

Date: 21 March 2007

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, 2ND APRIL, 2007** 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 and a copy of the Council's 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 - 13)

To adopt and sign as a correct record the Minutes of the Meeting of the Development Control Committee held on 19 February 2007.

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. **Enforcement Programme**

(Wards Affected: Abingdon Fitzharris; Appleton and Cumnor; Hendreds; Sutton Courtenay and Appleford;)

(Pages 14 - 33)

To consider report 187/06 of the Deputy Director (Planning and Community Strategy)

(attached).

10. Forthcoming Public Inquiries and Hearings

(Pages 34 - 39)

A list of forthcoming public inquiries and hearings is presented.

Recommendation

that the report be received.

PLANNING APPLICATIONS

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

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

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

Report **186/06** of the Deputy Director refers.

11. WTT/19927 - Demolition of kitchen, cloaks and store. Proposed kitchen and dining room extension. Barn Cottage, Old Boars Hill, Oxford, OX1 5JQ

(Wards Affected: Sunningwell and Wootton)

(Pages 40 - 45)

12. ABG/1877/3 - First floor extension to bungalow to create a 5 bedroom detached house and erection of single storey rear extension. Amendment to ABG/1877/2 (Retrospective). 29 Norman Avenue, Abingdon, OX14 2HQ

(Wards Affected: Abingdon Northcourt)

(Pages 46 - 56)

13. ABG/19912 - Conversion of house and erection of two storey and single storey extension to create four 1-bedroom flats. 20 Gainsborough Green Abingdon, OX14 5JH

(Wards Affected: Abingdon Caldecott)

(Pages 57 - 60)

14. HIN/19721/1 - Demolition of garages. Erection of two storey detached dwelling with attached double garage. Land adjoining Rose Cottage, 1 High Street, Hinton Waldrist

(Wards Affected: Longworth)

(Pages 61 - 66)

15. KBA/6770/10 Demolition of existing bungalow. Erection of 4 detached dwellings, garages, parking and access road. Stanab, Faringdon Road, Kingston Bagpuize, OX13 5BG

(Wards Affected: Kingston Bagpuize with Southmoor)

(Pages 67 - 77)

16. SHR/6795/2 - Demolition of existing garage & erection of new double garage & store room. 28 Claypits Lane, Shrivenham, SN6 8AH

(Wards Affected: Shrivenham)

(Pages 78 - 81)

17. STA/19973 - Erection of 1.82m high garden fence. 15 Hunters Field, Stanford in the Vale, Faringdon SN7

(Wards Affected: Stanford)

(Pages 82 - 84)

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

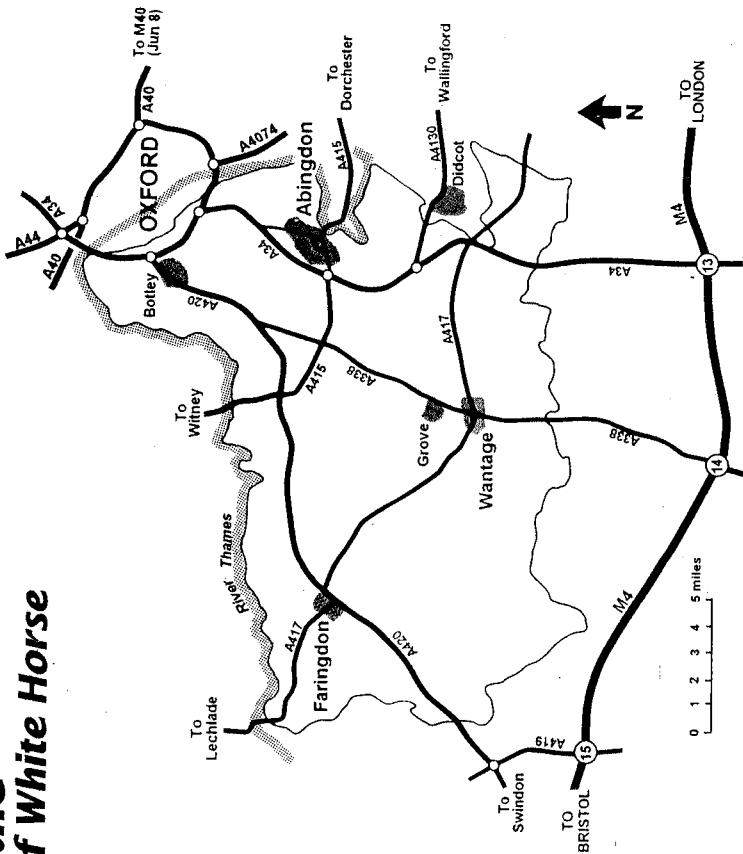
Create a safer community and improve the quality of life among Vale residents

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

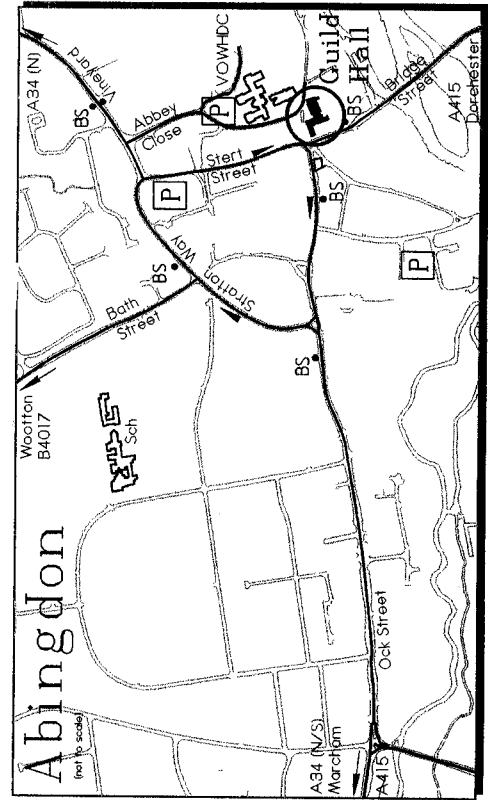
Help disadvantaged groups and individuals within the Vale to realise their full potential

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



Guildhall, Abingdon



KEY : BS = Bus Stop

LOCATION MAP



DC.143

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

**HELD AT THE GUILDHALL, ABINGDON ON
MONDAY, 19TH FEBRUARY, 2007 AT
6.30PM**

Open to the Public, including the Press

PRESENT:

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

SUBSTITUTE MEMBERS: Councillor Andrew Crawford, Gervase Duffield, Terry Fraser (In place of Richard Farrell) and Tessa Ward (In place of Briony Newport)

NON MEMBERS: Councillors Andrew Crawford and Gervase Duffield.

OFFICERS: Sarah Commins, Steve Culliford, Martin Deans, Rodger Hood, Laura Hudson and Geraldine Le Cointe.

NUMBER OF MEMBERS OF THE PUBLIC: 24

DC.254 NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE

The attendance of a Substitute Member 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 Richard Farrell and Briony Newport.

DC.255 MINUTES

The minutes of the Committee meetings held on 18 December 2006 and 8 January 2007 were signed and adopted as correct records.

DC.256 DECLARATIONS OF INTEREST

Members declared interests in report 155/06 as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref.</u>
All Committee Members	Personal	SUT/570/14 and SUT/570/15-LB	All Members knew the Parish Council's representative, speaking at the meeting in so far as he was a former District Council.	DC.264
All Committee Members	Personal	CHD/713/5 and CHD/713/6-CA	All Members knew the applicant's agent, speaking at the meeting in so far as he was a former Officer of the Council.	DC.265
Jim Moley	Personal	CHD/713/5 and CHD/713/6-CA	He knew the objector speaking at the meeting	DC.265
Jenny Hannaby	Personal	CHD/713/5 and CHD/713/6-CA	She knew the applicant	DC.265

All Committee Members	Personal	ABG/19731	The Council was the applicant	DC.268
Tony de Vere	Personal	SUT/19873	He knew the objector speaking at the meeting	DC.269
All Committee Members	Personal	SUT/19873	All Members knew the Parish Council's representative, speaking at the meeting in so far as he was a former District Councillor.	DC.269

DC.257 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair asked everyone present to switch off their mobile phones during the course of the meeting.

The Chair reported that two Members were in attendance as Local Members to speak on applications within their electoral Wards. However, Local Members were not Members of the Committee and therefore did not have a vote.

DC.258 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

- (1) Terry Gashe made a statement to the Committee on behalf of the Betjeman Memorial Park Trustees. He sought the Committee's agreement to allow the terms of a Section 106 Agreement to be reconsidered to allow a financial contribution to be made to the Betjeman Memorial Park which provided necessary open space for the Pegasus development adjacent to the Park. He argued that it was therefore appropriate for the Park to benefit from the agreement. The Section 106 Agreement had not yet been completed and signed. The developers were required to provide some public amenity space and public art. The Betjeman Memorial Park would provide these facilities but in return should receive some financial contribution. However, he accepted that the majority of the Section 106 funds should be targeted at affordable housing, although the Grove Airfield development would provide much affordable housing for the area.

The Chair thanked Mr Gashe for his statement and reported that his comments would be taken into account before the Section 106 Agreement was finalised, although affordable housing was a top priority.

- (2) Mr Peter Scatchard presented a petition to the Committee Chair. The petition contained 56 signatures objecting to the application for development at Penn House, High Street, Childrey, which objectors believed was unsympathetic to the Conservation Area. The Chair read out the terms of the petition and reported that it would be taken into consideration by the Committee when it discussed the application later in the meeting.

DC.259 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None

DC.260 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that ten members of the public had each given notice that they wished to make a statement at the meeting.

DC.261 MATERIALS

None.

DC.262 APPEALS

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

RESOLVED

that the agenda report be received.

DC.263 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

A list of forthcoming public inquiries and hearings was presented.

RESOLVED

that the list be received.

PLANNING APPLICATIONS

The Committee received and considered report 155/06 of the Deputy Director (Planning and Community Strategy) detailing six 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.264 SUT/570/14 & SUT/570/15-LB – ERECTION OF A 4 BEDROOM, SINGLE STOREY DWELLING INCORPORATING A GRADE II LISTED DOVECOTE AND STONE GARDEN WALL, AND ASSOCIATED EXTERNAL WORKS. THE MANOR HOUSE, CHURCH STREET, SUTTON COURTENAY

All Members of the Committee declared personal interests in this application but in accordance with Standing Order 34, they remained in the meeting during its consideration.

Further to the report, the officer drew the Committee's attention to the consultant architect's reply to the consultation and to the comments of the Ancient Monuments' Society, both of which had been circulated after the agenda despatch. The officer also reported that a letter of objection had been received expressing concerns at the modern approach taken by the architect. The Environment Agency had not submitted any comments prior to the meeting. However, it was noted that it had not objected to the previous application on this site. The County Council as highway authority had not submitted its formal comments also. In relation to an earlier application, the County Council had asked for the access road to the site to be improved. However, the previous application had been for three dwellings rather than one.

Mike Jenkins spoke on behalf of Sutton Courtenay Parish Council, raising concerns that the proposed development was situated very close to the historic park and gardens of the Manor House and close to Listed barns in the historic centre of the village. He believed the proposed dwelling was not in keeping with the area by virtue of its design and materials, which would be incongruous and inappropriate. The development would also be against policies in the County Structure Plan and the Local Plan. The design also challenged the dovecote. He considered that the modern design would be able to be seen from the village green in winter. He urged the Committee to preserve the heart of the village and refuse the application.

Mr A Warne, the applicant, made a statement in support of the application. He suggested that the development would secure the future of the dovecote, preserving its interior and exterior. The site was sufficiently far from the Manor House and was surrounded by trees, so it would be invisible from the road and the village green. The development would also remove a derelict tennis court. The design had not attracted any objections from English Heritage or the Environment Agency.

The Local Member spoke against the application, disliking the design of the glass elements of the house. He asked that it be referred back for further consideration. Two storeys would not be objectionable as long as the design blended in. He urged caution in designing new build adjacent to historic buildings, believing that a lasting design was needed. He reported that further applications were in the pipeline in this area and urged that these were considered along with the application from the Abbey.

The Chair reported that each application had to be determined on its own merits and not in conjunction with others.

The Committee was largely in support of the application, noting that no objections had been received from English Heritage and that the consultant architect had supported the design. The Listed dovecote would be preserved as part of the application and would be brought back into use; this was welcomed. Some Members thought that the modern house design next to the Listed dovecote was a good design but there was some dissent from this view. However, Members did not support widening the access road in this location; this was considered inappropriate.

By 13 votes to 2, it was

RESOLVED

that authority to approve applications SUT/570/14 and SUT/570/15-LB be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee, subject to

- (1) the receipt of the formal comments from the County Council as highways authority and the Environment Agency; and*
- (2) the conditions set out in the report.*

DC.265 CHD/713/5 & CHD/713/6-CA - EXTENSION AND ALTERATIONS TO EXISTING HOUSE, DEMOLITION OF BARN AND ERECTION OF ANNEX. REBUILD SOUTH AND EAST EXTERNAL WALLS OF HOUSE. LAND AT PENN HOUSE, HIGH STREET, CHILDREY

All Members of the Committee had each declared a personal interest in this application and in accordance with Standing Order 34, they remained in the meeting during its consideration.

The Committee noted the earlier receipt of a petition containing 56 signatures objecting to the proposed development at Penn House.

Further to the report the Committee noted that the proposed development of a single garage had been omitted from the scheme. Its removal had caused concern to the neighbour as it would no longer screen the extension to Penn House, in particular, the glazed first floor extension from their property.

Peter Scatchard made a statement on behalf of all those that wrote objecting to the application. He believed that there were two major problems: there were gross inaccuracies

and there had been improper consultation. He believed the barn should not be increased in height and commented that the catslide roof could be seen from several properties. He objected to the last minute alteration of the plans. The garage would have provided screening to the neighbouring property but had now been omitted. The huge increase in glazed area was unnecessary, inappropriate development that would result in overlooking of neighbouring property. Given the inaccuracies and changes, he urged the Committee to refuse the application and seek a new application with accurate plans and proper consultation. He believed that objectors were being prejudiced and their right to object to the amended plans had been removed.

Ken Dijksman spoke as a supporter on behalf of the applicant. He understood the local objections but reminded the Committee that change was permitted in Conservation Areas. Discussions on this application had taken approximately one year to get to this stage. It had been a constructive process; the design had changed to reduce the impact on the Conservation Area and on neighbouring residents. The requirement to the Council's Supplementary Planning Guidance had been met and the objectors had commented on the amendment to the plans, removing the garage. Accurate drawings were now before the Committee.

The Local Member believed that the heart of Childrey's Conservation Area and Penn House needed conserving. He was concerned at the details in the application and process. Two applications had been withdrawn but the new application had not been consulted upon. The garage had been removed and there was no re-consultation. There was much local concern at the potential for overlooking and the loss of privacy for the neighbours, especially from the proposed glazed wall on the first floor. He urged the Committee to defer the application and ask for amended plans with proper consultation.

Members of the Committee also expressed concern at the glazed wall proposed on the first floor of Penn House and the potential this had to cause overlooking of adjacent properties. Concerns were also expressed at the Juliet window proposed and it was suggested that the two dormers windows on the west elevation should be roof lights to avoid overlooking. Members were also concerned at the proposed increase in height of the annex. It was felt that the design neither conserved nor enhanced the house.

It was proposed by Councillor Roger Cox and seconded by Councillor Jenny Hannaby that authority be delegated to the Deputy Director to approve the application, subject to conditions. This was put to the vote and was lost by 8 votes to 7.

It was then proposed by Councillor Jerry Patterson and seconded by Councillor Tony de Vere that the application be refused on the grounds that it neither conserved nor enhanced the Conservation Area. This was put to the vote and was lost by 8 votes to 7.

It was then proposed by Councillor Roger Cox and seconded by Councillor Tessa Ward that the Deputy Director be delegated authority to approve the application, subject to the first floor glazing being amended and to negotiations with the applicant to seek a reduction in the height of the annex. Before this motion was put to the vote, it was suggested that further conditions should be considered such as painting the hand railings white at the front of the property, and requiring new drawings showing details of the windows. It was noted that condition no.5 in the report covered these details.

By way of an amendment it was proposed by the Chair that the applications be deferred to enable Officers to negotiate with the applicants on the matters raised by the Committee and to consult on the amended application. The application would then be brought back to the Committee. Councillors Roger Cox and Tessa Ward as proposer and seconder of the Motion agreed to withdraw their Motion in support of this proposal.

By 15 votes to nil it was

RESOLVED

that applications CHD/713/5 and CHD/713/6-CA be deferred to enable negotiations with the applicant to reduce the amount of glazing on the first floor of Penn House; to consider alternatives to the Juliet window; to reduce the potential for overlooking, and to reduce the height of the annex.

DC.266 MAR/6783/5 – CONVERSION OF LOFT TO BEDROOMS AND BATHROOM INCLUDING INSTALLATION OF 3 DORMER WINDOWS AND 4 ROOFLIGHTS. NOUGHT, THE FARTHINGS, MARCHAM

The Committee supported the proposed development but asked that the Parish Council was informed that the plans had been amended from those originally submitted.

By 14 votes to nil with 1 abstention, it was

RESOLVED

that application MAR/6783/5 be approved, subject to the conditions set out in the report.

DC.267 UPT/7108/2 – ERECTION OF 4 BEDROOM CHALET BUNGALOW WITH DOUBLE GARAGE. RAVELLO, CHILTON ROAD, UPTON

The Committee supported the application and welcomed the design.

By 15 votes to nil, it was

RESOLVED

that application UPT/7108/2 be approved, subject to the conditions set out in the report.

DC.268 ABG/19731 – RE-DEVELOPMENT OF CAR PARK FOR RESIDENTIAL USE. CATTLE MARKET CAR PARK, ABBEY CLOSE, ABINGDON

All Members of the Committee had each declared a personal interest in this application and in accordance with Standing Order 34, they remained in the meeting during its consideration.

Further to the report it was noted that a small strip of the site was within the Conservation Area as this covered the area where greenhouses used to be. These had long since been removed but the Conservation Area boundary remained. This was an outline application with all matters reserved. An additional floodplain report would be required regarding the River Stert. A further letter had been received expressing concern at the loss of parking.

Martin Smith made a statement on behalf of Abingdon Town Council objecting to the loss of car parking that would result from this application. This would be contrary to policy TR6 in the Local Plan and could adversely affect the businesses in the town centre. Visitors to the Council's offices also used the car park, as did users of the Abbey Grounds and Meadows. He urged the Committee to reject the application and retain the site for car parking.

Brian Hooton made a statement opposing the proposed development and objecting to the proposal for the Council to delegate authority to itself to approve the application. He reported

that the car park was often full. If its capacity was reduced this would frustrate drivers. He urged the Committee to refuse the application and retain the site for car parking.

Mrs Terry Boswell, a nearby resident, also made a statement objecting to the application as residents of Burgess Close relied on the car park for overflow parking for visitors. There was demand to retain the car park.

One of the Local Members reported that the car park was not being used to capacity but growth of the town centre might mean demand for spaces would increase. The Council had agreed to undertake a long term review of parking provision. He considered that a cautious approach should be adopted and the car park retained until the review had been completed.

Other Members of the Committee expressed concern at the proposed development and the resulting loss of car parking. There was also concern at the impact the development would have on the setting of the Abbey Grounds in the adjacent Conservation Area. It was suggested that this was not the right site for housing but part of the site could be redeveloped for this purpose.

The Chair put the recommendation contained in the report to the meeting and this was lost by 15 votes to nil. The Chair then proposed that the application be refused with the reasons for refusal to come back to the Committee, the reasons to include the development being contrary to policy TR6 of the Local Plan, the undesirable impact on the adjacent Conservation Area and the absence of sufficient information on flood risk at the site.

By 15 votes to nil, it was

RESOLVED

that application ABG/19731 be refused with the reasons for refusal to be formally endorsed at a future meeting of the Committee, such reasons to include the development being contrary to policy TR6 of the Local Plan, the undesirable impact on the adjacent Conservation Area and the absence of sufficient information on flood risk at the site.

DC.269 SUT/19873 – ERECTION OF A FIRST FLOOR EXTENSION OVER GARAGE AND SINGLE STOREY REAR EXTENSION. 13A TULLIS CLOSE, SUTTON COURTENAY

All Members of the Committee had each declared a personal interest in this application and in accordance with Standing Order 34, they remained in the meeting during its consideration.

Mike Jenkins made a statement on behalf of Sutton Courtenay Parish Council, objecting to the application, as it would reduce the feeling of openness in this part of Tullis Close. The character of the Close had been changed following the construction of new development adjacent to the application site. He considered the first floor extension unneighbourly, and that the application was contrary to the Local Plan policy DC1. He also expressed concern at additional development on the capacity of the sewage system. He urged the Committee to refuse the application.

James Eastwood made a statement on behalf of local residents objecting to the application. He believed the proposed development would not enhance the character or amenity of the neighbourhood. The application should be viewed together with the application for the adjoining site. He urged the Committee to defer the application until it could be seen in the context of the two new houses being developed beside it, when the overall effect would be seen.

Neil Perry, the applicant's agent, made a statement in support of the application. He believed that the subservient extension would not dominate the street scene and this application should not be confused with the application for the adjacent site. He believed the application responded to character of the property and the street.

The Local Member objected to the proposed development, in particular at the changing character of the Close. One green area had already been lost on the adjoining site and the collective applications were spoiling the character of the area which had already seen the loss of several shrubs and small trees.

Members of the Committee understood the views of local residents but could find no reason to refuse the application on material planning grounds. However, the Officers were asked to check that the neighbouring development was being built in accordance with the approved plans.

By 14 votes to nil with 1 of the voting Members not being present during consideration of this item, it was

RESOLVED

that application SUT/19873 be approved, subject to the conditions set out in the report.

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

None.

The meeting rose at 9.40 pm

REPORT OF THE DEPUTY DIRECTOR (PLANNING & COMMUNITY STRATEGY)
TO THE DEVELOPMENT CONTROL COMMITTEE
2 APRIL 2007

Enforcement Programme

1.0 Introduction and Report Summary

1.1 This report seeks the approval of Committee to take enforcement action in three new cases, namely in respect of the following:-

1. 146a, b, c, & d High Street, Sutton Courtenay, Abingdon, OX14 4AX.
2. Land to the rear of 28-32 Castle Street, Steventon.
3. 16 Linden Crescent, Grove, OX12 7NB.

1.2 The report also informs Members of two resolved enforcement cases and seeks the approval of Committee to remove these cases from the active enforcement list: -

1. 15 Bertie Road, Cumnor, OX2 9PS.
2. 6 Swinburne Road, Abingdon, OX14 2H,

1.3 The report also includes a general progress report on developments on a site in which enforcement action is ongoing at:-

Greensands, Reading Road, East Hendred OX12 8JE,

1.4 The Contact Officer for this report is Paul Yaxley, Enforcement Officer 01235 540352.

2.0 Recommendations

(a) *that authority be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee, to take enforcement action in the following cases if in his judgement it is considered expedient to do so: -*

- (1) *146a, b, c, & d High Street, Sutton Courtenay, Abingdon - Alleged non compliance with a condition to require that prior to the first occupation of any dwelling, the car parking area shown on the approved plan reference (04/0204/BP21) shall be constructed, drained, laid and marked out in accordance with the specification of the Oxfordshire County Council for such works. Thereafter the area shall be kept permanently free from obstruction to such use.*
- (2) *Land to the rear of 28-32 Castle Street, Steventon – Alleged construction of a new brick pigeon loft without the benefit of planning permission.*
- (3) *16 Linden Crescent, Grove – Alleged construction of a ‘tent’ structure without the benefit of planning permission.*

(b) *that the following cases be removed from the active enforcement list: -*

- (1) *15 Bertie Road, Cumnor – To comply with Condition 3, of CUM/18270/1*
- (2) *6 Swinburne Road, Abingdon – To cease any residential use, and secure the*

removal of, an unauthorised dwelling.

(c) *that the progress report on development on a site in which enforcement action is ongoing at Greensands, Reading Road, East hendred be noted.*

3.0 **Relationship with the Council's Vision**

3.1 The content of this report is in line with objectives A, C and D of the Council's Vision Statement.

3.2 This report relates to Enforcement Strategies 13, 14, 15 and 16 and complies with Enforcement Policies E2 and E3.

4.0 **Mr H Harris, 146 High Street, Sutton Courtenay, Abingdon, OX14 4AX- SUT/18475/1**

4.1 An initial site visit was made to 146 High Street, Sutton Courtenay on the 8th August 2006 as a result of a concern raised by a local resident. The concern was with regard to Condition 3 of notice of permission SUT/18475/1 which states; *"Prior to the first occupation of any dwelling, the car parking area shown on the approved plan reference (04/0204/BP21) shall be constructed, drained, laid and marked out in accordance with the specification of the Oxfordshire County Council for such works. Thereafter the area shall kept permanently free from obstruction to such use "*. This condition has not been complied with and the property is now fully occupied.

4.2 On the 18th July 2006 the owner applied for permission to erect a 2 bedroom house to the rear of the converted flats at 146 High Street Sutton Courtney. This application, SUT/18475/2, was later withdrawn by the applicant as he was advised that the application was not being considered favourably by Officers, who were aware that the land proposed for the development included that which should be laid and marked out in accordance with the approved parking plan 04/0204/BP21 (copy attached as **Appendix 1**), as detailed in condition 3 of notice of permission SUT/18475/1

4.3 A letter was sent to the owner and his agent on 11th August 2006 reminding them that the condition must be complied with, notwithstanding any possible future applications they may have in mind for the site. In protracted discussions with Officers, the owner and his agent have sought to find acceptable alternatives to the approved parking plan 04/0204/BP21, however none of the alternatives were considered acceptable. In a telephone call from the applicant's agent on 23rd October 2006 he explained that due to personal circumstances there had been a delay in contacting Officers, but that plans were being sent to contracted builders to implement the parking scheme and that he would be in contact with the Planning Officer.

4.4 As it was apparent on 9th December 2006 that no further work had been done to regularise the situation a further letter was sent to both the agent and the owner informing them that authority to take enforcement action would be sought if the condition was not complied with by the end of January 2007. To date the work has not been completed.

