

Date: 13 September 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, 25TH SEPTEMBER, 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. **Minutes**

(Pages 6 - 15)

To adopt and sign as a correct record the Minutes of the Meeting of the Development Control Committee held on 4 September 2006 (attached).

3. **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.

4. **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.

5. **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.

6. **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.

7. **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.

8. **Materials**

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

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

9. **Appeals**

(Pages 16 - 25)

Dismissed / Part Allowed

The following appeals have been dismissed / part allowed by the Planning Inspectorate: -

Appeal A by Mr C Pugh against the issue of an enforcement notice for the alleged insertion of two unauthorised windows on the South West elevation of the dwelling house and unauthorised extension to the garage (CUM/18082/3-E) and Appeal B by Mr C Pugh against the Council's decision to refuse to permit part retrospective applications for alterations, extension and new vehicular access (amendment to approval CUM/18082/1) both at 10 Hids Copse Road, Cumnor.

A copy of the Appeal decisions are attached together with details of a decision concerning an application for costs.

Recommendation

that the agenda report be received.

10. Forthcoming Public Inquiries and Hearings

(Pages 26 - 32)

A list of forthcoming public inquiries and hearings is presented.

Recommendation

that the report be received.

11. Tree Preservation Order (Sutton Courtenay) No. 4 2006

(Wards Affected: Sutton Courtenay and Appleford)

(Pages 33 - 34)

To receive and consider report 72/06 of the Landscape Officer (Arboriculture) (attached).

Introduction and Report Summary

Following an application to carry out works in a Conservation Area received on 1st February 2006 at 2 The Green, Sutton Courtenay the site was inspected to see if the works were appropriate. Four trees in the garden were to be felled, including an early mature walnut tree, and one sycamore was to be pollarded. A letter of objection was received from Sutton Courtenay Parish Council asking that the walnut should remain. Of the trees in the garden the walnut has the most merit and will soon develop into a tree that can be clearly seen by the public and be an asset to the Conservation Area therefore it was decided to protect it with a TPO. A map showing the location of the walnut tree is attached as an Appendix.

An objection was received to the order from the resident Mrs. J Wilkinson.

The contact officer for this report is George Reade, Landscape Officer (Arboriculture) 01235 520202 extension 504.

Recommendation

that the Order be confirmed.

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 **73/06** of the Deputy Director refers.

12. CUM/95/5 – Construction of two storey detached house with car port and outbuilding to rear (Revision to permission CUM/95/3). 205A Cumnor Hill

(Wards Affected: Appleton and Cumnor)

(Pages 35 - 40)

13. CUM/5932/3-X – Demolition of dwelling and garage. Erection of 2 dwellings with garages. CUM/5932/4 - Demolition of garage. Erection of 1 dwelling and 2 garages 98 Oxford Road, Cumnor

(Wards Affected: Appleton and Cumnor)

(Pages 41 - 47)

14. SAH/19660/1 – Variation of condition 3 to SAH/19660 – erection of replacement dwelling. The Orchard, 76 Honeybottom Lane, Dry Sandford

(Wards Affected: Marcham and Shippon)

(Pages 48 - 50)

15. WAN/19629 – Flat roof extension to rear for additional kitchen space, utility room & wc/shower room. Single storey extension to the side for additional living space. 78 Hamfield, Wantage

(Wards Affected: Wantage Segsbury)

(Pages 51 - 56)

16. CHD/19720 – Retention of rooflights. 1 Lawrence Close, Childrey

(Wards Affected: Greendown)

(Pages 57 - 62)

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

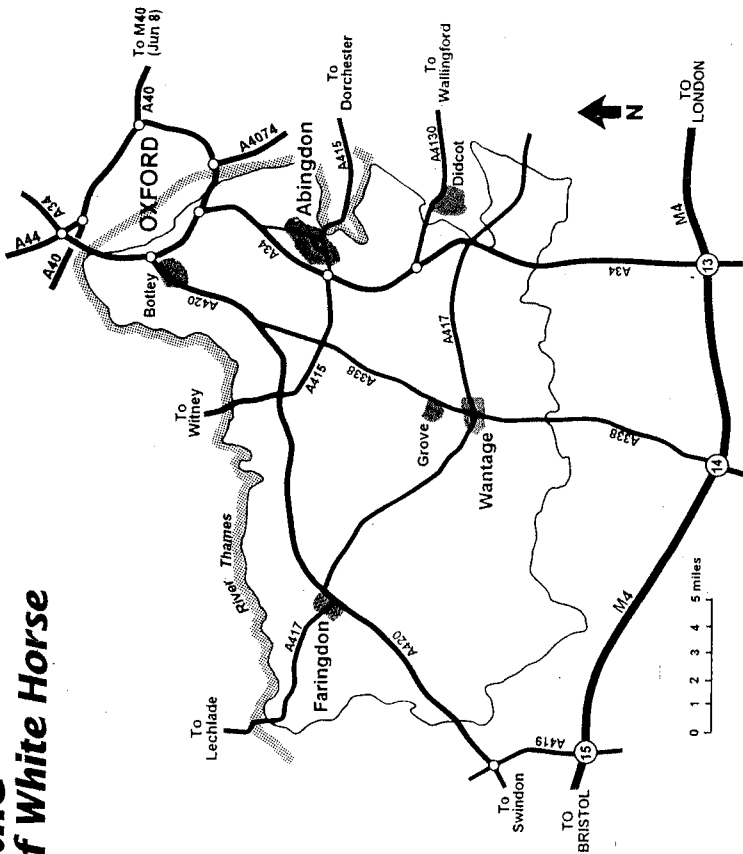
Create a safer community and improve the quality of life among Vale residents

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

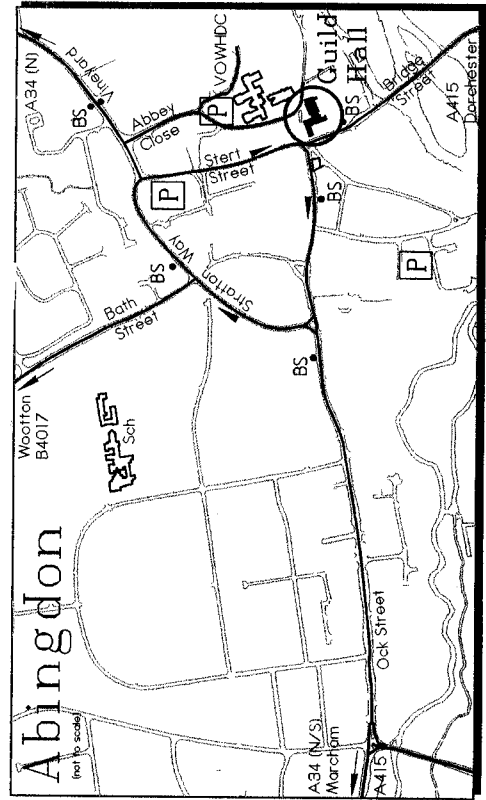
Help disadvantaged groups and individuals within the Vale to realise their full potential

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



DC.60

**MINUTES OF A MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE**

**HELD AT THE GUILDHALL,
ABINGDON ON MONDAY, 4TH
SEPTEMBER, 2006 AT 6.30PM**

Open to the Public, including the Press

PRESENT:

MEMBERS: Councillors John Woodford (Vice-Chair), Roger Cox, Terry Cox, Tony de Vere, Richard Farrell, Richard Gibson, Jenny Hannaby, Monica Lovatt, Jim Moley, Briony Newport, Jerry Patterson, Peter Saunders and Pam Westwood.

SUBSTITUTE MEMBERS: Councillor Bob Johnston for Councillor Terry Quinlan and Councillor Peter Jones for Councillor Margaret Turner.

NON MEMBER: Councillor Derek Rawson.

OFFICERS: Sarah Commins, Rodger Hood, Geraldine Le Cointe, Carole Nicholl, Andrew Thorley and Stuart Walker.

NUMBER OF MEMBERS OF THE PUBLIC: 27

DC.108 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

The attendance of Substitute Members who had been authorised to attend in accordance with the Provisions of Standing Order 17(1) was recorded as referred to above, with apologies for absence having been received from Councillors Terry Quinlan and Margaret Turner.

Councillor John Woodford – Vice-Chair in the Chair.

DC.109 MINUTES

The Minutes of the meetings of the Development Control Committee held on 24 and 26 July and 14 August 2006 were adopted and signed as correct records.

However, the Chair commented that he considered that the minute at DC.96 – Appeals was rather bland and that in his opinion more had been said about the Inspector’s comments. However, he did not seek an amendment to that minute but asked that his comments made now be so recorded in these minutes unless Members thought otherwise. Subsequently there were no further comments.

DC.110 DECLARATIONS OF INTEREST

One Member declared interests in report /06 – Planning Applications as follows: -

<u>Member</u>	<u>Application</u>	<u>Type of Interest</u>	<u>Reason</u>	<u>Minute Ref</u>
Councillor Briony Newport	ABG/1797/3	Personal and Prejudicial	One of the objectors was a close friend	DC.119

DC.111 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair advised the Committee, that Councillor Terry Quinlan had been ill but was now feeling much better.

The Chair asked Councillors and members of the public to switch off their mobile telephones during the meeting.

The Chair reminded Members that there was a supplementary agenda item.

DC.112 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.113 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.114 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 10 members of the public had each given notice that they wished to make a statement at the meeting. However two members of the public declined to do so.

DC.115 MATERIALS

The Committee received and considered materials in respect of the following application: -

MIL/59/139(a) - External Materials 96 (97) Milton Park

By 15 votes to nil it was

RESOLVED

that the use of the following materials be approved: -

- (1) *Trespa Meteon cladding panel in anthracite*
- (2) *Synthatec polyester powder coating (PPC) in anthracite*
- (3) *Gobelin brick by Hanson*
- (4) *Reglit glass*
- (5) *Aluminium window curtain section by kawneer (window colour will be PPC anthracite, as noted above)*
- (6) *Coloured glass by Vanceva*

DC.116 APPEALS

The Committee received and considered an agenda item which advised of two appeals which had been lodged with the Planning Inspectorate for determination and one appeal which had been dismissed.

One Member made reference to the appeal lodged with the Planning Inspector for determination in respect of the site at Abingdon Motorcycles, Marcham Road, Abingdon and sought details of the proposal and the reasons for its refusal. The Officers explained that the proposal was for 14 flats and had been refused by the Strategic Director under delegated authority for 6 reasons, 4 of which were being defended at appeal. One of the reasons not being defended related to policy E1 (parking) which had now changed with the adoption of the new Local Plan. It was also likely that the highway reason for refusal might be resolved. However, the other reasons included the proposal being detrimental to the amenity of future residents in terms of noise and disturbance from Marcham Road and the impact on the Ock Valley.

One Member referred to the dismissed appeal in respect of a 17.5m streetworks column together with ground equipment, cabinet and associated ancillary equipment on highways land outside the Abingdon Football and Social Club, Oxford Road, Abingdon. He welcomed the decision and asked the Committee to note that the Inspector had made such a decision in relation to a telecommunications mast.

RESOLVED

that the agenda report be received.

DC.117 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered an agenda report which advised of forthcoming public inquiries and hearing.

RESOLVED

that the agenda report be received.

PLANNING APPLICATIONS

The Committee received and considered report 64/06 of the Strategic Director detailing planning applications, the decisions of which are set out below. Applications where members of the public had given notice that they wished to speak were considered first.

DC.118 DRA/477/9-X – DEMOLITION OF EXISTING BUILDINGS. ERECTION OF 3 DWELLINGS AND GARAGES. LAND ADJOINING 1 THE GREEN, DRAYTON

Miss S Kyle was due to make a statement objecting to the application but she was not present at the meeting.

The Committee was reminded that access and siting only were to be determined. The two main issues raised were the loss of the Poplar trees and the use of the bridleway. Members' attention was drawn to the views of the Arboricultural Officer and it was noted that a mature Oak tree in the neighbouring garden would be retained.

It was reported that an application for a dwelling on part of the site had previously been resolved to be approved subject to the removal of the garage by way of Section 106 agreement. However this agreement had never been signed and hence permission had not been granted.

It was explained that the Rights of Way Officer had raised concerns regarding the use of the bridleway.

Further to the report it was noted that (1) a letter had been received from the owner of the neighbouring property stating that the garage had not been used for over 15 years; the access along the bridleway was not used and even when it had been used it had been for accident vehicles only; there was an unauthorised gate further down the bridleway; (2) a letter received from the Land Registry showed that there was no access and (3) a letter from a solicitor was available stating that the bridleway was to be used only for bridle way uses.

Also further to the report a letter had been received from the applicant's agent stating that the bridleway had been in use since the 1940s up until recently for access; access to the site was via the lane and the gates had been operational as part of the business.

The Officers explained that it had yet to be demonstrated that the bridleway had been used as a vehicular access to this site. Therefore, the Committee was asked to consider an amended recommendation, namely that the Chief Executive, in consultation with the Chair and/or Vice-Chair of the Committee be delegated authority to approve application DRA/477/9-X subject to the conditions set out in the report and subject to evidence being received that a right of way exists along the bridleway and that should such evidence not be demonstrated, the Chief Executive be delegated authority to refuse the application.

In response to a question raised the Officers explained that access was a material planning consideration in this case as the proposed access was via a bridleway and there could be a conflict of uses between vehicles and horses.

One Member referred to the loss of the Poplar trees commenting that Poplar trees were a short lived species and these trees were likely to become dangerous and would be in need of felling within a few years in any event.

In response to a question raised the Officers clarified that proof of a right of way would include documented evidence such as land registry details or conveyance details, although prescriptive rights over land the land could have been established.

One Member referred to the timescale in which the applicant should demonstrate such evidence and he suggested that 90 days was appropriate. However, the Officers expressed some reservations regarding this, commenting that it was essential that the applicant was given sufficient time to research proof of access and come forward with evidence.

One Member commented that the principle of development on this site was acceptable and that it might be possible to gain access from the north of the site to the rear of the gardens. He suggested that siting of the dwellings proposed for the adjoining site should be taken into account when the layout was being finalised. The Officers pointed out that the current application was for outline permission for siting and access only.

It was proposed by Councillor Jerry Patterson, seconded by Councillor Tony de Vere that the Chief Executive be delegated authority to approve application DRA/477/9-X subject to the conditions set out in the report and subject to evidence being received within 6 months that a right of way exists along the bridleway and that should such evidence not be demonstrated, the Chief Executive be delegated authority to refuse the application. On being put, this was lost by 9 votes to 6.

It was then proposed by the Chair and by 15 votes to nil, it was

RESOLVED

that the Chief Executive be delegated authority to approve application DRA/477/9-X subject to the conditions set out in the report and subject to evidence being received that a right of way exists along the bridleway and that should such evidence not be demonstrated, the Chief Executive be delegated authority to refuse the application.

DC.119 ABG/1797/3 – PROPOSED TWO STOREY SIDE AND GROUND AND FIRST FLOOR REAR EXTENSION. 7 NORTH AVENUE, ABINGDON

Councillor Briony Newport had declared a Personal and Prejudicial interest in this item and in accordance with Standing Order 34 she withdrew from the meeting during its consideration.

The Committee was advised that one rear window had been omitted from the scheme to reduce overlooking.

Mr Hine, one of the neighbours made a statement objecting to the application raising concerns regarding loss of light to the inside of his property, namely in the lounge and dining room; the resultant need for him to use artificial lighting; restriction of light to the rear of his house; loss of natural light in other areas; the proposal being out of keeping and possible damage to his property during construction due to the proximity of the proposal. Finally, he commented that he could not understand why such a proposal could be allowed although he did not object to the side extension.

Mr Tyne the applicant made a statement in support of the application commenting that he had resided in Abingdon for 10 years and did not want to move away from the area. He explained that with a growing family he needed to extend his property. He reported that there would be no impact in terms of overshadowing or loss of light; the original design had been reduced in size; the kitchen window had been omitted to lesson overlooking; the main windows of the neighbouring property did not face the side extension; an independent advisor had reported that there were no grounds for refusal and that the right of way would be retained and kept clear during construction as much as possible.

One of the local Members accepted that an extension to this property was acceptable in principle although he expressed concern regarding the impact on the neighbouring property which had a small rear garden in terms of overshadowing.

He referred to a ground floor window which would face the pedestrian access and questioned whether a top opening window should be required for safety reasons.

It was noted that this window would be to a utility room and the Officer advised that a top opening would be reasonable.

One Member spoke in support of the application noting that the impact of the proposal was not so harmful as to warrant refusal of permission and that on balance the proposal was acceptable particularly having regard to other extensions to properties in the vicinity and in Abingdon.

By 14 votes to nil, with 1 of the voting Members having withdrawn from the meeting, it was

RESOLVED

that application ABG/1797/3 be approved subject to the conditions set out in the report and a further condition to require that the utility window be top opening only.

DC.120 MIL/6026/4-X – DEMOLISH BUILDINGS, ERECT NEW BUILDINGS TO FORM TRUNK ROAD SERVICES, RESTAURANT/TAKE AWAY, CAR/LORRY PARK, BREAK DOWN RECOVERY AND REPAIR, ACCESS, LANDSCAPING, ASSOCIATED WORKS. LAND ADJACENT TO THE APPLE CART, MILTON HEIGHTS, MILTON

The Committee was reminded that this was an outline application and that access was the only point for consideration.

Further to the report it was noted that the Environment Agency had withdrawn its holding objection and proposed conditions from the Agency were awaited.

It was reported that a number of concerns had been raised regarding the uses suggested on the plan, such as the trunk road accident recovery. However, it was emphasised that the plan was for illustrative purposes only and that none of the uses were any more than illustrative.

Mr Strange made a statement on behalf of Milton Parish Council objecting to the application commenting that Back Hill Lane was a public road which had been locked; the public were permitted to use the road which was not a disused farm track; the Parish Council objected to the proposal notwithstanding the Local Plan; development of the site should not be carried out in a piecemeal way; the site was inadequate for the illustrative uses; the site was too small for a lorry park particularly having regard to vehicle numbers and size of vehicles and further regard should be given to the vehicle numbers provided by the Highway Agency.

Dr Hords made a statement on behalf of Didcot Town Council expressing concern regarding the impact of the proposal on traffic on other routes and accesses; numbers of vehicles at specific periods; parking and piecemeal development. He suggested a single point of entry and a single point of exit might be acceptable. However, these would be onto and off a very busy stretch of road.

Mr T Gashe, the applicant's agent made a statement in support of the application commenting that considerable time had been taken to prepare this application; the area was allocated for development in the Local Plan; the site had a long standing allocation; the area was in multiple ownership and the landowners had agreed a scheme to provide an improved access; there would be a new access to Site One Milton Park; the Local Plan Inspector had advised that provided there was a comprehensive access scheme then such a proposal would be acceptable; this interim arrangement would not compromise future development; traffic to and from the site would be outside peak hours; there would be improved highway safety; the exits were satisfactory; there were no objections from the County Council and the Section 106 was about to be signed.

In response to a question raised the Committee was advised that in making comments the County Council would have had regard to the impact on the nearby trunk road and would require contributions towards the programme of highway improvement planned for the Didcot area.

In response to a concern raised, the Officers reiterated that the uses on the plan were for illustrative purposes only and that detail of the proposed uses and associated matters would form an integral part of a reserved matters application.

In response to a further question raised it was clarified that the existing access and egress situation in respect of MacDonald's and the petrol filling station would remain and there would be a new separate access for the current application site.

One Member expressed concern regarding the need for improvements to the interchange and the problems with traffic at present. However, the Committee's attention was drawn to the letter received from the County Council attached to the report at Appendix 4 and the comments on traffic impact were highlighted.

By 15 votes to nil it was

RESOLVED

- (a) *that the Chief Executive in consultation with the Chair and/or Vice Chair of the Development Control Committee be delegated authority to approve application MIL/6026/4-X subject to the signing of a Section 106 agreement to secure highway contributions and subject to conditions, including the submission of the outstanding reserved matters; the provision of an access road to the southern boundary of the site and any conditions proposed by the Environment Agency; and*

- (b) *that in the event that the Section 106 agreement is not signed and completed by 21 September 2006, the Chief Executive in consultation with the Chair and/or Vice Chair of the Development Control Committee be delegated authority to refuse application MIL/6026/4-X for the reason that the necessary contributions required to mitigate the impact of the development on the local highway network have not been secured.*

DC.121 NHI/6423/2 – DEMOLITION OF EXISTING SINGLE STOREY GARAGE. ERECTION OF A TWO STOREY SIDE EXTENSION. 40 WESTMINSTER WAY, NORTH HINKSEY

The Committee noted that the application was a resubmission of a previous scheme. The proposal had been amended to remove two roof lights details of which were set out in the report. Members were asked to consider the effect of the proposal on the character of the area and the impact on neighbours.

It was suggested that there would be some impact on the amenity of No 42 Westminster Way but that this was not sufficient to warrant refusal, it being noted that the neighbour had a further window to his kitchen and the facing wall would be rendered a light colour allowing reflection of light back into the kitchen.

