

Date: 2 March 2006

TO: All Members of the Development  
Control Committee  
FOR ATTENDANCE

TO: All Other Members of the Council  
FOR INFORMATION

Dear Sir/Madam

Your attendance is requested at a meeting of the **DEVELOPMENT CONTROL COMMITTEE** to be held in the **GUILDHALL, ABINGDON** on **MONDAY, 13TH MARCH, 2006** at **6.30 PM**.

Yours faithfully

Terry Stock  
Chief Executive

Members are reminded of the provisions contained in Part 2 of the Local Code of Conduct, and Standing Order 34 regarding the declaration of Personal and Prejudicial Interests.

## A G E N D A

### **Open to the Public including the Press**

A large print version of this agenda is available. In addition any background papers referred to may be inspected by prior arrangement. Contact Carole Nicholl, Democratic Services Officer, on telephone number (01235) 547631.

### **Map and Vision**

(Page 5)

A map showing the location of the venue for this meeting, together with a copy the Council Vision are attached.

#### **1. Notification of Substitutes and Apologies for Absence**

To record the attendance of Substitute Members, if any, who have been authorised to attend in accordance with the provisions of Standing Order 17(1), with notification having been given to the proper Officer before the start of the meeting and to receive apologies for absence.

**2. Declarations of Interest**

To receive any declarations of Personal or Personal and Prejudicial Interests in respect of items on the agenda for this meeting.

In accordance with Part 2 of the Local Code of Conduct and the provisions of Standing Order 34, any Member with a personal interest must disclose the existence and nature of that interest to the meeting prior to the matter being debated. Where that personal interest is also a prejudicial interest, then the Member must withdraw from the room in which the meeting is being held and not seek improperly to influence any decision about the matter unless he/she has obtained a dispensation from the Standards Committee.

**3. Urgent Business and Chair's Announcements**

To receive notification of any matters, which the Chair determines, should be considered as urgent business and the special circumstances, which have made the matters urgent, and to receive any announcements from the Chair.

**4. Statements and Petitions from the Public Under Standing Order 32**

Any statements and/or petitions from the public under Standing Order 32 will be made or presented at the meeting.

**5. Questions from the Public Under Standing Order 32**

Any questions from members of the public under Standing Order 32 will be asked at the meeting.

**6. Statements and Petitions from the Public under Standing Order 33**

Any statements and/or petitions from members of the public under Standing Order 33, relating to planning applications, will be made or presented at the meeting.

**7. Materials**

To consider any materials submitted prior to the meeting of the Committee.

ANY MATERIALS SUBMITTED WILL BE ON DISPLAY PRIOR TO THE MEETING.

**8. Appeals**

(Pages 6 - 19)

Lodged

The following appeals have been lodged with the Planning Inspectorate:-

- (i) Appeal by Mr C Robbins against the Council's decision to refuse to permit the conversion of golf course club house into golf course related guest accommodation and ancillary works, Faringdon Golf Club, Great Coxwell, (GCO/17377/3);
- (ii) Appeal by Mr C Robbins against the Council's decision to refuse to permit the erection of a dwelling (amended plans), Faringdon Golf Club, Great Coxwell, (GCO/17377/4);

- (iii) Appeal by Mr C Robbins against the Council's decision to refuse to permit new golf reception room, toilets, workshop, car parking and landscaping, Faringdon Golf Club, Great Coxwell, (GCO/17377/5);
- (iv) Appeal by Mr C Pugh against the Council's decision to take enforcement action relating to without planning permission the insertion of two unauthorised windows on the south west elevation of the dwelling house and the unauthorised extension to the garage, 10 Hids Copse Road, Cumnor Hill, (CUM/18082/3-E);
- (v) Appeal by Letcombe Manor Estate against the Council's decision to refuse to permit the demolition of all buildings except The Lodge, Letcombe Laboratory, Letcombe Regis;
- (vi) Appeal by J L S Lonsdale against the Council's decision to refuse to permit the demolition of redundant farm buildings and the erection of 5 houses, Home Farm, West Street, Sparsholt, Wantage.

Allowed

The following appeal has been allowed by the Planning Inspectorate: -

Appeal by Mr and Mrs J Kay against the Council's decision to refuse to permit a single storey rear extension, Ickleton House, London Road, Blewbury (BLE/15593/3 and BLE/15593/4-LB). The decision to refuse permission was made by the Strategic Director under powers delegated to him under the Scheme of Delegation. A copy of the decision notice is attached as **Appendix 1**. No reference to costs was made.

Dismissed

The following appeal has been dismissed by the Planning Inspectorate: -

Appeal by Mr Drewett against the Council's decision to refuse to permit a two storey side and rear extensions (ABG/19058). The decision to refuse permission was made by the Strategic Director under powers delegated to him under the Scheme of Delegation. A copy of the decision notice is attached as **Appendix 2**. No reference to costs was made.

Allowed/Dismissed

The following appeal has been part allowed and part dismissed by the Planning Inspectorate: -

Appeal by A Myrat Terzi against an enforcement notice against without planning permission, building operations involving the erection of decking and arbours. The decision to take enforcement action was made by the Development Control Committee. A copy of the decision notice is attached as **Appendix 3**. No reference to costs was made.

Recommendation

*that the agenda report be received.*

**9. Forthcoming Public Inquiries and Hearings**

**(Pages 20 - 27)**

A list of forthcoming public inquiries and hearings is presented.

Recommendation

*that the report be received.*

## PLANNING APPLICATIONS

Local Government (Access to Information) Act 1995 - The background papers for the applications on this agenda are available for inspection at the Council Offices at the Abbey House in Abingdon during normal office hours. They include the Oxfordshire Structure Plan, the Adopted Vale of White Horse Local Plan (November 1999) and the emerging Local Plan and all representations received as a result of consultation.

Any additional information received following the publication of this agenda will be reported at the meeting.

Please note that the order in which applications are considered may alter to take account of the Council's public speaking arrangements. Applications where members of the public have given notice that they wish to speak will be considered first.

Report **250/05** of the Deputy Director (Planning) refers.

**10. SUT/2124/1 – Erection of a detached dwelling with annexe and garage. New dual access to serve existing and proposed dwellings. Beechfield House, Abingdon Road, Sutton Courtenay**

(Wards Affected: Sutton Courtenay and Appleford)

(Pages 28 - 37)

**11. KBA/3105/8 – Demolition of house and garage. Construction of 6 semi-detached houses. Restwood, Faringdon Road, Southmoor**

(Wards Affected: Kingston Bagpuize with Southmoor)

(Pages 38 - 45)

**12. SUN/7291/5 – Demolition of existing 8 flats and construction of replacement building containing 8 flats Lincombe Lodge, Fox Lane, Boars Hill**

(Wards Affected: Sunningwell and Wootton)

(Pages 46 - 54)

**13. CUM/19444 – Demolition of 109 Eynsham Road and erection of eight dwellings. Land to rear of 101 – 109 Eynsham Road, Botley**

(Wards Affected: Appleton and Cumnor)

(Pages 55 - 72)

### Exempt Information under Section 100A(4) of the Local Government Act 1972

None.



**OUR VISION AND AIMS**

Our Vision is to build and safeguard a fair, open and compassionate community

The Vale of White Horse District Council aims to:

Strengthen local democracy and public involvement through access to information, consultation, and devolution of power so that everyone can take part in our community and contribute to the decisions which affect our lives

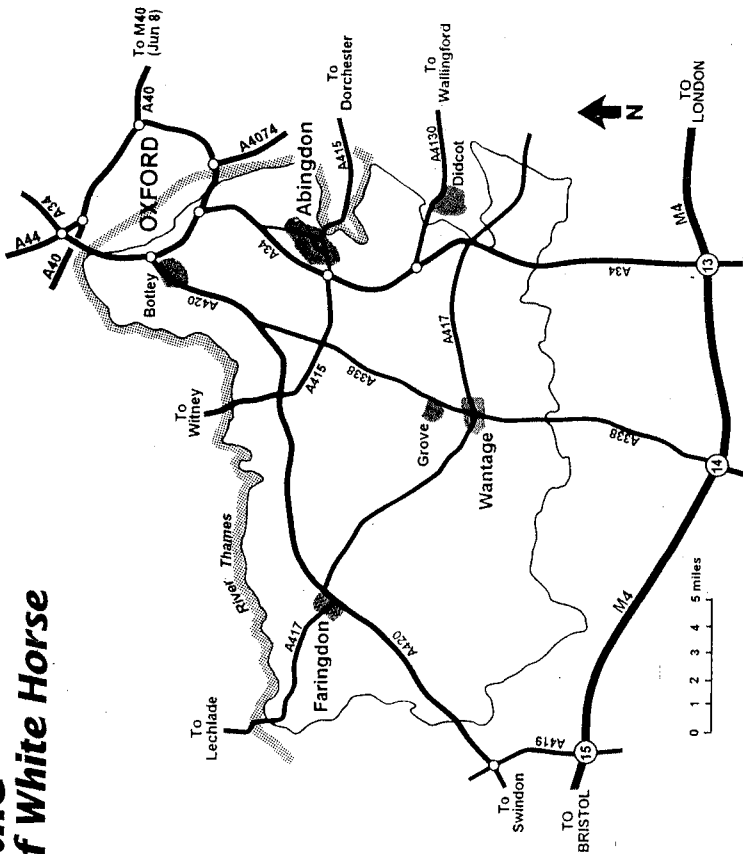
Create a safer community and improve the quality of life among Vale residents

Encourage a strong and sustainable economy which benefits all who live in, work in or visit the Vale

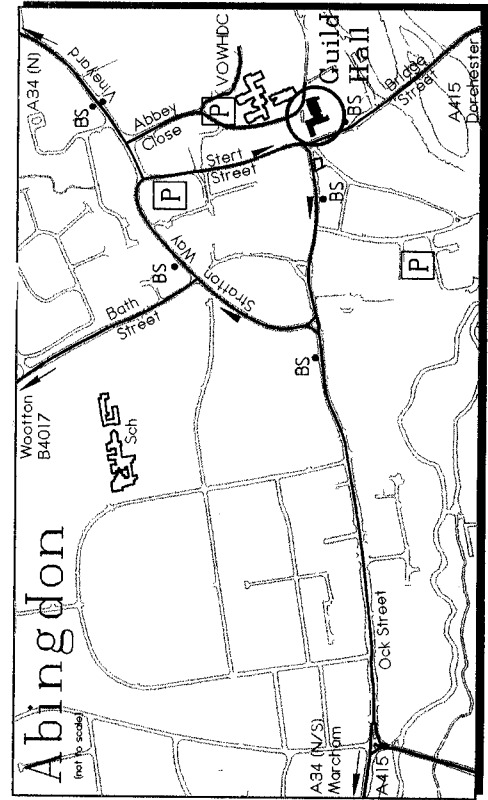
Help disadvantaged groups and individuals within the Vale to realise their full potential

Provide and support high quality public services which are effective, efficient and responsive to the needs of people within the Vale

Protect and improve our built and natural environment



Abingdon, Guildhall



KEY : BS = Bus Stop

# LOCATION MAP



**APPENDIX 1**

**Formal Decisions**

made on 31 January 2006

by **Robin Jacques** MSc BSc(Hons Arch) RIBA FRSA

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date

16 FEB 2006

**Appeal A: APP/V3120/E/05/1191084**

**Ickleton House, London Road, Blewbury OX11 9NZ**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr and Mrs J Kay against the decision of Vale of White Horse District Council.
- The application No: BLE/15593/4-LB, dated 11 July 2005, was refused by notice dated 6 September 2005.
- The works proposed are a single storey rear extension for a bedroom.

**Summary of Decision: The appeal is allowed and listed building consent granted subject to the conditions set out under the Formal Decision below.**

**Appeal B: APP/V3120/A/05/1191083**

**Ickleton House, London Road, Blewbury OX11 9NZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs J Kay against the decision of Vale of White Horse District Council.
- The application No: BLE/15593/3, dated 11 July 2005, was refused by notice dated 6 September 2005.
- The development proposed is a single storey rear extension for a bedroom.

**Summary of Decision: The appeal is allowed and planning permission granted subject to the conditions set out under the Formal Decision below.**

**Procedural Matters**

1. The Council indicates that the planning history of the appeal building includes listed building consent and planning permission granted in 1998 for the demolition of a garage and the conversion of an outbuilding into ancillary residential accommodation. In December 1999 planning permission was granted for the removal of Condition 2 on Approval BLE/15593/1 to allow its use as a separate dwelling.
2. The descriptions of the proposal above are taken from the application forms, and the Location Plan submitted indicates that the application site encompasses the converted outbuilding subject to those consents, as well as Ickleton House, its garden, and an area of land to the south of Pilgrim's Way. However, it is not in dispute that whilst all of the above property and land is in the same ownership, the appeals relate to the converted outbuilding known as Ickleton Barn, and I have dealt with them on that basis. The Council's amended description of the proposal on the decision notices is also used in the appeal forms and, for the avoidance of doubt about the works and development permitted, I have similarly modified the descriptions in the Formal Decisions below.

3. The converted barn is within the curtilage of the Grade II listed house, dating from the mid- C18, and it is not in dispute that it was built before 1 July 1948. It appears that it formed part of the land of the principal building at the date of listing, and was not historically an independent building. I have, therefore treated it as part of the listed building. It is within the Blewbury Conservation Area.

#### **Development Plan and Other Planning Guidance**

4. In deciding these appeals I have had regard to Government guidance including Planning Policy Guidance Note 15: *Planning and the Historic Environment* (PPG15). Under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LB Act) I am required, when considering whether to grant listed building consent or planning permission, to have special regard to the desirability of preserving the listed building or its setting, or any special architectural or historic features which it possesses. Under section 72(1) of the same act, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
5. The Development Plan includes the Vale of White Horse Local Plan, adopted November 1999 (LP). LP Policies HE1 and HE11 reflect the duties referred to above under the LB Act with regard to conservation areas and listed buildings respectively. There is also an emerging Draft Second Deposit Local Plan 2011 (June 2004), which is at an advanced stage in the processes leading to its adoption (LP/D). Policies HE1, HE5 and HE6 do not differ significantly from the relevant policies of the adopted Plan as they affect this appeal, and I have afforded them substantial weight.

#### **Main Issue**

6. I consider that there is one main issue that applies equally to both Appeal A and Appeal B, and that is the effect of the proposal on the special interest and setting of the listed building and on the character or appearance of the Blewbury Conservation Area.

#### **Reasons**

7. According to the appellants, the existing converted barn was built in 1928, and almost completely rebuilt in 2001 when converted, although it retained its original roof covering of diamond pattern asbestos-cement slates, and this is not disputed by the Council. On my site visit, I saw that it is a relatively long narrow building, clad in horizontal timber weatherboarding above a brick plinth. It has various openings in the long elevation facing south onto Pilgrim's Way. The internal floor level is lower than Pilgrim's Way, and the converted building contains two stories.
8. The rear two storey elevation is mainly of solid boarding with few openings. In my view, the building expresses its modern conversion to use as a dwelling, retaining a traditional vernacular character in its form, materials and details which contributes positively to the character and appearance of the conservation area. Other buildings nearby to each side along Pilgrim's Way, are predominantly utilitarian sheds and garages serving the primary dwellings fronting onto London Road.
9. The proposed single-storey extension would be to the rear of the barn on the north side, about 6.1m wide by 5.9m deep as scaled externally from the plan. It would have a low-pitched roof at 25 degrees and the lower part of the end gable would be hipped, with a vertical spandrel above. It would have corner windows to each side of timber corner posts and a pair of French doors in the end elevation, with a roof light above. There would be two rooflights in the east roof, and a slot window at the junction with the barn.

10. The overall form and proportions would be different from the traditional proportions and agricultural origins of the barn. It would not imitate the original building, and its modern style would differentiate it from the agricultural form of the original building. Its low ridge would intersect the existing building below the eaves, it would be subservient to the dominating dark-boarded rear elevation, and would not interfere with the long barn roof. It would use matching materials and colours that would harmonise with those of the barn and, in itself, I consider that it would be a distinctive design and a good quality addition.
11. The proposed room appears large on the plans, in relation to the smaller spaces of the barn, but these appear to have been created by modern sub-division. The appellants indicate that the size of the extension is dictated by the position of an existing rear door. However, it seems to me that this position could be altered, without loss of historic fabric, and I have given this only little weight. Whilst this may facilitate a narrower extension, to my mind, such a difference would not in itself significantly alter the effects upon the original character, special interest or setting of the listed building, and I have given greater weight to the quality of the particular design in this case.
12. The extension would be in the corner formed by the north side of the building and the adjacent domestic garage to the east, which is at a higher ground level and extends well back into its site. To the rear it would face an existing boundary fence and planting, dividing this part of the site from the neighbouring property on London Road, which lies lower on the sloping gardens. In my view, this is not a space which makes a significant contribution to the special interest of the area or the setting of the listed building. In accordance with the advice of paragraph C.7 of Annex C of PPG15, I consider that the proposed extension would not dominate the existing barn in scale, material or situation. Having regard to paragraph 3.13 of PPG15, I conclude that the proposed extension would preserve the special interest and the setting of the listed building.
13. Due to its position it would be hardly visible from Pilgrim's Way or any publicly accessible viewpoint, and it would not affect the relationship of the barn with its historic agricultural setting to the south. Although it could be seen from the rear of a number of houses on London Road, these have various extensions and conservatories, and an informal character that includes the utility buildings to each side of the barn itself. Having regard to Government guidance in paragraph 4.20 of PPG15, I conclude, that the proposal would leave the character and appearance of the Blewbury Conservation Area unharmed. Therefore the proposal would not be in conflict with the aims and objectives of national policy for the protection of the historic environment, LP Policies HE1 and HE11, or LP/D Policies HE1, HE5 and HE6.

#### **Conditions**

14. The Council has suggested conditions for use if the appeals are allowed, and I have considered these in the light of Government guidance in Circular 11/95 and the tests set out therein. Under both Appeals A and B, a time limiting condition is required. However, notwithstanding the Council's proposed period of three years, the revised duration of permission and consent under the Planning & Compulsory Purchase Act 2004 had not come into effect at the time the applications were made. Therefore, I have imposed the period of five years normally applying at that time.



15. Notwithstanding the annotation on the drawings, I agree that conditions are needed under both appeals to allow the Council to approve samples of the external materials to be used in the works, and full details of the joinery and rainwater goods including their finish and colour, in the interests of protecting the character and appearance of the listed building within the conservation area.

#### **Other Matters**

16. I have taken account of all other matters, including the written representations of interested parties. Neither these, nor any other matters raised, outweigh my findings on the main issue in both appeals.

#### **Conclusions**

17. For the reasons given above, and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should succeed.

#### **Formal Decisions**

##### **Appeal A**

18. I allow this appeal and listed building consent is granted for the erection of a single storey rear extension to barn at Ickleton House, London Road, Blewbury OX11 9NZ in accordance with the terms of the application No: BLE/15593/4-LB, dated 11 July 2005, and the plans submitted therewith, subject to the following conditions:

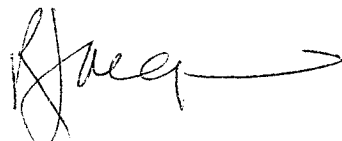
- 1) The works hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) No works shall take place until samples of the external materials to be used in the development hereby permitted have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 3) No works hereby permitted shall take place until full details of the material, type, design and external finish of all external joinery and rainwater goods have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

##### **Appeal B**

19. I allow the appeal and planning permission is granted for the erection of a single storey rear extension to barn at Ickleton House, London Road, Blewbury OX11 9NZ in accordance with the terms of the application No: BLE/15593/3, dated 11 July 2005, and the plans submitted therewith, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) No works shall take place until samples of the external materials to be used in the development hereby permitted have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 3) No works hereby permitted shall take place until full details of the material, type, design and external finish of all external joinery and rainwater goods have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

INSPECTOR



# APPENDIX 2

## Appeal Decision



Site visit made on 31 January 2006

by **C S Kirkbride** BA(Hons) DipTP MSc

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date

**22 FEB 2006**

---

**Appeal Ref: APP/V3120/A/05/1194114**

**5 Norman Avenue, Abingdon, Oxon. OX14 2HQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Drewett against the decision of the Vale of White Horse District Council.
- The application Ref ABG/19058, dated 28 January 2005, was refused by notice dated 19 May 2005.
- The development proposed is two-storey side and rear extensions.

**Summary of Decision: The appeal is dismissed.**

---

### Main Issues

1. I consider that the main issues are the effects of the proposal on the character and appearance of Norman Avenue and on the living conditions of the occupants of 7 Norman Avenue with respect to natural light and outlook.

### Planning Policy

2. The development plan includes the Vale of White Horse Local Plan adopted 1999 (LP) and the policies I consider to be most relevant to the determination of the appeal are D1 and H18. Policy D1 seeks to ensure that all new development is of a high standard of design taking into account such matters as scale, bulk, height and its relationship to nearby properties. Policy H18 seeks to ensure that, amongst other matters, extensions to existing dwellings do not harm the character and appearance of its surroundings and the amenities of neighbouring properties by reason of scale, massing and positioning. The thrust of these adopted policies is carried forward, respectively, by emerging policies DC1 and H24 in the Vale of White Horse Local Plan 2011 Second Deposit Draft June 2004.

### Reasons

3. The appeal property is a semi-detached, hipped roof, 2-storey house and is one of 4 similar properties situated towards the southern end of Norman Avenue. There is a gap to its southern boundary with 3 Norman Avenue, a detached house with a gable end and integral garage, and a side driveway leads to a sectional garage at the rear, sited on the common boundary. The proposal is to erect a 2-storey side extension and a part 2-storey/part single storey rear extension, and to carry out roof alterations to provide additional accommodation in the roof space.

### Character and Appearance

4. Norman Avenue is broad and tree-lined, with a mix of detached and semi-detached, 2-storey houses and bungalows set back from the road. Roof profiles are predominantly

hipped but gaps between dwellings and side boundaries to plots vary. Therefore, I can see no reason, in principle, why a proposal for a 2-storey side extension should not be permitted provided it complies with relevant adopted and emerging LP policies. Indeed, the appellant has drawn my attention to a similar, unimplemented, scheme recently permitted by the Council at 9 Norman Avenue.

5. I note that the proposed side extension would be sited some 200mm away from southern boundary with 3 Norman Avenue; would be about 1.8m wide, and would retain the existing building's hipped roof profile. However, I also note that it would neither be set back behind the existing front elevation nor have a lower roof, unlike the permitted scheme at no.9. Consequently, the proposed side extension would not appear subservient to the existing house, as generally dictated by good design principles and, in my opinion, the resultant terracing effect would serve only to exaggerate the incongruity of the proposed cycle store doorway and first floor window arrangements to the front elevation in relation to the existing.
6. Therefore, I conclude that the proposal would harm the character and appearance of both the existing house and the street scene, contrary to LP policies D1 and H18 and emerging policies DC1 and H24.