4.5 The lack of approved parking provision is unacceptable, which in turn harms the amenity of those residents in 146 High Street and those in adjacent Southfield Drive. The breach of condition is contrary to Policy DC5 of the adopted Vale of White Horse Local Plan, relating to highway safety. There does not appear to be any very special circumstances that would support a continued loss of amenity, and hazard to highway safety, to outweigh this policy requirement. Officers feel that, in the circumstances, it is expedient to take enforcement action, and it is considered to be justified in the interest of public safety.

4.6 It is recommended that authority to take appropriate enforcement action be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Committee Chair and/or Vice Chair, if in his judgement it is considered expedient to do so.

5.0 **Mr. F. Lloyd and Mr. E.M. Kelly, Land to the rear of 28-32 Castle Street, (adjacent to Little Lane) Steventon.**

- 5.1 A visit was made to the above field site (plan attached as **Appendix 2**) on 5th January 2006 as a result of a concern shown by a nearby resident that a brick building was being constructed on a concrete base and foundations. It was alleged that the building was associated with an existing use being made of the land for the keeping and flying of racing pigeons.
- 5.2 During the site visit and in discussions with the owners, it was established that the use, and the keeping of pigeons on the land, has existed since 1957. However Mr Lloyd was informed that the addition of a new brick built pigeon loft required planning permission, which had not been sought or granted.
- 5.3 During a telephone call later on the same day (5th January 2006) Mr Kelly, who partners Mr Lloyd in the keeping of their pigeons, was also advised of the fact that the newest brick built pigeon loft requires planning permission. On the 6th January 2006 a letter was sent confirming this, and requesting a retrospective planning application be made.
- 5.4 A further site visit was made on the 16th February 2007 which confirmed the pigeon loft is now complete. A further letter was sent to Mr Lloyd dated 19th February reminding him again of the need for a retrospective planning application to try to regularise the situation. To date no application has been received.
- 5.5 It is recommended that authority to take appropriate enforcement action be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Committee Chair and/or Vice Chair, if in his judgement it is considered expedient to do so.

6.0 **Mr R, F Denyer, 16 Linden Crescent, Grove, GRO/17861/2**

- 6.1 An initial site visit was made to 16 Linden Crescent on 15th May 2006 as a result of a concern from a local resident that a temporary 'tent' structure had been erected on the front driveway of the property. On investigation Mr Denyer, the owner of the property, stated that the tent was being used to cover and protect a 'kit car' he is working on.
- 6.2 Mr Denyer was informed by letter on 2nd August 2006 that the 'tent' structure requires planning permission and that a retrospective application for its retention, should one be submitted, would probably not be considered favourably. Mr Denyer was asked to remove the 'tent' to negate the need to consider any further enforcement proceedings.
- 6.3 A letter was received from Mr Denyer on the 4th August 2006 disagreeing and challenging Officer's opinion. He believed that the 'tent' is a temporary structure and therefore did not require planning permission.
- 6.4 After protracted discussions, Mr Denyer submitted an invalid (due to insufficient details being submitted) retrospective application on 30th October 2006 for 'temporary erection of tent on driveway to build kit car. Estimated time 3 months'. This application was subsequently validated on the 16th November 2006, and refused under delegated authority on the 11th January 2007. The Notice of Refusal (copy attached as **Appendix 3**) includes an informative which states:- 'The applicant is advised that authority to take Enforcement action against the unauthorised tent will be sought from the Development Control Committee'.
- 6.5 To date the tent structure is still in situ despite the application for its retention being refused. The taking of enforcement action is considered justified for the same reasons as those given in the refusal notice. Therefore it is recommended that authority to take appropriate enforcement action be delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Committee Chair and/or Vice Chair, if in his judgement it is considered expedient to do so.

7.0 **Mr and Mrs Ratcliffe, 15 Bertie Road, Cumnor, Oxford CUM/18270/3-E**

7.1 Committee may recall an enforcement report 96/06 (copy attached as **Appendix 4**) which was placed before it on the 16th October 2006, when it was resolved: *That authority be delegated to the Chief Executive in consultation with the Chair and/or Vice Chair of the Development Control Committee, to take enforcement action to secure compliance with Condition 3, of CUM/18270/1 at 15 Bertie Road, Cumnor, Oxford.*

7.2 Condition 3 stated;

“The proposed first-floor side facing windows to the study and bedroom 2 shall be fitted with obscured glazing up to 1.7 metres above finished floor level. Notwithstanding the details on the plans hereby approved, the windows shall not be casements but shall be fixed shut apart from top-hung opening vents only. Thereafter, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, the windows shall be maintained as such, and no further windows shall be inserted at first-floor level in the north-east or south-west elevations of the dwelling without the prior grant of planning permission.”

7.2 Subsequently after further discussions with, and assurances from, Mr Ratcliffe this condition has now been complied with as the photograph dated 13th February 2007 (attached as **Appendix 5**) shows. Ultimately this case did not involve the issue of either an Enforcement Notice, or a Breach of Condition Notice, in order to rectify the breach of control.

7.3 It is therefore recommended that this case be removed from the active enforcement list.

8.0 **Mr. J. Hartley 6 Swinburne Road, Abingdon, ABG/19305-E.**

8.1 Committee may recall an enforcement report 121/05 (copy attached as **Appendix 6**) which was placed before it on the 26th September 2005, when it was resolved: *That the Chief Executive, in consultation with the Solicitor and Monitoring Officer and the Chair and/or Vice Chair of the Development Control Committee be delegated authority to take enforcement action to cease any residential use, and secure the removal of, an unauthorised dwelling at the rear of 6 Swinburne Road, Abingdon, if in their judgement it is considered expedient to do so.*

8.2 An Enforcement Notice issued on the 9th January 2006 was appealed and a copy of the Inspector's decision notice, dated the 19th July 2006, is attached as **Appendix 7**. Following this decision the compliance deadline became the 19th November 2006.

8.3 The Enforcement Notice required the removal of the building, however the Inspector in paragraph 8 of his Decision Notice stated; *'The Council may be content with the removal of fixtures and fittings and the internal walls, but that must be for negotiation between the appellant and the Council'*. The Area Planning Officer has been in negotiation with Mr Hartley and a copy of his letter dated 4th October 2006 is attached as **Appendix 8**. On the 23rd February 2007 he visited the site and it was observed that the shower and hot water tank had been removed, and that all of the kitchen units apart from the sink had been removed, together with some of the partitioning. It is therefore now considered that the building falls within the definition of permitted development for which planning permission is not required, and it is recommended to Committee that this case be removed from the active enforcement list.

9.0 **Mr L. Wells, Greensands, Reading Road, East Hendred, Wantage. EHE/1965/8-E**

9.1 Committee may recall an enforcement report 137/06 (copy attached as **Appendix 9**) which was placed before it on the 18th December 2006, when it was resolved: *That authority be delegated to the Deputy Director (Planning & Community Strategy) in consultation with the Committee Chair and/or Vice Chair, to take enforcement action if in their judgement it is considered expedient to do so.* Committee also requested that they be kept up to date on the current planning and enforcement issues on the site as they developed, hence this item.

- 9.2 With reference to the issues raised in report 137/06 and particularly para.9.7 '*Particular reference was made to the need for the applicant to lodge appeals against the two refusal notices, EHE/1965/12 & EHE/1965/13, before the 15th December 2006 deadline.....*' It now transpires that these appeals were lodged with the Planning Inspectorate before the deadline. Therefore at the present time, pending the outcome of these appeals, it is not intended to issue Enforcement Notices in respect to:-
- i) The use of the main house as a guest house and associated buildings (Application EHE/1965/12).
 - ii) The siting of 7 temporary accommodation units (Application EHE/1965/13).
- 9.3 With reference to the 'Touring Caravans' on the site (referred to in para's 9.6 & 9.7 of report 137/06, Legal Services are currently drafting a requisition for information, to ascertain the owners and occupiers of all the caravans concerned, as a prerequisite to the issuing of an Enforcement Notice, which will have to give due regard to the implications of the Human Rights Legislation.
- 9.4 A Public Inquiry which convened on the 27th February was adjourned on the 1st March and is expected to resume on Tuesday 23rd July 2007. Following Counsel's advice Enforcement Notice:- EHE/1965/7-E, which requires the cessation of the unauthorised use of a bunded area to the north and rear of Greensands, was withdrawn before the Inquiry, and Enforcement Notice EHE/1965/8-E, which requires the removal of the unauthorised access road and bunded compound/hardstanding, to the north and rear of Greensands, was formally withdrawn during the Inquiry. The appellants in return withdrew their appeal against this Authority's refusal of a retrospective application, EHE/1965/10, for the 'Construction of tarmac access road and the construction of an area of hard-standing surrounded by an earth bund.'

Therefore when the Inquiry resumes it will only be dealing with the appeal against the County Council's refusal of the application, EHE/1965/14-CM, for the 'Open storage and screening of top soils from other wastes, associated access road and storage/vehicle parking area.' It is Officer's, opinion that this remaining appeal still covers most if not all of the issues previously covered by the other appeals, and that the mutually agreed withdrawal of these notices and appeals has not weakened the enforcement case.

RODGER HOOD
DEPUTY DIRECTOR (PLANNING AND COMMUNITY STRATEGY)

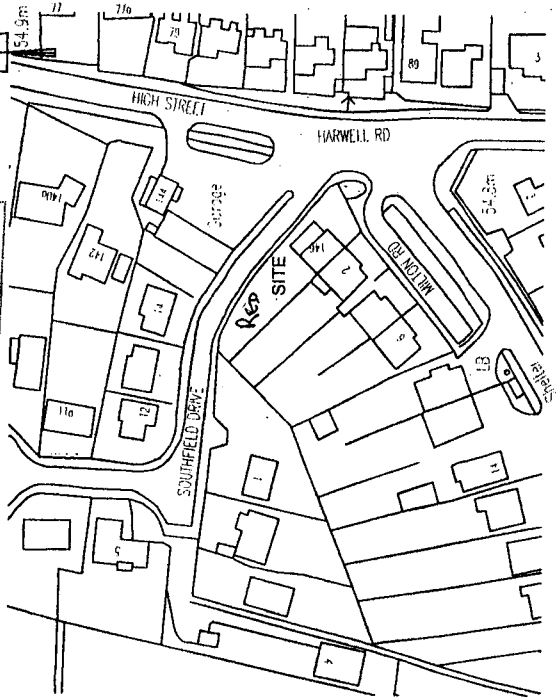
TIM SADLER
STRATEGIC DIRECTOR

SUT/18475/1/03

VALE OF WHITE HORSE DISTRICT COUNCIL
ENVIRONMENTAL SERVICES DEPARTMENT

APPROVAL

DATE OF DECISION
14 OCT 2004



VALE OF WHITE HORSE DISTRICT COUNCIL
23 AUG 2004
CORPORATE POSITIVE SERVICE

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SUT/18475/1

Proposed : EXTENSION TO FORM 2 TWO BEDROOM FLATS

At : 146 HIGH STREET, SUTTON COURTENAY

For : Mr.H.HARRIS

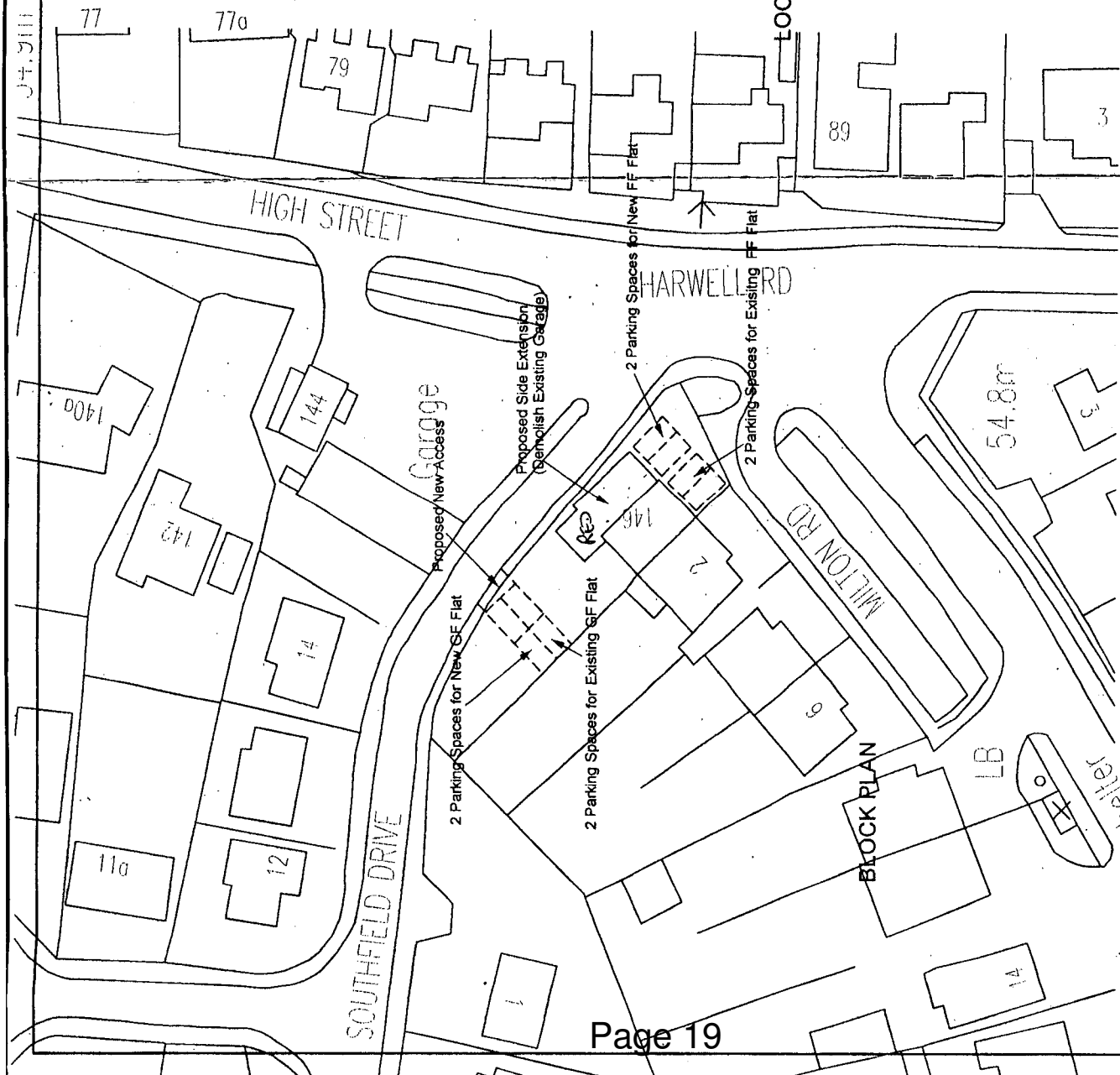
Scales : 1 : 500 1 : 1250

Embling Associates - Chartered Surveyor
Building and Planning Design
23 Sirenden Road, Didsbury, Cheshire, M20 2RN
Tel : 01235 811202
Fax : 01235 210813

Drwg. No. 04/0204/0P21

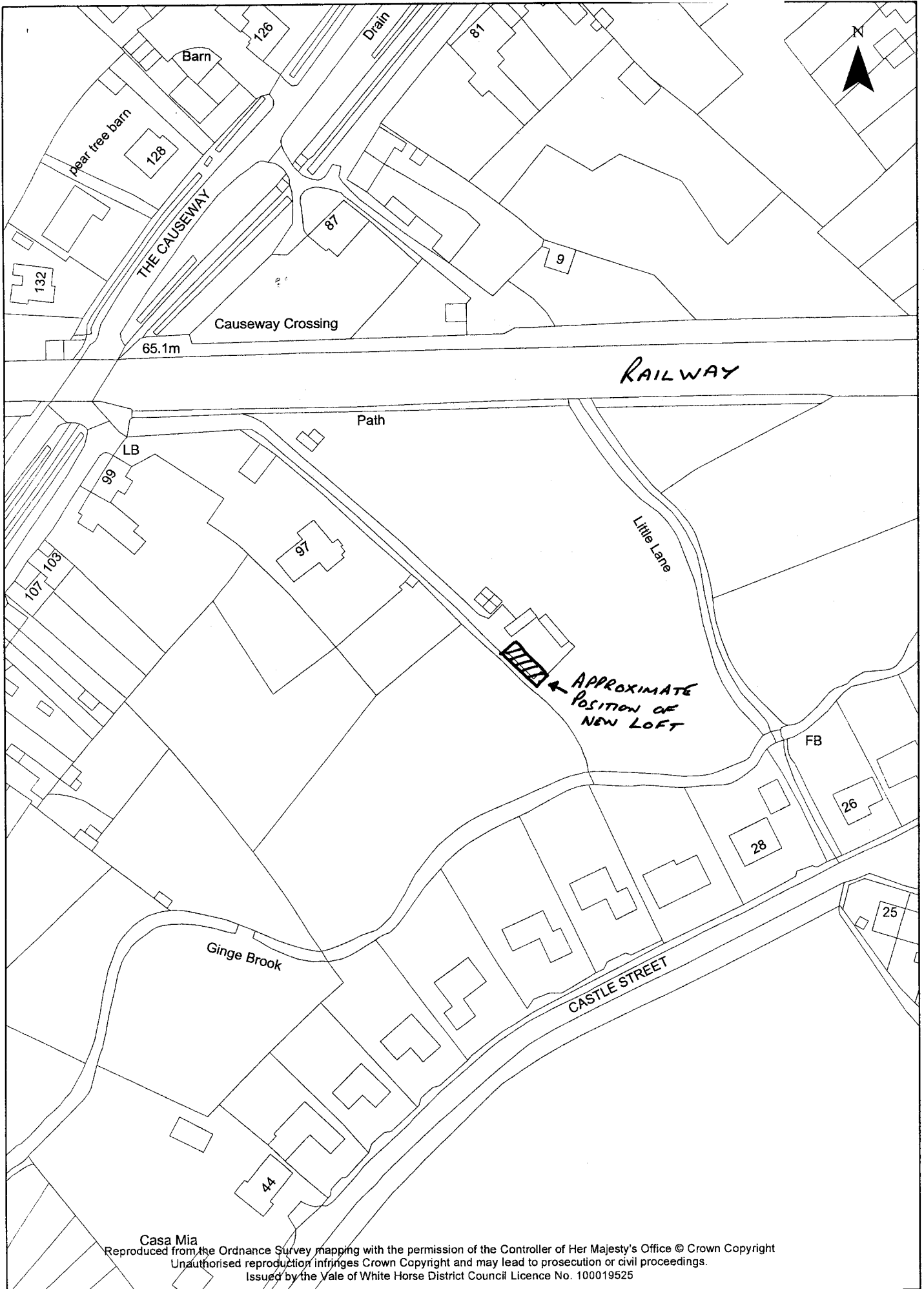
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LOCATION PLAN

BLOCK PLAN



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TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF REFUSAL

To

Mr R Denyer
16 Linden Crescent
Grove
Wantage
Oxon
OX12 7NB

Application No: **GRO/17861/2**

Proposal;

Restrospective application for tempory erection of tent on driveway to build kit car.Estimated time 3 months.

Address:

16 Linden Crescent Grove Wantage Oxon OX12 7NB

DATE OF DECISION: 11th January 2007

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

1 In the opinion of the District Planning Authority, the tent located on the front drive causes unacceptable harm to the amenities of neighbouring properties and the wider environment in respect of visual intrusion. As such the proposal is contrary to Policies DC9 and H24 of the adopted Vale of White Horse Local Plan to 2011.

2 The tent has caused the loss of off-street parking provision both in, and in front of, the garage. Given the location of the site on a turning area, it is also considered that this area may become obstructed by parked vehicles given the loss of parking within the site. As such the proposal is contrary to Policies DC5 and H24 of the adopted Local Plan.

3 Any vehicles egressing the tent will have obstructed vision onto a turning area where other vehicles will be manoeuvring, which would be detrimental to highway safety. As such the proposal is contrary to Policies DC5 and H24 of the adopted Local Plan.



INFORMATIVE

COPY

The applicant is advised that authority to take Enforcement action against the unauthorised tent will be sought from the Development Control Committee.

Rodger Hood
Deputy Director (Planning and Community Strategy)

REPORT OF THE DEPUTY DIRECTOR (PLANNING & COMMUNITY STRATEGY)
TO THE DEVELOPMENT CONTROL COMMITTEE
16TH OCTOBER 2006

Enforcement Programme

1.0 **Introduction and Report Summary**

- 1.1 This report seeks the approval of Committee to take enforcement action, at 15 Bertie Road, Cumnor, Oxon, OX2 9PS to secure compliance with Condition 3, of CUM/18270/1.
- 2.2 The Contact Officer for this report is Paul Yaxley, Enforcement Officer (01235 540352), direct line.

2.0 **Recommendation**

that authority be delegated to the Chief Executive in consultation with the Chair and/or Vice-Chair of the Development Control Committee to take enforcement action in respect of 15 Bertie Road, Cumnor to secure compliance with Condition 3, of CUM/18270/1, if he considers it expedient to do so.

3.0 **Relationship with the Council's Vision**

- 3.1 The content of this report is in line with the objectives A, C and D of the Council's Vision Statement.
- 3.2 This report relates to Enforcement Strategies 13, 14, 15 and 16 and complies with Enforcement Policies E2 and E3.

4.0 **Mr & Mrs M. Ratcliffe - 15 Bertie Road, Cumnor, Oxon, OX2 9PS, CUM/18270/1 & 2**

- 4.1 On the 2nd March 2004 Planning Permission CUM/18270/1 was granted, under delegated authority, for 'erection of two storey and single storey rear extensions, with associated alterations'. Condition 3 stated: - 'The proposed first-floor side facing windows to the study and bedroom 2 shall be fitted with obscured glazing up to 1.7 metres above finished floor level. Notwithstanding the details on the plans hereby approved, the windows shall not be casements but shall be fixed shut apart from top-hung opening vents only. Thereafter, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, the windows shall be maintained as such, and no further windows shall be inserted at first-floor level in the north-east or south-west elevations of the dwelling without the prior grant of planning permission'. The Notice of Permission gave the reason for attaching Condition 3 as being: - 'In the interests of the privacy and amenity of adjacent residential properties'.
- 4.2 A visit was made to 15 Bertie Road on the 20th June 2005 following a complaint from neighbours advising that condition 3 had not been complied with, and the extension and alteration work was all but completed. Photographs (attached as **Appendix 1**) were taken of the windows, in the Study and Bedroom 2 (floor and elevation plans attached as **Appendix 2**), and it was observed that they were both side hung casement and clear glazed in breach of condition 3.
- 4.3 The owner, in a letter dated 11th July 2005, accepted that he was in breach of condition 3 and that the retention of the windows could not be treated as a minor amendment. Therefore he would 'within the next few days' be making an application to vary the window details and amend the planning permission. Despite several chasing reminders it was not until 21st February 2006 that

the application was received. The description of the proposal was listed as 'Variation to window details on north/east elevation first floor and south/west elevation first floor amendment to planning permission CUM/18270/1' a copy of the application is attached as **Appendix 3**. The application was refused under delegated authority on the 11th April 2006, a copy of the Notice of Refusal is attached as **Appendix 4**.

- 4.4 On the 27th May the owner asked for 3 months to 'make the funds available and allow time for the replacement windows to be ordered, made and fitted'. This further delay although slightly on the long side was accepted. Despite several phone calls, e-mails and letters to and from the owner in the last two months the windows have still to be replaced.
- 4.5 There is no doubt that these procrastinating tactics have caused the complainant considerable distress and that the Enforcement Team has been more than accommodating to the owner. Officers feel therefore that in the circumstances it is now expedient to take enforcement action to secure compliance with Condition 3, of CUM/18270/1.
- 4.6 This recommendation for the authorisation to take enforcement action could, if implemented, amount to an interference with Mr Ratcliffe's right to respect for his home under Article 8 of the European Convention on Human Rights. The windows are considered to be inappropriate development, which overlook neighbouring properties causing significant loss of privacy and harm to the amenity of those residents, contrary to design policies DC9 and H24 of the adopted Vale of White Horse Local Plan. There does not appear to be any very special circumstances that would support a continued loss of privacy and amenity, and outweigh these policies. Therefore this interference is considered to be proportionate to the harm that would be caused if the unauthorised windows were allowed to remain. Enforcement action is considered to be justified and in the public interest.
- 4.7 It is recommended that authority to take appropriate enforcement action be delegated to the Chief Executive in consultation with the Committee Chair and/or Vice Chair, if in his judgement it is considered expedient to do so.

RODGER HOOD
DEPUTY DIRECTOR (PLANNING AND COMMUNITY STRATEGY)

TIM SADLER
STRATEGIC DIRECTOR

Background Papers: None.

13/02/2007



VALE OF WHITE HORSE DISTRICT COUNCIL

Report No.121/05
Wards Affected Abbey & Barton, Appleton
& Cumnor, Faringdon & the Coxwells, Kingston
Bagpuize with Southmoor

REPORT OF THE ASSISTANT DIRECTOR (PLANNING)
TO THE DEVELOPMENT CONTROL COMMITTEE
26 September 2005

Enforcement Programme

1.0 Introduction and Report Summary

- 1.1 This report seeks the approval of Committee to take enforcement action, in four new cases.
- 1.2 The Contact Officer for this report is Paul Yaxley, Enforcement Officer (01235 540352 Direct line or 01 235 520202 extension 352).

2.0 Recommendation

It is recommended that authority be delegated to the Chief Executive, in consultation with the Solicitor & Monitoring Officer and the Chair and/or Vice-Chair of the Development Control Committee to take enforcement action in the following cases if in their judgement it is considered expedient to do so:-

- (i) *To cease any residential use, and secure the removal of, an unauthorised dwelling at the rear of 6 Swinburne Road, Abingdon.*
- ~~(ii) *To secure the blocking up of two unauthorised window openings and the reduction in size of the two storey garage/playroom tower at 10 Hids Copse Road, Cumnor Hill, to accord with the approved plans relating to Notice of Permission CUM/18082/1*~~
- ~~(iii) *To cease the unauthorised use of agricultural land for the storage of building materials and non agricultural items, and to secure the removal of a fenced compound which facilitates the unauthorised use, on land adjacent to The Red House, Coxwell Road, Faringdon.*~~
- (iv) *To secure the removal of an unauthorised raised and enclosed patio area to the rear of The Maybush (Public House), Newbridge, Kingston Bagpuize.*

3.0 Relationship with the Council's Vision

- 3.1 The content of this report is in line with the objectives A, C and D of the Council's Vision Statement.
- 3.2 This report relates to Enforcement Strategies 13, 15 and 16 and complies with Enforcement Policies E2 and E3.

