

APPLICATION NO.	P16/S2923/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	6.9.2016
PARISH	ROTHERFIELD PEPPARD
WARD MEMBERS	David Nimmo-Smith & Charles Bailey
APPLICANT	Mr Stark
SITE	Daisy's at the Dog, Peppard Common, RG9 5JU
PROPOSAL	Change of use of property from A3 to C3 and associated extension and alterations.
AMENDMENTS	Amended to increase parking area to allow for ease of manoeuvring within the site.
GRID REFERENCE	471030/181950
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

- 1.1 Daisy's at the Dog is a two storey building, currently in lawful use as a coffee shop.
- 1.2 The site (which is shown on the OS extract **attached** as Appendix A) lies within the Rotherfield Peppard Conservation Area and Chilterns Area of Outstanding Natural Beauty (AONB).
- 1.3 This application is referred to the Planning Committee because the officer's recommendation conflicts with the view of the parish Council. This application was deferred from Planning Committee 23 November for further assessment of the access and parking arrangement. This application has subsequently been amended.

2.0 **PROPOSAL**

- 2.1 This application seeks full planning permission for the conversion and alteration of the existing coffee shop to form a new dwelling.
- 2.2 A copy of all the current plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Rotherfield Peppard Parish Council** – Object; Original scheme
- Loss of brick and flint wall to the front would be detrimental to the character of the area and the historical importance
 - Harm that the proposed access and small manoeuvring area would have on the proposed new walkway planned for school children (in connection with the development to re-locate the school to the north)
 - Alternative siting of the proposed access would be off Dog Lane as currently there is an area of poor quality fencing, the loss of which would not be harmful

Rotherfield Peppard Parish Council – Object; Amended scheme

- Does not remove objection

Conservation Officer - No strong views; Original scheme

Conservation Officer - No strong views; Amended scheme – notes height of wall

requiring PP but continues to consider benefit outweighs harm

Highways Liaison Officer (Oxfordshire County Council) – Originally objected, however, this objection has now been removed following submission of the visibility splay drawing

Highways Liaison Officer (Oxfordshire County Council) – No objection; Amended scheme

Forestry Officer - No strong views; Original scheme

Forestry Officer - No strong views; Amended scheme – conditions requested

Countryside Access - No strong views

County Archaeological Services (SODC) - No strong views

Foundation Governor of Peppard CoE Primary School – Concern

- Not opposing change of use of this building but concerned about access and small manoeuvring area associated with development and possible impact on safety of children and other motorists accessing and leaving school.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S0052/FUL](#) – Approved (27/04/2016)

Demolition of existing outbuildings and erection of two-storey 3-bedroom dwelling.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework & National Planning Practice Guidance**

5.2 **South Oxfordshire Core Strategy policies;**

CS1 - Presumption in favour of sustainable development
CSB1 - Conservation and improvement of biodiversity
CSEN1 - Landscape protection
CSEN3 - Historic environment
CSQ3 - Design
CSS1 - The Overall Strategy

5.3 **South Oxfordshire Local Plan policies;**

C8 - Adverse affect on protected species
C9 - Loss of landscape features
CF1 - Protection of recreational or essential community facilities
CON5 - Setting of listed building
CON6 - Demolition in conservation area
CON7 - Proposals in a conservation area
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
D10 - Waste Management
G2 - Protect district from adverse development
H4 - Housing sites in towns and larger villages outside Green Belt
R8 - Protection of existing public right of way
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

5.4 **South Oxfordshire Design Guide 2016**

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations in the determination of this application are

- the principle of conversion
- the impact on the character and appearance of the site
- the impact on the amenity of neighbours
- the highway implications
- the impacts on trees

Principle of conversion to residential

6.2 The existing lawful use of the property is as a coffee shop however the building has been vacant since the beginning of 2015. The proposal seeks to convert the building into a single dwelling. The principle of converting the building into residential use falls within the scope of Policy CF1 and H4 of the South Oxfordshire Local Plan (SOLP).

