

APPLICATION NO.	P22/V1786/HH
SITE	Hillsview 13 Sunningwell Road Sunningwell Abingdon, OX13 6BJ
PARISH	SUNNINGWELL
PROPOSAL	Application to raise existing roof ridge to form chalet bungalow with rooms in the roof (part retrospective) (As amended by plans received 01.09.22)
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT OFFICER	Jason Potter Lewis Dixey

RECOMMENDATION

Planning Permission granted, subject to the following conditions:

Standard:

1. Approved plans

Compliance:

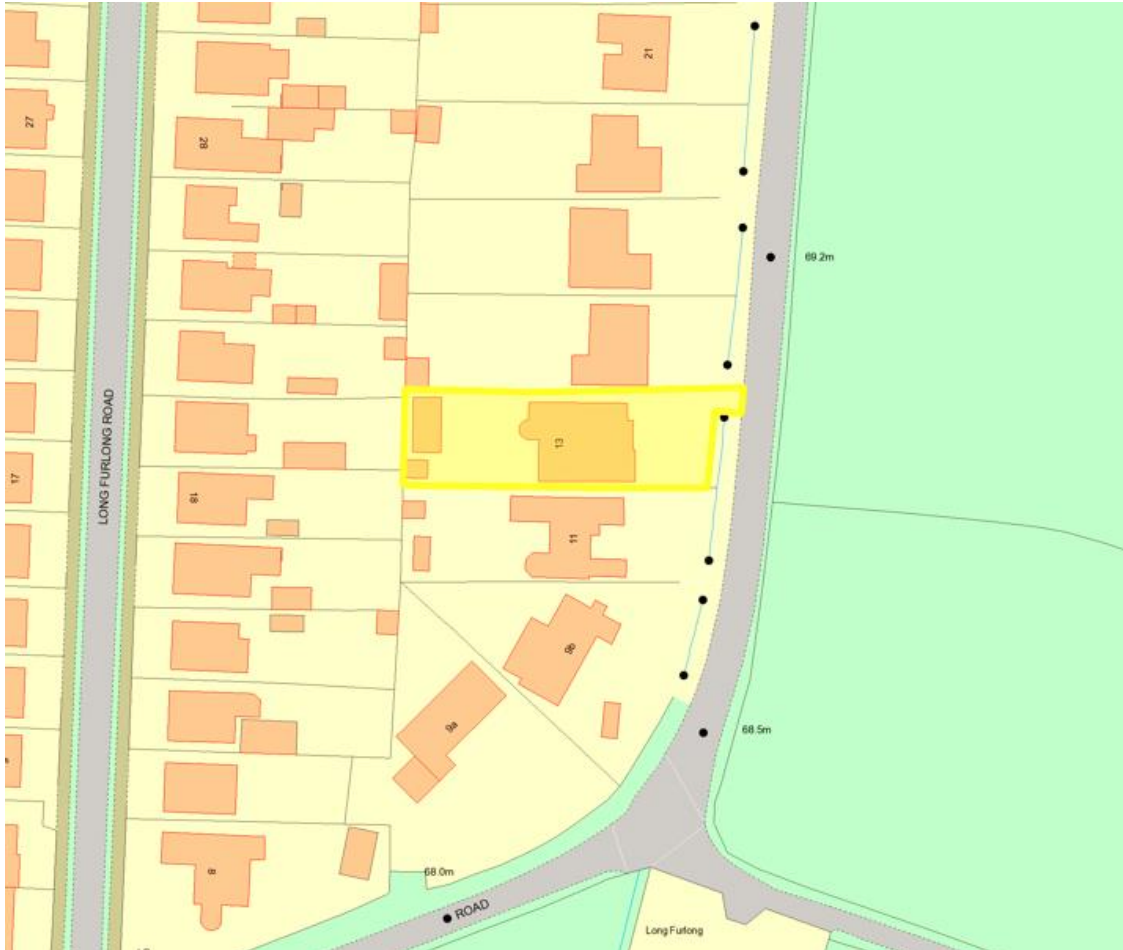
- 2. Materials in accordance with the application**
- 3. Permitted development restriction for extensions**
- 4. Maintain parking spaces free from obstruction**

