

<b>APPLICATION NO.</b>	<a href="#">P17/S2328/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	28.6.2017
<b>PARISH</b>	ROTHERFIELD PEPPARD
<b>WARD MEMBERS</b>	Charles Bailey & David Nimmo-Smith
<b>APPLICANT</b>	Mr & Mrs Ryan
<b>SITE</b>	Orchard Cottage, Green Trees, Peppard Common,
<b>PROPOSAL</b>	Erection of two-storey 3-bedroom dwelling and formation of vehicular access (design and position of dwelling adjusted and vehicular access repositioned as shown on amended plans received 6th October 2017).
<b>OFFICER</b>	Paul Lucas

1.0 **INTRODUCTION**

1.1 Officers recommend that planning permission should be granted. This report explains how officers have reached this conclusion. The application is referred to Planning Committee due to Rotherfield Peppard Parish Council's objection to the revised plans.

1.2 The application site is as shown at **Appendix A**. The site comprises a 0.1 hectare portion of a parcel of land used for ancillary domestic purposes including a swimming pool serving Orchard Cottage, a dwelling located to the west of the site on the opposite side of a private drive. The immediate western boundary of the site is with the remainder of this parcel of land, which lies between the site and the driveway and contains a detached T-shaped outbuilding historically used as a greenhouse. The main private garden of Orchard Cottage lies on the western side of the driveway. The site is bordered to the east by Peppard Hill (B481), the main road into Peppard Common from Rotherfield Peppard. Much of the roadside boundary comprises mature and semi-mature vegetation, with the southern end being a close-boarded fence. To the south, on the other side of the private drive is Gate Cottage, a semi-detached two-storey dwelling fronting onto Peppard Hill. The northern site boundary is formed by a line of mature trees beyond which lies garden land belonging to Rose Cottage and Green Trees. The site lies just within the Chilterns AONB, whereas Orchard Cottage and Gate Cottage lie outside this designation.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the erection of a two-storey 3-bedroom dwelling and formation of vehicular access, as detailed on the current plans and supporting documents submitted with the application. Amended plans were received during the application process to revise the position and design of the dwelling and the position of the proposed access onto Peppard Hill.

2.2 Copies of the current plans are attached at **Appendix B** whilst other documentation associated with the application can be viewed on the Council's website: <http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P17/S2328/FUL>

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Rotherfield Peppard Parish Council** – The application should be refused due to the following:

- It does not address the critical issue of an additional access onto the B481.
- Access to the house should be from the roadway currently across Green Trees that provides access to the B481 and Sally's Pitch.
- It is possible for the owner of Orchard Cottage to subdivide their garden differently to provide an access to the house from Green Trees to the north of tree T4.
- Not in keeping with the layout of dwellings in Green Trees, does not respect the existing settlement pattern and unnecessarily impacts on the AONB.
- The access to Green Trees forms the boundary of the AONB. This proposal would extend the built frontage beyond this access harmful to the AONB.
- The removal of hedges along this stretch of road has urbanised the area. This
- Application proposes to remove more hedging to provide an access on to the B481. This will extend the built up frontage into the AONB.
- The altered access onto the B481 makes the access more unsafe than the original proposal as it moves the access further into the bend to the north, This part of the B481 is a busy link from Reading to the M40 where traffic surveys show that the speed limit is exceeded consistently.
- There is no pedestrian footpath adjacent to the proposed access.
- Waste collection will have to be at the roadway. Collection lorries will have to park nearer to the bend to collect waste from this property.

**Highways Liaison Officer (Oxfordshire County Council)** – Original objection overcome by amended plans, subject to highway-related planning conditions.

**Forestry Officer (South Oxfordshire District Council)** - No objection subject to tree protection and landscaping condition.

**Countryside Officer (South Oxfordshire & Vale of White Horse)** - No objection

**Neighbours** – Two representations of objection and one of support to the original plans. One further representation of objection to the amended plans. These representations are summarised as follows:

- Inside AONB
- Extending built up area of Rotherfield Peppard/Sonning Common exacerbated by revision to orientation of dwelling
- Visual impact of house and parking
- New access close to dangerous bend on fast road
- Further traffic in addition to recent redevelopments in the immediate vicinity
- Loss of privacy of north-facing rooms and garden of Gate Cottage from original proposal
- Two previous appeals dismissed for a dwelling on this site in the 1970's and 1980's
- Unlike the other applications at Mulberry House and Vine lodge this application is a reasonable application that is in keeping with the local area

3.2 The above representations can be read in full on the Council's website:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P17/S2328/FUL>

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P85/S0438](#) - Refused (11/09/1985) - Appeal dismissed (17/03/1986)  
Erection of a single storey dwelling to replace greenhouse.