### ***Living Conditions***

7. I note that the 3m gap between the proposed 2-storey rear extension and the appeal site's northern boundary would be filled by a flat-roofed, single storey extension some 3.75m deep with a pitch to the rear of the roof. The proposed extension would have a height of between 3.2 and 2.5m; be built to within 150mm of the boundary with 7 Norman Avenue, which adjoins to the north, and would extend some 2m beyond an existing single storey extension at the rear of that property.
8. I observed that no.7's extension, which is lower than the proposed extension, provides its occupants with extended kitchen and lounge accommodation. I also observed that the lounge is solely reliant on sunlight and daylight received via rear, glazed patio doors situated only about 300mm from boundary with the appeal property. Whilst the existing 1.8m high boundary fence must already restrict sunlight and daylight to these patio doors, the proposed extension would be between 1.4 and 0.75m higher and, in my opinion, would be an intrusive and overbearing feature which would result in further overshadowing and a reduction in sunlight and daylight to the rear of no.7.
9. Therefore, and even though the Council did not refuse the proposal for these reasons, I conclude that the proposal would harm the living conditions of the occupants of 7 Norman Avenue, contrary to LP policies D1 and H18 and emerging policies DC1 and H24.

### **Other Matters**


10. The appellant has submitted a number of photographs showing other recent extensions elsewhere in North Abingdon. However, I am not aware of the circumstances of these particular schemes and, in any event, I must consider the proposal before me on its own merits.

**Conclusion**

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

**Formal Decision**

12. I dismiss the appeal.

C.S. Kinsmill  


INSPECTOR

# APPENDIX 3

## Formal Decision

made on 07 February 2006



by **R G Gardener** BSc(TownPlan) MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date

**20 FEB 2006**

**Appeal Ref: APP/V3120/C/05/2002799**

**Land at 20 South Quay, Abingdon, Oxfordshire OX14 5TW**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by A Murat Terzi against an enforcement notice issued by Vale of White Horse District Council.
- The Council's reference is ABG/17715/2-E.
- The notice was issued on 26 May 2005.
- The breach of planning control as alleged in the notice is, without planning permission, building operations involving the erection of decking and arbours.
- The requirements of the notice are to:
  - (a) Permanently remove the decking and arbours from the land.
  - (b) Remove from the land all materials brought onto the land in connection with the erection of the decking and arbours, including all supporting block and brickwork and support timbers.
  - (c) Restore the land to the condition before the breach took place, such restoration to include the reinstatement of the marina bank and the reinstatement of the sloping grass bank.
- The period for compliance with the requirements is two calendar months.
- The appeal is proceeding on the grounds (a), (b), (c) and (f) set out in section 174(2) of the Town and Country Planning Act 1990 as amended.

**Summary of Decision: The appeal succeeds in part and permission for that part is granted, but otherwise the appeal fails and the enforcement notice is upheld as set out below in the Formal Decision.**

### Procedural Matters

1. As the notice requirements indicate, the appeal site borders a body of water on which there is a marina. A plan attached to the enforcement notice identifies the land affected and the locations of those parts of the marina and grassed banks required to be reinstated by requirement (c). This also shows the alleged breach to be in 2 parts. The first – Area A – is immediately behind the appellant's house where a previously grassed bank which sloped down to the marina edge has been raised behind a black painted concrete retaining wall. Wooden decking has been laid across the raised area on which has been erected a timber pergola over a brick barbecue. In Area A is also timber decking adjacent to the house and the original flight of timber steps down to the marina has been widened.
2. The second – Area B – is at right-angles to the main house and takes in about 10m. of the steep bank which forms the southern edge of the water area. It is owned by the appellant but is separated from Area A by a communal footway which follows the western edge of the marina at this point. The use of the footway is shared by those South Quay properties

which back onto it. Although unfinished, a decking platform has been constructed on concrete block walls and upright timber supports set into the bank and over this is an extensive timber pergola.

3. For clarification, at my inspection of the site the Council confirmed that the notice is directed at the raised decking in Area A and B, not the smaller portion adjacent to the house or the widened steps. The arbours referred to in the allegation are what I have described as pergolas over the affected decking in both Areas A and B.
4. Since this appeal was lodged, another against the Council's refusal of planning permission for development at the appeal property has been dismissed (APP/V3120/A/05/1178344). That development was described as 'retrospective application for an arbour and additional pontoons'. The arbour is that in Area B but included the raised decking and supports which go with it. The scheme then considered also incorporated partial roofing and infilling to the arbour sides. That is not part of the proposal before me nor are the pontoons since they have not been constructed. Conversely, the application did not include the work carried out in Area A which I do have to determine.

**Ground (b)**

5. The matters given in support of this ground of appeal are pertinent to ground (a) rather than ground (b) which is whether what is alleged in the notice has taken place as a matter of fact. In that respect it is evident that both the decking and arbours have been constructed and are in place as alleged. The appeal fails on this ground.

**Ground (c)**

6. Similarly, the appellant makes no relevant submissions under this ground why what has been constructed is either not development as defined or does not require specific planning permission. In the absence of any substantive case to the contrary it seems to me that the decking and arbours amount to a building operation and, in accordance with s55 of the 1990 Act, are operational development for which planning permission was required.
7. The Town and Country Planning (General Permitted Development) Order 1995 grants planning permission for certain buildings and structures with the curtilage of a dwellinghouse (Class E to Part 1 of Schedule 2). This is generally known as 'permitted development'. In this case however the Council states that the land on which the development has occurred is not within the curtilage of 25 South Quay. It also appears that permitted development rights have in any event been removed by condition attached to the planning permission under which the housing development was carried out. I have no evidence to contradict the effect of either situation. Indeed, although the onus of proof rests on the appellant, he makes no claim to the contrary.
8. On the basis of the cases presented to me the works amount to development for which the necessary planning permission was not obtained. This ground of appeal also fails.

**Ground (a) – the deemed application for planning permission**

Main Issues

9. These are, firstly, the effect of the decking and arbours on the character and appearance of the marina development and its relationship to the open land to the south and, secondly, the

impact of the use of the decking areas on the living conditions of neighbouring residents, particularly in terms of any overlooking or loss of privacy it may cause.

#### Planning Policy

10. The development plan policies relied on by the Council are contained in the Vale of White Horse Local Plan adopted in 1999. For ancillary buildings and structures to existing dwellings, Policy H18 specifies factors which are to be taken into account. These include their effect on the locality through scale, massing and positioning, the need for materials used to blend in and the effect on neighbours' amenity, including privacy. Similar considerations are expressed in Policies D1 and D2. Policy D4 requires the provision of landscaping to ensure that new development blends into the site and its surroundings.

#### Reasons

11. The appeal property is one of 22 houses originally granted planning permission in December 1998. The permission included a marina for 100 boats onto which the rear elevation of the appellant's house and those of his neighbours on South Quay face. To the east, beyond the marina, is a large public open space which borders the marina and across which the appeal property and the arbours, at least, are conspicuous. The rear elevations of houses on the north side of the body of water also face towards Area B. The southern edge of the appellant's property, including Area B, is formed by a largely unmade private drive which leads to the marina, a boat yard and the public open space. Although there is a 2m. or so timber panelled fence on this boundary, the Area B arbour is clearly visible above it.
12. While raising the same issues, the Area A and B works can be considered separately. Much of what I have read, particularly from those objections made by local residents, concerns Area B. That is perhaps not surprising since, because of its position and scale, it is viewed over a wide area across the marina than Area A, which it masks. The relative lack of objection to the works on Area A may also be attributable to the fact that, from what I saw, the majority of the original grass banks in the gardens of the houses around the water edge have been similarly adapted, although in a wide variety of styles and materials. Indeed the previous Inspector commented on such features as being fairly common. No doubt that in turn helped form his opinion that there is no in principle objection to the provision of some decking on 'the site'. That of course was in respect of Area B, which he was considering, while the other examples around the marina compare most directly to Area A, which he was not. It is Area A that I consider first.
13. The Council points out that the other decking or similar structures with which comparison was made do not have planning permission (bearing in mind that permitted development rights have been removed). There is no evidence however that enforcement action is to be taken against those, if that is still possible. Even so, I am conscious that the outcome of this appeal, at least in respect of Area A, could have further significance.
14. I agree with the Council that a high quality development has been achieved in and around the marina. As part of the concept it seems that grass banks were a design feature of the small rear gardens to provide a transitional landscaped area at the water's edge. I cannot prejudge whether the Council will take action against the other developments or whether it would be successful if it did. It is now a widespread occurrence to the extent that it would be irrational to ignore it as part of the local scene. The retaining wall and decking (with which I include the balustrade) sit comfortably with both what has taken place in the

adjoining gardens and further away. In that context I consider that the resulting visual impact is acceptable.

15. Structures such as the arbour however are not typical and I agree that, if uncontrolled, the attractive appearance of the development around and enclosing the marina could be easily harmed by such development. The removal of permitted development rights reflects that possibility and establishes the intention to retain these areas as relatively free from built development. I support that intention although it cannot be treated as a complete embargo, only a means of control. In this case, the arbour is a small feature, a light and open framework limited to that part of the decking close to the south boundary fence. It is not only at the extreme southern end of the housing development but the background of the solid fence panels in fact disguises it in most views across the marina. That situation is unlikely to be repeated so that its retention would not set a precedent for similar works in more exposed positions. In my opinion, it is acceptable here particularly if used as a support for appropriate climbing plants.
16. As to the second issue, short screen panels provide limited seclusion and privacy close to each house but overall the rear gardens are small and exposed to view from the water and to neighbours. The Area A decking has increased the field of view for those using it but not unduly so and certainly to no greater extent than is achieved from the similarly adapted adjoining gardens. I see this as a mutually compatible situation which is also acceptable.
17. Area B gives rise to other considerations. While it also has the same background southern boundary fence, this arbour structure is much larger and far more conspicuous. Moreover, the domestic character of the houses and gardens is contained and defined by the footway along the marina edge. Area B in contrast is part of the natural, undeveloped southern fringe of the water which is still very much in evidence. While I note the views of my colleague, the natural state of the bank complements the open, largely rural character of the land to the south and east and sets it apart from the garden areas where other works have taken place. The effect of the decking, its supports and the arbour intrudes considerably into this aspect of the marina and the perception of the openness beyond. It is a large structure which has spread built development beyond the obvious domestic area and has had the added undesirable effect of removing the natural bank to the water edge on that side.
18. As explained, the South Quay gardens have only limited privacy so that those relatively secluded parts assume greater significance. On the second issue, as with Area A, the raised decking allows more widespread views across the gardens but to a markedly greater and more effective extent, including into the spaces between the screen panels. The decking would provide an attractive place for sitting and outdoor activity. The direct overlooking it would allow would be felt mainly in the adjoining gardens while a loss of privacy would be perceived beyond those. Again, I have had regard to the previous Inspector's conclusions but in my view these consequences add to the reasons why planning permission should not be granted for this part of the development.
19. I have considered all other matters raised but none outweigh the conclusions I have set out.

#### Conditions

20. Conditions have been suggested by the Council and by the Environment Agency which mainly relate to Area B and are not relevant to the Area A works. For Area A I have remarked on the need for planting and I shall impose a condition to that effect.



### Conclusions

21. The appeal on ground (a) succeeds in respect of Area A but fails in respect of Area B, for which planning permission will not be granted.

### **Ground (f)**

22. The appellant suggests adapting the harbour by removing it in part rather than its wholesale removal as the notice requires. He sees support for that approach in the previous appeal decision which I can understand. For the reasons given I consider that Area B has particular attributes which would need to be respected and which the development currently fails to do. While I could not rule out some other development, it is unlikely that my concerns could be overcome by adapting what is already in place and the appellant has not shown otherwise by a scheme or explanation.

23. I have considered whether the notice should require a scheme to be submitted to the Council. However, not only am I doubtful that this would be effective but the Courts have established that requiring the submission of a scheme, even for agreement, introduces an unacceptable degree of uncertainty to an enforcement notice.

24. The appeal fails on ground (f).

### **Note**

25. In view of my decision to grant planning permission in respect of Area A, I have considered whether the notice requirements should be varied accordingly. However, because of the provisions of s173(11) of the 1990 Act, the effect of deleting the requirements for that area would be to grant planning permission, without conditions. That would run counter to my decision under ground (a).

26. I shall therefore leave the notice requirements intact. However, reliance can be placed on s180(1) whereby the notice shall cease to have effect in respect of that part for which planning permission is granted, insofar as is consistent with that permission.

### **Formal Decision**

27. I grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the erection of decking and harbours on land at 20 South Quay, Abingdon, Oxfordshire OX14 5TW between points C and D as shown on the plan attached to this Decision, subject to the following conditions:

- 1) Unless within 1 month of the date of this decision a planting scheme for the harbour is submitted in writing to the local planning authority for approval, and unless the scheme is implemented within 1 month of its approval by the local planning authority, the harbour and all associated building materials shall be removed from the site.
- 2) Any trees or plants which within a period of 5 years from the completion of the planting scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

28. I dismiss the appeal and uphold the enforcement notice and I refuse planning permission in respect of that land identified generally between points A and B on the plan attached to this Decision, on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

A handwritten signature in cursive script, appearing to read "A. Gardner", with a long horizontal flourish extending to the right.

**Inspector**



### Plan

This is the plan referred to in my decision dated:

*A. Gardiner*

20 FEB 2006

BSc(TownPlan), Inspector

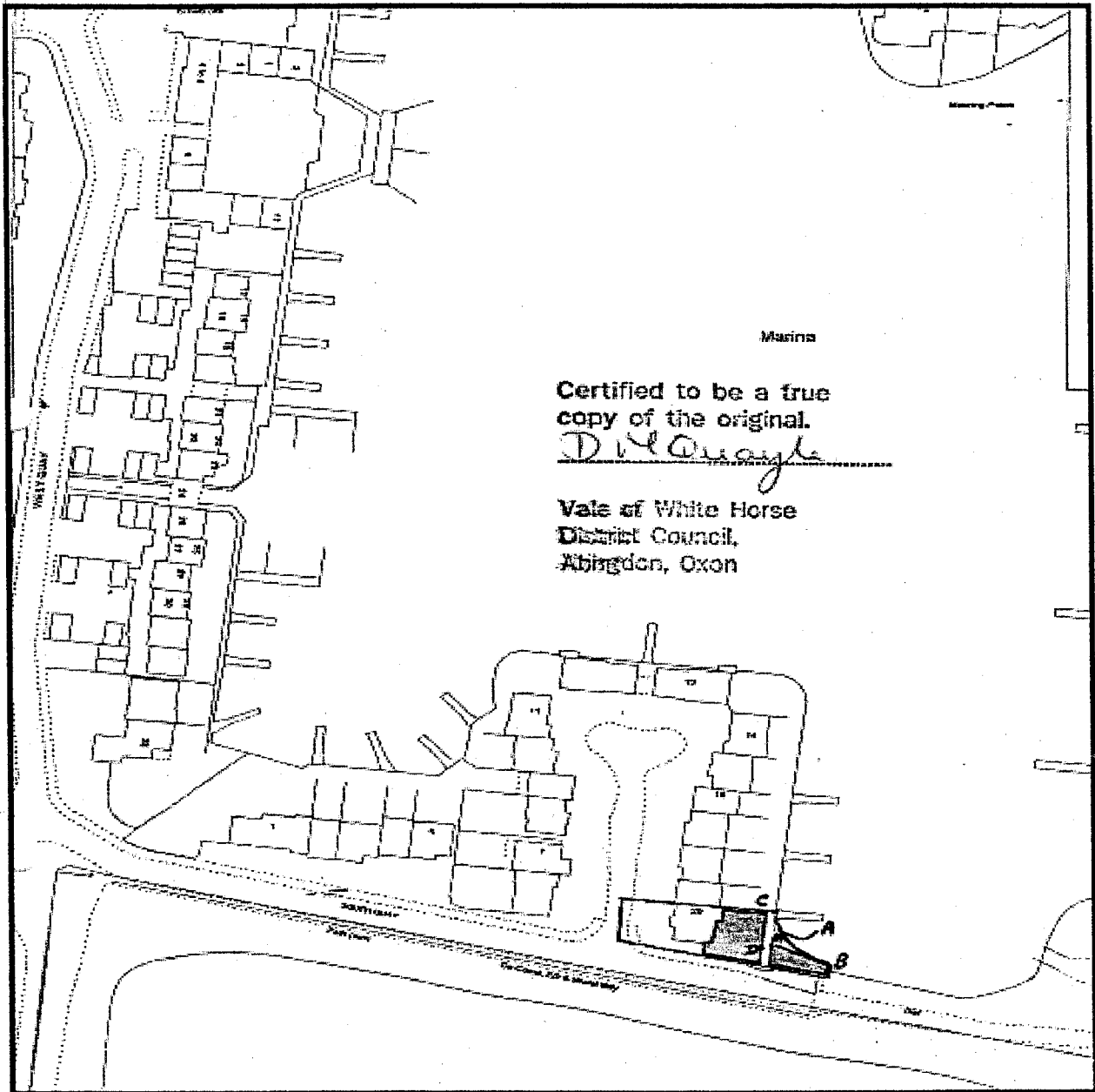
Land at 20 South Quay, Abingdon, Oxfordshire OX14 5TW

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372

e-mail: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)

Scale: NTS



List of Planning Appeals

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
9.12.04	APP/V3120/A/04/1168 964	WAN/13787/3	Mr Reed	25-26 Market Place Wantage Oxon OX12 8AE	Proposed development comprising of 2 x 2 bed flats, 1 x 1 bed flat and conversion of existing single storey building into a 2 bedroom dwelling (re-submission). (Access off Church Street).	Hearing	South	Withdrawn 21.11.05
26.1.05	APP/V3120/A/05/1171 680	DRA/445/25-X	Mrs J Ray	East Paddocks Milton Road Drayton Abingdon Oxon OX14 4EZ	Erection of three detached houses with garages and parking spaces.	Hearing 22.02.2006	South	
14.2.05	APP/V3120/A/05/1172 984	WAN/18492/1	Mr H Gibson	5 Belmont Wantage Oxon OX12 9AS	Demolition of single storey extension. Extension and alterations to existing dwelling. Erection of new dwelling.	Hearing  No date confirmed	South	
24.09.04	APP/V3120/A/04/1166 048 – <b>Linked with</b> <b>APP/V3120/A/04/1162</b> <b>005</b>	ABG/7375/7 – <b>Linked with</b> <b>ABG/7375/6</b>	Abingdon Bowls Club	Park Road Abingdon	Construction of new all weather bowling green with associated fencing, hedging and external work. Remove existing leylandii and fir hedging. (Re-submission).	Hearing 4.10.05	North	Dismissed 12/10/05

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
24.09.04	APP/V3120/A/04/1162 005 – <b>Linked with APP/V3120/A/04/1160 48</b>	ABG/7375/6 – <b>Linked with ABG/7375/7</b>	Abingdon Bowling Club	Park Road Abingdon Oxon	Extend bowling green to provide All Weather green.	Hearing 4.10.05	North	Dismissed 12/10/05
26.8.05	APP/V3120/H/05/1187 893	BES/19120-A	Hartwell PLC	Land at junction of Faringdon Rd and Besselsleigh Rd Besselsleigh Abingdon OX2 9RE	Erection of a freestanding sign.	Written Representations	North	Dismissed 2.11.05
19.7.05	APP/V3120/A/05/1184 856	NHI/7093/1	S & H Homes	62 Yarnells Hill Botley OX2 9BE	Non determination of application for the demolition of existing dwelling and erection of 5 flats with assoc. parking.	Written Representations	North	Allowed 2.11.05
03.03.05	APP/V3120/A/05/1174 751	ABG/1781/3	Mr Miah	116 Oxford Road Abingdon Oxon OX14 2AG	Demolition of detached dwelling. Erection of 2 storey building of 4 x 2 bed flats and 3 x 1 bedroom flats. Parking for 11 cars, landscaping and ancillary works.	Hearing  <b>Date to be confirmed</b>	North	
12.04.05	APP/V3120/A/05/1178 169 - <b>Linked with APP/V3120/A/05/1193 988)</b>	ABG/17140/1- <b>Linked with ABG/17140/2</b>	Builders Ede Ltd	Land Adjacent To The Police Station Colwell Drive Abingdon Oxon OX14 1AU	Erection of 18 x 1 bed apartments, 21 x 2 bed apartments and 23 houses.	Hearing  <b>Date to be confirmed</b>	North	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
18.04.05	APP/V3120/A/05/1178 302	ABG/9504/2	Mr J R & Mrs N C Dagnell	186 Wootton Road Abingdon Oxon OX14 1JZ	Erection of two storey side extension and sub-division of proposed extended property to form 2 x 2 bedroom flats and 2 x 1 bedroom flats. Provision of 4 car parking spaces, cycle and bin stores.	Hearing  <b>Date to be confirmed</b>	North	
28.04.05	APP/V3120/A/05/1178 957	KEN/17076/1-X	Infill Land Consultants	Land To Rear Of 179 - 189 Poplar Grove Kennington Oxford Oxon OX1 5QS	Erection of 12 dwellings & creation of a new access following demolition of 185 Poplar Grove.	Hearing  <b>2<sup>nd</sup> March 2006</b>	North	
10.11.05	APP/V3120/A/05/1186 041	WTT/5825/3	Peter White	39 Whitecross Abingdon OX13 6BS	Demolition of existing outhouse. Erection of a bungalow in the garden of 39.	Written Representations	North	
27.05.05	APP/V3120/A/05/1180 913	WAN/18828	Mr S Sanders	9 Bryan Way Wantage Oxon OX12 7EH	Moving of fence up to boundary line.	Written Representations	South	<b>Dismissed 05.09.05</b>
13.10.05	APP/V3120/A/05/1191 083	BLE/15593/3	Mr & Mrs J Kay	Ickleton House London Road Blewbury Didcot Oxon	Erection of single storey rear extension to barn.	Written Representations	South	<b>Dismissed 16.2.06</b>

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
13.10.05		BLE/15593/4-LB	Mr & Mrs J Kay	Ickleton House London Road Blewbury Didcot Oxon	Erection of single storey rear extension to barn.	Written Representations	South	Dismissed 16.2.06
28.10.05	APP/V3120/A/05/1192 482	EHA/18392/1-X	Mr and Mrs Dudley	Land Adjacent To Priory House Snuggs Lane East Hanney Wantage Oxon	Erection of a single dwelling.	Written Representations	South	
5.12.05	APP/V3120/A/05/1195 135	LRE/957/62-X	The Letcombe Manor Estate Ltd	Letcombe Laboratory Letcombe Regis Wantage Oxon OX12 9JT	Redevelopment for residential (class C3) use, provision of a retail unit (class A1) and/or locum health facility (class D1) in the Lodge. Rearranged access, car parking, landscaping and ancillary development.	Public Inquiry  No date confirmed	South	
	APP/V3120/E/06/1197 852	LRE/957/63-CA	The Letcombe Manor Estate Ltd	Letcombe Laboratory Letcombe Regis Wantage Oxon OX12 9JT	Demolition of all buildings except The Lodge.	Public Inquiry  No date confirmed	south	
08.02.06	APP/V3120/A/06/2007 783	SPA/15623/3	J L S Lonsdale	Home Farm West Street Sparsholt Wantage Oxon OX12 9PL	Demolition of redundant farm buildings. Erection of five houses.	Hearing  No Date Confirmed	South	
31.08.04	APP/V3120/A/04/1158	GCO/1297/11	Mr G D Sopp	Willowdene, Great	Change of use from	Written	North	Dismissed 31.10.05