4.0 Mr J. Hartley-6 Swinburne Road, Abingdon.

- 4.1 Following complaints received the Enforcement Officer visited the site in July last year, and observed that a purpose built dwelling had been built in what was formerly the rear garden of 6 Swinburne Road. The garden had been divided roughly in half by a six-foot panel fence including

a personal gate, which gave the impression that the dwelling and approximately 24 foot of the garden had been annexed from number 6 and an ancillary use was less likely. The dwelling although unfurnished appeared to consist of; a living room area including a fitted kitchenette and having an external patio door on to a paved patio area at one end, a shower/cloakroom with W.C. and separate airing cupboard off a central entrance hallway, and a separate bedroom at the other end of the dwelling. There is evidence that mains supply water and electricity and electric night storage/convactor heaters, have been connected.

- 4.2 Mr. Hartley contends that the building was built as permitted development (Workroom & Potting Shed, Store, W.C. & Washroom) and subsequently converted into living accommodation. This contention is not however supported either by neighbours or the Council's own Building Control Inspector for the area. Mr. Hartley has been asked on several occasions to submit evidence to demonstrate that the 'Outbuilding' was constructed, or used, to comply with permitted development regulations this he has failed to do. Attached as **APPENDIX 1** is a copy of a letter written to Mr. Hartley on 2nd August, in which the council's concerns are reiterated to him and that as a consequence, enforcement action is considered to be the only option available to Council.
- 4.3 Notwithstanding the fact that the building may be unoccupied (it has previously been occupied), your officers consider that it is a dwellinghouse. Circular 10/97 states, "...the criteria for determining use as a dwellinghouse include both the physical condition of the premises and the manner of use. Where a single, self-contained set of premises comprises a unit of occupation, which can be regarded as a separate planning unit from any other part of a building containing them; are designed or adapted for residential purposes, containing the normal facilities for cooking, eating and sleeping associated with use as a dwellinghouse; and are used as a dwelling, whether permanently or temporarily, by a single person or more than one person, living together as, or like, a single family, those premises can properly be regarded as being in use as a single dwellinghouse...". The above definition owes a lot to the judgement *Gravesham B.C. v S.O.S. & O'Brien* 8/11/82, which concerned a building used as a weekend chalet. Here it was held that a characteristic of a dwellinghouse to be looked for was its ability to afford to those who use it the facilities required for day-to day domestic existence. The case also dealt with the point that although the chalet was not occupied in the winter months, this did not deprive the building of its essential residential character.
- 4.4 It is recommended that authority to take appropriate enforcement action be delegated to the Chief Executive in consultation with the Solicitor & Monitoring Officer, the Committee Chair and/or Vice Chair, if in their judgement it is considered expedient to do so.
- 4.5 This recommendation for the authorisation to take enforcement action could, if implemented, amount to an interference with Mr Hartley's right to respect for this part of his alleged home, under Article 8 of the European Convention on Human Rights. The erection of the dwelling is considered to be inappropriate development, likely to cause planning harm due to intensified use of the driveway to the rear by vehicles and pedestrians associated with the building. The use of the building as a self-contained dwelling would result in an intensified use of a substandard private driveway, lacking adequate visibility at the junction with Radley Road, to the detriment of public safety and highway safety, contrary to Policy D3 of the adopted Vale of White Horse Local Plan and Policy DC5 of the Second Deposit Draft Local Plan (2011). There does not appear to be any very special circumstances that would outweigh this harm. Therefore this interference is considered to be proportionate to the harm that would be caused if this breach of control, and Policies D3 and DC5 were to go unchallenged.



Appeal Decision

Site visit made on 27 June 2006

by **Paul V Morris DipTP MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 5PN
☎ 0117 372 3372
e-mail: enquiries@planning-
inspectorate.gov.uk

Date
19 JUL 2006

Appeal Ref: APP/V3120/C/06/2007981

rear garden of 6 Swinburne Road, Abingdon OX14 2HD

- 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 Jonathan Hartley against an enforcement notice issued by Vale of White Horse District Council.
- The Council's reference is ABG/19305-E.
- The notice was issued on 9 January 2006.
- The breach of planning control as alleged in the notice is, without planning permission, the erection of a dwellinghouse.
- The requirements of the notice are to:
 - (a) remove the building;
 - (b) remove from the land all building materials, building equipment and rubble arising from compliance with requirements (a) and (b) and restore the land to its original condition before the breach took place.
- The period for compliance with the requirements is four months.
- The appeal is proceeding on grounds (c) and (f) as set out in section 174(2) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the application for planning permission deemed to have been made under section 177(5) of the Act as amended does not fall to be considered.

Summary of Decision: The appeal is dismissed and the enforcement notice upheld.

Ground (c)

1. The claim on this ground is that the development, as alleged, is not a breach of planning control. The appellant pointed out that this building, at the end of the rear garden of no.6, was originally erected in 2001 as a store and workshop. It was permitted development. The building was converted in 2003 to form additional living accommodation to the main house. It is not a separate dwelling as he has never used, and does not intend to use the building other than for accommodation ancillary to the main house.
2. The Council disputes that the building was erected in 2001 as the building control records show that it was still under construction in May-June 2002. Taking account of the fact that the building has been subdivided internally into rooms, and fitted out as a self-contained residential unit, the Council maintain that the building was not erected for a purpose incidental to the main dwelling.
3. The onus of proof in a ground (c) appeal is firmly on the appellant. The relevant test of the submitted evidence is that, if the local planning authority has no evidence of its own, or from others, to contradict or otherwise make the appellant's version of events less than

probable, there is no good reason why the appeal should not succeed, provided the appellant's evidence alone is sufficiently precise and unambiguous to justify allowing the appeal on the balance of probability.

4. I note the appellant's contention that the workshop was constructed and then converted, but this does not seem to fit with the standard and form of construction from the outset, and the Council's building control records. Furthermore, the appellant acknowledges in his written representations that his original intention was to construct a residential annex which would eventually be occupied by his mother.
5. I saw on my visit that the building is divided into a living room with a kitchen area, a bedroom, and a bathroom and it has central heating. I gathered that it has mains water, electricity and drainage. I consider that the building has all the facilities necessary for day to day living and, as a matter of fact and degree, it is a dwelling. Whilst the appellant's intention may have been to use the building as ancillary accommodation for his mother, there is no evidence to suggest that it has been occupied for such a purpose since its completion. To my mind, it is not possible to conclude, on the balance of probability, that the provision of the building was required for a purpose incidental to the enjoyment of the dwellinghouse as such, and which would have been permitted development within the terms of the General Permitted Development Order 1995, Schedule 2, Part 1, Class E.
6. As I have found this to be the case, the building, as a dwelling, would have required planning permission. No planning permission has been granted, and it is therefore development in breach of planning control. The appeal on ground (c) therefore fails.

Ground (f)

7. The appellant maintains that the requirement to demolish the building is excessive as the building itself was permitted development and it should simply be a matter of conversion back to a workshop. Also that the washing, cleaning facilities and cupboards should remain as these are necessary for the continued use as a store and workroom.
8. I accept that the Council could have under-enforced and required the removal of fixtures and fittings and the internal walls. However, following my findings on ground (c), and bearing in mind that the alleged development is the erection of a dwelling, the requirement is not excessive. The Council may be content with the removal of fixtures and fittings and the internal walls, but that must be for negotiation between the appellant and the Council. The appeal on ground (f) therefore fails.

FORMAL DECISION

9. I dismiss the appeal and uphold the enforcement notice.

Paul V Morris

Inspector



2004-2005
Supporting People

Mr J Hartley
6 Swinburne Road
Abingdon
Oxon

Telephone 01235 540350
Fax 01235 540396
email
Website www.Whitehorsedc.gov.uk
Our Ref ABG/19305-E/MD
Your Ref
Date 4 October 2006

Dear Mr Hartley

Ref Unauthorised Building, 6 Swinburne Road, Abingdon

I refer to the above matter and apologise for the delay in responding to you. I have discussed the issue of modifying the existing building with colleagues. If we are to accept this as an alternative to demolition of the building, we need to agree the works that you would do to bring the building within permitted development. I would be grateful if you could submit, as soon as possible, a detailed schedule of what works you would undertake to the existing building to turn it into a workshop which could have been built as permitted development.

To qualify as permitted development, the building must be truly ancillary to the house and should have no features of residential accommodation within it such as the kitchen, bathroom and partitioning.

I look forward to your submission.

Yours sincerely

Martin Deans
Area Planning Officer (North)



Wards affected: Sunningwell & Wootton, Wantage (Charlton),
Abingdon (Caldecott), Kingston Bagpuize with Southmoor, North Hinksey and Wytham, Hendreds

REPORT OF THE DEPUTY DIRECTOR (PLANNING & COMMUNITY STRATEGY)
TO THE DEVELOPMENT CONTROL COMMITTEE
18 DECEMBER 2006

Enforcement Programme

1.0 Introduction and Report Summary

- 1.1 This report seeks the approval of Committee to take enforcement action in one new case, and at the same time informs Members of five resolved enforcement cases, and seeks the approval of Committee to remove them from the active enforcement list.
- 1.2 The Contact Officer for this report is Paul Yaxley, Enforcement Officer 01235 540352.

2.0 Recommendations

- 2.1 *It is recommended that the cases referred to in sections 4, 5, 6, 7 and 8 of this report be removed from the active enforcement list and that authority be delegated to the Deputy Director (Planning & Community Strategy) in consultation with the Committee Chair and/or Vice Chair, to take enforcement action in the case referred to in section 9, if in their judgement it is considered expedient to do so.*

3.0 Relationship with the Council's Vision

- 3.1 The content of this report is in line with the objectives A, C and D of the Council's Vision Statement.
- 3.2 This report relates to Enforcement Strategies 13, 14, 15 and 16 and complies with Enforcement Policies E2 and E3.

~~4.0 Mr K. Turnock – Appletree House, Lincombe Lane, Boars Hill, Oxford, SUN/17821/3~~

- ~~4.1 Committee may recall an enforcement report 152/05 (copy attached as **Appendix 1**) which was placed before it on the 24th October 2005, when it was resolved: *That authority be delegated to the Chief Executive in consultation with the Monitoring Officer and Solicitor and the Chair and/or Vice Chair of the Development Control Committee, to take enforcement action to secure the removal of an unauthorised dwelling at AppleTree House, Lincombe Lane, Boars Hill, Oxford.*~~
- ~~4.2 An Enforcement Notice was issued on the 6th January 2006 which required the removal of the unauthorised building by the 10th June 2006.~~
- ~~4.3 On the 30th January a retrospective application SUN/17821/9 was made for the summer house showing the shower and kitchen removed. Permission was granted under delegated authority on the 16th March 2006, subject to Condition 1 which states:- 'The summerhouse building hereby permitted shall be used only as a summerhouse incidental to the enjoyment or use of the existing dwelling house. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other order re-enacting or revoking that Order) the building shall not be adapted or altered for primary living purposes (including the installation of kitchen units, appliances and a sink), nor shall it be occupied as a separate dwelling unit and no separate curtilage shall be created in connection with its use'.~~

25th August 2005, is attached as **Appendix 7**. The Inspector allowed the retention of the hardstanding but upheld the Notice in respect to the requirement to remove the building. The compliance deadline (for the removal of the building) became the 25th October 2005 (i.e. 2 months from the Notice coming into effect).

8.4 A letter was received on the 25th October 2005 from Mr Caisbrook (copy attached as **Appendix 8**) in which he sought an extension to the deadline to the 'spring of 2006'. Following a site visit by the Enforcement Officer on the 26th October 2005, when it was observed that no attempt had been made to comply with the requirements of the Notice, the Council's Solicitor replied to Mr Caisbrook's letter on the 28th October 2005 (copy attached as **Appendix 9**).

8.5 Although the building had started to be dismantled in December 2005 and on the 10th February 2006 it was observed that the requirements of the Notice had been fully complied with, Mr Caisbrook's prosecution (for the offence committed on the 26th October 2005) went ahead on the 2nd March 2006 at Oxford Magistrates Court. The Magistrates took into account his timely Guilty plea and fined him £1000 for the offence and awarded costs to this Council as claimed for £642.

8.6 It is recommended therefore that no further action be taken by this Council in this case and that it be removed from the enforcement list.

9.0 Mr L. Wells, Greensands, Reading Road, East Hendred, Wantage. EHE/1965/8-E

9.1 Committee may recall an enforcement report 226/04 (copy attached as **Appendix 10**) which was placed before it on the 28th February 2005, when it was resolved: *That the Director of Environmental Services, in consultation with the Director of Support Services and the Chair and/or Vice Chair of the Development Control Committee be delegated authority to take enforcement action to remove the unauthorised development from and cease unauthorised use of, paddock land at the rear of Greensands, Reading Road, East Hendred.*

9.2 Two Enforcement Notices were issued on the 13th July 2005. The first Notice, EHE/1965/7-E, requires the cessation of the unauthorised use of a bunded area to the north and rear of Greensands. An appeal against this Notice is still to be decided. The second Notice EHE/1965/8-E requires the removal of the unauthorised access road and bunded compound/hardstanding, to the north and rear of Greensands. This notice was not appealed and is extant.

9.3 The two Enforcement Notices do not, however, cover unauthorised development within the curtilage of Greensands itself or more recent unauthorised development on the paddock land between Greensands and the bunded area mentioned above.

9.4 On the 20th February 2006 a 'retrospective application for the retention of guest house and associated buildings' (EHE/1965/12) was received and subsequently refused under delegated authority on the 15th June 2006 (copy of Notice of Refusal attached as **Appendix 11**). This use has continued and it is suspected that more buildings than the four detailed in the application may now be involved. At the time of drafting this report no appeal had been lodged against the refusal (15th December 2006 is the deadline for lodging an appeal).

9.5 On the 8th March 2006 an application for 'retrospective planning permission to regularise and retain the siting of 7 temporary accommodation units' (EHE/1965/13) was received and subsequently refused under delegated authority on the 15th June 2006 (copy of Notice of Refusal attached as **Appendix 12**). This use has continued and at the time of drafting this report no appeal had been lodged against the refusal (15th December 2006 is the deadline for lodging an appeal).

9.6 On the 7th November 2005, during a site visit by the Enforcement Officer, Area Planning Officer and Solicitor, Mr Wells was made aware that apart from the need to make the

applications already referred to in para's 9.4 & 9.5 above, if touring caravans were to be stored or used on the paddock immediately to the north of Greensands, between it and the bunded area referred to above (in para 9.2) then planning permission would also be required for that use. At the time of the visit there were 7 or 8 touring caravans in the paddock of which Mr Wells advised that 2 or 3 were his own and that about half of the remainder were occupied, but that all except his own would be removed by Christmas 2005. It was later observed that this was the case but that by May 2006 there was a similar number of caravans again being stored and used in the paddock. By August 2006 the number of caravans (including motor homes) had doubled and during September or October 'ballast/shingle' hard standing had been laid in the paddock area.

- 9.7 During a meeting on the 31st October 2006 between the Enforcement Officer, Area Planning Officer, Solicitor, Mr Wells and his agent, the planning issues concerning the whole site (Greensands, its curtilage, and the surrounding agricultural land in the same ownership) were discussed. Particular reference was made to the need for the applicant to lodge appeals against the two refusal notices, EHE/1965/12 & EHE/1965/13, before the 15th December 2006 deadline and the intention to seek authority to take enforcement action against the unauthorised development and continued unauthorised uses. Also particular reference was made to the fact that the storage and use of touring caravans in the paddock (referred to in para 9.6 above) also needed planning permission and that any retrospective application would be unlikely to be permitted. Since that meeting it has been observed that a close boarded 1.8 metre high fence has replaced the post and rail fence on the paddocks' eastern boundary, thereby restricting views of the caravans from the A417 and Featherbed Lane
- 9.8 This recommendation for authorisation to take enforcement action could, if implemented, amount to an interference with Mr Well's right to respect for his home under Article 8 of the European Convention on Human Rights, and possibly those of any guests/tenants and employees who may live on the site. The independent residential units of accommodation including the chalets, mobile homes, twin unit, bungalow, converted outbuildings, and touring caravans are all considered to be inappropriate forms of development on an unsustainable site in the open countryside. This has a harmful impact on the character of the area and the development is therefore contrary to Policy G5 of the adopted Oxfordshire Structure Plan, Policies GS1,GS2 andH13 of the adopted Vale of White Horse Local Plan, and the advice contained within PPS3 and PPS7. The development also results in an intensification of vehicular movements from a substandard access onto the A417, a busy classified road, to the detriment of highway safety. It also includes development on a site which has no footpath links with the nearest settlement, East Hendred. The development is therefore contrary to Policy DC5 of the adopted Vale of White Horse Local Plan, and Policy T1 of the adopted Oxfordshire Structure Plan. There does not appear to be any special circumstances that would support a continued loss of amenity and outweigh these policies. Therefore this interference is considered to be proportionate to the harm that would be caused if the unauthorised development/independent residential units were allowed to remain. Enforcement action is considered to be justified and in the public interest and safety.
- 9.9 It is recommended that authority to take appropriate enforcement action to:-
- (a) include the removal from the site of the unauthorised independent residential units and caravans, and
 - (b) to cease the unauthorised occupation/residential use of the land,
- be delegated to the Deputy Director (planning & Community Strategy) in consultation with the Committee Chair and/or Vice Chair, if in his judgement it is considered expedient to do so.

DEPUTY DIRECTOR (PLANNING AND COMMUNITY STRATEGY)

TIM SADLER
STRATEGIC DIRECTOR

List of Planning Appeals

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
29.09.05	APP/V3120/A/05/11879 22	NHI/6289/3 Against the LPA refusal of an application	Mr Caisbrook	Hilarton, Harcourt Hill, Oxford	Erection of a triple garage.	Hearing Date to be confirmed	North	Allowed 07.09.06
03.11.05	APP/V3120/A/05/119287 6	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
09.03.06	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	Dismissed 23.1.07
23.05.06	APP/V3120/A/06/201546 8	SAH/19303	Mr Anderson	31 Rookery Close Shippon Abingdon Oxon OX13 6LZ	Erection of a two storey side extension and alterations.	Written Representations	North	Dismissed 19.09.06
21.06.06	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	Dismissed 06.10.06
10.07.06	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	Dismissed 26.10.06
20.07.06	APP/V3120/A/06/202031 7/WF	WTT/1002/60	Miss A Bennett & Mr G Busby	Plot 76, Deerhurst Park, Besselsleigh Road, Wootton,	Installation of French doors and construction of external staircase to allow access to	Written Representations	North	Dismissed 09.11.06

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
				Oxon, OX1 5LF	garden (Plot 76)			
24.07.06	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	Dismissed 09.11.06
28.07.06	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 8 th November 2006	North	Approved 01.03.07
17.11.06	APP/V3120/A/06/203049 7/WF	CUM/18846/3	M & W Richardson	Chilswell Farm Villa, Boars Hill, Oxford, OX1 5HB	Erection of a replacement dwelling including linked garage	Written Representations	North	
20.11.06	APP/V3120/A/06/203070 8/WF	ABG/19673	Mr & Mrs A Grimes	31 Curtis Avenue, Abingdon, OX14 3UL	Alterations and extensions to ground floor to form dining room and wc. Alterations and extensions to first floor to form additional bedroom space	Written Representations	North	Dismissed 01.03.07
21.11.06	APP/V3120/A/06/203076 6/WF	CUM/480/6	Mr & Mrs Michael Rayson	32 High Street, Cumnor, Oxford, OX2 9PE	Proposed conversion of existing garage to form a dwelling with one bedroom and with parking	Written Representations	North	
05.12.06	APP/V3120/A/06/203147 9/NWF	MAR/19761	Try Homes Ltd	Site at Timber Yard, Packhorse Lane Marcham Abingdon. OX13 6NT	Residential development of 4 dwellings and associated access	Written Representations	North	
24.03.06	APP/V3120/A/06/201040 2	STE/11488/7 Against the LPA	OSG Co-op	55 The Causeway Steventon Abingdon	Application to modify the parking arrangements of application STE/11488/4.	Hearing 22.11.06	South	Allowed 04.01.07

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
		Refusal of an application		Oxon OX13 6SE				
10.04.06	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 27.2.07	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	Dismissed 20.12.06
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 04.01.07	South	Dismissed 20.02.07
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 Representations	South	Allowed 09.01.07
31.08.06	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 Representations	South	Dismissed 09.01.07
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 Representations	South	Allowed 09.01.07

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
08.09.06	APP/HH/06/306	HH 2/05	Mr J F Lloyd/Skinner	The Paddock 18 Longcot Road Shrivenham SN6 8HE	Against a Remedial Notice concerning a High Hedge		South	Allowed
17.10.05	APP/3120/C/05/ 2003519	EHE/1965/7-E	Mr L Wells	Greensands East Hendred OX12 8JG	Enforcement against without planning permission change of use from use for agriculture to storage of non-agricultural items, materials and equipment including parking and storage of vehicles.	Public Inquiry 27.2.07	South ENF	Withdrawn 27.2.07
27.10.06	APP/V3120/A/06/202674 9/NWF	MIL/17362/2 Against the LPA Refusal of an application	Mr A Wichello	Bramley Cottage Milton Hill Steventon Abingdon Oxon OX14 4DP	Proposed car park on adjacent paddock. Change of use of train set within garden to visitor attraction with associated toilet block.	Written Representations	South	Withdrawn 28.11.06
31.10.06	APP/V3120/A/06/202838 1/NWF	ARD/17904/2	The Baring Family	Ardington House Church Street Ardington Wantage Oxon OX12 8QA	Demolition of existing greenhouses and outbuildings and erection of new dwelling and garage.	Hearing	South	Withdrawn 22.12.06
23.11.06	APP/V3120/A/06/202980 0/WF	GRO/19143/1	John Bell	5A Kingfishers Grove Wantage Oxon OX12 7JL	Construction of one dwelling and a garage (Land adjoining 5A)	Written Representations	South	
05.12.06	APP/V3120/A/06/203191 3	STA/8763/4	Stephen Munday	Meadowlands 3 High Street Stanford In The Vale Faringdon Oxon SN7 8LH	Erection of a small scale wind turbine	Written Representations	South	
11.12.06	APP/V3120/A/06/203140	LON/16205/6-X	Mr D Ridgway	Hill View	Outline application for the	Written	South	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
	5/WF			Shrivenham Road Longcot Faringdon Oxon SN7 7TL	erection of one dwelling.	Representations		
20.12.06	APP/V3120/A/06/203321 8/NWF	EHE/1965/12	L Wells	Greensands Reading Road East Hendred Wantage Oxon OX12 8JE	Retrospective application for the retention of guest house and associated buildings.	Public Inquiry	South	
08.03.07	APP/V3120/A/07/203928 2/WF	SUT/19729/2	J Warwick	48 Milton Road Sutton Courtenay Abingdon Oxon OX14 4BS	Demolition of existing two bedroom detached bungalow and erection of replacement four bedroom detached chalet style bungalow, utilising the same footprint as existing for the front portion of the house (resubmission).	Withdrawn	South	
20.12.06	APP/V3120/A/06/203322 1	EHE/1965/13	L Wells	Greensands Reading Road East Hendred Wantage Oxon OX12 8JE	Retrospective planning permission to regularise and retain the siting of 7 temporary accommodation units	Public inquiry	South	
09.01.07	APP/V3120/A/07/203455 2/WF	SUT/46471-X	S Alden	2 Abingdon Road Sutton Courtenay Abingdon Oxon OX14 4NF	Erection of a dwelling and garage. Alterations to existing access to create new joint access.	Written Representations	South	
30.01.07	APP/V3120/H/07/1200836	SUT/6342/23	HSBC UK Active Property Fund And Charterland LTD	Paradigm House Trident Park Basil Hill Road Didcot Oxon OX11 7HJ	Erection of a non-illuminated sign	Written Representations	South	
31.01.07	APP/V3120/A/07/203544 5	WAN/19614	Mrs E O'Donnell	42 Foliat Drive Wantage Oxon OX12 7AL	Erection of a detached dwelling.	Hearing	South	
31.01.07	APP/V3120/A/07/203655 3	SHR/19619	Hannick Homes	17 Highworth Road Shrivenham Swindon	Erection of 4 x 3 bedroomed semi detached cottages.	Written Representations	South	

Start Date	Appeal reference	Planning reference	Appellant	Location	Development	Hearing/ Public Inquiry/Written Representations	Area	Decision & Date
09.02.07	APP/V3120/A/07/203728 1/WF	SHR/5532/7	Mr and Mrs Humpphreys	Wilts SN6 8BH Pennyhooks Farm Pennyhooks Lane Shrivenham Swindon Wilts SN6 8EX	Extension to garage to form self-contained ancillary accommodation	Written Representations	South	
06.01.07	APP/V3120/A/07/203325 2	GCO/2087/21-X	Tape Crown Ltd	Lorry Park, Chowle farm Industrial Estate, A420 Faringdon, Oxon	Cessation of existing lorry park use. Erection of new building for business use (648sq.m) with new parking and turning area. New Access to A420 and closure of 2 existing accesses	Written Representations	North	
06.01.07	APP/V3120/A/07/203325 9	GCO/2087/22	Tape Crown Ltd	Lorry Park Chowle Farm Industrial Estate A420 Faringdon Oxon	New access to A420 and closure of two existing accesses.	Written Representations	North	
02.03.07	APP/V3120/A/07/203888 7/NWF	CUM/19875	Banner Homes	Site at 8 and lad to rear of 6 & 10 Arnolds Way, Cumnor Hill, Oxford, OX2 9JB	Demolition of dwelling and erection of 6 new detached dwellings	Written Representations	North	
06.03.07	APP/V3120/A/07/203583 9/NW	ABG/9152/1	Mr and Mrs Peacock	Site 8 Wordsworth Road, Abingdon, OX14 5NY	Erection of 2 storey extension and extension over existing garage	Written Representations	North	
14.03.07	APP/V3120/H/07/120115 1	ABG/505/75-A	Carpetright Plc	Carpetright Fairacres Marcham Road Abingdon Oxon OX14 1BS	Display of new signage	Written Representations	North	

WTT/19927 – Ms T Ward

Demolition of kitchen, cloaks and store. Proposed kitchen and dining room extension. Barn Cottage, Old Boars Hill, Oxford, OX1 5JQ.

