
APPLICATION NO.	P17/V0205/FUL
SITE	Land adjoining no 16 Yarnells Road North Hinksey Oxford Oxfordshire, OX2 0JY
PARISH	NORTH HINKSEY
PROPOSAL	Erection of a 3 bedroom bungalow and access drive (as per amended plans received 08 June 2017)
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT OFFICER	Mr Derek Thomas Martin Deans

RECOMMENDATION

Planning Permission subject to the following conditions:

Standard

- 1 : Commencement 3 years - Full Planning Permission
- 2 : Approved plans

Pre-Commencement

- 3 : HY2 - Access in Accordance with Plan
- 4 : HY7 - Car Parking
- 5 : LS4 – Arboricultural Method Statement and Tree Protection
- 6 : MC1 - Materials (Details)
- 7 : RE6 – Boundary Details

Compliance:

- 8 : RE3 - PD Restriction extensions and loft conversion alterations
- 9 : RE18 - Slab Levels

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application comes to committee at the request of the local councillor, Debby Hallett.
- 1.2 The application site is a discrete parcel of land that fronts Yarnells Road, a private road off North Hinksey Lane. The site frontage lies between no.16 and no.18 Yarnells Road. The site is approximately 40m long and varies in width from approximately 5m at its frontage with Yarnells Road to approximately 21m at the back boundary. To the south-west side is no.16 Yarnells Road, a two storey detached house. To the north-east are no.18 Yarnells Road and no.34 North Hinksey Lane, also two storey detached houses. To the south-east is part of the rear garden of no.32 North Hinksey Lane.

- 1.3 The site is overgrown. Five conifer trees lie in a group on the north-east boundary. There is a general fall in levels of approximately 1m across the site from south-west to north-east. There is a further fall of approximately 1m to the level of no.18 Yarnells Road and no.34 North Hinksey Lane.
- 1.4 The proposal is to build a single storey bungalow with access from Yarnells Road. The proposal has been amended since its original submission with additional information to address concerns over the accuracy of the plans. The bungalow will be a maximum of approximately 5.3m high, with an eaves height of 2.4m. The design is articulated with a main core element and subordinate elements. The plans show three bedrooms, although the proposed study could easily be used a fourth. The front wall will be approximately 13.5m back from the front boundary and will be approximately 1m from the south-west boundary with no.16 Yarnells Road. The proposal has been designed to retain the existing conifer trees and to include a rear garden area of over 100sq.m. Parking for two cars will be provided at the front of the site.
- 1.5 A site location plan is below. Copies of the application drawings are **attached** at Appendix 1.



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

The following is a summary of responses. Full details can be found at www.whitehorsedc.gov.uk

2.1

North Hinskey Parish Council	Object on the following grounds:- <ul style="list-style-type: none"> • Overdevelopment of the site • Out of character with the area • Lack of amenity space • Threat to existing trees
Councillor Debby Hallett	Objects on the following grounds:- <ul style="list-style-type: none"> • Overdevelopment of the site • Impact on neighbours • Lack of turning for cars • Insufficient parking • Inaccurate plans
Neighbours	2 households have submitted letters of objection on the following grounds:- <ul style="list-style-type: none"> • Overdevelopment of the site • Proposed footprint too large relative to neighbours and out of keeping with the area • Loss of light and sunlight • Dominance of outlook from windows and garden • Noise and disturbance from cars
Highways Liaison Officer	No objection subject to conditions
Forestry Team	No objection subject to arboricultural method statement
Waste Management	No objections

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P13/V2441/O](#) - Approved (03/01/2014)

Outline application for erection of a two bedroom bungalow with garage and access drive (As clarified by Location Plan Drawing No: 1342-001 Revision C received 24 December 2013)

[P09/V1031/O](#) - Refused (10/08/2009)

Erection of a two bedroomed bungalow with garage and access drive (Renewal of planning permission NHI/5858/5).

[P06/V0819/EX](#) - Approved (04/07/2006)

Erection of a two bedroom bungalow with garage and access drive.

