

APPLICATION NO.	P23/S1070/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	30.3.2023
PARISH	WHITCHURCH
WARD MEMBERS	Peter Dragonetti
APPLICANT	Miss Zanike Samuels
SITE	The Walled Garden House, High Street, Whitchurch-on-Thames, RG8 7EP
PROPOSAL	Demolition of existing dwelling and rear outbuildings, replacement by a detached dwelling and detached double garage (Amended application following withdrawal of application P22/S3901/FUL and as amplified by additional information received 31 July 2023).
OFFICER	Marc Pullen

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application seeks planning permission for the demolition of the existing property on site and to replace the dwelling with a new detached dwelling with double garage.
- 1.2 The application site (which is shown on the OS extract attached as **Appendix A**) lies within the built-up limits of Whitchurch-on-Thames. The site lies within the Whitchurch Conservation Area, lies within the Chilterns Area of Outstanding Natural Beauty and within Flood Zone 2 and 3. The site is accessed off High Street by a shared vehicular access.
- 1.3 This report sets out the justification for officers' recommendation to grant planning permission having regard to the development plan and any other material planning considerations.
- 1.4 This application is referred to Planning Committee as the officer's recommendation to grant planning permission conflicts with the views of Whitchurch-on-Thames Parish Council.
- 1.5 Reduced copies of the plans accompanying the application are attached as **Appendix B**. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 **Whitchurch Parish Council – Object**
- Scale and massing of the development
 - Effect on the conservation area
 - Impact on the village's flood defences and nature conservation

Conservation Officer (South and Vale) –

- I consider that the proposed replacement dwelling would not harm the character and appearance of the conservation area or the setting of nearby listed buildings.

Drainage (South and Vale) –

- In accordance with all documents submitted, no objection subject to conditions.

Neighbours (19)

- The height and massing of the development is unacceptable in the conservation area and in the heart of the village, greatly damaging the amenity value of the village. Would tower over the High Street and be disproportionately large.
- The proposed development will dwarf the nearby grade II listed buildings.
- The proposal does not mention how it will rectify unauthorised alteration and consequent damage to the pond and culvert/watercourse which forms part of the village's flood defences.
- The unauthorised removal of trees from the site should also be addressed.
- The height, width and visual mass of the building are inappropriate and impact on the Thames Path which runs directly past the site and from which the building will dominate whilst travelling northbound along the High Street.
- The style of the property is quite modern, at odds with the area, windows are significantly larger than other properties.
- The dwelling should be positioned where the existing dwelling is to avoid any greater flood risk and should remove the top floor to reduce the height. The proposed development has not demonstrated how it will not be impacted by flood waters.
- The proposed development would cause a loss of privacy and impact on neighbour amenity, loss of light.
- Concern over neighbour's utilities that run under the application site.

3.0 RELEVANT PLANNING HISTORY

3.1 [P22/S3901/FUL](#) - Withdrawn (19/12/2022)

Demolition of existing house and rear outbuildings, replacement by detached dwelling with attached double garage, repair of associated outbuildings adjoining southern site entrance.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The site is within a 'sensitive area' for the purposes of the EIA regulations 2017 but the scale and nature of the proposed development does not require an Environmental Statement.

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character
DES5 - Outdoor Amenity Space
DES6 - Residential Amenity
DES8 - Promoting Sustainable Design
DES10 - Carbon Reduction
ENV1 - Landscape and Countryside
ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
ENV3 - Biodiversity
ENV4 - Watercourses
ENV6 - Historic Environment
ENV7 - Listed Buildings
ENV8 - Conservation Areas
EP3 - Waste collection and Recycling
EP4 - Flood Risk
H1 - Delivering New Homes
H18 - Replacement Dwellings
INF4 - Water Resources
STRAT1 - The Overall Strategy
TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

No adopted Neighbourhood Plan

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

5.4 National Planning Policy Framework and Planning Practice Guidance

5.5 Other Relevant Legislation

- Planning (Listed Buildings and Conservation Areas) Act 1990.
- Section 85 of the Countryside and Rights of Way Act 2000.
- Human Rights Act 1998 - The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.
- Equality Act 2010 - In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- **Principle of development**
- **Design and character**
- **Residential amenity**
- **Drainage and flood risk**
- **Access and parking**
- **Impact on ecology**
- **Impact on trees**
- **Other material considerations**
- **Community Infrastructure Levy**

- **Pre-commencement conditions**

6.2 Principle of development

The application site lies within the built-up limits of Whitchurch-on-Thames and would not result in a net increase in residential units on site. The principle of a replacement dwelling in this location is considered acceptable.

6.3 Design and character

The council's policies and guidance on design state that all new development must be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings.

