

<b>APPLICATION NO.</b>	<a href="#">P13/V0924/HH</a>
<b>APPLICATION TYPE</b>	HOUSEHOLDER
<b>REGISTERED</b>	26.4.2013
<b>PARISH</b>	NORTH HINKSEY
<b>WARD MEMBER(S)</b>	Eric Batts Debby Hallett
<b>APPLICANT</b>	Mr & Mrs S Ram
<b>SITE</b>	5 The Garth Botley Oxford, OX2 9AL
<b>PROPOSAL</b>	Proposed two storey side extension and single storey side/rear extensions. (Re-submission of refused application P12/V2559/HH)
<b>AMENDMENTS</b>	18.6.2013
<b>GRID REFERENCE</b>	448834/205732
<b>OFFICER</b>	Katie Rooke

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## 1.0 INTRODUCTION

1.1 The application comes to committee as North Hinksey Parish Council objects.

1.2 The property, a semi-detached dwelling, is situated on a broadly rectangular plot that runs south-west to north-east. Other residential properties are located to the south-east, north-west and north-east of the site, with vehicular access obtained from The Garth to the south-west. A copy of the site plan is **attached** at appendix 1.

## 2.0 PROPOSAL

2.1 This application seeks planning permission for the erection of a two storey side extension on the north-west elevation of the property measuring approximately 2.25 metres wide at its widest point and by 6.8 metres long, with an eaves height of approximately 5.9 metres and a ridge height of approximately 9.2 metres, and the erection of a single storey rear extension on the north-east elevation measuring 4.5 metres wide by 3.9 metres long, with an eaves height of 3 metres and a ridge height of 4.5 metres. Further to concerns regarding the roof design of the single storey extension this has been altered and revised plans provided. The application is therefore being considered on this amended basis. A copy of the application drawings is **attached** at appendix 2.

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 In response to the original plans the following consultation responses were received.

3.2 **North Hinksey Parish Council** objects for the following reasons;

- Although there is a 1 metre gap between the extension and the boundary with 4 The Garth, as the land of 5 The Garth is higher than that at no.4 there will be difficulties for building and maintenance purposes.
- As The Garth is built on a clay based hill there is the possibility of ground movement.
- Potential problems of the sewer going under the boundary line with no.4.
- The height differences between plots means that the roof of the single storey extension will be up to the bedroom level of no.4 and block out sunlight.
- The proposed development amounts to an over development of the site.

3.3 **County Highway Liaison Officer** raises no objections.

- 3.4 **Local District Councillor, Debby Hallett** objects for the following reasons;
- The proposed extensions will make exterior maintenance difficult / impossible for neighbours.
  - The proposal overlooks neighbouring gardens , reducing their privacy, and blocks out light.
  - The overbearing aspect of the proposal will change the character of the street.
  - Adequate off street parking is not provided for the number of cars at the property.
- 3.5 **Neighbours** Six letters of objection have been received, which make the following points;
- The proposal means that the ability to maintain the side facing gutter soffit, fascia boards and walls of no.4 would be lost.
  - There are no properties that have had this type of proposed extension built, and the development will lead to a terracing effect.
  - The depth of the foundations required for the extension may fracture the foundations of no.4.
  - The change in ground levels between 4 and 5 The Garth means the single storey extension will take light away from no.4
  - Overlooking of the garden of no.4 will be caused.
  - The extension will be detrimental to the aesthetics of the street.
  - The light line between properties will be affected.
  - Given that no.4 has historically been extended up to its side boundary, the query arises as to whether setting the proposed extension 1 metre back from the boundary will be sufficient to avoid a terracing effect.
  - There is no current precedent within The Garth (other than at no.1), for a double storey side extension.
  - The proposal will spoil an attractive, unique and coherent group of 1930's houses, which relies on greenery to the front and the visual gaps between houses, with views to the trees in gardens behind, to maintain its charm and character.
  - The difference in ground levels means the proposal will result in an overbearing building height overlooking and overshadowing no.4.
  - The extension goes beyond the natural lines of the houses in the street and creates an overbearing and over developed site.
  - The size and extent of the property and the creation of an extra kitchen makes it feel like two houses, and there does not seem to be any increased parking facilities.
  - It is an unattractive design.
- 3.6 Three letters have been received raising the following points;
- While it is good that the extension is set 1 metre in from the boundary line, it looks as though it will still lead to a terracing effect.
  - A single storey extension would be more sympathetic to the feel of The Garth and would block out less light.
  - The fact that houses on The Garth are clearly semi-detached is important as it contributes to the overall coherence and elegance of the close.
  - No.4 will no longer be able to maintain the side of the property, and natural sunlight will be diminished significantly and it appears privacy will be lost.
- 3.7 In response to the amended plans, which were put out for re-consultation, the following comments were received;
- 3.8 **North Hinksey Parish Council** objects stating “Councillors remained concerned about this re-submitted application as their concerns expressed in relation to the previous applications had still not been addressed” and “Councillors still believed that the

proposed development amounted to an over development of the site”.

- 3.9 **Local District Councillor, Debby Hallett** states “I think the plans still represent an overdevelopment of the site for all the reasons expressed by the owner of No4, the other neighbours and the parish council. This plot just isn’t big enough to accommodate the expansion applied for without overlooking neighbours, overbearing on neighbouring properties, light-blocking and access-preventing”.

#### 4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P12/V2559/HH](#) - Refused (08/02/2013)

Proposed two storey side extension with single storey side/rear extensions.

