

APPLICATION NO.	P15/V2094/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	1.9.2015
PARISH	KINGSTON LISLE
WARD MEMBER(S)	Yvonne Constance
APPLICANT	Mrs Janey Nelson
SITE	Pear Tree Cottage Fawler Road Kingston Lisle, OX12 9QH
PROPOSAL	Erection of a timber car port and store.
AMENDMENTS	None
GRID REFERENCE	432516/187691
OFFICER	Sally Appleyard

SUMMARY

The application is referred to committee as Kingston Lisle Parish Council objects.

The application seeks planning permission for the erection of a detached timber car port and store to the rear of the main dwelling house.

The main issues are:

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

The application is recommended for approval.

1.0 INTRODUCTION

1.1 The property is a detached dwelling located within the village of Kingston Lisle. The site is adjacent to the conservation area and next to Little Farm, which is a grade II listed building with other neighbouring properties located to the north and west of the site. Vehicular access to the site is to the rear of the main dwelling which is obtained off of Fawler Road. A copy of the site plan is **attached** at appendix 1.

1.2 The application comes to committee as Kingston Lisle Parish Council objects.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of a detached timber carport and store to the rear of the main dwelling with a room in the roof space. Four PV solar panels are to be installed on the south elevation.

2.2 The proposed carport and store will measure 5.8 metres wide with a depth of 5.6 metres. The proposed carport and store will have a pitched roof with a height of approximately 5.3 metres and it will be approximately 2.1 metres to the eaves. Access to the room in the roof space will be from an external staircase positioned on the east elevation.

2.3 Originally, the proposal was for a detached garage and carport, however the

measurements did not comply with the parking standards. Amended plans were submitted in which the car port was increased in width in order to comply with the standards, however there was insufficient space on site to increase the width of the proposed garage element. As a result, this element is proposed to be a storage area with a second car parking space to be provided to the front.

2.4 Furthermore, in response to the concerns raised regarding the overlooking of neighbouring properties, the proposed roof lights on the north elevation have been removed with one larger roof light placed on the south elevation fronting the main dwelling. Screening has also been proposed at the top of the external staircase to prevent overlooking to the neighbouring properties to the north and east of the site.

2.5 A copy of the application plans is **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Kingston Lisle Parish Council	<p>Objects. The grounds for objections are:</p> <ul style="list-style-type: none"> • Overlooking/loss of privacy – the staircase and windows to the upper floor of the building will overlook neighbouring properties. • Density and bulk of building – this plan proposes overdevelopment of the site, and the height of the building is higher than can be justified for a garage/carport.
Neighbour Representations	<p>Little Farm, Fawler Road, Kingston Lisle <u>20.09.2015 – First response</u> Objection. The grounds for objection are:</p> <ul style="list-style-type: none"> • The height of the proposed garage will cause overshadowing. • Overdevelopment of the site <p><u>13.10.2015 – Second response</u> Original objection stands.</p> <p>Little Court, Fawler Road, Kingston Lisle <u>23.09.2015 – First response</u> Objection. The grounds for objection are:</p> <ul style="list-style-type: none"> • Overdevelopment of the available space. • Bulk and scale of the proposed garage, causing loss of light to neighbouring properties. • Overlooking from proposed windows and staircase. • No need for the proposed solar panels. <p><u>21.10.2015 – Second response</u> Original objections stands.</p>
Ward Member - Councillor Yvonne Constance	<p>Objects. The grounds for objection are:</p> <ul style="list-style-type: none"> • The density and bulk of the building would be an overdevelopment of the site. • The height of the roof is higher than justified for a garage and would impose on neighbouring properties • Windows and the exterior staircase would overlook

	neighbouring properties causing loss of privacy.
Highways Liaison Officer (Oxfordshire County Council)	No objection, subject to conditions

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/V0387/FUL](#) - Approved (15/04/2015)

Erection of a 3-bedroom dwelling (Amendment to approved application P13/V2507/FUL)

[P14/V0699/DIS](#) - Approved (27/08/2014)

Discharge of Condition 8 of Planning Permission P13/V2507/FUL. (phase 2 report received 7 August 2014.)

[P13/V2507/FUL](#) - Approved (30/01/2014)

Erection of 3-bed dwelling

[P05/V0815](#) - Approved (26/07/2005)

Erection of a conservatory on first floor and glass in area under existing first floor deck.

[P00/V1643](#) - Approved (19/12/2000)

Erection of double garage and workshop with one bedroom flat above.

[P98/V1520](#) - Approved (08/08/2000)

Revised application to amend siting and external appearance of dwelling, stables and double garage.

[P97/V0867](#) - Approved (16/07/1998)

Demolition of corn drier and agricultural buildings. Erection of stables for rehabilitation livery, single dwelling and garage.

5.0 **POLICY & GUIDANCE**

5.1 **National Policy Framework 2012 and National Planning Practice Guidance 2014**

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. 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. The NPPG provides supplementary guidance to the NPPF.

5.2 **Vale of white Horse 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

5.3 **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

5.4 **Supplementary Planning Guidance**

- Design Guide – March 2015
The following sections of the Design Guide are particularly relevant to this application:-
 - *Responding to Local Character (DG103)*
 - *Consider your neighbours (DG104)*
 - *Scale, form and massing (DG105)*
 - *Design considerations (DG106)*

5.5 **Neighbourhood Plans**

Kingston Lisle does not currently have a neighbourhood plan.

