

APPLICATION NO.	P13/S2540/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	20.08.2013
PARISH	KIDMORE END
WARD MEMBERS	Mr Malcolm Leonard & Mr Robert Simister
APPLICANT	Mr M R Harris & Mrs P Harris
SITE	Leawood, Tanners Lane, Chalkhouse Green
PROPOSAL	Erection of two-storey 6-bedroom replacement dwelling and detached double garage.
AMENDMENTS	None
OFFICER	Paul Lucas

1.0 **INTRODUCTION**

1.1 This application is reported to the Planning Committee at the request of one of the Ward Councillors.

1.2 The application site is identified at **Appendix 1**. It is an open residential plot on the western side of Tanners Lane, where a previous detached mid-1900s two storey dwelling has been recently demolished. It is located at the northern end of a ribbon of residential development forming the small hamlet of Chalkhouse Green. The dwellings on the western side of Tanners Lane are set well back from the road. The plot extends significantly to the west, beyond which lies open countryside. The dwelling adjacent to the south, Tall Trees, is similar to the demolished dwelling with red brick and concrete tile. Leawood used to be positioned in front of Tall Trees. The adjacent plot to the north contains a large detached house with dense planting along the boundary. The plot boundaries consist of post and rail fencing and established mixed hedging along the north and west boundaries. Vehicular access is located at the northern end of the front boundary. Bellcote is a one and a half storey traditional cottage located opposite the site, with its main side elevation located about 5 metres from the boundary with the eastern side of the road. There is a large Cedar tree in the front garden of Tall Trees which is subject to a TPO, no other nearby trees have any statutory protection. The Chilterns AONB, lies 100 metres to the west of the site's rear boundary.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the erection of a detached two storey six-bedroom dwelling incorporating habitable rooms within the roofspace and a detached garage on the front driveway. The current plans involve an amended version of the dwelling granted planning permission by the Planning Committee in July 2013 to replace the three rooflights on the front elevation with three dormer windows. Copies of the current plans are attached at **Appendix 2** whilst 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 **Kidmore End Parish Council** – The application should be refused for the following reasons:

- Overdevelopment of the site
- Out of keeping in Tanners Lane
- The proposed dormers emphasise the 3 storey structure of the building, which will be unique in Tanners Lane if allowed
- The proposed dormers emphasise the size and bulk of the structure

- The proposed dormer windows will overlook Bellcote, opposite, which will be in shadow in the afternoon, given the raised ridge roof height
- Only one Member suggested dormer windows, which was not voted on
- Berkshire vernacular is irrelevant

3.2 **Neighbours** – Two representations of objection, summarised as follows:

- Would not comply with Policy H12 - Volume increases of previously approved dwellings were accepted on basis of ridge height being limited. The increase in roof height is nearly 2 metres higher than the original dwelling and also higher than previously approved dwellings on this site, which is unacceptable, therefore no justification for enlarged dwelling
- Scale of development with three storeys, the first 3-storey house in Chalkhouse Green, occupying almost the entire width, is excessive for plot of this size, resulting in a development which would be more prominent than surrounding dwellings, in particular out of proportion with and overpowering Tall Trees and Bellcote
- Would impact adversely upon nearby AONB
- Successive approvals for enlarged dwellings represents development creep
- Reinstatement of dormers would add to excessive bulk and design
- Garage too large and poor relationship with house
- Similar planning conditions to previous approvals should be imposed if planning permission is to be granted
- No other dwelling has flat roofed dormers which makes the property look like a block of flats
- Georgian manor house design inappropriate for domestic plot on rural lane
- Loss of evening sunlight to Bellcote, making it less light efficient
- Overlooking of main garden at the front of Bellcote from 3rd floor dormers

3.3 **Forestry Officer** – Previous comments apply – no objection subject to implementation of tree protection measures

3.4 **OCC Highways Liaison Officer** – Previous comments apply – no objection subject to standard conditions

4.0 **RELEVANT PLANNING HISTORY**

4.1 P13/S0304/FUL – Approved (06/08/2013)

Erection of two-storey 6-bedroom replacement dwelling and detached double garage.

[P11/E0293](#) - Approved (17/05/2011)

Replacement dwelling and garage. Amendment to planning application Ref: P10/E1847.

[P10/E1847](#) - Approved (28/01/2011)

Replacement dwelling and garage.

[P09/E0379](#) - Approved (23/06/2009)

Replacement of existing detached dwelling and detached garage.

P08/E0679 – Withdrawn (19/08/2008)

Replacement of existing detached dwelling – A dwelling with a ridge height of 9.7 metres was considered to be excessively bulky and overly dominant in the street scene.