Mr Stevens made a statement on behalf of North Hinksey Parish Council objecting to the application raising concerns regarding the maximum width of the existing house and its proximity to the boundary; the proposal being overbearing; design, in that there would be a long blank wall along the boundary; unneighbourliness; the extension being out of character particularly the pitched roof and the staggered front; the stepping back not overcoming the objections raised; the proposal being contrary to Policy H24 in terms of scale, mass and position, design and appearance causing demonstrable harm and loss of amenity; loss of privacy; overlooking; overshadowing; the proposal being contrary to Planning Policy Guidance in terms of the proximity to the neighbouring boundary and the proposal being harmful to the street scene.

Mr Carpenter, the neighbouring resident made a statement objecting to the application raising concerns regarding loss of natural light to his property; adverse impact on the street scene; the principle of infill development and blight which would result; the setting of a precedent and harmful visual impact in that there would be the illusion of a terraced property.

Mr Mohammed the applicant made a statement in support of the application commenting that the property had been unoccupied for 3 years and had been neglected for 10 years. He advised that he had sought a design which was sympathetic to the character and appearance of the area and that he had consulted the neighbours regarding the proposal. He reported that the design was aimed at limiting overshadowing and that the proposal had been reduced in size and set back to reduce terracing. He reported that his property was overshadowed. He commented that a sky light to the bathroom had been removed and the extension had been reset at various points. He explained that the site had been tidied up and that the proposal accorded with planning policy.

One of the local Members referred to concerns raised locally regarding this development. She referred to the building and its proximity to the boundary and agreed that rendering and painting the facing wall might mitigate some concerns regarding loss of light. She referred to a building constructed in the garden of the application site although it was noted that this was allowed under permitted development rights. Finally, she referred to the state of the footpath and grassed area fronting the highway which was untidy due to building works and she questioned whether the applicant could be required to make these areas good.

The Officers clarified that the proposal complied with design guidelines and that the design respected the privacy of the neighbours. It was explained that an informative could be added

to any permission advising of the need to make good any damage caused to the footpath and grassed area as a result of the building works.

Some Members spoke in support of the applicant considering that there was insufficient harm caused to warrant refusal of the application. Furthermore, the site was to the North East of the neighbouring property and the windows affected by the development were secondary and Planning Inspectors tended to place less emphasis on the need to safeguard levels of amenity offered by secondary windows.

By 15 votes to nil it was

RESOLVED

that application NHI/6423/2 be approved subject to the conditions set out in the report and to an Informative advising that the Council would expect the applicant to restore the path and grass area adjoining the highway.

DC.122 GRO/7326/4 – PROPOSED ALTERATIONS & EXTENSIONS TO FORM FAMILY ANNEX. 7
BRUNEL CRESCENT, GROVE

Mrs J Stock had given notice that she wished to make a statement on behalf of the Parish Council but she was not present at the meeting.

One of the local Members raised no objection to the application.

By 15 votes to nil it was

RESOLVED

that application GRO/7326/4 be approved subject to the conditions set out in the report.

DC.123 DRA/19663 - TWO-STOREY REAR EXTENSION AND CONVERSION OF ROOF SPACE TO
FORM TWO BEDROOMS AND BATHROOM, PLUS INTERNAL ALTERATIONS. 6
CRABTREE LANE, DRAYTON

The Committee was advised that there had been an amendment to the proposal in that roof lights were also being proposed on the elevations, the sill heights of which were above 1.7m to prevent overlooking.

Members spoke in support of the application. One Member commented that the dormers were very large but on this dwelling in this situation they were acceptable, although he would not wish to see similarly large dormers being proposed elsewhere.

In response to concerns raised regarding the views expressed by the Parish Council resulting in the application needing to be considered by the Committee, the Officers advised that advice was given to Parish Councils on the types of issues which were material planning considerations. It was reported that it was neither practicable nor feasible for the Officers to enter into negotiations with Parish Councils regarding their comments or to simply ignore them. It was explained that Parish Councils had a right to make representations and that further training and advice for them in this regard was being considered.

By 15 votes to nil it was

RESOLVED

that application DRA/19663 be approved subject to the conditions set out in the report.

DC.124 CUM/1079/3 – ERECTION OF 9 APARTMENTS WITH ASSOCIATED GARAGING AND PARKING (RE-SUBMISSION). 7 DEAN COURT ROAD, CUMNOR HILL

The Committee was advised that the ridge height of the building had been reduced and the side of the roof amended. Furthermore there were some key design changes. It was noted that the proposal would resemble a large house in an “arts and crafts” style; there was a softening of the architectural details; proposed windows had been replaced with roof lights and the access would be upgraded.

Mr B Ahern made a statement objecting to the application advising that he represented the views of 70% of the residents in the area. He raised concerns relating to matters already covered in the report and specifically expressed concerns regarding planning design; the appearance of the property; the proposal being contrary to policy; the style and design being out of keeping in an area of detached family houses; pedestrian safety; stability of the community; percentage of small units; over development of the site; the proposal being too large; loss of amenity; overlooking; noise from vehicles; light pollution; loss of privacy; adverse impact on wildlife and damage to natural habitats; refuse disposal; traffic and highway safety; the narrowness of the road; the inconvenience of rear car parking; the likelihood of on-street parking; traffic and access.

Simon Marson the applicant’s agent made a statement in support of the application advising that regard had been given to the character and appearance of houses in the area; there were large houses in large gardens and the proposal would be in keeping; the site was well screened with mature trees; although there would be loss of 4 trees, 10 new trees would be planted; there would be limited views only of the property; the gable and hipped bay window would be an attractive entrance feature; the design was interesting; the bulk and massing had been minimised; the proposal accorded with planning policies in terms of density; the Green Belt and open countryside were protected; the design was domestic and traditional natural materials would be used and finally, the Council’s Consultant Architect supported the proposal.

One of the Local Members explained that most of the residents were not opposed to a new large house but to the density proposed. He referred to Policy H15 suggesting that the density should be not less than 30 houses per hectare as this site was within Cumnor village. He explained that the character of the area was changing marginally but that such a high density development in this area was not appropriate. He referred to Policy D6 and expressed concern regarding the impact on wildlife. He commented that a 5m strip to protect wildlife had been demanded as part of permission granted at a house nearby and he suggested that a similar measure would be reasonable in this case. He referred to development elsewhere in the area where small units of accommodation would be provided and that this development was not necessary. Finally he asked that should the Committee be minded to approve the application, permitted development rights should be removed and discussions should be entered into to seek six flats rather than nine. However, it was noted that flats did not have permitted development rights.

Another local Member raised no objection to the proposal but expressed some reservation regarding density.

In response to the comments made the Officers explained that the Local Plan was clear in that this area was one of the main built up areas identified in the Local Plan. Reference was made to Policy H15(1) and the requirement to seek higher densities. Members were advised that they would need to identify the harm from the proposal in terms of its design if this was to be a reason for refusal.

One Member reminded the Committee of the need to have regard to material considerations only, despite the popularity or otherwise of an application and furthermore, that the Committee should consider the application as presented and not what might be preferred. He commented that this application was acceptable in terms of the Local Plan density requirements. He suggested that there was no reason to refuse the application but requested that a condition requiring that a slab level to be agreed and then inspected prior to development should be added to any permission.

One Member welcomed the design. He commented that there was a need for smaller units of accommodation.

The Officers drew Members' attention to Local Plan Policy H15 which was read out for clarification.

Another Member welcomed the application, commenting on its high quality design which he considered in keeping in this location, but agreed that the wildlife should be protected during construction. The Officers' considered that condition 14 set out in the report would be sufficient. However, Members considered that there was a need to protect the natural habitat of wildlife.

In response, the Officers explained that the exact location of any wildlife habitats was unknown and to specifically request their protection would be unreasonable without more information. It was therefore considered that an informative should be added to any permission granted to advise the applicant of the need to maintain a corridor of a least one metre wide along the boundary of the site.

One Member whilst welcoming the application raised concern regarding the necessity of the garages. She commented that additional parking could be provided if they were omitted from the scheme. However, the Committee noted that the application needed to be considered as presented and that the garages were not sufficiently harmful to require removal from the scheme.

By 15 votes to nil it was

RESOLVED

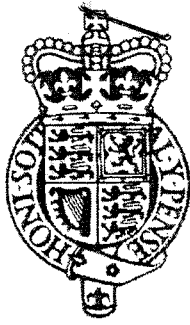
that application CUM/1079/3 be approved subject to: -

- (1) the conditions set out in the report;*
- (2) a further condition regarding slab levels to be agreed and inspected;*
- (3) an informative to advise the applicant of the need to maintain a corridor of a least one metre wide along the boundary of the site to protect wildlife.*

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

None.

The meeting rose at 8.55 pm



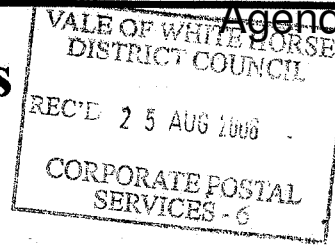
Appeal Decisions

Hearing held on 04 July 2006

Site visit made on 04 July 2006

by **J G Roberts** BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government



Agenda Item 9

The Planning Inspectorate
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e-mail: enquiries@planning-
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Date

24 Aug 2006

Appeal A Ref: APP/V3120/C/06/2008077

10 Hids Copse Road, Cumnor Hill, Oxford OX2 9JJ

- 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 Mr C Pugh against an enforcement notice issued by Vale of White Horse District Council.
- The Council's reference is CUM/18082/3-E.
- The notice was issued on 6 January 2006.
- The breach of planning control as alleged in the notice is without planning permission building operations have taken place involving the insertion of two unauthorised windows on the South West elevation of the dwelling house on the Land and shown edged red on plan B attached and the unauthorised extension to the garage shown edged red and hatched red on plan B attached.
- The requirements of the notice are (a) remove the unauthorised windows and frames shown edged red on plan B and brick up the window openings and render to match existing surrounding wall; (b) reduce the garage tower in accordance with the approved plans relating to planning permission CUM/18082/1 such reduction to include the removal of the area shown edged red and hatched red on plan B.
- The period for compliance with the requirements is 2 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (c), (f) and (g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: the notice is corrected; subject thereto the appeal is dismissed, the notice is upheld and the deemed application is refused.

Appeal B Ref: APP/V3120/A/05/1192443

10 Hids Copse Road, Cumnor Hill, Oxford OX2 9JJ

- 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 C Pugh against the decision of Vale of White Horse District Council.
- The application Ref CUM/18082/2, dated 31 May 2005, was refused by notice dated 26 September 2005.
- The development proposed is part retrospective application for alterations, extension and new vehicular access (amendment to approval CUM/18082/1).

Summary of decision: the appeal is allowed in part and planning permission is granted for alterations to and extension of the house excluding the garage and play room subject to conditions; the appeal is dismissed in part and planning permission is refused for the erection of the garage and play room.

Procedural Matters

1. At the Hearing an application for costs was made by Mr C Pugh against Vale of White Horse District Council. This application is the subject of a separate decision.

Appeal A – the alleged breach of planning control and ground (c)

2. The notice refers to 2 unauthorised windows in the south-west elevation. In fact the windows concerned are in the north-west elevation as indicated in the appeal statements. This is clearly a drafting error which has not misled the appellant in any way and would be capable of correction without injustice to him or to the local planning authority.
3. The appellant argues that permitted development rights under Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (the GPDO) for the insertion of windows had not been withdrawn by any condition on planning permission No CUM/18082/1 granted on 20 April 2004 or by any other means. Therefore, he says, specific planning permission was not needed for them and they are not in breach of planning control. However, this argument overlooks a more fundamental point about the alleged breach.
4. Planning permission had been granted for alterations, extension and a new access. Work began but in respect of the 2 windows and the garage with a play room over (referred to as 'the tower' by some) it was not undertaken wholly in accordance with the approved plans. That is accepted by the appellant. *Sage v SSETR and Others [2003] UKHL 22* makes it clear that when an application is made for planning permission for a single operation it is made in respect of the whole operation. So is any permission that may be granted. If, then, a building operation is not carried out, both externally and internally, wholly in accordance with the permission, the whole operation is unlawful.
5. That is the case here. The breach of planning control is in fact the alteration and extension of the house without planning permission, as recognised by the local planning authority in its appeal statement. The notice is corrected accordingly. No consequential variations are needed to the requirements, which by 'under-enforcement' seek compliance with the planning permission that has been granted in respect of the 2 first floor windows and the extended garage and play room only.
6. Permitted development rights under the GPDO would become relevant to an operation that had received specific planning permission only when the operation had been completed in accordance with that permission. The relationship between the requirements of the notice and such rights, which in effect define the appellant's 'fall-back' position, is relevant not to the definition of the breach of planning control or to ground (c) but to ground (a) and the deemed application.

Appeal A – ground (a) and the deemed application; Appeal B

The windows

7. The plans approved in April 2004 show 2 first floor windows on that part of the north-west elevation nearest the road and furthest from the front elevation of No 11 Hids Copse Road, a detached house set back from and at a slightly lower level than No 10. The approved windows therefore face the front garden and parking areas of No 11. The plans also show a pair of false windows at first floor level in the rear part of this elevation.

8. The additional windows arise from the rearrangement of the internal space to create an additional bedroom and bathroom. The false window nearest No 11 remains blocked. The other has been opened and fitted with a window to a bathroom. A further window opening, to a small bedroom, has been inserted at first floor level between the pair of false windows and the pair of windows nearest the road.
9. In my opinion the main issue is the effect of the 2 extra windows on the privacy of the occupiers of No 11 Hids Copse Road. The Council argues that they cause unacceptable further loss of privacy, an unsettling degree of intrusion and on over-dominance of window openings in this elevation.
10. The obscure glazing fitted to the lower part of the new bathroom window effectively prevents overlooking. The new bedroom window provides a slightly closer and less oblique view of the front facing windows and first floor balcony of No 11 than the windows approved in this elevation. Together the 2 extra windows may also give the occupiers of the adjoining house a greater feeling of intrusion.
11. However, conditions on a planning permission could require retention of the obscure glazing to the new bathroom and obscure glazing to be fitted to the new bedroom window, though this would be unusual even for a child's bedroom and, in the Council's view, inappropriate. Conditions could also withdraw permitted development rights for the insertion of further window openings in the north-west elevation and on roof slopes to ensure that greater loss of privacy and intrusion does not occur in future.
12. What is disputed, however, is the extent of such rights that would remain if the notice is upheld and the 2 windows are required to be blocked up. The Council suggests that section 181 of the Act ensures that the steps required to be taken are a continuing obligation so that permitted development rights would not be available for reinstatement of the windows at a later date.
13. I disagree. It is an established principle that enforcement notices cannot remove such rights. (*Mansi v Elstree RDC [1964] 16 P&CR 153* re-stated in *South Ribble BC v SSE [1990] JPL 808* and *Kennelly v SSE [1994] JPL B83*). Once the requirements of the notice have been complied with in full section 180 will operate so as to make the structure, as altered in order to comply with the notice, lawful. The permitted development rights granted by Article 3 of and Class A of Part 1 of Schedule to the GPDO were not withdrawn in respect of the north-west elevation by any condition on planning permission No CUM/18082/1. Nor have they been withdrawn by a Direction under Article 4 of the Order. The appellant would be entitled to rely on such rights.
14. Section 181(5) makes it clear that reinstatement or restoration of works demolished or altered in compliance with an enforcement notice is an offence only if the work is done without planning permission. Works undertaken in accordance with planning permission granted by the GPDO would not be prevented by section 181 of the Act.
15. Following compliance with the requirements of the notice the internal arrangement of the building would remain as now. This too would acquire lawfulness under the provisions of section 180. The appellant would have a small bedroom and a bathroom each with no window. In my view there would be a reasonable prospect of him exercising his rights under the GPDO to reinstate the window openings blocked up in compliance with the notice.

16. Further, if he so desired, he would be entitled to rely on them to insert a further opening in the remaining false window closer to the house at No 11 Hids Copse Road and in a much more intrusive position, or additional openings elsewhere other than at first floor level in the south-east elevation.
17. For these reasons I consider that the loss of privacy and sense of intrusion felt by the occupiers of No 11 would probably be no less than at present if the notice is upheld and Appeal B is dismissed. The insertion of the windows concerned is not inconsistent with Policies D2 and H18 of the adopted Vale of White Horse Local Plan (VoWHLP), which forms part of the statutory development plan for the area, or Policy DC9 of its emerging successor. Therefore the harm caused to the living conditions of the occupiers of that house is not unacceptable.

The garage and play room extension

18. This part of the building has been constructed 1.4m deeper than approved under reference CUM/18082/1, parallel with and close to the boundary of No 9 Hids Copse Road. Eaves and ridge heights remain as approved. Hence the roof pitch differs. No additional windows have been inserted.
19. The main issue is whether the increased scale of the garage with play room above is unacceptably out of character or intrusive in the locality or in the outlook from nearby dwellings, bearing in mind Policies D1, D2 and H18 of the adopted VoWHLP and Policies DC1 and DC9 of its emerging successor.
20. The comparison should be with the structure as permitted in April 2004. The building as a whole would have been likely to have dominated the garden of No 9 Hids Copse Road, the front garden of No 11 and, to a lesser extent, that of No 8, appearing somewhat overbearing to the occupiers of these houses and of an entirely different scale and style to most in the immediate locality, which do not dominate the area's semi-woodland character. The local planning authority observes that, with hindsight, it could be concluded that the approved scheme was 'overblown' in the context of its surroundings.
21. No 11, however, is directly affected primarily by the main body of the house overlooking its front garden, not the garage and play room. The appellant argues that the increased size of the garage and play room has little impact on the locality and an insignificant effect on occupiers of other nearby houses.
22. However, the increased depth gives the garage building greater apparent bulk. I have no reason to dispute the evidence of local residents that 'the tower' can be seen from a considerable distance and is prominent when lit at night. The increase in the area of its flank wall facing No 9 is significant. I would expect this, together with its position well forward of its neighbours, to give it substantially greater dominance and apparent incongruity in its surroundings. The graphic and photographic comparison submitted by the occupier of No 9 demonstrates the point well.
23. In my opinion the increase in size of the garage and play room represents a further and unacceptable erosion of the character and distinctiveness of the locality. Whilst it is not the purpose of the planning system to protect the private interests of one individual from those of another the protection of the quality of Nos 7 and 8 Hids Copse Road as components of the local housing stock is a legitimate public planning interest. Therefore I regard the

increased dominance and overbearing nature of the garage building in the gardens and outlook of Nos 8 and 9 Hids Copse Road as unacceptable also.

24. For these reasons the garage building is contrary to the thrust of adopted VoWHLP Policies D1, D2 and H18 and to Policies DC1 and DC9 of its emerging successor. I see no material considerations of sufficient weight to outweigh the objections. Therefore the appeals fail in respect of the garage and play room.

Conclusion and Appeal A grounds (f) and (g)

25. I have concluded that the notice should be corrected and planning permission should be granted for the extensions and alterations as built other than the garage and play room subject to conditions, but that the appeals should fail and planning permission should be refused in respect of the garage and play room. It follows that the notice will be upheld.
26. Requirement (a) is not deleted as section 180 would then have the effect of creating an unconditional planning permission in respect of the windows which would be inconsistent with the decision on Appeal B. The planning permission granted would, however, override that requirement. The appeal against the notice on ground (f) fails.
27. On ground (g) the appellant suggests that the requirements would involve significant structural work and internal alterations to the building. That may be particularly so in the case of requirement (a). However, the alterations required to the garage and play room would not affect the internal layout of the house as a whole. Whilst significant reconstruction would be required I do not consider the period of 2 months to be unreasonably short for the completion of the works. Enforcement action is discretionary. It would be open to the Council to vary the period for compliance or defer further action if, in its opinion, such a course is justified by the circumstances at the time.
28. Therefore Appeal A is dismissed and the notice is upheld as corrected. Appeal B succeeds other than in respect of the garage and play room. Planning permission is granted for the development other than the garage and play room subject to conditions but dismissed in respect of the latter elements. A further condition is imposed on the planning permission to control external lighting. This is necessary to the development to be permitted because of the nature of the extensions and their relationship to adjoining properties and the locality, referred to specifically by Policy DC9 of the emerging VoWHLP to 2011, which is a material consideration.

Formal decisions

Appeal A Ref: APP/V3120/C/06/2008077

29. I direct that the notice be corrected by the deletion of the text of paragraph 3 of the notice and the substitution therefor of the following words: 'without planning permission, alteration and extension of the dwelling house'; subject thereto the appeal is dismissed, the enforcement notice is upheld and the application deemed to have been made under section 177(5) of the 1990 Act is refused.

