

APPLICATION NO.	P16/S0052/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	15.2.2016
PARISH	ROTHERFIELD PEPPARD
WARD MEMBERS	David Nimmo-Smith Charles Bailey
APPLICANT	RG9 Living Limited
SITE	Daisy's at the Dog Peppard Common, RG9 5JU
PROPOSAL	Demolition of existing outbuildings and erection of two-storey 3-bedroom dwelling.
AMENDMENTS	None
GRID REFERENCE	471025/181934
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee because the recommendation conflicts with the views of the Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) contains outbuildings which belong to the curtilage of Daisy's at the Dog. The site falls within the built up limits of the village and falls within the Chilterns Area of Outstanding Natural Beauty (AONB) and the Rotherfield Peppard Conservation Area.

2.0 **PROPOSAL**

2.1 This application seeks full planning permission to demolish the existing outbuildings on site and to erect a part single storey and two storey 3-bedroom dwelling house, with parking and private amenity space.

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

- Property would be “squashed” into a small space and out of character with the surrounding area
- Development would result in the loss of storage and parking for neighbouring commercial premises
- Loss of these outbuildings would harm the Conservation Area
- No provision to access side of property for maintenance, public services, emergencies to the rear of the property
- Overdevelopment of the site
- Parking provision and the access to the rear of neighbouring premises is compromised by this development
- Proposed parking provision is insufficient and dangerous, no turning area for cars to leave in a forward direction
- No mains sewerage in the village – no information has been provided to explain where new cesspit/soak-away would be located
- No mains-gas in village. Proposed courtyard area is too small for an oil tank.
- Insufficient root space for the trees on the plot; resulting in loss of trees. Tree Preservation Order is requested.

County Archaeological Services - No objections

Highways Liaison Officer – No objections, subject to condition

Forestry Officer - No objections

Countryside Officer - No objections

Conservation Officer - No objections

Neighbours - Object (5)

- Development would be out of character of the surrounding area, dwelling would be “squashed” in to the plot
- Dwelling would be built right up to the frontage of the site with no vegetation to the front and no garden to the rear
- Development would alter the character and detract from the 400 year old Dog pub/Coach Inn
- Impact on the precedence this would create
- No provision of septic tank, oil tank, gas and wood storage
- Impact on licenced premises – storage and delivery space
- Not enough space for access/parking/storage for the Dog Pub to be used for its commercial use. Without knowing the total plans for the plot it is unclear how these plans can be approved in isolation
- Impact of two storey aspect would be very close to neighbouring boundary and therefore imposing and overbearing
- First floor window to the rear of the proposal would overlook neighbours and reduce privacy
- Proposed new walk way to the front of the site has been ignored. This walk way would reduce parking spaces in the ‘lay by’ as well as restricting access to the new dwelling
- The swept path analysis fails to take into consideration the protected pedestrian walkway through the road as required by OCC on recent application to re-locate school
- Loss of buildings which have been in place for hundreds of years would harm the Conservation Area

4.0 RELEVANT PLANNING HISTORY

4.1 None relevant.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework & National Planning Practice Guidance

5.2 South Oxfordshire Core Strategy 2012 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 2011 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 2008**

6.0 **PLANNING CONSIDERATIONS**

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

- the principle of residential development
- the impact on the character and appearance of the site
- the impact on the amenity of neighbours
- the highway implications
- the environmental and ecological impacts

Principle of residential development

- 6.2 The site lies within Peppard Common and in this location the principle of residential development on the site is largely governed by Policy CSR1 of the South Oxfordshire Core Strategy (SOCS), which allows new housing on suitable infill sites up to 0.2 hectares in size within the village. Infill 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. Policy CSR1 also allows for redevelopment proposals which must be considered on a case by case basis in accordance with the other policies within the Development Plan.
- 6.3 Officers consider the proposed location would meet the definition of infill. In the absence of the existing structures on site the site would contribute to a small gap along the built frontage. Therefore the principle of residential development is considered to be acceptable in this location. Proposals for residential development on this site should meet the criteria set out within Policy H4 of the South Oxfordshire Local Plan (SOLP).

Impact on character and appearance

- 6.4 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.
- 6.5 Having regard to Criterion (i) of Policy H4, the site is currently in use and belongs to the

wider curtilage of Daisy's Coffee shop (previously known as Renos, Ruchetta etc.), which for the purpose of this report will be referred to as the neighbouring premises. The site forms part of the built up area of the village and Officers do not consider that the site should 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.