5.6 **Environmental Impact**

This proposal does not exceed 150 dwellings and the site area is under 5ha. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

5.7 **Other Relevant Legislation**

- Human Rights Act 1998
 - 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.
- Equality Act 2010
 - 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 determining this application are the impact on the visual amenity of the area, the impact on the amenities of neighbouring properties, and the impact on highway safety.

6.2 **Impact on visual amenity**

Policy DC1 requires the development to be of a scale, layout, design that does not adversely affect those attributes that make a positive contribution to the character of the locality.

6.3 The proposed detached car port and store will be positioned in the north-west corner of the site to the rear of the main dwelling and will be visible within the context of the main dwelling and the surrounding area. The proposed detached carport and store is considered to be subordinate in scale and height to nearby dwellings with the main dwelling remaining as the dominant element of the property (DG105). The materials to be used are timber clad walls with a plain clay tiles to match the tiles on the main dwelling. It is considered that the proposed materials are in-keeping with the main

dwelling and the surrounding area. It is not considered that the proposal would appear out of place within the street scene or harm the visual amenity of the locality.

- 6.4 The proposed solar panels will allow energy to be collected and can lead to significant energy savings. The proposed solar panels will be installed on the roof slope on the south elevation of the building and will be set down from the ridge and set in from the roof edge. It is not considered that the proposed solar panels will have a harmful impact on the surrounding area.
- 6.5 As such, the proposal is considered to comply with the requirements of Local Plan Policy DC1, and the provisions of the NPPF, NPPG and the design guide.
- 6.6 **Impact on neighbours**
Policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment.
- 6.7 Objections have been raised by Kingston Lisle Parish Council, Councillor Yvonne Constance, and neighbours to the north and east, Little Court and Little Farm respectively, on the grounds that the roof lights on the rear elevation and the proposed staircase will overlook neighbouring properties causing loss of privacy, and the height of the proposed carport and store will cause neighbouring properties to be overshadowed.
- 6.8 The proposal has since been amended removing the roof lights from the rear elevation and placing one larger roof light on the front elevation facing towards the main dwelling. The external staircase is for access only and is not intended to be used as an amenity area, however, timber batten screening has also been proposed at the top of the external staircase to reduce the impact of overlooking to the north and east. As such, it is not considered that the amenities of neighbouring properties will be harmed in terms of overlooking or loss of privacy.
- 6.9 It is considered that the size and scale of the proposed carport and store is subordinate, and due to the position of the neighbouring properties and distances involved, it is not considered that the amenities of these dwellings will be harmed in terms of overshadowing or dominance. The proposal is a traditional form with an appropriate pitch which, if reduced, would in your Officer's opinion have a detrimental impact on the design of the building. In view of the fact that the current height is considered acceptable in terms of the relationship to neighbouring properties, requiring a reduction in height to address local concerns, would not be reasonable as refusal on the grounds of height could not be justified.
- 6.10 As such, the proposal is considered to comply with the requirements of local plan policy DC9, and the provisions of the NPPF, NPPG and Residential Design Guide.
- 6.11 **Impact on highways safety**
Policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Paragraph 32 of the NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

- 6.12 The proposal does not alter the existing access or increase the number of bedrooms in the property. The measurements of the proposed car port are in accordance with the parking standards measuring 2.9 metres by 5.4 metres internally, and a second car parking space proposed to the front of the 'store' area. The Highways Authority raise no objection to the proposal subject to a condition preventing the carport from being adapted for living purposes without prior permission from the council. Due to the limited parking space available within the site, it is considered reasonable and necessary to attach this condition to the application.
- 6.13 As such, it is considered that the proposal would not have a harmful impact on highway safety. Therefore the proposal complies with the requirements of Local Plan Policy DC9 and the provisions of the NPPF, NPPG and Residential Design Guide.
- 6.14 **Other considerations**
Objections have been raised by Kingston Lisle Parish Council, Councillor Yvonne Constance, and neighbours to the north and east, Little Court and Little Farm respectively, on the grounds that the proposed carport and store would be an over-development of the site. The application, as with all applications submitted, are considered on their own merits and it is in the officers' opinion that the proposed outbuilding is subordinate to the main dwelling and appropriate to the plot size and therefore it is not considered as over-development of the site.
- 6.15 The neighbouring property to the north, Little Court, has raised a concern over the need for the proposed solar panels. The Council cannot consider within the assessment the motives of why the applicants are wishing to install four solar panels on the south elevation of the building and it is considered that the proposal complies with Local Plan policies as well as the NPPF, NPPG and the Residential Design Guide.
- 6.16 Concerns have also been raised from the neighbouring property to the north, Little Court, that the room above the carport and store could be used for additional accommodation and let. It is considered that as the room in the roof space is small in scale, and the outbuilding is situated in close proximity to the main dwelling house, the additional space is considered to be incidental to the main dwelling. As such it is not considered reasonable to attach a condition to prevent the space from being occupied or used separately.

7.0 **CONCLUSION**

- 7.1 The development does not harm the visual amenity of the locality 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 2011. The development is also considered to comply with the provisions of the councils Residential Design Guide and the National Planning Policy Framework.

8.0 **RECOMMENDATION**

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

1. **Time limit - full application.**
2. **Application in accordance with the approved plans.**
3. **Materials to be used should be in accordance with those stated in the application.**
4. **Permitted development rights to convert the garage to living**

accommodation to be removed.

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