

APPLICATION NO.	P12/V1259/FUL
APPLICATION TYPE	Full application
REGISTERED	1 June 2012
PARISH	West Hendred
WARD MEMBERS	Michael Murray, Bill Jones
APPLICANT	Mr & Mrs Richard Pill
SITE	Land adjacent to Green View Ginge Road West Hendred Wantage
PROPOSAL	Conversion of existing squash court to form a four bedroom family home and farm office (re-submission of withdrawn application P12/V0181)
AMENDMENTS	None
GRID REFERENCE	444611/186585
OFFICER	David Rothery

1.0 INTRODUCTION

- 1.1 The site lies in the countryside and the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- 1.2 The land rises steeply to a flat plateau on which a two-storey building with no fenestration housing a squash court is sited. The adjacent area of the plateau accommodates an open air swimming pool. The land continues to rise to the field to the rear (north), and a footpath runs along a track to the west of the site, at a lower level than the floor level of the squash court.

2.0 PROPOSAL

- 2.1 The proposal is to use the existing squash court building as the basic frame and to convert and extend it to form a new dwelling house. The proposed house would also include a farm office at the lower level of the building and integral garages. Other accommodation would be a living room, kitchen/dines and study (snug / family room) at the first floor and four bedrooms at the upper floor.
- 2.2 The proposed dwelling would be split level in part and built into the slope of the land, so that the ground floor would have a single aspect onto the driveway but the upper floors would benefit from dual aspect.
- 2.3 The application comes to committee because West Hendred Parish Council approves the proposed development, contrary to the officer recommendation.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 **West Hendred Parish Council** – approve – needed for growing family who also manage the farm.
- 3.2 **Neighbour representations** – Seven letters of support have been received from local residents

- 3.3 **Highway officer** – objection – A new vehicular access is proposed onto Ginge Road at the location of a public footpath (right of way) towards West Hendred. Full details of the visibility splays from the access are required. Two off street parking spaces are shown, but in a remote location like this, three spaces would be required for a four bedroom dwelling.

There are transport / sustainability concerns with the location as the site is not easily accessible by public transport nor is it in walking / cycling distance of major settlements, shops, services, employment sites, etc. Sustainable travel policy refers to locating new development where the need to travel by private car can be minimised.

- 3.4 **Footpath rights of way** – No objection to the development. West Hendred public footpath no. 4 runs adjacent to the western boundary of the site concurrent with the access to the existing property. The footpath is well defined on the ground and must not be reduced in width.

- 3.5 **Landscape architect** – Concern at the size of the proposed building and the associated hardstanding. The proposal will urbanise this rural location and, due to the size and orientation of the building, there is little scope to soften the entrance and the mass of the building when viewed from the road and adjacent footpath. The impact, however, will be predominately local.

- 3.6 **Conservation / Design officer** – This is not a conversion but a substantial and very prominent building which will have a dramatic impact in this part of the AONB. Not only will the building have a considerable layout but the access drive will result in the removal of a large section of the green roadside planting and, taken together, it will not preserve or enhance this part of the AONB.

The architecture of Ginge has a very distinctive style and this building does not seem to draw on any of the local features and is at odds with the rural character of the area. Recommend refusal on design grounds

- 3.7 **Drainage engineer** – A foul drainage assessment form is required to be completed. In addition conditions then could be imposed for drainage details to be submitted.

4.0 **RELEVANT PLANNING HISTORY**

4.1 12/00181/FUL

Proposed conversion of existing squash court to a four bedroom family home and farm office. Withdrawn on 5 April 2012 to readdress sustainability case in anticipation of refusal on sustainability grounds.

4.2 77/00849/FUL

Erection of a squash court. Approved on 16 May 1977.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan**

The local plan was adopted in July 2006. Policies that have been saved by the Secretary of State's decision of 1 July 2009 whilst the Core Strategy is being produced include the following:

- 5.2 Policy NE6 refers to the North Wessex Downs Area of Outstanding Natural Beauty – only development that enhances or conserves the natural landscape beauty will be considered favourably. Visually prominent development, or that spoiling the appreciation of the landscape quality will not be permitted.