Refused for the following reasons:

1. In the opinion of the Local Planning Authority the proposed extension, which is not subordinate to the main house, given its size and position immediately adjacent to the north-west boundary of the site would appear intrusive in the street scene, create a terracing effect and harm the visual amenity of the area. As such the proposal is contrary to policy DC1 of the adopted Vale of White Horse Local Plan 2011 and the adopted supplementary planning guidance contained within the Residential Design Guide 2009.

2. In the opinion of the Local Planning Authority the proposed single storey element of the extension immediately adjacent to the north-west boundary of the site will, given the difference in slab levels with no.4 The Garth to the north-west, dominate the private residential amenity space of the neighbouring property. As such the proposal will have a detrimental impact on residential amenity contrary to policy DC9 of the adopted Vale of White Horse Local Plan 2011.

#### 5.0 **POLICY & GUIDANCE**

##### **National Planning Policy Framework**

- 5.1 The NPPF replaces all previous PPG’s and PPS’s and also indicates the weight to be given to existing local plan policies. The adopted Vale of White Horse Local Plan was not adopted in accordance with the Planning and Compulsory Purchase Act 2004, so paragraph 215 of the NPPF applies. 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.

##### **Vale of White Horse Local Plan (adopted July 2006)**

- 5.2 Policy DC1 refers to the design of new development, and seeks to ensure that development is of a high quality design and takes into account local distinctiveness and character.
- 5.3 Policy DC5 seeks to ensure that a safe and convenient access can be provided to and from the highway network.
- 5.4 Policy DC9 refers to the impact of new development on the amenities of neighbouring properties and the wider environment in terms of, among other things, loss of privacy, daylight or sunlight, and dominance or visual intrusion.

##### **Supplementary Planning Guidance – Residential Design Guide (adopted 2009)**

- 5.5 Section 4.6 refers to design of new extensions stating that they should be in keeping with the shape, scale, proportions and character of the existing dwelling, and should be designed to be subordinate to the original dwelling, with a lower ridge line.

5.6 Specifically referring to side extensions it states (p.143) “Extending at two storeys to the side of a detached or semi-detached dwelling can result in development right up to the site boundary, resulting in an inappropriate “terracing effect”. The problem can be exacerbated where an extension has the same roofline as the original building and where a neighbouring property already lies on or close to the boundary”.

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 whether there is adequate off-street car parking within the site for the dwelling.

*Impact on visual amenity*

6.2 The Garth is characterised by 1930’s style semi-detached properties, several of which have been extended. The proposed two storey extension has been set off the north-west boundary of the site by one metre and set back from the front elevation of the main house by 0.6 metres. The ridge of the extension is lower than that of the main house, and the proposal does appear subordinate to the dwelling. The elevated position of the site in relation to no.4 The Garth is such that the development will be visible above this dwelling when approaching along the road from the north-west. However, the position of the extension away from the boundary, and the inclusion of a hipped roof mean that a terracing effect would not be caused. Subject to appropriate materials being used, it is not considered that the proposal would harm the visual amenity of the area, and it is not felt that the proposal could reasonably or justifiably be refused on the basis of harm to the character of the area.

*Impact on neighbours*

6.3 There are no side windows in the south-east elevation of 4 The Garth, and the proposed two storey extension will not harm the amenities of neighbouring properties in terms of overshadowing or dominance.

6.4 The elevated position of the site in relation to no.4 means that the proposed single storey extension will be visible from the garden of the neighbour above the boundary wall. The relationship of the extension with the neighbouring garden is considered acceptable in respect to overshadowing and dominance owing to the set back of the extension from the boundary between nos.4 and 5, and the fact that the roof slopes away from the neighbour. The nearest ground floor openings in the rear elevation of no.4, a window and door respectively, serve a utility room. This is a non-habitable room and it is not considered that the proposal could reasonably or justifiably be refused on the grounds of impact on this room. The roof of the single storey extension will, given the difference in ground levels, be ‘in-line’ with the first floor rear windows of no.4. The roof profile of the extension is such, however, that it is not considered that the amenities of these rooms would be compromised.

6.5 The proposed rear (north-east) facing windows in the development will provide angled views over neighbouring gardens. These gardens are, however, already overlooked by existing windows, and the relationship of the new windows in the development with neighbouring gardens is not considered to be harmful. In order to prevent potential overlooking of the private residential amenity space immediately outside the rear of no.4 it is considered reasonable and necessary to remove permitted development rights in respect to the insertion of new windows in the north-west elevation of the extension.

*Impact on highway safety*

6.6 The County Highway Liaison Officer raises no objections to the proposal, and there is considered to be sufficient space on the driveway to provide adequate off-street parking for the extended property. In order to ensure this is maintained it is considered

reasonable and necessary to condition it.

*Future maintenance*

- 6.7 There is no specific requirement under planning legislation to require space to be provided or maintained between dwellings to enable future maintenance to be carried out. The application could therefore not be refused on the basis that space would not exist between the new extension and the neighbouring property to put a ladder up to undertake maintenance

7.0 **CONCLUSION**

- 7.1 The proposed development will not harm the visual amenity of the area or the amenities of neighbouring properties, and there is adequate off-street parking within the site for the extended property. The proposal 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. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

- 8.1 **It is recommended that planning permission be granted subject to the following conditions:**

1 : TL1 - Time limit - full Application (Full)

2 : List of approved plans

3 : Prior to the commencement of development, details of all materials to be used externally in the construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built using only the approved materials.

4 : Notwithstanding the provisions of classes A, B and C of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or the equivalent provisions of any order revoking and re-enacting that Order), no windows or rooflights shall be installed in the north-west elevation of the new extension without the prior grant of planning permission.

5 : The existing parking provision in front of the property shall be maintained free from obstruction to such use.

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