[P78/S0376](#) - Refused (23/08/1978) - Appeal dismissed (25/01/1980)  
Construction of new detached house and garage

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSQ3 - Design

CSR1 - Housing in villages

CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

C4 - Landscape setting of settlements

C9 - Loss of landscape features

D1 - Principles of good design

D10 - Waste Management

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

G2 - Protect district from adverse development

G5 - Best use of land/buildings in built up areas

H4 - Housing sites in towns and larger villages outside Green Belt

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

South Oxfordshire Landscape Assessment (SOLA) – Character Area 10

Chilterns Buildings Design Guide (CBDG) – Chapter 3

5.4 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

The policies within the SOCS and the SOLP 2011 of relevance to this application are considered to be in general conformity with the provisions of the NPPF and NPPG and therefore this application can be determined against these relevant policies.

6.0 **PLANNING CONSIDERATIONS**

6.1 The planning issues that are relevant to this application are whether the development would:

- be in accordance with the Council's Housing Strategy;
- result in the loss of open space or view of public, environmental or ecological value;
- be in keeping with the character and appearance of the surrounding area, bearing in mind its location within the Chilterns AONB and including the protection of important trees;
- safeguard the residential amenity of neighbouring occupiers and would provide suitable living conditions for future occupiers;
- demonstrate safe and convenient access and adequate off-street parking provision for the development; and
- give rise to any other material planning considerations.

- 6.2 Principle of Development The SOCS classifies Peppard Common as a “smaller village”. Under Policy CSR1, residential development on infill sites of up to 0.2 hectares in size is acceptable in principle in “smaller villages”. The supporting text for Policy CSR1 states, “Infill development is defined as the filling of a small gap in an otherwise built up frontage, or on other sites within settlements where the site is closely surrounded by buildings.” In officers’ opinion, the proposed dwelling would be surrounded by residential buildings on three sides with Gate Cottage to the south, Orchard Cottage and Wren Cottage to the west and the large outbuilding to the north-west, beyond which lie Rose Cottage, Green Trees, Middlestead and Fairhurst. The site size is under the 0.2 hectare size limit. Under these circumstances, officers consider that the site lies within the built-up confines of the settlement for the purposes of Policy CSR1 and the principle of housing on the site is therefore acceptable. Consequently the proposal falls to be assessed primarily against the criteria of Policy H4 of the South Oxfordshire Local Plan 2011 for new dwellings, which are addressed below.
- 6.3 Loss of Open Space  
Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is private garden land and is not accessible to the public. Although visible from the road, in the majority of these views the proposed dwelling would be seen in the context of the surrounding dwellings and their gardens. There is no evidence that the site has any particular ecological value. On this basis, the proposal would be in accordance with the above criterion.
- 6.4 Visual Impact  
Criterion (ii) of Policy H4 of the SOLP 2011 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings and criterion (iii) requires that the character of the area is not affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 expand on this requirement in respect of ensuring good design and maintaining local distinctiveness. Policy CSEN1 of the SOCS explains that high priority will be given to conservation and enhancement of AONBs and planning decisions will have regard to their setting. It is clear that being located within an AONB does not preclude housing development, provided it is found to be visually acceptable.
- 6.5 As explained above, the site is visible in public views within the context of the aforementioned dwellings. There is also a large dwelling, Springwood Court, occupying a large plot opposite the site. Although that dwelling is well screened, the residential use of that site is evident by the position of the driveway about 40 metres to the north-east of the site. The application site represents a visually enclosed parcel of land, which is read in conjunction with the surrounding built form rather than the settlement boundary with open countryside, which lies about 55 metres to the north-east at its closest point. The dwelling would be constructed about 5 metres back from the highway boundary, which would be slightly further back than the building line of Gate Cottage and Apple Trees. It would have a ridge height of 7.75 metres and would be of relatively modest proportions. The first floor accommodation would be contained within the roof space and the traditional design would complement the variety of dwellings in the locality and would be in keeping with the Chilterns vernacular.