Appeal B Ref: APP/V3120/A/05/1192443

30. The appeal is allowed in part and planning permission is granted for alterations and extensions excluding the garage and play room at No 10 Hids Copse Road, Cumnor Hill,

Oxford OX2 9JJ in accordance with the terms of the application No CUM/18082/2 dated 31 May 2005 and the plans submitted therewith subject to the following conditions:

- 1) Within 2 months of the date of this decision any bathroom windows at first floor level in the north-west and south-east elevations of the building shall be glazed with obscure glass and shall be fixed except for a top hung vent and obscure glass shall be retained in these windows unless the local planning authority gives prior written consent to any variation.
 - 2) Within 2 months of the date of this decision all external light fittings shall be removed unless the local planning authority has given written consent to their retention, and thereafter no external lighting shall be installed on or around the building other than with the prior written consent of the local planning authority.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows or roof lights other than those expressly authorised by this permission shall be constructed on or inserted in the north-west or south-east elevations of the building nor on any roof slope of the building.
31. The appeal is dismissed in part and planning permission is refused in respect of the garage and play room at No 10 Hids Copse Road, Cumnor Hill, Oxford OX2 9JJ.

John G Roberts

Inspector

PERSONS TAKING PART IN THE HEARING

FOR THE APPELLANT

Mr N Lyzba DipTP DipCP MRTPI

John Phillips Planning Consultancy, Bagley Croft,
Hinksey Hill, Oxford OX1 5BS.

Mr C Pugh

Appellant.

FOR THE LOCAL PLANNING AUTHORITY

Mr M Chattoe DipTP MRTPI

Planning Consultant to Vale of White Horse DC.

OTHERS

Mr M Winand

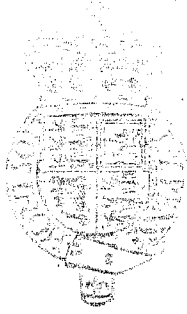
9 Hids Copse Road, Cumnor Hill, Oxford OX2 9JJ.

Mr N Grady

11 Hids Copse Road, Cumnor Hill, Oxford OX2
9JJ.

DOCUMENTS SUBMITTED AT THE HEARING

1. Set of 3 photographs submitted by the appellant.



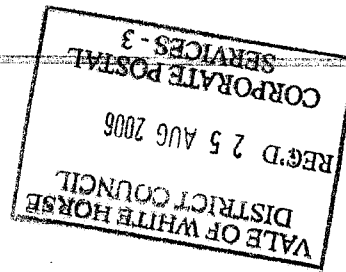
Costs Decision

Hearing held on 04 July 2006

Site visit made on 04 July 2006

by **J G Roberts** BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government



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Date

24 AUG 2006

Costs application in relation to Appeal Refs: APP/V3120/C/06/2008077 & APP/V3120/A/05/1192443

10 Hids Copse Road, Cumnor Hill, Oxford OX2 9JJ

- The application is made under the Town and Country Planning Act 1990, sections 78, 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr C Pugh for a full award of costs against Vale of White Horse District Council.
- The hearing was in connection with an appeal against an enforcement notice alleging the unauthorised insertion of windows and extension of the garage and an appeal against the refusal of the Council to permit alterations, extension and a new vehicular access.

Summary of decision: the application is allowed in part and a partial award is made.

Submissions for the appellant

1. The claim is based on Annex 3 to Circular 8/93, relating to the substance of the case, including action prior to submission of the appeal. A local planning authority is expected to produce evidence to substantiate each reason for refusal or for issue of an enforcement notice. It did not do so. Whilst it is not bound by the advice of its own officers it is expected to show reasonable planning grounds for departing from that advice and produce relevant evidence to support a decision contrary to that advice. It failed to do so.
 2. Planning authorities are expected to consider the views of local residents but local opposition is not by itself a reasonable ground for refusal; that opposition must be founded on valid planning reasons which are supported by substantial evidence. The local planning authority failed to produce such substantial evidence.
 3. Officers had considered the matter carefully, bearing in mind the planning permission already granted. They took the view that elements of control that would be afforded by a planning permission subject to conditions could improve the existing situation. However, the committee discarded that advice in favour of the views of the Parish Council and local residents without regard to the appellant's 'fall-back' position.
 4. The appellant had given notice of his intention to resist the enforcement action in view of the lack of conditions affecting the north-west elevation and the actions the appellant would be entitled to take following compliance with the notice. The local planning authority failed to understand either this or the effect of under-enforcement, displaying a lack of clear thought in taking enforcement action.
-

Response by the local planning authority

5. The appellant undertook unauthorised development. In doing so he took a risk. He is not entitled to presume that planning permission would be given retrospectively. On planning merits the committee is not bound by the advice of its officers. It is a question of balance, judgement and weight. The committee concluded that on its merits the development could not be supported and therefore took enforcement action. The planning reasons for doing so were explained fully in the authority's statement, pointing out the harm caused to amenity.
6. The requirements of the notice are continuing requirements that would in practice be difficult to circumvent using permitted development rights. Hence the local planning authority's action was reasonable and costs should not be awarded against it.

Reply by the appellant

7. When using its discretionary enforcement powers local planning authorities should take care to take account of relevant judicial authority. Even if the Council is right to say that requirements continue, windows could be inserted in a different position without specific planning permission. Authorities should be able to show that the breach of planning control would unacceptably affect public amenity or other public interests, rather than just those of local residents.

Conclusions

8. I have considered this application for costs in the light of Circular 8/93 and all the relevant circumstances. This advises that, irrespective of the outcome of the appeals, costs may only be awarded against a party that has behaved unreasonably and thereby caused another party to incur or waste expense unnecessarily.
9. On the garage and play room element of the development officers took the view that no unacceptable impact would be caused, bearing in mind the existence of the planning permission granted in April 2004. The committee took into account the views of local residents and departed from that advice.
10. In determining the appeals I considered the reason for refusal and for issue of the notice relating to the garage building and the views of local residents. I concluded that those objections were well founded on valid planning reasons. The appeals were dismissed in respect of this element. It follows that in my opinion the local planning authority's behaviour was not unreasonable and the appellant was not put to the expense of the appeals unnecessarily in this regard.
11. However, on the question of the 2 additional windows in the north-west elevation of the building the local planning authority appears to have misunderstood the 1990 Act and the leading judicial authorities that have examined the relationship between the requirements of enforcement notices and the subsequent operation of permitted development rights, and in particular the effects of sections 180 and 181. This was fundamental to the Council's view that substantial harm would be caused by this element of the development.
12. The local planning authority is expected to consider such matters with care before proceeding to refusal of planning permission or enforcement action. In my opinion its failure to do so was unreasonable behaviour which put the appellant to the expense of the appeal in respect of the windows unnecessarily. Therefore an award of costs arising

directly in connection with that matter is justified. The application is allowed in part in the terms set out below in the Formal Decision and Costs Order.

Formal Decision and Costs Order

13. In exercise of my powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other powers enabling me in that behalf, I HEREBY ORDER that Vale of White Horse District Council will pay to Mr C Pugh the costs of the appeal proceedings limited to those costs incurred in respect of the 2 unauthorised windows in the north-west elevation of the building, such costs to be assessed in the Supreme Court Costs Office if not agreed. The proceedings concerned an appeal under section 174 of the Town and Country Planning Act 1990 as amended against an enforcement notice issued by Vale of White Horse District Council alleging the insertion of 2 unauthorised windows and the unauthorised extension of the garage on land at No 10 Hids Copse Road, Cumnor Hill, Oxford OX2 9JJ and an appeal under section 78 of the Act against the refusal of that Council to permit alterations, extension and new vehicular access at the same property.
14. The applicant is now invited to submit to Vale of White Horse District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Supreme Court Costs Office is enclosed.

John G Roberts

Inspector

List of Planning Appeals

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
19.10.05	APP/V3120/A/05/119078 3	MIL/10797/16-X Against the LPA Refusal of an application	Mr A Nikkhah	Milton Playing Field Potash Lane Milton Heights Abingdon Oxon	Erection of 52 dwellings.	Hearing 21.03.2006	South	Dismissed 08.05.06
26.1.05	APP/V3120/A/05/117168 0	DRA/445/25-X Against the LPA refusal of an application	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	Dismissed 15.03.06
14.2.05	APP/V3120/A/05/117298 4	WAN/18492/1 Against the LPA refusal of an application	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 05.04.2006	South	Dismissed 08.05.06
03.03.06	APP/V3120/A/06/200983 6/WF	UPT/4960/2-X Against the LPA Refusal of an application	Mr and Mrs Arnold	Maslina Reading Road Upton Didcot Oxon OX11 9JJ	Demolition of existing dwelling and garage. Erection of three detached chalet style dwellings.	Written Reps	South	Dismissed 20.6.06
03.03.05	APP/V3120/A/05/117475 1	ABG/1781/3 Against the LPA refusal of an application	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 07.06.06	North	Allowed – 3 rd July 2006
12.04.05	APP/V3120/A/05/117816 9 - Linked with APP/V3120/A/05/119398 8)	ABG/17140/1- Linked with ABG/17140/2 Against the LPA refusal of an application	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 2/3/06	North	Allowed – 18.5.06
18.04.05	APP/V3120/A/05/117830 2	ABG/9504/2 Against the LPA refusal of an application	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	Hearing 8th June 2006	North	Allowed – 27.6.06

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
28.04.05	APP/V3120/A/05/117895 7	KEN/17076/1-X Against the LPA refusal of an application	Infill Land Consultants	Land To Rear Of 179 - 189 Poplar Grove Kennington Oxford Oxon OX1 5QS	bin stores. Erection of 12 dwellings & creation of a new access following demolition of 185 Poplar Grove.	Hearing 2nd March 2006	North	Dismissed 2.5.06
15.11.05	APP/V3120/A/05/118604 1	WTT/5825/3 Against the LPA refusal of an application	Peter White	39 Whitecross Abingdon OX13 6BS	Demolition of existing outhouse. Erection of a bungalow in the garden of 39.	Written Representations	North	Dismissed 13.04.06
5.12.05	APP/V3120/A/05/119513 5	LRE/957/62-X Against the Non Determination of an application	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 10th and 11th October 2006	South	Withdrawn 03.08.06
	APP/V3120/E/06/119785 2	LRE/957/63-CA Against the Non Determination of an application	The Letcombe Manor Estate Ltd	Letcombe Laboratory Letcombe Regis Wantage Oxon OX12 9JT	Demolition of all buildings except The Lodge.	Public Inquiry 10th and 11th October 2006	south	Withdrawn 03.08.06
08.02.06	APP/V3120/A/06/200778 3	SPA/15623/3 Against the Non Determination of an application	J L S Lonsdale	Home Farm West Street Sparsholt Wantage Oxon OX12 9PL	Demolition of redundant farm buildings. Erection of five houses.	Hearing 6th June 2006	South	Dismissed 07.07.06 Costs awarded to appellant
22.9.05	APP/V3120/A/05/118910 4	APT/16711/4 Against the LPA refusal of an application	Mr J McDonnell	Cubs Puddle, Milway Lane, Appleton, Abingdon	Erection of an open porch to provide covered access.	Written Representations	North	Dismissed 24.04.06
29.9.05	APP/V3120/A/05/11879 22	NHI/6289/3 Against the LPA refusal of an	Mr Caisbrook	Hilarton, Harcourt Hill, Oxford	Erection of a triple garage.	Hearing Date to be confirmed	North	Allowed 07.09.06

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
3.11.05	APP/V3120/A/05/119287 6	application GFA/16696/2 Against the LPA refusal of an application	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 Date to be confirmed	North	Appeal Withdrawn – 05.09.06
18.11.05	APP/V3120/A/05/119413 6	GFA/19052 Against the LPA refusal of an application	Mr & Mrs J Flawn	26 Coleshill Drive, Faringdon	Conversion of garage into part dining room part study.	Written Representations	North	Allowed 27.3.06
21.11.05	APP/V3120/A/05/119398 8 - Linked with APP/V3120/A/05/117816 9	ABG/17140/2 - Linked with ABG/17140/1 Against the LPA refusal of an application	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 2/3/06	North	Dismissed – 18.5.06
17.11.06	APP/V3120/A/06/119735 4	ABG/19358 Against the LPA refusal of an application	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	Dismissed – 27.4.06
20.11.06	APP/V3120/A/06/200796 8/NWF	CUM/11471/2 Against the LPA refusal of an application	Mr P Jewson	Site at Lane Barn, Eynsham Road, Farmoor, Oxford, OX2 9NL	Proposed extension	Written Representations	North	Dismissed 04.07.06
23.05.06	APP/V3120/A/06/201546 8	SAH/19303 Against the LPA refusal of an application	Mr Anderson	31 Rookery Close Shippon Abingdon Oxon OX13 6LZ	Erection of a two storey side extension and alterations.	Written Representations	North	
13.2.06	APP/V3120/A/06/200826 8/NWF – Linked with APP/V3120/A/06/200827 0 & APP/V3120/A/06/200826 5/NWF	GCO/17377/3 – Linked with GCO/17377/4 & GCO/17377/5 Against the LPA refusal of an application	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	Dismissed – 26.06.06
13.2.06	APP/V3120/A/06/200827 0/NWF – Linked with APP/V3120/A/06/200826	GCO/17377/4 – Linked with GCO/17377/3 &	Mr Geoff Robbins	Faringdon Golf Course, Great Coxwell,	Erection of a dwelling (Amended plans)	Written Representations	North	Dismissed – 26.06.06

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
	8/NWF & APP/V3120/A/06/200826 5/NWF	GCO/17377/5		Faringdon, Oxon, SN7 7LU				
13.2.06	APP/V3120/A/2008265/ NWF- Linked with APP/V3120/A/06/200826 8/NWF & APP/V3120/A/06/200827 0/NWF	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	Dismissed – 26.06.06
27.2.06	APP/V3120/A/06/200911 7/NWF	ABG/19262 Against the LPA refusal of an application	02 (UK) Ltd	Site at Highway Land Adjoining, Abingdon United football club, Oxford Road, OX17 2EE	Erection of a 17.5m streetworks column telecom mast together with ground based equipment cabinets and associated ancillary equipment	Written Representations	North	Dismissed – 31.7.2006
03.03.06	APP/V3120/A/06/200802 4/NWF	LWO/13682/4-X Against the LPA refusal of an application	Debbie Reed	Wayside House, Beggars Lane, Longworth, Abingdon, Oxon, OX13 5BL	Erection of a dwelling	Hearing Date to be confirmed	North	Appeal Withdrawn – 01.09.06
10.06.06	APP/V32120/A/06/20142 87/WF	KEN/19144/1	Mr Andrew MacDonald	106 Kennington Road, Kennington, Oxford, OX1 5PE	Erection of a single storey extension to front. Demolish existing single storey rear extension and replace with a new two storey extension	Written Representations	North	
10.7.06	APP/V3120/A/06/201854 8/WF	BUG/18468/2	Mr & Mrs Wakefield	Rose Cottage Gainfield Buckland Faringdon Oxon SN7 8QS	Demolition of existing house and garage. Erection of a dwelling and garage.	Written Representations	North	
20.7.06	APP/V3120/A/06/202031 7/WF	WTT/1002/60	Miss A Bennett & Mr G Busby	Plot 76, Deerhurst Park, Besselsleigh Road, Wootton, Oxon, OX1 5LF	Installation of French doors and construction of external staircase to allow access to garden (Plot 76)	Written Representations	North	
24.7.06	APP/V3120/A/06/202026 7/WF	ABG/10612/16	Mr A U Impey	Longwall House, Northcourt Lane, Abingdon, Oxon, OX14 1PN	Demolish existing double garage. Erection of a four bedroom bungalow and detached garage block providing garaging for the new bungalow and Longwall House. (Land adjacent to Longwall House) (Re-submission)	Written Representations	North	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
28.7.06	APP/V3120/A/06/201992 2/NWF	ABG/19504	Ledron Developments Ltd	Land adjacent to Abingdon Motorcycles, Marcham Road, Abingdon	Four storey residential development comprising of 14 one & two bedroom and studio flats with parking for twelve cars. Provision for bicycles, refuse and assoc external works	Hearing	North	
15.03.06	APP/V3120/A/06/201002 4	WAN/13446/3 Against the LPA Refusal of an application	Mr F r Fallon- Norris	Westview House Tirrold Way Wantage Oxon OX12 7DL	Retrospective application for a garden fence.	Written Reps	South	Dismissed 10.08.06
24.03.06	APP/V3120/A/06/201040 2	STE/11488/7 Against the LPA Refusal of an application	OSG Co-op	55 The Causeway Steventon Abingdon Oxon OX13 6SE	Application to modify the parking arrangements of application STE/11488/4.	Hearing 22.11.06	South	
10.04.06	APP/V3120/A/06/201172 6/NWF	DRA/445/29 Against the LPA Refusal of an application	L Wells	East Paddocks Milton Road Drayton Abingdon Oxon OX14 4EZ	Change of use for land from agriculture to use for storage of non-agricultural items, materials and equipment. (Retrospective)	Public Inquiry	South	WITHDRAWN 13.6.06
20.04.06	APP/V3120/A/06/201172 5	EHE/1965/10 Against the LPA Refusal of an application	L Wells	Greensands Reading Road East Hendred Wantage Oxon OX12 8JE	Construction of tarmac access road and the construction of an area of Hard-standing surrounded by an Earth Bund. (Retrospective)	Public Inquiry Date to be confirmed	South	
24.04.06	APP/V3120/A/06/201286 0	WCH/1974/12 Against the LPA Refusal of an application	D Major	The Leather Bottle Challow Station West Challow Wantage Oxon SN7 8NT	Conversion of restaurant into dwelling. Erection of new thatched country cottage. Revised highway access onto Faringdon Road.	Hearing 21.11.06	South	
26.04.06	APP/V3120/A/06/201303 8	CHI/17951/1-X Against the LPA Refusal of an application	Mr and Mrs Webb	Eastcourt Main Street Chilton Didcot Oxon OX11 0RZ	Erection of a detached house.	Written reps	South	Dismissed 10.08.06
11.05.06	APP/V3120/A/06/201288 1	CHD/12760/8 Against the LPA Refusal of an	Mr C Matthews And Mrs J Smith	Sunwillow Farm Stowhill Childrey	Demolition of modern buildings and erection of one house and one bungalow.	Written Reps	South	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
		application		Wantage Oxon OX12 9XQ				
18.05.06	APP/V3120/A/06/201502 6/WF	WAN/19283 Against the LPA Refusal of an application	Mr and Mrs Harris	2 Ogbourne Close Wantage Oxon OX12 9ER	First floor extension.	Written reps	South	Dismissed 06.09.06
01.06.06	APP/V3120/A/06/201327 9	ECH/18921/1 Against the LPA Refusal of an application	BHP Harwood	Land Opposite VOWH Depot Challow Road Wantage Oxon	Conversion of existing barn to architects offices.	Hearing Date to be confirmed	South	
17.07.06	APP/V3120/E/06/201909 9/WF	STA/14707/3-LB Against the LPA Refusal of an application	Mrs Cradock	5 Church Green Stanford In The Vale Faringdon Oxon SN7 8LQ	Loft conversion with eyebrow dormer.	Written Reps	South	
08.08.06	APP/V3120/A/06/202121 9/NWF	WAN/8608/9 Against the LPA Refusal of an application	Vakkas Cokgezki	30 Wallingford Street Wantage Oxon OX12 8AX	Variation of planning permission WAN/8608/3 condition 2 to extend the opening times to Friday and Saturday 11pm to 1am and Sunday to Thursday 11pm to midnight.	Written Reps	South	
06.09.06	APP/V3120/A/06/202375 5/WF	WAN/16143/1 Against the LPA Refusal of an application	Mr and Mrs Thompson	Ham Mill Ickleton Road Wantage Oxon OX12 9JA	Demolition of existing garage/annexe. Erection of replacement garage/annexe.	Written Reps	South	
18.2.06	APP/V3120/C/06/200807 7 APP/V3120/A/05/119244 3	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 4.7.06	North	Planning part approved part dismissed Enforcement dismissed 24.8.06
17.10.05	APP/V3120/C/05/200351 8	DRA/445/27-E	Mr L Wells	East Paddocks Drayton Mill Mill Road Drayton	Enforcement against without planning permission operational development has taken place involving the laying of hardcore	Public Inquiry	South	Withdrawn 21.4.06

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
17.10.05	APP/3120/C/05/ 2003519	EHE/196577-E	Mr L Wells	OX14 4EZ Greensands East Hendred OX12 8JG	and construction of a concrete bridge across Mill Brook 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	South	Adjourned
8.02.06	APP/HH/06/111	HH1	Mr Mrs M Gallington	Downlands South Row Chilton OX11 0RJ	Against a Remedial Notice concerning a High Hedge		South	Dismissed 13.6.06
9.3.06	APP/V3120/C/06/ 2009713	GCO/18275/6-E	Mr David Crossley-Cooke	Land south of Coxwell House Coxwell Road Great Coxwell	Enforcement against change of use of land from agriculture to use for the storage of non-agric. items, materials and equipment	Written Representations	North	
23.3.06	APP/V3120/C/06/ 2007981	ABG/19305-E	J S Hartley	Rear garden of 6 Swinburne Road Abingdon	Enforcement against the erection of a dwelling-house	Written Representations	North	Dismissed 21.7.06

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

REPORT OF THE LANDSCAPE OFFICER (ARBORICULTURE)
TO THE DEVELOPMENT CONTROL COMMITTEE
25 SEPTEMBER 2006

Tree Preservation Order (Sutton Courtenay) No. 4 2006

1.0 Introduction and Report Summary

- 1.1 Following an application to carry out works in a Conservation Area received on 1st February 2006 at 2 The Green, Sutton Courtenay the site was inspected to see if the works were appropriate. Four trees in the garden were to be felled, including an early mature walnut tree, and one sycamore was to be pollarded. A letter of objection was received from Sutton Courtenay Parish Council asking that the walnut should remain. Of the trees in the garden the walnut has the most merit and will soon develop into a tree that can be clearly seen by the public and be an asset to the Conservation Area therefore it was decided to protect it with a TPO. A map showing the location of the walnut tree is attached as an Appendix.
- 1.2 An objection was received to the order from the resident Mrs. J Wilkinson.
- 1.3 The contact officer for this report is George Reade, Landscape Officer (Arboriculture) 01235 520202 x 504.

