

**DRA/20146/2 – Berrycroft Homes Ltd
Demolition of existing dwelling. Erection of two 3 bedroom semi-detached dwellings and associated car parking. (Resubmission of application DRA/20146/1) (Retrospective).
35 Sutton Wick Lane, Drayton, OX14 4HH.**

1.0 The Proposal

- 1.1 This application seeks retrospective planning permission for the demolition of an existing bungalow and its replacement with two semi detached dwellings at 35 Sutton Wick Lane, Drayton.
- 1.2 Planning permission was granted for the same development in September 2007, the conditions were discharged and the permission has been implemented. Since then, it has emerged that the Ordnance Survey plan used as part of the submission was inaccurate in the location of the neighbouring dwellings with the result that the relationship between the new dwellings and the neighbouring properties was slightly different to that shown on the approved plans. A revised application was therefore requested in order to enable proper consideration of the proposal and the opportunity for local residents to comment.
- 1.3 Sutton Wick Lane is characterised by a range of different property styles and the site itself is flanked by a 1½ storey dwelling to the north and a pair of 2 storey semi detached dwellings to the south. The height of the proposal sits half way between that of the ridge height of the two neighbouring properties.
- 1.4 Extracts from the application drawings are at **Appendix 1**.
- 1.5 The application comes to Committee as the Parish Council objects and due to the number of letters of objection received.

2.0 Planning History

- 2.1 Planning permission was granted for the same development in September 2007. Extracts from the previously approved drawings are at **Appendix 2**.

3.0 Planning Policies

- 3.1 Policy H11 lists Drayton as one of the larger villages suitable for additional residential development on sites capable of accommodating up to 15 dwellings provided they are within the built up area of the settlement and subject to criteria.
- 3.2 Policies DC1, DC5 and DC9 relate to the design of new development, access and parking considerations, and impact in neighbouring properties.

4.0 Consultations

- 4.1 Drayton Parish Council objects to the application. Their full comments are at **Appendix 3**.
- 4.2 The County Engineer has no objections.

4.3 11 Letters of objection have been received from local residents raising the following concerns:

- The dwellings are out of character with neighbouring properties.
- The parking area looks like a public car park.
- The proposal will lead to parking problems in the area.
- The proposal is poorly planned.
- The dwellings are too big for the plot.
- The surface water run-off will contribute to local flooding.
- The houses reduce privacy for the neighbouring properties.
- The dwellings overshadow neighbouring properties.
- The dwellings project too far down the plot in relation to neighbouring properties.
- The rear reception rooms are brick and not conservatories as described.

5.0 **Officer Comments**

- 5.1 The main issues to consider in determining this application are: i) the principle of additional residential development in this location; ii) the design of the proposed dwellings and impact on the character of the area; iii) the impact of the proposed dwellings on neighbouring properties; iv) parking and access considerations. Although retrospective, the application must be considered in the same way as all applications for planning permission.
- 5.2 The site was formerly occupied by a single bungalow and is within the main built up area of Drayton. The principle of additional development on this site is therefore considered to comply with Local Plan Policy H11. Furthermore planning permission has already been granted for 2 dwellings of the same size and design therefore the principle has been established.
- 5.3 In relation to the design of the proposed dwellings, Sutton Wick Lane is characterised by a range of property styles and sizes, and different material finishes. The new dwellings are higher than the chalet bungalow to the north, but lower than the two storey dwellings to the south of the site. In design terms, your Officers do not consider that they appear out of character in this varied street scene.
- 5.4 This retrospective application has been submitted due to inaccuracies in the original Ordnance Survey plan which was used as a base for the original layout plan. This incorrectly showed both neighbouring properties further back in their plots than they actually are. This discrepancy resulted in the new dwellings extending further to the rear of these neighbouring properties than was originally shown on the approved plans by approximately 1 metre. The current application now correctly shows the relationship between the new dwellings and Nos 33 and 37 Sutton Wick Lane.
- 5.5 The main element to re-assess in relation to this previous discrepancy is whether the new dwellings now extend beyond the rear of the neighbouring properties so as to result in over shadowing and over dominance in relation to their rear windows and private curtilage. In the case of both neighbouring properties, the relationship between the two storey elements of the new dwellings and the nearest first floor windows of these neighbours complies with Council's design guidance in terms of the 40 degree rule. The single storey projections on the new dwellings, whilst extending further to the rear, are set well off each neighbouring boundary with an eaves height of between 2 and 2.4 metres. In planning terms the difference between a conservatory and brick

extension (a concern raised by the Parish Council and local residents) is not considered significant in terms of relative impact.

5.6 There are no side windows on the flank wall of no. 33 and the two on the side wall of no. 37 serve a garage and cloakroom and, therefore, do not provide light to main habitable rooms such as a kitchen or living room. Refusal on the grounds of loss of light to these rooms could not be justified on appeal.

5.7 Concern has been raised by neighbouring properties in relation to overlooking. The main first floor windows in the new dwellings face down the respective gardens and not towards neighbouring gardens. The side facing first floor windows in plot 1 are obscure glazed and the ground floor windows face the blank flank wall and boundary fence of no. 33.

5.8 Your Officers do not, therefore, consider that there are any planning grounds which could justify refusal of the application in relation to the impact on neighbouring properties.

5.9 The new 3 bedroom dwellings have 2 parking spaces each and turning space within the site to enable vehicles to exit in a forward gear. The scheme complies with the County Engineer's requirements, and there are no grounds on which to justify refusal on highway safety grounds.

6.0 **Recommendation**

6.1 *It is recommended that planning permission is granted subject to the following conditions:*

1. *Prior to the first use or occupation of the development hereby permitted, and at all times thereafter, the proposed first floor windows on the north elevation of plot 1 shall be glazed with obscured glass only and shall be top-hung only. Thereafter and notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order) no additional windows shall be inserted at first floor level in the north elevation of plot 1 and the south elevation of plot 2 of the dwellings hereby approved without the prior grant of planning permission.*
2. *Prior to the first use or occupation of the development hereby permitted, visibility splays shall be provided for the access in accordance with a scheme which shall first be submitted to, and approved in writing by, the District Planning Authority. Such splays shall be on both sides of the access and shall be so designed that there is no obstruction to vision above 0.9 metre in height relative to the centre line of the adjacent carriageway over the whole of each vision splay area. Such splays thereafter shall be permanently maintained free from obstruction to vision.*