

SUBJECT **COMMITTEE SITE VISIT REPORTS** **ITEM 8**
11 APRIL 2012
Attendance – Verbally updated at Committee

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P11/E2033
APPLICATION TYPE	FULL
REGISTERED	12.12.2011
PARISH	ROTHERFIELD PEPPARD
WARD MEMBER(S)	Mr Alan Rooke Mr Paul Harrison
APPLICANT	Mr Robert Richardson
SITE	Beechwood House, Gallowstree Road, Peppard Common, RG9 5HT
PROPOSAL	Erection of replacement dwelling following granting of permission P11/E0514 for extensions and alterations to existing dwelling
AMENDMENTS	None
GRID REFERENCE	469993/181108
OFFICER	Mr Peter Brampton

1.0 INTRODUCTION

- 1.1 At the meeting on 15 March 2012, Members resolved to defer consideration of this application to allow a site visit and for further consultation with the Chilterns Conservation Board.
- 1.2 This application was initially referred to the Planning Committee because of a conflict between the Officers’ recommendation and the views of Rotherfield Peppard Parish Council.
- 1.3 Beechwood House is a large detached 1960s dwelling set in a spacious plot of around 4,800 square metres on the southern outskirts of Peppard Common. It is the last dwelling within the built-up limits of the village. The site lies the western side of Gallowstree Road, which continues in a southerly direction into the open countryside and on into Gallowstree Common.
- 1.4 The house is of typical brick and tile construction. It is set well back from the road in a landscaped part of the site, to accommodate the clear south to north downwards slope that runs across the site. The property benefits from a two-storey rear extension and a number of outbuildings. A long gravel drive runs down the northern side of the house into a gravelled area that provides space for parking and manoeuvring at the rear.

- 1.5 Much of the rear of the site falls within the Chilterns Area of Outstanding Natural Beauty (AONB). A public footpath runs along the southern side boundary of the site and across the field to the rear. This footpath almost wholly crosses land within the AONB.
- 1.6 The application site is shown on the OS extract **attached** at Appendix One. Appendix One also contains a second OS extract that shows a hatched area to denote the boundary of the AONB.

2.0 PROPOSAL

- 2.1 In the summer of 2011, the applicant received planning permission for the complete overhaul and extension of the property to create a modern family dwelling (Planning Permission: P11/E0514). The permitted scheme creates a house with four bedrooms all benefiting from en-suite accommodation, an open plan living, dining and kitchen space, with a separate study and family room.
- 2.2 The applicant now proposes to knock down the existing dwelling and create a replacement dwelling of a similar appearance to the approved scheme. The overall level of accommodation remains similar, but the ground floor accommodation has been rearranged, with the open plan living, dining and kitchen area now relocated further to the rear of the building. Bedroom accommodation is split between the ground and first floor in a larger two-storey front range of the building.
- 2.3 The plans of the proposed development and a 3D image of the front elevation are **attached** as Appendix Two. Members' attention is particularly drawn to the proposed floor plans, which clearly shows both the outline of the approved scheme and the proposed house for easy comparison.
- 2.4 The design of the house is contemporary, with the applicant hoping to create a highly sustainable dwelling that meets, and if possible, exceeds Level 4 of the Code for Sustainable Homes. The palette of materials creates a distinctive appearance to the dwelling, with brick, weathering steel and zinc used for the exterior walls of the house, under a single ply membrane roof.
- 2.5 For clarity, the new house falls within the part of the site that falls within the AONB.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **Rotherfield Peppard Parish Council** – Recommends refusal for the following reasons:

- The existing unobtrusive house is in keeping with the character of the area
- Damage has been done to the character of the area by the removal of many mature trees from the site
- The proposed new house will change the character of this key approach to Rotherfield Peppard along Gallowstree Road
- The uncompromising nature of the new development will spoil the predominantly rural views of the adjoining footpath
- The proposed development will have an adverse impact on the outlook from adjoining properties
- The scale of the new dwelling is excessive compared to the existing

OCC Countryside Service (Footpaths) - No objections

Countryside Officer - No objections, requests standard informative regarding UK and European protected species legislation be attached to any consent

Forestry Officer - No objections, given existing permission and that significant trees are not affected. Requests detailed tree protection condition be attached to any

consent

Highways Officer – No objections, subject to condition relating to provision of turning and access arrangements in accordance with details shown on submitted plans

Waste Management Officer - No objections, bins to be presented at kerbside by 7am on collection day

Chilterns Conservation Board – Comments received from Colin White following deferral at meeting. They are copied in full below:

“I have looked at the application details for the current and previous proposal and read the committee report.