2.0 Recommendations

that the Order be confirmed.

3.0 Relationship with the Council's Vision, Strategies and Policies

This report relates to the Council's Vision in that it supports objectives A,D and G.

4.0 Background Information

4.1 Summary of objections

1. The tree takes all the light to the detriment of surrounding fruit trees.
2. The walnut leaves sour the land and cannot be rotted down in the compost.
3. Squirrels cause a mess when eating the nuts in July /August.
4. The tree makes growing vegetables difficult in the garden.

4.2 Officers Comments

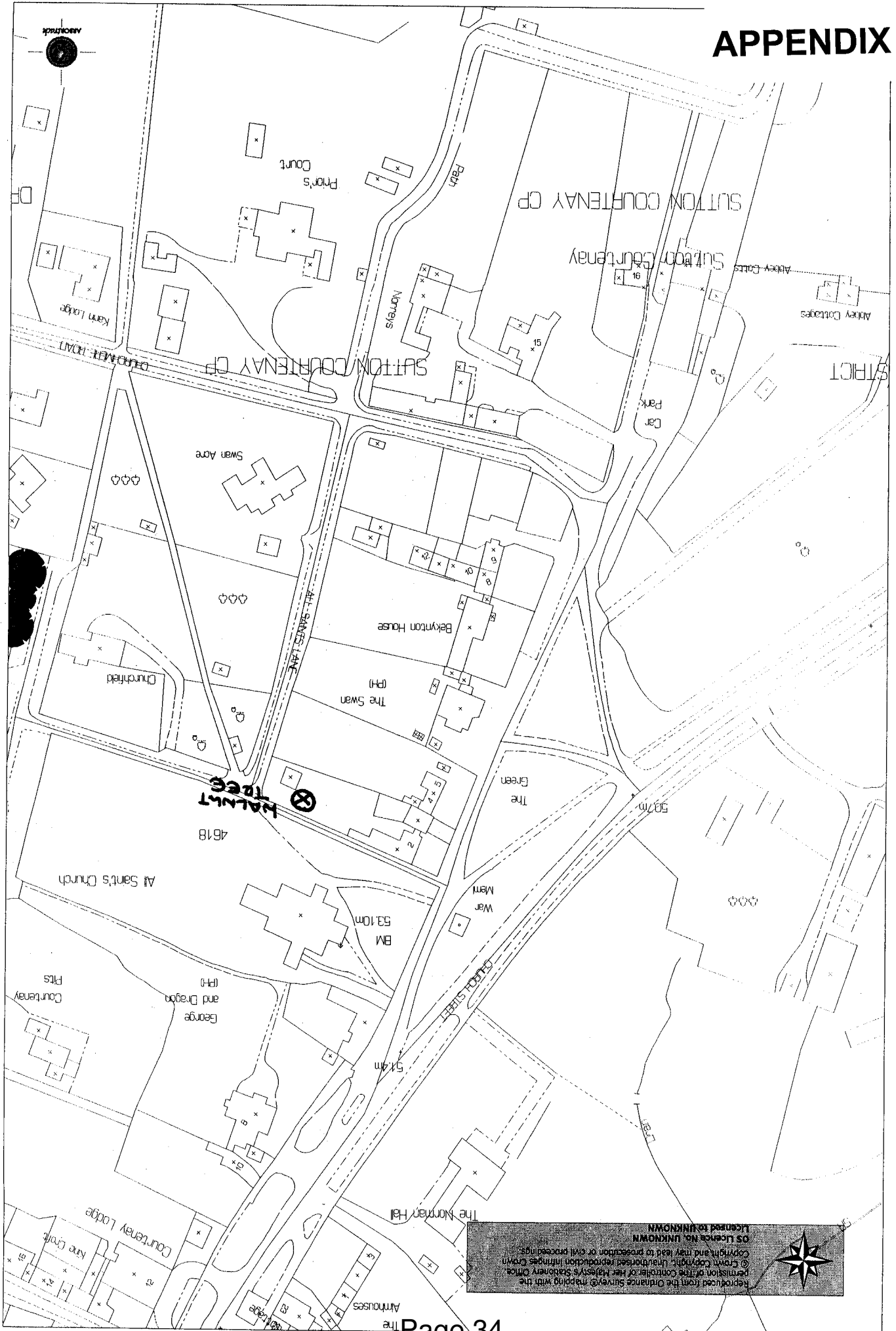
This walnut, along with a similar size red horse chestnut in the garden of 7 The Green, Sutton Courtenay protected by a TPO in June of this year, will form an important part of the treescape of Sutton Courtenay in the near future. It is important to have a succession in the age structure of a population of trees such as the one in this village.

The objections to this order show the tree to be inconvenient but with the permission given to remove and pollard the other trees in the garden its problems will get less. I do not believe they are good enough reasons to remove the tree.

GEORGE READE
LANDSCAPE OFFICER (ARBORICULTURE)

STEVE BISHOP
STRATEGIC DIRECTOR

APPENDIX



CUM/95/5 – D Hackett

Construction of two storey detached house with car port and outbuilding to rear (Revision to permission CUM/95/3).

205A Cumnor Hill, Oxford.

1.0 The Proposal

1.1 The application site is part of the former residential plot containing a house known as 205A Cumnor Hill. In October 2005, planning permission was granted for the demolition of the existing house and the construction of two houses in a tandem layout (ref CUM/95/3). The approved block plan is in **Appendix 1**. This new application is to modify the permission for the house at the rear by adding a linked car port to the front of the house and a detached outbuilding in the back garden. The car port would be 5 metres high and the outbuilding would be 4 metres high. Extracts from the plans are in **Appendix 2**.

1.2 To the west of the application site is a new development of 5 detached dwellings by Rectory Homes on the former site of 207 Cumnor Hill, which is nearing completion. To the east are two houses in tandem formation known as 203 and 205 Cumnor Hill. The south boundary of the application site is the boundary of the Green Belt.

1.3 The application comes to Committee because of an objection from Cumnor Parish Council.

2.0 Planning History

2.1 As in Section 1 above.

3.0 Planning Policies

3.1 Policies DC1, DC5 and DC9 of the adopted Vale of White Horse Local Plan 2011 require all new development to be acceptable in terms of design (including visual impact), impact on neighbours and highway safety.

4.0 Consultations

4.1 Cumnor Parish Council has the following objection – “The Council considers that the car port would adversely affect the roof line. Although the Council would not be opposed to a garden shed, the size of the proposed outbuilding does appear to be excessive for a site on the edge of the Green Belt.”

4.2 County Engineer – no objection subject to conditions.

5.0 Officer Comments

5.1 The extant permission for the house represents the fall-back position against which this new proposal needs to be assessed. Members therefore need to consider whether the proposed amendments cause harm in terms of design, impact on neighbours or highway safety. With regard to design and visual impact, the proposed car port would be set back some 40 metres from the road and this, in combination with its relatively low height, means it would not be so visible as to cause harm to the locality. The proposed outbuilding would be in the back garden and would lie some 25 metres from the Green Belt boundary. Officers disagree with the Parish Council and do not consider the size of the proposal to be excessive in terms of what could be reasonably expected for a domestic outbuilding. It would be 10m long by 6 m wide, which is the size of a double garage and small workshop.

5.2 The potential impact on neighbours is also minimised by the single storey nature of both proposed amendments. The closest dwelling to the proposed car port is Plot 2 on the adjoining Rectory Homes development. The front of the new house on Plot 2 would lie 10 metres away from the side wall of the car port. Given that the eaves of the proposed car port

would lie just above the intervening boundary hedge, and that the roof would slope away from this boundary, the impact on the outlook from the front of the new dwelling is considered acceptable. The proposed outbuilding would lie alongside the large back garden of No 205 and would lie some 15 metres from the house on this plot. The impact on this property is also considered acceptable.

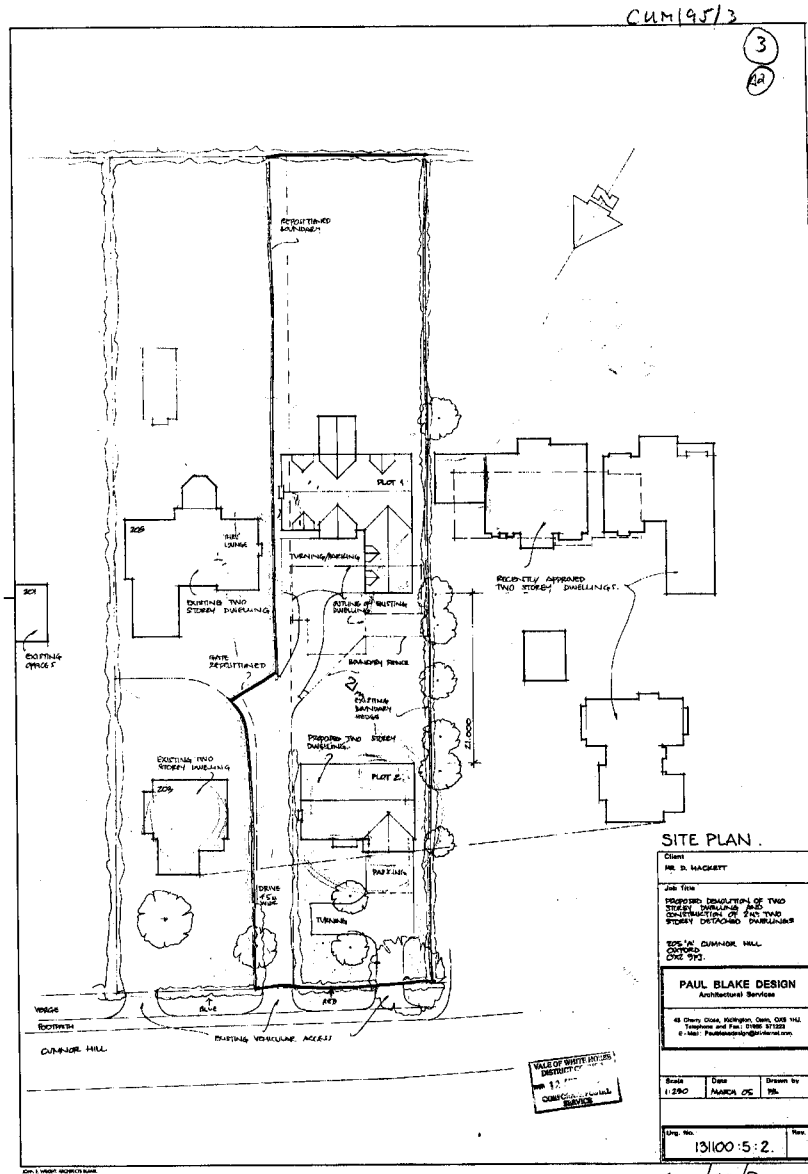
5.3 Turning to highway safety, the proposed dwelling would be accessed via a shared drive used by the residents of No 205. The extant planning permission for the house includes an integral double garage. The proposed car port would provide parking for 2 additional cars, and would not impinge on the turning area. Thus there should be no adverse impact on highway safety or on public safety on the shared drive. However, to ensure that the turning area remains free for use, Officers consider permitted development rights to convert both the garage and car port to accommodation should be removed (Condition 5 below). The County Engineer raises no objections subject to this and other conditions

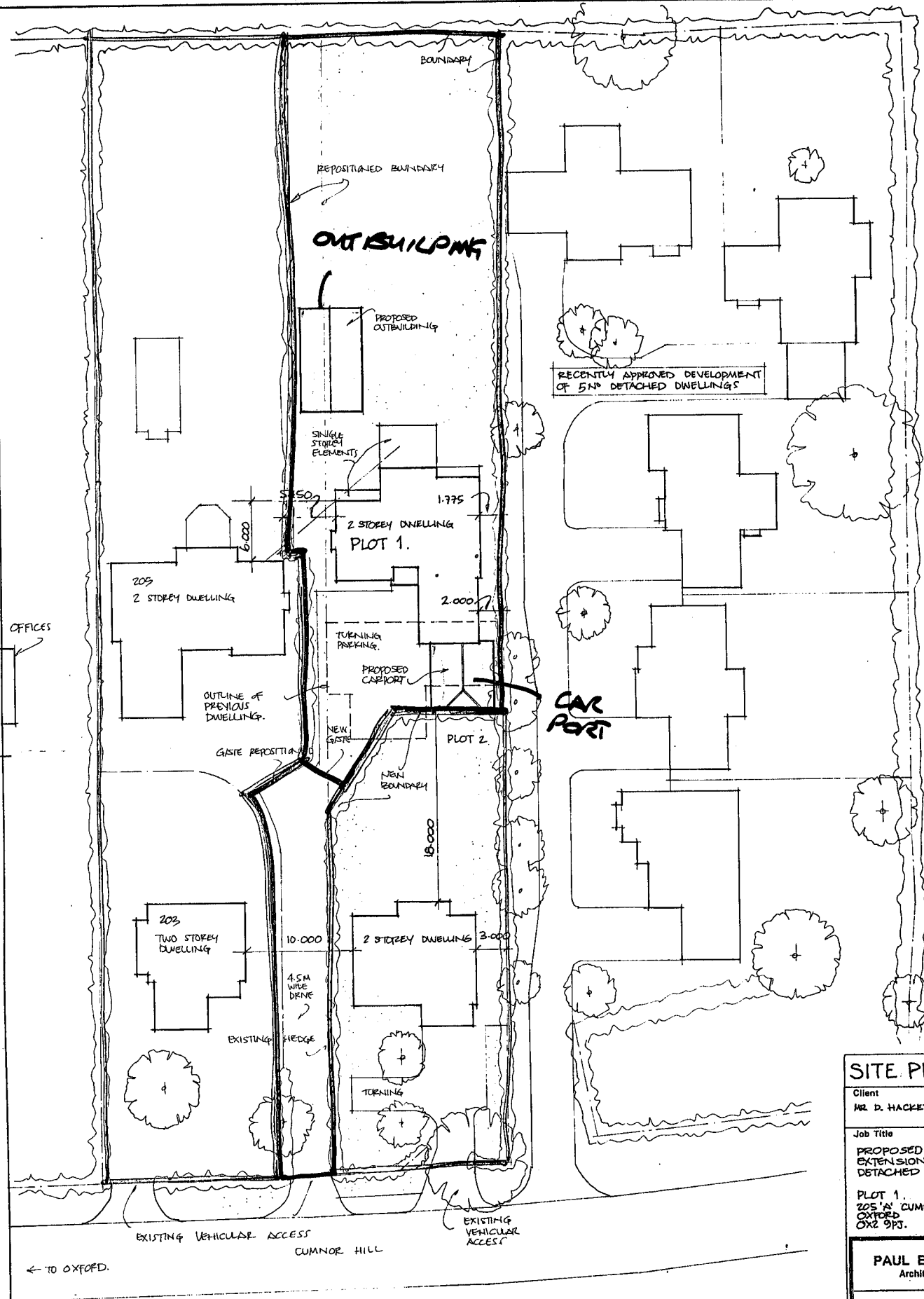
6.0 **Recommendation**

6.1 *Permission subject to the following conditions:-*

1. *TL1 Time Limit – Full Application*
2. *MC2 Submission of Materials (Samples)*
3. *HY24 Car Park Layout (Dwelling)*
4. *HY16 Turning space in accordance with Specified Plan*
5. *RE14 Garage Accommodation*
6. *RE7 Submission of Boundary Details*
7. *The first floor en-suite window on the west elevation shall be top hung only and shall be first fitted, and thereafter permanently maintained with, obscure glazing*
8. *Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, no additional window or rooflight shall be inserted into the west or east elevation of the dwelling hereby permitted without the prior grant of planning permission.*

APPENDIX 1





VALLE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 09 MAY 2005
CORPORATE POSTAL
SERVICES - 2

SITE PLAN

Client
MR. D. HACKETT

Job Title
PROPOSED CARPORT
EXTENSION AND
DETACHED OUTBUILDING.

PLOT 1,
205 'A' CUMNOR HILL
OXFORD
OX2 9PT.

PAUL BLAKE DESIGN
Architectural Services

43 Cherry Close, Kidlington, Oxon, OX5 1HJ.
Telephone and Fax: 01865 371223
E-Mail: Paulblakedesign@btinternet.com.

Scale	Date	Drawn by
1:250	AUG. 05	PB

Orig. No.	Rev.
131100:6:20	'A'

SCHEDULE OF DRAWINGS:-

131100 : 6 : 1 LOCATION PLAN 1:2500
 " : 6 : 2 SITE PLAN 1:250
 " : 6 : 3 ELEVATIONS: PLANS 1:100

REVISIONS:-

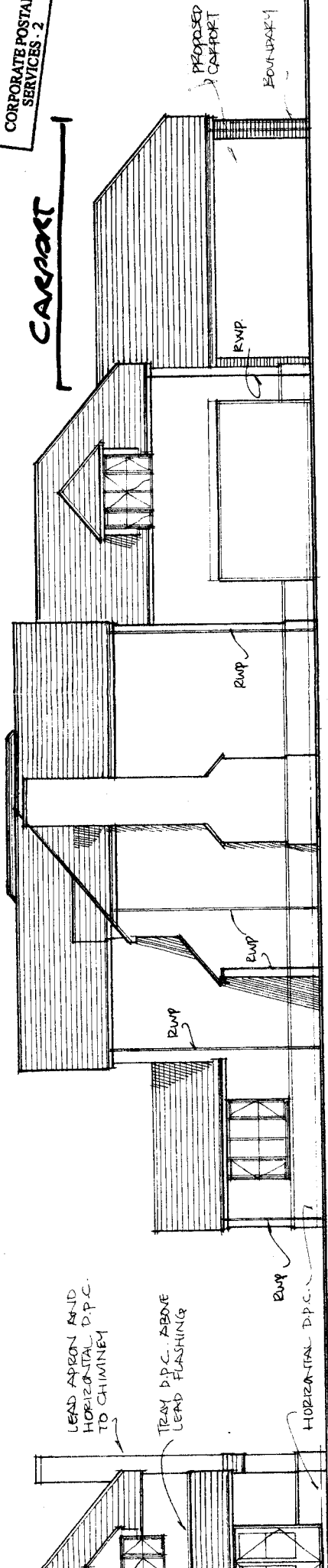
'A' APRIL 06 CARPORT AND OUTBUILDING ADDED.