1.0 **The Proposal**

- 1.1 This application is for the demolition of the existing kitchen, cloaks and store and the erection of a single storey rear extension to provide an open plan kitchen/dining room.
- 1.2 Site location and block plans are at **Appendix 1**, and **Appendix 2** details the elevation and floor plans.
- 1.3 The site lies within the Oxford Green Belt.
- 1.4 The application comes to Committee because the applicant is a District Councillor.

2.0 **Planning History**

- 2.1 None.

3.0 **Planning Policies**

- 3.1 Policy H24 of the adopted Vale of White Horse Local Plan 2011 allows for extensions to existing dwellings provided various criteria are satisfactory, including; i) the effect of the development on the character and appearance of the dwelling and on the area as a whole; ii) the materials blending with the existing dwelling; iii) there being no harmful effect on neighbouring properties in terms of overlooking or overshadowing.
- 3.2 Policies DC1 and DC9 of the adopted Local Plan require all new development to achieve a high standard of design, and not cause harm to neighbouring properties.
- 3.3 Policy GS3 of the adopted Local Plan states that there will be a general presumption against inappropriate development in the Green Belt. However, increases in the volume of existing dwellings will be supported provided they come within clearly defined parameters.

4.0 **Consultations**

- 4.1 Wootton Parish Council raises no objection.
- 4.2 One neighbour objection has been received which relates to the following: The roof ridge on the north elevation of the proposed extension will extend above the existing boundary wall by approximately 5cms, causing overshadowing of the neighbouring garden. This will reduce house values and have a damaging effect on the neighbour's health.
- 4.3 The County Engineer raises no objection.

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.
- 5.2 Given the position and size of the proposed extension, Officers consider the proposal would have no harmful impact on the character and appearance of the existing dwelling or the area as a whole.

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5.3 Officers consider that the impact of the proposal on the adjacent neighbour – Violet Bank - in respect of overshadowing and over dominance would be minimal. The proposed single storey extension would be broadly replacing the existing single storey extension, albeit 4m wider than at present. The existing roof ridge does not protrude above the boundary wall. The proposed ridge will protrude some 5cms above the wall. Given the existing relationship between the two properties, Officers consider that the proposal does not have a harmful impact on Violet Bank due to overshadowing. The proposal, therefore, is considered acceptable.

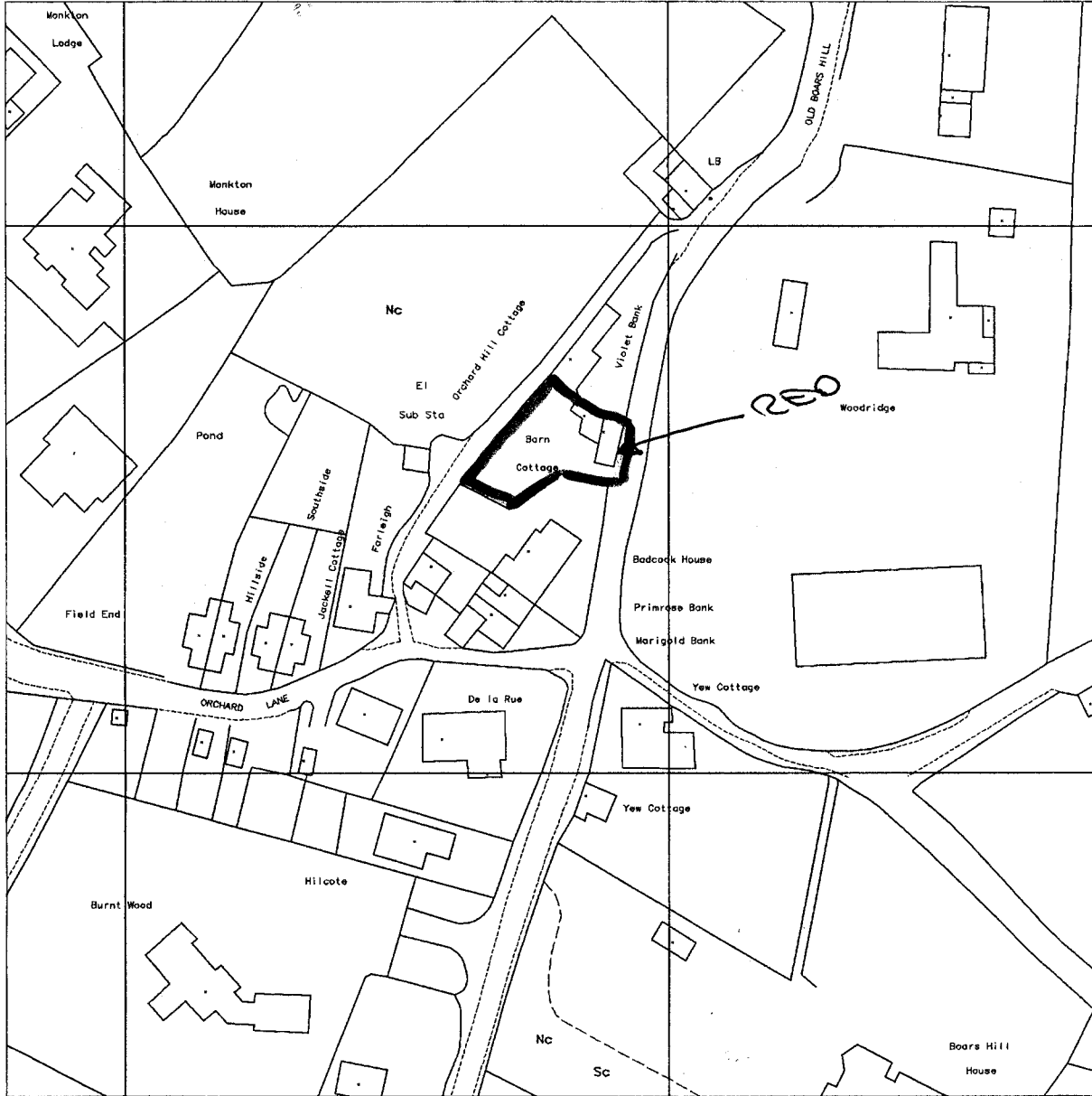
6.0 **Recommendation**

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

1. *TL1 Time Limit – Full Application*
2. *MC2 Sample of Materials to be Submitted*

VALE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 26 JAN 2007
CORPORATE POSTAL
SERVICES - 6

Siteplan® 1:1250

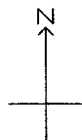


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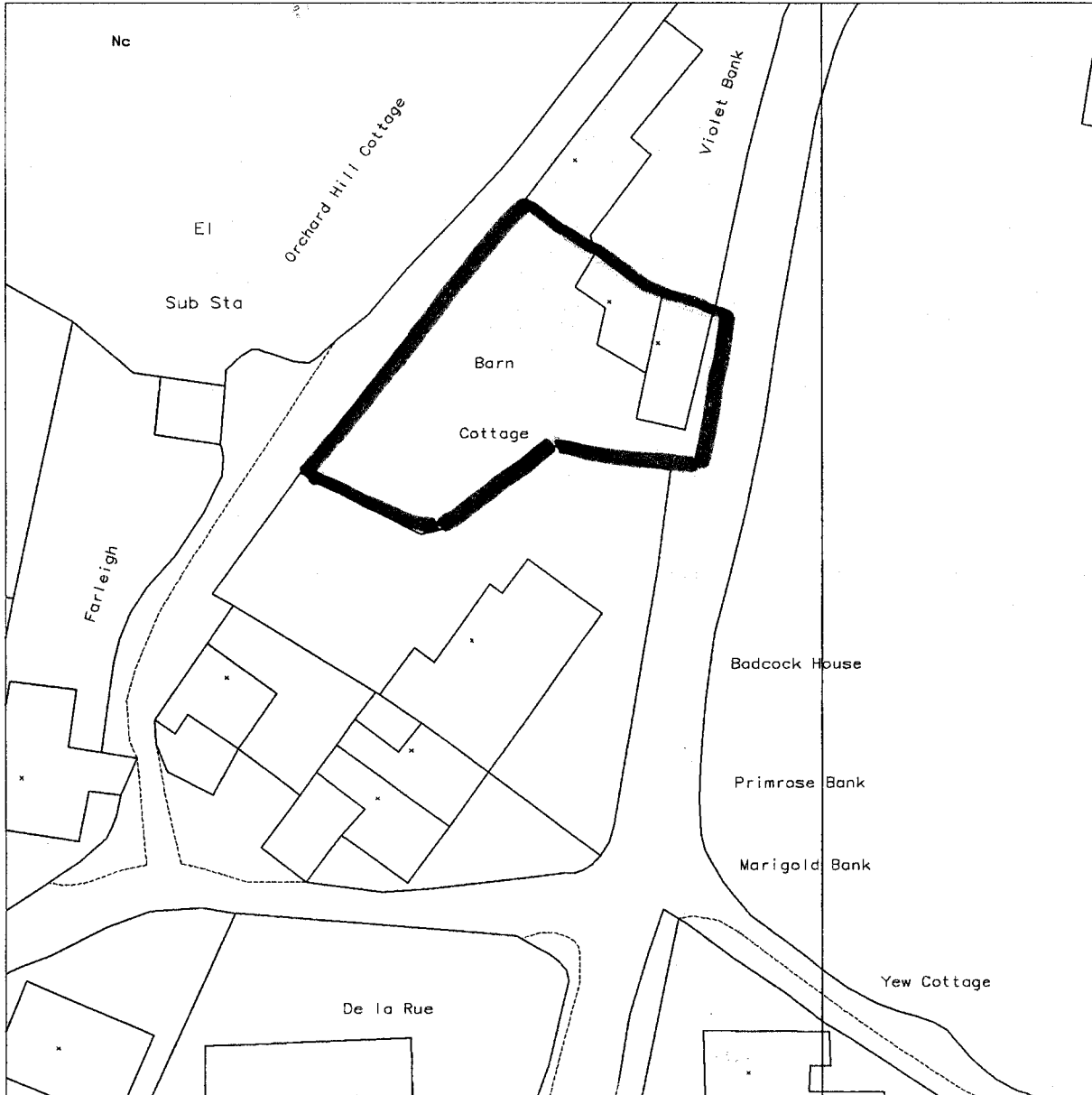
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National Grid sheet reference at centre of this Siteplan: _____

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APPENDIX 1

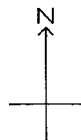
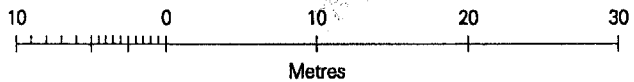


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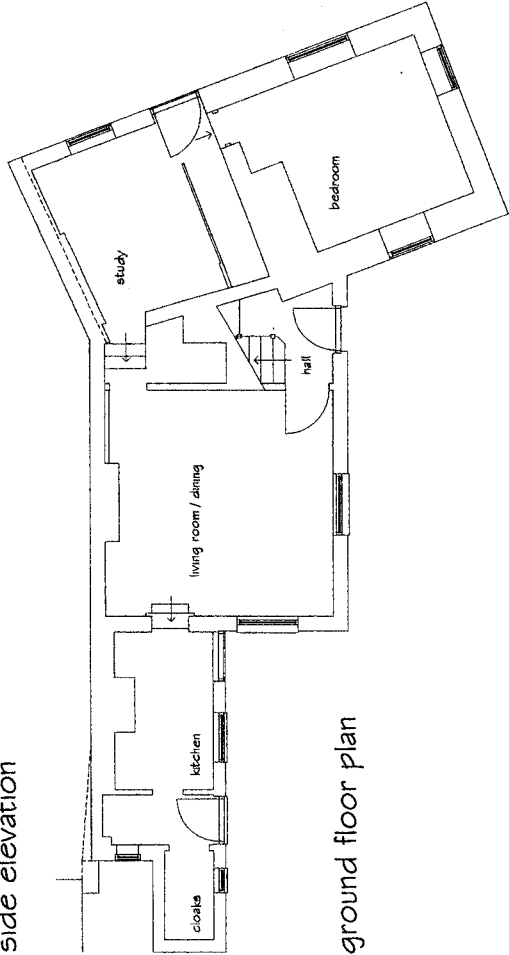
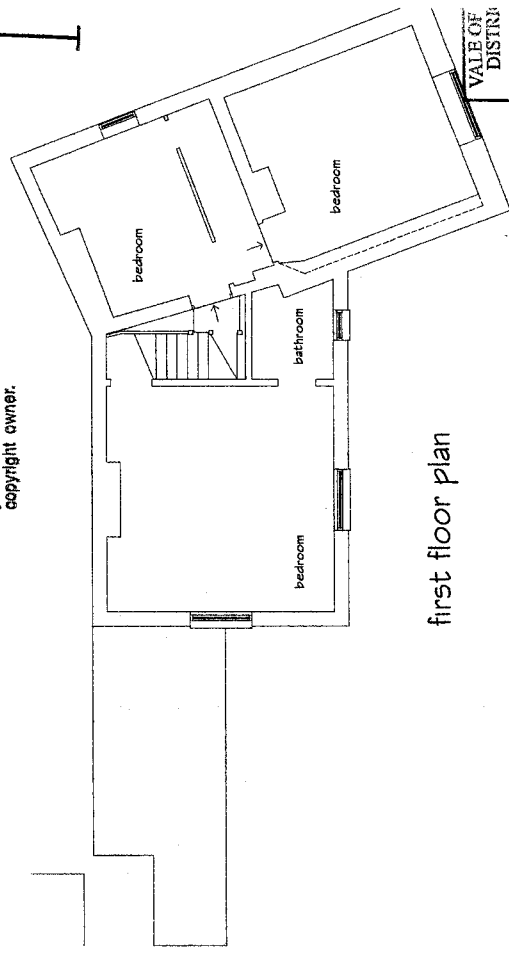
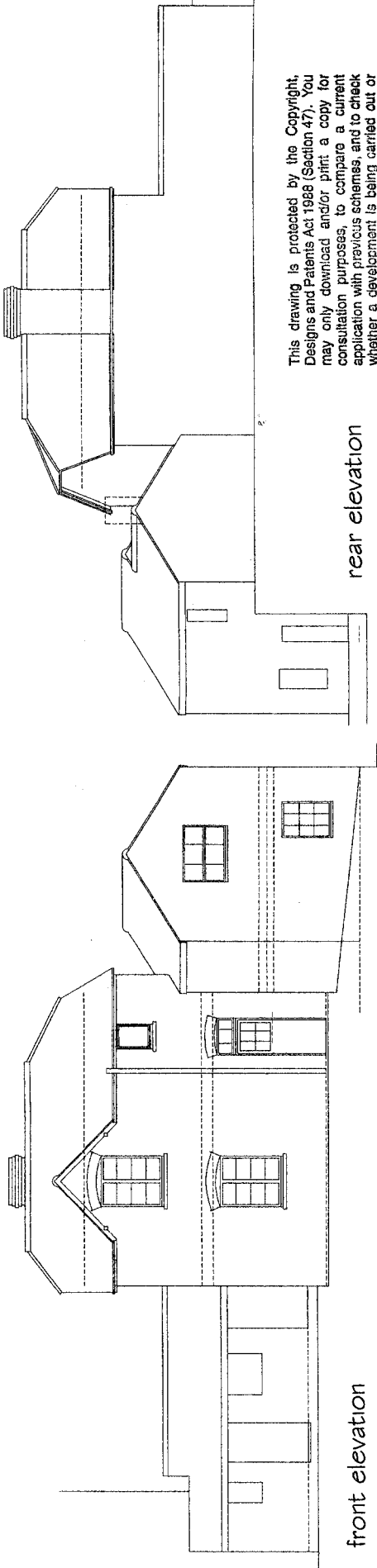
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APPENDIX 1

APPENDIX 2

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1:50 = 3m
 1:100 = 6m
 1:200 = 12m
 1:500 = 30m
 1:1250 = 75m
 1:2500 = 150m



EXISTING PLANS and ELEVATIONS 1:100

REC'D 26 JAN 1997
 VALE OF DISTRICT
 CORPORATE POSTAL SERVICES - 6

01/00165/97

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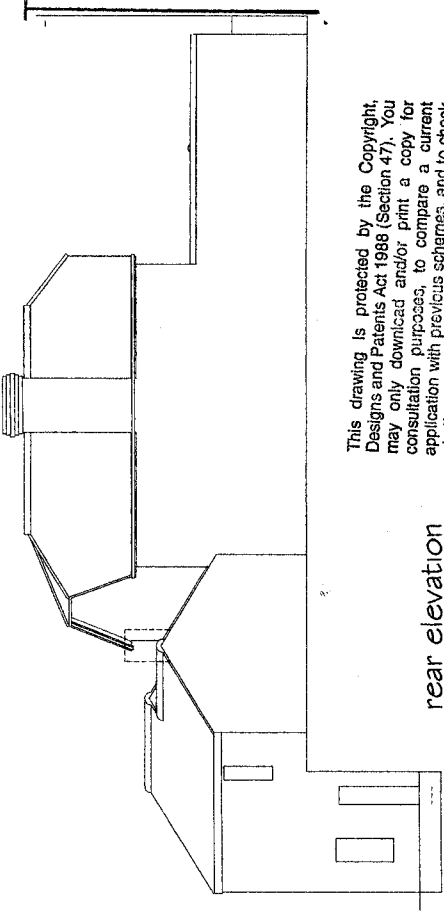
amendments: *with 1997*

Client	MS T WARD Barn Cottage, Old Boars Hill, Oxford, OX1 5JQ	Scale	1:100
Project	Existing Plans and Elevations	Date	Jan 07
		Dwg No	W.01
ALAN HALL ASSOCIATES		73 Leishford Lane Dy Sandford Abingdon Oxon OX13 8DZ Phone/Fax 01865 735986	

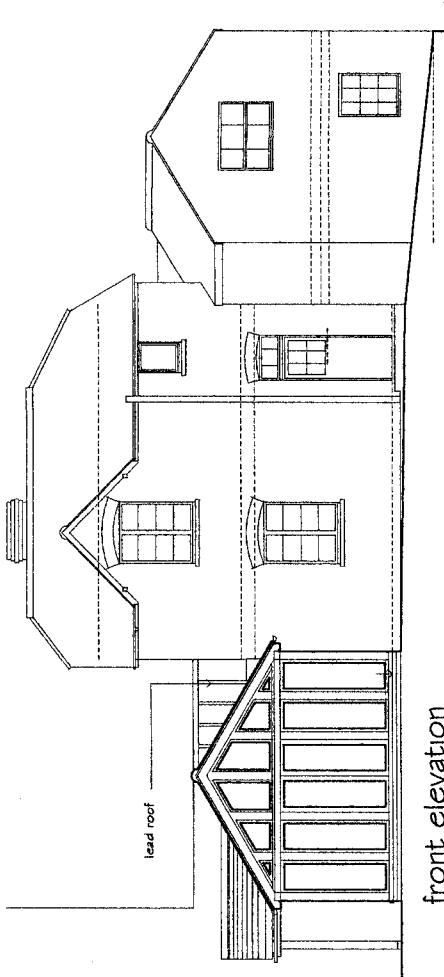
APPENDIX 2

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 1:1250 = 75m
 1:2500 = 150m

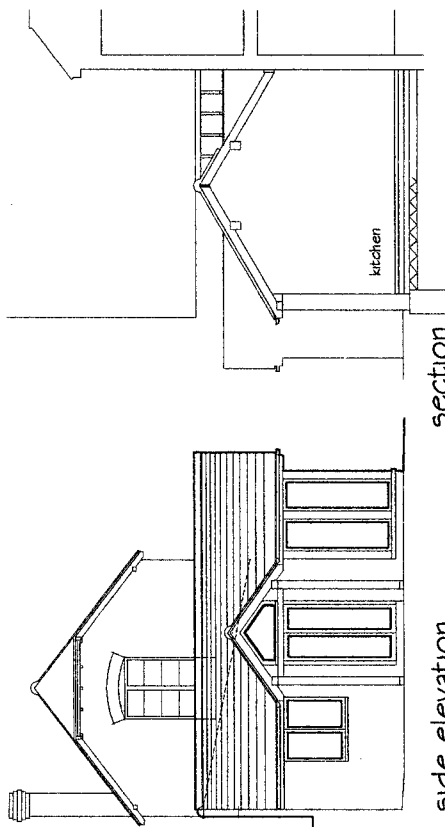
This drawing is protected by the Copyright, Designs and Patents Act 1988 (Section 47). You may only download and/or print a copy for consultation purposes, to compare a current application with previous schemes, and to check whether a development is being carried out or has been completed in accordance with the approved drawings. If you require a copy of the drawings or other material for any other purpose you will need to obtain the prior permission of the copyright owner.



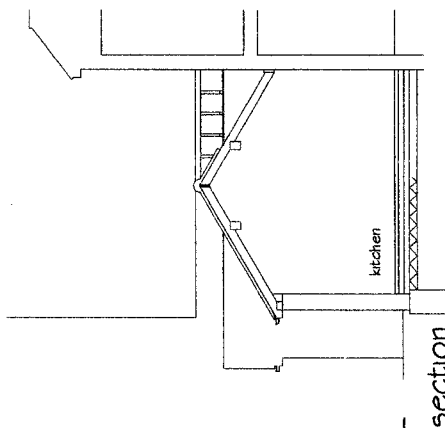
rear elevation



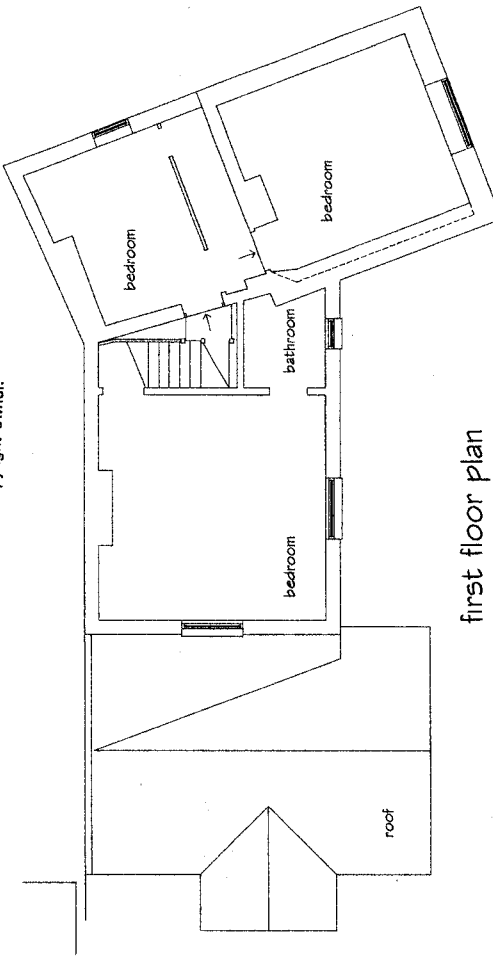
front elevation



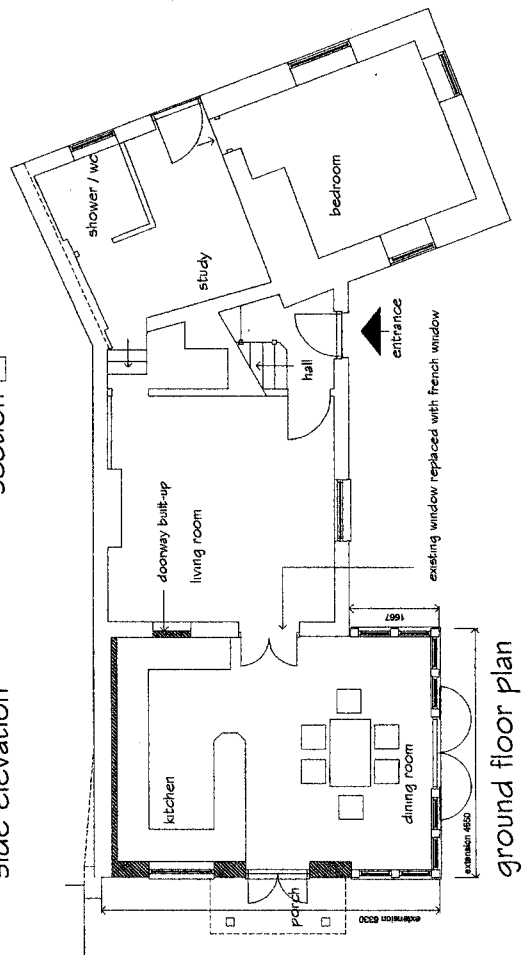
side elevation



section



first floor plan



ground floor plan

VALE OF WHITE HORSE DISTRICT COUNCIL
 RECD 26 JAN 2007
 CORPORATE POSTAL SERVICES - 6

02001161616
WJH/1002

PLANNING DRAWINGS 1:100

MATERIALS - all materials to match existing house

amendments:

Client	MS T WARD Barn Cottage, Old Boars Hill, Oxford, OX1 5JQ	Scale	1:100
Project	Proposed Ground Floor Extension	Date	Jan 07
		Dwg No	W.02
ALAN HALL ASSOCIATES		73 Leisford Lane Dry Sandford Abingdon Oxon OX13 6ZZ	

ABG/1877/3 – Mr & Mrs J Cully

Addition of a first floor extension to existing bungalow to create a 5 bedroom detached house and for the erection of a single storey rear extension. Amendment to ABG/1877/2 (Retrospective). 29 Norman Avenue, Abingdon, OX14 2HQ.