[P01/V1086/O](#) - Approved (06/09/2001)

Erection of 2 bedroom bungalow with garage and access drive.

[P96/V0624/EX](#) - Approved (27/06/1996)

Renewal of Planning Approval NHI/5858/2-X for outline permission for a 2 bedroom bungalow, garage and access drive.

[P91/V0285/O](#) - Approved (13/06/1991)

Erection of a 2 bedroom bungalow with garage and access drive.

[P90/V1310](#) - Approved (06/08/1990)

Proposed extension and conversion of existing house into five two-bedroom flats and one one-bedroom flat and associated parking. Amendment to application NHI/8574/3 for revised car parking layout.

[P90/V0296/O](#) - Refused (23/05/1990)

Erection of a three-bedroom bungalow with garage and access drive (0.05 hectares).

- 3.2 Also relevance to this application is a planning permission at 34 North Hinksey Lane to replace the existing detached house with a development of 3 detached houses (P16/V2166/FUL, dated 01/12/2016).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The development is not of a scale that requires an EIA.

5.0 **MAIN ISSUES**

- 5.1 The main issues in this application are:

- The principle of development
- The impact on the character and appearance of the area
- The impact on neighbours
- Parking and highway safety

5.2 **Principle**

Policy CP3 of the Local Plan 2031 Part 1 designates North Hinksey as a “Smaller Village”. Policy CP4 states that limited infill development may take place within the built area of the village. The site lies within the built area of North Hinksey village. In 1990 outline planning permission was granted for a bungalow on this site, and this permission has been renewed five times since. Consequently a single dwelling on the site is considered to be acceptable in principle.

5.3 **Impact on the Character and Appearance of the Area**

Whilst the principle of a bungalow on the site is not controversial, the parish council and local objectors are concerned about the size and plot coverage of the proposal. The proposed bungalow has a footprint of approximately 190 sq.m. Notwithstanding this, the proposal includes a rear garden of over 100sq.m in area, which complies with the adopted standard for a four bedroom dwelling in the design guide. Subject to details of construction and of tree protection the existing conifers can also be retained.

5.4 The proposal will be set back approximately 13.5m from the front boundary and although it will project forward of no.16 Yarnells Road by approximately 3m, it will lie over 10m behind the foremost roadside wall of no.18 Yarnells Road. Consequently officers consider it will not be prominent in the street scene. Two parking spaces can be provided, which also meets the expected standard for a location this close to Oxford.

5.5 As the proposal does meet key standards for amenity space and parking, and does not cause harm to the street scene, officers consider it is difficult to argue that it amounts to overdevelopment of the site, or that it harms the character and appearance of the area. However, in view of the proximity of neighbours and the desire to retain the existing trees, officers would recommend the removal of permitted development rights for extensions and for any works to create accommodation in the roof space to enable any other future proposal for an extension or alteration to be assessed as a planning application.

5.6 **Impact on Neighbours**

Due to the presence of a substantial boundary wall and fence the proposed bungalow will have little impact on no.16 Yarnells Road. The main neighbours affected are no.18 Yarnells Road and nos. 32 and 34 North Hinksey Lane. Currently no.34 North Hinksey Lane is a derelict house. There is an extant planning permission to replace this with three houses, two of which would lie in the same general position relative to the application site as the existing house, but with altered levels.

5.7 Levels will be altered on the application site to provide a level platform for the proposed bungalow. A topographical survey and site sections have been submitted. These show that existing levels will be increased by up to 300mm to provide the platform. There is a fall of approximately 1m from the site to the level of no.18 Yarnells Road and no.34 North Hinksey Lane. This fall in level is not shown on the site sections, but the height of no.18 relative to the site level is accurately shown.

5.8 New buildings on the site of no.34 North Hinksey Lane will be largely screened from the site by the retained conifer trees. The main concern with this relationship is to protect the privacy of occupants of the proposed bungalow from upper floor windows in the new houses. With this in mind the proposal has been designed to provide a more secluded private area, screened by elements of the new bungalow itself. This should ensure adequate privacy even if the conifer trees are lost in the future, for example due to disease. This element will

also assist in protection from potential overlooking from an existing first-floor terrace at the rear of no.32 North Hinksey Lane.