06/00779/FUL
CUMNOR HILL

APPENDIX 2

ORF WHITE HORSE
DISTRICT COUNCIL
08 MAY 2005
CORPORATE POSTAL
SERVICES - 2

VALLE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 09 MAY 2005
CORPORATE POSTAL
SERVICES - 2



SIDE FROM NO. 205 NORTH/EAST

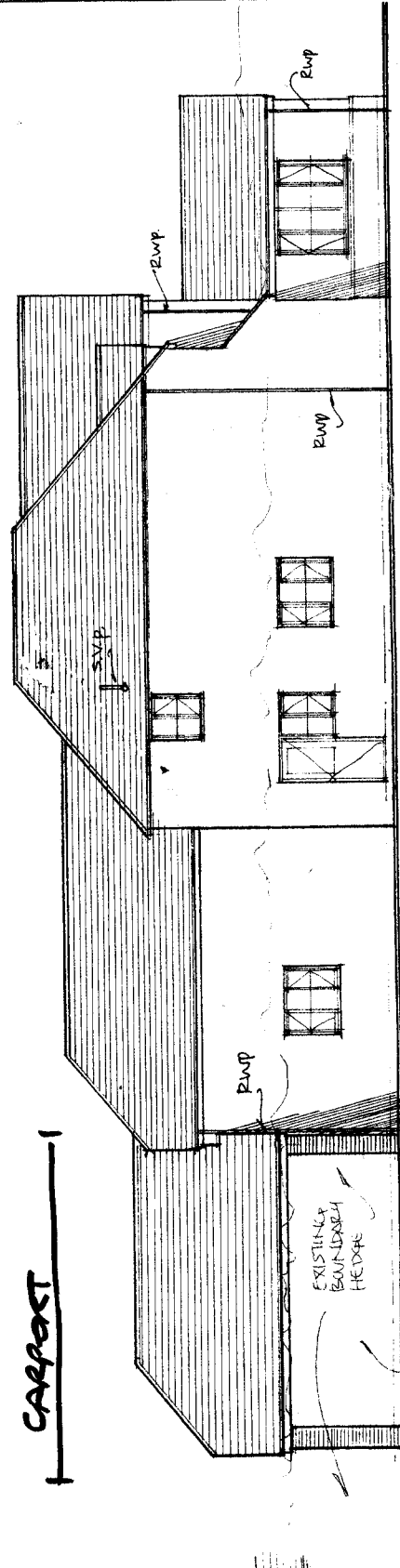
MATERIALS :-
ALL TO LA APPROVAL
ROOF : PLAIN CLAY TILES
WALLS : FACING BRICKWORK
WINDOWS : STAINED TIMBER

APPENDIX 2

REVISIONS :-

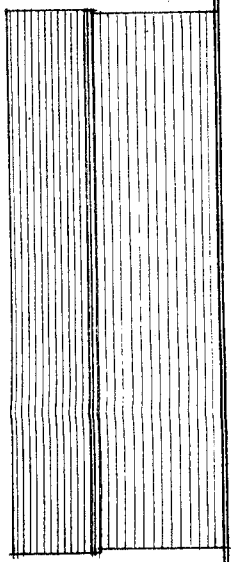
A	DATE	DESCRIPTION

SCHEDULE OF DRAWINGS :-

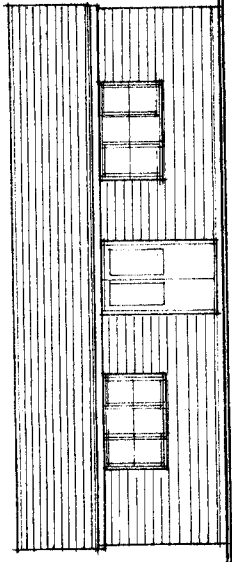


SIDE SOUTH/WEST

<p>SCHEDULE OF DRAWINGS :-</p> <p>B1100 : 6 : 1 LOCATION PLAN 1:2500 " : 6 : 2 SITE PLAN 1:250 " : 6 : 3 ELEVATIONS: PLANS 1:100</p>					
<p>PLOT 1.</p>					
Client	MR. D. HACKETT				
Job Title	PROPOSED CARPORT EXTENSION AND DETACHED OUTBUILDING.				
	205 'A' CUMNOR HILL OXFORD OX2 9PJ				
<p>PAUL BLAKE DESIGN Architectural Services</p>					
<p>43 Cherry Close, Kidlington, Oxon, OX5 1HJ. Telephone and Fax: 01865 371223 E-Mail: Paulblakedesign@btinternet.com.</p>					
Scale	1:100	Date	Aug. 2005	Drawn by	PB
Drg. No. A21100.1.01		Rev.		1/1	



REAR NORTH/EAST [FROM NO 205]



FRONT SOUTH/WEST

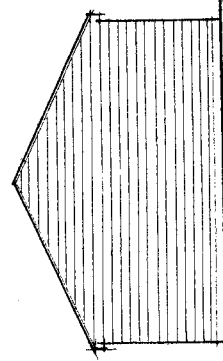
OUT BUILDING

MATERIALS:

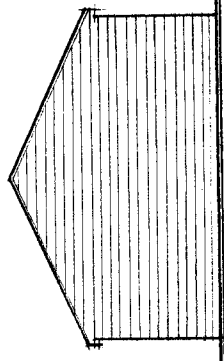
- ROOF : NATURAL SLATES
- WALLS : STAINED BOARDING
- WINDOWS : STAINED TIMBER

DETAILS OF PROPOSED
DETACHED OUTBUILDING.

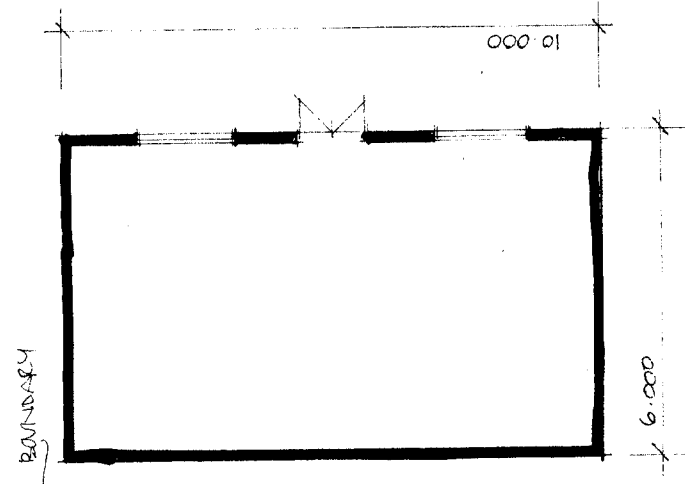
SCALE 1:100



SIDE SOUTH/EAST



SIDE NORTH/WEST



06/00779/FUL

CUM/5932/3-X – Mr & Mrs K A Joynson

Demolition of existing dwelling and garage. Erection of two detached dwellings with double garages.

CUM/5932/4-X – Jen Joynson

Demolition of existing garage. Erection of one four bedroom detached dwelling and two double garages.

98 Oxford Road, Cumnor.

1.0 The Proposal

- 1.1 These applications seek outline planning permission to erect a new dwelling in the rear garden. They are two alternative schemes on the site, the first of which also seeks to demolish the existing dwelling and erect a new detached dwelling in its place. The second seeks to retain the existing dwelling.
- 1.2 On a procedural matter, since the 10th August 2006 further elements of the Planning and Compulsory Purchase Act 2004 have come into force, where the categories for reserved matters have been changed to the following: access, appearance, landscaping, layout and scale.
- 1.3 As these applications were submitted prior to the 10th August, the old criteria of siting, means of access, external appearance, landscaping and design have been addressed by the applicants, with means of access and siting being due for consideration with the rest being the 'reserved' matters. Under the new planning regime, these translate to access and layout being due for consideration under this application with appearance, landscaping and scale being the new 'reserved' matters.
- 1.4 A copy of the plans showing the siting of the proposed dwellings on the first application, and the location of the vehicular access is attached at **Appendix 1**.
- 1.5 A copy of the plans showing the siting of the proposed dwelling to the rear in the second application, and the location of the vehicular access is attached at **Appendix 2**.
- 1.6 The property lies on the north side of Oxford Road and is bounded by dwellings to the east and west, with an agricultural access running along the immediate western boundary separating the gardens of Nos. 98 and 100 and providing access to the fields to the north (rear).
- 1.7 The applications have been referred to Committee because several letters of objection have been received.

2.0 Planning History

- 2.1 In 1981, planning permission was granted for extensions and alterations to the existing dwelling. A further permission was granted in 1984 for more alterations to provide bay windows to the dwelling.
- 2.2 An application to demolish the existing dwelling and replace it with three dwellings was withdrawn in July 2006.

3.0 Planning Policies

- 3.1 *Vale of White Horse Local Plan 2011*
Policy GS5 (making efficient use of land and buildings) seeks to promote the efficient re-use of previously developed / unused land and buildings within settlements, provided there is no conflict with other policies in the Local Plan.

- 3.2 Policy H11 (development in the larger villages) enables new housing development within the built-up areas of the larger villages such as Cumnor, provided the scale, mass, layout, and design of the new dwellings would not materially harm the form, structure or character of the settlement, and does not involve the loss of facilities important to the local community (i.e. formal / informal open space).
- 3.3 Policies DC1, DC5, DC6, and DC9 (quality of new development policies) are relevant and seek to ensure that all new development is of a high standard of design / landscaping, does not cause harm to the amenity of neighbours, and is acceptable in terms of highway safety.
- 3.4 PPG3, "Housing", is also relevant and explains the presumption in favour of developing previously developed sites within urban areas for housing ahead of green field sites, and making the most efficient use of land.

4.0 **Consultations**

- 4.1 Cumnor Parish Council had not responded at the time of writing this report. Any response will be reported at the Meeting.
- 4.2 County Engineer – No objections subject to conditions.
- 4.3 Drainage Engineer – No objections subject to a condition requesting further details.
- 4.4 Seven letters of objection have been received from local residents on CUM/5932/3-X and five letters of objection on CUM/5932/4-X. These are summarised below:
- The additional dwelling to the rear will be visually intrusive and out of keeping.
 - The proposal will result in the removal of trees.
 - The proposal creates a precedent for other undesirable back land development.
 - Oxford Road is a narrow one-way street that suffers from considerable congestion at peak times, due to the school run and deliveries to nearby shops. A new dwelling will add to this.
 - The driveway joins Oxford Road at a busy junction on a sharp bend with limited visibility. Additional traffic from this development would thus be dangerous.
 - Demolition of the existing property will spoil the character of the area.
 - The new dwelling should be single storey only.
 - The new dwelling will overlook neighbouring houses and gardens.
 - A dwelling to the rear will create further light pollution and will disrupt local wildlife.
 - The infilling of properties and the destruction of gardens is out of character with Cumnor Village.

5.0 **Officer Comments**

- 5.1 The main issues in both applications are considered to be 1) the impact on the character and appearance of the area, 2) the impact on the amenities of neighbouring properties, 3) the safety of the access and parking arrangements, and 4) precedent.
- 5.2 On the first issue, the proposed demolition of the existing dwelling and the building of two new two-storey dwellings on this site are considered acceptable. Your Officers consider that the footprint of the new units proposed and their proposed siting are in keeping with other two storey properties in the locality. There is sufficient private amenity space for both proposed dwellings that is similar in size to other properties in the locality and, together with the existing boundary fences, walls and landscaping on the site, the new dwellings will not be harmful to the immediate locality. Your officers also consider that the alternative scheme to retain the existing dwelling and build a new dwelling to the rear is acceptable for these reasons.
- 5.3 Turning to the second issue, the potential harm to neighbours, your Officers consider that Nos. 96 and 100 Oxford Road are the properties most affected by the provision of a new dwelling to

the rear. In terms of privacy, the siting of this new dwelling is such that direct overlooking of No. 96 will not occur. The access drive to this new dwelling is also considered acceptable, being no different to the current access serving the garage of No. 98. The impact on No. 100 is considered acceptable in the light of the relationship it has with the existing dwelling at No 98 and the agricultural access that separates the two sites. The replacement dwelling will not change this. There is also considered to be no adverse impact from the new dwelling to the rear on No. 100 given that the overall distance between the new dwelling and No 100 is approximately 35 metres.

- 5.4 On the issue of parking and access, the proposed arrangements are considered acceptable. The parking provision shown of 2 garage spaces and 2 spaces for each dwelling are considered to be sufficient in this location. Furthermore, the County Engineer has no objection to the proposal in terms of using the existing access.
- 5.5 With regard to precedent, whilst this can be material where other sites possibly suitable for similar development can be identified in the locality, Members will be aware that each proposal must be considered on its own merits. In this case, there are other potential sites in the vicinity that could be the subject of a similar proposal. However, given the thrust of Government guidance on new housing, particularly in terms of making more efficient use of land within settlements, Officers consider that the issue of precedent is not such as to warrant refusal of these proposals.

6.0 **Recommendation**

6.1 *That planning permission CUM/5932/3-X be granted subject to the following conditions:*

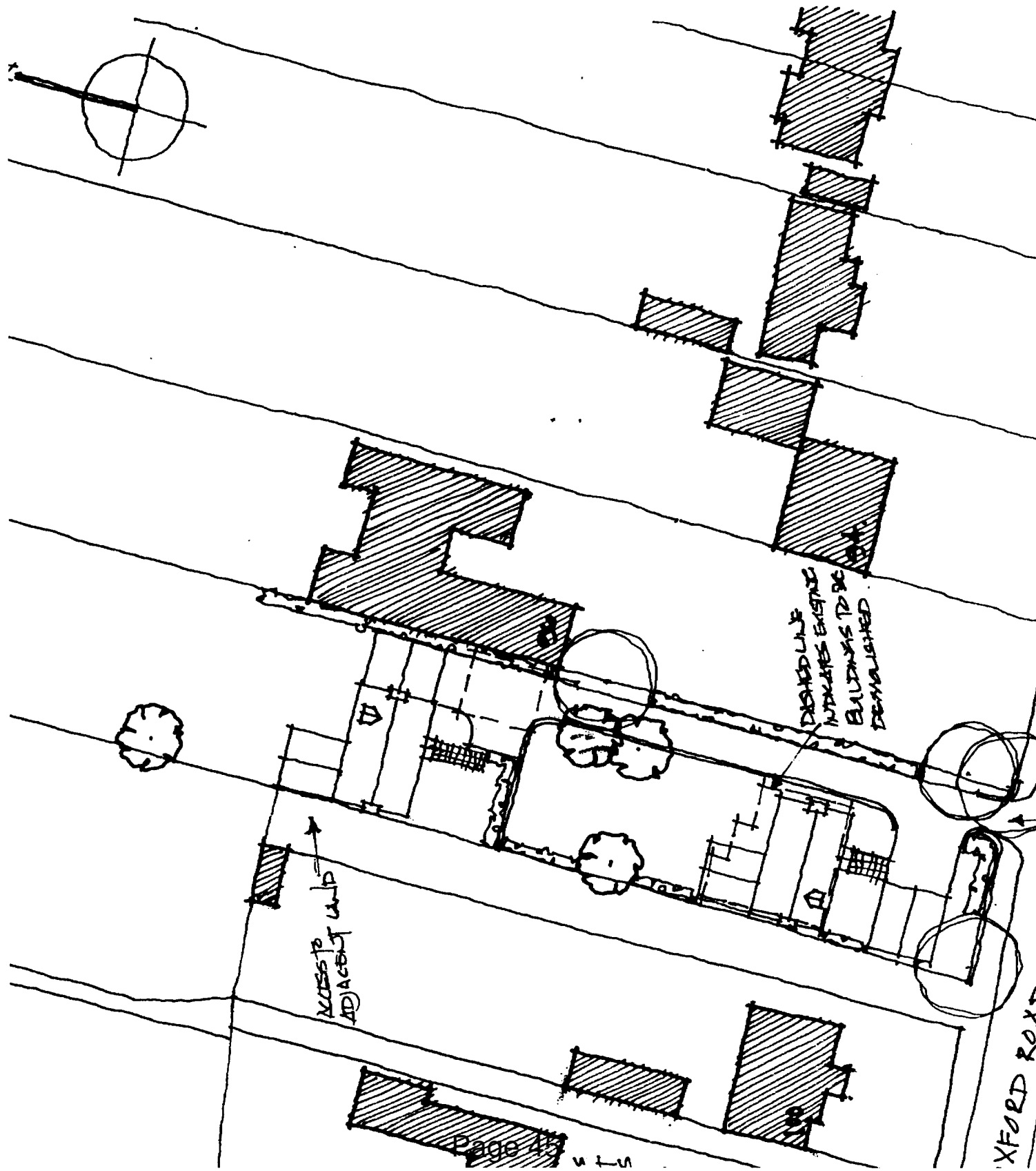
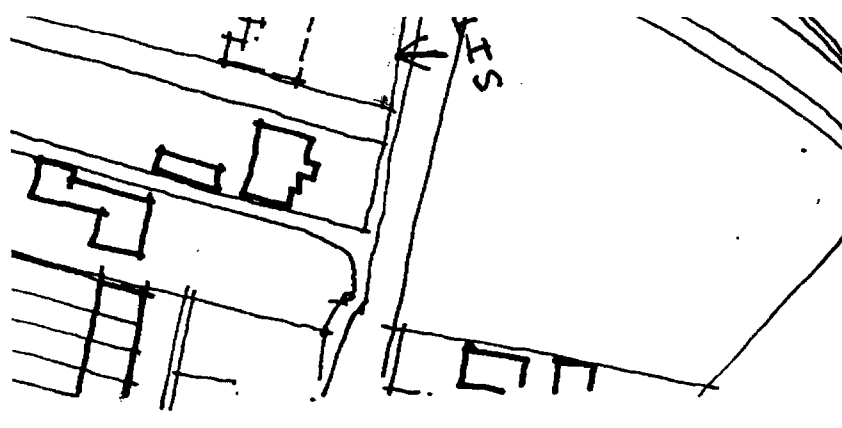
1. *TL2 Time Limit – outline application*
2. *OL3 Outline condition (excluding layout and access)*
3. *RE14 Garage accommodation*
4. *RE7 Boundary details*
5. *HY3 Access in accordance with specified plan*
6. *RE3 Restriction on alterations and extensions to dwelling*
7. *LS4 landscaping scheme*
8. *RE8 – Drainage details (surface water and foul sewage)*
9. *HY16 – Turning space in accordance with specified plan*

6.2 *That planning permission CUM/5932/4-X be granted subject to the following conditions:*

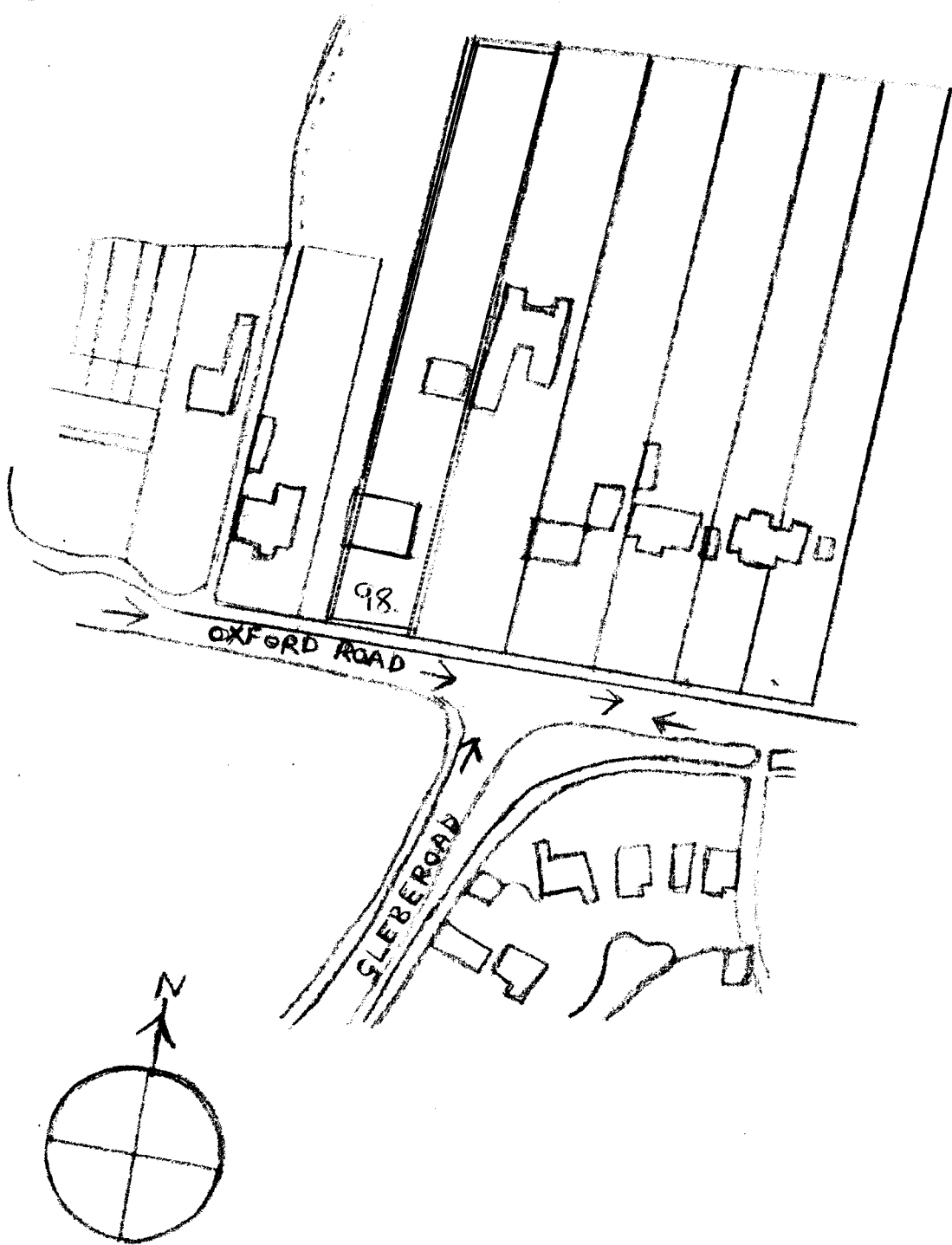
1. *TL2 Time Limit – outline application*
2. *OL3 Outline condition (excluding layout and access)*
3. *RE14 Garage accommodation*
4. *RE7 Boundary details*
5. *HY3 Access in accordance with specified plan*
6. *RE3 Restriction on alterations and extensions to dwelling*