- 6.6 Although the formation of the access and vision splays would result in the removal of some of the existing foliage on the roadside boundary, these are multi-stem Hawthorn and Hazel. The Council's Forestry Officer considers that these are not of sufficient arboricultural quality to act as a constraint to development and does not object to their removal. The important trees on the site would be retained by the development, which could be secured through a tree protection condition. This includes the trees along the roadside boundary of the site to the north of the position of the proposed dwelling, which would continue to enclose the site when approached from the north along the main road. The loss of foliage could be compensated for by the imposition of a landscaping condition to secure replacement tree and hedge planting behind the vision splays to help soften the appearance of the development. Officers conclude that the proposed development would accord with Sections 7.1, 7.2, 7.4 & 7.5 of the SODG 2016 in that it would respect the character of the area, would work with and respond positively to existing topography and the scale of the development would remain sensitive to its context. In the light of the above assessment, the proposal would accord with the above policies.
- 6.7 Neighbour Impact  
Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. The closest existing dwelling is Gate Cottage. The south-facing windows at first floor level of the proposed dwelling serve a bedroom. The closest north-facing window at Gate Cottage serving the kitchen would be at a distance of around 26 metres from these windows. The distance from these windows to the rear garden of Gate Cottage would be 21 metres. Both of these distances would exceed the recommended minimum distances (25 metres and 12 metres, respectively) set out in Section 7 of the SODG 2016 and as such there would be no significant loss of light, outlook and privacy for the adjoining occupiers. The west-facing first floor windows would overlook the adjacent retained domestic land belonging to Orchard Cottage at a distance of 6 to 9 metres. However, this land remains in the applicant's ownership and the main garden for Orchard Cottage with a sitting out area is located adjacent to the house on the other side of the driveway. Consequently, the impact on privacy for the occupiers of Orchard Cottage would not be significant. The other nearby dwellings are further away and as such would not suffer any discernible loss of light, outlook or privacy as a result of the proposed development. The garden area for the proposed dwelling would be in excess of the 100 square metre recommended minimum standard as set out in Section 7 of the SODG 2016. On this basis, the proposal would be in compliance with the above policies.
- 6.8 Access and Parking  
Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Although third party objectors are concerned about the position of the proposed access, the Highway Liaison Officer considers that the access, parking and turning arrangements to serve the proposed development would be acceptable for a dwelling of this size, subject to highway-related planning conditions. The application would not result in a level of severe harm to highway or pedestrian safety as required by Paragraph 32 of the NPPF to warrant refusal of planning permission. On this basis, the proposal would comply with the above criterion.

6.9 Other Material Planning Considerations

In relation to the previous dismissed appeals, these are of limited weight. This is because both local and national policies have changed in the 30-40 years since they were determined. In particular, Policy CSR1 now requires officers to consider the proposal in relation to surrounding buildings. Furthermore, the Inspectors' concerns about the visual impact of the earlier proposals have been addressed through the siting of the proposed dwelling at the southern end of the site rather than at the northern end. A planning condition is deemed necessary to remove certain permitted development rights for extensions, outbuildings and hardstandings, to enable the Council to retain control over future householder development that might otherwise have an unacceptable visual, neighbour or tree impact.

6.10 Community Infrastructure Levy

The proposed dwelling is liable for the Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre (index linked). 15% of the CIL payment would go Rotherfield Peppard Parish Council in the absence of an adopted Neighbourhood Plan.

7.0 **CONCLUSION**

7.1 The application proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would be acceptable in principle and would not materially harm the landscape setting of Peppard Common within this part of the Chilterns AONB or the living conditions of nearby residents or result in conditions prejudicial to highway safety.

8.0 **RECOMMENDATION**

8.1 **That planning permission be granted subject to the following conditions:**

- 1 : Commencement of development within three years.**
- 2 : Development in accordance with the approved plans.**
- 3 : Levels details required prior to commencement of development.**
- 4 : Schedule of materials required prior to commencement of development.**
- 5 : Withdrawal of permitted development rights for extensions, outbuildings and hardstandings.**
- 6 : New vehicular access to be provided prior to occupation.**
- 7 : Vision splay protection in accordance with approved details.**
- 8 : Parking and manoeuvring areas retained in accordance with approved plans.**
- 9 : Landscaping (including hardsurfacing and boundary treatment) to be agreed prior to commencement of development.**
- 10 : Tree protection details to be agreed prior to commencement of development.**

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