

APPLICATION NO.	<u>P20/V3183/HH</u>
SITE	West Wilden, 11 Brook Street, Sutton Courtenay, Abingdon, OX14 4AH
PARISH	SUTTON COURTENAY
PROPOSAL	Extension to existing garden store for ancillary use to the main house (additional levels plan received 31 March 2021)
WARD MEMBER(S)	Richard Webber
APPLICANT	Mr K Giles
OFFICER	Josh Sharp

RECOMMENDATION

Planning Permission, subject to the following conditions:

Standard:

- 1. Commencement within three years**
- 2. Approved plans list**

Compliance:

- 3. Materials in accordance with application details**

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application comes to planning committee at the request of Councillor Richard Webber on the grounds of the proposed extended outbuilding's size, scale and impact on neighbouring properties together with the description of its intended purpose.
- 1.2 West Wilden is a semi-detached property situated in the Sutton Courtenay Conservation Area. The attached dwelling, East Wildern, is to the east; while further residential development including Wildern Cottage and 20 Chapel Lane are found to the south and 15 Brook Street to the west of the site. Highway access is gained from Brook Street to the north via a private driveway and shared access with 15 Brook Street. Parts of the curtilage of West Wilden are within Flood Zone 2 and the remaining areas in Flood Zone 1.
- 1.3 The application seeks planning permission to extend the existing store outbuilding in the rear garden to create additional space for the storage of tools and a hobby space.
- 1.4 This application is partially retrospective; the foundations for the proposed extension to the outbuilding have already been constructed. It is set out in the design and access statement and confirmed by the agent that works are not ongoing during the assessment of this application.

- 1.5 A site location plan is provided below, and the application plans are attached at Appendix 1.



2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 This is a summary of the final responses received from consultees and third parties to the application. The full responses can be viewed on the council website: www.whitehorsedc.gov.uk

2.2

Sutton Courtenay Parish Council	Objection The Parish Council has asked its District Councillor to call in this application.
Drainage	No objection Given the existing/proposed form of development and given no additional impermeable area is proposed due to the extension being proposed upon an existing concrete hard standing, I have no concerns with respect to flood risk or drainage. Therefore, I have no objections to planning permission being granted.

County Archaeologist	No objection The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme at this time.
Forestry	No objection I have no objections to the proposed development.
3 neighbour objections have been received regarding the following issues	<ul style="list-style-type: none"> • As the footings were constructed in September 2020 the drainage engineer should revise their comments. • Cumulative flood risk to area, particularly Grade II listed Howes Cottage. • The proposed outbuilding is in conflict with protected trees on the site. • The proposal is at a scale and massing that will fail to conserve and enhance the conservation area. • The block and location plans do not accurately show adjacent outbuildings. • The slab level heights described in the DAS are inaccurate. • Concerns regarding surface water runoff.
2 neighbour representations have been received; 1 in support and 1 raising no objections	<ul style="list-style-type: none"> • The scale and location of outbuilding would make no material change to flooding risk; • It would not be over-development or inappropriate; • It would not be visible from the road and makes no change to the character of the conservation area; • No concerns re flooding, or the size of the structure.

3.0 RELEVANT PLANNING HISTORY

3.1 VE20/356 - ()

Without planning permission the construction of an outbuilding to the side of the house within a conservation area.

3.2 Pre-application History

N/A

3.3 Screening Opinion requests

N/A.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The scale of the proposal is below the relevant thresholds and the locality has no recognised specific environmental sensitivity. The proposal is not EIA development.

5.0 MAIN ISSUES

5.1 The relevant planning considerations are the following:

- Design and character
- Historic environment
- Residential amenity
- Access and parking
- Trees
- Flood risk and drainage
- CIL

5.2 Design and character

Core Policy 37 of the adopted Local Plan 2031 Part 1 (LPP1) requires new development to be of a high-quality design that is visually attractive, and the scale, height, massing and details are appropriate for the site and surrounding area. The Vale of White Horse Design Guide 2015 is an adopted Supplementary Planning Document to the Local Plan and provides guidance on how to deliver high quality development in the District.