7. *LS4 landscaping scheme*
8. *RE8 – Drainage details (surface water and foul sewage)*
9. *HY16 – Turning space in accordance with specified plan*

LOCATION PLAN



XFORD ROAD



LOCATION PLAN

SCALE 1:1250

CUMNOR / AUGUST 2006

VALE OF WHITE HORSE
DISTRICT COUNCIL

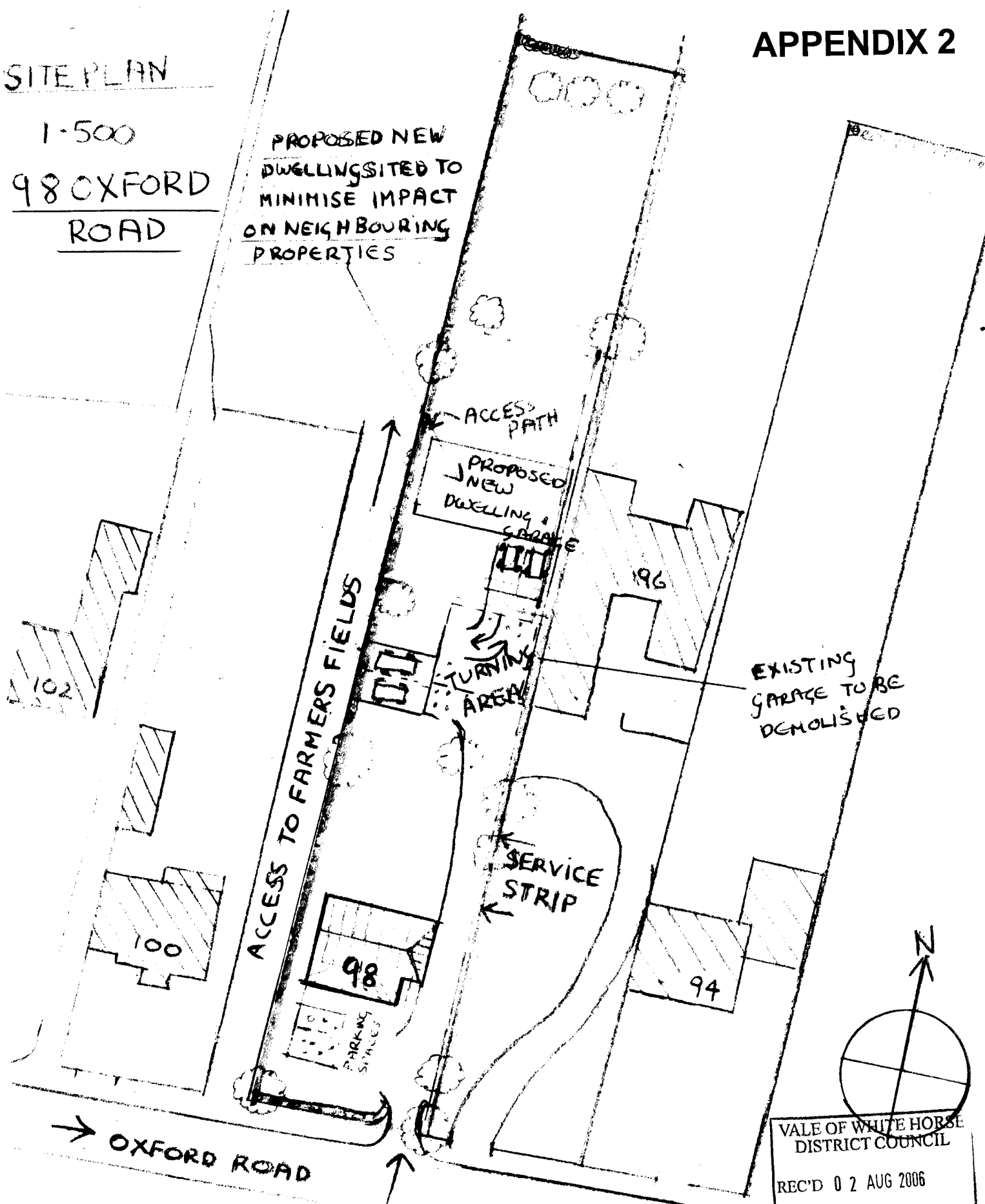
REC'D 02 AUG 2006

CORPORATE POSTAL
SERVICES - 5

APPENDIX 2

SITE PLAN
1-500
98 OXFORD
ROAD

PROPOSED NEW DWELLINGS SITED TO MINIMISE IMPACT ON NEIGHBOURING PROPERTIES



OXFORD ROAD

EXISTING ACCESS
RETAINED BUT WIDTH TO
SATISFY THE REQUIREMENTS
OF HIGHWAYS DEPT.

EXISTING GARAGE TO BE DEMOLISHED

VALE OF WHITE HORSE DISTRICT COUNCIL
REC'D 02 AUG 2006
CORPORATE POSTAL SERVICES - 5

CUMNOR / AUGUST 2006

SAH/19660/1 – Sweetcroft Homes Ltd.

Variation of condition 3 to SAH/19660 – erection of replacement dwelling. The Orchard, 76 Honeybottom Lane, Dry Sandford.

1.0 The Proposal

- 1.1 This application seeks planning permission to vary a condition attached to a planning permission for a replacement dwelling within the Green Belt. Planning permission was granted under delegated authority for the replacement dwelling on 1 August 2006. Condition 3 removed in their entirety permitted development rights that would normally be available to such a property.
- 1.2 The application seeks to vary condition 3 in order to allow the applicant to implement their permitted development rights for outbuildings, garages and other such structures within the garden of the property without the need to keep applying to the Council for consent. The application is not seeking the complete removal of the condition, and the condition as varied would still prevent any permitted development extension to the dwelling as was originally intended.
- 1.3 A copy of the plan showing the location of the proposed dwelling is attached at **Appendix 1**.
- 1.4 The application has been referred to Committee because the view of Saint Helen Without Parish Council differs from the recommendation.

2.0 Planning History

- 2.1 As above in section 1.0.

3.0 Planning Policies

- 3.1 *Vale of White Horse Local Plan 2011*
Policy GS3 (Green Belt) confirms that development will only be permitted if it does not conflict with the purposes of including land in the Green Belt and it preserves its openness and the special character of Oxford and its landscape setting. It goes on to specify those developments that would be considered to be appropriate subject to size criteria.
- 3.2 Policy GS6 (making efficient use of land and buildings outside settlements) states that the redevelopment of buildings will only be permitted subject to certain criteria, one of which is where redevelopment is for a new dwelling which replaces an existing dwelling on a one for one basis subject to the size limits set out in Policy GS3.
- 3.3 The advice in PPG2, 'Green Belts', confirms that there is a presumption against inappropriate development in the Green Belt which, by definition, is harmful, and should only be permitted if it is justified by 'very special circumstances'.
- 3.4 Under advice contained in Circular 11/95 – 'The use of conditions in Planning Permissions', "it is possible, exceptionally, to impose conditions to restrict further development which would normally be permitted by the General Permitted Development Order" (paragraph 86, Annex A). However it is confirmed that "the General Permitted Development Order is designed to give a freedom from detailed control which will be acceptable in the majority of cases. Save for exceptional circumstances, conditions should not be imposed which restrict permitted development rights. The Secretary of State would regard such conditions as unreasonable unless there was clear evidence that the uses (i.e. the classes of development in the GPDO) excluded would have serious adverse effects on amenity or the environment, and that the planning condition would serve a clear planning purpose" (paragraph 87, Annex A).

4.0 **Consultations**

4.1 Saint Helen Without Parish Council has objected to the application “in order to maintain the open character of the Green Belt”.

5.0 **Officer Comments**

5.1 In imposing the original condition, Officers sought to restrict extensions to the replacement dwelling house as it represented a 40% increase over the volume of the existing, in line with the policy restriction under Policy GS3. The general condition, however, also restricted permitted development rights on outbuildings and other structures within the garden.

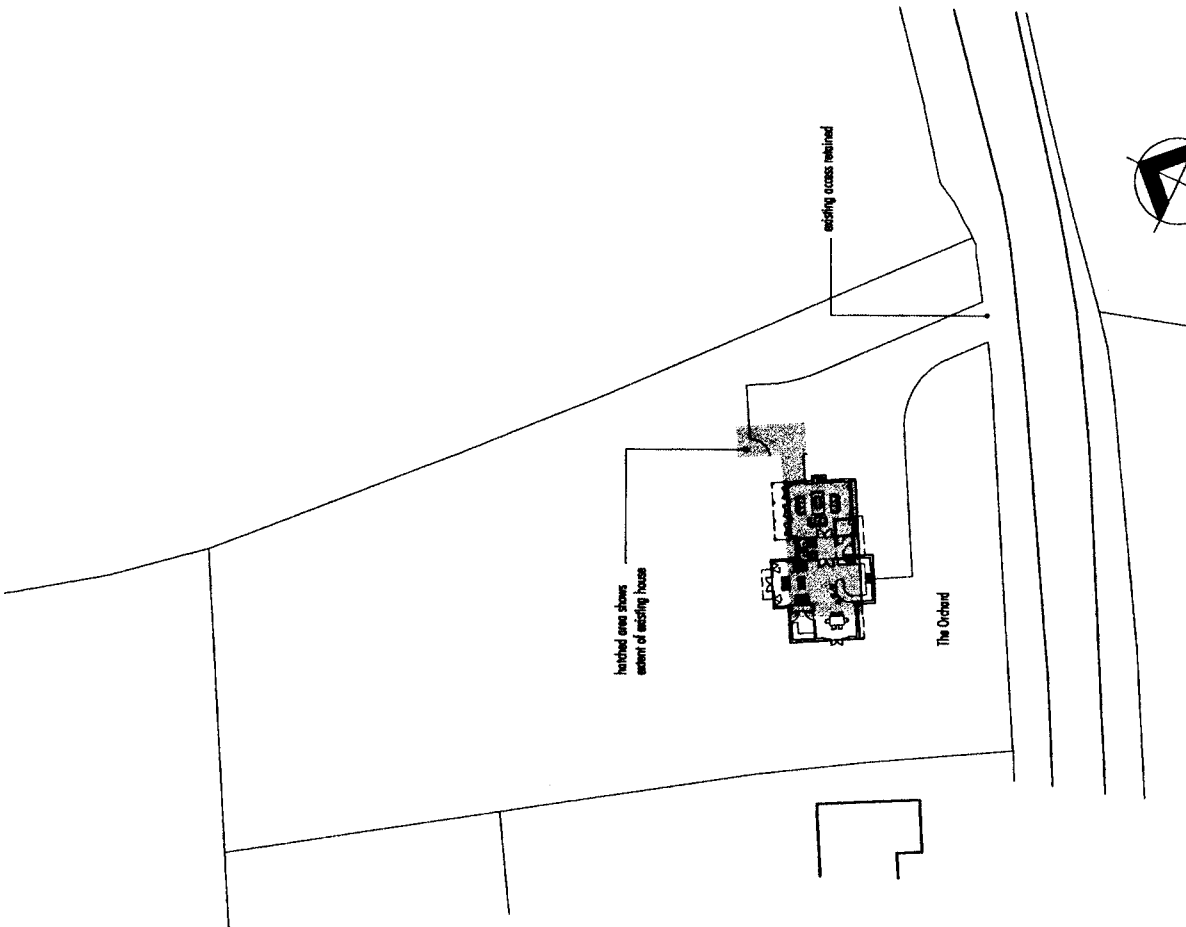
5.2 In assessing the request for a variation to make the condition specific to restricting extensions to the dwelling, Officers consider that it is not unreasonable to vary the condition in this way to allow outbuildings etc. Other properties nearby enjoy these rights and there is no policy requirement to restrict these rights in terms of protecting the openness of the Green Belt. Furthermore, in the light of advice contained in Circular 11/95, it would be likely that the applicant would stand a good chance of success on appeal should the application be refused. The key issue of removing the right to extend the dwelling would remain however as there is a clear and precise need to uphold the Policy GS3 limitations.

6.0 **Recommendation**

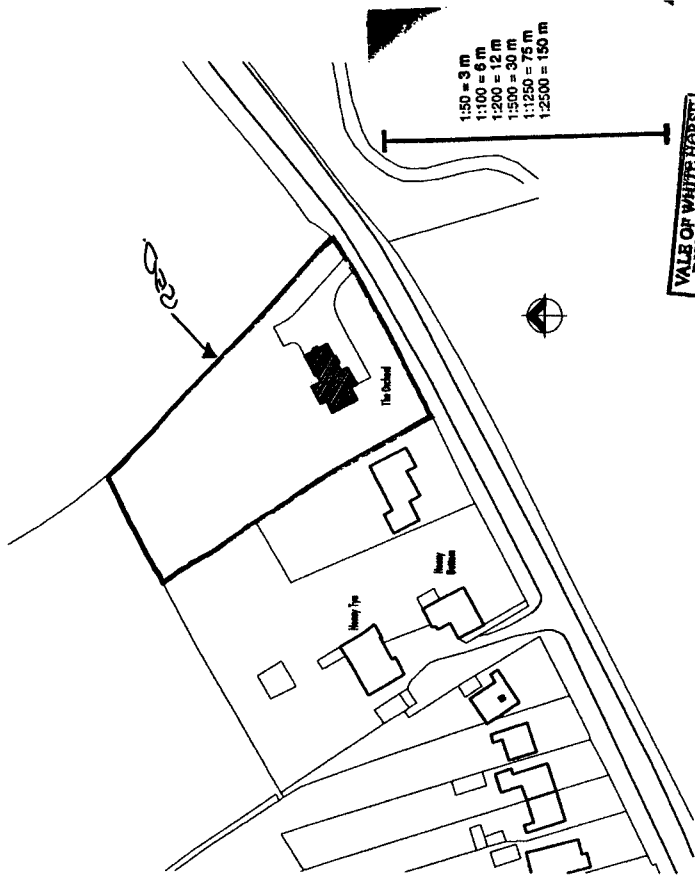
6.1 *That condition 3 of SAH/19660 be varied as follows:*

1. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995) (or any order revoking and re-enacting that Order), there shall be no extension to the dwelling hereby permitted without the prior grant of planning permission.*

REASON: The replacement dwelling in the Oxford Green Belt represents a 40% increase over the existing dwelling which complies with Policy GS3 of the adopted Local Plan. However, any further proposed extension to the property would exceed this limit to the detriment of preserving the openness of the Oxford Green Belt and to those purposes for including land within it. (Policy GS3 of the adopted Local Plan).



SITE PLAN (1:500)



LOCATION PLAN (1:1250)

VAL OF WHITE HORSE DISTRICT COUNCIL
 REC'D 15 AUG 2006
 CORPORATE POSTAL SERVICES - 2

06/03/06
20/11/06

ref A 240706 Plan and Volume reduced. Proposed dwelling siting amended

The ANDERSON ORR Partnership The Studio, 70, Church Road, Witteley, OXON, OX33 1LZ t: 01865 873936		client SWEETCROFT HOMES LTD
scale 1:500 1:1250	date JUN '06	drawing PROPOSED SITE PLAN & LOCATION PLAN
drawn SRS	job 06045	no. 06045-P02
PROJECT PROPOSED REPLACEMENT DWELLING, THE ORCHARD, HONEY BOTTOM LANE, DRY SANDFORD, ABINGDON		rev A

Drawing 06045-P02.dwg was plotted on 14 August 2006 at 12:27

WAN/19629 – Mr & Mrs Andreski

Flat roof extension to rear for additional kitchen space, utility room & wc/shower room. Single storey extension to the side for additional living space.

78 Hamfield, Wantage.

1.0 The Proposal

1.1 This application seeks planning permission for a flat roof single storey rear extension on the north elevation of the property measuring 3.7 metres wide by 4.0 metres deep, with a roof height of 2.8 metres. Attached to this extension, also on the rear elevation, it is proposed to construct a conservatory 2.4 metres wide and 4.0 metres deep, with a roof sloping away from the boundary of the attached property (No.77) and a ridge height of 2.8 metres. On the side (east) elevation of the property, it is proposed to erect a single storey extension measuring 2 metres wide and 5.4 metres long, with an eaves height of 2.5 metres, and a ridge height of 4.1 metres. The proposed rear extension has been amended and reduced in length to comply with the Council's House Extensions Design Guide. The application drawings and the site plan are at **Appendix 1**.

1.2 This application comes to Committee at the request of the Local Member, Councillor Joyce Hutchinson.

2.0 Planning History

2.1 There is no planning history for the property.

3.0 Planning Policies

3.1 Policy H24 of the adopted Vale of White Horse Local Plan allows for extensions to existing dwellings provided various criteria are satisfactory, including; i) the impact on the character and appearance of the area as a whole, ii) the impact on the amenities of neighbouring properties in terms of privacy, overlooking and overshadowing, and iii) whether adequate off-street parking, turning space and garden space remain.

3.2 Policies DC1 and DC9 of the adopted Local Plan refer to the design of new development and the impact on neighbouring properties.

4.0 Consultations

4.1 Wantage Town Council has 'No objections' to the proposal.

4.2 The County Engineer raises no objection.

4.3 One letter of concern has been received from the occupants of 79 Hamfield, raising the issue of loss of light to their kitchen.

5.0 Officer Comments

5.1 The main issues in determining this application are the impact on the street scene and the potential impact on neighbouring properties. As there is currently no off-street parking on site, the proposed side extension will not result in the loss of any parking space.

5.2 In respect to the impact on the street scene, your Officers' consider that the proposed side extension would not adversely affect the character and appearance of the area.

5.3 In addition, given the orientation of neighbouring properties, it is not felt that the proposed single

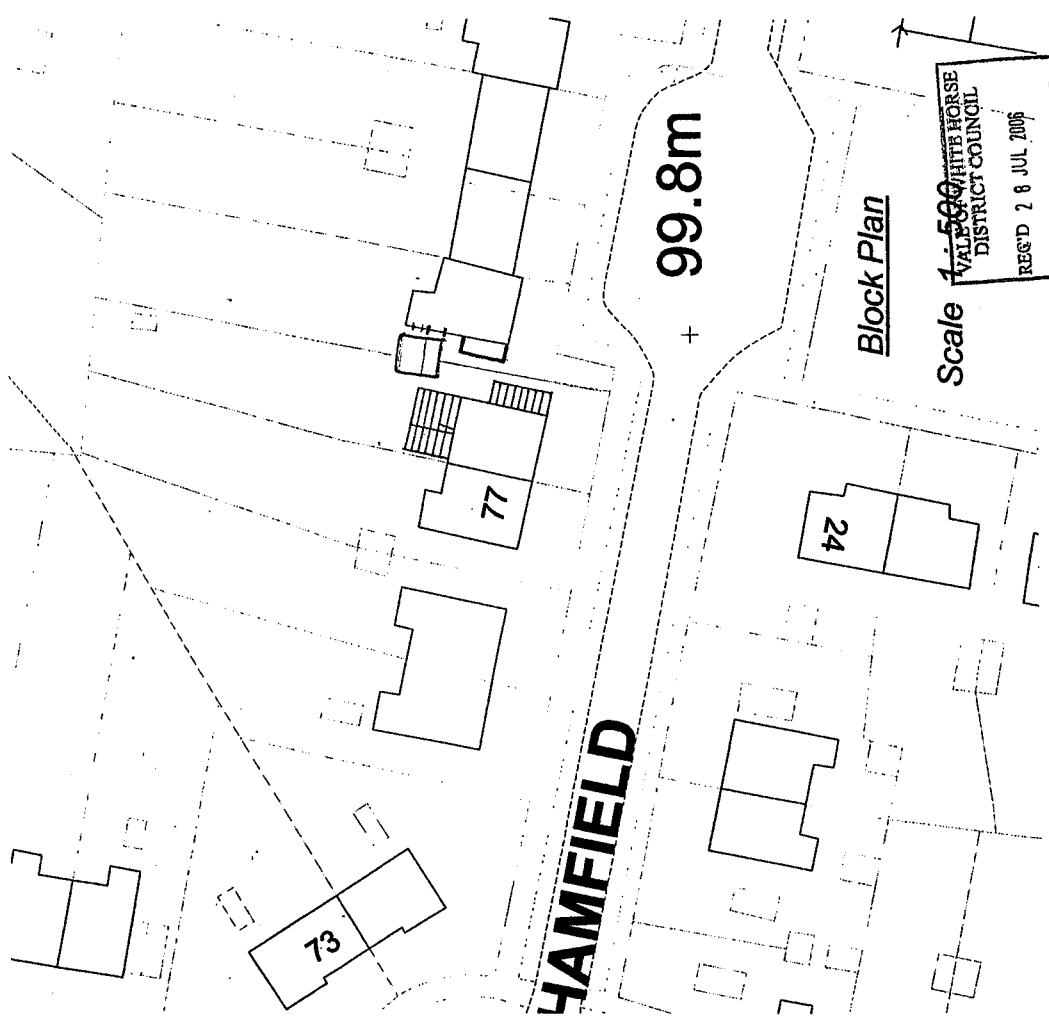
Report 73/06

storey extensions would harm the amenities of neighbouring properties in respect of overshadowing. The existing kitchen window to No. 79 is situated behind an outbuilding which straddles the boundary between No. 78 and No. 79, with light to this kitchen already being restricted not only because of this outbuilding, but also by an extension erected on the west elevation of No. 79. The proposed rear extension (ignoring the existing outbuilding) would be situated 5.5 metres away from No. 79's kitchen window, with the proposed side extension (ignoring the existing extension on No. 79) being located 6.5 metres from the same window. The block plan included in **Appendix 1** shows the positions of the aforementioned outbuilding, the side extension and the kitchen window at No. 79. Although there will be some impact on No. 79 in terms of loss of light to the kitchen, this would be minimal and would not warrant refusal. Considering the positions of the windows in the proposed extensions, there would be no overlooking of neighbouring properties. In order to prevent potential overlooking in the future the removal of permitted development rights for the insertion of new windows in the west elevation should be conditioned (see Condition 3 below).

