

## **ABG/1797/3 – Mr & Mrs Tyne**

**Proposed two storey side and ground and first floor rear extension. 7 North Avenue, Abingdon.**

### **1.0 The Proposal**

- 1.1 This application seeks planning permission for the erection of a two storey side extension and ground floor and first floor rear extensions to provide an enlarged first floor study area, a new bathroom, an additional bedroom, an enlarged bedroom and, at ground floor, level an extended kitchen and dining room, a utility room and a cloakroom. The application property is a three bedroom semi-detached house set back from the road. A location plan, together with the proposed floor plans and elevations are at **Appendix 1**.
- 1.2 There is an existing 1.22 metre (4 ft) wide pedestrian access path which is located immediately adjacent to the eastern boundary of the application site and provides pedestrian access for the rear gardens of No's 160, 162, 164 and 166 Oxford Road. This is shown cross-hatched on the submitted ground floor plan ref: 151105:2 Rev B as attached in **Appendix 1** and runs from the back of the pavement in North Avenue in a south-westerly direction between the application site and No 5 North Avenue.
- 1.3 Following negotiations, the proposed ground floor kitchen window on the side elevation of the single storey rear extension has been removed to prevent overlooking of the rear gardens of neighbouring properties fronting Oxford Road, located to the south east of the site.
- 1.4 This application comes before Committee as the Town Council has objected

### **2.0 Planning History**

- 2.1 Planning permission was granted in February and September 1976 for extensions to the lounge and kitchen and for a detached double garage. A previous planning application similar to that now proposed was submitted but withdrawn on 17<sup>th</sup> May 2006.

### **3.0 Planning Policies**

- 3.1 Policies H14, 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 does not cause harm to the amenity of neighbours.

### **4.0 Consultations**

- 4.1 Abingdon Town Council have objected to the application stating:
- “Contrary to Policy H24A (iv) Local Plan 2<sup>nd</sup> Deposit Draft (VWHC). Loss of light and overshadowing on both sides of development. Footpath implications requiring possible legal input.”
- 4.2 Two letters of objections have been received by neighbours raising the following concerns:
- the applicant's boundary encroaches onto the pedestrian access path which serves the rear gardens of the neighbouring properties fronting Oxford Road, and concern is expressed about possible obstruction of the path during construction of the extensions and by the use of opening windows
  - over ambitious building extension which would not be in keeping with other properties in the area, overshadowing, loss of light, physical size and height of proposal, and possible loss of access for the maintenance of adjoining property.
- 4.3 The County Engineer has no objections subject to conditions.

## 5.0 **Officer Comments**

- 5.1 The main issues in determining this application are: 1) the impact on the amenity of the neighbouring properties in terms of overshadowing and overlooking, and; 2) whether the proposal would have a detrimental impact on the character and appearance of the area.
- 5.2 It is proposed that the two storey side extension will extend a maximum of 6.8 metres into the rear garden, 2 metres towards the eastern boundary, and to within 1.22 metres of No. 5 North Avenue's boundary fence line. The proposed single storey elements will project no further to the rear than the existing single storey flat roofed extensions. Part of the proposed first floor rear extension above the existing flat roof will be 3.1 metres wide and will extend 4.2 metres to the rear. The proposed hipped roofs above the two storey side and rear extensions will have an eaves height of 5.1 metres, which will match the existing house, and ridge heights of 8.3, 8.1 and 6.3 metres, all of which are lower than the existing main ridge height of 8.6 metres.
- 5.3 It is proposed that there will be three new windows inserted in the east elevation, to serve a landing, a ground floor utility room, and a roof light above the proposed kitchen area.
- 5.4 There will be a new first floor bathroom window on the rear elevation of the proposed two storey side extension. Officers consider that the landing window on the east elevation and the bathroom window need to be conditioned to be obscured glazed to prevent any overlooking of the neighbouring properties to the east and south east.
- 5.5 The neighbouring property, No. 9 North Avenue, has been previously extended to the rear with a single storey extension which projects no further than the proposed single storey rear extensions. The main windows of this property face the rear garden, and there is a first floor bedroom window nearest to the proposed first floor rear extension. However, this window will not be affected as the proposed first floor element meets the Councils House Extensions Design Guide in that it will not encroach beyond a 40 degree line taken from the edge of this first floor bedroom window.
- 5.6 No 5 North Avenue is located a minimum distance of 1.5 metres away to the east. This is a detached dormer bungalow which is set in line No. 7. There is an attached garage nearest to the application site. The main windows of this property face front and rear gardens, although there is a secondary living room window on the flank elevation facing No 7 which is located 4.1 metres away from the proposal. However, Officers consider that as there are two other windows serving this room there will be minimal light reduction.
- 5.7 Concern has been expressed about the possible obstruction of the 1.22 metre (4 ft) wide pedestrian access path located adjacent to the eastern boundary of the application site, which provides pedestrian access for the rear gardens of No's 160, 162, 164 and 166 Oxford Road. It is acknowledged that this right of access will need to be kept open and not obstructed, but this is controlled by other legal legislation and therefore is not a material planning consideration.
- 5.8 In terms of the character and appearance of the area, Officers consider that the proposed design of the new extensions together with their materials will not have a harmful impact on the street scene.

## 6.0 **Recommendation**

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

1. *TL1 - Time Limit*
2. *RE1 - Materials to match*

3. *MC20 – This permission shall relate to the submitted application as amended by Drawing No. 151105:2. Rev B received 24<sup>th</sup> July 2006*
4. *MC10 – Obscured Glazing (Vent) Proposed first floor (south elevation) rear bathroom window*
5. *MC8 – Obscured Glazing (Non-opening) Proposed first floor side (east elevation) landing window*
6. *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 at first floor level and above in the east and west elevations of the development hereby approved without the prior grant of planning permission.*
7. *Prior to the first occupation of any development, the car parking area shown on the approved plan reference 151105:2. Rev B received 24<sup>th</sup> July 2006 shall be constructed, drained, laid and marked out in accordance with the specification of Oxfordshire County Council for such works. Thereafter the area shall kept permanently free from obstruction to such use.*
8. *HY29 - No Surface Water Drainage to Highway*
9. *The first 5 metres of the proposed access shall be surfaced in a rolled bound material*