

APPLICATION NO.	P15/V0554/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	31.3.2015
PARISH	ABINGDON
WARD MEMBER(S)	Margaret Crick Sandy Lovatt
APPLICANT	Mr & Mrs Bulmer and Mr & Mrs Drsicoll
SITE	52 Sellwood Road, Abingdon, OX14 1PF
PROPOSAL	Part single and part two storey extension to rear of existing house 52 Sellwood Road including erection of an attached single garage. Erection of a single detached dwelling to northern end of garden of 52 Sellwood Road with associated parking and amenity space. (Amended by drawing numbers LOC_001 rev.A, BLO_001 rev.A, 1473_01_15 rev.1, 1461_03_15 rev.1, 1461_02_15 rev.1 and 1461_04_15_rev.1, received 3 July 2015; red line position altered, internal dimensions of integral garage increased, revised window position in proposed two storey extension from north (rear) to side (east) elevation).
AMENDMENTS	3.7.2015
GRID REFERENCE	449911/198582
OFFICER	Katie Cook

SUMMARY

The application is referred to committee at the request of Councillor Robert Sharp.

The proposal is for the erection of two storey and single storey rear extensions on the north elevation of the property, and the erection of a detached dwelling in the rear garden of the property accessed from a shared parking area to the north of the site.

The main issues are:

- The principle of development, which is considered acceptable.
- The impact on the visual amenity of the area which is considered acceptable.
- The impact on the amenities of neighbouring properties, which are considered acceptable.
- Whether there is adequate off-street parking within the site, which it is considered there is.

The recommendation is for approval.

1.0 INTRODUCTION

1.1 The property, a semi-detached dwelling, is located within an established residential area towards the north of Abingdon. The site, which is broadly rectangular, runs south to north, with Sellwood Road adjoining the south boundary and Beech Lane adjoining the east boundary. To the north of the site is a shared parking area and

garage block. A copy of the site plan is **attached** at appendix 1.

1.2 The application comes to committee at the request of Councillor Robert Sharp.

2.0 PROPOSAL

2.1 This application seeks planning permission for two elements; two and single storey rear extensions on the north elevation of the property and the erection of a detached dwelling in the rear garden. A copy of the proposed block plan is **attached** at appendix 2.

Proposed dwelling

2.2 The proposed dwelling, a one and half storey property, measures 8.4 metres wide at its widest point with a maximum depth of 11.25 metres. The eaves of the property measure 2.6 metres high, with the ridge height being 6.6 metres. The dwelling incorporates side dormers in the east and west elevations. A copy of the proposed dwelling plans is **attached** at appendix 3.

Proposed extensions

2.3 The proposed two storey extension projects 4.4 metres beyond the rear elevation of the property and measures 4 metres wide, with an eaves height of 4.8 metres and a ridge height of 6.3 metres.

2.4 The proposed single storey extension adjacent to the west boundary of the site projects 3 metres from the rear elevation of the property and measures 4.6 metres wide, with an eaves height of 2.3 metres and a ridge height of 3.6 metres.

2.5 The proposed single storey flat roof garage extension adjacent to the east boundary of the site measures 6.75 metres long with a maximum width of 4.4 metres, and a maximum height of 2.7 metres.

2.6 A copy of the existing and proposed elevations and floor plans is **attached** at appendix 4.

2.7 The application has been amended further to its original submission, with the red line position altered to incorporate Beech Lane from which vehicular access to the new dwelling is taken, the internal width of the proposed garage increased, and the first floor window positions in the proposed extension revised. Re-consultations have been undertaken, and the application is being considered on this amended basis.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Below is a summary of the responses received both to the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

3.2	First consultation	
	Abingdon-on-Thames Town Council	No objection
	Neighbours - object	<p>Eight representations from six residents, raising the following points;</p> <ul style="list-style-type: none"> • Light will be restricted to 3 Willow Court. • Access to new property will be restricted. • There are already 11 properties within 4 metres of the new