The proposal is not one that the Board would comment on. If we had been consulted we would have replied with a standard ‘not commenting’ letter (see attached) which refers to the need to consider the Board’s various publications including the Chilterns Buildings Design Guide and Supplementary Technical Notes on Chilterns Building Materials (Flint, Brick and Roofing Materials).

The approval of P11/E0514 (which sought significant alterations to the existing dwelling) clearly sets a precedent for the current scheme. Although this is for a replacement dwelling it does not appear to be hugely different in scale/massing to the previous approval.

Having examined the details, the design is not considered to be in conformity with the advice in the Chilterns Buildings Design Guide and the use of materials, despite the fact that they are considered to be sustainable, is not considered to be in conformity with the advice in the Board’s materials supplementary technical notes.”

Neighbour Representations – One letter of objection received from owner of Beechcroft, a property around 55 metres to the northeast of the rear boundary of the application site. Main objections can be summarised thus:

- The new dwelling is too large and pushed too far down the plot, compared to where the existing property sits
- The new dwelling will be intrusive on the boundaries of Beechcroft
- Overlooking from dining and sitting room into Beechcroft
- New dwelling is out of keeping with the surrounding area
- Trees have been removed from site to create space for this second application

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P11/E0514](#) - Approved (07/06/2011)

Extensions and alterations to existing dwelling with associated external works

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Local Plan 2011 policies;

G2 - Protect district from adverse development

G4 - Protection of Countryside

G6 - Appropriateness of development to its site & surroundings

C2 - Harm to the AONB

C8 - Adverse affect on protected species

C9 - Loss of landscape features

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

D8 - Conservation and efficient use of energy

- D10 - Waste Management
- H5 - Housing sites in larger villages in the Green Belt
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008
Chilterns Building Design Guide

6.0 **PLANNING CONSIDERATIONS**

- 6.1 Crucial to officers' assessment of this particular proposal is to determine which housing policy is most relevant. Policy H12 of the Local Plan deals specifically with the erection of replacement dwellings, but this policy only applies to sites "outside the built-up limits" of settlements, or in small settlements and rural locations where new dwellings are not normally permitted. In contrast, Policy H5 states that Peppard Common is a settlement where new in-fill housing development is permissible within its built up limits.
- 6.2 Beechwood House is the last house at the southern end of a row of detached houses leading away from the centre of Peppard Common into the countryside and officers have considered whether the site falls within the built up limits of the village.
- 6.3 The applicant's agent has referred the council to appeals against housing development to the rear of The Greyhound pub, which lies around 100 metres to the northeast of the application site. Irrespective of the fact these appeals, which date from the early 1990s, were dismissed, officers cannot ignore the fact the Inspectorate was quite clear that this site fell within the built up limits of Peppard Common. Whilst this site is closer to the main village, it does fall more within the single row of detached houses than the housing developments to the northeast and is comparable to this application site.
- 6.4 Overall, officers consider that there is no real break in the development along Gallowstree Road, from the centre of the village, past The Greyhound and then onto the application site. Therefore, officers have made the on-balance conclusion the site does fall within the built-up limits of Peppard Common and so the requirements of Policy H5 are most directly relevant to the assessment of this proposal.
- 6.5 Accordingly, Policy H5, whilst primarily related to infill development, supports the principle of this development subject to the following:
- i) An important open space of public, environmental or ecological value should not be lost, nor an important public view spoilt
 - ii) The design, height, scale and materials of the proposed development must be in keeping with the surroundings
 - iii) The character of the area should not be adversely affected
 - iv) There should be no overriding amenity, environmental or highway objections and;
 - v) If the proposal constitutes backland development, it would not create problems of privacy and access

Other considerations relevant to this proposal are:

- Whether the health of nearby protected trees would be affected by the new house and access
- Whether the proposal would incorporate appropriate sustainability and waste management measures
- Whether the habitats of protected species would be adversely affected by the development

- Whether there are any issues regarding land contamination

6.6 Siting Issues

As the application site is, and will remain, used as a private residence there is no concerns about the loss of an important open space.

