

<b>APPLICATION NO.</b>	<a href="#">P12/V2084/RET</a>
<b>APPLICATION TYPE</b>	RETROSPECTIVE
<b>REGISTERED</b>	4 October 2012
<b>PARISH</b>	ABINGDON
<b>WARD MEMBER(S)</b>	Julia Bricknell Sandy Lovatt
<b>APPLICANT</b>	Mrs T Boswell
<b>SITE</b>	136 Oxford Road Abingdon OX14 2AG
<b>PROPOSAL</b>	Retrospective application for the erection of garden shed. As amended by 060A & acknowledgement letter from agent/applicant dated 26/10/2012.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	450313/198744
<b>OFFICER</b>	Melanie Potter

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**1.0 INTRODUCTION**

- 1.1 136 Oxford Road is a two storey detached property used as a seven bedroom guest house. It is located on the west side of Oxford Road in north Abingdon and is accessed via a service road running parallel to Oxford Road.
- 1.2 The property is located within a large plot with a triangular shaped rear garden.
- 1.3 Planning permission was granted on 26 April 2012 for a single storey and two storey rear extension, erection of a small garden shed and demolition of existing structure (reference P12/V0534).
- 1.4 Work on the rear extensions has not yet begun. However, the garden shed has been constructed, but not in accordance with the approved plans.
- 1.5 This, therefore, is a retrospective application for the shed that has been constructed. Retrospective applications must be assessed in the same way as applications for proposed development.
- 1.6 This application has been referred to planning committee because Abingdon Town Council has objected.

**2.0 PROPOSAL**

- 2.1 The application seeks retrospective planning permission for a single storey garden shed located at the bottom of the rear garden of the property. It is triangular in shape and is situated abutting the boundaries with nos. 2 and 3 Wheatcroft Close, and no. 134 Oxford Road. It measures 8.2m long on the north-western edge and 6m long on the southern edge. The front elevation is 5.6m wide and the rear elevation is 0.5m wide. It has a shallow pitched roof and a canopy which extends 2.3m from the front elevation. At its highest point, the shed is 3.1m in height.
- 2.2 The shed is constructed of timber and has a white UPVC door and window with white UPVC frames on the front elevation.

2.3 The intended use of the garden shed is for storage purposes. The application plans are **attached** at appendix 1.

### 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Abingdon Town Council has objected on the grounds that the shed is too large and higher than that which would be permitted under the Town and Country Planning (General Permitted Development) Order 1995. They consider that the shed unacceptably harms the amenities of neighbouring properties and the wider environment in terms of dominance and visual intrusion, and consequently is contrary to policy DC9 of the local plan. Members of the town council were also concerned that if permission were to be granted for this shed, it would set a precedent for similar large sheds to be permitted in gardens.

3.2 Four letters of objection have been received from neighbouring properties. These all relate to the retrospective nature of the application (which is not a material planning consideration) and the size of the shed being too large and disproportionate to the size of the plot.

3.3 Two letters of support have been received.

### 4.0 **RELEVANT PLANNING HISTORY**

4.1 [P12/V0534](#) - Approved (26/04/2012)

Proposed single storey and two storey rear extension, erection of small garden shed and demolition of existing structure.

[P11/V1893](#) - Approved (13/10/2011)

Proposed single storey rear extension

[P06/V1352](#) - Approved (05/10/2006)

Proposed conversion of garage into bedroom and erection of canopy porch. Change of use from dwelling to guest house.

[P02/V0089](#) - Approved (19/02/2002)

Single storey front extension.

[P79/V0810](#) - Approved (02/04/1979)

Alterations to form stores and enclosure of utility room on ground floor with extension of first floor to provide bedroom, bathroom and study.

### 5.0 **POLICY & GUIDANCE**

5.1 Vale of White Horse Local Plan 2011 policies;

DC1 - Design

DC9 - The impact of development on neighbouring uses

### 6.0 **PLANNING CONSIDERATIONS**

6.1 The main considerations in determining this application are:

- The visual impact of the shed on the existing guest house and the character of the locality
- The impact of the shed on the amenities of neighbouring properties.

