

Planning Committee
15 November 2017

Addendum Report

Item 7 – P17/V0205/FUL – Land adjoining 16 Yarnells Road, North Hinksey

Updates

Councillor Debby Hallett has submitted a statement to the committee as she will be unable to attend. This is **attached** at Appendix 1.

One of the neighbours to the site has made further submissions concerned about the lack of a daylight assessment with the application to allow for the impact on loss of light to be assessed, and about the potential for inter-visibility between windows on the north-west and north-east walls of the proposed dwelling and first floor windows in the neighbours' house.

Officer Response

Officers cannot require the submission of a daylight assessment as it is not required by the adopted design guide. Historically, across a great number of previous cases, officers have assessed impact on daylight and sunlight using experience.

Although there are windows in the dwelling facing north-west and north-east, these are ground floor windows and, given the angles between these windows and the first floor windows of the neighbour, officers consider that the opportunities for direct looking between these windows into the rooms behind will not be sufficient to cause harm through loss of privacy to either party.

Item 8 – P17/V2413/FUL – Hatherton, The Ridgeway, Boars Hill

Updates

Further submissions have been received from a neighbour, one of which has been circulated to committee members. These submissions re-iterate previous objections and further emphasise the likely amount of imported material that will be required to adjust levels on the site. They also draw attention to the fact that the proposed house will be at a similar level than the existing house, contrary to what is stated in paragraph 5.4 of the report.

Officer Response

Officers acknowledge that the proposed house will be at a similar level to the existing house and not at a lower level. The information that has been received regarding proposed site levels indicates the intention to create a relatively level platform for the new house, drive and garden, approximately 600mm below the level of the new garage. Officers are content that there is sufficient information to show that the impact of the proposals on neighbours and the wider area will be acceptable. However to obtain greater precision on levels, and to ensure that trees to be retained are safeguarded, a further condition is recommended.

It is also clear that a certain amount of material will need to be imported to achieve the proposed levels. Officers recommend that conditions are imposed to require a management plan to control the details of this operation, and to control the timing of construction traffic in general.

Revised Conditions:

Prior to commencement

- 3. Final site levels**
- 4. Tree protection measures**
- 5. Management plan for importation of material to the site**
- 6. Management plan for the timing of construction vehicles using the site**

Compliance:

- 7. Materials in accordance with the application**
- 8. Bat protection**

P17/V2009/HH – Castle Farm Barn, Manor Road, Wantage

Updates

A further letter has been received from one of the neighbouring properties raising concern over the size of the proposed garage and that it could be used in future as a separate dwelling. Concerns have also been raised over mounded earth located on the common boundary blocking views of the AONB.

Officer Response

Officers consider that it is of a scale ancillary to that of the main dwelling and a condition is recommended restricting the use of the office to ancillary purposes. Issues in relation to other works on site or historical concerns over unauthorised development, are not relevant to the consideration of this case.

Additional Urgent Item

P17/V2964/AG – The Old Stables, Fernham Road, Shellingford

This is an application for prior notification under Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, for the erection of a grain store at The Old Stables, Fernham Road, Shellingford. The applicant is Cllr Robert Sharpe and therefore the application has to be considered by the Planning Committee. The Planning Department have 28 days to consider whether the proposal requires prior approval or whether it is in effect permitted development. It therefore has to be considered as an urgent item tonight.

The Proposal

This application is a Notification of Intention to carry out Agricultural Development. The proposal is for a new grain store measuring 24.4 metres by 18.3 metres with an eaves height of 6 metres and a ridge height of 8 metres. The total floor area measures 446.5 sq metres, and the building would be located adjacent to the existing complex of farm buildings and the farm house.

Planning Considerations

As this is an application for the notification for agricultural development consideration can only be given as to whether the proposed building requires prior approval for its siting, design and external appearance. The need for the proposed building cannot be questioned provided it is reasonably necessary for the purpose of agriculture within the unit.

For the proposed building to fall within Class A of Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, the following requirements must be met;

- The agricultural unit must be 5 hectares or more.
- The development must not be on a separate parcel of land forming part of the unit which is less than 1 hectare.
- The building, and any other buildings within 90 metres of it erected within the previous two years, must not exceed 465 square metres.
- The development must be used as part of the agricultural use.
- The building must not be within 25 metres of a metalled classified road.
- The building must not exceed 12 metres in height if more than 3 kilometres away from the perimeter of an aerodrome

From the information provided it is considered that the proposal is reasonably necessary for the purposes of agriculture and complies with the criteria for agricultural permitted development when assessed against the above legislation.