- 6.7 Given its edge of settlement location, the application site is quite open, meaning views of the existing house are possible from the road to the front of the site, and from the footpath that runs along the side and rear of the plot. However, officers are mindful there is no right to a view across private land. Thus, officers do not consider the views across the application site are an important public view, whilst the proposal will not materially affect wider views of the rural landscape that surrounds the application site. This is particularly the case as the new dwelling will be in a similar position to the existing dwelling.

6.8 Design

From observations on site, the existing house is a relatively typical 1960s detached dwelling that adds little to the quality of the built environment. In contrast, the immediately neighbouring properties to the northeast, namely Yew Tree Cottage and Old Well Cottage are attractive but individual period buildings. The dwelling proposed here would clearly be a unique building in the area, but given the diversity in the street scene, officers consider that the individual design approach cannot be rejected out of hand.

- 6.9 The applicant's agent has highlighted the design principles outlined in PPS1, which requires the council to seek high quality, sustainable development. Officers are mindful this proposal incorporates a large number of sustainability measures, including sedum roofs, photovoltaic panels and a biomass boiler, whilst the unusual materials proposed are also part of an overall strategy to create a highly energy efficient home, something the council is required to support when appropriate.

- 6.10 In assessing the design approach of this proposal, officers are mindful of the advice contained in the South Oxfordshire Design Guide (SODG) and the Chilterns Building Design Guide (CBDG). The CBDG sits below the SODG in the hierarchy of planning guidance and generally promotes traditional design. It states modern design such as this should only be built in exceptional circumstances, when the building enhances the character of the landscape and demonstrates the highest principles of sustainability. The CBDG does not outline what it considers an appropriate level of sustainability for such a proposal, whilst officers discuss the impact of the new dwelling on the character of the area in the next section.

- 6.11 The SODG has significant weight in the decision making process and is clear that good design is sustainable design and consequently supports the use of many of the sustainable measures incorporated into this scheme. However, the council can only support this modern approach if the scale of the building is appropriate to the surroundings.

6.12 Scale of development and impact on the character of the area

To begin assessing the scale of this proposal, it is important to highlight the changes in scale proposed over the existing dwelling. The proposed dwelling, due to the flat roof design, has a maximum ridge height 1.43 metres lower than the ridge of the existing pitched roof dwelling. The eaves of the existing building are a maximum of 5.3 metres above the adjacent ground to the front. At the same point, the top of the flat roof is 6 metres above the ground.

- 6.13 The existing house is a full two-storey for its entire depth, whilst only the front range of the proposed dwelling is two-storey. Overall, officers are satisfied that the two-storey range of this proposed dwelling is less bulky than the existing dwelling.
- 6.14 However, central to the determination of this fresh application is that, as outlined in Para 2.1, the council has already supported a version of this scheme as alterations and extensions to the existing house. This consent represents the basis from which officers have assessed the scale of this proposed scheme as it represents a valid fallback position for the applicant.
- 6.15 The consented scheme incorporates a “T” shaped plan form, whereas the plan form now proposed more resembles an “H” due to the wider single storey range at the rear. However, the primary change over the consented scheme is the increase in width at first floor of the front range. The consented scheme has a two-storey front range of 14 metres wide, whilst the scheme now proposed has a two-storey front range of 21.6 metres, an increase in width of around 54%.
- 6.16 However, a reduction in the depth of the front range of the building helps to mitigate this increase in the width. The proposed house reduces the two-storey depth from around 10 metres deep to 6.6 metres deep. Thus, officers consider the overall bulk of the two-storey element of this dwelling to be comparable to the previous approval. Officers conclude the overall impact of the front range of this building on the character of the area will be comparable to the existing building and the consented extensions.
- 6.17 The overall depth of the house is greater, 25.6 metres, opposed to the consented extensions, which total 24.7 metres. Officers accept the resultant dwelling is a rather sprawling affair but it is important to note that the footprint of the dwelling covers less than 10% of the site, which is comparable to neighbouring properties.
- 6.18 Thus, officers do not consider this translates into an overdevelopment of the site. Furthermore, the majority of the accommodation is contained in low-key flat roofed single storey elements of around 3 metres in height. The applicant proposes to sink this rear projection into the ground to reduce its prominence from the surrounding area.
- 6.19 From observation on site, even in winter months, existing evergreen planting offers excellent screening of the rear of the plot when approaching along the road from the south, or when walking along the footpath immediately to the south of the site. This footpath is on higher ground, so from this public vantage point, passers by will be looking down onto a lower, albeit larger, dwelling than the existing.
- 6.20 The rear of the building becomes more prominent in winter months to the west of the site, as the planting is thinner along the rear boundary of the plot. However, from here, the rear elevation of the new house will be seen against a backdrop of dense woodland on the opposite side of Gallowstree Road. This will reduce the prominence of the new building from this footpath, particularly given the low ridge height.
- 6.21 An associated benefit with this scheme is the removal of two existing outbuildings to the side and rear of the house. The removal of an unattractive flat roof storage building close to the rear boundary will help to free up views across the site from the footpath to the west.
- 6.22 When approaching the application site from the north, i.e. from the main part of Peppard Common, intervening houses and planting along front boundaries mean there will be very few views of the new house until almost directly opposite.