6.0 **Recommendation**

6.1 *That planning permission be granted, subject to the following conditions:-*

1. *TL1 Time Limit – full application.*
2. *RE1 Matching Materials.*
3. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) no windows shall be inserted in the west elevation of the development hereby permitted without the prior grant of planning permission.*
4. *MC20 Amended Plans.*



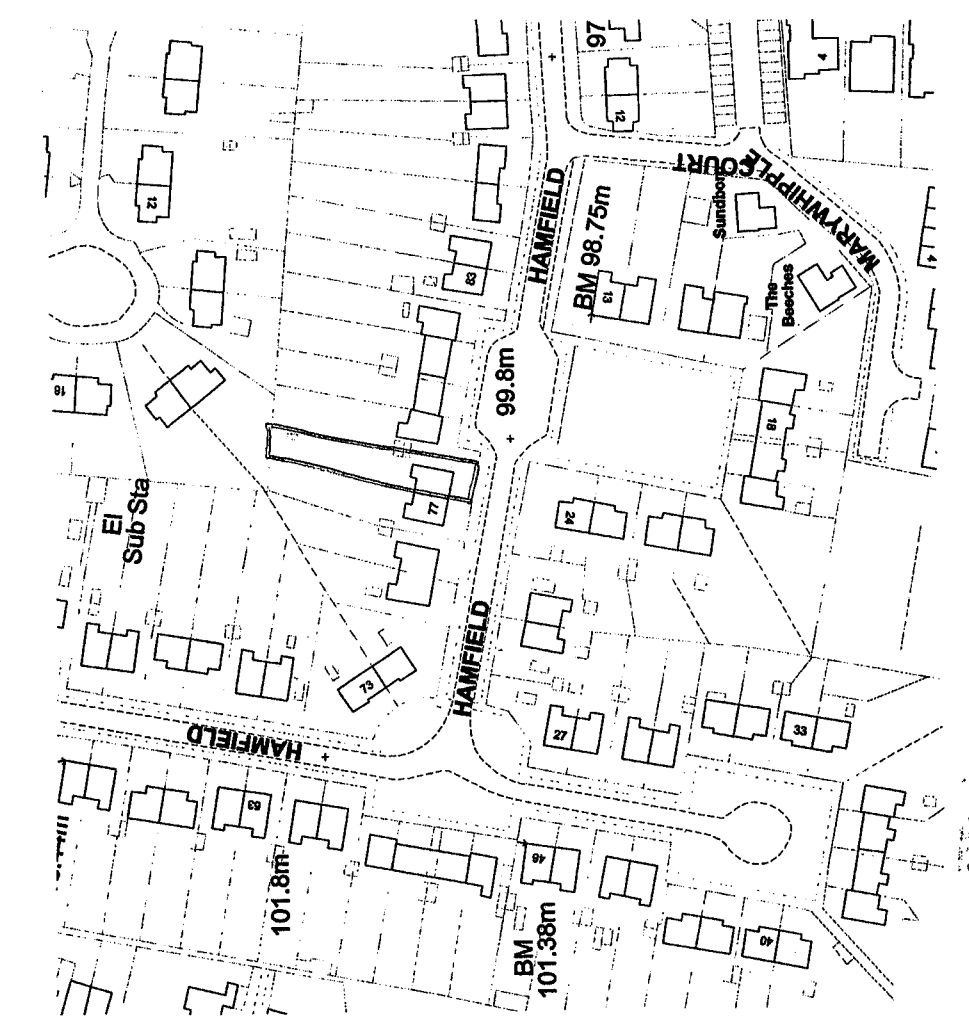
Scale 1:500
 VALLEY WHITE HORSE
 DISTRICT COUNCIL
 REG'D 28 JUL 2006
 CORPORATE POSTAL
 SERVICES - 3

Block Plan

78 Hamfield - Wantage

Proposed Flat Roof Extension to Rear for Additional
 Kitchen Space, Utility Room and WC / Shower Room.
 And a Single Storey Side Extension for Living Space

WAN/19629



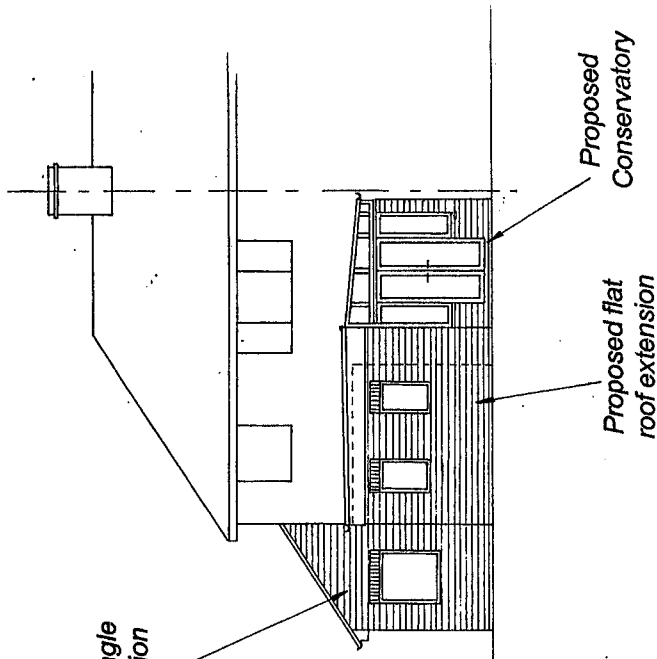
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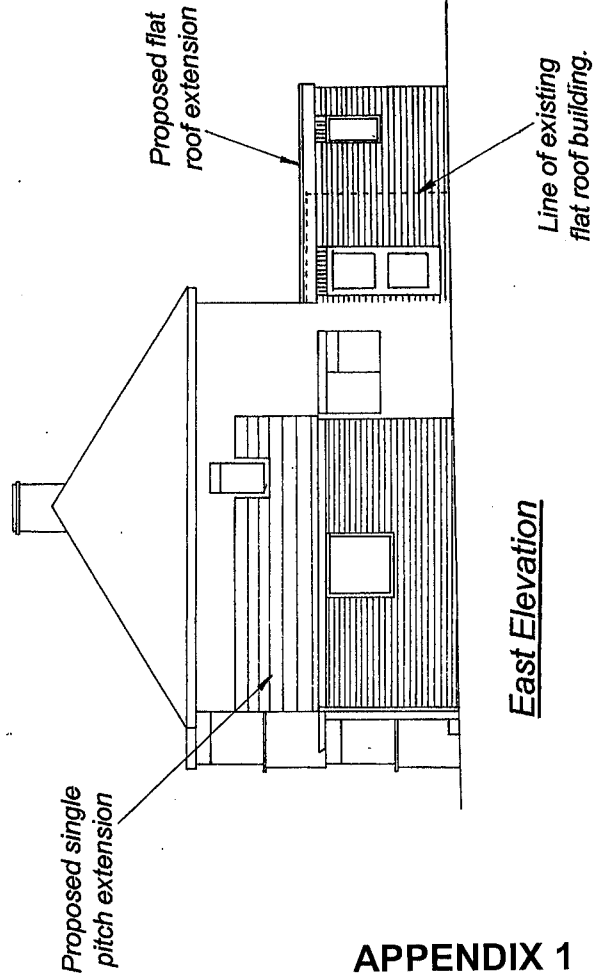
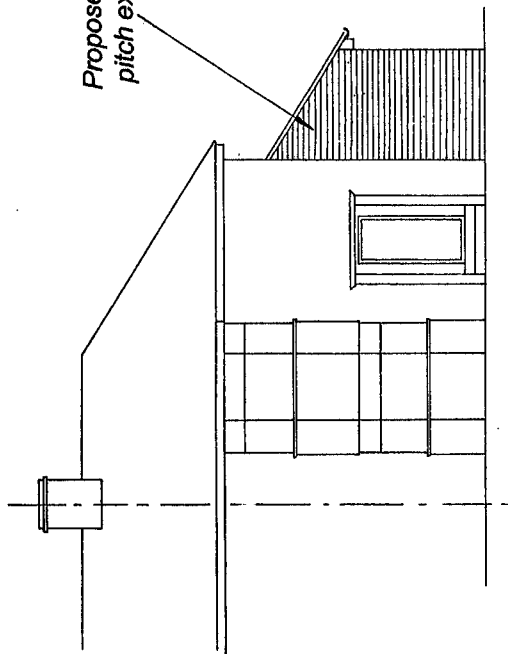
**APPROVED
 PLAN**

APPENDIX 1

North Elevation



South Elevation



East Elevation

**AMENDED
PLAN**

VALE OF WHITE HORSES
DISTRICT COUNCIL

REF'D 7 8 JUL 20

CORPORATE POS.
SERVICES - 3

Scale 1 : 100

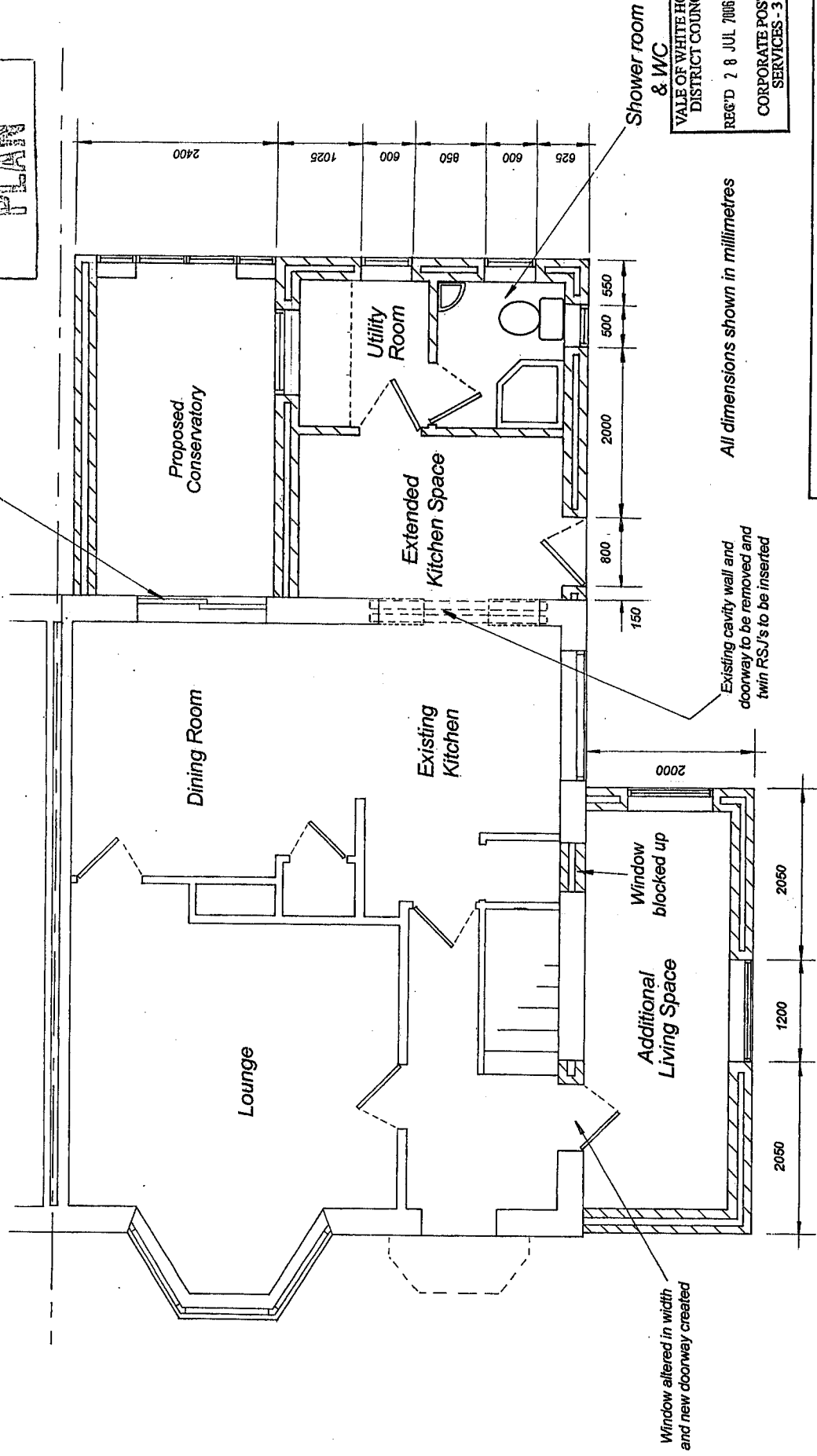
78 Hamfield - Wantage

Proposed Flat Roof Extension to Rear for Additional Kitchen Space, Utility Room and WC / Shower Room. And a Single Storey Side Extension for Living Space

WAA / 19629

APPROVED PLAN

Existing window opening altered to be a sliding patio door.



VALE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 28 JUL 2006
CORPORATE POSTAL
SERVICES - 3

78 Hamfield - Wantage

Proposed Flat Roof Extension to Rear for Additional Kitchen Space, Utility Room and WC / Shower Room. And a Single Storey Side Extension for Living Space

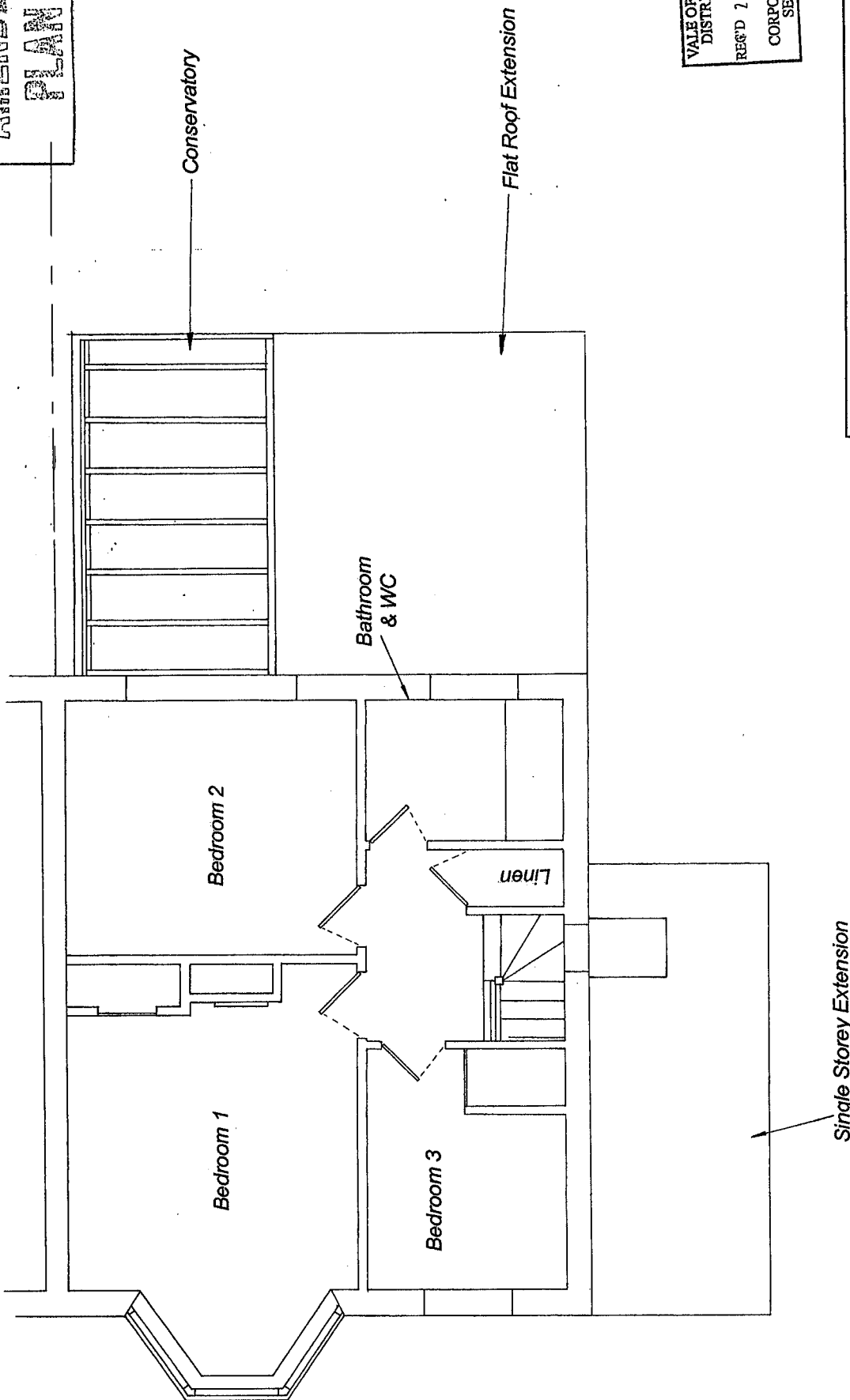
Ground Floor Plan

Scale 1 : 50

PLAN/19629

APPENDIX 1

APPENDIX 1



VALE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 28 JUL 2006
CORPORATE POSTAL
SERVICES - 3

78 Hamfield - Wantage
Proposed Flat Roof Extension to Rear for Additional
Kitchen Space, Utility Room and WC / Shower Room.
And a Single Storey Side Extension for Living Space

First Floor Plan

Scale 1 : 50

JAN / 19629.

CHD/19720 – Mr & Mrs D Paine
Retention of rooflights.
1 Lawrence Close, Childrey

1.0 **The Proposal**

1.1 This application seeks planning permission for the retention of eleven rooflights located on the north-east and south-west (front and rear) roof slopes of the property, which are positioned at varying heights above the finished floor level of the room in which they are fitted. The block of four rooflights in the north-east elevation is positioned at approximately 0.7 metres and 1.55 metres above the floor level. The application drawings and site plan are at **Appendix 1**.

1.2 The application comes to Committee due to an objection received from Childrey Parish Council.

2.0 **Planning History**

2.1 The property was built under planning permission CHD/10/2, which was granted in July 1989. Condition 10 of this permission removed permitted development rights in respect to extensions and external alterations to any building forming part of the development.

3.0 **Planning Policies**

3.1 Policy DC9 of the adopted Vale of White Horse Local Plan allows for development, provided it would not unacceptably harm the amenities of neighbouring properties in terms of, among other things, loss of privacy, daylight or sunlight, and dominance and visual intrusion.

4.0 **Consultations**

4.1.1 Childrey Parish Council objects to 'the windows being left in situ' and requests that 'the lower sections of the velux windows are removed and the roof re-instated with matching tiles. This would lessen the intrusion into the neighbour's property.

4.2 Five letters of objection have been received from local residents, which include the following points:

- Greatly and detrimentally changed the appearance of the property and of Lawrence Close as a whole.
- Formation of four rooflights at the back of the property substantially overlooks gardens and causes a great loss in privacy.
- Rooflights that have been installed in the property are an eyesore and detract from the general attractive appearance of the village of Childrey as a whole.
- Great invasion of privacy.
- Devalue property [of objector] and affect views of any prospective buyers.
- Covenants placed on properties in Lawrence Close seek to prevent this type of unsightly development happening.

(The matters raised in the last 2 bullet points are not material planning considerations.)

5.0 **Officer Comments**

5.1 The main issues in determining this application are the impact on the street scene and the impact on neighbouring properties.

5.2 In respect to the impact on the street scene, there is no doubt that the insertion of the rooflights

Report 73/06

has altered the appearance of the dwelling. However, it is your Officers' opinion that such alteration has not adversely impacted upon the overall street scene to such an extent to warrant refusal.

5.3 Given the proximity of properties to the north, (there is a distance of approximately 10 metres from the rear of 1 Lawrence Close to the nearest garden of 16 Chapel Way), there is certainly a perception of being overlooked, particularly from the two lower rooflights in the block of four in the rear elevation. However, the height and angle of these lower rooflights is such that the actual of view from inside the room is limited. However, in order to prevent the perception of being overlooked, it is recommended that conditions be imposed requiring the obscuring of the two lower rear rooflights, (see Condition 1 below), and restricting the extent of their opening (see Condition 2 below).

