

APPLICATION NO.	P15/V0926/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	23.4.2015
PARISH	NORTH HINKSEY
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT	Mr Michael Walsh
SITE	45 Hutchcomb Road North Hinksey Oxford, OX2 9HL
PROPOSAL	Additional bedroom over the existing garage. Decreasing the existing footprint.
AMENDMENTS	None
OFFICER	Hanna Zembrzycka-Kisiel

SUMMARY

The application is referred to Planning Committee as North Hinksey Parish Council object to the proposal.

The application seeks planning permission for the construction of a first floor side extension above the existing attached garage on the south-east elevation of No.45 Hutchcomb Road. The existing garage is to be demolished. A new garage with a decreased footprint, and with a first floor extension above it is to be erected. The proposal is recommended for approval.

1.0 INTRODUCTION

1.1 No.45 Hutchcomb Road is a detached property located on a rectangular plot within Botley (North Hinksey parish). Hutchcomb Road is residential in character with a great variety of building styles and designs, including detached and semi-detached houses, and chalet bungalows. Other residential dwellings are located to the north-west and south-east of the site, with vehicular access achieved from Hutchcomb Road, which runs to the south-west. A site location plan is **attached** at Appendix 1.

2.0 PROPOSAL

2.1 The application seeks planning permission to extend the existing property by erecting a first floor side extension on the south-east elevation of the property. The existing flat-roofed attached garage and utility room is to be demolished, and a new garage, with a decreased footprint, and a new first floor extension above it is to be constructed. A copy of the application plans is **attached** at Appendix 2.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1

North Hinksey Parish Council	<ul style="list-style-type: none"> • Objects. The grounds for objections are: • Overbearing; • Loss of light

Vale of White Horse Local Plan 2011 (adopted July 2006)

- 5.1 Policy **DC1** refers to the design of new development, and seeks to ensure that development is of a high quality design and takes into account local distinctiveness and character.
- 5.2 Policy **DC5** seeks to ensure that a safe and convenient access can be provided to and from the highway network.
- 5.3 Policy **DC9** 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.
- 5.4 **National Planning Practice Guidance 2014**
- 5.5 **Design Guide (SPD adopted 2015)**

6.0 PLANNING CONSIDERATIONS

6.1 Design and impact on visual amenity

The proposed development is to provide a garage and utility room at ground floor and an additional bedroom and an en-suite on the first floor. The proposed extension will project 3.3 metres beyond the south-east elevation of the property, and will measure approximately 8.2 metres in height, measured from the highest point of ground level. It will lie approximately one metre from the common boundary with no.45A next door. Although the ridge of the proposed extension will not be set down below the existing roof ridge, the fact that the size of the extension is relatively small compared to the size of the existing house, and that the nearest adjacent dwelling, no.45A, is of a very different form, means that the proposal will be acceptable in terms of overall design and impact on the street scene.

- 6.2 Therefore, given the scale, design and massing of the proposed development, and the existing varied street scene, it is not considered that the form of the extension would have an adverse impact on the character or appearance of the surroundings.

6.3 Impact on neighbours amenities

The proposed two storey side extension will be placed on the south-east elevation of the property. The existing single-storey garage and utility room lie on the common boundary with the neighbour, no.45A. The footprint of the proposed extension will be set approximately one metre back from the boundary. In total the proposal will be located approximately 2.5 metres away from the side wall of no.45A. The maximum height of the proposed development will measure 8.2 metres with the eaves height of 5.2 metres.

- 6.4 Objections have been raised by this neighbour on the grounds that the proposal would have a harmful impact in terms of loss of light and loss of outlook from three side facing windows. No.45A does have three ground floor windows on the side wall that face the site. Two of these are secondary windows, serving the main bedroom and lounge. One, the centre one of the three, is the sole window to a small bedroom.
- 6.5 It is generally accepted that side-facing windows cannot be afforded the same degree of protection as windows that face to the front and rear. This is particularly the case if the side-facing window concerned is a secondary window to a room that also has a window that faces to the front or rear. With a side-facing window that is the sole window

to a habitable room then careful judgement is required in terms of balancing the right every individual has to improve their own property against the reasonable expectation of a neighbour whose level of amenity, nevertheless, imposes a potentially significant restriction on the rights that a home-owner could normally expect to enjoy. Officers have carefully considered the balance in this case.

- 6.6 The side-facing bedroom window faces north-west. Thus the proposal will not lead to over-shadowing. The window serves a relatively small second bedroom. There is a single storey structure on the boundary at the moment which has an effect on the outlook from the window. The proposal is to replace this existing structure with one that is two storeys in height but set a further one metre away.
- 6.7 Clearly there will be a greater impact on the window in terms of light and outlook. Most proposed extensions to dwellings do have a greater impact on adjacent neighbours in these terms. Given the fact that the window is side facing, faces north-west, and serves a relatively small second bedroom, and that the proposed extension will be set a further one metre away than the existing single storey structure, officers consider that the impact on the window is not sufficient to warrant refusal of the application.
- 6.8 Impact on highway safety
It has been mentioned in letters from neighbouring properties that the proposal would have a harmful impact on the highways safety. The county highways liaison officer has been consulted on the application. The proposal has two parking spaces on the drive and a garage. Given the location of the site, in Botley, where there is relatively easy access to public transport, this level of provision is considered to be acceptable. Consequently there is no objection to the proposal, subject to appropriate conditions being imposed.
- 6.9 Access to the dwelling is gained from the south-west side and remains unchanged.

OTHER CONCERNS

- 7.0 Construction
Concerns have been raised by the owner of the neighbouring bungalow that there is no mention of erecting a boundary fence to prevent nuisance during construction work such as various debris and other general building materials being deposited onto the land belonging to the neighbouring property. It was also mentioned that such a boundary fence/wall shall be constructed “to mark out a clear boundary between the dwellings after works are completed.”
- 7.1 With regard to construction this issue is addressed through building regulations. In addition the Party Wall Act 1996 deals with potential neighbour issues regarding damage that may be caused during construction. As this matter is dealt with through alternative legislation, it is not relevant to the planning application.
- 7.2 It is not considered reasonable to impose a condition requiring the provision of a wall/fence to mark out the clear boundary between these two properties. Such a fence can be erected under permitted development rights.
- 8.0 **CONCLUSION**
- 8.1 The development does not harm the visual amenity of the area or the amenities of neighbouring properties, and there is adequate off-street parking within the site. The development, therefore, complies with the provisions of the development plan, in

particular policies DC1, DC5 and DC9 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

9.0 **RECOMMENDATION**

To grant planning permission subject to the following conditions:

- 1. Approved plans.**
- 2. Car parking.**
- 3. Materials in accordance with application.**
- 4. Garage accommodation.**
- 5. Time limit.**

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