- 6.6 Criteria (ii) and (iii) of Policy H4 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. It is officers view that the existing outbuildings are of lesser heritage significance to the main dwelling and do not possess a level of significance that would justify insistence upon their retention. Their loss is therefore not considered to be detrimental to the character of the area and the historical importance of the Conservation Area. The Council's Conservation Officer raises no objection, but requests a condition for the buildings to be recorded, details of such would need to be submitted to and approved by the Council.
- 6.7 The design of the proposed dwelling includes a number of traditional features which lend themselves to this area of the Chilterns AONB and to the Rotherfield Peppard Conservation Area. The use of materials would be typical of the area and a condition is recommended to require the submission of samples to be approved by the Council. The proposed dwelling is mostly single storey in order to retain its subservience along the built frontage as to not detract from those existing properties nearby. The two storey aspect of the proposed property is to the front of the site but the whole property is set back from the highway to allow for parking to the front which contributes to the subservience of the property. The design goes some way to retain the character of the existing single storey barn-like structures and to remain characteristic in appearance to the Conservation Area.
- 6.8 The site is relatively long and narrow which is typical of a number of properties within the nearby vicinity, most notably the (1-4) Dog Cottages to the south. The proposed amenity space measures approximately 125sq metres on plan, however officers are mindful that having regard to the existing sycamore tree the available space which could be enjoyed without putting pressure on the root spread of this tree would be reduced. Regardless the area of private amenity space would not be too dissimilar to nearby gardens of neighbouring properties, especially the gardens of 4 and 3 Dog Cottages to the immediate south. Officers consider therefore that the plot coverage and scale of the development would be acceptable having regard to the character of the local area and the guidance set out within the South Oxfordshire Design Guide (SODG).
- 6.9 The siting of the proposed dwelling is considered acceptable and despite being set forward towards the highway, against the urban grain set by neighbouring 1-4 Dog Cottages, it would not project any further than the neighbouring commercial premises. Therefore whilst forward from neighbouring 1 Dog Cottages, the proposed dwelling would be read in conjunction with the neighbouring premises and therefore the siting of the dwelling is not considered to be incongruous to the surrounding area or out of keeping with local built form. The lack of vegetation to the front of the property is regrettable but would not be uncharacteristic of the immediate area. It would be difficult therefore for officers to establish how the lack of vegetation fails to adhere to the Council's policies on character and design.
- 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 The proposed dwelling would be sited alongside neighbouring 1 Dog Cottages and Daisy's. The two storey aspect of the dwelling would lie alongside 1 Dog Cottages and would not project much further than the two storey aspect of this property. This neighbour has a side facing window along the side of a previous erected side extension which serves an office. To the rear of this extension is a window which serves a bedroom. At first floor level a side facing bathroom window would overlook the proposed development. This bathroom window is sited within a valley created within the roof, caused by the single storey extension. The window is largely concealed from views and is sited some five or more metres from the boundary to the application site.
- 6.12 The proposed dwelling would be higher than the existing outbuildings, with a greater eaves height along the boundary to neighbouring 1 Dog Cottages. Despite the increase in height, officers do not consider that the proposed two storey aspect would have any overbearing harm on this neighbour. The siting of the two storey aspect in relation to this neighbour would mean that the private amenity of this neighbour would remain relatively unaffected by this development. The windows serving the neighbours property would not be significantly compromised to the effect of harming the enjoyment of the rooms that they serve.
- 6.13 The impact on the neighbouring premises would be largely through the single storey aspect of the dwelling, which would extend alongside the boundary of the garden area. However the design and scale of the proposal would be relatively non-invasive as its design would avoid any negligible impact on the enjoyment of this garden area for customers. Customers would be faced with a blank elevation which has been designed with false openings to achieve a high quality design. Given the scale of the proposed dwelling in relation to the size and area of publicly enjoyable amenity space to the rear of the neighbouring premises, officers do not consider that the proposed dwelling would result in an overbearing or oppressive impact on this premises or to its amenity area.
- 6.14 The design of the proposed dwelling does not include any head-height windows along the north elevation in order to safeguard the amenity of those using the neighbouring premises and its garden. The rooflights which are proposed on both the south and north elevations are unlikely to result in any significant amenity harm subject to their height above internal floor level which would prevent any easily accessible and direct views across the gardens of both neighbours or to windows which serve habitable rooms. The proposed rooflight at first floor height along the southern elevation, which serves the master bedroom should have a minimum height of 1.7m above internal floor level to avoid overlooking.
- 6.15 The proposed first floor window facing the rear of the site would allow views to the east and across neighbouring land. This level of overlooking however is considered typical of closely located built form within this area. The proposed garden would be overlooked by neighbouring 1 Dog Cottages and would result in a mutual level of overlooking upon each other. The views from this window would not allow for clear and unobstructed views towards neighbouring windows and would contain views entirely to the rear and oblique views to the north and south. Officers are satisfied therefore that this development would secure a reasonable level of privacy for both the proposed occupants and those occupants living in nearby dwellings.

Impact on highway

- 6.16 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.
- 6.17 The Highways Authority raises no objection to the proposed development. Given the characteristics of the carriageway fronting the site, vehicular traffic and speeds are likely to be low. The car parking arrangement is considered acceptable. It is noted that Oxfordshire County Council has planning permission to relocate the school, as part of the application a 'footway' is to be provided in the form of bollards. It is therefore considered that sufficient pedestrian visibility will need to be achieved to ensure pedestrian safety in the long term. Therefore, subject to meeting a 2m x 2m pedestrian visibility splay to the access, the development is not considered to result in any significant intensification of transport activity at the property or any significant adverse impact on the highway network. A condition is recommended to ensure this. In light of the Highway Authority's comments, the development is considered to comply with Policy T1 and T2 of the SOLP and guidance within the National Planning Policy Framework (NPPF).