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
	177			Coxwell, Faringdon	residential to mixed use of distribution base (B8) and overnight accommodation (C1). Extension to rear drive and construct hardstanding for vehicle wash area.	Representations		
21.6.05	APP/V3120/A/05/1182 969	FRI/11397/2	Robert & Rowena Wilson	Struan, Faringdon Road, Frilford Heath, Abingdon	Proposed first floor extension.	Written Representations	North	Dismissed 14.12.05
17.8.05	APP/V3120/A/05/1186 882	CUM/12445/1	Mr S Harrison	Swinford Park, Swinford, Witney	Proposed new access	Written Representations	North	Allowed 17.11.05
16.8.05	APP/V3120/A/05/1186 898	ABG/19026	D Papa & J Wootton	11 Fulwell Close, Abingdon, Oxon	Erection of a detached dwelling, alterations to access to existing dwelling and proposed dwelling. (land adjacent to 11 Fulwell Close).	Written Representations	North	Dismissed 11.1.06
18.8.05	APP/V3120/A/05/1186 949	ABG/19026/1	D Papa & J Wootton	11 Fulwell Close, Abingdon, Oxon	Erection of a detached dwelling, alterations to access to existing dwelling and proposed dwelling (Land adjacent to 11 Fulwell Close) (Re-submission).	Written Representations	North	Dismissed 11.1.06
22.9.05	APP/V3120/A/05/1189 104	APT/16711/4	Mr J McDonnell	Cubs Puddle, Milway Lane, Appleton, Abingdon	Erection of an open porch to provide covered access.	Written Representations	North	
29.9.05	APP/V3120/A/05/1118 7922	NHI/6289/3	Mr Caisbrook	Hilarion, Harcourt Hill, Oxford	Erection of a triple garage.	Hearing  <b>Date to be confirmed</b>	North	
3.11.05	APP/V3120/A/05/1192 876	GFA/16696/2	Wicklesham Commercial Properties Ltd	Wicklesham Lodge Farm, Faringdon	Removal of existing agricultural building/farm office and erection of replacement buildings for use class B1(a) office purpose. Car parking.	Hearing  <b>Date to be confirmed</b>	North	
17.11.05	APP/V3120/A/05/1194	ABG/19058	Mr S Drewett	5 Norman	Erection of a two storey side	Written	North	



Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
	114			Avenue, Abingdon	and rear extension.	Representations		
18.11.05	APP/V3120/A/05/1194 136	GFA/19052	Mr & Mrs J Flawn	26 Coleshill Drive, Abingdon	Conversion of garage into part dining room part study.	Written Representations	North	
21.11.05	APP/V3120/A/05/1193 988 - <b>Linked with</b> <b>APP/V3120/A/05/1178</b> <b>169</b>	ABG/17140/2 - <b>Linked with</b> <b>ABG/17140/1</b>	Builders Ede Ltd	Land adj. to the Police Station, Colwell Drive	Erection of 18 x 1 bed apartments, 18 x 2 bed apartments and 23 houses.	Hearing <b>2/3/06</b>	North	
17.1.06	APP/V3120/A/06/1197 354	ABG/19358	DFPI Ltd	Land to rear of 81 Ock Street, Abingdon, Oxfordshire, Ox14 5AG	Demolition of outbuildings. Erection of 2 x 2 bedroom dwelling	Written Representations	North	<b>Dismissed – 22.2.06</b>
13.2.06	APP/V3120/A/06/2007 968/NWF	CUM/11471/2	Mr P Jewson	Site at Lane Barn, Eynsham Road, Farmoor, Oxford, OX2 9NL	Proposed extension	Written Representations	North	
13.2.06	APP/V3120/A/06/2008 268/NWF – <b>Linked</b> <b>with</b> <b>APP/V3120/A/06/2008</b> <b>270 &amp;</b> <b>APP/V3120/A/06/2008</b> <b>265/NWF</b>	GCO/17377/3 – <b>Linked with</b> <b>GCO/17377/4</b> <b>&amp;</b> <b>GCO/17377/5</b>	Mr Geoff Robbins	Faringdon Golf Course, Great Coxwell, Faringdon, Oxon, SN7 7LU	Conversion of golf club house into golf course related guest accommodation and ancillary works	Written Representations	North	
13.2.06	APP/V3120/A/06/2008 270/NWF – <b>Linked</b> <b>with</b> <b>APP/V3120/A/06/2008</b> <b>268/NWF &amp;</b> <b>APP/V3120/A/06/2008</b>	GCO/17377/4 – <b>Linked with</b> <b>GCO/17377/3</b> <b>&amp;</b> <b>GCO/17377/5</b>	Mr Geoff Robbins	Faringdon Golf Course, Great Coxwell, Faringdon, Oxon, SN7 7LU	Erection of a dwelling (Amended plans)	Written Representations	North	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
	<b>265/NWF</b>							
13.2.06	APP/V3120/A/200826 5/NWF– <b>Linked with APP/V3120/A/06/2008 268/NWF &amp; APP/V3120/A/06/2008 270/NWF</b>	GCO/17377/5 – Linked with GCO/17377/3 & GCO/17377/4	Mr Geoff Robbins	Faringdon Golf Course, Great Coxwell, Faringdon, Oxon, SN7 7LU	New golf reception room, toilets, workshop, car parking and landscaping	Written Representations	North	
25.4.05	APP/V3120/C/05/2001 296	GCO/2087/13- E	Tapecrown Ltd	Units 5,6,8,9, 10,11, 18 and 20 and parts of units 15 and 17 Chowle Estate Great Coxwell Faringdon	Enforcement against without planning permission change of use of the land from use for agriculture to the use of the land for the design and manufacture of shop fittings	Written Representations	North	Dismissed 20.1.06
18.8.05	APP/V3120/C/05/2002 799	ABG/17715/2-E	Mr Terzi	20 South Quay Abingdon	Enforcement against without planning permission building operations involving the erection of decking and arbour	Written Representations	North	Part Dismissed Part Allowed 20.2.06
18.2.06	APP/V3120/C/06/2008 077 APP/V3120/A/05/1192 443	CUM/18082/2 CUM/18082/3-E	Mr C Pugh	10 Hids Copse Road Cumnor Hill	Part retrospective application for alterations, extension and new vehicular access (Amendment to approval CUM/18082/1). Enforcement against without Planning permission building operations of insertion of two unauthorised windows and unauthorised extension to the garage.	Hearing	North	
17.10.05	APP/V3120/C/05/2003	DRA/445/27-E	Mr L Wells	East Paddocks	Enforcement against without	Public Inquiry	South	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
	518			Drayton Mill Mill Road Drayton OX14 4EZ	planning permission operational development has taken place involving the laying of hardcore and construction of a concrete bridge across Mill Brook	16.5.06		
17.10.05	APP/3120/C/05/20035 19	EHE/1965/7-E	Mr L Wells	Greensands East Hendred OX12 8JG	Enforcement against without planning permission change of use from use for agriculture to storage of non- agricultural items, materials and equipment including parking and storage of vehicles.	Public Inquiry 9.5.06	South	
02.06	APP/HH/06/111	HH1	Mr Mrs M Gallington	Downlands South Row Chilton OX11 0RJ	Against a Remedial Notice concerning a High Hedge		South	

G:\Admin\Committee Schedules>List of Forthcoming Public Inquiries and Hearings

## **SUT/2124/1 – Mr & Mrs Buchanan**

**Erection of a detached dwelling with annexe and garage. New dual access to serve existing and proposed dwellings.**

**Beechfield House, Abingdon Road, Sutton Courtenay.**

### **1.0 The Proposal**

- 1.1 Permission is sought for the erection of one detached dwelling on land within the curtilage of Beechfield House, Sutton Courtenay. The house is to be located between Beechfield House and its neighbour, The Poplars. A copy of the plans are attached at **Appendix 1**.
- 1.2 Access to the site will be from a new joint access drive at the northern corner of the site.
- 1.3 The application is brought to Committee as a result of the objection received from Sutton Courtenay Parish Council.

### **2.0 Planning History**

- 2.1 There is no planning history associated with this site.

### **3.0 Planning Policies**

- 3.1 Policy H5 of the adopted local plan and Policy H10 of the Second Deposit Draft Local Plan allow for the provision of infilling and minor development on sites within the Sutton Courtenay village, unless the site contributes positively to the form or character of the village, involves the loss of local amenities or results in harm of the character of the area. Policies D1 and D2 of the adopted Local Plan seek to ensure a high standard in new development and this is reiterated by Policy DC1 of the Second Deposit Draft Local Plan.

### **4.0 Consultations**

- 4.1 Sutton Courtenay Parish Council – objects – see **Appendix 2**.
- 4.2 Environment Agency – no objections subject to conditions.
- 4.3 Drainage Engineer – Flood Risk Assessment requirements should be conditions.
- 4.4 Thames Water – Comments awaited.
- 4.5 1 letter of objection summarised as follows:- new house will be very close to boundary, overlooking from first floor windows, new garage in front of established building line. Three storey dwelling not in keeping. Beechfield House is served by a septic tank which does not have the capacity to take an additional dwelling. House should be located to the north of existing house.

### **5.0 Officer Comments**

- 5.1 Beechfield House is a mature substantial detached dwelling situated on the eastern side of Abingdon Road on the northern edge of the village of Sutton Courtenay. The existing house sits in a generous plot and permission is sought to erect a detached 5 bedroomed house between Beechfield House and its neighbour 'The Poplars'.
- 5.2 The site is very well screened from Abingdon Road and a high fence forms the southern boundary with 'The Poplars'.

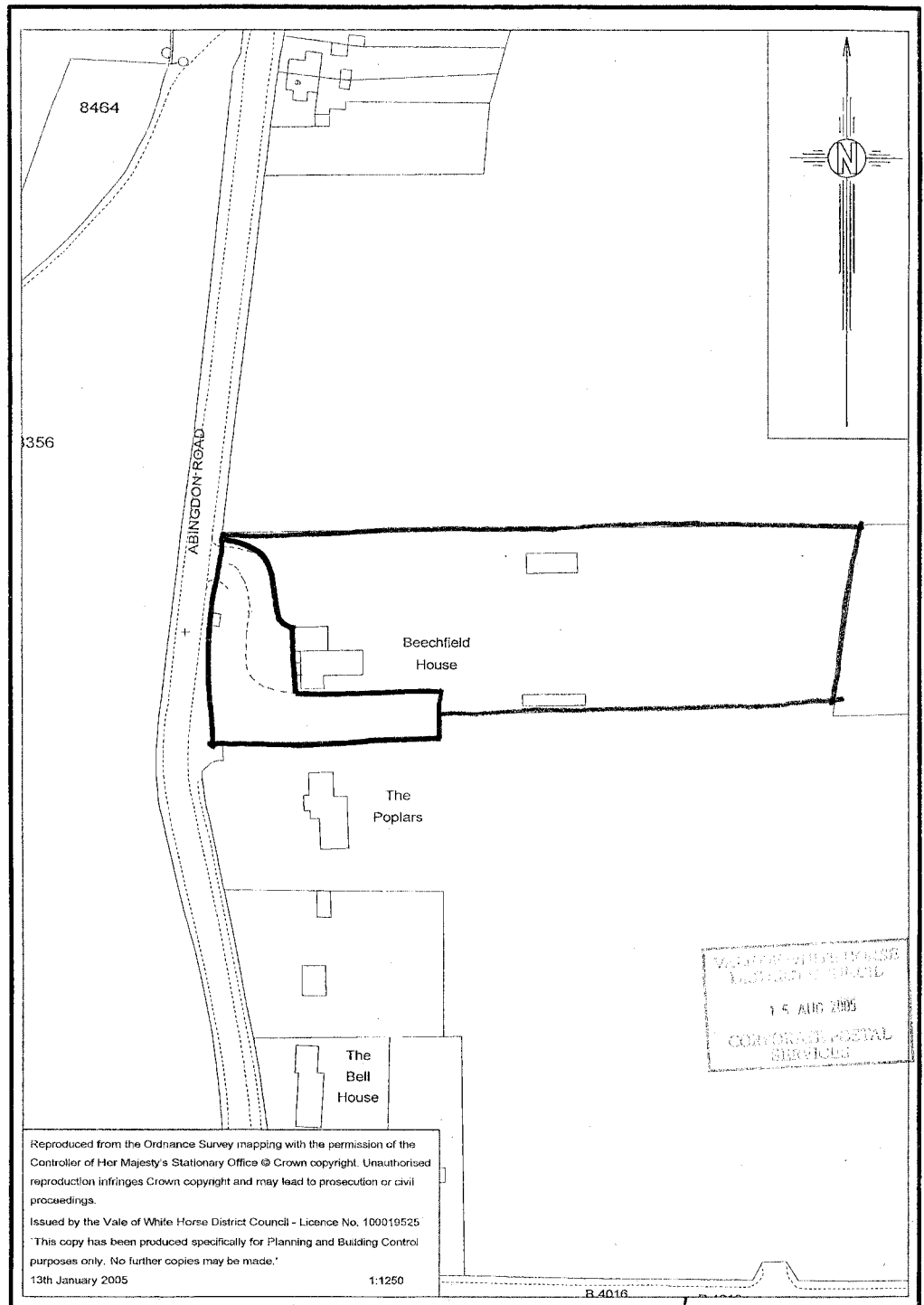
- 5.3 The new house, which is to be constructed of brick under a tiled roof, is arranged over 3 floors with rooms in the roof space but it is to be the same height as Beechfield House. The new dwelling will be situated 3.5 metres from Beechfield House at its closest point and just over 8 metres from the adjoining property, The Poplars.
- 5.4 The property has been designed to ensure that there will be no overlooking of neighbouring properties. The three windows proposed at first floor level are all to non-habitable rooms. The two bathroom windows facing The Poplars will be obscure glazed with a small top hung vent.
- 5.5 The Parish Council has objected to the proposal on the grounds that the development looks 'squashed' and that the proposed three storey property is out of character with adjacent development. Officers acknowledge that the new house will be situated closer to Beechfield House than the existing loose-knit neighbouring development. However, this is a consequence of making more efficient use of the site for housing, and in this instance it is not considered to be so cramped or unsatisfactory as to warrant refusal of the application but Officers would recommend the removal of permitted development rights to safeguard the amenities of Beechfield House in particular. Similarly, the provision of rooms in the roof of the new dwelling is considered acceptable given the mix of house styles in the local area. The development of land to the north of Beechfield House would not be considered by Officers to comply with existing housing policies, whereas this plot between the existing house and 'The Poplars' is considered to be an infill plot within the existing built form of the village.
- 5.6 The comments of Thames Water are awaited in respect of drainage issues on the site.

6.0 **Recommendation**

6.1 *It is recommended that the application be permitted subject to the following conditions:*

1. *TL1 Time Limit - Full Application*
2. *RE3 Restriction on Extensions and Alterations to Dwelling*
3. *RE8 Submission of Drainage Details (Surface Water and Foul Sewage)*
4. *HY3 Access in accordance with Specified Plan*
5. *LS4 Implementation of Landscaping Scheme (incorporating existing tree(s)) – to be submitted*
6. *MC1 Submission of Materials (Details)*
7. *MC7 Submission of details of Windows/Doors, etc*
8. *The development should be constructed in accordance with the Flood Risk Assessment (FRA) reference 14376-01 dated August 2005, and prepared by Nick Jaritt of Entec.*
9. *Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.*
10. *Details of the proposed raised walkway for dry pedestrian access shall be submitted to, and approved in writing by the Local Planning Authority.*
11. *There shall be no raising of existing ground levels on the site..*
12. *MC10 Obscured Glazing (Vent)*

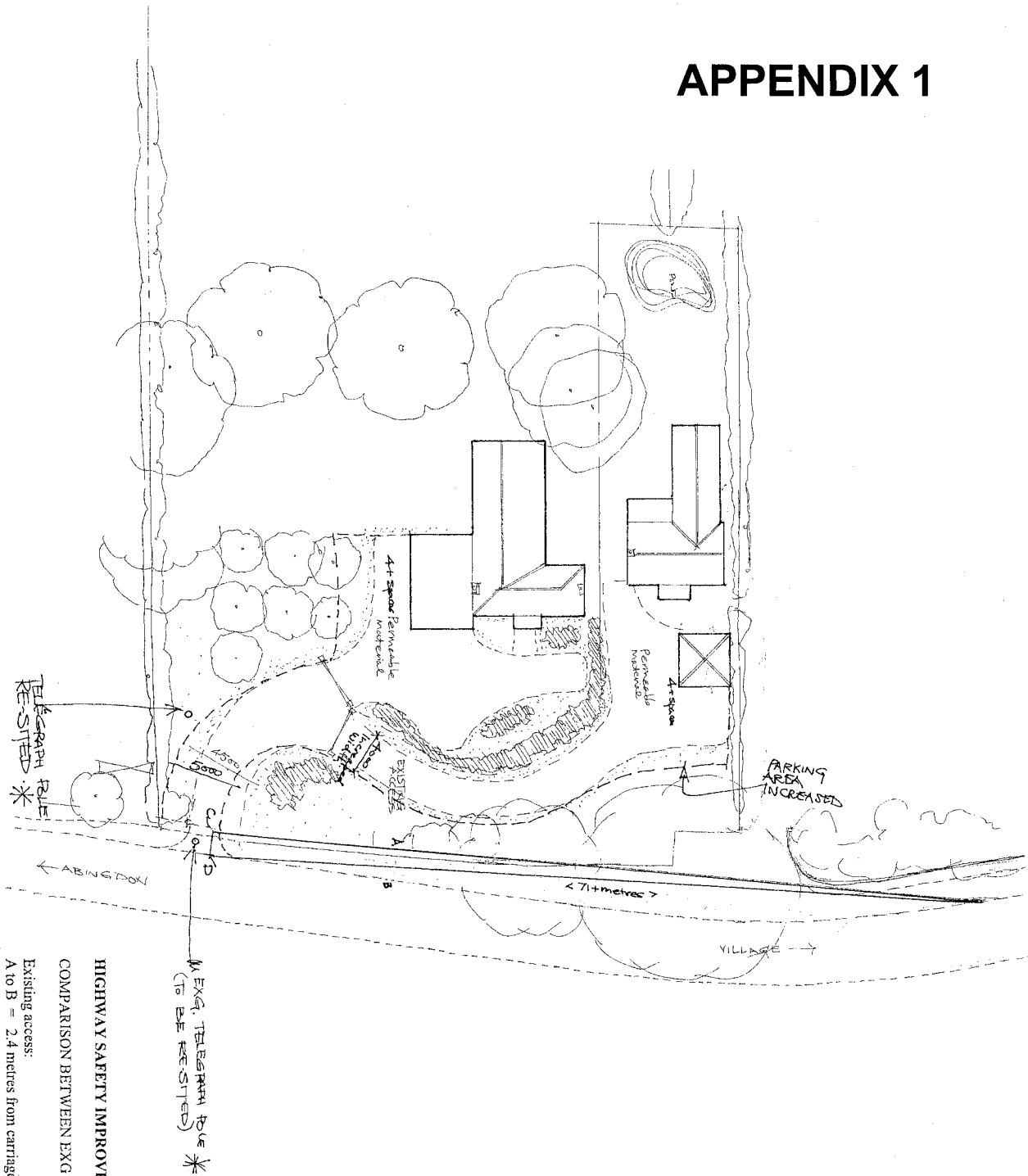
13. *No spoil or materials shall be deposited or stored on that part of the site lying within the area of land liable to flood.*
14. *The garage shall be constructed within the floor slab at existing ground level, and any arising from excavation removed from the floodplain: and with apertures in the side and rear walls from ground level up to the 50.01m flood water level to allow free entry and egress of flood water: and with gaps left under the main garage doors for the same purpose.*



SUT/2124/1

# APPENDIX 1

# APPENDIX 1



## HIGHWAY SAFETY IMPROVEMENTS COMPARISON BETWEEN EXG & NEW ACCESSSES:

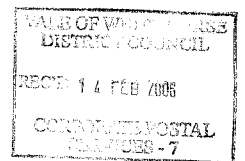
Existing access:

- A to B = 2.4 metres from carriageway edge.
- B to E = 40 metres site line to south.

Proposed Access:

- C to D = 2.4 metres from carriageway edge.
- D to E = 71 metres site line to south.
- (Should 2.1 set back be used - where turning spaces are accounted for then c. 73+metres vision to south possible.)
- (Both accesses enjoy well over 100 metres site line to north)

Access revised to single 4.5 metres wide access.  
Splitting into two drives a minimum 10 metres inside site.  
Both dwellings to have vehicular turning spaces.



**G. A. J. SOAME & ASSOCIATES**  
Acre Cottage, Chapel Road, South Leigh,  
Witney Oxon. OX29 6UP  
Tel. No: 01993 772799

Client: BUCHANAN  
Scale: 1/400  
Date: 05.09.26  
Ref: 040912R2

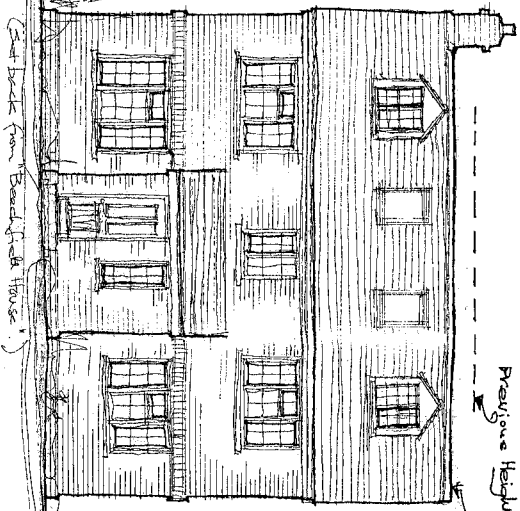
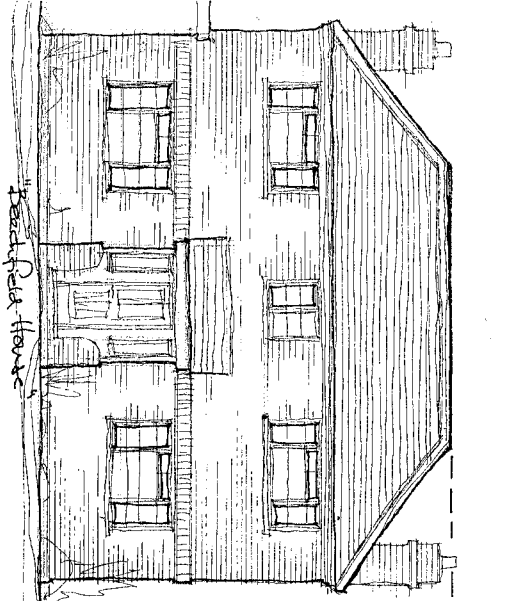
REVISED 28.11.05 (IMPROVED VISION  
PLAY SHOWN.)