6.3 Policy CF1 seeks to protect essential community facilities or services. A community facility or service may be 'essential', either because it is one of a limited number of that nature in a settlement or area, or is fundamental to the quality and convenience of everyday life in a settlement. Policy CF1 of the SOLP allows for change of use and redevelopment of such facilities and services where suitable provision is made for the facility on site or elsewhere in the locality, or where a commercial service is demonstrated as not economically viable.

6.4 Officers consider that whilst this building previously provided a service to the local community, its loss within the village and immediate surrounding areas would not prevent residents from meeting their day-to-day needs and requirements. The provision of hot food and drink would not be lost within the village as similar facilities exist nearby; the Red Lion pub. It is considered that the loss of the service in this instance can be offset by the service provided by the Red Lion. Therefore officers consider that this building does not provide an 'essential' facility or service as alternative provision is available and therefore the provisions of Policy CF1 are not engaged.

Impact on character and appearance

6.5 The National Planning Policy Framework (NPPF) confirms a presumption in favour of sustainable residential development, but also confirms a requirement for good design. The National Planning Practice Guidance (NPPG, 2014) elaborates on the NPPF, stating that: "*new development should look to respond appropriately to the existing layout of buildings, streets and spaces...there may be an existing prevailing layout that development should respond to and potentially improve*" (Para 24).

6.6 The site falls within the Rotherfield Peppard Conservation Area. The site also lies within the Chilterns AONB. Both site designations require new development to conserve and enhance the site for its local character and appearance, respecting its historic importance and landscape qualities as set out by Policy CON7 of the SOLP and Policies CSEN1 and CSEN3 of the South Oxfordshire Core Strategy (SOCS).

6.7 Having regard to Criterion (i) of Policy H4 of the SOLP, the site is not currently being used for its lawful use. The site is currently occupied by physical built form and therefore cannot be regarded as an important open space of public value and neither is it a site of importance to public views within the village. The ecological and environmental importance of the site is discussed later within this report.

6.8 Both criteria (ii) and (iii) of Policy H4 of the SOLP seek to ensure that the design, height, scale and materials of the proposed development are in keeping with the surroundings and that the character of the area is not adversely affected. The main body of the dwelling would be retained with the addition of a two storey side extension

to the north and a hipped roof on top of an existing single storey aspect to the south. These additions are designed so as to remain subservient to the main building and have been designed so as to draw from the architecture of the existing building.

6.9 The proposed conversion of the building is not considered to detract from the rural or the historic interest of the area and the character of the property would be largely retained as existing. The property would be served by adequate parking and private amenity space and would keep to the existing building line of the properties along the B481 road, keeping an active frontage to the public realm. The existing wall to the front of the site would be partially lost to accommodate the new access. Whilst regrettable to lose part of this wall, it would not result in the entire loss of this wall and it would continue to retain its historic importance. The harm to the conservation area as a whole as a result of the loss of part of this wall would, in the conservation officer's opinion, result in less than substantial harm and this harm would be outweighed by the benefit in creating a viable use of the site and this non-designated heritage asset in accordance with the NPPF. The amended scheme does not alter the views of the Conservation Officer. Indeed the re-use of the brick wall, which is to be lost by creation of the new access, is supported.

6.10 Criterion (iv) of Policy H4 of the SOLP seeks to ensure that there are no overriding amenity, environmental or highway objections caused as a result of new dwellings.

Impact on neighbour amenity

6.11 As discussed above, the proposed conversion of the building would mostly keep to the existing form of the building. The proposed development would not encroach towards the boundaries of the site and would not obstruct daylight or sunlight, to the detriment of any neighbours. The views possible from the dwelling would not be too dissimilar to those currently achieved by the building. Officers note the addition of new first floor windows to the north of the site, but these would not directly face onto any immediate neighbour. As such the development is considered to have no significant or adverse impact on neighbours.

Highway implications

6.12 The Council's policies and guidance seek to ensure that in determining planning applications, the Council should, in consultation with the local highway authority, ensure that new developments are designed to a standard that ensures a safe and attractive environment and does not result in an unacceptable level of traffic on the local highway network or have a detrimental impact on the amenities and environment of the area.

6.13 The local highways authority originally objected but removed their objection to the proposed development following the submission of a plan showing adequate pedestrian visibility splays. Given the characteristics of the carriageway fronting the site, vehicular traffic and speeds are likely to be low.