The proposed building is located adjacent to the existing farm complex and will be seen within this context. It is not considered that the proposal would have a harmful impact on the wider area, given its location, siting and design and therefore further details in this respect are not considered necessary.

As a result it is considered that the proposal will not require prior approval from the council.

Recommendation

It is recommended that authority to issue a decision to the effect that prior approval is not required, is delegated to the head of planning.

Appendix 1

Dear colleagues,

I am unable to attend tonight due to being unwell. But I wanted to share with you my concerns about this application.

Having read the officers report, it's clear this application is a close call. You could decide either way and support your decision.

There are two main points that remain unaddressed, from my perspective:

1. This is one of our lower density areas in North Hinksey, so the principles from council's Design Guide for lower density areas would apply. The officers report doesn't address this.
2. 18 Yarnells Road is being overwhelmed by neighbouring development. New houses went in opposite 18 Yarnells Road, and they are fine. For this application, while it is the case, admitted by officers, that this development will block daylight from protected windows and amenity spaces of 18 Yarnell's Road, it's important to consider that approved plans for next door, at 34 North Hinksey Lane, ALSO block daylight and sunlight from principal windows. The houses next door at 34 NHL aren't yet built, so members visiting the site **wouldn't** be able to judge for themselves the impact of that. Please request and expect from officers a sunlight/daylight study that shows you precisely the amount of daylight and sunlight blocked from the principal windows and garden space at 18 Yarnells Hill. It's excessive in my opinion.

In case you haven't read my reasons for calling this in, I've reprinted them here:

16 Yarnells Rd Feb 2017

1. Parking standard for 4 BR house is 2 spaces. Drivers should be able to enter and exit in a forward gear, isn't that correct? There is no turning space. Parking spaces are very close to the house at 18 Yarnell's Rd. It's unclear from the drawings how the differences in elevations affect the neighbours in terms of car parking and vehicle noise, exhaust odour, and headlights. Will the neighbours at no 18 Yarnells Rd be able to sleep with their windows open? This seems like a severe reduction in privacy and enjoyment for the neighbours.
2. Applicant doesn't mention, anywhere that I can see, the relationship between the planned bungalow and the closest neighbour at no 18 Yarnells Rd. From the site plan, the proposed bungalow is very close to this neighbour.
3. I understand there is a covenant to protect the occupants of number 16 against too high a building. But nothing protects the neighbours on the other side at 18. Does this plan cut off a view of the sky from the kitchen windows at number 18?
4. Site plan also does not show the approved plans for no 34 North Hinksey Lane, which will come close to the property line with this proposed bungalow. It looks like this hasn't been considered, and it should be. Future residents there and also at 16A could be significantly affected. This should be a consideration.
5. This is considered an area of lower density. How are the principles in the Design Guide 2015 upheld for amenity space, parking spaces design in front of a property, landscaping and overlooking from neighbours? For example, are bedroom windows 21 metres apart? The

principle, as I understand it, is that everyone should feel comfortable with the privacy in their own homes.

6. I understand several trees on boundaries have already been removed. How is this supported at all, when clearly they say they will rely on boundary landscaping to provide privacy for neighbours?

7. The applicant refers to the outline application which had permission granted in 2014. That permission was for a 90sq m bungalow; this is more than twice that size. I see no relation between the Outline application and the current application, except to note the conditions under which the small 2 BR bungalow was approved: it was appropriate to the plot of land in terms of size, amenity and accessibility. This one is too big for its context. In fact, it is bigger than any of the near neighbours (128 sq m at 18 Yarnells Rd, 177 Sq m at 36 North Hinksey Lane). That's not necessarily a problem in itself, but it IS a problem in the context of this small plot of land in a lower density area.

8. How does this proposed building align with the neighbours, and how does it fit into the current street scene? Without photos of the current houses at 16 and 18, and an interpretation of the plans for 34 NHL, I find it difficult to imagine.

9. The site plan and the block plan each show a different relationship to number 16. Are the buildings parallel or angled related to each other? Is number 16 actually not square at its front corner?

10. The Block Plan omits the relationship of the new dwelling to number 18.

11. The Design & Access statement refers me to drawing P3 for landscaping. I don't see a drawing P3. It's relevant to the protection from parking nuisances of the neighbours' bedrooms at number 18.

12. Recent appeal decisions show inspectors considering as bedrooms, all rooms which could be easily used as a bedroom, such as the study in this plan. So we have a 4 BR bungalow. How much private amenity space is provided? I'm keeping in mind that this is a low density area, and it seems to me this plan provides the least possible amenity and parking space.

Thanks for your careful consideration of the harm this proposed development causes. I urge refusal so the applicant can come back with something that works better in its context and is more considerate of the neighbours.