- 5.3 The foundation for the outbuilding has already been laid, comprising an area of 27msq. The foundation is adjacent to the exiting outbuilding which measures 3.2 metres in height, 9m in length and 3m in width. The foundation will be expanded at the south east to accommodate the proposed extension to the outbuilding.
- 5.4 The proposed outbuilding extension will have a footprint measuring 41sqm. The proposal will have a height of 3.9m to the roof ridge, 4.25m above ground level (including the footings) and 2m to the eaves. The outbuilding will have a width of 5.1m and a length of 8.9m.
- 5.5 The proposal involves the partial demolition of the existing outbuilding; with the southern extent being removed. The extension will be oriented at a perpendicular angle to the existing outbuilding, forming an “L” shaped footprint. The existing outbuilding will form a junction with the roof of the proposed extension. The extension to the outbuilding will be constructed using dark stained timber for the facing materials and reclaimed red clay tiles for the roof. A slab level plan has been submitted which depicts the total height of the extension including the footings, in addition to its relationship to number 15; the house in closest proximity to the extension.
- 5.6 The total height of the extension, including the footings, will measure 4.25m

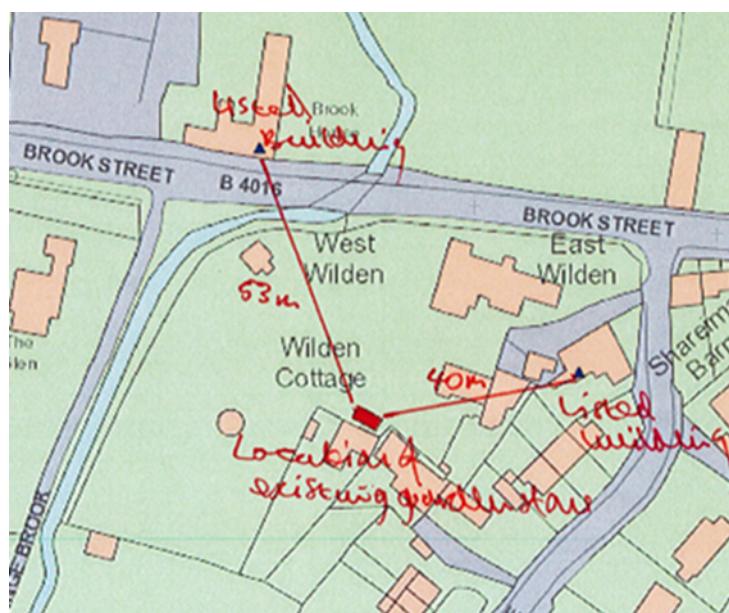
above ground level with a pitched roof; 85cm higher than the existing outbuilding. The resultant outbuilding would remain subordinate in scale and height when compared to the host dwelling and other residential dwellings in the vicinity.

- 5.7 In addition, Officers are mindful that the upper limit for the height of outbuildings under Class E of Part 1 of the General Permitted Development Order is 4m. This proposal is not eligible to be erected under permitted development due to its situation beyond the side elevation of the main house within the conservation area and its proximity to the curtilage boundary. However, the height of 4.25m of the proposed outbuilding, including the footings, is not uncharacteristic of the scale for an ancillary outbuilding which can be erected without planning permission.
- 5.8 Concerns have been raised by neighbours that the erection of the outbuilding will constitute overdevelopment of site, causing a proliferation of built form on the site which would harm the visual amenity of the area. As is described in the design and access statement, less than 50% of the curtilage of the property will be covered by buildings as a result of the development. Officers consider the cumulative area covered by buildings on this site as a result of the development will not cause a harmful, visual proliferation of built form and is acceptable.
- 5.9 Concerns have also been raised in relation to the intended use of the outbuilding being ambiguous. The design and access statement states that the building will be used for the following purposes: “[...] for the purposes of storing garden tools, domestic garden machinery and hobby space. The intended use of the dwelling is therefore not for use as a residential annexe.” To ensure that this is clarified, the planning permission description has been changed to: “Extension to existing garden store for ancillary use to the main house.”
- 5.10 A planning application would be required to change the use of the building from a domestic outbuilding to a separate residential dwelling or any commercial use. The application as submitted is a householder application for a domestic outbuilding extension. As required, Officers have assessed this application on its own merits.
- 5.11 Upon assessment of the proposal’s dimensions, context and nature, Officers are of the opinion that the proposal will appear as a subservient domestic outbuilding. The proposal has a sympathetic and appropriate form for the area and will be built using materials that are respectful and complimentary to exiting the built form in the vicinity. The outbuilding is set well back in its plot and would not appear prominent. This, in combination with the high boundary treatment at the site access, will ensure the outbuilding is not be readily visible in the street scene or from anywhere else in the public realm.
- 5.12 Therefore, the proposal would not harm the character and appearance of the area and is assessed to be compliant with Policy CP37 of the Local Plan 2031 Part 1 and the Vale Design Guidance.