Proposal: INFIL DWELLING WITH ANNEXE AND DETACHED GARAGE,  
NEW DUAL POINT ACCESS TO SERVE EXISTING AND PROPOSED  
DWELLINGS, LAND AT BEECHFIELD HOUSE, ABINGDON ROAD,  
SUTTON COURTENAY. (REVISED LAYOUT PLAN) FINAL REVISION - SHOWS T POLE, etc.  
08/02/06



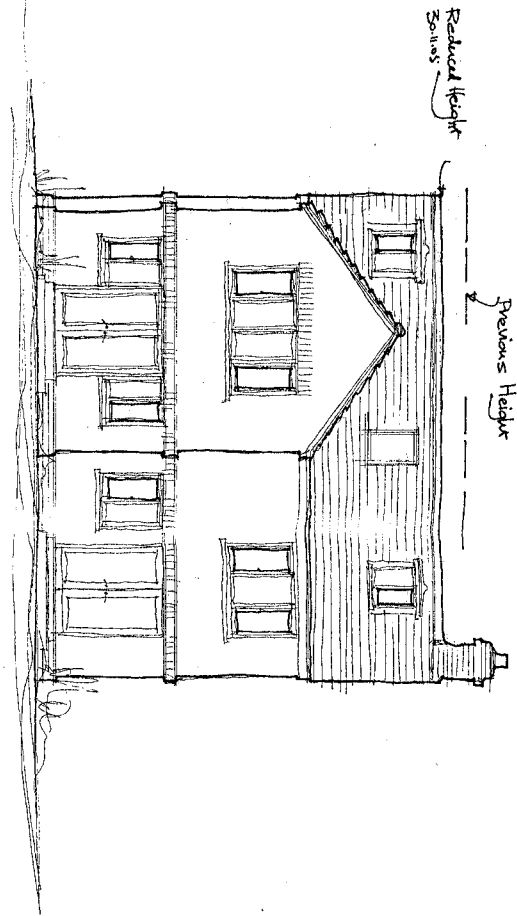
# APPENDIX 1

FRONT ELEVATION, & RELATIONSHIP TO NEIGHBOURING PROPERTIES.



REDUCED HEIGHT (AS Beechfield House) - 30.11.05  
 red facing bricks.  
 grey concrete tiles.

REAR ELEVATION:



Reduced Height  
 30.11.05

Previous Height

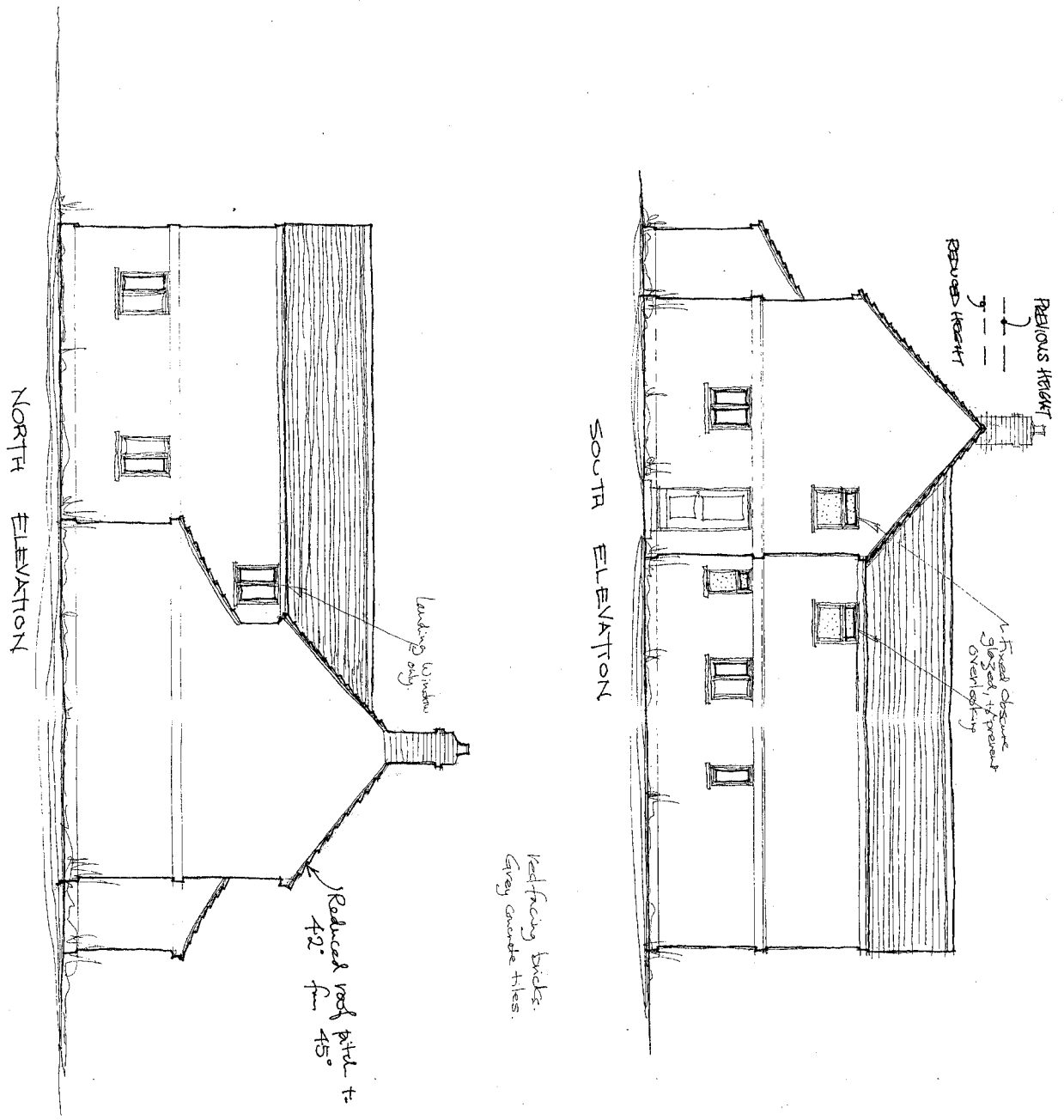
05/10/11

G. A. J. SOAME & ASSOCIATES  
 Acre Cottage, Chapel Road, South Leigh,  
 Witney Oxon. OX29 6UP  
 Tel. No: 01993 772799

Client: BUCHANAN  
 Scale: 1/100  
 Date: 05.01.14  
 Ref: 040914R  
 30.11.05

Proposal: INFIL DWELLING WITH ANNEXE AND DETACHED GARAGE,  
 NEW DRIVEWAY ACCESS TO SERVE EXISTING AND PROPOSED  
 DWELLINGS, LAND AT BEECHFIELD HOUSE, ABINGDON ROAD,  
 SUTTON COURTENAY. (FRONT AND REAR ELEVATIONS)

# APPENDIX 1



**G. A. J. SOAME & ASSOCIATES**  
 Acre Cottage, Chapel Road, South Leigh,  
 Witney Oxon. OX29 6UP  
 Tel. No: 01993 772799

Client: BUCHANAN  
 Scale: 1/100  
 Date: 05.01.17  
 Ref: 040915R  
 REVISED 20.11.05

Proposal: INFIL DWELLING AND ANNEXE AND DETACHED GARAGE,  
 NEW DUAL POINT ACCESS TO SERVE EXISTING AND PROPOSED  
 DWELLINGS, LAND AT BEECHOLD HOUSE, ABINGDON ROAD,  
 SUTTON COURTENAY. (SIDE ELEVATIONS)

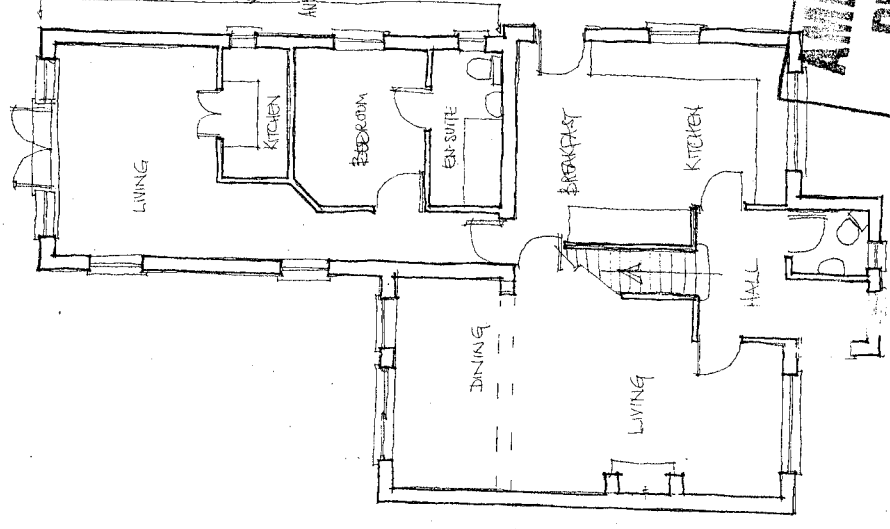
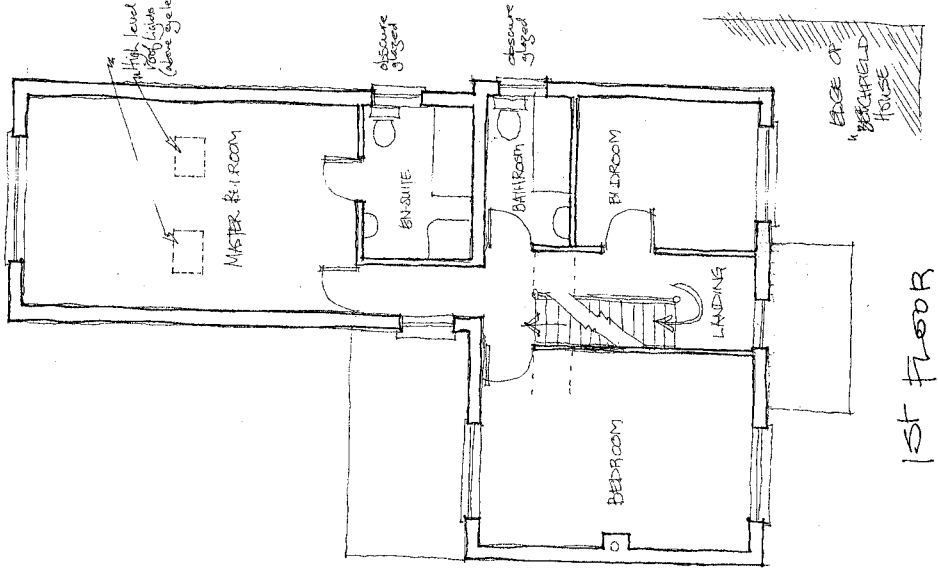
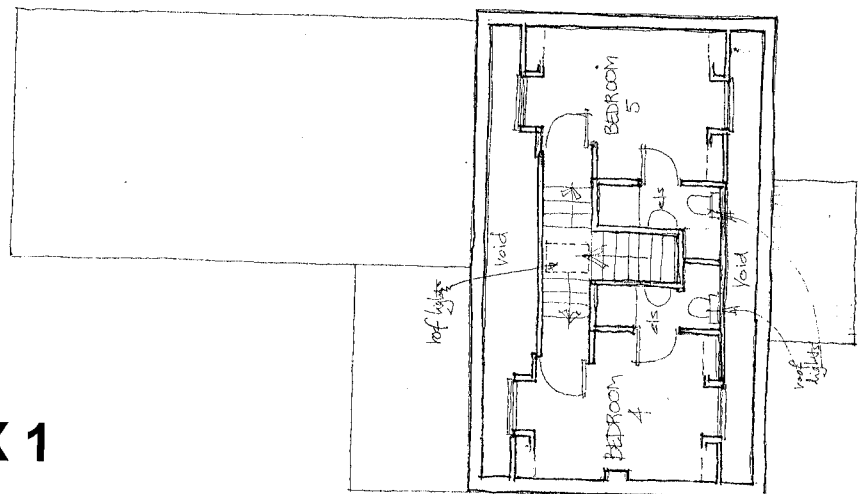


Client: BUCHANAN  
 Scale: 1/100  
 Date: 05.01.12  
 Ref: 040913K  
 REVISED 30.11.05

Proposal: INFIL DWELLING WITH ANNEXE AND DETACHED GARAGE,  
 NEW DUAL POINT ACCESS TO SERV E EXISTING AND PROPOSED  
 DWELLINGS, LAND AT BEECHFIELD HOUSE, ABINGDON ROAD,  
 SUTTON COURTENAY.  
 (PROPOSED DWELLING & ANNEXE FLOOR PLANS)

Client: BOYD & ASSOCIATES  
 Acre Cottage, Chapel Road, South Leigh,  
 Witney Oxon. OX29 6UP  
 Tel. No: 01993 772799

CONSENTED  
 10/01/12  
 10/01/12  
 10/01/12



APPENDIX 1

SUT/2.124

BY SLIGHT REDUCTIONS THROUGH 3 LEVELS, 1st FLOOR PIT  
 A REDUCTION OF ROOMS (i.e. as BECHFIELD HOUSE IS ACHIEVED)

APPENDIX 1

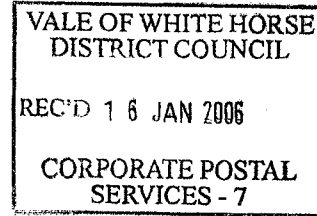
# Sutton Courtenay Parish Council

Clerk: Mrs. L. A. Martin B.A.

Telephone/Fax: Frilford Heath  
(01865 391833)

Orchard House,  
90 Howard Cornish Road,  
Marcham, Abingdon,  
Oxfordshire OX13 6PU

Mrs. G. Le Cointe,  
Planning Services,  
Vale of White Horse District Council,  
Abbey House,  
Abingdon,  
Oxon.  
OX14 3JN



12th January, 2006

Dear Mrs. Le Cointe,

**SUT/2124/1 Erection of a detached dwelling with annexe and garage. New dual access to serve existing and proposed dwellings.  
Beechfield House, Abingdon Road, Sutton Courtenay  
For: Mr and Mrs Buchanan**

Thank you for agreeing to an extension of time for Parish Council comments, to enable this application to be put to the full Parish Council meeting.

The Parish Council objects to the application. Little alteration has been carried out to reduce the concerns of the Parish Council on the first application.

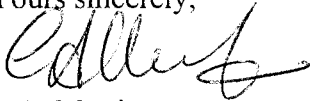
1. The height of the property has been reduced slightly with the slope of the pitch amended, but these alterations are insignificant to make a substantial impact on the design.
2. The property remains a three storey dwelling which is out of character with the existing adjacent development. In terms of scale and relationship to the adjoining buildings and open space the development is "squashed in" and adversely affects the open space attributes that make an important and positive contribution to the character of the locality. It is an extensive development on a relatively small scale site.
3. This 5 bed house does not have any garage accommodation as part of the application, yet if provided would appear to be to the front of any building line.
4. Paragraph 8.57 of the Local Plan refers to development only being permitted in the built up areas of the village, yet this application is not in the built up area, but located near the river Thames in a more open location.

**APPENDIX 2**

5. The Abingdon Road is already a very congested road being the main river crossing in the area and the route to the A415 and Abingdon. It is essentially a country road yet is used by large inappropriate vehicles. The Council is concerned by the potential increase in vehicle movements onto this crowded road near to traffic lights.

6. The village is currently experiencing problems with its sewage system, with it failing in places and surcharging. Thames Water has only recently been surveying the full length of the system with cameras to try and identify the problems. Further development would add to an already very full system.

Yours sincerely,



L.A. Martin  
Clerk to the Council

## **KBA/3105/8 – J McDermott**

**Demolition of house and garage. Construction of 6 semi-detached houses. Restwood, Faringdon Road, Southmoor.**

### **1.0 The Proposal**

- 1.1 Restwood is a large detached house on a substantial plot in Southmoor. As well as the house, the site contains a large outbuilding consisting of a garage, store and first floor office. The proposal is to demolish the house and outbuilding and build 6 semi-detached houses. Extracts from the application drawings are in **Appendix 1**. The layout of the new houses has been designed to retain the existing mature trees at the front of the site and the existing hedges on the side boundaries.
- 1.2 A public footpath lies immediately to the west of the site, connecting Faringdon Road with Fir Tree Close. The nearest neighbour on this side is Silver Glenn, a detached house. The nearest neighbour to the east is Pinewood, one of a pair of stone cottages. To the north of the site is a playground associated with the village school.
- 1.3 The application comes to Committee due to the objection of the Parish Council

### **2.0 Planning History**

- 2.1 The detached garage, store and office was permitted in 1986 (ref KBA/3105/4). In 2004, planning permission was granted to convert the outbuilding into a dwelling (KBA/3105/7).

### **3.0 Planning Policies**

- 3.1 Policy H5 of the adopted Vale of White Horse Local Plan allows for new residential development in the built-up area of Southmoor provided the scale, density and layout of the proposal is compatible with the size, form and character of the village. Policies D1, D2 and D3 require all new development to be acceptable in terms of design, the effect on neighbours, and highway safety.
- 3.2 Similar policies in the Second Deposit Draft Local Plan 2011 are H10, DC1, DC5 and DC9

### **4.0 Consultations**

- 4.1 Kingston Bagpuize-with-Southmoor Parish Council objects for the following reason – “The proposal is contrary to Policy H10 which permits development in the larger villages provided the layout, mass and design of the new houses would not harm the character of the area. The footprint of the proposed dwellings would be much larger than that of adjacent dwellings on the Faringdon Road and so the proposal constitutes over-development. Dwellings 1 – 4 are set well forward of the existing building line, dominating the visual impact of developments on this part of the road, and so out of character with neighbouring properties. The two dwellings to the rear would create a cramped and undesirable ‘backland’ development. The development would create additional traffic close to a dangerous curve onto the Faringdon Road. The rooms on the second floor will overlook gardens of neighbouring properties.”
- 4.2 Local Residents – 3 letters have been received making the following objections:-
1. Overlooking
  2. Increased noise and disturbance
  3. Loss of light
  4. Additional traffic close to the footpath to the school
  5. Impact on drains
- 4.3 County Engineer – no objection subject to conditions.

4.4 Arboricultural Officer – comments to be reported at the Meeting

## 5.0 **Officer Comments**

5.1 There are three main issues:-

1. The effect of the proposal on the character and appearance of the area
2. The impact on neighbours
3. The safety of the access and parking arrangements

5.2 On the first issue, the surrounding area contains a mixture of detached and semi-detached dwellings. Because the houses in the vicinity were built individually, there is no rigid building line facing Faringdon Road. Instead the houses are set back from the road at slightly differing distances. Thus, the fact that Plots 1 – 4 would be set slightly forward of Silver Glenn and Pinewood is not considered to be harmful to the appearance of the locality. Although they are semi-detached houses, the proposed dwellings on Plots 1 – 4 have been designed to give the impression of being single detached Edwardian-style houses through the use of an asymmetric front elevation, with a gable and bay, and only one door on the front elevation. The submitted street elevation shows the proposed buildings on the road frontage would be set 5 metres apart, and would lie 8 metres from Pinewood and 22 metres from Silver Glenn. Notwithstanding the intention to retain the existing mature trees on the frontage, this proposed spacing of the buildings complements the existing character of the street. The Arboricultural Officer was considering additional information concerning the impact on trees at the time of writing the report. His final comments will be reported at the Meeting, although it is anticipated that he will have no objection subject to conditions.

5.3 The locality also has examples of existing houses occupying “backland” positions (i.e. Nos 1 and 2 South View and Hollyfield House). Members will be aware that backland development can be acceptable, particularly if there are existing examples in the vicinity. The proposed “backland” building containing Plots 5 and 6 at the rear would lie 14 metres from the proposed buildings at the front. This exceeds the Council’s adopted minimum distance for rear wall to gable wall of 12 metres. Officers consider the design of the proposed dwellings and the amount of space between them means the proposal would fit in with the character of the area and does not represent an overdevelopment of the site.

5.4 With regard to the second issue, the impact on neighbours, the main concerns are whether harm would arise from overlooking, noise and disturbance, or loss of light. The principal windows on Plots 1 – 4 would face to the front and rear and should not cause harmful overlooking. The submitted drawings show a side facing first floor bedroom window in Plots 1 and 4 which would look towards Silver Glenn and Pinewood. These windows, however, can be removed by condition. The principal windows in the proposed building to the rear (Plots 5 and 6) would look towards the neighbours’ gardens. However, due to the fact that this building would be set back, these windows would not be directly facing the most sensitive part of the gardens, namely that closest to the rear of each house where amenity should be maximised. Instead, the windows would directly face lower parts of the gardens. An angled line drawn from the proposed windows to the nearest point of each neighbours’ house gives a measured distance of 28 metres in both cases, in excess of the Council’s adopted minimum distance of 21 metres. For these reasons, it is considered no harm from overlooking would arise.