Impact on neighbouring (commercial) premises

- 6.18 Policy CF1 of the SOLP seeks to restrict the loss of any commercial services. The current outbuildings provide storage and external toilets for the premises. Officers have been made aware that the remaining neighbouring premises contains internal toilets and therefore the loss of these external toilets are not considered to be harmful to the day to day trading of the premises. The loss of the storage area is likely to harm the ease of functioning of the premises, however officers have not been presented with any information which would justify how the loss of such storage space would result in the inability of the premises to function on a day-to-day basis. As such officers consider that the loss of these outbuildings would not significantly harm the commercial functioning of the neighbouring premises.
- 6.19 Officers do not consider that the loss of this site would compromise the parking available for customers of the neighbouring premises and will not compromise the day-to-day functioning of the business as such. The existing in-let of the B481 highway is not restricted from public parking and the proposed re-location of the school allows for a drop off area for vehicles to pull in and drop their children off. It is not considered therefore that the existing in-let of the B481 would be put under any significant additional levels of pressure for vehicular traffic in relation to the school. It is reasonable to assume therefore that customers of the neighbouring premises would be able to park nearby on this road in order to access this service. **Appendix C** is an approved plan of the proposed re-location of the school and helps to indicate the approved road and pedestrian layout.

Environmental and Ecological impact

- 6.20 The site is not considered to cause any adverse harm or loss of natural habitats which would serve protected species. The sycamore tree growing on the land to the south directly adjacent to the proposed development is protected because it falls within the Conservation Area. This tree is, however, of insignificant arboricultural value to be considered as a constraint to this development. Despite all of the proposed tree protection measures suggested in the arboricultural report, the Council's Forestry

Officer is mindful that this tree may be damaged throughout the construction process. In addition it's clear the future occupants of the dwelling will find the tree a nuisance and overbearing. However as the tree is not within ownership of the applicant, future residents of the dwelling will have limited options over its management.

- 6.21 The Local Planning Authority could not refuse an application to remove this tree given its poor condition, meaning it does not therefore qualify for a tree preservation order. The Forestry Officer comments that they have no grounds to object to the proposed development but is of the opinion that the proposal is not sustainable given the above constraints that the tree will pose on the future occupants of this development. Officers are therefore presented with no information to suggest how this development fails to adhere to Policy C9 of the SOLP and therefore considers that there are no reasonable reasons to object to the development on arboricultural grounds.

Other matters

- 6.22 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.
- 6.23 Primrose Cottage lies to the north-east of the site and is a Grade II listed property. This property displays a wide variety of the characteristics of the wider Conservation Area and contributes to the historic interest of this area. Views of this property are currently obscured from the public realm by the coffee shop and views are only possible from Dog Lane and to some extent from within the garden of the coffee shop. 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.
- 6.24 Concerns have been raised with regard to the foul drainage provisions on site. Officers acknowledge that there are no accessible mains sewerage system that this dwelling could link to. The applicant wishes to adjoin the existing septic tank sited within the curtilage of the neighbouring premises. Officers consider that it is reasonable that this can be achieved and recommend a condition to ensure that details are submitted for approval with regards to this matter to secure that an appropriate foul drainage mechanism will serve this dwelling.
- 6.25 Further concerns have been raised by neighbours with regard to proposed sources of heating the dwelling. Officers appreciate the concern but are mindful of options for the applicant moving forward to provide the necessary utilities which would be non-evasive on the site, surrounding area and neighbours. There is no reasonable justification therefore to require details to be submitted to the Council for approval.

7.0 CONCLUSION

- 7.1 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. Commencement three years - full planning permission.
2. Development in accordance with approved plans.
3. Samples of the materials proposed for external walls and roofs to be submitted and approved by the local planning authority.
4. Pedestrian vision splays - vision splays measuring 2m by 2m shall be provided to each side of the access.
5. Car parking shall be provided in accordance with approved plans and retained as such.
6. Building record required (level 2) of the existing brick and flint outbuilding to be submitted to and approved in writing by the local planning authority before the relevant part of the work has begun.
7. Windows and doors to be constructed in timber.
8. Cill height of proposed rooflight at first floor level on southern elevation shall be at least 1.7 metres above the floor level of the associated rooms and shall be retained as such to safeguard neighbour amenity.
9. Foul drainage details to be submitted to and approved in writing by the local planning authority before the relevant part of the work has begun
10. Withdrawal of permitted development rights (Part 1, Class A) – withdrawing permitted development rights to further extend without prior consent from the local planning authority.
11. Withdrawal of permitted development rights (Part 1, Class E) – withdrawing permitted development rights for any outbuildings without prior consent from the local planning authority.

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