

KEN/19763/1 – Miss Valerie Huxtable
Erection of a two storey dwelling and attached garage.
17 & 19 Edward Road, Kennington, OX1 5LH.

1.0 The Proposal

- 1.1 This application seeks full planning permission for the erection of a two storey detached dwelling and attached double garage on land forming part of the rear gardens of 17 & 19 Edward Road. It is proposed to access the site via Rowles Close.
- 1.2 The site lies within an established residential area and is bounded by other residential gardens on either side. To the east lies no 11 Edward Road, a single storey property that is set back from the main run of properties in this road. To the south lies a well used footpath, which the proposed vehicular access will cross over.
- 1.3 The application has been amended to take account of the views made by local residents, which are outlined below. It was originally proposed to erect a detached garage building near to the boundary with no 11 Edward Road, but this has been relocated to the side of the proposed dwelling. The originally proposed windows on this side of the proposed dwelling have also been omitted.
- 1.4 A copy of the revised plans showing the location of the proposal, its design and layout together with the design statement are attached at **Appendix 1**. A copy of the original block plan is attached at **Appendix 2**.
- 1.5 The application comes to Committee because several letters of objection have been received and the views of Kennington Parish Council in response to the original plans differ from the recommendation.

2.0 Planning History

- 2.1 An application for a two storey detached dwelling on this site was withdrawn in October 2006, due to the County Council's highway concerns over the proposed access.

3.0 Planning Policies

Vale of White Horse Local Plan 2011

- 3.1 Policy GS5 (making efficient use of land and buildings) seeks to promote the efficient re-use of previously developed / unused land and buildings within settlements (provided there is no conflict with other policies in the Local Plan).
- 3.2 Policy H11 (development in the larger villages) enables new housing development within the built-up areas of Kennington, provided the scale, layout, mass and design of the new dwellings would not harm the character of the area and it does not involve the loss of facilities important to the local community (e.g. informal public open space).
- 3.3 Policies DC1, DC5, DC6, and DC9 (quality of new development) are relevant and seek to ensure that all new development is of a high standard of design / landscaping, does not cause harm to the amenity of neighbours, and is acceptable in terms of highway safety.
- 3.4 PPS3, "Housing", is also relevant and reiterates the key objective of developing previously developed sites within urban areas, where suitable, ahead of greenfield sites and making the most effective and efficient use of land.

4.0 **Consultations**

Original Plans

4.1 Kennington Parish Council objected to the application and their comments are attached at **Appendix 3**.

4.2 3 letters of objection and one petition (71 signatures) have been received, which are summarised as follows:

- This re-submission is considered worse than the last scheme. No 11 Edward Road has two windows that overlook the site and the proposed garage building to the south west of this property will be very close at about 2m, completely blocking out light and obscuring the view. The proposed bedroom window in the east side will also overlook no. 11 Edward Road.
- The dwelling at 8.32m high will be overbearing to No 11 Edward Road.
- Due to the slope, the most usable part of the gardens of 131 & 133 Upper Road adjoin the garden of no 19 Edward Road. These will be affected by the scale and close proximity of the proposed dwelling leading to a loss of amenity.
- Contrary to the planning agents' view that Kennington is suburban, it is not. It is a village.
- The design of the dwelling does not fit in with the surrounding area, which is predominantly made up of bungalows to the north and east. The two storey house is too large.
- The access will cross a busy footpath, which is constantly used by young and elderly residents, and will make the path unsafe.
- Due to the difference in ground levels, the access will have a significant gradient, which will cause the footpath to have an adverse camber where the access crosses it. The safety of pedestrians is of utmost concern.
- Rowles Close is a cul-de-sac with limited opportunities for turning and parking due to its narrow carriageway, and an additional access onto this road will exacerbate safety problems for all users.
- Further development in this area will lead to more on street parking.
- Construction noise and traffic will be unacceptable.
- The development will result in the loss of an established hedgerow and fruit trees.

Amended Plans

4.3 Kennington Parish Council had not responded to the consultation on the amended plans at the time of writing the report. Any comments received will be reported at the Meeting.