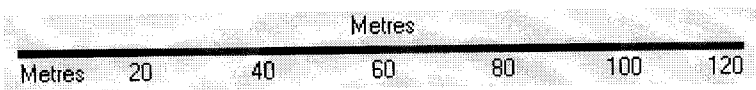
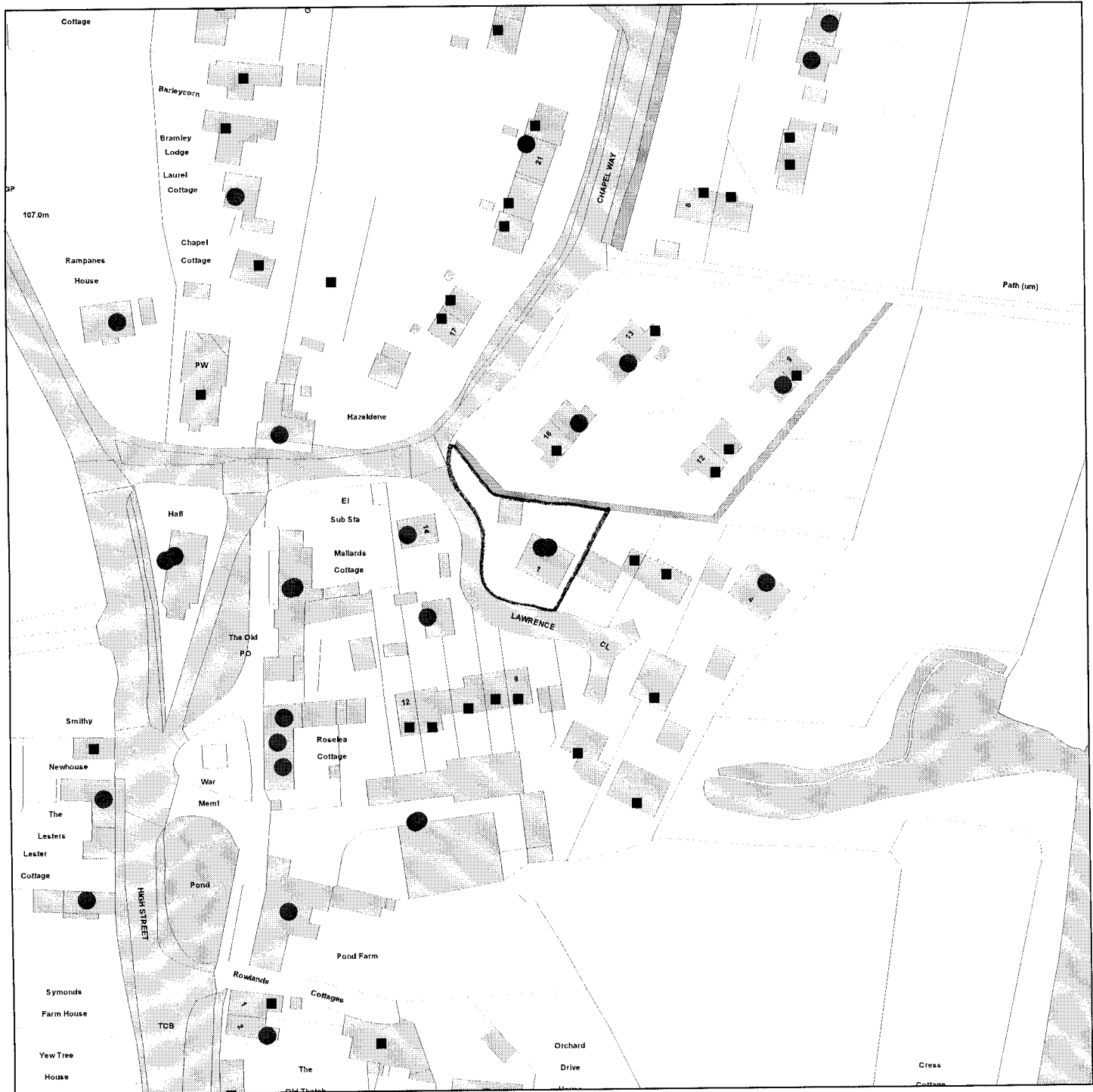
5.4 In respect of the other rooflights on the property, it is your Officers' opinion that those located on the rear elevation with a sill height of 1.55 metres would not cause undue overlooking of the properties to the north. The rooflights on the front of the property, which are positioned at various heights on the roof slope, would not be harmful to the amenities of the surrounding properties in respect of overlooking.

6.0 **Recommendation**

6.1 *That planning permission be granted, subject to the following conditions:-*

1. *Notwithstanding the details shown on the approved plans, the two low level rooflights in the north-east elevation shall be glazed with obscured glass only, and shall be so maintained and not altered without the prior grant of planning permission.*
2. *Notwithstanding the details shown on the approved plans, the two low level rooflights in the north-east elevation shall be limited in respect to the extent of their opening in accordance with a scheme which shall be submitted to, and approved in writing by, the District Planning Authority. The rooflights shall only be capable of opening as far as agreed and shall be so maintained and not altered without the prior grant of planning permission.*

APPENDIX 1

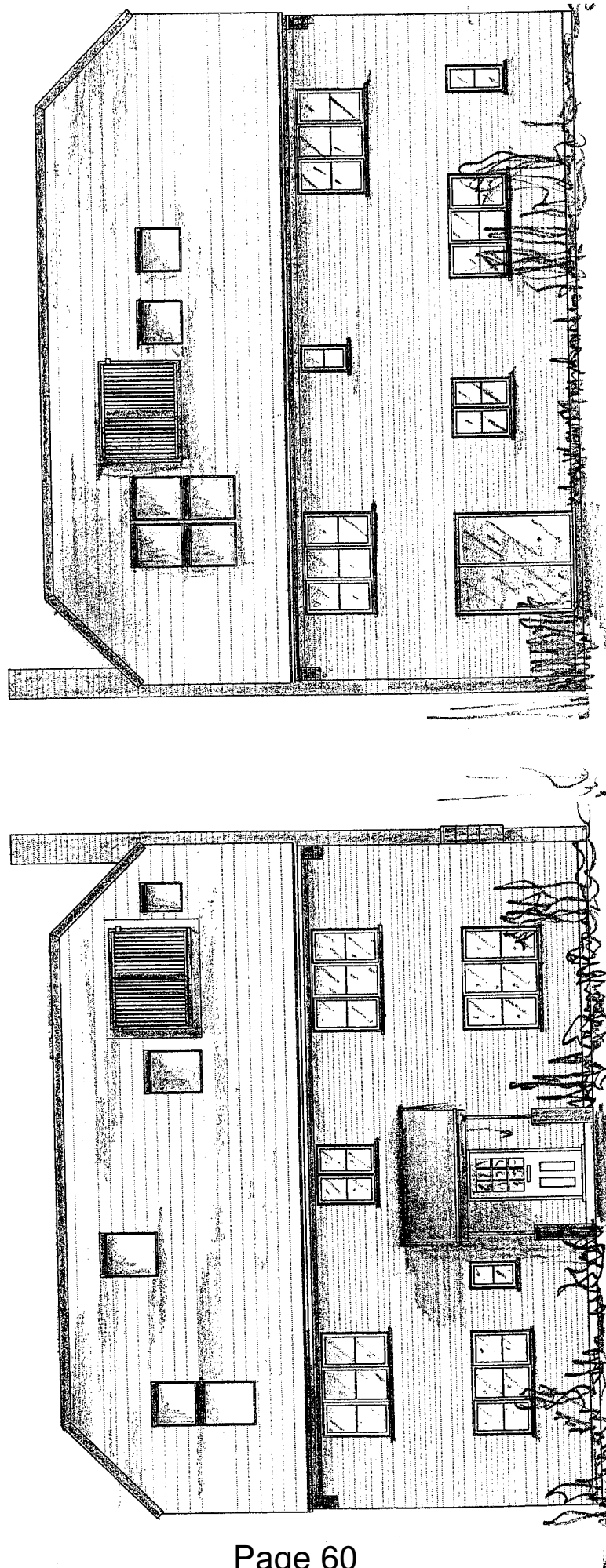


Acanti Designs Ltd

SCALE 1:100
ALL MEASUREMENTS IN MILLIMETERS

DRAWING TITLE
EXTERIOR ELEVATIONS

APPENDIX 1



REAR ELEVATION

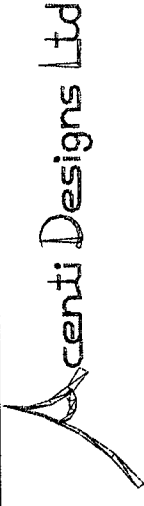
FRONT ELEVATION

VALE OF WHITE HORSE
DISTRICT COUNCIL
REG'D 0 8 AUG 2006
CORPORATE POSTAL
SERVICES - 3

DATE	04/08/06
ISSUE	
DRAWN BY	T.BAKER
DRAWING No.	061

CLIENT ADDRESS
MR AND MRS PAINE
1 LAWRENCE CLOSE
CHILDREY
OXON, OX12 9YR

021671910

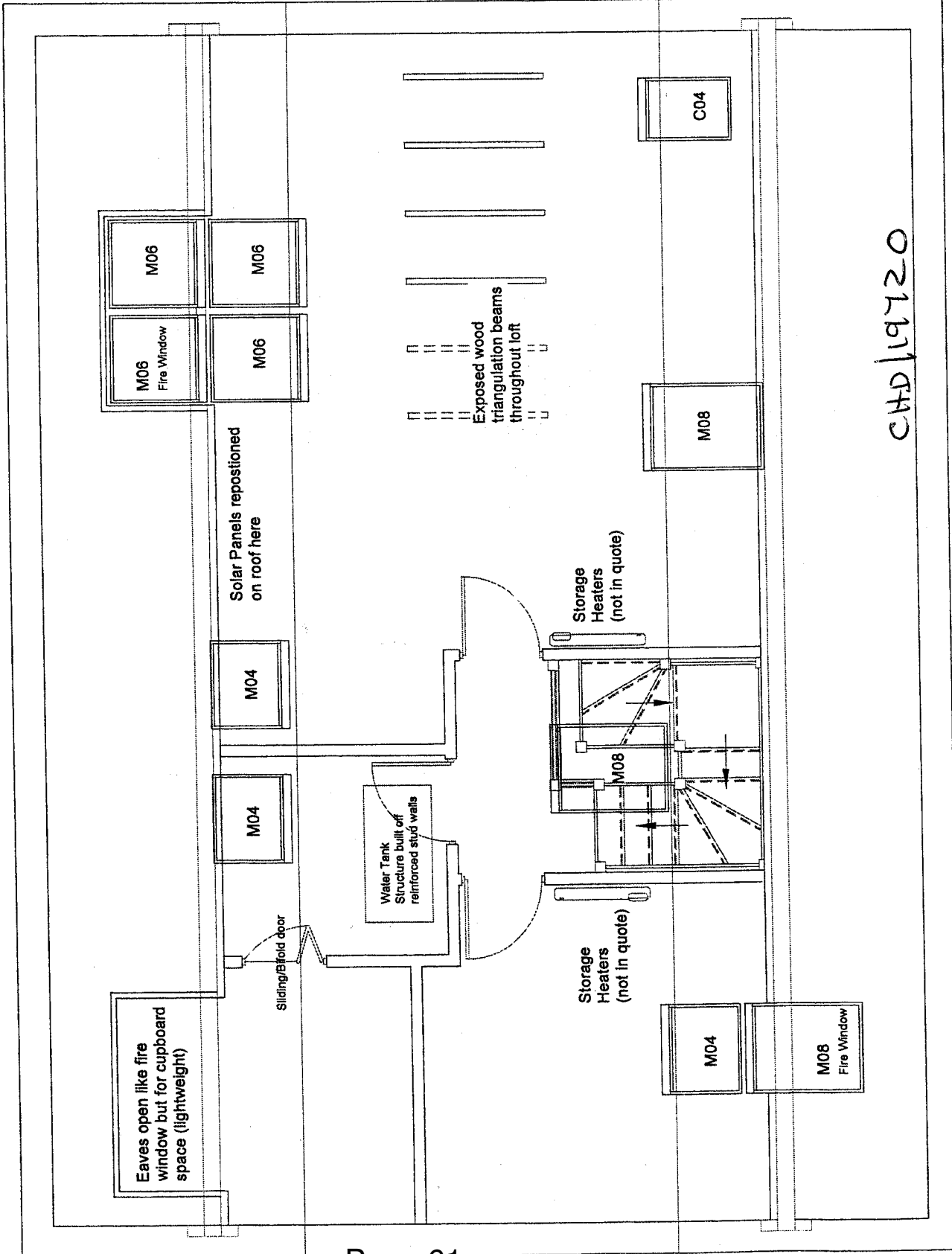


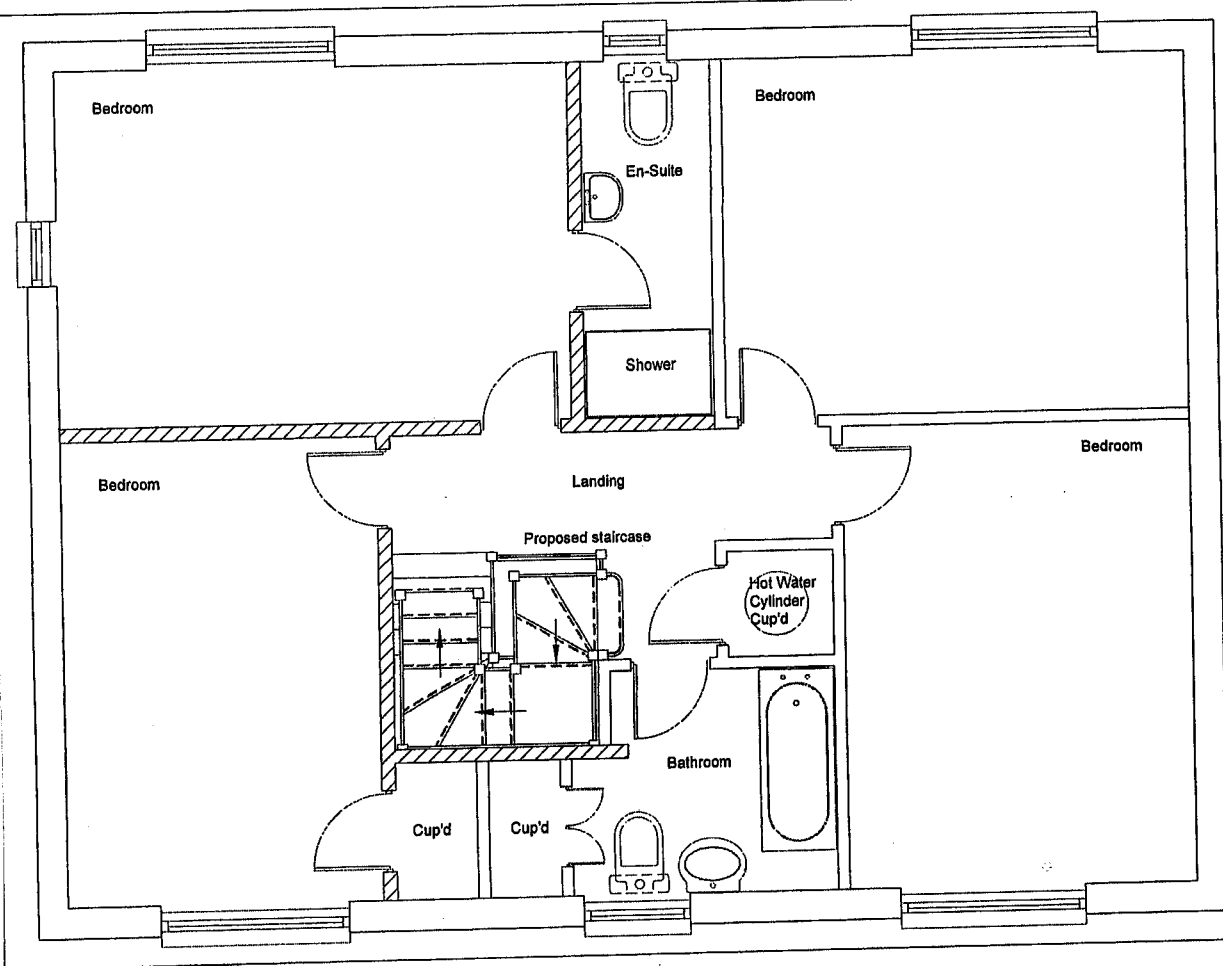
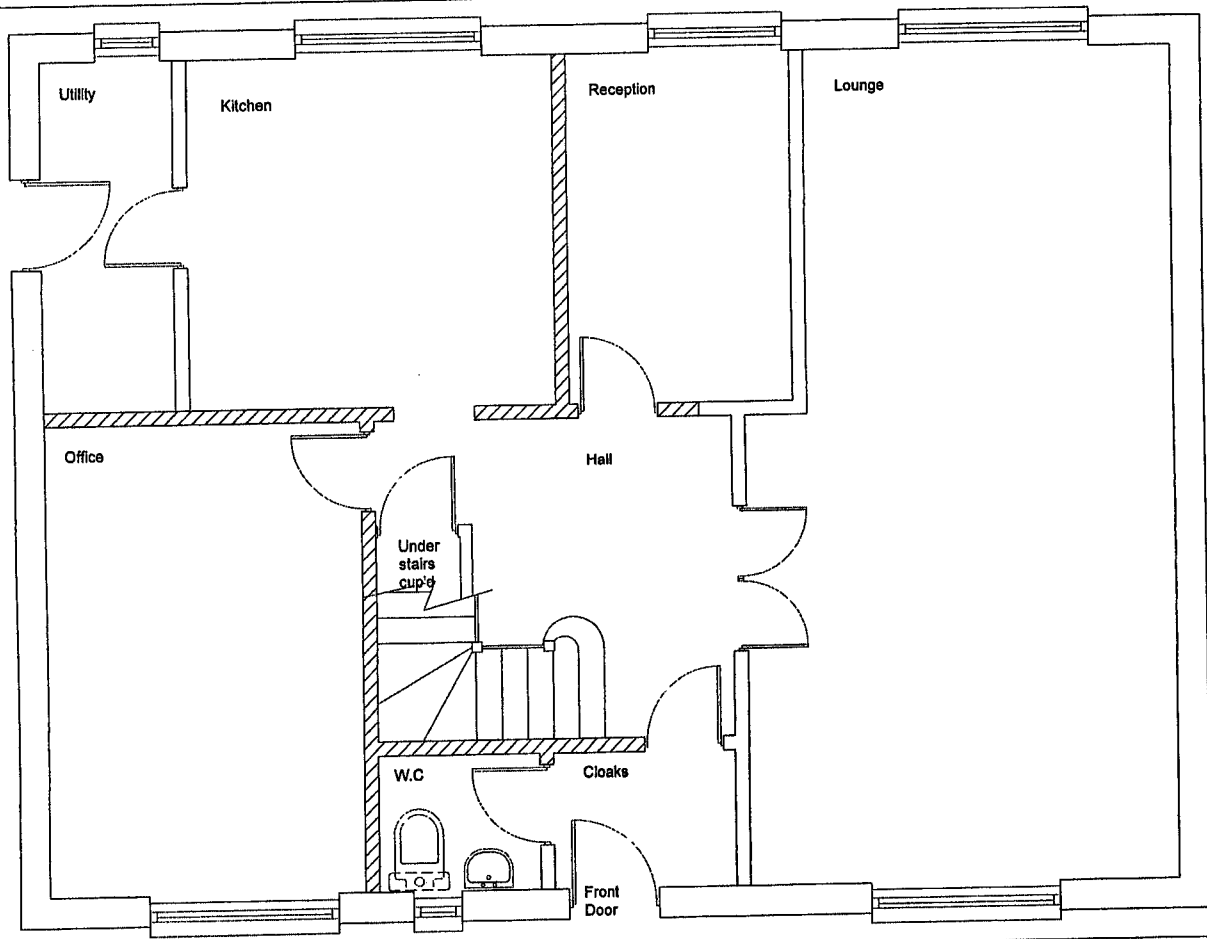
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ALL MEASUREMENTS IN MILLIMETERS

DRAWING TITLE
LOFT FLOOR PLAN WITH DETAILS

VALE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 0 8 AUG 2006
CORPORATE POSTAL
SERVICES - 3

CLIENT ADDRESS	MR AND MRS PAINE 1 LAWRENCE CLOSE CHILDREY OX12 9YR
DATE	04/0
ISSUE	
DRAWN BY	T.B.
DRAWING No.	031





VALE OF WHITE HORSE
 DISTRICT COUNCIL
 REC'D 08 AUG 2006
 CORPORATE POSTAL
 SERVICES - 3

CLIENT ADDRESS	
MR AND MRS PAINE 1 LAWRENCE CLOSE CHILDREY OX12 9YR	
DATE	04/08/06
ISSUE	
DRAWN BY	T. BAKER
DRAWING No.	010