5.5 In terms of noise and disturbance, the main concern with backland development is the potential for noise and disturbance from vehicles serving the dwellings at the rear. In this case, the proposed driveway serving Plots 5 and 6 would lie alongside the public footpath that separates the application site from the neighbours at Silver Glenn. In view of this separation, it is considered the likely level of noise and disturbance would be acceptable. The parking areas serving Plots 1 – 4 would lie at the front of the site. Officers consider there is no reason to assume that noise and disturbance arising from the typical use of the proposed garden areas by residents should be above what could be reasonably expected for a residential area. Given

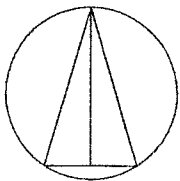
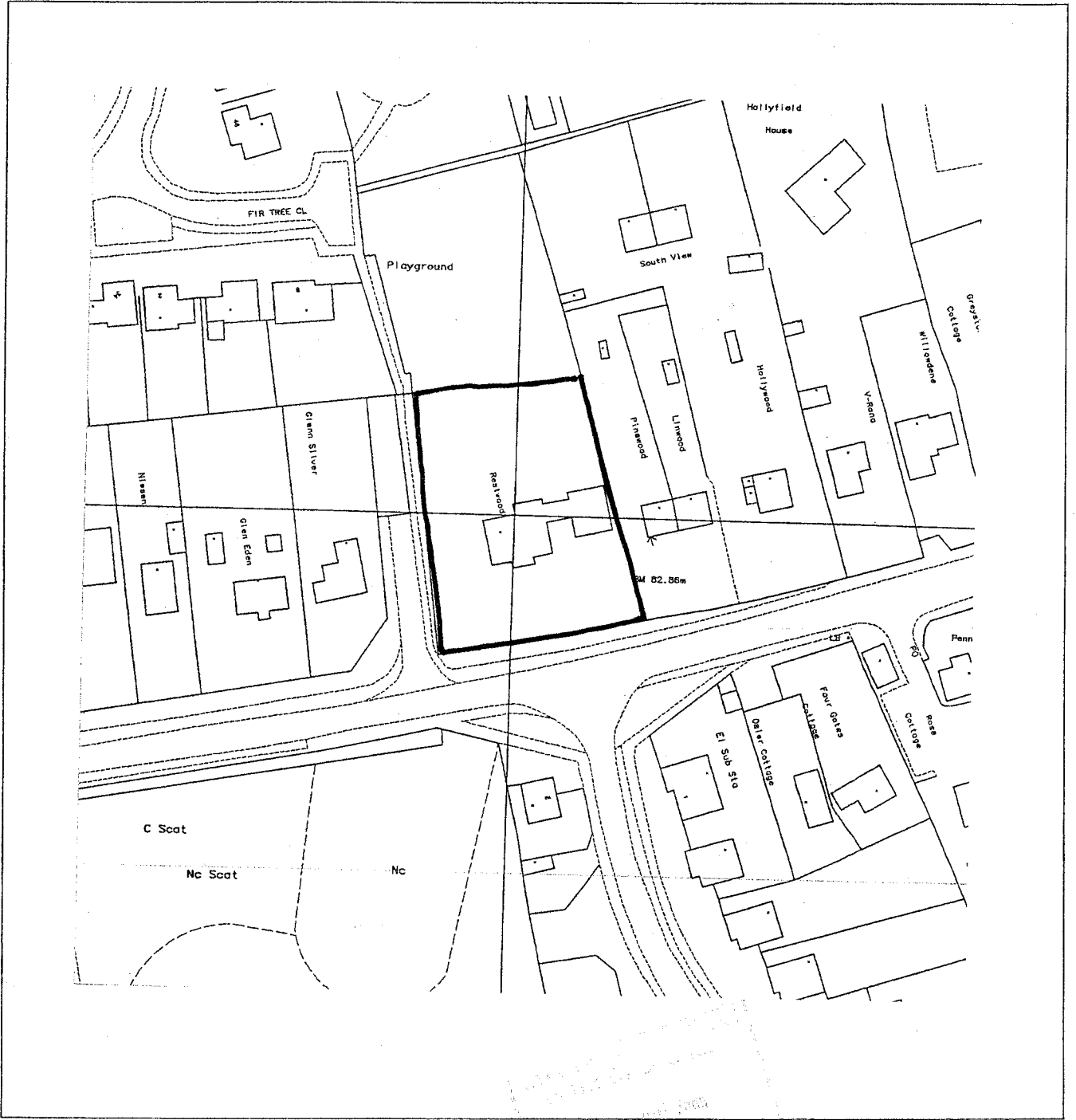
the proposed orientation and spacing of the dwellings, Officers believe there should be no harm from loss of light.

- 5.6 The final issue is access and parking. The existing vehicular access is set back 6 metres from the carriageway and provides adequate vision along Faringdon Road. Accordingly, there is no reason to assume that use of the access will be dangerous to pedestrians using the adjoining footpaths. Parking has been provided at a ratio of 3 spaces per dwelling. Given the size of the proposed dwellings (4 bedrooms) and the village location, this provision is considered acceptable. The County Engineer has no objections subject to conditions.
- 5.7 Objections have been made in relation to existing drains, but this is a matter dealt with under building regulations.

6.0 **Recommendation**

- 6.1 *Subject to the final comments of the Arboricultural Officer, it is recommended that authority to grant planning permission is delegated to the Chief Executive in consultation with the Chair and/or Vice Chair subject to conditions including materials, access, parking, boundary treatment, landscaping, tree protection and the deletion of specified windows.*

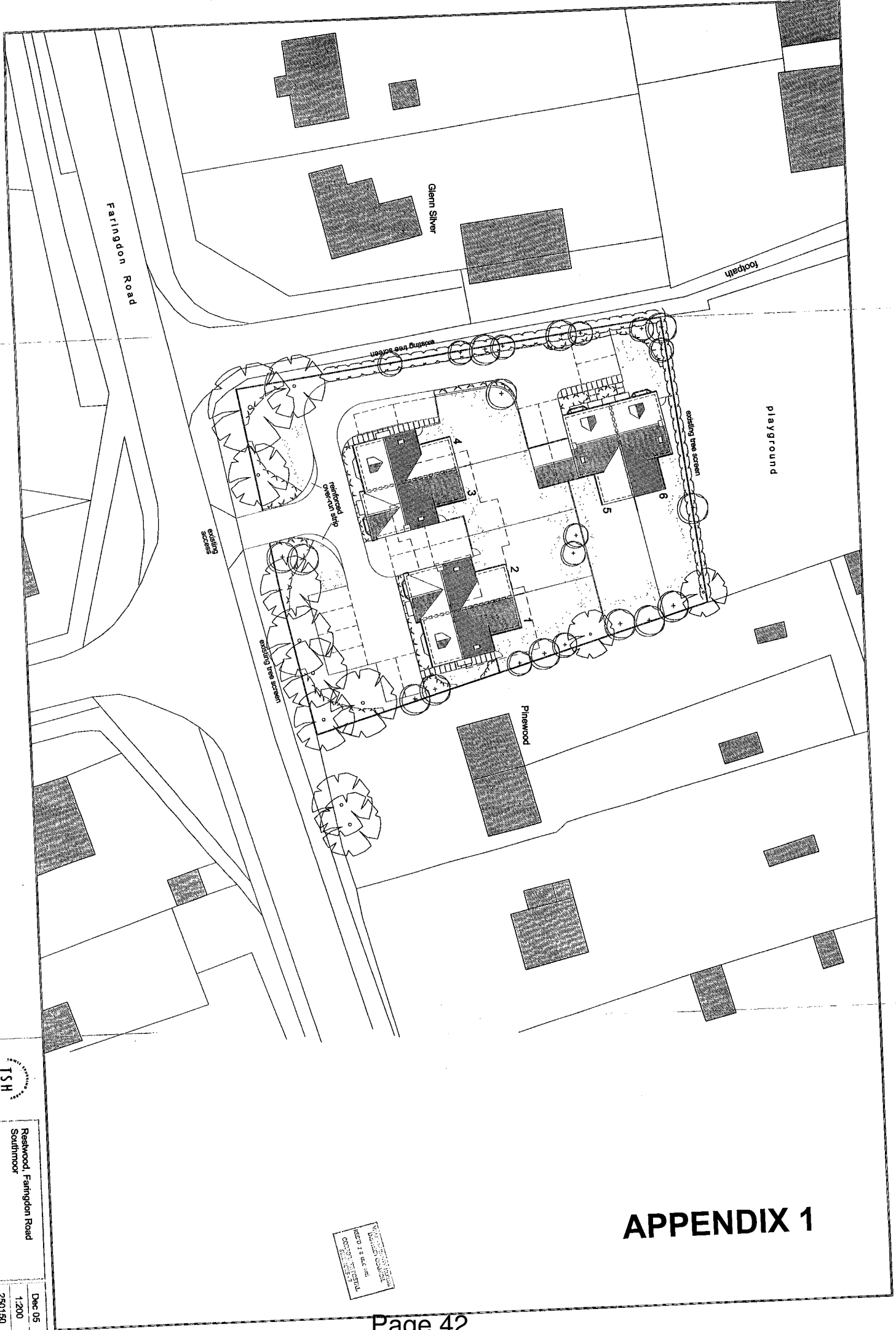




Restwood, Faringdon Road, Southmoor  
 250150/P05  
 1:1250 Site Location Plan

by Hill,  
 BE  
 326636  
 3609

# APPENDIX 1



**APPENDIX 1**

APPROVED FOR CONSTRUCTION  
 DATE 13 DEC 2005  
 CONTRACT NO. 250150



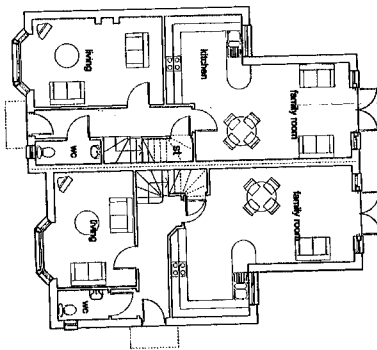
Restwood, Farrington Road  
 Southmoor

Site plan  
 Dec 05  
 1:200  
 250150  
 P01

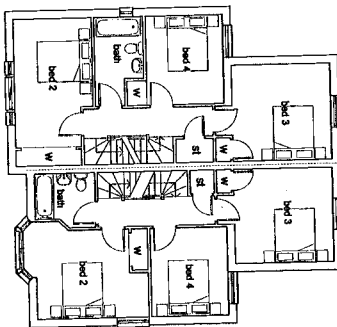
K&A/SIO5/K

# APPENDIX 1

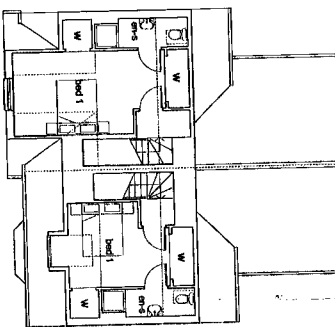
Ground Floor plans - Plots 1 and 2



First



Second



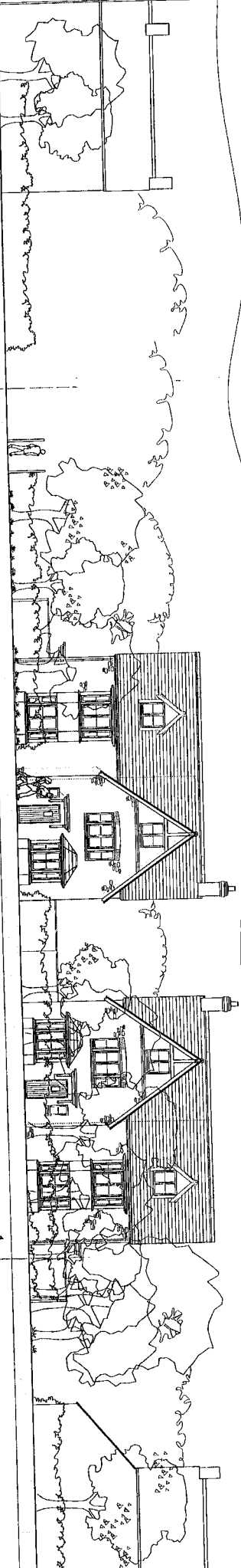
Elevation to Farringdon Road

4

3

2

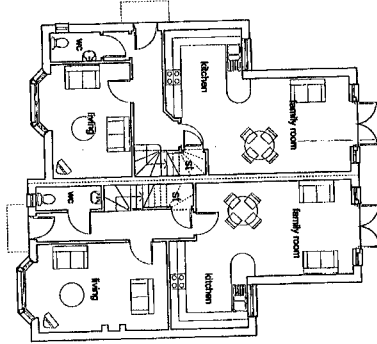
1



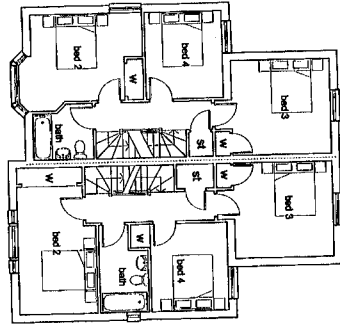
Restwood, Farringdon Road  
Southampton

Dec 05  
1:100  
280150  
P02

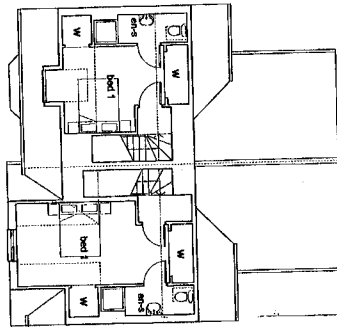
Ground  
Floor plans - Plots 3 and 4



First

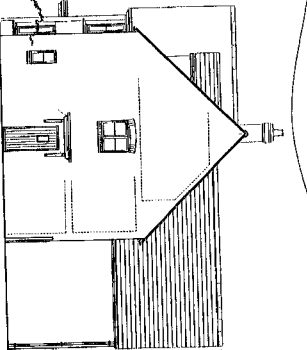


Second

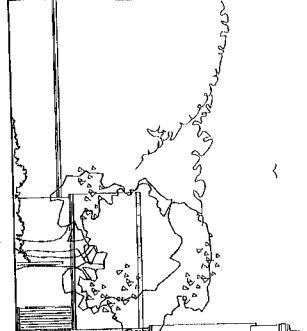


Side elevations

1



5



6



# APPENDIX 1

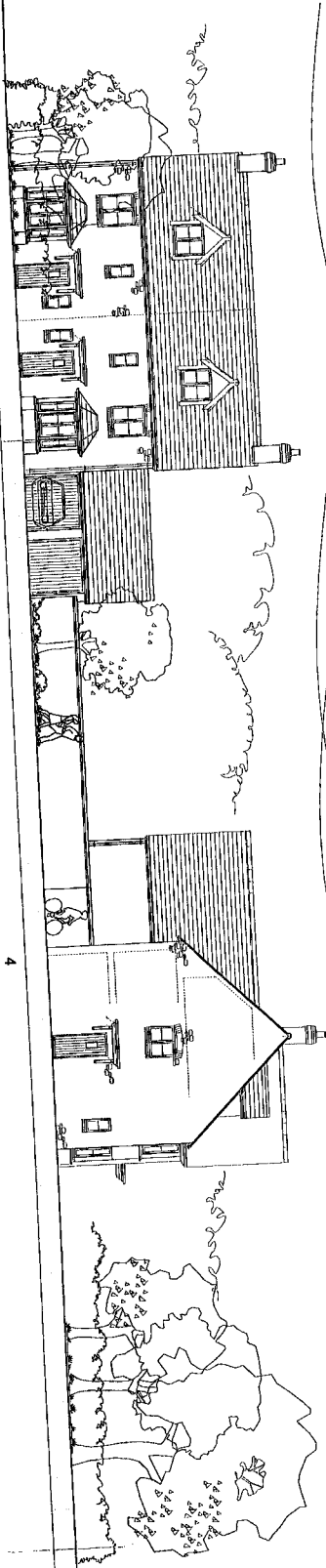
**TSH**  
 TSH Architects  
 250150  
 1:100  
 Dec 05  
 Plans and elevations  
 Restwood, Faringdon Road  
 Southmoor  
 PG3

Elevation to footpath

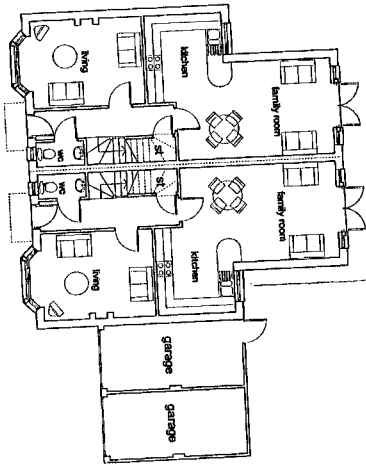
6

5

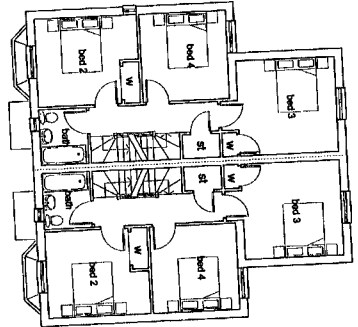
4



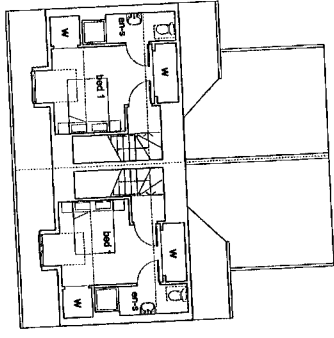
Ground Floor plans - Plots 5 and 6



First



Second



# APPENDIX 1

250150  
 1:100  
 Dec 05  
 PO4

**TSH**  
 TSH ARCHITECTS  
 10000 Highway 100, Suite 202, Dallas, TX 75243  
 Tel: 972.382.2200

Restwood, Fairington Road Southmoor	Dec 05 1:100 250150 PO4
--	----------------------------------

Plans and elevations

KBA/305/8

## SUN/7291/5 – J A Pye (Oxford) Ltd

### Demolition of existing 8 flats and construction of replacement building containing 8 flats Lincombe Lodge, Fox Lane, Boars Hill

#### 1.0 **The Proposal**

- 1.1 Lincombe Lodge is a building containing 8 flats that lies on Fox Lane, Boars Hill. This application seeks permission to demolish the existing building and replace it with a new building containing the same number of flats, with a volume that is 29% greater than the existing building. The proposed building would also be set further back into the site with parking arranged in front of it. Extracts from the plans are in **Appendix 1**.
- 1.2 The site lies within the Green Belt. To the west of the site is Lincombe Lodge Hotel. At the front of the site is a separate dwelling called The Lodge, while to the east is a dwelling known as Gracedieu.
- 1.3 The application comes to Committee because of anticipated objections from the Parish Council and local residents.

#### 2.0 **Planning History**

- 2.1 In 1983 planning permission was granted to convert the original house at Lincombe Lodge into 6 flats for the elderly and 1 wardens flat (ref SUN/7291/1). In 1984, planning permission was granted for an extension to allow for 1 extra flat, making a total of 8 flats (ref SUN/7291/2).
- 2.2 The restriction on the occupation of the flats, to elderly residents only, was lifted by an application permitted in 2004 (ref SUN/7291/3).
- 2.3 In 2005, an application was made to demolish the existing building and replace it with a building containing the same number of flats but with an increase in volume of 46%. That application was refused under delegated authority by the Chief Executive in consultation with the Chair. The reason for refusal related to the size of the proposed building and is in **Appendix 2**.

#### 3.0 **Planning Policies**

- 3.1 Policy G5 of the adopted Vale of White Horse Local Plan restricts the size of any replacement dwelling in the Green Belt. Policy GS3 of the Second Deposit Draft Local Plan is similar, but uses a “sliding scale” to allow a larger building where the floor area is below the threshold of 120m<sup>2</sup>.
- 3.2 Policies D1, D2 and D3 of the adopted Local Plan require all new development to be acceptable in terms of design, impact on neighbours, and highway safety. Policies DC1, DC5 and DC9 of the Second Deposit Draft Local Plan are similar.

#### 4.0 **Consultations**

- 4.1 Sunningwell Parish Council – any comments received will be reported orally at the Meeting.
- 4.2 Local Residents – any comments received will be reported orally at the Meeting.
- 4.3 County Engineer – no objection subject to conditions.
- 4.4 Consultant Architect – comments to be reported at the Meeting.

4.5 Architects' Advisory Panel - comments to be reported at the Meeting.

4.6 County Archaeologist – no objection subject to conditions.

## 5.0 **Officer Comments**

5.1 There are four main issues:

The size of the proposed building in relation to Green Belt policy  
The impact of the proposal on the character and appearance of the area  
The effect of the proposal on neighbours  
Access and parking

5.2 With regard to the first issue, it should be noted that Green Belt policy on replacement dwellings does not refer to the instance of a single building containing multiple dwellings, or flats. In the previous application, refused in 2005, the applicants argued that each flat should qualify as a “small dwelling” under Policy GS3 of the emerging Local Plan and therefore could be replaced by a flat up to 50% larger in volume. This meant a proposed increase in volume of the whole flats building of 46%. Officers did not agree with this argument because an increase of 46% in the volume of the flats building would amount to a considerable absolute increase in built mass on the site, and a corresponding significant reduction in the openness of the Green Belt. Were Lincombe Lodge a single dwelling, the policy restriction would enable only a 30% increase in volume, which would have a reduced impact on openness arising from the increase in mass.

5.3 The applicants have amended the proposal so that the current proposed increase in volume is within 30%. Officers consider that the proposal now accords with Green Belt policy.

5.4 In terms of the impact on the character and appearance of the area, the design of the proposed building exhibits considerable articulation through variation in the height of the roof and the use of projecting bays. It has a far more coherent appearance than the existing building. The design of the previous proposal, for a larger building, was supported by the Consultant Architect and the Architects' Advisory Panel. At the time of writing the report, the comments of the Consultant Architect and the Architects' Advisory Panel on the current scheme were not known. These will be reported at the Meeting, but in view of the support for the previous application Officers anticipate support for the current proposal.

5.5 The next issue is the effect of the proposal on neighbours. Between the site and the road lies a dwelling called The Lodge. The impact of the proposal on The Lodge is complex and needs careful consideration. Currently, the front elevation of Lincombe Lodge lies very close to the rear wall of The Lodge, which contains windows. The distance between the buildings is only 10 metres which is well under the Council's normal requirement for a minimum distance of 21 metres. The proposed building would be moved significantly further back in the site, so that the distance between its front wall and the rear wall of The Lodge would be at least 26 metres.

5.6 However, balanced against this is the proposed relocation of the bulk of the car parking from the rear of the site to the area between the proposed building and The Lodge. This is likely to result in increased noise and disturbance to residents of The Lodge from cars manoeuvring on the site. However, it should be noted that with the existing arrangement there is likely to be a degree of disturbance to The Lodge from manoeuvring vehicles. This is because all cars currently have to pass The Lodge when entering and leaving the site, and there is space to park some cars in the area between the front of the existing building and The Lodge. Members will need to consider this issue carefully. Officers consider the gains to the residents of The Lodge will outweigh any harm.

5.7 Given the relationship of the proposed building to Lincombe Lodge Hotel to the west, no harm would arise to the latter. The nearest flank wall of the dwelling known as Gracedieu, to the east of the site, lies approximately 13 metres from the flank wall of the proposed building. Two first

floor windows and two rooflights would face Gracedieu, but these would be either obscure glazed or high level to avoid overlooking, which can be required by conditions. Overall, the impact of the proposal on neighbours is considered to be acceptable.

5.8 The final issue is highway safety. As the proposed number of dwellings is the same as the existing number of dwellings, the use of the access is not likely to be materially greater. Of the proposed 8 flats, 6 are potentially 3-bedroom flats and 2 would be 2-bedroom flats. The Council's adopted parking standards require a maximum of 2 parking spaces per unit for 2/3-bedroom dwellings and this is what is proposed. For these reasons, the County Engineer has no objections.