	<p>dwelling. The loss of garden land would destroy the already congested open aspect of the neighbourhood.</p> <ul style="list-style-type: none"> • The new first floor rear window will affect privacy of nos. 2-3 Willow Court. • The bin store and parking area will remove existing screening, opening up views over 3 Willow Court. • The new dwelling will overshadow side windows in 3 Willow Court which serve a staircase area. • Shadow will be cast over the garden of 3 Willow Court. • The two storey extension will overshadow 54 Sellwood Road and block late afternoon and evening sunshine. • The new dwelling will be oppressive, overbearing and will block light. • The first floor bedroom window in the east elevation of the new dwelling will result in loss of privacy of 54 Sellwood Road. • Concern over highway safety, as the area is already busy at the end of each school day. • The drawings and design statement fail to identify clearly the effect on the density, shading, overbearing nature, privacy and other factors which impinge on the adjoining residents in Willow Court. This already densely developed small area should not be further subjected to the additional traffic related activities generated by the application. • The proposal will not enhance the visual amenities of either the site itself or that of the adjacent neighbours. • The new building is too high for the location in relation to nos 2 and 3 Willow Court, and should be limited to a single storey bungalow as no.1 Willow Court was. • The new dwelling will be visually overbearing and will cause overshadowing. • The two storey rear extension will result in loss of privacy at both ground and first floor of 2 and 3 Willow Court. • The addition of a first floor extension would make the property overbearing. • The proposal will impact neighbours privacy, amenity and well-being. • The proposal will erode privacy. • Increased traffic will impact highway safety. • The delivery lorry turning circle next to the garages is already used as overflow parking. There is no further area for parking to spill without restricting access to Beech Lane houses. • The development would reduce drainage land and increase surface run off. • The large size of the new dwelling in the development with a small garden is not in-keeping with surrounding development.
Neighbours –	Three representations, raising the following points;

support / no objection	<ul style="list-style-type: none"> • The development is in keeping with the area and completes the cul de sac of properties. • The area as a whole needs more housing, and the new dwelling in the garden makes perfect sense. • The new dwelling will not affect 2 Beech Lane in any way. • The extra cars coming and going along Beech Lane will not make any difference.
Drainage Engineer – Vale of White Horse	No objection subject to conditions.
Highways Liaison Officer – Oxfordshire County Council	<p>Objects, raising the following points;</p> <ul style="list-style-type: none"> • Off-street parking provision for the existing unit not in accordance with standards. • Vision splays not shown for the proposed new unit.

3.3

Second consultation	
Abingdon-on-Thames Town Council	No strong views.
Neighbours - object	<p>Three representations, raising the following points;</p> <ul style="list-style-type: none"> • Loss of nature environment and visual amenity as the hedge along the eastern boundary is to be partially removed. • The amendments made do not address the unacceptable impact that these two large developments will have on an already over developed area. • The distance between the proposed extension and new dwelling is not appropriate. • Overshadowing of neighbouring dwellings. • New windows will cause harmful overlooking. • The proposal has no merit, no environmental positives and is generally overbearing in density and nature.
Drainage Engineer – Vale of White Horse	No objection subject to conditions.
Highways Liaison Officer – Oxfordshire County Council	No objection subject to conditions.

4.0 RELEVANT PLANNING HISTORY

4.1 There is no relevant planning history relating to the application site.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse District Council Local Plan 2011

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

Policy No.	Policy Title
DC1	Design
DC5	Access
DC9	The Impact of Development on Neighbouring Uses
H10	Development in the Five Main Settlements

5.2 Emerging Local Plan 2031 – Part 1

The draft Local Plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan.

Policy No.	Policy Title
Core Policy 37	Design and local distinctiveness

5.3 Supplementary Planning Guidance

- Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-

- *On-plot parking – garages and carports (DG47)*
- *On-plot parking – driveways (DG48)*
- *Privacy (DG64)*
- *Responding to Local Character (DG103)*
- *Consider your neighbours (DG104)*
- *Scale, form and massing (DG105)*
- *Design considerations (DG106)*

5.4 National Planning Policy Framework (NPPF) – March 2012

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. Apart from policy H10, the local plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and should therefore be given appropriate weight.

5.5 Paragraph 49 explains that where a local planning authority does not have a five year supply of housing land then the relevant housing supply policies of the local plan are not consistent with the NPPF and have little weight. The local planning authority currently does not have a five year supply.

5.6 Planning Practice Guidance 2014

5.7 Neighbourhood Plan

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Abingdon-on-Thames has not submitted a neighbourhood plan.