1.0 The Proposal

- 1.1 Planning permission was granted under delegated authority on 28 February 2006 for the addition of a first floor extension to the existing bungalow to create a 5 bedroom house and for the erection of a single storey rear extension.
- 1.2 This retrospective application seeks planning permission for amendments to the planning permission which include the raising of the proposed eaves height of the main house by 300mm, changes to the fenestration of the single storey rear extension, the removal of a door and the repositioning of the two ground floor windows on the north west elevation, and the insertion of two side windows in the bay of the first floor north facing bedroom.
- 1.3 A location plan, a letter from the applicant, together with a comparison of the permitted and proposed drawings is in **Appendix 1**.
- 1.3 This application comes before Committee at the request of the local Member, Councillor Laurel Symons.

2.0 Planning History

- 2.1 The relevant planning history is referred to in the Section 1 above.

3.0 Planning Policies

- 3.1 Policies H24, DC1, and DC9 of the adopted Vale of White Horse Local Plan to 2011 seek to ensure that that all new development is of high standard of design, and that it does not cause harm to the amenity of neighbours.

4.0 Consultations

- 4.1 Abingdon Town Council does not object.
- 4.2 The local Member is concerned about the changes that have been made to the former bungalow which include the decoration of the ridge roof tiles which she considers accentuates the increased volume of the proposal.
- 4.3 Three letters of objection have been received from local residents raising the following concerns: the decorative ridge roof tiles are out of keeping with the style of the house, the raising of the eaves height, over dominance, and overlooking of the neighbouring property.
- 4.4 The County Engineer has no objections.

5.0 Officer Comments

- 5.1 The main issues to consider in determining this application are: 1) whether the proposal would have a detrimental impact on the character and appearance of the area; and 2) the impact on the amenity of the neighbouring properties in terms of overlooking and overshadowing.
- 5.2 In terms of the character and appearance of the area, Officers consider that the proposed changes made to the approved scheme, including the use of decorative ridge tiles on the main roof and on the dormer windows, are acceptable.

5.3 In terms of residential amenity, the neighbour mainly affected is No 31 Norman Avenue to the north west, is a detached house with an attached garage to the side. The main windows of this property face the front and rear gardens. However, there is a secondary first floor bedroom window on the flank elevation facing the application site and one of the windows inserted into the side of the bedroom bay window. However, due to the orientation of the windows, and the distance between them (12 metres) Officers consider no harm from overlooking would occur.

6.0 **Recommendation**

6.1 *Permission.*

Re: 29 NORMAN AVENUE
ABINGDON
OX14 2HQ

APPENDIX 1



VALE OF WHITE HORNE
DISTRICT COUNCIL
REC'D 29 DEC 2006
CORPORATE POSTAL
SERVICES - 3

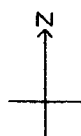
Siteplan® 1:1250



OG/01971/FUL AB4/1877/3



Metres



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Centre Coordinates: 450486 197930

National Grid sheet reference at centre of this Siteplan: SU5097NW

Supplied by: Blackwells
Serial Number: 00782600

Copy

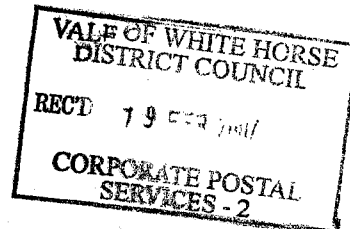
APPENDIX 1

29 Norman
Abingdo
Oxon
OX14 2HQ

Tel 01235 521646

Cllr Laurel Symons
23 Fairfield Place
Abingdon
Oxfordshire
OX14 1HQ

15th February 2007



Dear Cllr Symons

**Re: 29 Norman Avenue, Abingdon.
Application No: ABG/1877/3**

The Planning Department at the Vale have forwarded to us two letters of objection concerning the above application together with your letter dated 31st January on the subject. We felt that we should write to you also as our elected representative with our views so as to maintain a balance and also advise you of the many complimentary comments we have received from our neighbours, fellow residents in Norman Avenue and numerous passers by who are also Abingdon residents.

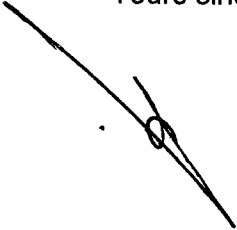

29 Norman Avenue is our long term family home and we have gone to great lengths to design the property in the same style as the original built in 1930. The scheme was given approval in February 2006 and this application incorporates 'minor amendments' only.

In discussion with the Planning Department it is recommended for approval, however we understand that you have requested that it goes to full committee and we are puzzled as to why this is your request. The two comments received regarding the size of the property are not really applicable when considering the minor amendments under this application as planning approval has already been granted.

With regards styling, as you are aware Norman Avenue is a mix of differing styles, types and sizes of property so it is not possible to adhere to any single style. We have however been faithful to the original design of the property built in 1930 and reused original materials where possible. Your letter raises comments regarding the use of roof decoration and we are confused as to why this is an issue. The two comments received concerning roof decoration are subjective and based on personal opinion; however it is important to understand that the original property in 1930 included roof decoration until it was re-roofed in 1974. My neighbour's property still has the original roof decoration. We are at amiss as why this issue is such that it warrants a full committee decision as the property is neither listed or in a conservation area and that we are in keeping with my neighbour's property in the grounds of which our property was built in 1930.

Your letter comments as to this application being less neighbourly. I would ask you to consider that the minor amendments have been incorporated to planning guidelines, supported by the department and with an approved permission in 2006. We have no intention of being un-neighbourly, exactly the opposite, and we hope in the light of this letter you have a better appreciation to the background of the improvements we are making to our property and indeed Norman Avenue.

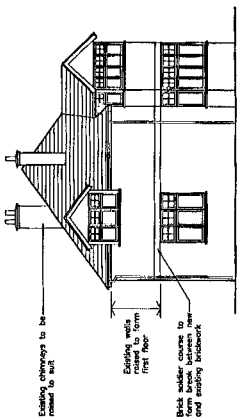
Yours sincerely

A handwritten signature, likely of John Cully, consisting of a series of overlapping, slanted lines.A handwritten signature in cursive script, reading "Lesley Cully".

John Cully and Lesley Cully

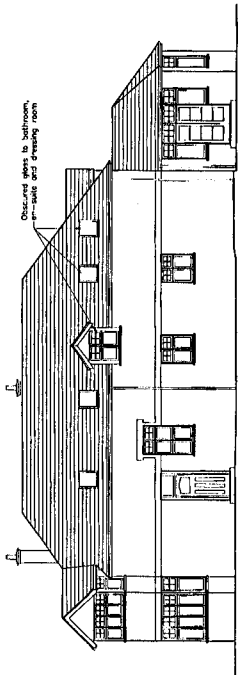
Cc

Andrew Melton – Architect
Andrew Thorley – Vale Planning Dept.

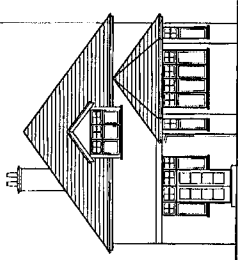


FRONT (east)

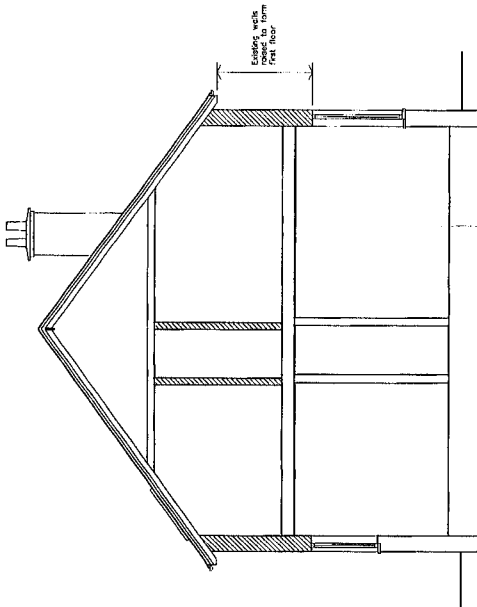
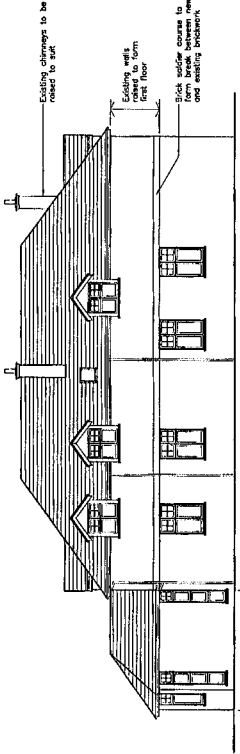
ELEVATIONS 1:100



SIDE (north)



REAR (west)



SKETCH SECTION 1:50

1:50 = 3m
 1:100 = 6m
 1:200 = 12m
 1:500 = 30m
 1:1000 = 60m
 1:2000 = 120m

VALLEY DISTRICT COUNCIL
 DISTRICT COUNCIL
 RECEIVED 15 JUL 1986
 CORPORATE POSTAL SERVICES 3

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Rev-B Nov.06 Overall amendments to match
 site construction
 Rev-A Nov.06 Minor amendments to doors and
 window details (copy) and re
 (west) elevations

06/09/71/FUL ABG/1877/3
 Andrew Melton, Architect
 15 Coleridge, Colwyn, Colwyn Bay, Gwynedd
 LL29 7JL, Wales, Tel: 0749 65173

Project: EXTENSION AND ALTERATIONS
 25 NORMAN AVENUE, ABINGDON
 Drawing: PROPOSED ELEVATIONS AND
 SECTION THROUGH
 Scale: 1:100, 1:50 etc. Date: 09 Dec 86
 Dwg No: 2083-048

APPENDIX 1

Notes



APPENDIX 1

The drawing is prepared by the Architect, under the Planning Act 1988 (Section 471). The drawing is for the purpose of submission to the Council for planning purposes. It is not to be used for any other purpose, and the Architect does not accept any liability for any loss or damage, whether in contract, tort or otherwise, arising from the use of the drawing for any other purpose. The drawing is prepared in accordance with the standards set out in the British Standard BS 1192:2009. A copy of the drawing is available for inspection at the office of the Architect, at the address shown on the drawing. The Architect's copyright is reserved.

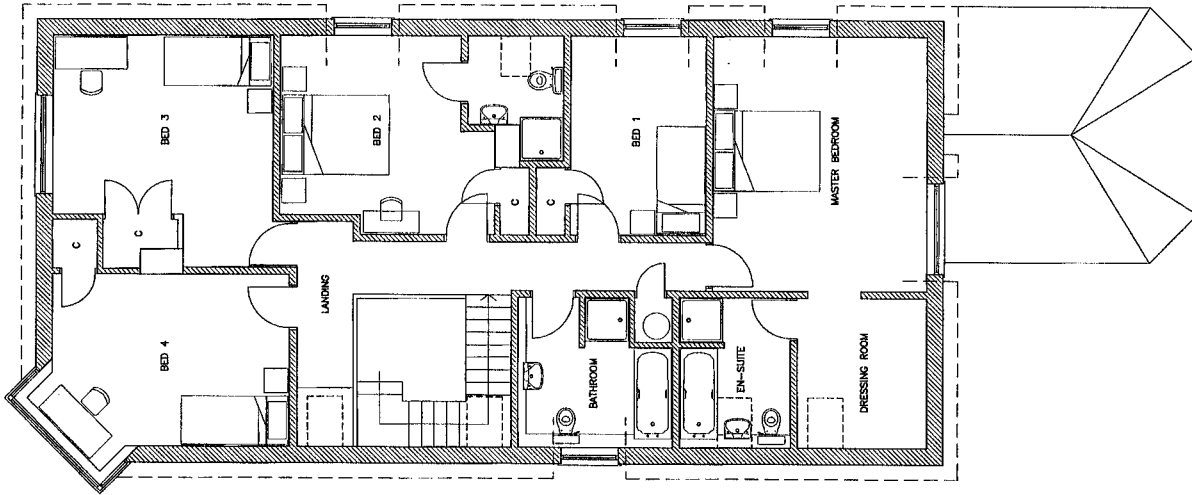
PLANNING PERMISSION
DISTRICT COUNCIL
REF: 2/04/18/0000
CONSENTS FOR
SERVICES 2

Rev B New 06 Minor amendments to first floor plan
Rev A New 05 Minor amendments to floor and roof
windows to side (north) and rear
(west) elevations

06/019171 JUL 18 10/11/13
Andrew Neilson Architect
115 Colindale Avenue, Colindale, London NW9 4JL
Tel: 01843 712060, Mobile: 07954 653132

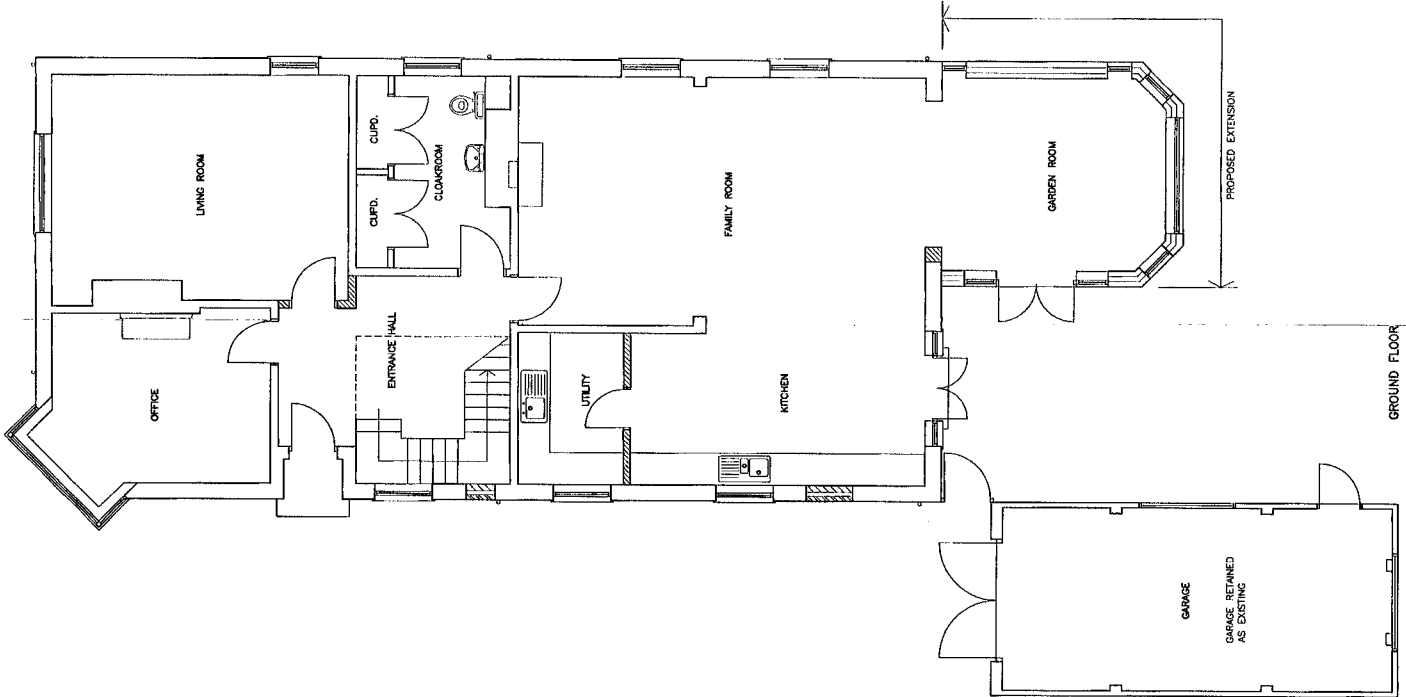
Project: EXTENSION AND ALTERATIONS TO
22 NORMAN AVENUE, LONDON
Drawing: PROPOSED PLANS
Scale: 1:50 Date: Jan 08 Drawn: AN
Dwg No: 2003-038

1:50 = 1m
1:100 = 10m
1:250 = 25m
1:500 = 50m
1:1000 = 100m



EXISTING ROOF RAISED TO
ACCOMMODATE NEW FIRST FLOOR

FIRST FLOOR



GROUND FLOOR
PROPOSED FLOOR PLANS

Existing boundary inside / fence

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF PERMISSION

To:

Mr & Mrs J Cully
c/o Andrew Melton Architects
155 Oxford Road
Cowley
Oxon OX4 2ES

COPY

Application No: **ABG/1877/2**

Proposal:

First floor and single storey rear extensions

Address:

29 Norman Avenue Abingdon Oxon OX14 2HQ

DATE OF DECISION: **28th February 2006**

The Vale of White Horse District Council, in pursuance of powers under the Above Act, hereby **PERMIT** the above development to be carried out in accordance with the application and accompanying plans submitted by you, subject to compliance with the **conditions** specified hereunder.

- 1 The development to which this permission relates shall begin within a period of three years from the date of this permission.
- 2 The materials to be used externally in the development shall match those of the existing dwelling, in terms of their colour, finish and appearance.
- 3 Prior to the first use or occupation of the development hereby permitted, and at all times thereafter, the proposed bathroom, en-suite and dressing room windows on the first floor north elevation shall be glazed with obscured glass only and shall be top-hung only. Thereafter and notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order) no additional windows shall be inserted in the flank elevations of the development hereby approved without the prior grant of planning permission.

25/9/03



The REASONS for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:

- 1 To comply with the requirements of Section 91 of the Town & Country Planning Act, 1990 (as amended).
- 2 In the interest of visual amenity. (Policies H18 and D1 of the adopted Local Plan).
- 3 In the interests of the privacy and amenity of neighbouring properties. (Policy D2 of the adopted Local Plan).

INFORMATIVE(S)

Planning permission has been granted as the proposed development is considered to comply with the provisions of the development plan, in particular Policies D1, D2 and H18 of the adopted Vale of White Horse Local Plan.

Rodger Hood
Assistant Director (Planning)

Notes

MATERIALS

- Roof - Yellow Red stain timber
- Walls - Yellow Red stain timber
- Light and windows - Down and windows
- Doors and windows - Timber with light stain
- Windows to be replaced.

The drawing is prepared by the Council. Design and Planning may be required. You may wish to consult with the Council to complete a current scheme. This drawing is a preliminary sketch and is not intended to be used for construction. It has been prepared in accordance with the provisions of the Building Act 2004. It is not intended to be used for any other purpose and you should refer to the provisions of the Building Act 2004.

1:50 = 3 m
 1:100 = 6 m
 1:200 = 12 m
 1:250 = 15 m

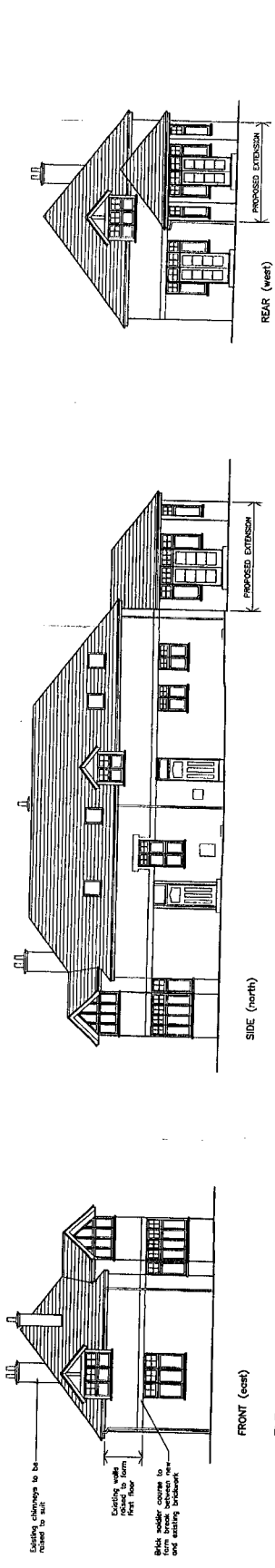
28 FEB 2008

VALE OF WHITEHORSE DISTRICT COUNCIL
 REC'D 28 JAN 208
 CORPORATE OFFICE
 SERVICES

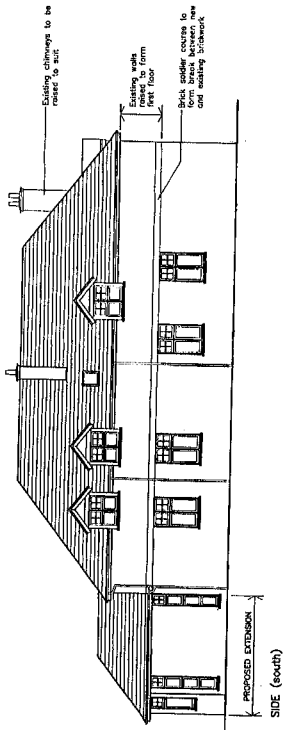
Andrew Melton, Arch
 15 O'Brien Road, Coleridge, Dunedin
 Tel: 03 478 7720; Fax: 03 478 6511
 Project: EXTENSION AND ALTERATION
 Drawing: PROPOSED ELEVATIONS
 Scale: 1:100, 1:50 Date: JAN 08
 DWG No: 2068-04

AGE/1877/2
 06/0089/FUL

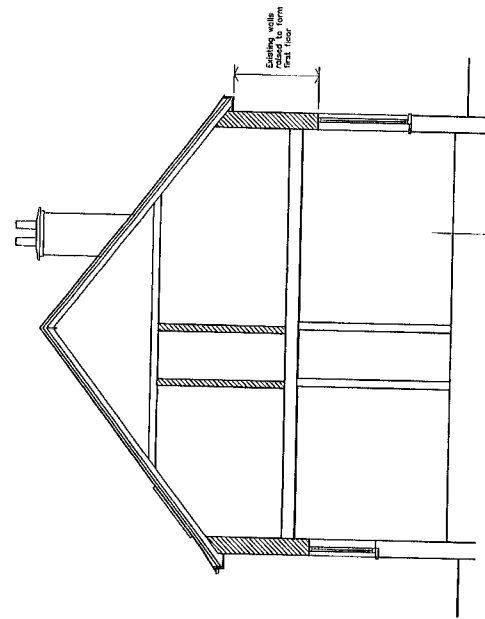
APPENDIX 1



FRONT (east)
 ELEVATIONS 1:100



SIDE (south)



SKETCH SECTION 1:50

Notes



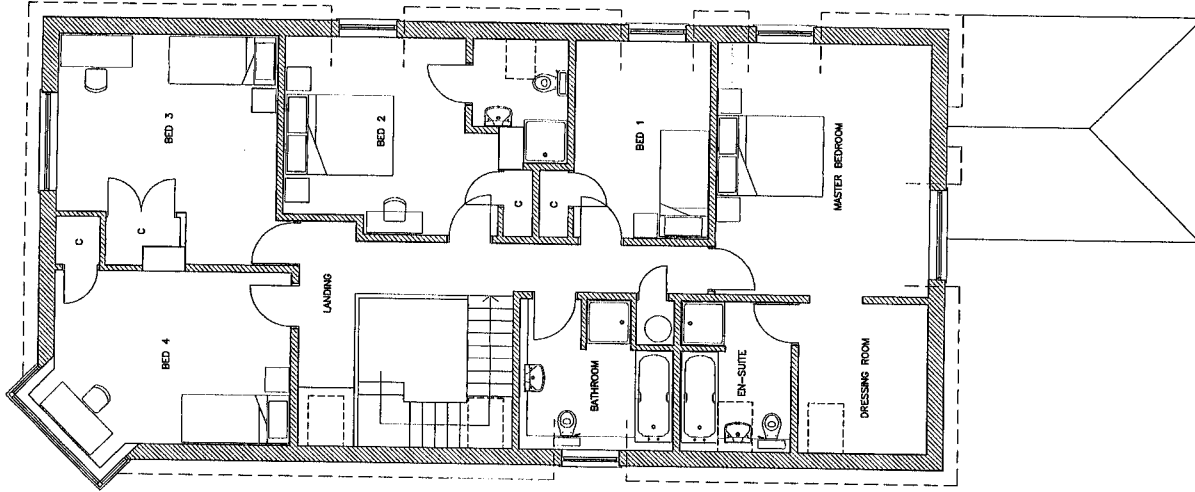
28 FEB 2006

VALUERS AND ARCHITECTS
DISTRIBUTION
REC'D 11 JUN 06
CORPORATE POSTAL
SERVICES-C

Andrew Melton Arch
135 Colwell Road, Colwell, Oxford, OX4 3JZ
Tel: 01493 712061, Mobile: 07956 883132

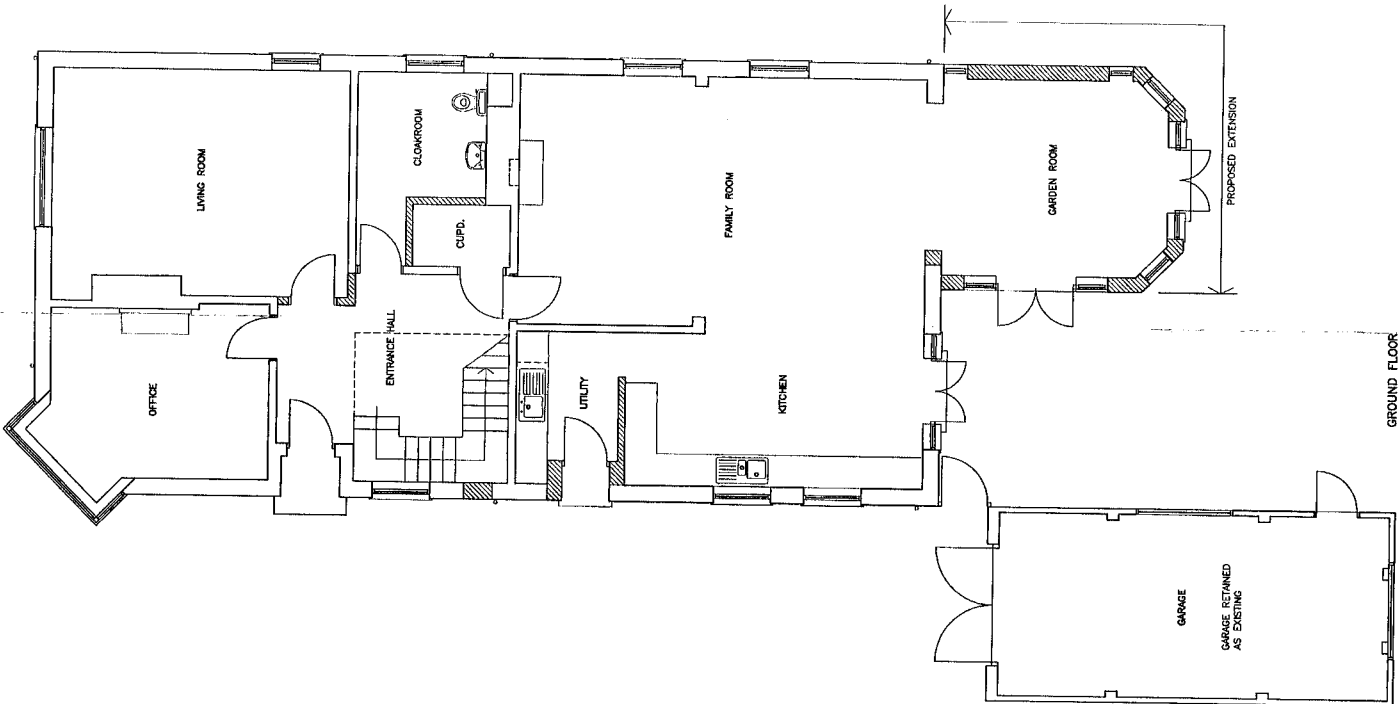
Project: EXTENSION AND ALTERAT
29 NORMAN AVENUE, ABB
Drawing: PROPOSED PLANS
Scale: 1:50 Date: Jan.06
Dwg No: 2005-03

APPENDIX 1



EXISTING ROOF RAISED TO
ACCOMMODATE NEW FIRST FLOOR

FIRST FLOOR



GROUND FLOOR
PROPOSED FLOOR PLANS

Existing boundary hedge / fence

ABG/19912 – S Smith

Conversion of existing house and erection of two storey and single storey extension to create four 1-bedroom flats. 20 Gainsborough Green Abingdon, OX14 5JH.