4.4 County Engineer – no objections, subject to conditions to ensure pedestrian awareness vision is provided along the footpath via a post and rail fence, the gradient of the access to accord with the County Council's standards, and parking and turning spaces are maintained within the curtilage as detailed on the plans.

4.5 1 letter of objection has been received, which is summarised as follows:

- The ridge of the dwelling is still too high and will take too much light from the garden of no. 11 Edward Road.
- The house is still too big.

4.6 Any further comments received will be reported at the Meeting.

5.0 **Officer Comments**

- 5.1 The main issues in this case are considered to be 1) the principle of the proposed development in this location, 2) the impact of the proposal on the character and appearance of the area, including its design and its impact on existing trees, 3) the impact of the proposal on neighbouring properties, 4) the safety of the access and parking arrangements, and 5) precedent.
- 5.2 On the first issue, Kennington is identified in the Local Plan as a village that can accommodate new housing development providing the layout, mass and design of the proposal would not harm the character of the area. PPS 3 'Housing' also makes it a priority to use previously developed land for new housing. Previously developed land includes the curtilage of an existing dwelling. In this respect, the principle of a new dwelling therefore is considered an acceptable and appropriate form of development in this location.
- 5.3 Regarding the second issue, the development in the form and design proposed is not considered to be out of keeping with the locality. Edward Road, Upper Road and Rowles Close consist of a mixture of semi-detached and detached houses and bungalows that are intermixed, which results in the area having a suburban appearance with a variety of dwelling styles. The provision of a detached two storey house therefore would not be inappropriate, and its design is considered to be acceptable. The loss of hedgerow and fruit trees is also considered to be unobjectionable. Consequently, Officers consider the visual impact of the proposal to be acceptable.
- 5.4 Turning to the third issue, the impact on neighbouring properties, it is considered that no harm would be caused to those properties in Rowles Close or Upper Road, given the relative distances to those properties (21m to Upper Road and 20m to Edward Road at the closest point). Furthermore, the impact on light to the gardens of 131 & 133 Upper Road is not considered to be sufficiently harmful to warrant refusal. The new dwelling is has also been sited to respect the amenity and privacy of adjacent dwellings in Edward Road.
- 5.5 The property that is most affected is No. 11 Edward Road. Whilst the original scheme was considered to have an adverse impact on residential amenity through loss of light, loss of privacy and oppressive outlook, the amended scheme has moved the garage further away from the boundary with this adjacent bungalow. As such, any impact relating to loss of light or through over dominance is now considered acceptable. Furthermore, the upper floor windows in the side gable of the proposed dwelling have been omitted to protect the privacy of no. 11 Edward Road. The proposed vehicular access is also not considered to lead to any additional disturbance to nearby residents that would warrant refusal of the application. Officers, therefore, consider the impact on neighbouring properties to be acceptable.
- 5.6 On the issue of parking and access, the proposed arrangements are considered acceptable. The parking provision shown provides ample space and turning facilities for the new dwelling. Adequate visibility can also be achieved at the new access to ensure pedestrian and highway safety. The County Engineer has raised no objection subject to conditions.
- 5.7 With regard to precedent, whilst this can be material where other sites suitable for similar development can be identified in the locality, Members will be aware that each proposal must be considered on its own merits. In this case, there are other potential sites in the vicinity that could be the subject of a similar proposal. However, given the thrust of Government guidance on new housing, particularly in terms of making more efficient use of land within settlements, Officers consider that the issue of precedent is not such as to warrant refusal of this application.

6.0 **Recommendation**

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

1. *TL1 – Time Limit*
2. *MC2 – Sample Materials*
3. *RE2 – Restriction on extensions / alterations to dwellings (PD rights removed)*
4. *RE8 – Submission of drainage details*
5. *RE7 – Submission of boundary details*
6. *RE14 – Garage accommodation to be retained*
7. *RE22 – Slab level of new dwelling to be agreed*
8. *HY3 – Access in accordance with specified plan*
9. *HY16 – Turning space in accordance with specified plan*
10. *HY25 – Car parking layout in accordance with specified plan*
11. *LS4 – Submission of landscaping scheme*
12. *HY19 – Access road to specification before occupation of any dwelling.*
13. *MC9 – Obscure glazing of 1st floor en-suite windows in west elevation.*
14. *MC20 – Amended plans*