6.4 Policy ENV1 (SOLP) attaches the highest level of weight to the protection of the landscape and scenic beauty of the Chilterns AONB. Policy ENV8 (SOLP) states that development proposals within or affecting the setting of a conservation area must conserve or enhance its special interest, character, setting and appearance.

6.5 The existing building makes a neutral impact to the character of the area and the conservation area. It has some architecturally distinct features which loosely conforms to the vernacular pattern here, however, it does appear out of keeping with the generally older buildings along the High Street.

6.6 The proposed dwelling occupies a larger footprint than the existing and provides living space over three floors. The dwelling is set further south in the plot than the existing house which, owing to the topography of the site, results in the first and attic storeys of the proposed building being more visible over the existing High Street boundary wall than the existing.

6.7 The presence of a dwelling here is not considered harmful to the character of the area. This proposal has responded to the character of the area with an architectural design that reflects elements of the built form and general character of the village, notably the multi-gabled roof forms and material palette that is distinctive throughout Whitchurch on Thames.

6.8 The proposed roof form reflects prevailing characteristics, and the use of traditional pitched roof forms reduces the visual massing of the building as experienced in the street scene; the eaves of the new dwelling will sit at a similar height to the existing dwelling. Whilst the overall ridge height extends higher above the wall of the former Walled Garden than the existing dwelling, the proposed design will not be out of character with surrounding built form. The proposed traditional roof pitch is consistent with local examples and an improvement on the shallower pitch to the roof of the existing dwelling.

6.9 It is acknowledged that the proposed replacement dwelling is larger than the existing house. However, the scale is not dissimilar to other dwellings in the village, the gabled roof form provides variation to the massing, reducing visual bulk and improves upon the shallow roof form of the existing dwelling. The proposed material detailing and multi-pane casement windows also help to

break up the built form, introducing detailing more consistent with local distinctiveness than the existing dwelling and results in an overall improvement to the appearance of the site and is a more refined building compared with the existing. The site would retain its spacious character with visual relief between the new dwelling and the surrounding built form.

- 6.10 The proposed layout would locate the proposed dwelling further to the south within the plot than the existing house. This would bring it into closer alignment with the Grade II listed 1-3 Duchess Close on the opposite side of High Street, but the listed building's position directly onto the street gives it prominence in the street scene. This would not be lost by the proposed dwelling set behind the brick wall and the council's conservation officer is satisfied that the special interest of 1-3 Duchess Close as a fine example of C17-C18 domestic architecture would not be diminished.
- 6.11 The former store to the south of the site is proposed for repair which is acceptable. Officers have no objection to the proposed garage. No other works to the wider site are shown on the plans. The council's conservation officer recommends that the important brick wall that forms the High Street boundary is regularly maintained removing any invasive climbing plants such as ivy and ensuring that lime mortar pointing is renewed where needed to ensure that the structural integrity of the wall is preserved.
- 6.12 As submitted, the proposal is considered to respond well to the character of the area. Whilst larger than the existing dwelling the elements that will be visible from the public realm and that have a direct influence on how the area is experienced are consistent with the character of the area and will not detract from the appearance of surrounding built form or the significance of the designated conservation area. Overall, officers are satisfied that the proposed development would not harm the character and appearance of the area (including the conservation area) or the setting of nearby listed buildings. Furthermore, officers are satisfied that the development would not adversely impact upon the landscape and scenic beauty of this part of the Chilterns AONB.
- 6.13 A condition should be imposed which requires the submission and agreement of all external materials which will be used on the new dwelling.
- 6.14 **Residential amenity**
Policy DES6 (SOLP) seeks to ensure that development proposals do not result in significant adverse impacts on the amenity of neighbouring uses. Factors to consider include loss of privacy, daylight or sunlight, dominance or visual intrusion, noise or vibration, smell, dust, heat, odour, gases or other emissions, pollution, contamination and external lighting.
- 6.15 Officers are satisfied that a reasonable degree of separation will exist between the new dwelling and all nearby neighbouring properties. The proposed dwelling will be some 16 metres away from the nearest property to the east (Duchess Close, High Street) and 12 metres from the neighbour to the west (Walled Garden Retreat). The neighbour to the north (Old Wall Cottage) is the

closest to the proposed new dwelling at around 11 metres. At these distances, officers are satisfied that the proposed new dwelling would not result in any adverse overbearing harm or loss of light to these neighbours. The distances between the proposed development and these neighbours would ensure that neighbouring properties and their gardens are not overlooked. However, with this said the side facing first floor windows would allow direct views down into neighbour's properties and their gardens; as such a condition which ensures these windows are obscured glazed is recommended.

6.16 Drainage and flood risk

A principal concern for local residents and the parish council relates to the impact that the proposed development would have on the village's flood defences and water courses and works that have been carried out already to the culvert and pond on site.