- 6.23 Overall, officers accept that this site is in a sensitive location, forming the entrance to Peppard Common and playing a role in the setting of the Chilterns AONB. Officers also accept that the new dwelling will be much larger than the existing house, but are mindful that it will not be significantly larger than the approved scheme for extensions and alterations.
- 6.24 Officers acknowledge the striking design will not be universally appreciated, and note the response from the Chilterns Conservation Board, but consider the existing dwelling is an unremarkable building that does not play a key role in the setting of the area and wider AONB. For the reasons outlined above, particularly the recent consent, officers consider the impact of the new house on the character of the area does not warrant a refusal of planning permission.
- 6.25 To ensure the quality of the development, officers consider a number of conditions are necessary. These include the requirement for the council to agree samples of all external materials and to agree a landscaping scheme to help assimilate the dwelling into its surroundings and replace the existing trees regrettably removed prior to the first application on the site. Officers also consider a condition removing permitted development rights for extensions and alterations to the dwelling, and for outbuildings within the curtilage, is necessary to allow the council full control over future improvements and additions to the property.
- 6.26 **Neighbouring Amenity**
The overall relationship the replacement dwelling will have with neighbours is similar to that assessed and found acceptable in respect of the previous application. The immediate neighbour is Yew Tree Cottage, located to the northeast. Yew Tree Cottage is orientated so that its front elevation faces southeast, across the front garden of Beechwood House. It is located on noticeably lower ground and, when standing in the front garden, Beechwood House can be seen. However, intervening planting within both gardens offers reasonable screening.
- 6.27 The new dwelling will be set behind the building line of Yew Tree Cottage, with the two-storey element projecting towards the garden to the side of this neighbour, with a reasonable distance of around 13 metres from the shared boundary. At this point, the planting between the two properties is at its thickest, and the applicant intends to retain this planting, which is largely within his ownership.
- 6.28 Regardless of this planting, officers are satisfied the new dwelling will have an acceptable relationship with this neighbour. Yew Tree Cottage is located close to its rear boundary, so that the majority of its outlook is across the front garden of both its own site and Beechwood House. The new dwelling will not affect this outlook significantly, whilst it is far enough away to ensure no loss of light to this neighbour.
- 6.29 There are no first floor windows facing towards neighbours. There will be some oblique overlooking of Yew Tree Cottage from secondary windows serving a bedroom and the living room on the ground floor. However, such overlooking will be at a reasonable distance and officers do not find this materially harmful. Thus, officers find the impact of this proposal on the amenity of the occupants of Yew Tree Cottage to be acceptable.
- 6.30 The owner of Beechcroft has objected to the application, suggesting the new house will impinge on the boundaries of this neighbour, and there will be increased overlooking. However, this neighbour is over 90 metres from the site of the new house and so officers consider this distance ensures no material impact on the amenity of the owner.

6.31 Highway Safety Issues

From observations on site, visibility at the existing point of access to Beechwood House is poor, and so the applicant proposes to realign the access, with wider visibility splays. This is likely to improve highway safety, but a pre-commencement condition will need to secure the finer details of this visibility splay.