5.8 Human Rights Act

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

5.9 **Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in the determination of this application are

- The principle of development
- Impact on the visual amenity of the area
- Impact on neighbouring properties
- Impact on the highway and whether adequate car parking is available
- Other considerations

Principle of development

6.2 The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development. Sustainable development has three aspects; economic, social and environmental. The presumption means that, where local planning policy is not consistent with the NPPF, planning permission should be granted unless the adverse impacts substantially and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

6.3 Policy H10 permits new dwellings within the five main settlements, (of which Abingdon is one), provided it would not result in the loss of facilities important to the local community, and it makes efficient use of land, and the layout, mass and design of the dwellings would not harm the character of the area. However, this housing supply policy has little weight at the current time.

6.4 The proposed new dwelling is located within an established residential area within Abingdon, and residents are well placed for access to services and the use of public transport. The principle of the new dwelling is consequently acceptable.

6.5 The principle of extending the existing property is supported within both local and national policy.

Impact on visual amenity

6.6 Policy DC1 of the local plan refers to the design of the new development, and seeks to ensure that development is of a high quality design and takes into account local distinctiveness and character.

Proposed dwelling

6.7 There are already a number of dwellings accessed off Beech Lane, with planning permission granted in 2010 for the erection of three dwellings in the rear garden of 50 Sellwood Road.

6.8 The area consists of a mixture of housing types and styles, and the layout and scale proposed is in-keeping with the locality. Viewed within the context of surrounding dwellings, the proposal will not appear out of place within the street scene or detrimental to the visual amenity of the area. It is proposed to use brick, timber cladding and pantiles in the construction of the property, which is acceptable.

6.9 In order to ensure the development avoids an over developed or cluttered appearance it is considered reasonable and necessary to remove permitted development rights in

respect to extensions and outbuildings.

Proposed extensions

- 6.10 The proposed two storey extension is subordinate to the main house, and will not compromise the visual amenity of the area. The proposed single storey garage extension which abuts the east boundary of the site adjacent to Beech Lane is similar in form to an existing extension permitted and built at no.54 Sellwood Road to the east.

Impact on neighbours

- 6.11 Policy DC9 of the local plan states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of privacy, daylight or sunlight, dominance or visual intrusion, noise or vibration, smell, dust or other emissions.

Proposed dwelling

- 6.12 Situated to the east / north-east of no.3 Willow Court, the proposed dwelling does not encroach beyond a 40 degree line taken from the edge of the nearest rear window in this neighbouring property. The two side windows in no. 3 willow Court which face towards the application site serve landings / staircases, non-habitable rooms. Accordingly the position and orientation of the proposed dwelling relative to no. 3 Willow Court is such that harmful overshadowing or dominance would not be caused.
- 6.13 Located a minimum of 13 metres away to the south-east of nos.1-3 Beech Lane and 19 metres to the south-west of 'Lanes End', the proposed dwelling, whilst changing views from these properties, will not compromise their residential amenities in terms of overshadowing or dominance.
- 6.14 Similarly whilst visible from the rear garden of no.54 Sellwood Road, the proposed dwelling could not reasonably or justifiably be refused on the basis of overshadowing or dominance of this property and its garden.
- 6.15 The position of dwellings in the vicinity is such that there is already mutual overlooking between them. The proposed first floor front and rear windows in the new dwelling will not cause harmful overlooking of neighbouring properties or gardens.
- 6.16 The proposal incorporates first floor side windows in the east and west elevations of the new dwelling. The proposed east facing window faces towards the rear half of the garden of no.54 Sellwood Road. Whilst additional overlooking of this garden will be caused, it is not over the private amenity space immediately adjacent to the property, and would not warrant refusal of the application.
- 6.17 In order to prevent harmful overlooking of no.3 Willow Court from the proposed first floor windows in the west elevation of the property, which serve a bathroom and an ensuite, it is considered reasonable and necessary to condition that they be obscure glazed and fixed shut apart from a top-hung opening vent.

Proposed extensions

- 6.18 The proposed single storey extensions will not harm the amenities of neighbouring properties in terms of overshadowing, dominance or overlooking.
- 6.19 The proposed two storey extension does not encroach beyond a 40 degree line taken from the edge of the nearest first floor window in the rear elevation of the adjoining

property and will not cause harmful overshadowing or dominance of this property.