## 6.0 **Recommendation**

6.1 *Subject to no other substantive issues being raised by the Parish Council or local residents, it is recommended to grant planning permission subject to the following conditions:-*

1. TL1
2. MC2
3. REMOVE PD RIGHTS
4. OBSCURE GLAZING
5. HIGH LEVEL WINDOWS



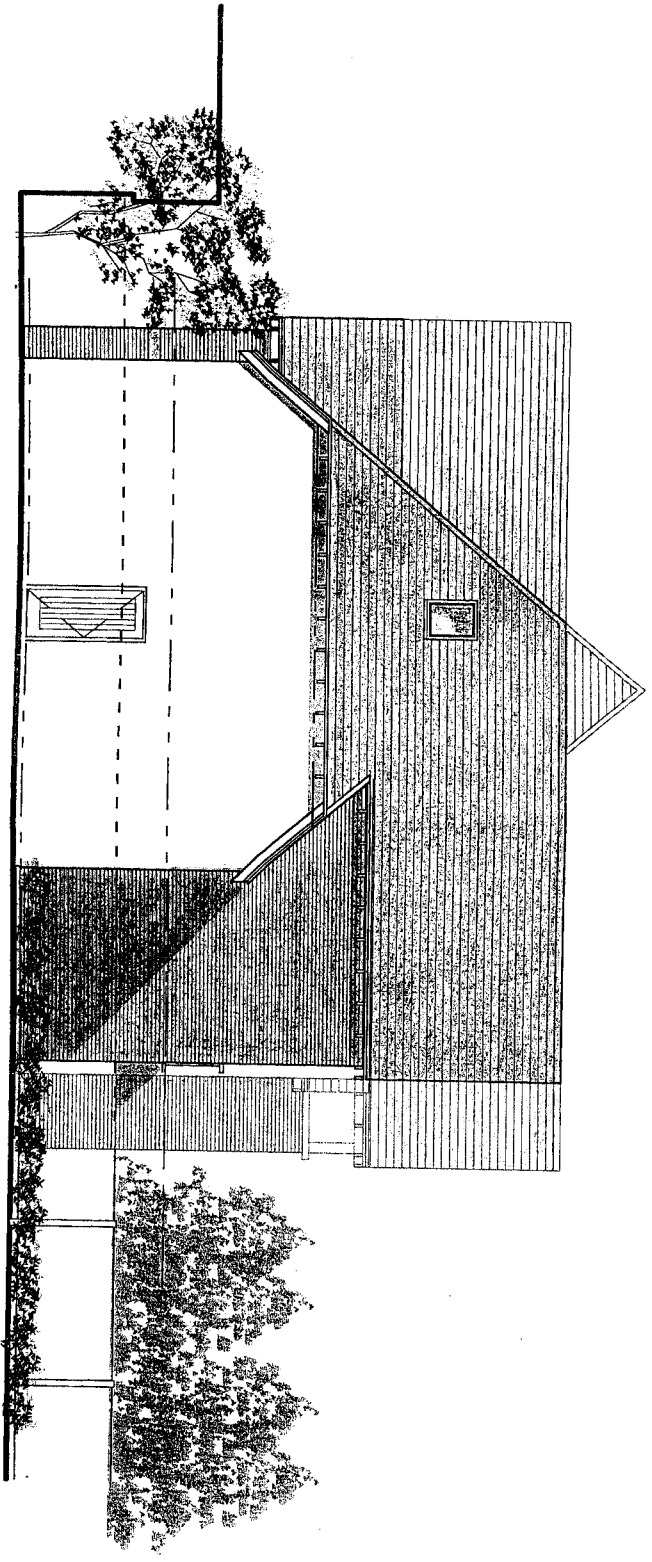






This drawing is the copyright of West Waddy ADP and may not be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Copyright owner. Any unauthorised use of this drawing is strictly prohibited. The Copyright Order 1988 provides for the reproduction in relation to a Planning Application only if these copies are made in the following manner:  
 'Where ADP permission has been given by authority of West Waddy ADP permission is granted for the purpose only of producing a copy of this drawing for the purpose of a Planning Application. Do not scale from drawings. Use figured dimensions only.  
 Dependence to be checked on the edition work circumstances. The accuracy of this drawing may be subject to change without notice. Information provided by third parties. No liability will be accepted for any errors or omissions in or arising from such third party survey information.'

SUN/7291/5  
 06/00123/FUL



Elevation to Foxcombe Lodge Hotel  
 Scale 1:100

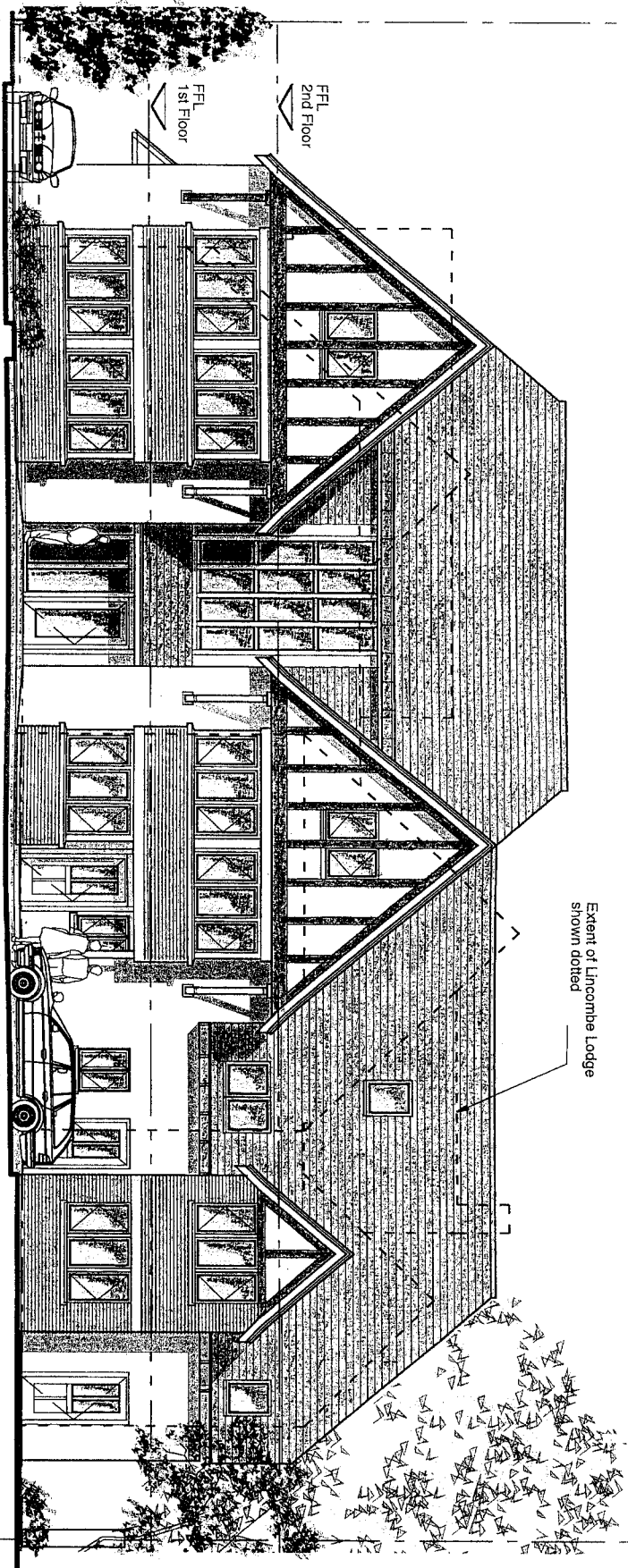
# APPENDIX 1

NO.	DATE	REVISIONS	PREPARED BY

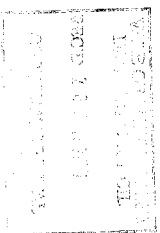
PROPOSED RESIDENTIAL DEVELOPMENT, LINCOMBE LODGE, BOARS HILL  
 ELEVATION TO FOXCOMBE LODGE HOTEL

The Address:  
 62 East St, Hadden Street, Lincs, LN4 4EB  
 Tel: (01525) 821144  
 Fax: (01525) 821162  
 email: enquiries@westwaddy.adp.co.uk  
 ARCHITECTS AND TOWN PLANNERS  
**westwaddy ADP**  
 16 August 2005  
 Scale: 1:100@A3  
 Drawn: AO checked: SS

SUN/729/1/5  
06/00123/FUL



Front Elevation  
Scale 1:100



This drawing is the copyright of West Waddy ADP and is not to be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of West Waddy ADP. The copyright in this drawing is owned by West Waddy ADP. All rights reserved. This drawing is for the use of the client only and is not to be used for any other purpose without the prior written permission of West Waddy ADP. The copyright in this drawing is owned by West Waddy ADP. All rights reserved.

APPENDIX 1

PROPOSED RESIDENTIAL  
DEVELOPMENT, LINCOMBE  
LODGE, BOARS HILL

FRONT ELEVATION

The Authors  
50 East St, Trewin Street  
Aberdeen, C/Oxford, CV1 4EB  
Tel: 01223 323122  
Fax: 01223 323122  
e-mail: enquiries@westwaddy-adp.co.uk  
ARCHITECTS AND TOWN PLANNERS

westwaddy ADP

Date: 16 August 2005

Scale: 1:100@A3

Drawn: AO / checked: SS

Doc: RWAS / DWG No: / Rev: /



**TOWN AND COUNTRY PLANNING ACT 1990**

**NOTICE OF REFUSAL**

To

J A Pye (Oxford) Limited  
c/o West Waddy ADP  
The Malthouse  
60 East St Helen Street  
Abingdon  
Oxon  
OX14 5EB

Application No: **SUN/7291/4**

Proposal;

Demolition of existing building and erection of replacement building containing 8 flats.

Address:

Lincombe Lodge Fox Lane Boars Hill Oxford Oxon OX1 5DN

**DATE OF DECISION: 24th November 2005**

The Vale of White Horse District Council, in pursuance of powers under the Above Act, hereby **REFUSE** to permit the above development in accordance with the plans and application submitted by you, for the reasons specified hereunder:

1 The proposed flats building, by reason of its volume compared to the volume of the existing flats building, would result in dwellings that are materially larger than the existing dwellings, and a residential building that is significantly larger than the existing residential building. As such, the proposal amounts to inappropriate development in the Green Belt for which no very special circumstances are considered to exist. The proposal is therefore contrary to Policy G5 of the adopted Vale of White Horse Local Plan, and to Policy GS3 of the Second Deposit Draft Local Plan 2011, and to advice in PPG2, "Green Belts".

**Rodger Hood**  
Assistant Director (Planning)



## **CUM/19444 – Cardinal Homes**

### **Demolition of 109 Eynsham Road and erection of eight dwellings. Land to rear of 101 – 109 Eynsham Road, Botley (Cumnor Parish).**

#### **1.0 The Proposal**

- 1.1 This application seeks full planning permission for the demolition of 109 Eynsham Road and the erection of eight houses (three detached – 1x4 bed 1x3 bed & 1 x 2 bed, two semi-detached – 2x3 bed and three terraced – 3x2 bed) on land to the rear.
- 1.2 The main part of the site is currently part of the rear garden area of No. 109. It is rectangular in shape and lies behind the gardens of Nos 101 – 107. A narrower strip of garden is proposed to connect that rectangular part of the site to No 109 and will be used to provide vehicular access with the demolition of No 109 providing access to Eynsham Road. The access will therefore be situated between the existing dwellings of Nos. 107 and 111.
- 1.3 The dwellings will be set in reasonably sized plots orientated around a parking and turning area, providing 12 spaces. Their location on site takes account of existing tree planting on the south and east boundaries. The detached dwellings are located on the east part of the site, to the rear of Nos 101 – 105, and the semi-detached / terraced units are located parallel with the south boundary, adjoining the rear gardens of properties in Nobles Close. The materials proposed for all units are brick with tiled roofs.
- 1.4 A copy of the plans showing the location of the proposal, the siting of the dwellings, their design and the applicants' supporting statement are attached at **Appendix 1**.
- 1.5 The application comes to Committee because several letters of objection have been received.

#### **2.0 Planning History**

- 2.1 There is no relevant planning history on this site.

#### **3.0 Planning Policies**

- 3.1 Policy H4 of the adopted Vale of White Horse Local Plan allows for new housing within the built-up area of Botley, which includes the application site.
- 3.2 Policy H16 enables backland development provided: a safe means of access with turning and adequate on site parking can be achieved; there is no adverse impact on the amenities of any existing dwelling on or around the site; and the proposed dwellings and their landscaping blend with the overall character and appearance of the area.
- 3.3 Policies D1, D2, and D3 seek to ensure that all new development is of a high standard of design, does not cause harm to the amenity of neighbours, and is acceptable in terms of highway safety.
- 3.4 Similar policies to those above have been included in the Second Deposit Draft Local Plan 2011. The corresponding policies are GS6, H9, DC1, DC5, and DC9.
- 3.5 Policy H14 also requires the density of new housing development in this area to be at least 40 dwellings per hectare, subject to caveats, including that no harm would be caused to the character of the area or to the amenity of adjoining properties.

#### **4.0 Consultations**

- 4.1 Cumnor Parish Council – do not object, but request several matters are taken into account. Their comments are attached at **Appendix 2**.

- 4.2 County Engineer – No response received at the time of writing. Any comments received will be reported orally to the meeting.
- 4.3 Drainage Engineer – No objections.
- 4.4 Environmental Health – no objections.
- 4.5 Four letters of objection have been received and are summarised below:
- The development is not in keeping with the area.
  - The development will lead to a loss of security to the rear of existing properties.
  - It will be unneighbourly, causing a loss of privacy and overlooking.
  - It will overload the existing sewerage system.
  - Access onto the Eynsham Road (Service Road) will be dangerous.
  - The demolition and construction will be disruptive and unneighbourly.
  - Six dwellings would be nearer the site maximum for redevelopment.
  - 12 parking spaces are inadequate for eight dwellings. There is also no provision for visitor parking. This will lead to on street parking.
  - The boundaries between the site and Nos 107 & 111 should be a 2m high brick wall.
  - Access is too narrow for pedestrian access, and the provision of utility services / lighting etc.
  - The gates will cause vehicles to stop outside Nos 107 & 111 and will be detrimental late at night. If allowed, they should be electronic.
  - If allowed, this scheme will open up other land to the rear for more houses, to the detriment of existing residents.
  - There is a covenant on the land preventing building. (This is not a material planning consideration).

## 5.0 **Officer Comments**

- 5.1 The main issues in this case are considered to be
- 1) The principle of the proposed development and the mix of development.
  - 2) The impact of the proposal on the character and appearance of the area.
  - 3) The impact of the proposal on neighbouring properties.
  - 4) The safety of the access / parking arrangements.
- 5.2 On the first issue, Eynsham Road is identified in the Local Plan as an area that can accommodate new housing development providing the layout, mass and design of the proposal would not harm the character of the area. PPG 3 “Housing” also makes it a priority to use previously developed land for new housing, particularly within urban areas. Previously developed land includes the curtilage of an existing dwelling. Therefore, the principle of the proposed development is considered acceptable in this location.
- 5.3 Regarding the second issue, the development in the form proposed is not considered to be out of keeping with the locality. The proposed dwellings will be to the rear of Nos. 101 - 111 Eynsham Road and Nos. 28 -32 Nobles Close which will largely screen any views of the development obtained from the public realm (i.e. from Eynsham Road and Nobles Close). Consequently, Officers consider the visual impact of the proposal to be acceptable.
- 5.4 In terms of design, the dwellings incorporate the vernacular style found within the neighbouring area, and it is proposed to use similar materials.
- 5.5 In terms of density, the site is surrounded by medium density residential development of around 25 dwellings per hectare. The proposed development density is approximately 36 dwellings per hectare. Whilst below the target of 40 per hectare as defined by Policy H14, it is



considered that the proposal is acceptable as it reflects the medium density of surrounding housing which is an essential part of the established character of the area.

- 5.6 Turning to the third issue, the impact upon neighbouring properties, it is considered that no harm is caused to those properties located in Nobles Road and Pinnocks Way which lie some 48 metres and 37 metres respectively from the proposed dwellings. The new dwellings are also sited approximately 42 metres from the rear of those properties in Eynsham Road and are orientated to respect the amenity and privacy of all adjoining dwellings (both existing and proposed).
- 5.7 However, it is considered that some degree of harm is likely to arise from noise and general disturbance from the vehicular use of the access drive between the Nos. 107 and 111.
- 5.8 Whilst it is acknowledged that the proposed access drive is likely to result in some noise and disturbance to rooms at the rear of both adjacent properties, as well as their rear gardens, it is felt that, with additional boundary treatment (i.e. close boarded fencing / walling) mitigation of the harm caused by vehicle movements can be achieved. It must also be borne in mind that any harm caused must be weighed against the consideration to make the most efficient use of previously developed land. In this respect, your Officers consider, on balance, that planning permission should not be withheld. Issues of boundary treatments and drainage are covered by conditions. There is considered to be no additional risk to security of property.
- 5.9 On the final issue, the parking and access arrangements proposed appear acceptable in highway safety terms, and adequate visibility appears to be available at the new access to ensure pedestrian safety and that of existing road users. However, the comments of the County Engineer have yet to be received at the time of writing to formally confirm this. The parking provision shown provides spaces for each unit at a ratio of 1.5 spaces. Given the accessible location of the site and very regular bus services into Oxford in the immediate vicinity, this is considered acceptable.

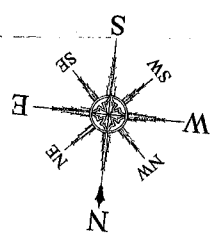
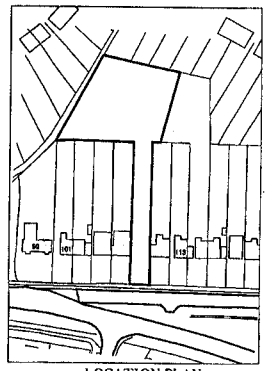
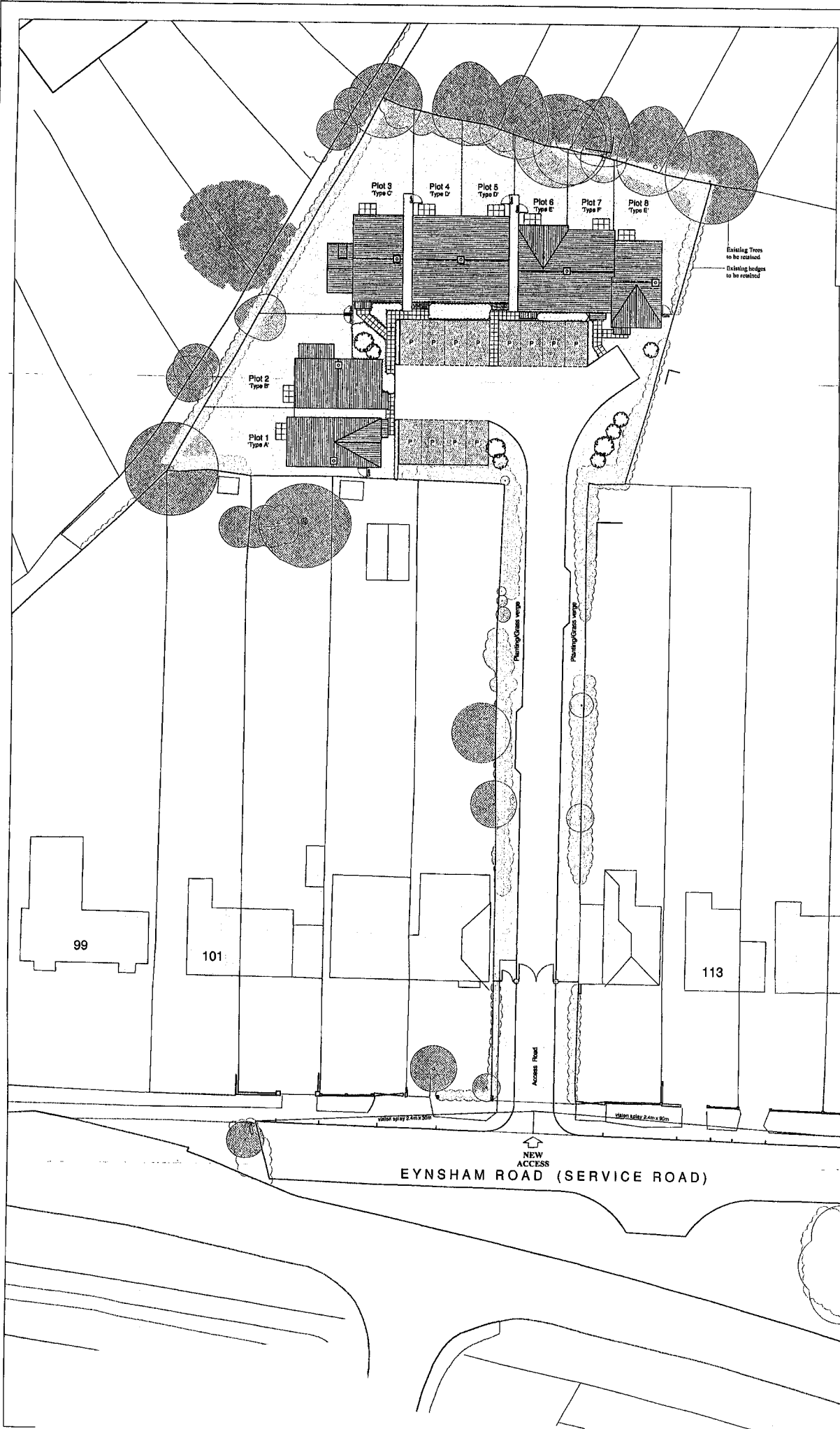
## 6.0 **Recommendation**

- 6.1 *That subject to no objections from the County Engineer, authority to grant planning permission subject to the following conditions be delegated to the Chief Executive in consultation with the Chair or Vice Chair of Development Control Committee.*

- 1 *TL1 – Time Limit*
- 2 *MC2 – Submission of sample materials*
- 3 *RE2 – Restriction on extensions / alterations to dwellings (PD rights removed)*
- 4 *RE8 – Submission of drainage details*
- 5 *RE7 – Submission of boundary details*
- 6 *Submission of details for electronic gates.*
- 7 *Access in accordance with specified plan*
- 8 *Turning space in accordance with specified plan*
- 9 *Car parking layout in accordance with specified plan*
- 10 *LS1 – Submission of landscaping scheme*
- 11 *Submission of surface material details for access road.*

12 *LS12 – Layout / Maintenance of open space.*

13 *MC23 – Removal of specified buildings to be demolished.*



EYNSHAM ROAD (SERVICE ROAD)

NOTICE OF REFUSAL OF PLANNING PERMISSION  
 ROAD 2 1 JAN 7100  
 COORDINATE POSTAL SERVICES - 7



Project  
 LAND TO REAR OF  
 103 & 109 EYNSHAM ROAD  
 BOTTLEY, OXFORD

Client: CARDINAL HOMES Ltd. Drawing Title: SITE INFORMATION

Drawing No: WO1949/P01 Date: JAN 2006  
 Scale: As Shown Drawn by: MR

APPENDIX 1

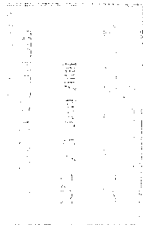
SITE LAYOUT PLAN SCALE 1:200

06/00102/FLU

THIS DRAWING IS THE COPYRIGHT OF BCA ARCHITECTS AND MAY NOT BE COPIED, ALTERED OR REPRODUCED IN ANY FORM OR PASSED TO A THIRD PARTY WITHOUT THEIR WRITTEN CONSENT. DIMENSIONS SHOULD BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT. THESE DRAWINGS MUST NOT BE SCALED AND SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANT DRAWINGS. IF IN DOUBT ASK FOR CONFIRMATION.