- 5.3 Policy GS2 provides a general location strategy and seeks to restrict new buildings in the countryside unless they are justified in accordance with other policies.
- 5.4 Policy GS6 provides for the redevelopment of existing buildings outside the built up area of settlements subject to criteria, including the proposal not being for residential development and not having a greater visual impact on the countryside.
- 5.5 Policy GS7 provides for the adaptation of existing vernacular buildings outside the built up area of settlements subject to criteria, including any conversion being capable without major rebuilding, extension or alteration, the character and appearance of the building and the surrounding area would not be adversely affected, and access and other necessary facilities would harm the rural character of the area.
- 5.6 Policy H13 enables infilling with one or two dwellings within small settlements (i.e. outside the settlements listed in policies H10, H11 and H12) and new dwellings which need a countryside location on the grounds of the needs of an agricultural, equestrian or other genuine rural enterprise. Such development should be linked to other buildings or be in a well landscaped setting, be of a related size to the needs of the enterprise and subject to appropriate controls on occupancy.
- 5.7 Policy DC1 requires new development to be of a high design quality in terms of layout, scale, mass, height, detailing, materials to be used, and its relationship with adjoining buildings.
- 5.8 Policy DC5 requires safe and convenient access from the public highway and parking.
- 5.9 Policy DC6 requires hard and soft landscaping to protect and enhance the visual amenities of the site and surroundings and to maximise nature conservation and wildlife habitat creation.
- 5.10 Policy DC8 seeks provision of necessary infrastructure to serve the development.
- 5.11 Policy DC9 seeks to ensure development will not unacceptably harm the amenities of neighbouring properties and the wider environment.

Other policy guidance

- 5.12 **National Planning Policy Framework (NPPF) – March 2012**
 - Paragraphs 14 & 49 – presumption in favour of sustainable development
 - Paragraph 34 & 37 – encourage minimised journey length to work, shopping, leisure and education
 - Paragraph 47 – five year housing land supply requirement
 - Paragraph 50 - create sustainable inclusive and mixed communities
 - Paragraphs 57, 60 & 61 – promote local distinctiveness and integrate development into the natural, built and historic environment
 - Paragraph 99 – flood risk assessment
 - Paragraph 109 – contribute to and enhance the natural and local environment
 - Paragraph 111 - encourage the effective use of land by re-using land that has previously been developed (brownfield land)

6.0 PLANNING CONSIDERATIONS **Policy**

- 6.1 The proposal lies outside any defined settlement and under policy GS2 is not acceptable unless a proven need for a new dwelling in this countryside location could be established. An agricultural case has been submitted; however the proposed occupiers currently live in the adjoining house which would be vacated, so the

proposal would add a dwelling in an unsustainable remote location.

- 6.2 Policy GS6 is considered to be the relevant policy for considering this proposal given the scope of the proposed new development to the existing building shell on the site. Policy GS6 specifically removes residential provision from proposals for redeveloping buildings outside settlements.
- 6.3 Policy H13 enables infilling with one or two dwellings within small settlements. However, the proposal does not constitute infilling and so is contrary to policy H13.
- 6.4 The proposal represents a departure from local plan policy as it represents the building of a new dwelling house within the countryside, which is not shown to be essential for the operation of a recognised countryside activity (the intended occupiers live in the adjacent dwelling house). Furthermore, the site lies within the AONB where new development needs to be strictly controlled.

Design and character

- 6.5 The proposal is to extend and convert an existing simple building that is used as a squash court to a four bedroom dwelling house. The proposed extension is substantial and would clearly alter the scale, size and appearance of the building. In essence, this is an application for the construction of a new large traditional dwelling house on the site of (and utilising part of) the existing squash court building.
- 6.6 The existing squash court building is at least 30 years old and is a utilitarian building with no architectural merit or design features within this AONB location. The building is still usable and has necessary power and plumbing for sporting and showering use. It is sited on rising land and adjoins an unused swimming pool.
- 6.7 A public footpath runs along the western boundary of the site and shares the access approach to the squash court. The footpath is signposted and is safe for users up to the point it joins the road, where visibility is poor when approached from the west.
- 6.8 The size and scale of the proposed building, together with its rather suburban design, is considered uncharacteristic for this rural location. The positioning of the dwelling on the site does not allow for any landscape screening to lessen the visual impact and, as such, the proposal would harm the natural beauty of the AONB, and would therefore also be contrary to NPPF approaches as identified in paras. 57, 60 and 61.