5.13 Historic environment

Local Plan Policy DP37 requires proposals for development within or affecting the setting of a Conservation Area must demonstrate that they conserve or enhance its special interest, character, setting and appearance. Local Plan Policy DP38 requires that proposals within the setting of a listed building must demonstrate that they will preserve or enhance its special architectural or historic interest and significance.

- 5.14 The application site is located within the Sutton Courtenay Conservation Area and there are Grade II listed buildings within the vicinity of the site.
- 5.15 Neighbour objections have been raised regarding the inappropriate scale of the proposed outbuilding and the adverse effect it will have to the special significance of the conservation area and the setting of the nearby listed buildings, in terms of how proposed built form will relate to the historic buildings and how they are experienced in their setting.
- 5.16 The below map shows the outbuilding's relationship to the nearby listed buildings, which do not immediately abut the application site.



- 5.17 As described above, the proposed outbuilding is well within the curtilage of the main house, set back from the road, with proposed materials sympathetic and appropriate in this historic context. The curtilage boundary is contained by a high close boarded fence. This will ensure the outbuilding is not readily visible in the street scene or anywhere in the public realm.
- 5.18 In addition, as assessed above the proposal is subordinate to the main dwelling and of a scale associated with domestic outbuildings, particularly on a large plot such as this, and is of a sympathetic built form to other buildings in the area. The outbuilding is to be constructed with natural materials, appropriate in its historic setting.

5.19 Therefore, for these reasons, Officers consider that the building preserves the setting of the nearby listed buildings and does not detract from their special character or how they are experienced in this historic setting. The application proposal also would preserve the special character and appearance of the Sutton Courtenay Conservation Area. It would comply with Policy CP39 of the Local Plan 2031 Part 1 and Policies DP37 and DP38 of the Local Plan 2031 Part 2.

5.20 **Residential amenity**

The impact of development on neighbouring properties is covered by policy DP23 of the Local Plan. This policy requires development proposals to demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses arising through loss of privacy, daylight or sunlight, from dominance or visual intrusion, noise or vibration, dust, heat, odour, gases or other emissions, pollution, contamination or the use of / or storage of hazardous substances and external lighting.

5.21 The neighbouring property closest to the proposed extended outbuilding is number 15 Brook Street. This dwelling was granted permission in 2012 under reference P12/V0981 and comprises 3 main elements of accommodation; two single storey wings at the property's east and west and a two-storey element between. The east wing of the property, closest to this proposal, measures 4.5m to the ridge from ground level.

5.22 The proposed extension to the outbuilding will measure 4.25m in height, inclusive of the footings and land levels, when viewed from the east elevation of number 15 Brook Street. There are 3 side facing windows at the east elevation of number 15, serving a bedroom, utility room and a bathroom.

5.23 The outbuilding will be situated 5.7m from the east elevation of number 15 at the respective buildings' closest points. The outbuilding is single storey and is set well back from the rear elevation of the east wing of number 15. The outbuilding will not conflict with the amenity of number 15 Brook Street through over-looking, over-shadowing and dominance to outlook.

5.24 The proposal is well distanced from any other neighbouring property and will not have any adverse effects to their private amenity, given the distance involved and the subordinate dimensions and nature of the proposed extended outbuilding.