THIS DRAWING IS THE COPYRIGHT OF BCA ARCHITECTS AND MAY NOT BE COPIED, ALTERED OR REPRODUCED IN ANY FORM OR PASSED TO A THIRD PARTY WITHOUT THEIR WRITTEN CONSENT. DIMENSIONS SHOULD BE CHECKED AND VARIED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT. THESE DRAWINGS MUST NOT BE SCALED AND SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS. IF IN DOUBT ASK FOR CONFIRMATION.

# APPENDIX 1



New plans

THE HOMES  
ROBIN WOOD ROAD  
WYKING  
SURREY  
GU21 2LS

TELEPHONE:  
01483 488840  
01483 488847

**BCA** architects

Project  
LAND TO REAR OF  
103 & 109 EYNSHAM ROAD  
BOTLEY, OXFORD

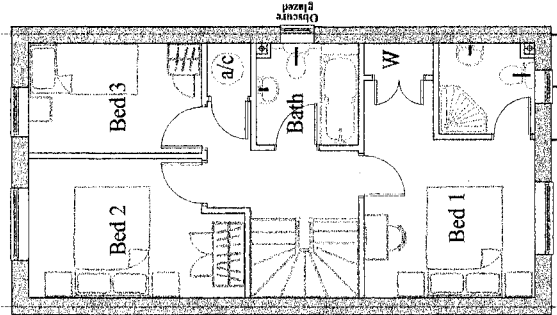
Client  
CARDINAL  
HOMES Ltd.

Drawing Title  
PLOT 1  
Type A

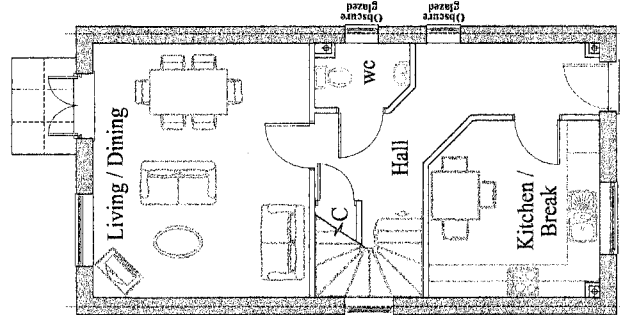
Drawing Nos	Date
WO/949/P02	JAN 2006
Scale	Drawn by
1 - 100	MR

Revisions  
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

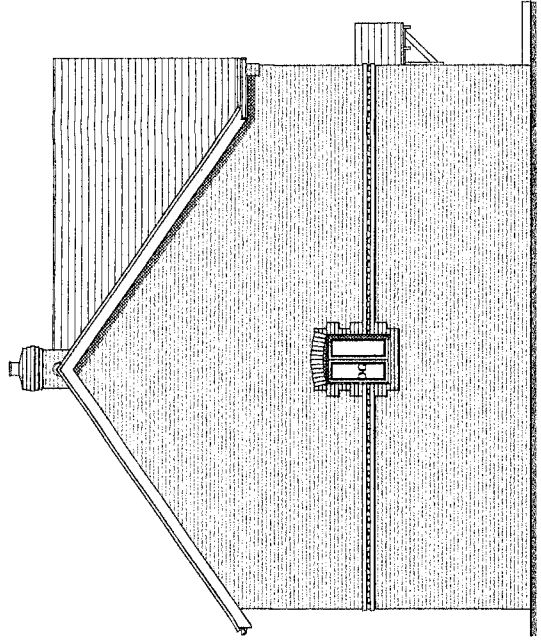
APPLICATION ISSUE



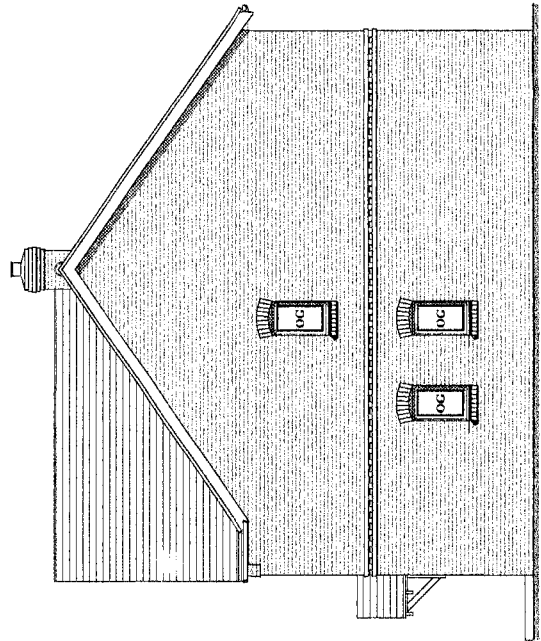
FIRST FLOOR PLAN



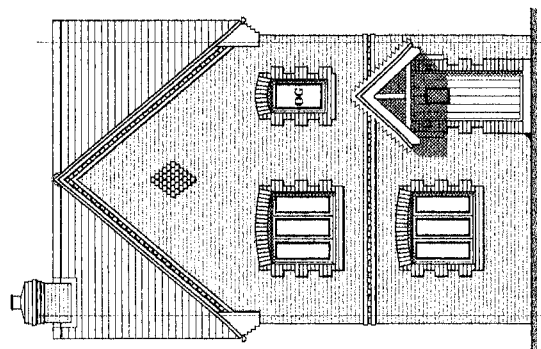
GROUND FLOOR PLAN



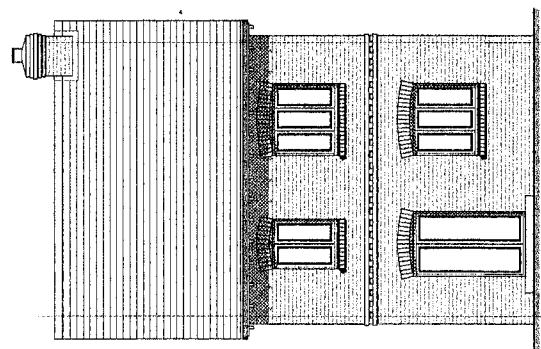
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

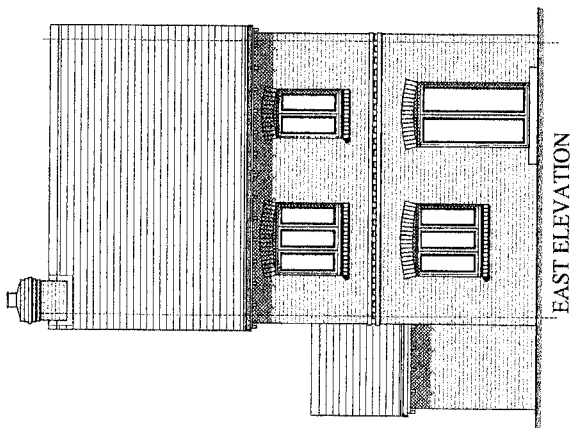
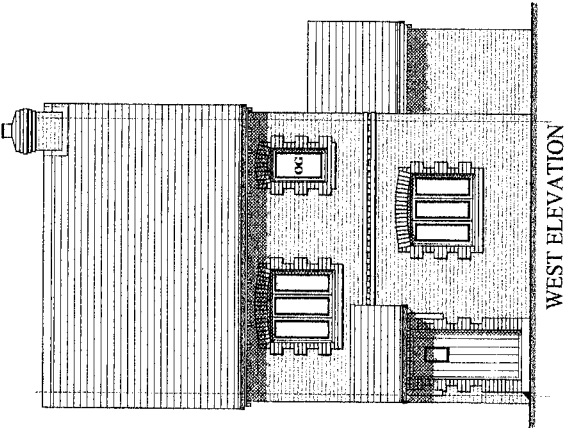
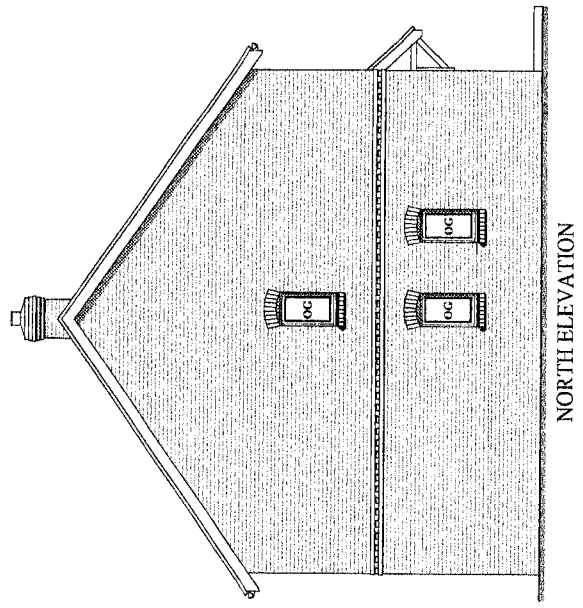
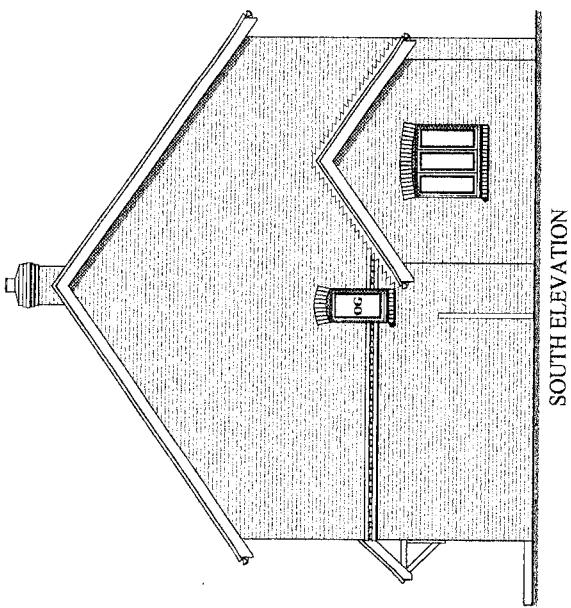
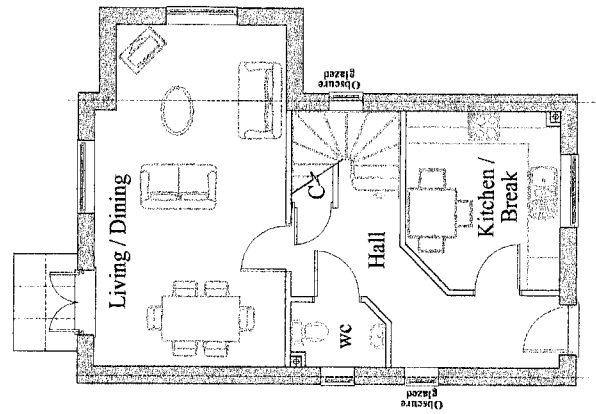
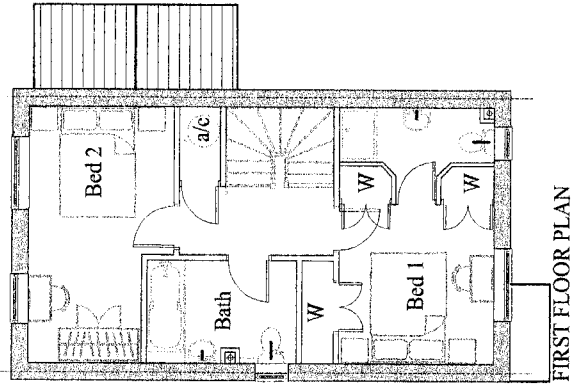


EAST ELEVATION

OG/00102/FUL CUM/1944A

THIS DRAWING IS THE COPYRIGHT OF BCA ARCHITECTS AND MAY NOT BE COPIED, ALTERED OR REPRODUCED IN ANY FORM OR PASSED TO A THIRD PARTY WITHOUT THEIR WRITTEN CONSENT. DIMENSIONS SHOULD BE CHECKED AND VARIED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT. THESE DRAWINGS MUST NOT BE SCALED AND SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANT'S DRAWINGS. IF IN DOUBT ASK FOR CONFIRMATION.

# APPENDIX 1



06/00102/FUL CUM/19444-

REVISORS

**BCA** architects  
 THE LONGS  
 KNAPHILL  
 SURREY  
 GU21 2LS  
 TELEPHONE: (01483) 488860  
 FAX: (01483) 48887

Project  
 LAND TO REAR OF  
 103 & 109 EYNHAM ROAD  
 BOTLEY, OXFORD

Client  
 CARDINAL  
 HOMES Ltd.

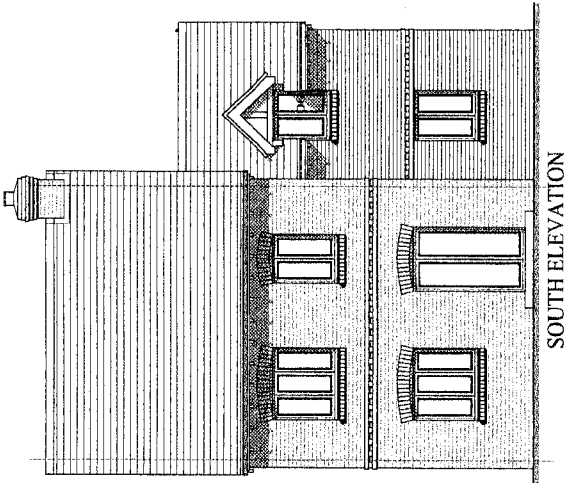
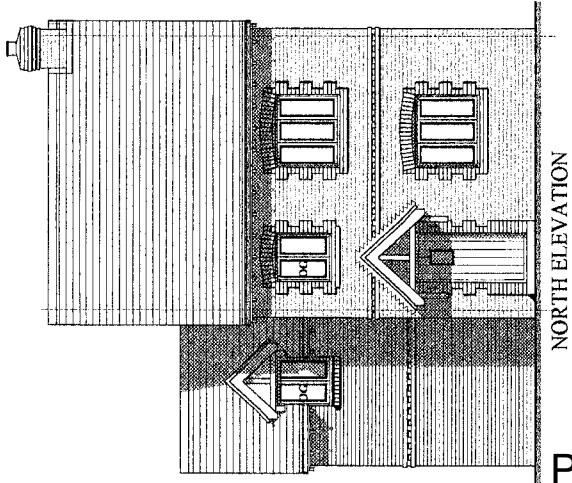
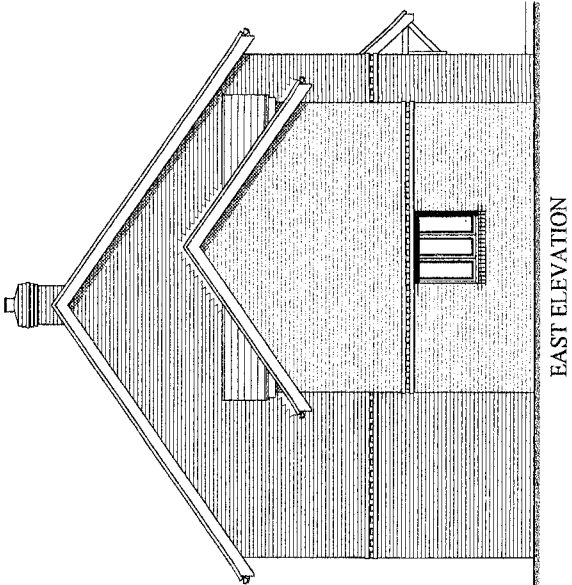
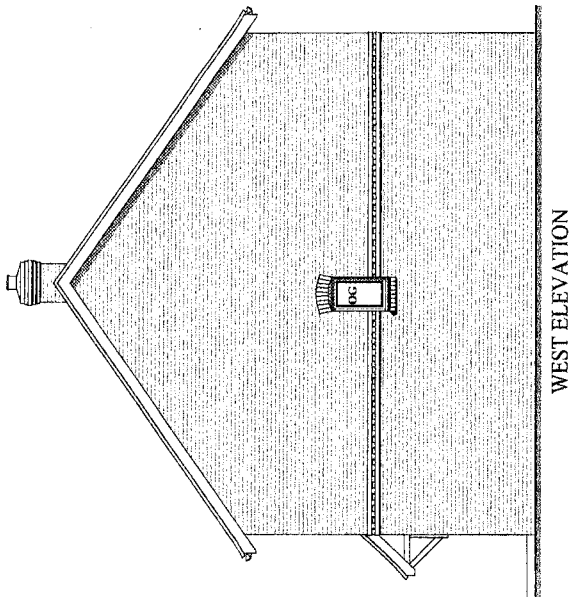
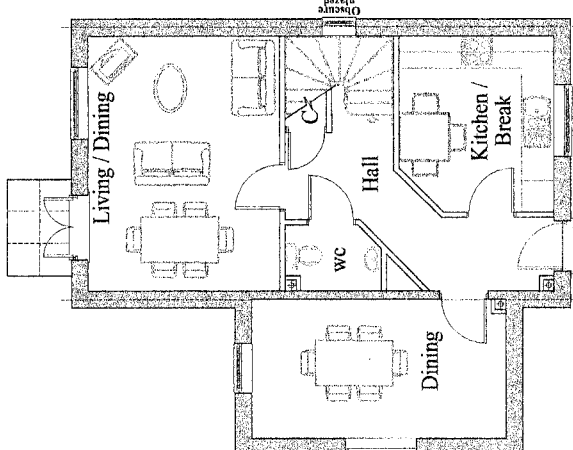
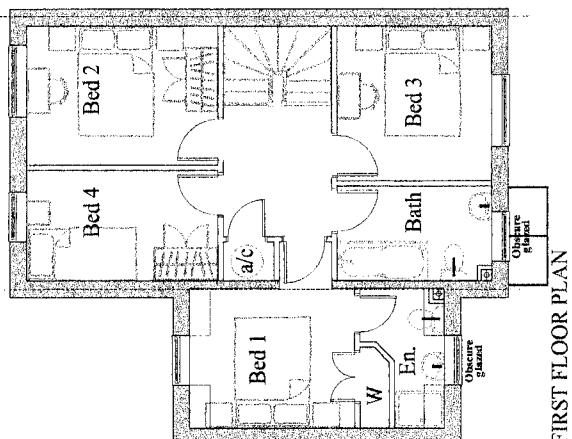
Drawing Title  
 PLOT 2  
 Type B

Drawing No.	WO 1949 IP03	Date	JAN 2006
Scale	1 - 100	Drawn by	MR
REVISIONS	A B C D E F G H I J K L M N O P Q R S T U V W X Y Z		

APPLICATION ISSUE

THIS DRAWING IS THE COPYRIGHT OF BCA ARCHITECTS AND MAY NOT BE COPIED, ALTERED OR REPRODUCED IN ANY FORM OR PASSED TO A THIRD PARTY WITHOUT THEIR WRITTEN CONSENT. DIMENSIONS SHOULD BE CHECKED AND VARIED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT. THESE DRAWINGS MUST NOT BE SCALED AND SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS. IF IN DOUBT ASK FOR CONFIRMATION.

# APPENDIX 1



Revisions

**BCA** architects  
 THE STONES  
 ROBIN HOOD ROAD  
 KNAPP HILL  
 SURREY  
 GU21 2LS  
 TELEPHONE:  
 (01483) 488880  
 (01483) 488887

Project  
 LAND TO REAR OF  
 103 & 109 EYNHAM ROAD  
 BOTLEY, OXFORD

Client  
 CARDINAL  
 HOMES Ltd.

Drawing Title  
 PLOT 3  
 Type C

Drawing No.	WO   949   P04	Date	JAN 2006
Scale	1 - 100	Drawn by	MR

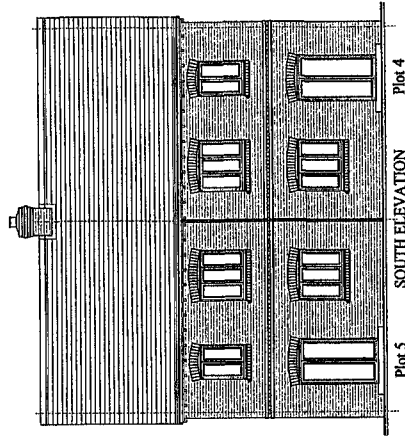
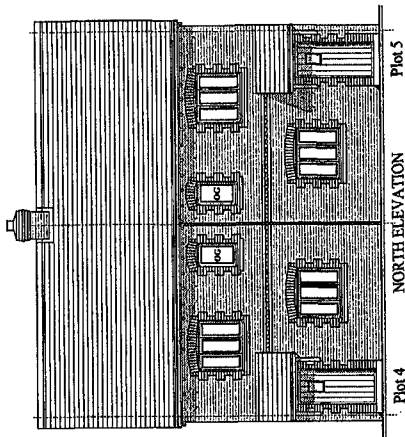
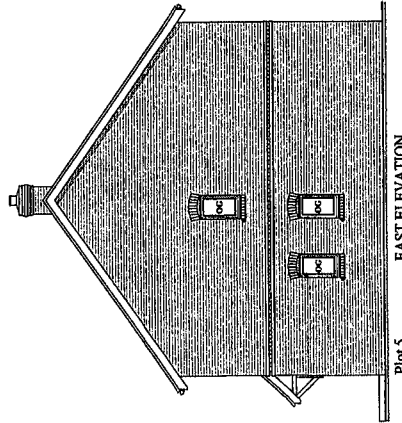
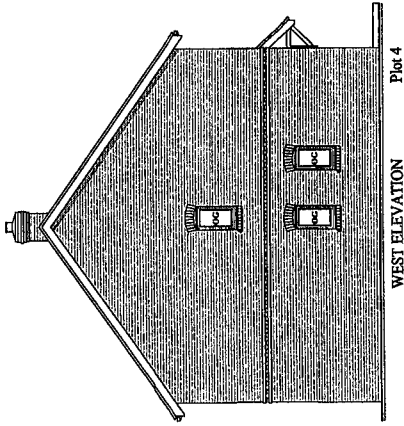
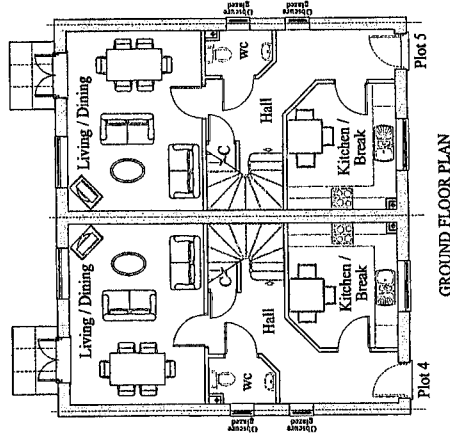
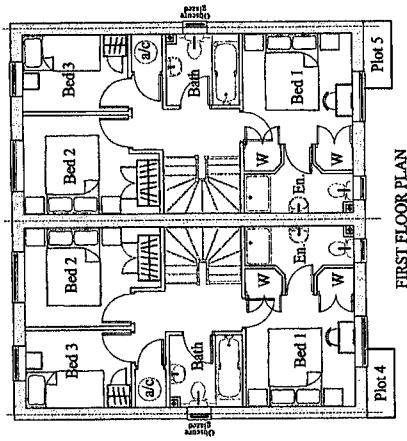
REVISIONS  
 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

06/00102/FUL CUM/19444

APPLICATION ISSUE

THIS DRAWING IS THE PROPERTY OF BJA ARCHITECTS AND MAY NOT BE COPIED, ALTERED OR REPRODUCED IN ANY FORM OR PASSED TO A THIRD PARTY WITHOUT THEIR WRITTEN CONSENT. DIMENSIONS SHOULD BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT. THESE DRAWINGS MUST NOT BE SCALED AND SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS' DRAWINGS. IF IN DOUBT, ASK FOR CLARIFICATION.