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy policies

- CSEN1 - Landscape protection
- CSM1 - Transport
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSR1 - Housing in villages

5.2 South Oxfordshire Local Plan 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
- EP2 - Adverse affect by noise or vibration
- G2 - Protect district from adverse development
- H12 - Replacement dwelling
- H13 - Extension to dwelling
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008 – Sections 3, 4, 5 & 6

5.3 National Planning Policy Framework

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

6.0 PLANNING CONSIDERATIONS

6.1 The application site lies in a rural location amongst a linear group of dwellings where new housing is generally unacceptable in principle in accordance with the provisions of Policy CSR1 of the South Oxfordshire Core Strategy. However, Policy H12 allows for the replacement of existing dwellings, subject to several criteria being met. The planning issues that are relevant to this application are whether the development would:

- entail a residential use that has been abandoned;
- involve demolition of an existing dwelling, which is listed, or of historic, visual or architectural interest;
- be materially greater in volume than the existing dwelling (taking account of permitted development rights);
- have an overall impact, which would be greater than the existing dwelling on the character and appearance of the site and the surrounding area, including the retention of important trees and the location close to the Chilterns AONB;
- safeguard the living conditions of neighbouring occupiers and whether the development would provide suitable living conditions for future occupiers;
- result in an acceptable provision of off-street parking spaces for the resultant development or conditions prejudicial to highway safety; and
- give rise to any other material planning considerations.

Abandonment

- 6.2 Prior to its demolition the dwelling had not been abandoned, in compliance with Criterion (i).

Architectural Merit

- 6.3 The dwelling had limited architectural merit and there were no objections to its demolition, as evidenced by the previous planning permissions for replacement dwellings on the site in accordance with criterion (ii).

Volume

- 6.4 The proposed volume of the current proposal would be 1097.6 cubic metres, which would represent a 44% increase in volume, in excess of a 10% increase (837 cubic metres) over the volume of the demolished dwelling (761 cubic metres). Although this means that the proposal would not strictly accord with the requirements of criterion (iii) of the SOLP 2011 Policy H12, it is a material planning consideration that the additional dormers would only give rise to a marginal further increase in volume (7.6 cubic metres) when compared with the fallback position established by the volume of the replacement dwellings granted under planning permissions P11/E0293 and P13/S0304/FUL, either of which are capable of being implemented.

6.5 Visual Impact

Criterion (iv) of the SOLP 2011 Policy H12 explains that replacement dwellings should not have an overall greater impact than the dwellings they replace on the character and appearance of the site and the surrounding area. It is a material planning consideration that the addition of the dormer windows is the only difference from the application that the Planning Committee has previously granted planning permission P13/S0304/FUL. Consequently, only the visual impact of the dormer windows is to be considered. Bellcote, opposite the site, has dormer windows, but these are at a lower first floor level and do not appear as prominent features in the street scene. Although the proposed dwelling would continue to be set back about 35 metres from the road frontage, the inclusion of these dormer windows would make the proposed second floor accommodation appear much more evident in the locality. The introduction of these dormer windows would mean that the proposed dwelling would have a significantly greater massing at roof level than the approved dwelling, despite the ridge level being retained at 8.3 metres. At such a height, this additional bulk would be unduly prominent in the locality and make the dwelling appear out of keeping with the two storey character of the surrounding dwellings. Although fewer in number, the dormers would also be wider than the windows at ground and first floor levels of the front elevation and this would make the dwelling have a top heavy appearance. Furthermore, the additional visual impact of the dormer windows could not be mitigated by the previously proposed landscaping condition. However, as the dormers would be on the eastern elevation, they would have no additional impact upon the nearby Chilterns AONB, to the west. In the light of the above assessment, the proposed development would fail to accord with the above criterion.

Neighbour Impact

- 6.6 The dormer windows would enable some views into the front garden area of Tall Trees, however, a notional 45-degree line of sight taken from the closest window would give rise to a distance of about 8.5 metres to the boundary and this would be an acceptable relationship in terms of privacy. Views towards Greenbank would be more oblique and would be screened by the mature foliage on the boundary. There would be direct views towards Bellcote. However, there would be a distance of approximately 43 metres from the dormer windows to the roadside boundary of Bellcote's main garden area. Over such a distance, officers are unable to conclude

that the level of overlooking arising would be so significant to warrant refusal of planning permission on privacy grounds. On the basis of the above assessment, the proposed development would not detract from the living conditions of adjoining residential occupiers. The external areas of the proposed dwelling would continue to provide satisfactory amenity for future occupiers for a dwelling of this size.

Access and Parking

- 6.7 The proposed access arrangements proposed would be as previously approved, which was acceptable to the Highway Liaison Officer, subject to a condition to require their retention.

Other Material Planning Considerations

- 6.8 A post construction certificate could be obtained through a planning condition to demonstrate compliance with Code Level 4 of the Code for Sustainable Homes and the SOCS policy CSQ2. An informative would be sufficient to guard against any unsuspected contamination.

7.0 **CONCLUSION**

- 7.1 The proposed development would not result in a significant increase in volume compared with the approved dwelling, it would safeguard the living conditions of adjoining residents and would not be prejudicial to highway safety, would maintain protected trees and would provide a more sustainable dwelling. However, it would detract from the character and appearance of the site and the surrounding area and as such would be in conflict with Development Plan Policies, Supplementary Planning Guidance and Government Guidance.

8.0 **RECOMMENDATION**

8.1 **Refuse Planning Permission**

The proposed development, through inclusion of second floor dormer windows, would result in a dwelling of excessive bulk and massing in comparison with the established dwellings in the locality. As such, the proposal would have an overall greater impact than the original dwelling and would detract from the character and appearance of the site and the surrounding area, contrary to Policies CSEN1 and CSQ3 of the South Oxfordshire Core Strategy and Policies G2, C4, D1 and H12 of the South Oxfordshire Local Plan 2011 and advice contained within Section 5 of the South Oxfordshire Design Guide 2008 and the NPPF.

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