

APPLICATION NO.	P16/S2721/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	18.8.2016
PARISH	ROTHERFIELD GREYS
WARD MEMBERS	David Nimmo-Smith Charles Bailey
APPLICANT	Mr Nicholas Hemsley
SITE	Greys Meadow, Rotherfield Greys, RG9 4QJ
PROPOSAL	Proposed removal of existing timber building and separate store and erection of a replacement purpose-built art studio and store for private use.
AMENDMENTS	None
GRID REFERENCE	471513/182960
OFFICER	Tom Wyatt

1.0 **INTRODUCTION**

- 1.1 This application is referred to Committee as the Officers' recommendations conflict with the views of the Parish Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) lies in a rural location to the rear of a property known as Greys End, which along with the neighbouring housing to the south west and north east, is a substantial property set within large spacious grounds. The site is located within the Chilterns Area of Outstanding Natural Beauty.
- 1.3 Planning permission has recently been granted under application P15/S4319/FUL for the conversion of a former stable building on the site to form a private art studio and associated store. Prior to this an application for a certificate of lawful use in respect of the use of the building as an independent dwelling was refused under application P13/S0999/LDE on the basis that there was insufficient evidence to support this alleged use. In addition, an application to convert the building to a dwelling (P14/S3258/FUL) has also been refused and subsequently dismissed on appeal.

2.0 **PROPOSAL**

- 2.1 This application seeks planning permission to remove the existing timber buildings on the site and replace them with a simple glazed flat roofed structure with square sides measuring 8 metres and a height of 3.9 metres. The building would comprise a single volume artist studio with a small basement storage area and wc. It would be sited slightly forward of the existing buildings on the site.
- 2.2 A copy of the 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 Greys Parish Council – Objects as the modern design is not considered to be in keeping with the rural setting and not sympathetic to the AONB. Also vehicular access across National Trust land has not been granted.

National Trust – Objects as the access is over National Trust land and the proposal could lead to pressure to upgrade the surface of the access, consent for which would

not be given by the National Trust.

Neighbours – Four letters of objection received:

- The design, form and massing of the building would be ingruous and adversely affect the AONB
- Area of building too large for the proposed private art studio use
- Concern about the proposed future use of the art studio
- Increased traffic and risk to highway safety

One letter of support also received (from an address in Derbyshire).

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/S4319/FUL](#) - Approved (12/02/2016)

Proposed use of existing timber buildings as an art studio building and associated store for private use.

The approved plans for this application are **attached** as Appendix C.

[P14/S3258/FUL](#) - Refused (14/01/2015) - Refused on appeal (25/08/2015)

Proposed alterations to existing building to create a single dwelling and change of use of surrounding land for residential amenity purposes.

[P13/S0999/LDE](#) - Refused (28/03/2014)

Use of building as independent dwelling and art studio. The use of surrounding land for associated amenity and parking purposes.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

- CSEN1 - Landscape protection
- CSQ3 - Design
- CS1 - Presumption in favour of sustainable development
- CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

- C4 - Landscape setting of settlements
- 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
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- G4 - Protection of Countryside
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2016

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in relation to this application are:

1. The principle of the development
2. The impact on the character and appearance of the site and its surroundings
3. The impact on the amenity of neighbouring occupiers
4. Other material considerations

The Principle of the Development

6.2 There is an extant planning permission for the conversion of the existing building on the site to form an artist's studio. This proposal involves removing the existing buildings and replacing them in a similar position with a new building of slightly greater height and massing but with a smaller overall footprint. Given the extant planning permission and the lack of architectural or historic merit with regard to the existing buildings I consider that the principle of the development is acceptable.

The Impact on the Character and Appearance of the Site and its Surroundings

6.3 The main issue under consideration in relation to this proposal is the design, scale and massing of the proposed building in comparison to the existing building on the site. The existing building is a modest structure constructed without planning permission following the loss of the previous stable building to fire. The building does not have a significant presence in the locality due to its modest size and rustic appearance and the fact that it is well screened from public view by mature vegetation and is sited close to much more substantial dwellings. The land upon which the building is sited is agricultural. The site occupies a considerable area of land with access gained via an existing field gate in the north corner of the site. The land between the highway and access gate is owned by the National Trust, who have made it clear that they would not authorise the upgrading of the access or its use for residential purposes. I concur that the upgrading or the formalisation of the access through hard surfacing would detract from the rural appearance of the immediate surroundings. Such upgrading is not proposed under this application proposal.

6.4 In contrast to the simple rustic form of the existing building the proposed studio would be unashamedly contemporary in appearance and would be somewhat incongruous within this rural setting. However, the building is modest in overall size and height and, like the existing buildings, it would be well screened from surrounding public views by mature vegetation. Although the building is contemporary in design it does not automatically follow that its design would be harmful to the rural character and appearance of the site and the landscape qualities of the AONB.