# APPENDIX 1



REVISED 23 JAN 2011  
 CONSULTANTS' DRAWING  
 CONTRACT NO. 003-7

Revisions

**BJA** architects

THE FORGE, WOOD ROAD  
 KNAPSHILL  
 WORCESTERSHIRE  
 CV21 3LS  
 TELEPHONE: (01453) 488880  
 (01453) 488887

Project  
 LAND TO REAR OF  
 103 & 109 EYNSHAM ROAD  
 BOTLEY, OXFORD

Client Drawing Title  
 CARDINAL HOMES Ltd. PLOTS 4 & 5  
 Type D

Drawing No. WO1949/P05 Date Dec 2005  
 Scale 1:100 Drawn by MR

Revisions  
 ABCDEFGHIJKLMNOPQRSTUVWXYZ

APPLICATION ISSUE

06/00102/FUL CUM/19444

THIS DRAWING IS THE COPYRIGHT OF BJA ARCHITECTS AND MAY NOT BE COPIED, ALTERED OR REPRODUCED IN ANY FORM OR PASSED TO A THIRD PARTY WITHOUT THEIR WRITTEN CONSENT. DIMENSIONS SHOULD BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT. THESE DRAWINGS MUST NOT BE SCALED AND SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS. IF IN DOUBT ASK FOR CONFIRMATION.

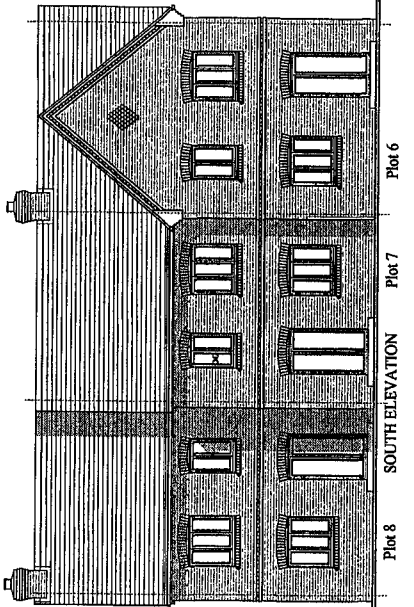
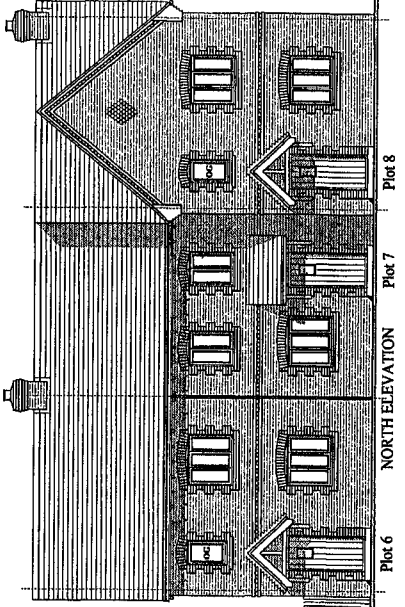
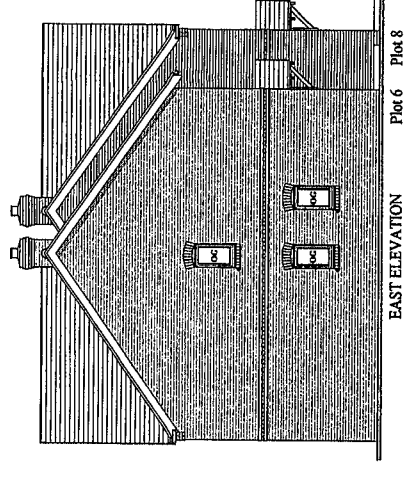
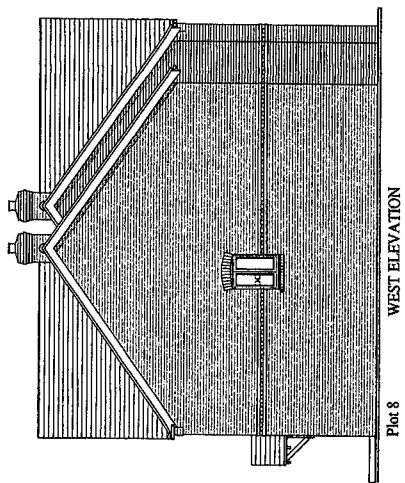
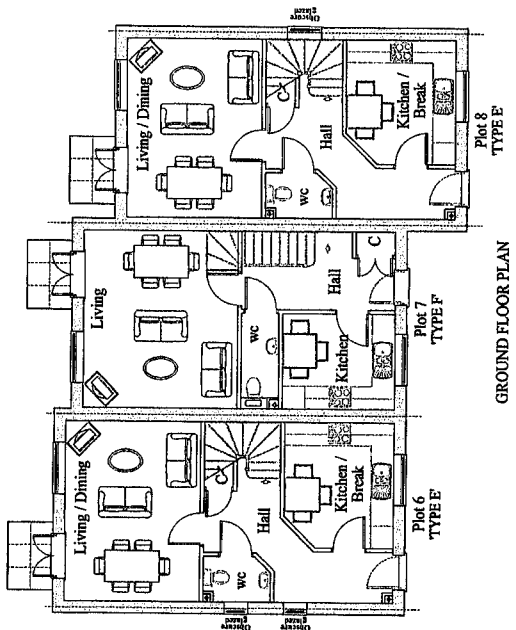
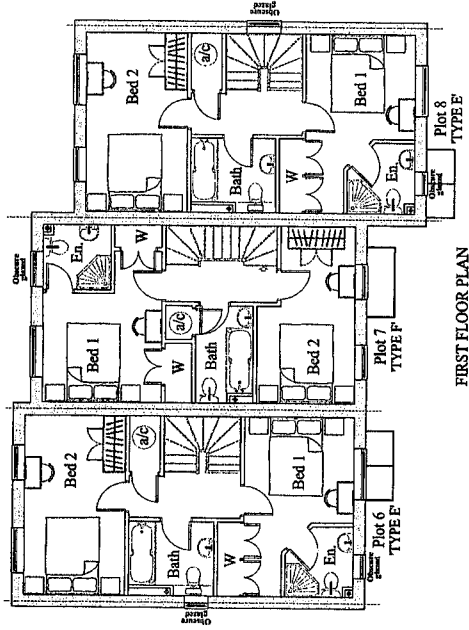
# APPENDIX 1

REVISIONS  
 23 JAN 2006  
 CORPORATE POSTAL SERVICES 7

Revisions  
**BJA**  
**architects**  
 Project  
 LAND TO REAR OF  
 103 & 109 EYNSHAM ROAD  
 BOTLEY, OXFORD

Client  
 CARDINAL  
 HOMES Ltd.  
 Drawing No.  
 WO1949/P06  
 Scale  
 1:100  
 Date  
 JAN 2006  
 Drawn by  
 MR

Drawing Title  
 PLOTS 6, 7 & 8  
 Type E & F  
 Application No.  
 WO1949/P06  
 Scale  
 1:100  
 Date  
 JAN 2006  
 Drawn by  
 MR  
 Revisions  
 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z  
 APPLICATION ISSUE



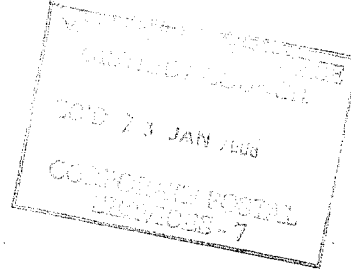
06/00102/FUL CUM/19444



# APPENDIX 1



Planning Department  
Vale of White Horse District Council  
PO Box 127  
Abbey House  
Abingdon  
Oxon  
OX14 3JN



20<sup>th</sup> January, 2006

Dear Sir

**Land to the rear of 101-109 Eynsham Road, Botley, Oxon.**

Please find enclosed an application for planning permission for the demolition of 109 Eynsham Road and the erection of 8 dwellings together with a new access road on land to the rear of 101-109 Eynsham Road, Botley. The application is accompanied by the following:

Six copies:

- Planning application forms
- Plan WO/949/P01 Site Location Plan (1:2500) and Site Layout Plan (1:200)
- Plan WO/949/P02 Plans and Elevations Plot 1 Type A (1:100)
- Plan WO/949/P03 Plans and Elevations Plot 2 Type B (1:100)
- Plan WO/949/P04 Plans and Elevations Plot 3 Type C (1:100)
- Plan WO/949/P05 Plans and Elevations Plot 4 & 5 Type D (1:100)
- Plan WO/949/P06 Plans and Elevations Plots 6, 7 and 8 Type E and F (1:100)
- Design Statement

One copy:

- Certificate of ownership
- Cheque for £2120 as the relevant planning application fee.
- Agricultural Holdings Certificate
- List of owners notified

As shown on the site layout plan, the 8 dwellings would comprise three detached properties, a pair of semi-detached dwellings and a terrace of three units, providing a mix of units (4 two-bedroom, 3 three-bedroom and 1 four-bedroom). These would be positioned on the southern and eastern edges of a central parking court accessed via a new driveway from the service road off Eynsham Road. A total of 12 parking spaces

# APPENDIX 1

would be provided. The proposed dwellings would be two-storey in scale with a brickwork external finish under a pitched tiled roof.

The application is accompanied by a design statement that describes the character and appearance of the area in detail and concludes that the proposed development would respect the local context and enhance the built character of the locality. Furthermore, the site represents previously developed land in a highly sustainable location and the density of the proposed development (36 dwellings per hectare) would accord with the requirements of PPG3 and the emerging Local Plan. In addition, it should be recognised that the mix of units (with 50% two-bedroom houses) would again accord with the policies of the emerging Local Plan.

In terms of the impact of the proposed development on neighbouring residential amenity, the proposed dwellings would be sited, at their nearest, some 48.0 metres from the rear elevations of 28-32 Nobles Close to the south. Given the distance involved, there would be no unacceptable overlooking or loss of privacy to these properties. Any potential impact in this regard would be further reduced by the retention of the existing vegetation along the southern site boundary. The proposed dwellings on plots 1-2 would be approximately 37 metres from the nearest property in Pinnocks Way (No. 141) which, combined with the oblique angle of view, ensures that privacy to these dwellings would not be unacceptably compromised. There would be no loss of privacy or other amenity impact on the properties fronting Eynsham Road, especially given the layout of the proposed development and the distances involved.

The proposed access road would extend between the rear gardens of 107 and 111 Eynsham Road. For the majority of its length, this access road would be 4.2m wide and centralised in the former garden of No 109. This would allow the retention of a 2.6m wide buffer strip either side of the access way up to the boundary with the neighbouring properties. Significant planting would be provided along the length of this buffer strip and, along with the provision of a 2.0m high close boarded fence along each garden boundary, would be sufficient to ensure no adverse impact on neighbouring residential amenity through disturbance from vehicle movements.

In terms of the quality of living environment created for future residents of the development, each unit would be provided with an area of private amenity space to the rear commensurate with the size of unit proposed. These areas would be both private and useable. In addition, the internal layout of the units has been carefully considered to ensure no overlooking between units and that levels of light and outlook to/from habitable rooms are maximised. In so doing, the proposals would provide a quality living environment for future occupiers of the development.

Access to the site would be from the service road off Eynsham Road with, given the low vehicle speeds and small number of vehicle movements along the service road, appropriate visibility secured. For the majority of its length the road would be 4.1m wide in accordance with DB32 with passing bays provided in the event that delivery vehicles

# APPENDIX 1

entering/leaving the site meet domestic vehicles. Appropriate turning and manoeuvring space would be provided within the parking area.

In terms of parking, a total of 12 spaces would be provided at an average of 1.5 spaces per unit, This would accord with the advice in PPG3 and the maximum standards set out in the emerging Local Plan. In any event, it should be recognised that the site is within walking distance of the local shopping centre and within 2 minutes walk of bus stops on Eynsham Road. As such, the site is in a highly sustainable location that supports the level of parking proposed.

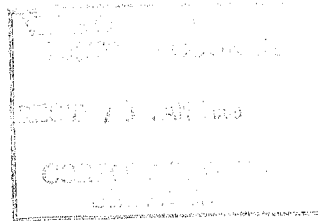
For these reasons I trust you will agree that the proposals accord with the adopted and emerging Local Plan and advice in PPG3, particularly by ensuring a development that maximises the use of previously developed land in a highly sustainable location. As such, I look forward to receiving your approval in due course. However, should you have any queries, please contact me.

Yours sincerely,

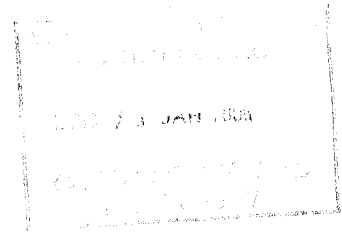
**BCA Architects Ltd**



Christian Gattesco BA (Hons) Dip. Arch  
**Director**



06/00102/FUL CUM/19444



## DESIGN STATEMENT

Proposed Residential Development

Land to the rear of 101-109 Eynsham Road, Botley

### Background

This statement sets out the design rationale for the proposed development of 8 dwellings, comprising three detached units, a semi-detached pair, and a terrace of three dwellings on land to the rear of 101-109 Eynsham Road, Botley. The statement describes the character and appearance of the area before going on to consider the layout of the proposed scheme and the design of each unit.

### Character and Appearance of the Area

The site is located in a predominantly residential area on the western edge of Botley, approximately 1km to the west of the local shopping centre. The site forms part of the rear garden of 109 Eynsham Road that has a linear form comparable to surrounding dwellings before widening at its southern end. The site extends to an area of approximately 0.22 hectares and is generally level.

The existing development fronting Eynsham Road comprises a series of detached and semi-detached two-storey dwellings finished with a mixture of render and brickwork. These properties generally occupy narrow, linear plots with garden areas to the south that extend up to the site boundary. To the south, the site is adjoined by the rear gardens of properties fronting Nobles Close. These properties are generally semi-detached bungalows. A public footpath traverses the eastern site boundary linking Nobles Close with Eynsham Road. The rear gardens of properties in Pinnocks Way extend up to the footpath on the opposite side to the application site. These properties are generally two-storey semi-detached dwellings of brick construction under a tiled roof.

Seen in this context, whilst the surrounding area is residential in character the built form of the locality is mixed, consisting of a series of detached and semi-detached two storey dwellings and bungalows with a variety of external materials. There are, therefore, no unifying or consistent features to the surrounding development to which development on the site should necessarily confirm. Indeed, given the limited architectural merit of many of the surrounding buildings there is an opportunity to enhance the built character of the area through the development of the site, subject to matters of scale and form being informed by and respecting the local context.

### The Proposal

The application seeks planning permission for the demolition of 109 Eynsham Road and the erection of 8 dwellings on the site, comprising three detached properties, a semi-detached pair and a terrace of three units. These would be accessed via a new driveway off the service road linking to Eynsham Road.

The access drive would terminate in a parking court in the centre of the site providing 12 parking spaces together with turning and manoeuvring space. The proposed dwellings would front the southern and eastern edges of the parking court with gardens backing on to the footpath and properties in Nobles Close. The dwellings would be two-storey in scale with a brickwork external finish under a pitched, tiled roof with an average ridge height of 9.0m. Each property would be provided with a private garden area to the rear.

### ***Design and Layout***

The layout of the proposed scheme has inevitably been informed by the shape and form of the site. In particular, the position of the access way necessitates a central parking and turning area with properties positioned along its southern and eastern edge. Whilst this results in dwellings occupying smaller plots than the surrounding units, given that these have long deep gardens and an average density of 15 dwellings per hectare, the smaller plot sizes are an inevitable consequence of the need to achieve higher densities of development and secure more efficient use of previously developed land, especially in highly sustainable locations such as the application site. Nevertheless, the layout and spacing between the units would be consistent with the surrounding area and, given this context, the proposals would not appear out of character with or detrimental to, the appearance of the surrounding area.

In terms of design, it has already been noted that there are no unifying features to the existing development in the locality to which proposals on the site should necessarily conform. Indeed, the surrounding area is of somewhat limited architectural quality. Consequently, apart from conforming to the two-storey scale of surrounding dwellings, the design of the proposed units seeks to create its own identity by incorporating a simple, traditional form with high quality facing materials, that enhances the appearance of the locality. The design of each of the units are considered below.

#### *Plots 1 and 2*

Plots 1 and 2 would be sited on the eastern edge of the central parking court with rear gardens extending up to the footpath traversing the eastern site boundary. Both units would be two-storey in scale with a brick external finish under a pitched, tiled roof.

Plot 1 incorporates a central gable feature to the front that has been designed to reflect the similar feature to the front of plot 8 and provide an 'end-stop' to the development. Combined with the traditional proportions and fenestration detailing, and the visual interest provided by the window detailing and brick banding, the proposed building would be of an attractive design and appearance that would complement the development and enhance the built character of the surroundings. The external appearance of Plot 2 would be comparable to plot 1 with the exception of a small single storey addition on the southern side of the unit, and a simple pitched roof. The attractive design of the building would, therefore, also enhance the character of the area.

#### *Plot 3*

Plot 3 is a detached, four bedroom unit located in the south-eastern corner of the site. The main part of the building would be comparable to plot 2, incorporating a brickwork finish under a pitched tiled roof. A two-storey addition is proposed on the eastern side of the unit that would provide a dining room at ground floor level and additional bedroom above. This part of the dwelling has been set back from the front elevation, with a lower roof and eaves line to ensure it appears

subordinate to the main building. In consequence, the building has an attractive, simple design that would again enhance the built character of the area.

In addition to the external appearance of the building, the internal layout of plot 3 has been carefully considered to ensure a high quality living environment. In particular, main habitable rooms have been provided with window openings in the south and east elevations, with non-habitable rooms (kitchens and bathrooms) facing north towards the flank elevation of plot 2. This ensures suitable levels of light and outlook from main habitable rooms.

#### *Plots 4 and 5*

Plots 4 and 5 are a semi-detached pair of units located centrally within the group of dwellings on the southern edge of the parking court. These units are of a simple design and form, comparable in appearance to the other proposed dwellings. In particular, the buildings would incorporate brick external finishes, with banding and fenestration detailing to provide visual interest, under a pitched, tiled roof. The appearance of the units would complement the development and enhance the built character of the surroundings.

#### *Plots 6-8*

Plots 6-8 would be located in south-western corner of the site and comprises a terrace of three dwellings with plot 8, at the western end, set forward of the plots 6 and 7. The buildings would be of a comparable design and appearance to the remaining units on the site, with plot 8 designed with a gable feature to the front to provide the 'end stop' to the development that is also secured through the design of plot 1.

Again, the buildings would incorporate a brickwork external finish with a pitched, tiled roof utilising banding and fenestration detailing. This ensures the design and external appearance of the building complements the character of the development.

Together this secures an attractive form of development that in its layout and built character respects and reflects the local context whilst enhancing the appearance of the area.

### **Conclusion**

This Design Statement has set out the design rationale for the proposals. It has been demonstrated that this part of Botley has a mixed built character of limited architectural merit and has no unifying design features that need to be replicated in the proposed development. Notwithstanding this, the design seeks to create buildings of a simple form that through the use of materials and fenestration detailing, creates an attractive development that complements and enhances the character of the area.

**CUMNOR PARISH COUNCIL RESPONSE FOR  
SUPPLEMENTARY COMMENTS**

The observations of Cumnor Parish Council.

Register No. 06/00102/FUL

Officer: Mr Stuart Walker

Application Number: CUM/19444

Amended plans: No

Address of Proposal: Land to rear of 101-109 Eynsham Road, Oxford, Oxon  
**THIS AREA IS NOT BOTLEY, (NORTH HINKSEY PARISH). IT IS IN  
DEAN COURT (CUMNOR PARISH).  
PLEASE AMEND YOUR RECORDS ACCORDINGLY.**

Proposal: *Demolition of 109 Eynsham Road and erection of eight dwellings.*

Please select the response that most accurately reflects your views on this application by ticking one box and providing the relevant reasons where this is requested, using a separate sheet if required.

1.  Fully support for the following reasons:

2.  No objections.

3.  Do not object but request the following issues be given consideration:

The density of the proposed development is greater than the Council thinks appropriate for Cumnor Parish and is out of keeping with the surrounding area.  
The Council believes that it is undesirable to have overspill parking on public roads. It therefore recommends that 2 allocated parking spaces per dwelling should be provided.  
The views of the neighbours should be taken into account.

4.  Object for the following reasons:

Signed by .....*J B Bock*.....  
Clerk to Cumnor Parish Council

Dated 23 February 2006

CUMNOR PARISH COUNCIL RESPONSE FORM

The observations of Cumnor Parish Council.

Register No. 06/00102/FUL Officer: Mr Stuart Walker

Application Number: CUM/19444 Amended plans: No

Address of Proposal: Land to rear of 101-109 Eynsham Road, Oxford, Oxon  
**THIS AREA IS NOT BOTLEY, (NORTH HINKSEY PARISH). IT IS IN DEAN COURT (CUMNOR PARISH).  
PLEASE AMEND YOUR RECORDS ACCORDINGLY.**

Proposal: *Demolition of 109 Eynsham Road and erection of eight dwellings.*

Please select the response that most accurately reflects your views on this application by ticking one box and providing the relevant reasons where this is requested, using a separate sheet if required.

1.  Fully support for the following reasons:

2.  No objections.

3.  Do not object but request the following issues be given consideration:

This was a late application.  
Whilst the Council has no objection to the development, it is likely to have a major impact on the neighbours.  
The Council recommends that the access road be widened to allow a 'buffer' zone between it and the immediate neighbours' properties.  
The Council also recommends that conditions be set to minimise the effect of the contractors' vehicles during building work to reduce the nuisance to the residents and the service road.  
The Council is opposed to gated developments and urges the removal of the proposed gate.

4.  Object for the following reasons:

Signed by .....*J B Bock*.....  
Clerk to Cumnor Parish Council

Dated 7 February 2006