1.0 The Proposal

1.1 The application site is a semi-detached house on the corner of Gainsborough Green and The Hyde in Abingdon. It is proposed to build a two storey side extension and single storey rear extension to the house and convert the whole building into four 1-bedroom flats. The existing drive would be retained for 1 parking space, and 3 more parking spaces would be created off The Hyde to provide a total of 4 parking spaces. Extracts from the application drawings are in **Appendix 1**.

1.2 The application comes to Committee because of the number of objections received from local residents.

2.0 Planning History

2.1 None

3.0 Planning Policies

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

4.0 Consultations

4.1 Abingdon Town Council – does not object but requests the following be taken into account – “The roof line should match the sloping end rather than the gable end of the development.”

4.2 Local Residents – 7 local households have objected to the application on the grounds of:-

- i) Inadequate off-street parking on a site close to a roundabout, which will lead to additional on-street congestion
- ii) Loss of privacy

4.3 County Engineer – in view of the fact that the proposal meets the Council’s maximum parking standards and has adequate visibility for drivers, the County Engineer raises no objections subject to conditions.

4.4 County Archaeologist – no objection subject to an informative.

5.0 Officer Comments

5.1 The main issues for Members to consider are –

- The design and appearance of the proposal within the context of the locality
- The impact on neighbours
- Highway safety

5.2 With regard to the first issue, the proposed extension would be set in from the front wall of the existing house and would have a lower ridge than the ridge of the existing house. Visually, it would therefore appear to be subordinate to the existing house. The end wall of the proposed extension would be set 3 metres into the site and would maintain a significant space at this point. In view of the concern expressed by the Town Council, Officers are discussing an amended design for the roof of the proposal and progress on this issue will be reported orally at the Meeting. Overall, Officers consider the design and mass of the proposal to be acceptable.

- 5.3 Turning to the second issue, the closest houses to the site are No 18 Gainsborough Green and No 47 The Hyde. The two storey component of the proposed extension would be set away from the boundary with No 18 Gainsborough Green to comply with the Council's 40-degree rule. As a consequence, no harmful impact will occur to this neighbour. The side wall of No 47 The Hyde lies at the bottom of the garden on the application site 14 metres away from the rear wall of the house. Although this side wall contains two windows they do not serve habitable rooms – one is a bathroom window and the other a landing window. For this reason, no loss of privacy will arise from the fact that the first floor bedroom window in the rear wall of the proposed extension would face this direction. Moreover, no harm from overlooking of the rear garden of No 47 would occur.
- 5.4 The final issue is highway safety. To meet the Council's parking standards, the proposal needs 4 off-street parking spaces, which are proposed. One of these parking spaces would be served via the existing access onto Gainsborough Green, while three spaces would be served off a new access onto The Hyde. Currently, a tall conifer hedge lies on the roadside boundary of the site, which serves to obstruct vision for the existing access to the house. This hedge would be removed and replaced by a low wall, similar to other low boundary walls in the neighbourhood. In combination with the existing pavement and grass verge alongside The Hyde, this new wall would allow safe awareness of pedestrians and vehicles for residents using the proposed parking spaces. Subject to the provision of the new low wall, which can be required by condition, the County Engineer has no objections.

6.0 **Recommendation**

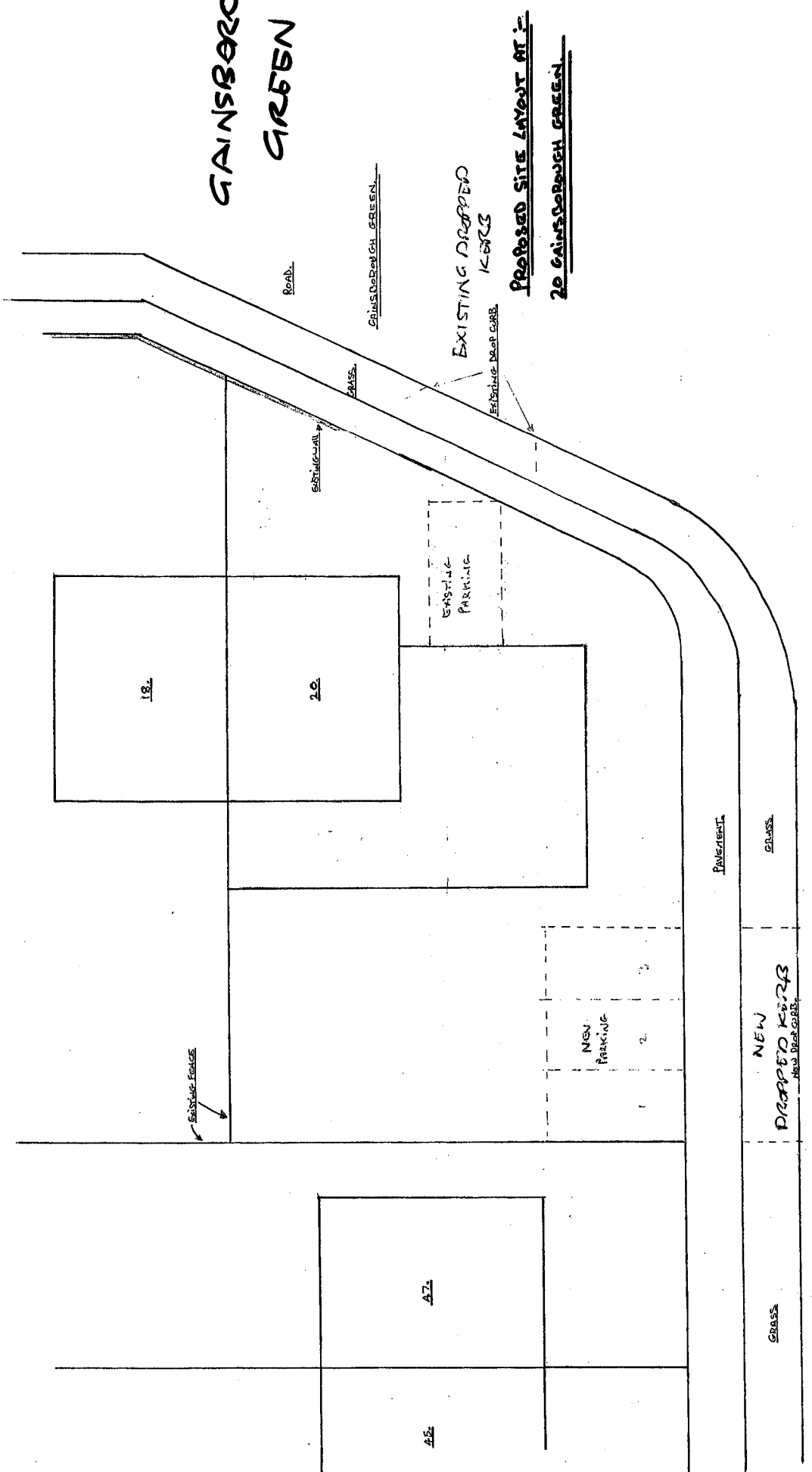
6.1 *Permission subject to the following conditions:-*

1. *TL1 Time Limit – Full Application*
2. *RE1 Matching Materials*
3. *HY25 Car Park Layout (Building)*
4. *RE7 Submission of Boundary Details*
5. *MC20 Amended Plans*

Informative

Archaeological notification

GAINSBOROUGH GREEN



PROPOSED SITE LAYOUT AT 20 GAINSBOROUGH GREEN

SCALE 1:100

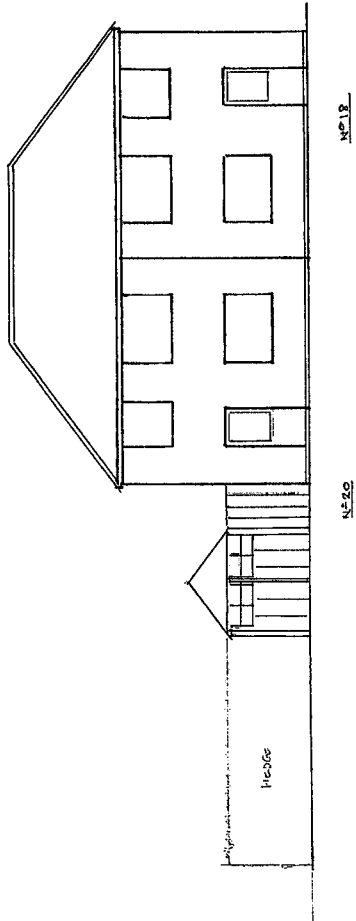
~~THE~~ HYDE

THE HYDE CONSULTANTS
15 FEB 2011
CONTRACT NO. 06
SHEPHERDSON

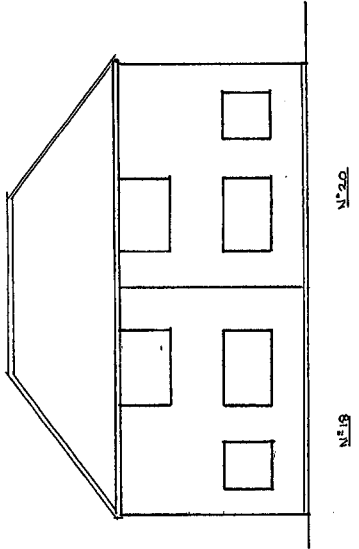
APPENDIX 1

PROPOSED EXTENSION-CONVERSION BT N° 20 GAINSBOROUGH GREEN, ARLINGTON.

EXISTING NORTH ELEVATION

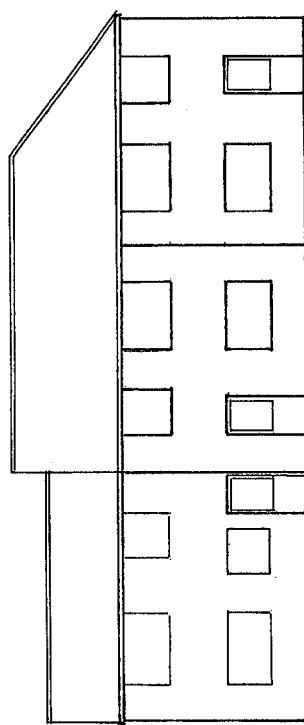


EXISTING SOUTH ELEVATION



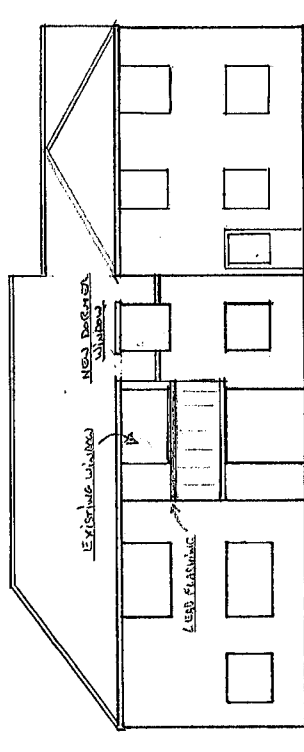
PROPOSED NORTH ELEVATION

EXTENSION

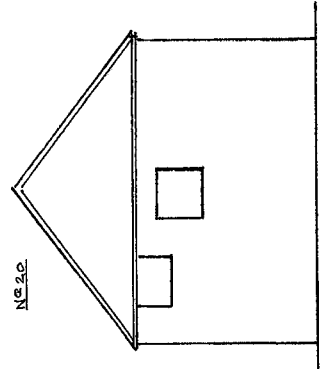


PROPOSED SOUTH ELEVATION

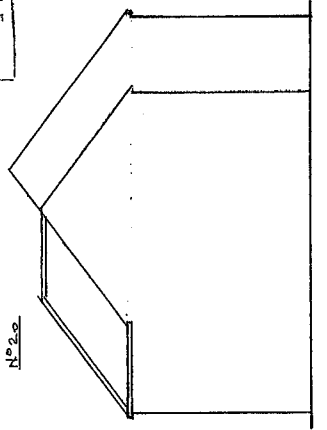
EXTENSION



EXISTING WEST ELEVATION

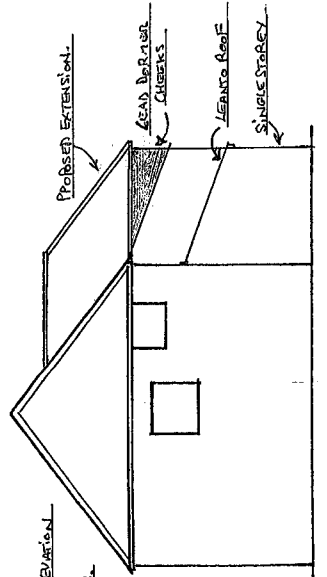


PROPOSED WEST ELEVATION



EXISTING EAST ELEVATION

N° 18



PROPOSED EXTENSION

LEAD FLASHING

LEAD FLASHING CHECKS

LEAD FLASHING

SINGLE STOREY

ARCHITECT
277 1111
CONTRACT NO. 1001

ASB/14512

HIN/19721/1 – Messrs C and B Norton

Demolition of garages. Erection of two storey detached dwelling with attached double garage. Land adjoining Rose Cottage, 1 High Street, Hinton Waldrist.

1.0 The Proposal

- 1.1 This application seeks outline planning permission for the demolition of a range of garages, and their replacement with a two storey detached dwelling with an attached garage.
- 1.2 Access and scale are due for consideration under this application, with appearance, landscaping and layout being ‘reserved matters’.
- 1.3 The site is located on the corner of High Street and The Row. It is bounded by traditional cottage style dwellings to the north, west and east, with the modern development of Laggots Close to the south.
- 1.4 A copy of the submitted plans showing the location of the proposal, with an illustrative layout together with the design and access statement are attached at **Appendix 1**.
- 1.5 The application comes to Committee because several letters of objection have been received.

2.0 Planning History

- 2.1 In September 2006, an application to erect two semi-detached dwellings fronting onto High Street was withdrawn due to adverse impacts on the amenities of neighbouring dwellings.

3.0 Planning Policies

- 3.1 Policy GS5 (making efficient use of land and buildings) promotes 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 H13 (development elsewhere) allows ‘infill’ development of one or two dwellings within the existing built-up area of Hinton Waldrist,
- 3.3 Policies DC1, DC5, DC6, and DC9 (quality of new development) 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 PPS3, “Housing”, is also relevant and reiterates the key objectives of developing previously developed sites ahead of greenfield sites and making the most effective and efficient use of land.

4.0 Consultations

- 4.1 Hinton Waldrist Parish Council does not object to the proposal, but requests that the new dwelling be positioned 1m further back from High Street.
- 4.2 County Engineer – no objections, subject to conditions.
- 4.3 Drainage Engineer – no objections (subject to conditions).
- 4.4 5 letters of objection have been received, which are summarised as follows:
 - The loss of this site to residential development will erode the character of the village. The land has been a waste land for several years with its quaint tumble-down garages which contributes to the rural character of the village.
 - The proposed development would be out of character with existing properties opposite.

- The proposal will result in a loss of privacy / light to neighbours, in particular to No1 Laggots Close and those properties in The Row.
- The informal parking area in front on this site (accessed from The Row) will be lost. Parking in The Row is at a premium as it is and residents will lose the freedom to park here.
- The new dwelling will increase traffic movements on an already congested road.
- The existing sewer system regularly gets blocked. A new dwelling will only add to this problem.
- The new dwelling will also be built on land that absorbs surface water, which will lead to flooding.
- Whilst the application gives no details of the size of the dwelling proposed, it must not be bigger than the nearby historic and modest sized cottages.

5.0 **Officer Comments**

- 5.1 The main issues in this case are considered to be 1) the principle of the development in this location, 2) the impact of the proposal on the character and appearance of the area, including its design, 3) the impact of the proposal on neighbouring properties, and 4) the safety of the access and parking arrangements.
- 5.2 On the first issue, Hinton Waldrist is a village which in planning terms is classed as a small settlement and is thus restricted to infill housing proposals only of 1 or 2 small dwellings as outlined in Local Plan Policy H13. The site in question lies within the built-up area of the settlement and the proposal, therefore, is considered acceptable and an appropriate form of development in this location.
- 5.3 Regarding the second issue, the scale of development in the form proposed is not considered to be out of keeping with the locality. Other two storey dwellings exist nearby. Furthermore, the loss of the 'waste land' is not considered to be so detrimental to the character of the village as to warrant refusal of this application. A suitably designed dwelling could equally preserve or enhance this site in the context of the character of the village. Consequently, Officers consider the visual impact of the proposal to be acceptable.
- 5.4 Turning to the third issue, the impact on neighbouring properties, matters of layout, and appearance are reserved matters. However, it is considered that no harm would be caused to those properties opposite the site to the north, on High Street. The properties most affected would be those in The Row, No1 Laggots Close to the south and Rose Cottage to the west. Any impact on light or privacy to these properties is not considered to be sufficiently harmful to warrant refusal as, in your Officer's opinion, a suitably designed dwelling can be satisfactorily accommodated on the site.
- 5.5 In terms of parking and access, the proposed arrangements are considered acceptable. The parking provision illustrated (3 spaces) provides ample space for the new dwelling. Adequate visibility can also be achieved at the new access to ensure pedestrian and highway safety.
- 5.6 With regard to concerns raised over the loss of informal parking and loss of the existing garages, it needs to be borne in mind that existing residents have no right to park on the land in front of the site, and any arrangement for renting the garages from the applicant is a civil matter. The County Engineer has raised no objection to the proposal, and thus planning permission could not reasonably be refused on these grounds.
- 5.7 On the issue of drainage, it is not considered that one additional dwelling would overburden the existing sewerage network.

6.0 **Recommendation**

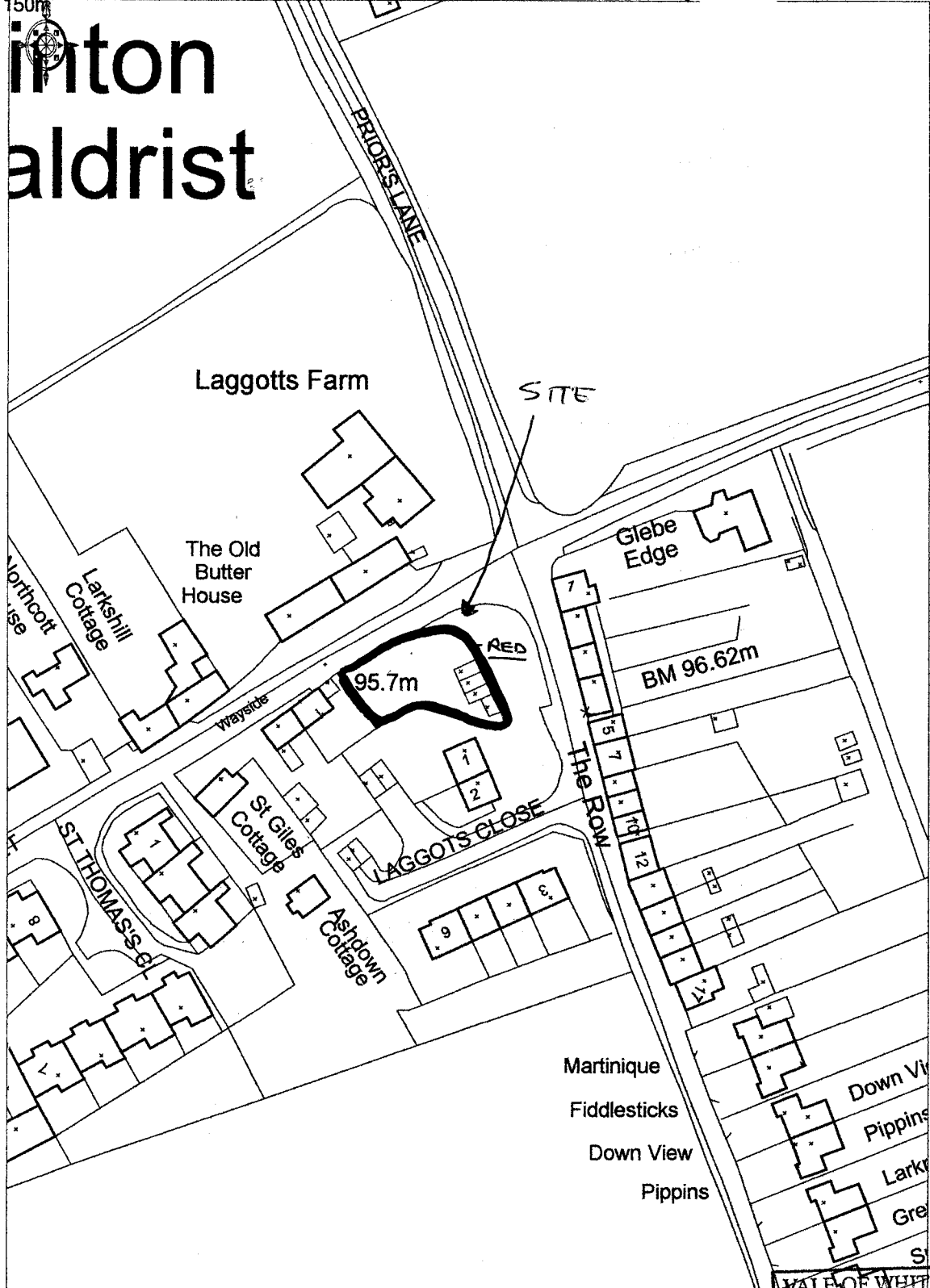
- 6.1 *That planning permission be granted subject to the following conditions:*

1. TL2 *Time Limit*
2. OL2 *Reserved matters*
3. RE3 *Restriction on extensions / alterations to dwelling (PD rights removed)*
4. RE4 *Restriction of fence erection*
5. RE8 *Submission of drainage details*
6. HY3 *Access in accordance with specified plan*
7. RE14 *Garage accommodation to be retained*

Land Adjoining Rose Cottage
1 High Street
Hinton Waldrist
Faringdon
Oxon
SN7 8RN

07/00195/OUT HIN/19721/1

1:50 = 3m
1:100 = 6m
1:200 = 12m
1:500 = 30m
1:1250 = 75m
1:2500 = 150m



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Ordnance Survey

D I Fisher FRICS
Chartered Surveyors

VALE OF WHITE HORSE
DISTRICT COUNCIL
REC'D 08 FEB 2007
CORPORATE POSTAL

(A4)

Notes:
DO NOT SCALE. All dimensions must be checked/verified on site.