- 6.20 The two storey extension will be visible from both ground floor and first floor windows in the west elevation of no.54 Sellwood Road. Situated to the west / north-west of these openings the proposed extension is over 10 metres away, and whilst some loss of light may be caused, this is not so harmful in respect to impact on residential amenity to justify refusal of the application.
- 6.21 The proposed two storey extension incorporates a first floor window / rooflight in the east elevation. In order to prevent overlooking from this opening it is considered reasonable and necessary to condition its height relative to the floor level of the room in which it is fitted.
- 6.22 The two storey extension is situated a minimum of approximately 17.5 metres away from the rear elevation of the proposed new dwelling to the north, and over 18 metres from the front elevations of nos. 2 and 3 Willow Court to the north-west. Harmful overshadowing or dominance of these properties would not be caused.

Parking

- 6.23 Policy DC5 of the local plan seeks to ensure that a safe and convenient access can be provided to and from the highway network, and that adequate parking is provided.
- 6.24 Paragraph 32 of the NPPF advises that development should only be refused on transport grounds where the impact on the highway network is “severe”.

Proposed dwelling

- 6.25 The vehicle movements associated with the proposed single dwelling are considered to be negligible. Utilising the current parking area for no. 52 Sellwood Road, the proposal will not lead to a harmful intensification of the use of Beech Lane.
- 6.26 Two parking spaces are proposed for the new three bedroom dwelling. This level of parking is sufficient for the property, and in order to ensure it is provided and maintained, together with appropriate visibility, it is considered reasonable and necessary to condition it.

Proposed extensions

- 6.27 The number of bedrooms in the extended property would remain at four. In order to compensate for the loss of off-street parking caused by the proposed new dwelling, two spaces are proposed for the extended property; one in the proposed new garage and one in front of it. In order to ensure these are provided and maintained it is considered reasonable and necessary to condition them.

7.0 CONCLUSION

- 7.1 The principle of the proposed development is acceptable. The proposal will not harm the visual amenity of the area or the amenities of neighbouring properties. Adequate parking is being provided. The proposal therefore complies with the provisions of the development plan, in particular policies DC1, DC5, DC9 and H10 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.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission, subject to the following conditions:**

1. Time limit – full permission.
2. Planning condition listing the approved drawings.
3. Materials in accordance with application.
4. Drainage details (surface and foul).
5. Slab levels (single dwelling).
6. Prior to the use or occupation of the new development, the new vehicular access, and parking area/spaces shall be constructed and the visibility splays provided in accordance with the details shown on approved drawing number BLO_001 rev.A. The parking areas shall be constructed to prevent surface water discharging onto the highway. Thereafter, the parking areas shall be kept permanently free of any obstruction to such use, and the visibility splays shall be permanently maintained free from obstruction to vision.
7. Garage accommodation.
8. All of the site's internal and external boundaries shall be enclosed in accordance with the details shown on approved drawing number BLO_001 rev.A. The approved boundary treatments for each dwelling shall be completed prior to the occupation of that dwelling, and all of the approved boundary treatments shall be completed prior to the occupation of the last dwelling on the site.
9. The first-floor window / rooflight on the east elevation of the new extension shown on drawing numbers 1461_02_15 Rev.1 and 1461_03_15 Rev.1 shall be installed with a sill height of not less than 1.7 metres above the finished floor level of the room(s) in which they are fitted and shall be retained as such. Notwithstanding the provisions of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), the window sill height shall not be lowered without the prior grant of planning permission.
10. Notwithstanding the provisions of Classes A, B and C of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no first-floor windows or rooflights shall be installed in the north or west elevations of the new extension without the prior grant of planning permission.
11. Notwithstanding any details shown on the approved drawings, the new first-floor windows on the west elevation of the new dwelling shown on drawing number 1473_01_15 Rev.1 shall be glazed with obscured glass and shall be fixed shut, apart from a top-hung opening vent only. Thereafter, the windows shall remain obscure glazed with top-hung opening vents only. Notwithstanding the provisions of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no additional first-floor windows shall be inserted in the west elevation of the dwelling without the prior grant of planning permission.
12. Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted

Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), there shall be no extension to the dwelling hereby permitted and no ancillary buildings or structures shall be erected within the curtilage of the new dwelling without the prior grant of planning permission.

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