**6.2 Impact of the shed on the existing dwelling and the character of the locality**

With regard to the size and scale of the shed, your officers acknowledge that it is larger than what one might consider to be a standard garden shed. However, it is not sufficiently large that it has an adverse impact on the character of the locality, which is characterised by detached residential properties, predominantly within long plots with long rear gardens.

6.3 The shed covers an area of approximately 16.8 square meters of a rear garden of approximately 178 square meters. Even with the construction of the approved rear extension, there would still be an area of open space in the rear garden of the property which exceeds 110 square meters.

6.4 There are existing sheds and outbuildings in the gardens of neighbouring properties and your officers consider that the shed is no more harmful to the character of the area than these.

6.5 Abingdon Town Council commented that the shed is higher than standards set out in the Town and Country Planning (General Permitted Development) Order 1995. However, this sets the parameters for when certain forms of development do not require planning permission. It does not preclude granting permission for development which exceeds these parameters. Under the terms of the General Permitted Development Order it is possible to build, without planning permission, an outbuilding within the curtilage of a dwelling up to 2.5m high where it is within 2m of the boundary. As this property is a guest house and not a dwellinghouse, the provisions of the General Permitted Development Order do not apply. However, it is worth noting that if this were purely a residential property (which is feasible for this type of building in this location), the height of the shed would only need to be reduced by 60cm in order for it to benefit from permitted development rights and so, in those circumstances, it would not require planning permission.

6.6 In addition, Abingdon Town Council comments that if this application is permitted, it would set a precedent for allowing other large sheds in gardens in the area. In response to this comment, each planning application needs to be considered on its own merits taking into account the impact the proposal would have on the character of the area.

6.7 Finally, your officers consider that the materials used in the construction of the shed are suitable and in keeping with the existing dwelling and surrounding area.

6.8 Based on the above assessment, it is considered that the design and appearance of the shed do not have an adverse impact on the character of the locality and, therefore, the proposal complies with policy DC1 of the local plan.

**6.9 Impact of the shed on the amenities of neighbouring properties**

Policy DC9 of the local plan says that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties in terms of various factors such as loss of privacy, daylight or sunlight, or creates dominance or visual intrusion.

6.10 The shed is not considered to have a harmful impact on neighbouring properties for the following reasons.

6.11 With regard to 1 Wheatcroft Close, the shed is only visible from the first floor and, therefore, there is no adverse impact on residential amenity.

- 6.12 The view of the shed from no. 2 Wheatcroft Close is restricted by an existing evergreen hedge and that property's own garden shed. The garden of no. 2 Wheatcroft Close is also sufficiently long so that the shed does not have a harmful impact on amenity. In response to a comment made by the residents of no. 2 Wheatcroft Close that the block plan is not accurate, the amended 1:500 scale block plan sufficiently shows the location of the shed, and the other drawings clearly and accurately show the shed's dimensions.
- 6.13 The north-west elevation of the shed is very visible from the rear garden of no. 3 Wheatcroft Close due to the absence of a solid boundary fence or wall. However, given the comments above relating the acceptable size and scale of the shed, and the suitable materials that have been used in its construction, it is not considered that the shed is sufficiently harmful to the amenities of no. 3 Wheatcroft Close to warrant refusal of planning permission.
- 6.14 The south and front elevations of the shed are visible from the rear garden of no. 134 Oxford Road. However, the garden of that property is sufficiently large that that the new shed is not considered to be visually dominant or intrusive.
- 6.15 Finally, the intended use of the shed is for storage purposes only and, therefore, it will not give rise to a loss of privacy for neighbours.
- 6.16 Based on the above assessment, the shed is not considered to have an adverse impact on the amenities of neighbouring properties and, therefore, complies with policy DC9 of the local plan.

## 7.0 CONCLUSION

- 7.1 The garden shed does not have an adverse impact on the existing guest house, the character of the local area, or the amenity of neighbouring properties. Therefore, the application complies with local plan policies and so planning permission should be granted.

## 8.0 RECOMMENDATION

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

**1: Restriction of use**

**2: Planning condition listing approved drawings**

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