Date	Revisions

D I Fisher FRICS
Chartered Building Surveyor
47 Priory Orchard
Wantage
Oxon OX12 9EL
Phone 01235 767775



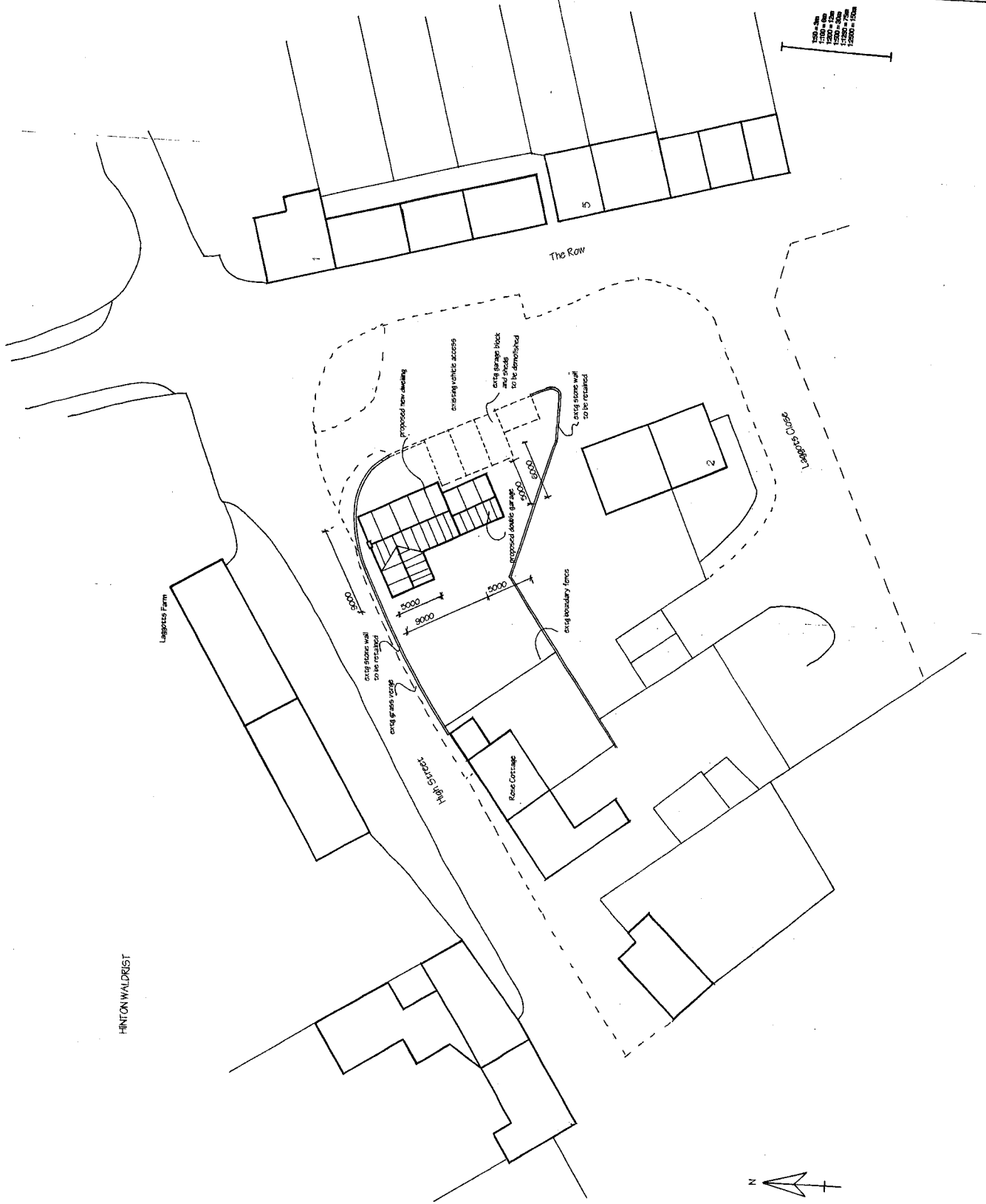
Client: Messrs C & B Norton
Job Title: Erection of Detached Dwelling Land Adjoining Rose Cottage

1 High Street
Hinton Waldrist
Farnham

Drawing Title: **OUTLINE PLANNING PROPOSALS**

PROJECT NO: 11/10/11
DATE: 11/10/11
DRAWN BY: [Signature]

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Design and Access Statement

Demolition of prefabricated garages.

Erection of two storey detached dwelling with attached double garage.

Land adjoining Rose Cottage,

1 High Street, Hinton Waldrist, Faringdon, Oxon, SN7 8RN.

For Messrs C and B Norton.

The property, which formerly formed part of the garden to Rose Cottage, is located in a very prominent position near to the eastern side of the village. Located adjacent to a cross roads any future house will also be visible from four directions.

The proposed site layout positions the two storey dwelling towards the north east corner of the plot to limit the impact on the current properties to the west and south and to maximise the rear garden area. The configuration and scale of the proposed layout also provides scope to develop the design on the two most visible main elevations whilst containing it within a footprint sympathetic with the overall size of the plot.

There is an established vehicle access to the east side of the site currently serving a row of prefabricated garages which are to be demolished as part of the proposed development. The location of the property, facing the east boundary also utilises this and therefore minimises any effect on the surrounding roads.

D I Fisher FRICS

7 February 2007

KBA/6770/10 – W Associates

Demolition of existing bungalow. Erection of 4 detached dwellings, garages, parking and access road. Stanab, Faringdon Road, Kingston Bagpuize, OX13 5BG.

1.0 The Proposal

- 1.1 This application seeks full planning permission for the demolition of Stanab, a modest single storey bungalow set within a large plot, and its replacement with 4 detached dwellings (3 x 4 bedroom and 1 x 3 bedroom) with associated parking and garage space.
- 1.2 The property, located on the north side of Faringdon Road, is bounded by a mixture of residential styles with a traditional cottage to the north, known as Sunny Lawn, and Blenheim Way, a modern development comprising detached executive style dwellings to the east. The Waggon and Horses Public House lies to the west of the site.
- 1.3 The application is a resubmission following an earlier scheme that was withdrawn in January 2007. The key change is the relocation of plots 2 and 3 further to the west to increase their distance from the properties in Blenheim Way from 11.7m to 14.6m.
- 1.4 A copy of the submitted plans showing the location of the proposal, its design and layout together with the design and access statement are attached at **Appendix 1**. A copy of the block plan of the withdrawn scheme is attached at **Appendix 2**.
- 1.5 The application comes to Committee because several letters of objection have been received and Kingston Bagpuize with Southmoor Parish Council's view differs from the recommendation.

2.0 Planning History

- 2.1 In 1990 and 1991 planning permission was refused for the erection of a bungalow in the garden of Stanab. In 1992, planning permission was refused for two bungalows on the site. All of these properties were proposed to have access off the track that runs along the western boundary. In 1994, planning permission was granted for the erection of a 2 bedroom bungalow.

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 Kingston Bagpuize with Southmoor, provided the scale, layout, mass and design of the dwellings would not materially harm the structure, form and character of the area and the proposal does not involve the loss of facilities important to the local community (i.e. informal public open space).
- 3.3 Policy H15 (housing densities) seeks net residential densities of at least 30 dwellings per hectare in the larger villages, provided there would be no harm to the character of the surrounding area or the amenities of adjoining properties.
- 3.4 Policies DC1, DC5, DC6, and DC9 (quality of new development) 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.

3.5 PPS3, "Housing", is also relevant and reiterates the key objectives of developing previously developed sites ahead of greenfield sites and making the most effective and efficient use of land.

4.0 **Consultations**

4.1 Kingston Bagpuize with Southmoor Parish Council objects to the proposal. Their full comments are attached at **Appendix 3**.

4.2 County Engineer – no objections, subject to conditions and a financial contribution towards enhancement of the bus route to assist sustainability.

4.3 Drainage Engineer – no objections (subject to conditions).

4.4 5 letters of objection have been received, which are summarised as follows:

- The proposal is out of keeping with other properties in the area, especially in having no set back from Faringdon Road and being 3-storey.
- It is an overdevelopment of the site, and should be 2 detached dwellings only.
- 4 new dwellings will ruin the outlook from properties adjoining the site.
- The proposed plans fail to take account of the rear extension to no 3 Blenheim Way which is only 9.1m from plot 3. This does not comply with the Council's guidance of 12m.
- The rear first floor window in plot 3 will overlook no 3 Blenheim Way.
- Plots 1 and 2 are too close to the boundary wall with Faringdon Road, and will be oppressive to pedestrians walking along this road.
- Plot 4 fails to meet a 21m distance in respect of no 9 Blenheim Way.
- Back to back distances of 21m and side to back of 12m are too short. Other Oxfordshire Councils consider 25m and 15m respectively to be the minimum acceptable distance.
- The pond to the southwest of the existing dwelling is a habitat for dragonflies, which will be lost with the construction of plot 1.
- The Local Plan shows that sufficient dwellings will be built in the village up to 2011. This scheme should therefore be rejected. The village does not need more housing.
- The proposal does not comply with the Council's requirement to provide a mix of housing in that no 2 bed units are proposed.
- The revised plans do not address previous concerns raised.

5.0 **Officer Comments**

5.1 The main issues in this case are considered to be 1) the principle of the development in this location, 2) the impact of the proposal on the character and appearance of the area, including its design and its impact on existing trees, 3) the impact of the proposal on neighbouring properties, and 4) the safety of the access and parking arrangements.

5.2 On the first issue, Kingston Bagpuize with Southmoor is identified in the Local Plan as a larger village that can accommodate new housing development within its built up area providing the layout, mass and design would not harm the character of the area. PPS 3 'Housing' also makes it a priority to use previously developed land for new housing. Previously developed land includes the curtilage of an existing dwelling. Furthermore, PPS3 seeks the building of homes for families and encourages the use of innovative approaches to achieve higher densities within existing settlements. In this respect, the principle of a development detached family dwellings is therefore considered acceptable and an appropriate form of development in this location.

5.3 Regarding the second issue, the development in the form proposed is not considered to be out of keeping with the locality, and has been designed to appear as four family dwellings, with plot 3 being deliberately set back from Faringdon Road to enable the retention of the existing tree located in the corner of the site. Whilst the plots fronting Faringdon Road will have

accommodation in the roof, in terms of bulk and massing, they are not considered to be overly tall or large, having ridge heights of 8.3m. When compared to properties in Blenheim Way, the bulk and massing of the proposed units are not considered to be an overdevelopment of the site, and they would sit comfortably within the site so as not to appear cramped when viewed from the street. Consequently, Officers consider the visual impact of the proposal to be acceptable.

- 5.4 In terms of density, the proposal is just over 23 dwellings per hectare. Whilst below 30 as sought under Policy H15, this is considered acceptable in this location
- 5.5 Turning to the third issue, the impact on neighbouring properties, it is considered that no harm would be caused to those properties opposite the site on Faringdon Road, or to the property, Sunny Lawn that lies to the north of the site. The properties most affected lie to the east, in Blenheim Way. The Council's guidance is a minimum 12m distance between windows and flank elevations. Within this context, plot 3 is sited 14.6m to the west of no 1 Blenheim Way and 12.6m west of no 3 Blenheim Way. Whilst the extension to no 3 Blenheim Way is not shown on the submitted block plan, the distances quoted above are the parallel distances, and plot 3 does not encroach on the alignment of the rear elevation of the extension where the 12m rule would be applied. Consequently the spatial relationship between plot 3 and the properties in Blenheim Way are considered acceptable.
- 5.6 The new dwellings are also sited to respect the amenity and privacy of existing dwellings that adjoin the site, where no direct overlooking between dwellings will occur from plots 1, 2 and 3. Whilst Plot 4 is orientated to face the rear garden area of no 9 Blenheim Way, any impact on light or privacy to this property is not considered to be sufficiently harmful to warrant refusal, given that plot 4 is 16m from the common boundary.
- 5.7 In terms of parking and access, the proposed arrangements are considered acceptable. The parking provision shown provides at least 2 spaces for each unit. Adequate visibility can also be achieved at the new access onto Faringdon Road to ensure pedestrian and highway safety. The County Engineer has raised no objection subject to conditions.
- 5.9 With regard to concerns raised in over provision of dwellings in the village in respect of figures quoted in the current Local Plan, the unit numbers stated in table 8.2 of the Local Plan do not prevent further windfall sites such as this being permitted.

6.0 **Recommendation**

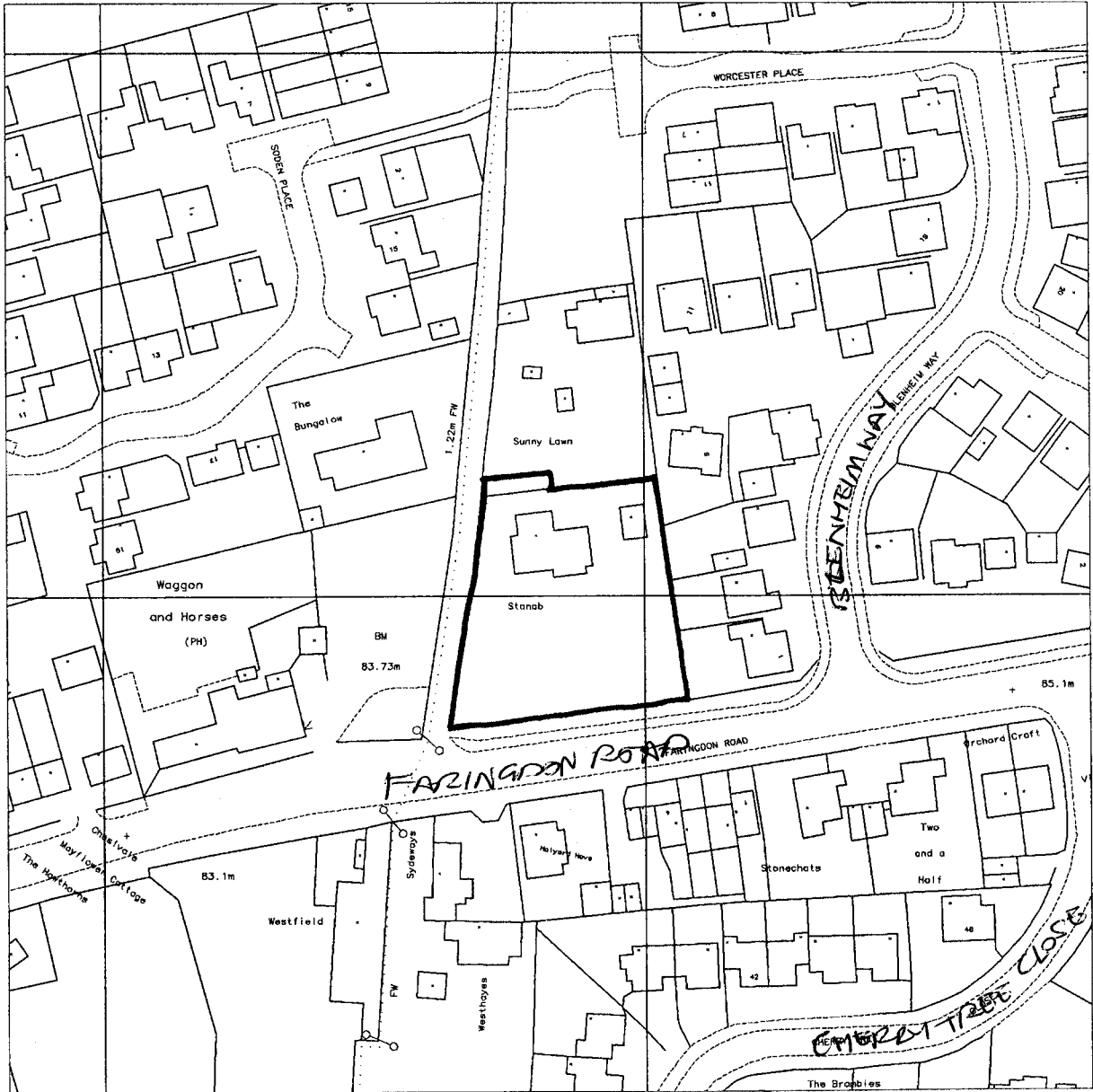
6.1 *That authority to grant planning permission subject to the following conditions is delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Committee Chair to allow the completion of a Section 106 Agreement to secure the required financial contribution.*

1. TL1 Time Limit
2. MC2 Sample Materials to be submitted.
3. RE2 Restriction on extensions / alterations to dwellings (PD rights removed)
4. RE8 Submission of drainage details
5. RE7 Submission of boundary details
6. RE22 Slab Levels
7. RE14 – Garage accommodation to be retained.
8. Access in accordance with specified plan

9. *Turning space in accordance with specified plan*
10. *Car parking layout in accordance with specified plan*
11. *LS4 – Submission of landscaping scheme*
12. *HY11 – Specified vision splays (access)*
13. *No development shall commence until tree protection measures in accordance with BS5837 (2005) have been erected and inspected by the Council's Arboricultural Officer. Such measures shall be retained as approved at all times during construction, and no storage of plant, equipment or materials or any burning of waste shall take place within the protected areas.*

6.2 *That authority to refuse planning permission is delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Committee Chair should the Section 106 Agreement not be completed within the 8 week period (which ends on 3 April 2007). The reason for refusal would be based on the lack of necessary financial contributions towards improving local services and facilities.*

VALLEY OF WHITE HORSE
DISTRICT COUNCIL
REC'D 7 1 DEC 2006
CORPORATE POSTAL
SERVICES - 3

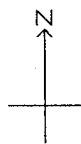


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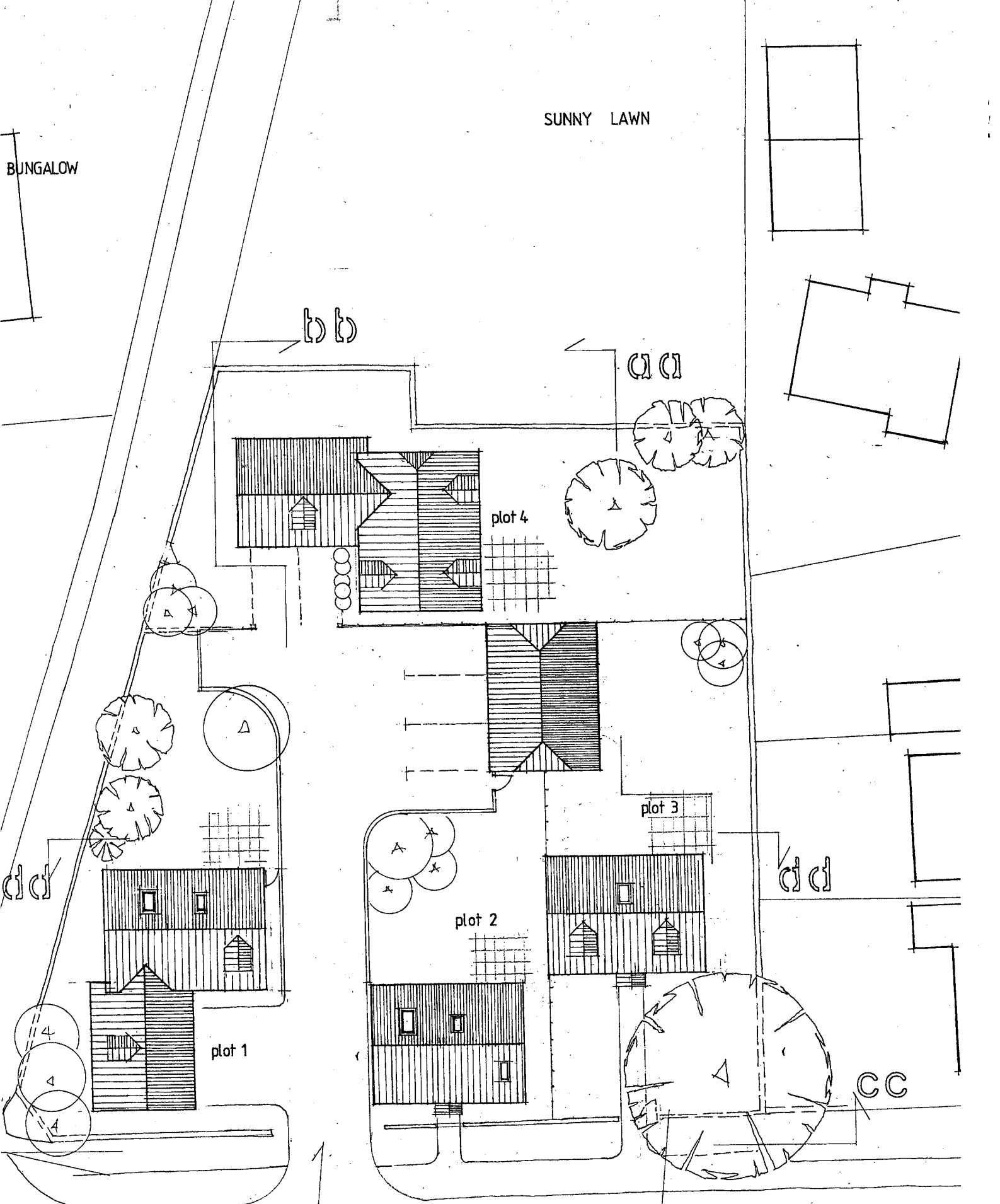
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National Grid of this Site:

Supplied by Serial Numt

SUNNY LAWN

BUNGALOW



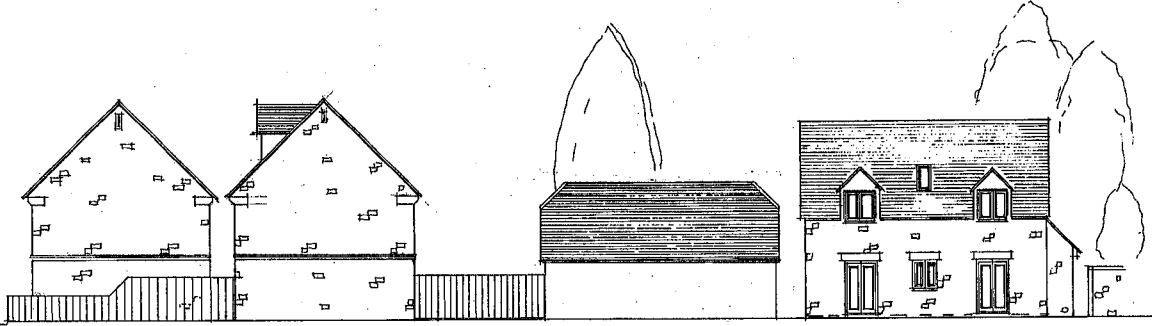
PROPOSED ACCESS

EXISTING ACCESS REMOVED

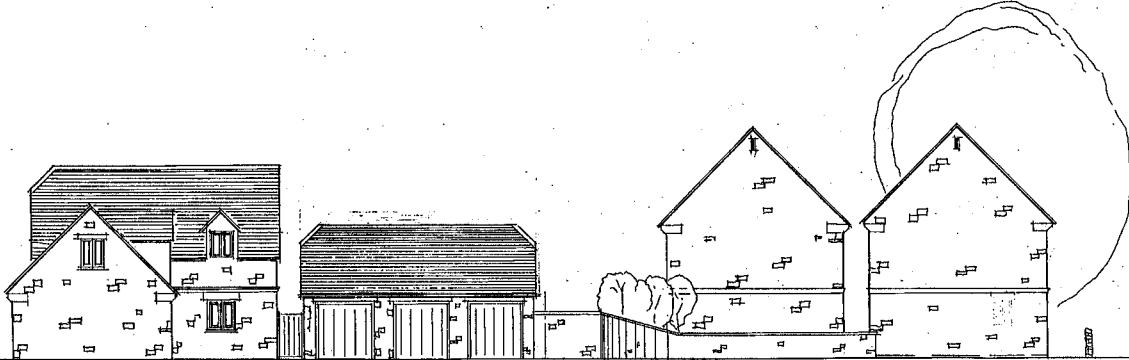
FARINGDON ROAD

NEW PROPOSAL

APPENDIX 1



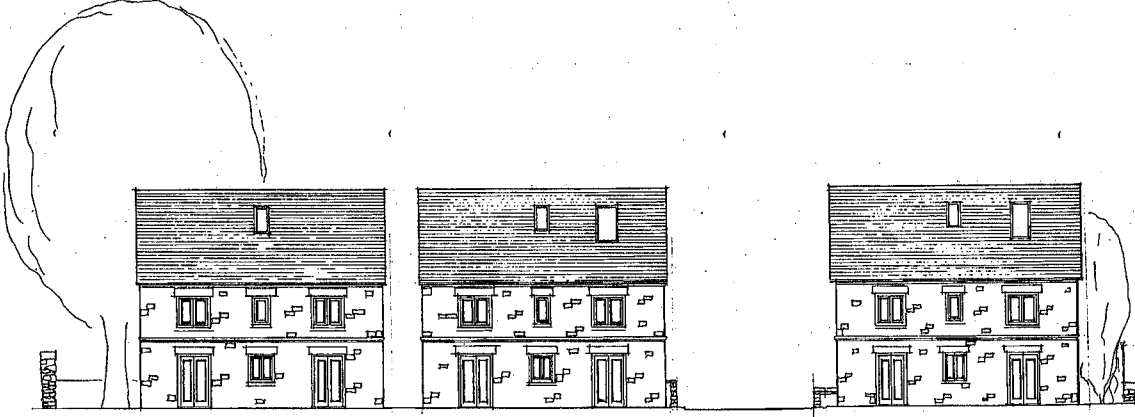
site section a a



site section b b



site section c c



site section d d

07/00180/FUL KBA/6770/10

Victor C. Brown
Chartered Architect

STANAB
FARRINGTON RD
SOUTHMOOR

SITE ELEVATIONS
PLANNING SUBMISSION **AI**

scale 1:100

date: NOV 06 drawn: *R.M.C.*

dwg no. 06 779 04 rev. **A**

1:50 = 3m
1:100 = 6m
1:200 = 12m
1:500 = 30m
1:1250 = 75m
1:2500 = 150m

VILLE OF WHITE HORSES
DISTRICT COUNCIL
REC'D 8 5 FEB 1987
CORPORATE POSTAL
SERVICES - 5

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VICTOR C. BROWN

— Chartered Architect —

**Proposed demolition of bungalow and
construction of 4 no. detached houses, garages,
parking and access road at
Stanab, Faringdon Road, Southmoor,
Oxfordshire.**

DESIGN & ACCESS STATEMENT

01/00180/FUL KBA/6770/10

December 2006

APPENDIX 1

DESIGN

1. The proposal is to demolish the existing bungalow on the site and construct four detached houses with garages, parking and access road.
2. The development comprises 3 no. 2½ storey, 4-bedroom dwellings and 1 no. 1½ storey, 3-bedroom dwelling. The 2½ storey units are sited along the street frontage, similar to other developments nearby but with Unit 3 set back to provide a varied and interesting street elevation and to retain the existing mature tree in the south-east (front) corner of the site.

The fourth unit, to the rear of the site, is 1½ storeys high to reduce the massing of the building and prevent it over-dominating the garden area of the property to the north. A half hip has been introduced to the roof on the north side to further reduce the building's impact. All the dwellings are orientated so that there is no over shadowing or overlooking between the buildings on the site or adjacent properties.

3. The site is comparatively large and the layout has been designed to accommodate not only the dwellings but the parking areas, garage, and access, and so that all the dwellings have sizeable private garden areas that cannot be overlooked either by other dwellings in the development or by neighbouring properties.
4. In terms of appearance the buildings will be constructed traditionally, utilizing materials and detail sympathetic in both design and character, not only to the neighbouring houses but to the area generally, and with ridge heights no higher than those of the houses on the adjacent Blenheim Way development.

LANDSCAPING

1. The site has very defined boundaries and the high walls to the east and north will be retained. The mature trees and shrubs on the west boundary, adjacent to the access track will be retained as far as possible to provide privacy to the garden area of Unit 1. As previously stated, the large tree in the south-east corner will be retained together with the mature maple and cherry trees in the rear garden of Unit 4.