6.32 The plans indicate the provision of adequate turning, manoeuvring and parking space at the front of the dwelling.

6.33 Tree Issues

Both the Parish Council and the owner of Beechcroft have objected to the removal of a number of mature trees within the site, prior to the submission of the first application for alterations and extensions. Officers agree this was regrettable, but are mindful those trees did not fall within a conservation area, nor were they protected by a Tree Preservation Order (TPO). Therefore, the applicant did not require formal consent from the council to remove these trees.

6.34 However, a number of trees remain on the site, and these will continue to offer good screening and help to assimilate the new dwelling into its surroundings. Furthermore, as discussed in Para 6.24, a landscaping condition can secure replacement planting to compensate for the loss of these trees.

6.35 In consultation, the council's forestry officer has confirmed his opinion that this development can be implemented without causing significant harm to those retained trees on the site. However, the council will need to agree an arboricultural method statement prior to work commencing to protect the trees during construction. A pre-commencement condition is therefore necessary.

6.36 Sustainability and Waste Management

As discussed in previous sections, the applicant intends the proposed dwelling to be at the cutting edge of sustainable construction, and this is a key factor in officers' recommendation. Given this application is for a replacement dwelling, officers do not consider it appropriate to insist on a particular level of the Code for Sustainable Homes, as the replacement of the existing 1960s dwelling with a dwelling built to modern building regulations is, in itself, likely to contribute to the sustainability of the site.

6.37 However, officers welcome the applicant's own desire to incorporate measures that will push the dwelling above Level 4 of the Code for Sustainable Homes, taking it beyond what the council currently requires in large-scale housing developments. Measures proposed include triple glazed windows, photovoltaic cells and a biomass boiler. The applicants also propose a Mechanical Ventilation Heat Recovery system, which will recycle energy normally lost through windows.

6.38 Officers consider the high level of sustainable features incorporated into the construction of the dwelling help to justify the modern design approach taken. Both the SODG and CBDG are supportive of modern design when it incorporates a high level of sustainability. Whilst the Chilterns Conservation Board has indicated the materials used are inappropriate, officers remain of the view the high level of sustainability they offer is a material consideration in the ultimate recommendation of approval.

6.39 There is limited information regarding provision for bin storage and recycling within the site, but officers are satisfied this can be easily accommodated given the size of the plot.

6.40 Protected Species

In consultation, the council's countryside officer has confirmed that the existing dwelling and outbuildings are unlikely to provide accommodation for bats and so has no objections to the scheme.

6.41 Land Contamination

In accordance with the requirements of Policy EP8 of the South Oxfordshire Local Plan, a full land contamination investigation is required.

7.0 CONCLUSION

7.1 The principle of a replacement dwelling in this location is acceptable, in accordance with Policy H5. The application proposes to replace an unremarkable 1960s detached dwelling with a modern, highly sustainable building, but it is an existing consent for alterations and extension to the existing building that forms the basis for the council's assessment. The overall increase in bulk and footprint from the consented scheme is relatively minor and officers consider the proposed dwelling will not have a material impact on the character of the area, much of which falls within the Chilterns Area of Outstanding Natural Beauty.

7.2 The proposed dwelling would not significantly affect neighbouring amenity, nor highway safety and the health of the remaining trees on the site. The dwelling would incorporate appropriate waste management measures and achieve a level of sustainability well in excess of what this council currently requires.

8.0 RECOMMENDATION

8.1 Planning Permission subject to:

- 1. Commencement Three Years**
- 2. Approved Plans**
- 3. Levels of existing and proposed development to be agreed relative to fixed datum point outside site, prior to work commencing**
- 4. Samples of all external materials to be agreed prior to work commencing**
- 5. Turning area and car parking to be provided in accordance with approved plans, prior to first occupation of development**
- 6. Details of access, including vision splay, to be agreed prior to work commencing**
- 7. Sustainable design features to be incorporated into construction of development, in accordance with details within Design and Access Statement**
- 8. Tree protection measures to be agreed prior to work commencing**
- 9. Landscaping scheme to be agreed prior to work commencing**
- 10. Contaminated Land Investigation to be carried out and agree prior to work commencing**
- 11. Withdrawal of permitted development rights for extensions and alterations to the main dwelling, and outbuildings within the curtilage**

Informative regarding protected species legislation
Informatives regarding contaminated land

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