- 5.9 Conversely the relationship with no.18 Yarnells Road concerns the impact of the proposal on the amenity of these neighbours. The rear wall of no.18 faces the site and lies only approximately 7m from the boundary. The slab level of no.18 is approximately 1m below the site level. The rear wall contains principal windows at ground floor (kitchen and lounge) and at first floor (bedrooms). There is also a rear garden. Currently there is a fenced footpath between the site and the rear garden of no.18, but this footpath is owned by the occupants of no.18 and the fencing could be removed to effectively incorporate the land into the garden. Given the relative low height of the proposed bungalow the main concern is the impact on the ground floor windows and garden to no.18. Officers have examined this impact carefully.
- 5.10 The amendment to the application has resulted in the corner of the original proposal, closest to the house at no.18, being removed. This means the closest element will be a subordinate ridge approximately 4.4m high and approximately 14m away. The amendment means the closest part of the main ridge has also been effectively moved further from the house at no.18, so that there will be an intervening distance of approximately 16m. This ridge will be approximately 5.4m high, accounting for the proposed change in levels.
- 5.11 The main bulk of the proposed bungalow will not lie directly to the rear of no.18, but will lie to the side. In terms of orientation this will be to the south and south-east of the rear of no.18. Therefore, in terms of outlook from the windows and garden, officers consider the off-set relationship means the impact will not be sufficient to cause harm. With regard to loss of light, particularly sunlight, the existing conifers on the boundary, to the south-east of no.18, do intercept a significant amount of morning sunlight from the south-east at present. Although the mass of the two storey house at no.16 Yarnells Road will intercept sunlight from the south and south-west when the sun is lower in the sky, officers consider the sun will lie above this ridge for most of the year. The proposed bungalow will intercept more morning sunlight than is currently intercepted by the conifers. However, from approximately midday, for most of the year, officers consider that the sun will lie above the ridge of the bungalow, and above the ridge of no.16, and so reach the rear of no.18. Consequently officers consider that, although there will be loss of sunlight to the occupants of no.18, the degree of loss will not be enough to amount to harm.
- 5.12 Local concerns have also been raised with regard to the noise and disturbance from cars associated with the proposal. Officers are mindful that the site has received planning permission for a dwelling with access from Yarnells Road several times since 1990, and some noise and disturbance from cars accessing the site would have been accepted as part of these permissions. The site is currently bounded by close-board fencing approximately 1.8m high and this is expected to continue. Given the anticipated level of noise and disturbance from car movements associated with one dwelling it is not considered that the level will be so high as to warrant refusal of the application.

5.13 **Parking and highway safety**

The proposal includes access from Yarnells Road and sufficient area for two parking spaces. As Yarnells Road is a cul-de-sac there is no requirement for a turning space. The county highways officer considers that in this location, relatively close to the services of Oxford, two parking spaces meet the appropriate standard. The junction of Yarnells Road and North Hinksey Lane is considered adequate in terms of vision. Bearing in mind the current test for an objection on traffic grounds, one of “severe harm” in the NPPF, the county highways officer has no objection subject to conditions.

6.0 **CONCLUSION**

6.1 The proposal is considered to be acceptable in terms of the impact on the area, the impact on neighbours, and in terms of parking and highway safety. It is considered to meet relative policies in the development plan and the NPPF.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 policies:

CP01 - Presumption in Favour of Sustainable Development
CP03 - Settlement Hierarchy
CP04 - Meeting Our Housing Needs
CP37 - Design and Local Distinctiveness

Vale of White Horse Local Plan 2011 policies:

DC5 - Access
DC7 - Waste Collection and Recycling
DC9 - The Impact of Development on Neighbouring Uses

Vale of White Horse Design Guide (SPD 2015)

National Planning Policy Framework, 2012

Planning Practise Guidance, 2014

Equalities Act 2010

The application has been assessed against section 149 of the Equalities Act 2010. It is considered that no identified group will be suffer discrimination as a result of the proposal.

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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.