5.25 A neighbour objection has raised that the slab levels quoted in the design and access statement are incorrect. A site levels plan has been received, which references ordinance datum and has clarified the proposed levels. Officers have assessed the impacts of this proposal on this basis and are satisfied of the proposal's impacts to the visual amenity and historic character of the area and the neighbouring amenity are acceptable.

5.26 A neighbour objection has also raised that the block and location plans do not

show the outbuilding directly south of the application site within the curtilage of East Wilden, which is used as a workshop/game larder. This omission is acknowledged. However, a site visit has been conducted by officers, including within the curtilage of East Wilden. The impacts of the proposal have been fully assessed.

- 5.27 The proposed extended outbuilding would be for ancillary use, would be single storey in height with no windows on the south elevation (apart from high level rooflights); and it would be separated from the site to the south with by the existing 1.8m high boundary fence. For these reasons, officers do not consider that the proposed extended outbuilding would cause any materially harmful effects in terms of dominance to outlook, over-shadowing or overlooking to warrant refusal of the application.
- 5.28 Overall, given the scale, nature and context of the proposed extended outbuilding Officers do not consider that there would be any materially harmful effects to any of the neighbouring dwellings in terms of residential amenity. The application is assessed to be compliant with policy DP23 of the Local Plan 2031 Part 2.

5.29 Access and parking

Local Plan Policies CP33, CP35, CP37 and DP16 require development to provide safe and convenient access, sufficient car and cycle parking in line with Oxfordshire County Council standards and adequate provision for loading, unloading, circulation, servicing and vehicle turning.

- 5.30 There are no additional bedrooms proposed and the outbuilding will not affect the existing access, parking and turning areas on site. Therefore, the proposal would not have a harmful impact on highway safety and as such is compliant with Policies CP33, CP35 and CP37 of the Local Plan 2031 Part 1 and Policy DP16 of the Local Plan 2031 Part 2.

5.31 Trees

Local Plan Policy CP44 of the Local Plan 2031 Part 1 requires that the key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced.

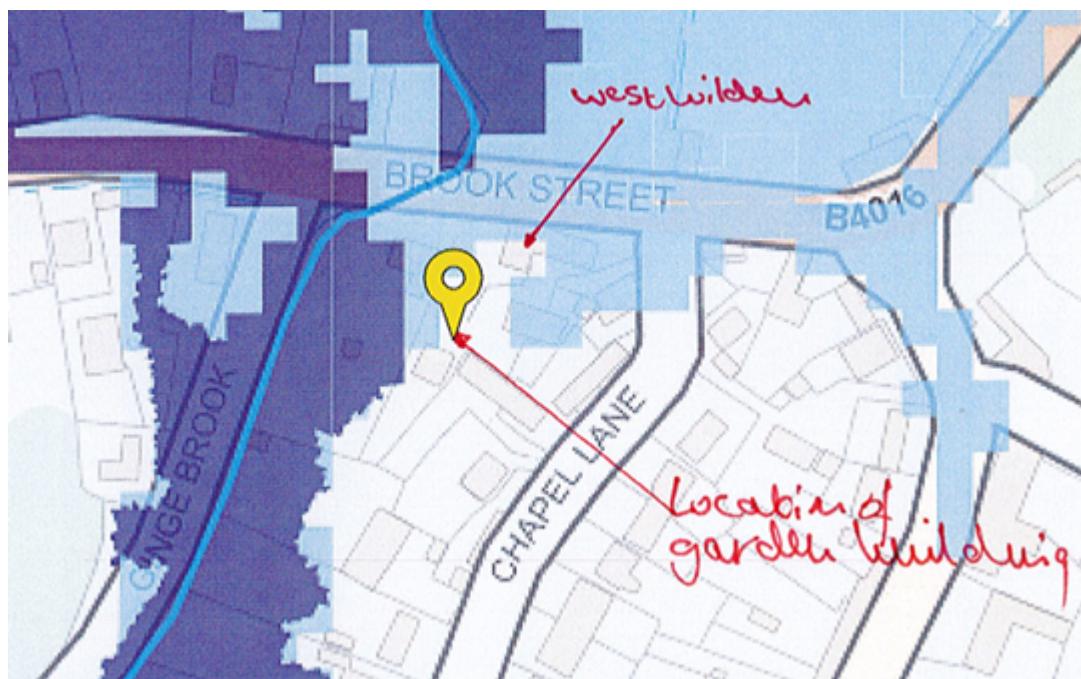
- 5.32 Neighbour objections have been raised regarding the proposal's potential to come into conflict with nearby trees, causing their decline. Trees in the conservation areas are protected by law. The council's forestry officer has been consulted, has reviewed the application and has raised no objections to the proposed development. The existing footings and proposed building are not assessed to be in any conflict with existing trees on site.
- 5.33 The proposal is therefore considered to comply with Policy CP44 of the Local Plan 2031 Part 1.