6.14 This application was deferred due to concerns with the location of the proposed access and the implications of a further access on this junction. The agent has amended the scheme to allow for an increase in parking area to allow for better manoeuvring within the site. Sufficient visibility splays can still be demonstrated. The Highways Authority support the increase in parking area and continue to support the application, subject to conditions. In light of the local highway authority's comments, the development is considered to comply with Policy T1 and T2 of the SOLP and guidance within the NPPF.

Impact on trees

- 6.15 The trees within this site are not protected by a tree preservation order. The site is located within a conservation area. The proposed development will require the removal of a Lawson Cypress which is shown in the submitted tree survey as T2. This tree is of low arboricultural value and should therefore not be considered as a constraint to the proposed development. The proposed extension of the carpark and extension of the wall is now likely to require the removal of two sycamores shown as T3 and T5 in the submitted arboricultural report. These trees are of low arboricultural value and should therefore not be considered as a constraint to the proposed development. It is unlikely that these two trees can be retained as the works required is likely to lead to their decline. Therefore it would be more appropriate management to remove them and replace them with two standard trees that could be located close to the northern boundary and the wall, so that they will mitigate the loss of the trees and help to provide amenity value in the future.
- 6.16 The proposed extension of the driveway now encroaches into the root protection area (RPA) of T6. Within the submitted arboricultural report T6 has been categorised in accordance with BS 5837:2012 as a category B tree and should therefore be considered a constraint to the proposed development. The proposed driveway within this trees RPA will therefore need to be constructed using a no-dig construction. Therefore conditions are recommended seeking detailed tree protection details and measures to be submitted for approval by the Local Planning Authority and seeking a landscaping scheme which should include replacement planting.

Other matters

- 6.17 The site is located in an area of archaeological interest however the development is of a relatively small scale and as such there are no archaeological constraints to this scheme.
- 6.18 Primrose Cottage lies to the north-east of the site and is Grade II listed. It is not considered however that the conversion or the extension to the application property would compromise the setting or the historic importance of the neighbouring Grade II listed building. Views of this property are currently obscured from the public realm by the application property and views are only possible from Dog Lane and to some extent from within the garden of the application site. Whilst an important contributor to the historic character of the Conservation Area, it is not considered that Primrose Cottage contributes to the wider (visual) landscape of the area and given its secluded location in relation to the proposed site it is officer's opinion that the presence of this proposed new dwelling would unlikely harm its setting when viewed from the public realm. As such the development is not considered to harm the setting of this listed building and therefore complies with Policy CON5 of the SOLP.

Community Infrastructure Levy (CIL)

- 6.20 The council's CIL charging schedule has recently been adopted and has applied to relevant proposals since 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. In this case CIL would be liable for any net increase in internal floor space as there would be a net gain of new residential use. The CIL charge applied to new residential development in this case is £150 per square metre of floor space (Zone 1). Of that, 15% of the payment should go directly to Rotherfield Peppard Parish Council (as they do not have a made Neighbourhood Plan) for spending towards local projects.

7.0 CONCLUSION

The proposal complies with the relevant Development Plan Policies and, subject to the attached conditions would not be harmful to the character and appearance of the site and surrounding area, the local highway network or the amenities of those occupants living in neighbouring properties.

8.0 RECOMMENDATION

8.1 To grant planning permission subject to the following conditions:

- 1 : Full planning permission – development to commence within three years of date of permission.**
- 2 : Development to be carried out in accordance with approved plans.**
- 3 : A schedule of all materials to be used in the external construction and finishes of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority (LPA).**
- 4 : Foul drainage works details required to be submitted to the LPA prior to Occupation.**
- 5 : Vision splay details measuring 2m by 2m shall be provided to each side of access prior to occupation of development.**
- 6 : New vehicular access to be formed, laid out and constructed in accordance with local highway authority specifications.**
- 7 : Parking and manoeuvring areas to be implemented in accordance with plans and retained for their use.**
- 8 : All new windows and doors should be timber in construction.**
- 9 : Landscaping scheme (including hardsurfacing and boundary treatments) to be submitted for approval by the LPA.**
- 10 : Tree protection details to be submitted for protection of trees during Construction.**

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