than the existing on the character and appearance of the site and surrounding area. The proposed replacement dwelling would not be materially greater in volume than the existing dwelling plus the permitted extensions and would be around 0.8m higher than the existing dwelling. Officers are of the opinion that the increase in height would not be significant and the replacement would still be lower than a number of surrounding dwellings. As the various elements of the building would have a narrower span than the existing dwelling plus the permitted extensions, it would cover more of the site. The development would still retain a large separation between the proposed dwelling and the site boundaries, with a distance of some 16m to the northern boundary, 15m to the southern boundary and 10m to the western boundary. Officers consider that the building would not appear cramped within the plot and the proposed dwelling would be less bulky than the existing house plus the permitted extensions.

- 6.5 The proposed garage would be exactly the same as the garage approved under application reference P11/E1154 but would be positioned closer to the northern boundary. The visual separation between the proposed garage and the proposed dwelling would be maintained and the dwelling would also be broken up by using different ridge heights and the use of the subservient forward projecting 'barns'. The site is positioned within a row of dwellings and so spreading the development across the width of the site would not in Officers opinion, have a significant impact on the landscape character of this part of the Chilterns AONB. The proposed dwelling would be positioned some 4.5m closer to the open countryside to the west but Officers do not consider that this level of change would be particularly noticeable in wider views and would not have a significant impact on the landscape character of the area.

Given these factors, Officers are also of the opinion that the overall impact of the proposal would not be greater than the existing dwelling and the permitted extensions on the site and surrounding AONB, in accordance with criterion (iv) of Policy H12.

The siting, design and materials proposed

- 6.6 Criterion (v) of Policy H12 requires the siting, design and materials to be in keeping with the locality. The proposed dwelling would be sited a distance of 10 metres from the rear boundary and given the width of the plot, Officers consider that a sufficient level of amenity space would be provided for the dwelling. The application does not propose to increase the size of the garden area and if an application was submitted to change the paddock to garden area in the future, it would be judged on its merits. A number of the consultation responses have commented that the design of the proposed dwelling is an improvement on the existing and Officers consider that the use of the different size 'barns' would work well and the addition of first floor accommodation has been achieved in an appropriate manner. The materials proposed are traditional and characteristic of the area. The proposed replacement dwelling would be set back from the road, as is the existing dwelling, and would not appear as a prominent feature in the streetscene. The proposed dwelling would be apparent in wider views from a public right of way to the north / west of the site but whilst the proposal would be visible in the landscape, the design and appearance would be appropriate and in Officer's opinion, the landscape quality of this part of the AONB would be preserved and the proposal would comply with criterion (v) of Policy H12.

Neighbouring properties

- 6.7 The proposed replacement dwelling would be positioned some 26m away from Whistling Cottage to the south and given this level of separation, Officers consider that the proposed dwelling would not be overbearing to this neighbour or result in any loss of light. The proposed dwelling would incorporate a ground floor glazed door which would face towards this neighbour but given that this is a ground floor opening and there is sufficient boundary treatment between the two properties, Officers do not consider that the proposed glazed door would result in any adverse overlooking of this neighbouring property. An apex level window would also be added to the first floor gable facing towards Whistling Cottage but this would be above head height and would not allow for any overlooking of the neighbour.
- 6.8 To the other side, Flint Cottage would be positioned some 21m from the proposed replacement dwelling and given this level of separation Officers consider that the proposal would not result in any harm in terms of light and outlook. An apex level window would also face towards Flint Cottage and this would again be above head height and so would not allow for any views towards this neighbour. The proposed garage would be positioned some 8m from Flint Cottage and due to the relationship between the two buildings and the intervening boundary treatment, Officers do not consider that the proposed garage would have any adverse impacts in terms of light, outlook or privacy. A planning objection could not be raised on the basis of the potential for noise or disturbance from the garage whilst car maintenance takes place. On the basis of the above considerations, Officers are of the opinion that the development would have an acceptable impact on neighbouring properties.

Highway safety

- 6.9 The application does not propose any alterations to the access. The level of parking provided on site would meet the council's parking standards and turning space would also be provided. On this basis, Officers consider that the proposal would have an acceptable impact on highway safety.

Sustainability

- 6.10 Policy D8 of the Local Plan requires that all new dwellings demonstrate high standards in the conservation and efficient use of energy, water and materials used in their construction. The Design and Access Statement provides details of various sustainability measures that would be utilised in the proposed dwelling and on the basis that these are implemented, Officers consider that the development would accord with the above policy.

Protected species

- 6.11 Policy C8 of the Local Plan states that development that would have an adverse effect on a site supporting a specially protected species will not be permitted, unless damage to the ecological interest can be prevented through the use of planning conditions. The existing dwelling and garage were constructed in the 1990's and there are no obvious access points for bats. There is no evidence of bat occupation but an informative should be added to any consent advising the applicant of the potential for bats to be present.

Archaeology

- 6.12 Policies CON11-14 of the Local Plan seek to preserve important archaeological remains. Records do indicate the presence of known archaeological finds nearby and this should be borne in mind by the applicant and an informative is recommended to bring this to the applicant's attention.

Trees

- 6.13 Policy C9 of the Local Plan seeks to ensure that landscape features are protected during development. There are a number of trees close to the boundaries of the site and to ensure that these are protected during development, officers recommend that a tree protection condition is attached to any consent.

Drainage

- 6.14 The agent has advised that an error was made on the application form and that the existing foul drainage would be upgraded to a biodisk and would not be disposed to a mains sewer. Officers recommend that details of the foul drainage system are submitted as a condition to ensure compliance with Policy EP1 of the Local Plan.

Contamination

- 6.15 Residential development is regarded in PPS23 as a particularly sensitive use to any land contamination. For this reason, PPS23 requires a precautionary approach to be adopted and for the applicant to conduct adequate contaminated land investigations to ensure that the land is safe and suitable for the intended use. Accordingly, a suitable condition should be imposed on any planning permission.

7.0 CONCLUSION

- 7.1 The proposal complies with the relevant Development Plan Policies and it is considered that, subject to the attached conditions, the demolition of the existing dwelling and garage and the construction of the replacement dwelling and garage would not harm the character and appearance of the site or the landscape quality of this part of the Area of Outstanding Natural Beauty, would not materially harm the living conditions of nearby residents, would not have an adverse impact on a protected species, trees, archaeology or highway safety and would create an appropriate development in terms of sustainability and drainage.

8.0 RECOMMENDATION

8.1 That planning permission be granted for the development contained in planning application P11/E1701 subject to the following conditions –

- 1. Commencement 3 years – planning permission**
- 2. List of approved drawings**
- 3. Sample of all external materials to be submitted for approval**
- 4. Removal of permitted development rights for extensions and roof extensions**
- 5. Contamination investigation, and if necessary, remediation works to be undertaken**
- 6. Incorporation of sustainable design features**
- 7. Garage to remain ‘incidental’ to main dwelling**
- 8. All materials that are not reused to be removed from site**
- 9. Parking and manoeuvring areas to be as per approved plan**
- 10. Foul drainage details to be submitted for approval**
- 11. Tree protection to be submitted for approval**
- 12. Apex windows in northwest and southeast elevations to be a minimum of 1.7 metres above floor level**
- 13. Details of finish to modern link to be submitted for approval**

Two informatives reminding the applicant of the potential for bats and archaeological remains.

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