The low front boundary wall will be retained but altered to create a new vehicular access and pedestrian gates to the houses.

The private garden areas will be turfed with paved footpaths and driveways to the houses. The access road will also be paved, with a rumble strip formed in granite sets at the entrance to the site.

ACCESS

1. The existing access to the site will be closed and the wall, footpath and verge reinstated. A new road, 4500mm wide will be formed to provide access to the garages and parking areas so that cars can park within the curtilage of the site and enter and leave in a forward direction.
2. Similarly, service vehicles and emergency access vehicles can likewise enter the site and turn within the hammerhead and have access to all dwellings. Parking is provided on the basis of minimum 3 spaces per dwelling, with all units having lockable garages and space available for visitors.
3. The site is flat and level access will be provided to all houses, particularly between the parking spaces and the dwellings. Level access to the principal entrance in each dwelling will be provided in accordance with the Building Regulations.

APPENDIX 2



Victor C. Brown
Chartered Architect

STANAB
SOUTHMOOR
SOUTHMOOR

SITE LAYOUT PLAN
PLANNING SUBMISSION

scale 1:200

date: NOV 06 drawn RMG.

dwg no. 06:779:01 rev.

PREVIOUS PROPOSAL

VALLEY OF WHITE HORSE
DISTRICT COUNCIL
REC'D 7 1 DEC 2006
CORPORATE POSTAL
SERVICES 3

SHR/6795/2 – Mr & Mrs S G Hughes

Demolition of existing garage & erection of new double garage & store room. 28 Claypits Lane, Shrivenham, SN6 8AH.

1.0 The Proposal

1.1 This application seeks planning permission for the erection of a new garage and store in the north-east corner of the application site. The proposed structure would measure 9.3 metres wide by 5.2 metres deep, with an eaves height of 2.5 metres and a ridge height of 5.8 metres. Comprising of a double garage, store, w.c and loft store, the proposal would replace an existing garage and garden store located on the northern boundary of the site. The application site lies within Shrivenham Conservation Area. The application drawings and site plan are at **Appendix 1**.

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

2.0 Planning History

2.1 Planning permission was granted in 1982 for a 'Single storey extension to form study / bedroom, bathroom and sun lounge'.

2.2 Application SHR/6795/1 for a 'Proposed side and rear ground floor extension with alterations' was permitted in July 2006.

2.3 Conservation area consent was granted in January 2007 for the demolition of the existing garage.

3.0 Planning Policies

3.1 Policy H24 of the adopted Vale of White Horse Local Plan allows for the erection of ancillary buildings within the curtilage of a dwelling 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 Policy DC1 of the Local Plan refers to the design of new development, and seeks to ensure development is of a high quality and takes into account local distinctiveness and character.

3.3 Policy DC9 of the Local Plan refers to the impact of new development on the amenities of neighbouring properties and the wider environment in terms of, among other things, loss of privacy, daylight or sunlight, and dominance or visual intrusion.

3.4 Policy HE1 of the Local Plan seeks to ensure that development within or affecting the setting of a Conservation Area preserves or enhances the established character or appearance of the area.

4.0 Consultations

4.1 Shrivenham Parish Council objects to the proposal for the following reasons:

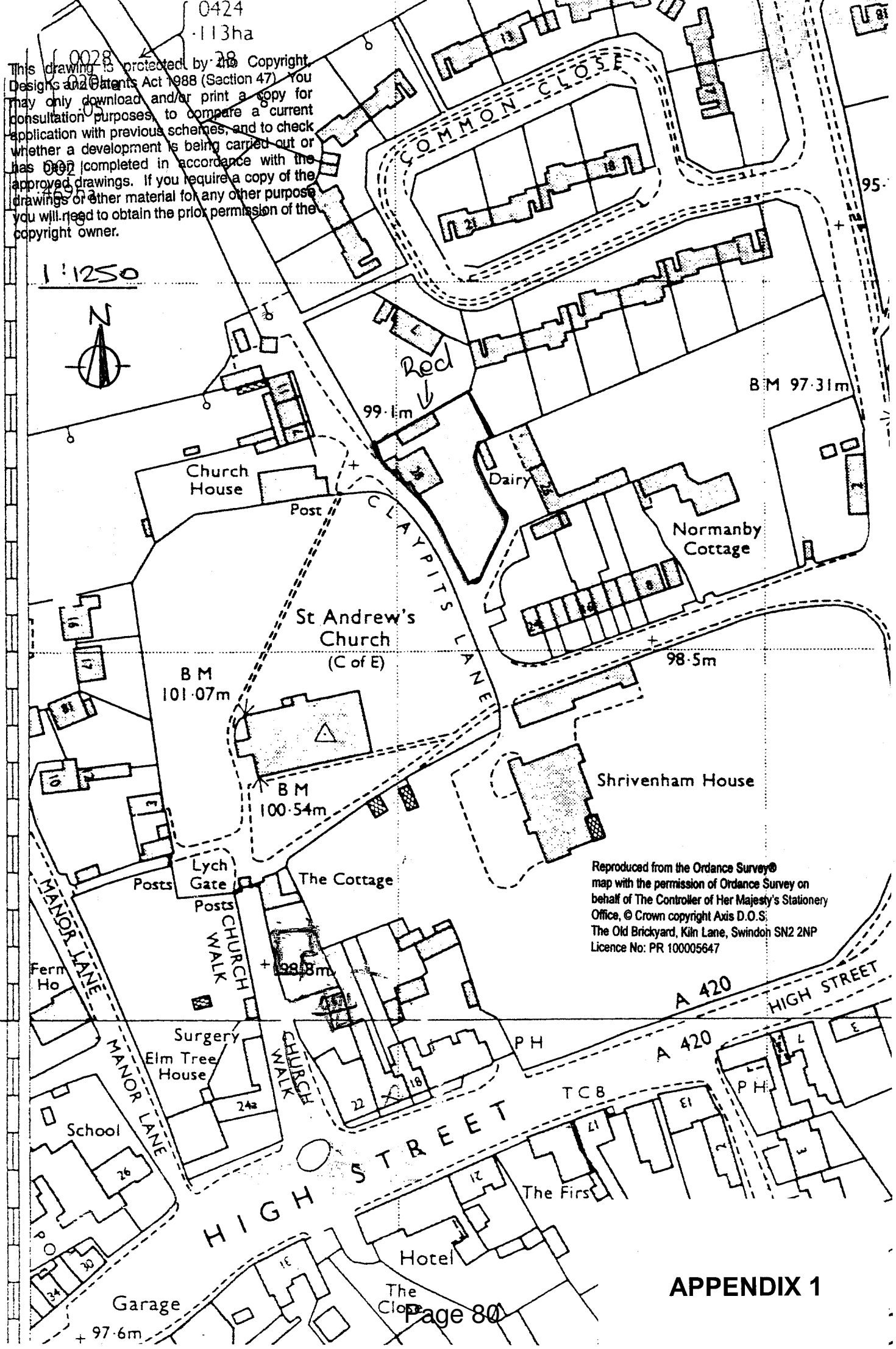
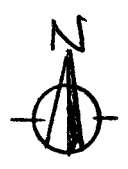
- "Height of building compared to neighbouring properties.
- Use of upper storey should be restricted to storage only."

- 4.2 One letter has been received from a neighbour in support of the application on the grounds that the proposal 'will enhance the existing limited parking / turning area in this part of Claypits Lane'. However they request 'that the window to the north gable end, overlooking the adjoining garden, has opaque glass installed'.
- 4.3 The Council's Arboricultural Officer has no objection to the proposed removal of the apple tree.
- 4.4 The County Engineer has no objection to the proposal subject to conditions.
- 5.0 **Officer Comments**
- 5.1 The main issues in determining this application are the impact on the Conservation Area, the potential impact on neighbouring properties, and the impact on highway safety.
- 5.2 Given the location of the proposed garage in the north-east corner of the application site, and the fact that it will be seen in the context of the existing dwelling with limited views from public vantage points, your Officers consider that the proposed development will preserve the appearance of the Conservation Area. In order to ensure that the materials used in the construction of the garage have regard to the Conservation Area, it is recommended that samples be submitted for approval prior to the commencement of any work (see Condition 2 below).
- 5.3 Your Officers consider that the proposal would not have a detrimental impact on adjoining properties in respect to either overdominance or overshadowing. The proposed garage would be set behind a 2 metre high boundary wall / fence and would be screened to the north-east of the site by existing vegetation in the curtilage of No.6 Common Close. Concern has been raised in relation to potential overlooking of adjoining properties caused by the window in the north gable end of the proposed garage. Given that this window is located at ground floor level and would be positioned below the height of the existing boundary wall / fence, it is not considered that any undue overlooking would be caused. The only windows proposed at first floor level serving the loft storage area face onto the courtyard of the application site. Given the location of the proposed structure within a Conservation Area, any additional alteration to the building, including the insertion of new windows, would require planning permission.
- 5.4 The proposed repositioning of the existing garage and the creation of a turning space will improve the existing situation in relation to highway safety. At present there is no turning on site, and this situation will be greatly improved by the proposal, thus improving safety for all users of the highway.
- 6.0 **Recommendation**
- 6.1 *It is recommended that planning permission be granted, subject to the following conditions:-*
1. TL1 *Time Limit – Full Application.*
 2. MC2 *Submission of Materials (Samples).*
 3. HY16 *Turning Space in accordance with Specified Plan.*
 4. HY29 *No Surface Water Drainage to Highway*

0424
113ha

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1:1250



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APPENDIX 1

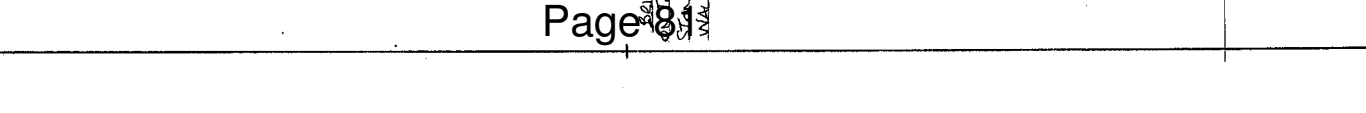
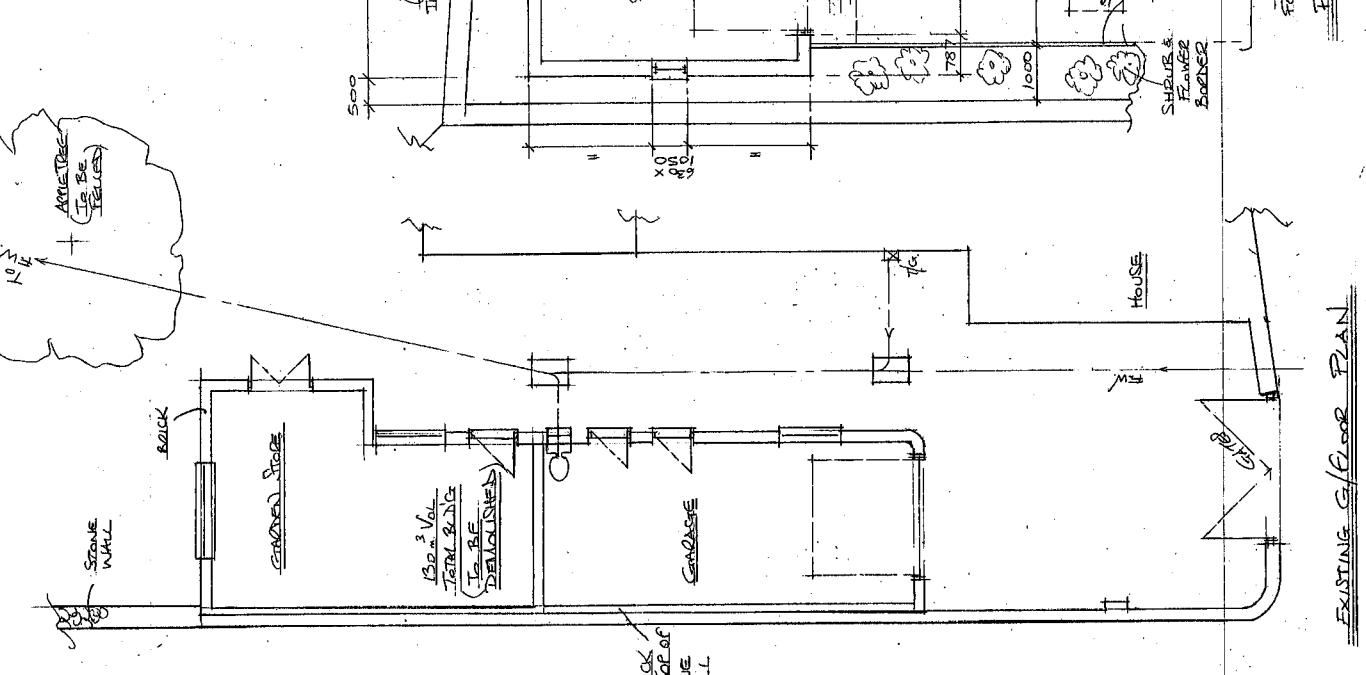
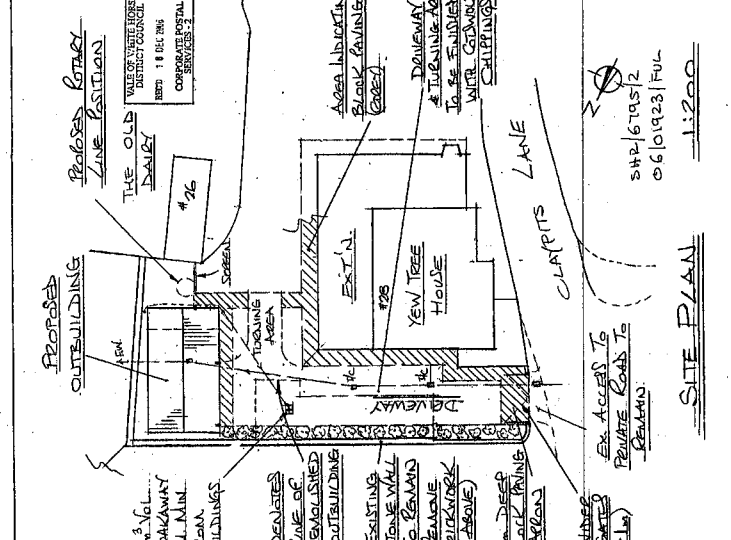
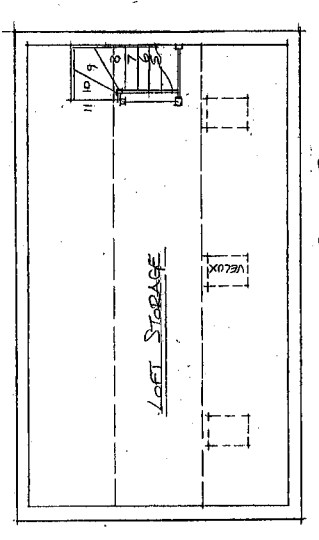
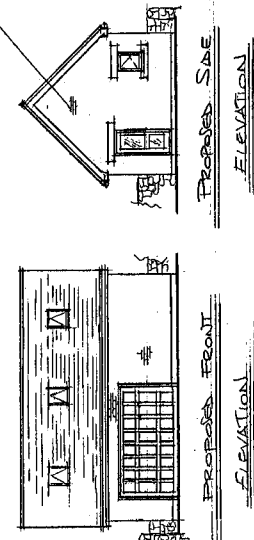
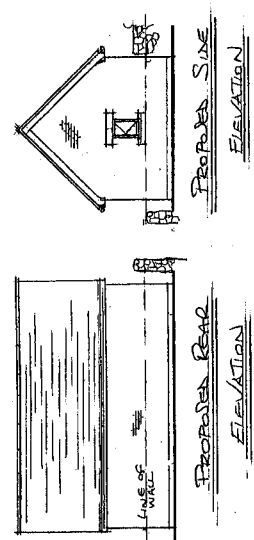
NOTES
All dimensions must be checked on site and not scaled from this drawing.

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APPENDIX 1

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Client: Mr. James S. G. HUGHES
Job Title: PROPOSED DEMOLITION & BUILDING OF GARAGE & STORE OUTBUILDING AT 28, CLAPTON LANE, SHEVENHAM, SNG 8JH
Drawing Title: DETAILS
Drawing No: 01
Scale: 1:50 / 1:100 / 1:200
Date: 17/11/06
Drawn by: SHERIDAN
Checked by: SHERIDAN
Project No: GMB01742



STA/19973 – Mr J Wade

Erection of 1.82m high garden fence. 15 Hunters Field, Stanford in the Vale, Faringdon.

1.0 The Proposal

1.1 This planning application seeks permission for the erection of a 1.82m high fence to enclose the rear garden of the property.

1.2 Extracts from the application plans are at **Appendix 1**.

1.3 The application comes to Committee as the Parish Council objects to the application.

2.0 Planning History

2.1 There were pre-application discussions with Oxfordshire Highways regarding this application in order to prevent highway safety problems. Otherwise there is no relevant planning history.

3.0 Planning Policies

3.1 Policy DC3 relates to improving security on existing development.

4.0 Consultations

4.1 Stanford in the Vale Parish Council object to the application stating: "Traffic Hazard Visibility"

4.2 Oxfordshire County Council as the Local Highway Authority state "There is no highway impact from the proposal as submitted".

5.0 Officer Comments

5.1 The principal issues to consider in respect of this application are firstly the impact of the fence on highway safety and in particular, whether there is a loss of visibility from Warwick Close to Hunters Field, and secondly impact on the visual amenity of the surrounding area.

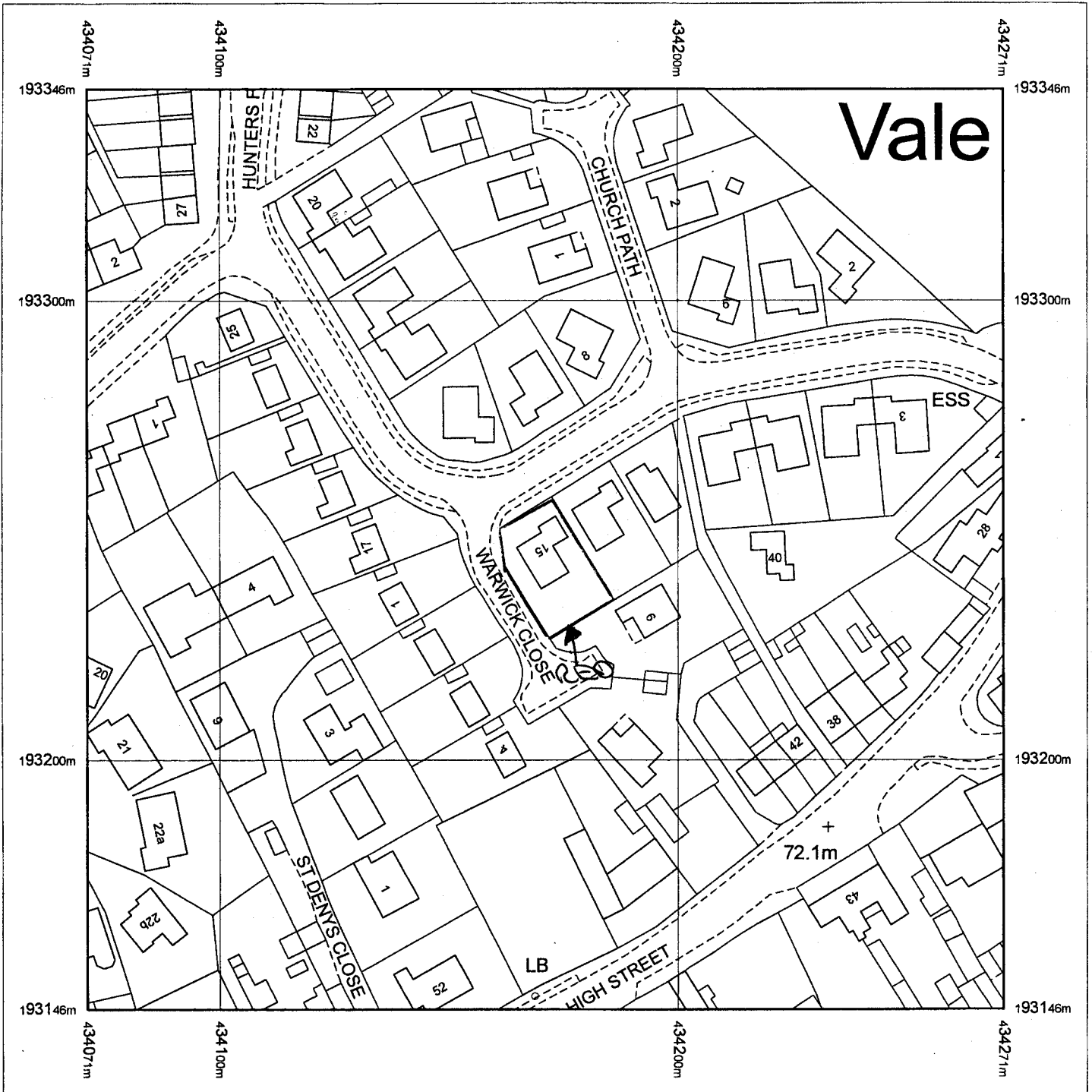
5.2 The Highway Authority have confirmed that they have no objections to the erection of the fence on highway safety grounds.

5.3 The location of the fence in the rear garden improves security for the property and is considered not to have detrimental impact on the visual amenity of the properties within Warwick Close.

6.0 Recommendation

6.1 *It is recommended that planning permission is granted subject to the following conditions:*

1. *TL1 Time Limit – Full Application*
2. *Prior to the commencement of the development hereby permitted, full details of the proposed fence, including the stain to be used, shall be submitted to, and approved in writing by, the District Planning Authority. The development shall be carried out only in accordance with the approved details.*



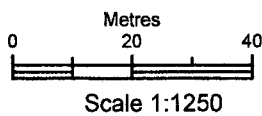
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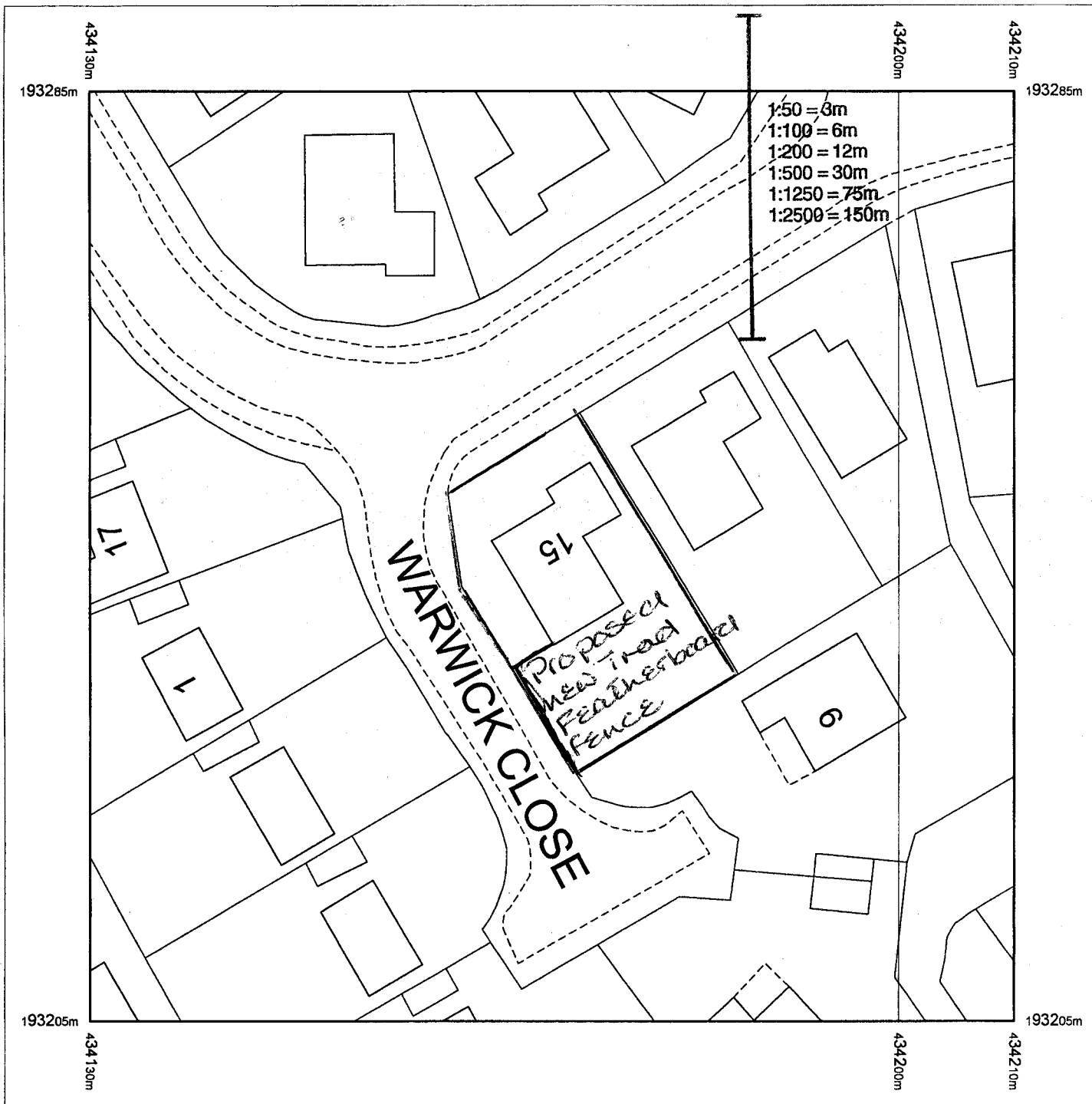


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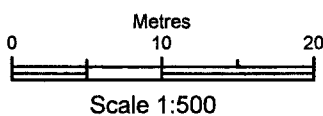
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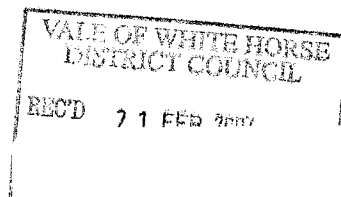
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APPENDIX 1