Highway safety

- 6.9 The proposal would not be segregated from the public footpath and the driveway could lead to movements that would spill over onto the footpath. In these circumstances the use of the footpath could be compromised and safety impaired due to the more frequent use of the driveway to a family house than as at present to an under used squash court.

Location Sustainability

- 6.10 Due to the remoteness of the site from facilities and services (shops, post office, school, etc.) it is not considered to be sustainable. The site is remote and whilst adding to the existing scattering of dwellings along this road, would add a dwelling into a location where there are no close and readily accessible facilities and services. This is not in accord with NPPF para 37 which promotes sustainable transport.
- 6.11 The case put forward by the applicant on this issue fails to acknowledge that, notwithstanding their local employment on the surrounding farm land, the relocation of the intended occupiers from the adjacent dwelling house to the proposed dwelling will make the vacated house available for other residential occupation.

- 6.12 The applicant's case that the property can be tied to an agricultural / equestrian activity in the immediate area does not address the highway sustainability concern that this proposal represents a new dwelling in a remote countryside location with no easily accessible alternative form of transport other than the private car and with no close facilities to the property. The proposal is clearly in an unsustainable location and there has been no justified case for an exception to be made to the adopted approach.

Agricultural tie

- 6.13 Whilst the offer of tying the property as proposed through an agricultural occupancy condition (which the existing adjacent property does not have) is noted, the case made by the applicant does not answer fully or address the concerns raised on the sites unsustainable location, the unsympathetic design and scale within this small scattering of properties. Therefore given other failings of the scheme this offer has not been progressed as it would normally have been.

7.0 CONCLUSION

- 7.1 The proposal is unrelated to the direct need of the surrounding countryside, is in a remote and unsustainable location, is excessive in size and massing so as to have a harmful impact on the character and natural beauty of this countryside location within the Area of Outstanding Natural Beauty. The proposal, therefore, is considered to be contrary to policies NE6, GS2, GS6, GS7, DC1, DC5 and DC6. The NPPF 6 indicates the need for development to be shown to be sustainable. This proposal is not a sustainable form of development, so under NPPF para.15 there is no presumption in favour of the proposal.

8.0 RECOMMENDATION

Refuse planning permission for the following reasons:

1. **The site lies outside the settlement of Ginge and the village of West Hendred and the proposal does not constitute infilling development. In addition, there is no overriding essential need to warrant any departure from the planning policies of the Local Planning Authority. The proposal, therefore, is considered harmful to the character and appearance of the rural area and contrary to policies GS2, GS6, GS7, DC1 and NE6 of the Vale of White Horse Local Plan.**
2. **The site lies within the North Wessex Downs Area of Outstanding Natural Beauty and having regard to:
 - a) the unsatisfactory nature of the additional proposed residential use, and
 - b) the size, scale and massing of the proposed dwellingthe proposal would harm the rural character and natural beauty of the area. The proposal, therefore, is contrary to policies GS7 NE6 of the vale of White Horse Local Plan and the aims and intend of the NPPF as covered in paragraph 57, 60 and 61.**
3. **Due to the isolated rural location of the application site beyond the confines of an existing settlement, the proposal represents an unsustainable form of development which is removed from easy access to public transport, local services and facilities and, therefore, is contrary to established sustainability policy and national advice which seeks to locate development where the need to travel by private car can be minimised. The proposal, therefore, is contrary to policies GS2 and GS6 of the Vale of White Horse Local Plan and the aims and intend of the NPPF as covered in paragraph 34 and 37.**

- 4. That the proposal lacks adequate sight lines at its junction with Ginge Road. Furthermore the proposed development would result in the potential detriment to the safety and convenience of users of the public footpath (public right of way) located along the western boundary of the site. The proposal, therefore, is contrary to policy DC5 of the Vale of White Horse Local Plan.**

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