6.17 The applicant has worked closely with the council's drainage engineer team in providing the relevant information in order to ensure that the proposed development would not result in adverse impacts on the local water course and would not exacerbate flooding within the area. The council's drainage engineer has recommended conditions to ensure the implementation of all agreed measures, the submission and agreement of surface water and foul water drainage schemes and the submission and agreement of a flood plain compensation compliance report to ensure compliance with the approved scheme.

6.18 Access and parking

Policy TRANS5 (SOLP) advises that all types of development will, where appropriate provide for a safe and convenient access for all users to the highway network, provide safe and convenient routes for cyclists and pedestrians and provide parking of vehicles in accordance with Oxfordshire County Council parking standards and provide for loading, unloading, circulation and turning spaces on site.

6.19 The proposed development looks to provide sufficient space for parking on site to avoid any on-street parking. The proposed development will utilise the existing access arrangement off High Street, and is unlikely to result in a material increase in traffic movements along the road.

6.20 Impact on ecology

Policy ENV2 (SOLP) seeks to protect important ecological receptors (designated sites, protected species, priority habitats etc.). Where adverse impacts on important ecological receptors are likely, development must meet the criteria outlined under the policy to be acceptable. Policy ENV3 (SOLP) seeks to secure net gains for biodiversity and requires that applications are supported by a biodiversity metric assessment. Net loss of biodiversity will not be supported.

6.21 This application has been supported by reports which demonstrate that the existing property is known to contain bat roosts. A bat activity and emergence survey has been carried out which demonstrated bat activity. This report

outlines the mitigation measures which should be carried out to offset the loss of the existing building, including replacement bat roosts in the form of bat boxes and integrated measures such as bat tiles within the roof of the new dwelling. The council's countryside officer supports these mitigation measures and recommends that they are secured via planning condition.

6.22 Impact on trees

The proposed development looks to retain existing trees on site and implement additional planting. Officers support the retention of trees on site and supplemental planting. A planning condition is needed to ensure the protection of trees on site during the construction process and a condition which ensures the provision of landscaping on site as per the details shown on the landscaping plan.

6.23 Carbon reduction

The submitted Energy Statement confirms compliance with Policy DES10 (SOLP) and proposes to reduce carbon emissions by 50% with the use of an air source heat pump. Officers are satisfied that the development meets the requirement of Policy DES10 (SOLP).

6.24 Other material considerations

Archaeology - As previously outlined within app ref. [P22/S3901/FUL](#) the County Council's Planning Archaeologist raised no objection or concerns in respect of archaeology.

Electric charging – A condition is recommended to ensure the provision of electric charging point(s).

Waste/Recycling – Sufficient space would be provided on site to store and present waste and recycling.

6.25 Community Infrastructure Levy

The council's Community Infrastructure Levy (CIL) charging schedule applies to all relevant development proposals. 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 or net gain of residential use on site. This development would be liable to pay toward CIL and will be charged based on the internal floor space provided.

6.26 Pre-commencement conditions

In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018, Section 100ZA (6) of the Town and Country Planning Act 1990(a) the Council is required to confirm agreement to all pre-commencement conditions. These will all have been agreed by the applicant/agent in writing in accordance with the requirements of this legislation.

7.0 CONCLUSION

7.1 Officers consider that planning permission should be granted. The principle of the development is considered acceptable, and the proposed development is

not considered to harm the character or appearance of the area and would ensure that local amenity is not adversely impacted. The proposed development would ensure that the new dwelling would not be at risk from flood water and that flood risk is not increased elsewhere. The proposed development would be acceptable in relation to the impact on protected species and would ensure appropriate parking and access arrangements and carbon reduction measures. In conjunction with the attached conditions, the proposal accords with relevant planning policy.

8.0 RECOMMENDATION

To grant planning permission subject to conditions:

1 : Commencement of development within 3 years of date of permission

2 : Implement development in accordance with plans

3 : Photographic schedule of all external materials to be agreed prior to development

4 : Surface water drainage scheme to be submitted and agreed in writing

5 : Flood/Drainage measures to be implemented in accordance with details submitted and agreed

6 : Foul drainage scheme to be submitted and agreed in writing

7 : Flooding compensation compliance report to be submitted and agreed in writing

8 : Obscure glazing to first floor side facing windows

9 : Electric Vehicle Charging Points to be provided on site

10 : Protected species mitigation measures to be implemented as agreed

11 : Ecological mitigation measures to be submitted for approval

12 : Verification report to be submitted demonstrating compliance with Energy Statement measures

13 : Landscaping to be provided in accordance with landscaping plan

14 : Tree Protection measures to protect existing trees on site, to be submitted and agreed in writing

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