6.5 Policy CSEN1 of the SOCS seeks to ensure that development respects the district's landscape character and echoes guidance within the NPPF in relation to giving high priority to the preservation and enhancement of the AONB. Across the district there are other examples of contemporary design within the AONB that have been successfully integrated into the landscape character of their surroundings. It is quite correct that development should respond positively to and respect the character of the site and its surroundings as required by Policy CSQ3 of the SOCS and guidance contained within the NPPF. However, the NPPF also makes it clear that there is scope for original and innovative design. Para. 60 states, 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'

- 6.6 Despite the site's location adjacent to existing residential development, the proposed building would be viewed primarily as an isolated form of development due to the mature vegetation surrounding the site, and its position in relation to adjacent buildings. In light of this I do not consider that there is justification to prescribe a traditional design approach to a new building on the site. I consider that the design of the building is simple and functional having regard to the proposed use as an artist's studio where space and light are important requirements. The building would be in relatively close proximity to the surrounding trees and the glazed walls of the building will reflect this vegetation helping to assimilate the building into its surroundings along with the green roof proposed, which would help to camouflage the building in aerial views.
- 6.7 Overall the proposal would not result in a material increase in size or height over the existing buildings and would remain a visually unobtrusive form of development on this well contained site. The applicant is also proposing new planting on the open part of the site to the north west, which will further soften the visual and landscape impact of the building. This planting can be secured by condition. There is no intention to create a formal access or driveway across the site, and indeed such development is restricted by the recommended condition. In this regard both the low key use of the development and its physical form would not conflict with the findings of the Inspector in dismissing the appeal against the refusal of application P14/S3258/FUL for a new dwelling on the site in relation to his statements below:

Para. 8

The main concern of the Council, and others, relates to the impact of the proposal on the surrounding landscape, which is part of the Chilterns AONB. First of all, notwithstanding the possibility of restricting certain permitted development rights, use of the buildings as a permanent dwelling in the manner proposed would inevitably bring with it an intensification of the existing use, and residential paraphernalia. Even if the latter was limited to the areas marked as 'amenity land' on the site plan, there would still be a domestication of the area immediately around the buildings. Coupled with the additional comings and goings through the existing access, that would harm the landscape and scenic beauty of the AONB.

Para. 9

On top of that, it is proposed to construct what is termed a trackway between the buildings and the gate in the northern corner of the plot. While I accept that materials could be controlled by condition, and note the degree to which the site is screened from publically accessible areas, the imposition of a manmade feature of that sort on what is currently a paddock, would clearly detract from the landscape and scenic beauty of the AONB.

- 6.8 I consider that the proposal, as put forward, would represent a low key use of the land that would have a minimal impact on the landscape qualities and tranquillity of this part of the AONB. However, to secure this situation in the longer term I consider that conditions are required, as recommended below, to control the use of the land.

The Impact on the Amenity of Neighbouring Occupiers

- 6.9 The building would be of a comparable scale and in a similar position to the existing and its proposed use would also reflect that of the extant fallback position having regard to the most recent planning permission. The building would not have any material impact on the amenity of neighbouring occupiers due to its low key use, modest scale and distance from neighbouring properties. The access point already exists and is sited well away from neighbouring properties.

Other Material Considerations

- 6.10 There is no evidence that any protected species would be adversely affected by the proposal and the proposed planting would result in ecological gains on the site. No vegetation would be removed.
- 6.11 Some concern has been expressed about the future use of the building expanding from a use as a private artist's studio. I acknowledge these concerns, however, the use of the building and further development in relation to the access are restricted by the recommended conditions, which are consistent with the extant planning permission. Any breach of these conditions would be enforceable and any future development proposals would be assessed on their own merits at the time.

7.0 CONCLUSION

- 7.1 The application proposal generally accords with the relevant development plan policies and national planning policy as, subject to conditions, the development would not be detrimental to the character and appearance of the site and the surrounding area and would not cause any material harm to the amenities of neighbouring occupiers.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission subject to the following conditions:**

- 1 : Commencement of development within three years.**
- 2 : Development to be carried out in accordance with the approved plans.**
- 3 : Existing buildings to be demolished prior to the commencement of the Development.**
- 4 : Materials to be used as specified within the application form.**
- 5 : Landscaping scheme to be agreed prior to the commencement of the Development.**
- 6 : Any external lighting details to be agreed prior to installation.**
- 7 : Private use only and limited to the building as shown on the approved plans.**
- 8 : Removal of any permitted development rights for access and hardstanding.**
- 9 : No overnight accommodation.**

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