5.34 Flood Risk and drainage

Local Plan Policy CP42 requires that risk and impact of flooding by proposed

development will be minimised.

- 5.35 Neighbour concerns have been raised as to the potential for the outbuilding to cause increase flood risk to the surrounding area. The footprint of the proposed outbuilding is within flood zone 1, an area at the least risk of flooding, as is shown on the below map.



- 5.36 The council's drainage engineer has been consulted, reviewed the application and has raised no objections to the proposed development. In accordance with the Environment Agency standing advice for minor householder development; a Flood Risk Assessment is not required to be submitted.
- 5.37 Further concerns have been raised in regard to rainwater run-off from the increase in built form and the adverse effect this may have to the property number 15 Brook Street. Again, the council's drainage engineer has fully assessed the proposal and has raised no objections. In addition, it is clear from the site photos there is grassed lawn to the front and side of the outbuilding and a permeable stone driveway separating the two buildings. This will attenuate any increase in surface water, preventing any increased flood risk to number 15 by this proposal.
- 5.38 Therefore, the proposal would not cause any increased flood risk and is considered to be compliant with Policy CP42 of the Local Plan 2031 Part 1.
- 5.39 **Community Infrastructure Levy**
Less than 100m² of residential floorspace is proposed. Therefore, the application is not CIL liable.
- 5.40 **Pre-commencement conditions**

In accordance with S100ZA(6) of the Town and Country Planning Act 1990 (a), any pre-commencement conditions need to be agreed with the applicant. There are no pre-commencement conditions recommended.

6.0 CONCLUSION

- 6.1 The proposed extended outbuilding is subordinate to the main dwelling and is of a scale, form, design and massing typical of a domestic outbuilding. The proposal will not cause a proliferation of built form on the site and will not constitute over-development. Its use is confirmed as ancillary to the existing dwelling on the site.
- 6.2 The proposed development would preserve the character and appearance of the conservation area and the setting of the nearby listed buildings. The proposal will not have a materially harmful impact on the private amenity of the neighbouring properties. The proposal is acceptable in highways, flood risk and forestry terms and there are no objections from any technical consultees.
- 6.3 Officers consider that the proposal is in accordance with the adopted Development Plan 2031, the National Planning Policy Framework and the Vale of White Horse Design Guide 2015 SPD. Therefore, on this basis, Officers recommend the application for approval.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 policies

- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP39 – The Historic Environment
- CP42 - Flood Risk
- CP44 – Landscape

Vale of White Horse Local Plan 2031 Part 2 policies

- DP16 - Access
- DP23 - Impact of Development on Amenity
- DP27 – Land affected by Contamination
- DP37 – Conservation areas

Neighbourhood Plan

Sutton Courtenay does not currently have a made neighbourhood plan

National Planning Policy Framework and National Planning Practice Guidance

Supplementary Planning Documents

Vale of White Horse Design Guide SPD 2015

Other relevant legislation

The Planning (Listed Building and Conservation Areas) Act 1990

Section 66: The local planning authority has a duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72: The Local Authority has a duty to pay special attention to the desirability of preserving or enhancing the character of appearance of that area.

Equalities Act 2010

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

Human Rights Act, 1998

The application has been assessed against Schedule 1, Part 1, Article 8, and against Schedule 1, Part 2, Article 1 of the Human Rights Act, 1998. The harm to individuals has been balanced against the public interest and the officer recommendation is considered to be proportionate.

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