1.0 INTRODUCTION AND PROPOSAL

- 1.1** This application is referred to committee following a call in by the local ward member, Emily Smith.
- 1.2** The property is a detached single-storey bungalow located within a residential area of Sunningwell. Neighbouring dwellings share boundaries to the north (no.15), south (no.13) and west (nos.18, 20 and 22 Long Furlong Road). There are open fields to the east. Highway access is obtained at the front of the site. The site and surroundings lie within the Green Belt.
- 1.3** The application seeks part-retrospective planning permission to raise the existing roof ridge height to form a chalet bungalow with three additional bedrooms in the roof space. A rear extension would replace an existing conservatory. The eaves height of the dwelling would remain unchanged, at approximately 2.4m, while the roof ridge would be increased in height from approximately 4.5m to 6.5m. The proposed upper floor will be largely lit by rooflights, as well as two windows on the rear elevation.
- 1.4** Unauthorised works to add a new storey to the dwelling have been partially constructed on site. These were commenced due to the applicant working under the incorrect assumption that they were permissible under recent changes to permitted development rights. The original proposal has been

amended in revised plans dated 01 September 2022 changing the overall design of the proposed extension, following concerns raised by officers.

- 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	Sunningwell Parish Council	Objection – out of keeping with the neighbourhood. In particular, the bulk of the roof is too large and the roof line too high thus adversely affecting neighbouring properties.
	Vale - Highways Liaison Officer (Oxfordshire County Council)	No objections – Subject to condition
	Neighbours (21)	Objection – Concerns can be summarised as; <ul style="list-style-type: none"> • Out of keeping with the area • Impact on the Green Belt • Loss of privacy • Overbearing

	<ul style="list-style-type: none">• Works in breach of planning control
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3.0 **RELEVANT PLANNING HISTORY**

3.1 [VE22/232](#) -

Works started without planning permission.

[P22/V0153/PD](#) - Advice provided (07/02/2022)

Proposal to add extra storey to existing and original footprint of a bungalow.

[P92/V1122](#) - Refused (19/03/1992)

Alterations and extensions to front and rear to provide lounge, and hall, enlarge dining room and re-position garage. 13 Sunningwell Road, Wootton, Abingdon, Oxon. Appeal Allowed 21.7.92

[P91/V1298](#) - Refused (05/12/1991)

Alterations and extension to front and rear to provide lounge, hall, cloakroom, enlarge dining room and re-position garage. 13 Sunningwell Road, Wootton, Abingdon, Oxon. BR. 1037/91 Appeal allowed 21.7.92

[P86/V1282](#) - Approved (17/04/1986)

Single storey extension to enlarge lounge and form porch. 13 Sunningwell Road, Whitecross, Oxon. BR. 230.86SUN

[P67/V0326/O](#) - Approved (30/05/1967)

22 dwellings and garages. 23 Sunningwell Road, Sunningwell, Nr. Abingdon, Oxon.

[P64/V0381](#) - Approved (27/07/1964)

Bungalow and garage. 13 Sunningwell Road, Abingdon.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 Householder development does not fall within the defined scope for potential EIA development.

5.0 **MAIN ISSUES**

The main relevant planning considerations are the following:

- Green Belt policy
- Design and character
- Residential amenity
- Access and parking

5.1 **Green Belt Policy**

Under paragraph 137 of the National Planning Policy Framework (NPPF) the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 5.2 This is further reflected in policy CP13 of LPP1, which lists the types of development that is acceptable in the Green Belt. These include the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building
- 5.3 A development that does not fall within the list contained in Green Belt policy is termed “inappropriate development” and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.4 The property, a detached bungalow, has already been granted planning permission for extensions at the front of the original building, and an existing rear conservatory has also been added. Officers’ calculations conclude that these additions have increased the volume of the original building by approximately 60%. Therefore, officers consider that any further enlargement would be considered beyond what could be described as a proportionate addition under Green Belt policy. Consequently, the current proposal is inappropriate development. The next stage in the consideration process is whether there are any very special circumstances associated with the proposal.
- 5.5 The applicant contends that there are very special circumstances in the form of a permitted development “fall-back” for adding volume to the rear of the existing bungalow under permitted development rights contained in Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015. The previous extensions that have been approved to the bungalow are at the front of the original building, except for a small conservatory at the rear. Consequently, the dwelling has un-used permitted development rights for single storey extensions at the rear.
- 5.6 The use of this permitted development fall-back argument as very special circumstances in the Green Belt has been increasingly accepted in recent years by inspectors at appeal. Case law on fall-back has established that, for it to become a material planning consideration, the fall-back does not have to be likely, but merely more than theoretical. The use of a permitted development allowance has been accepted as being a fall-back that is more than theoretical. If the fall-back leads to a less beneficial outcome to the Green Belt than the development under consideration, particularly in terms of openness, then decisions have confirmed that this can amount to very special circumstances in the Green Belt.
- 5.7 The potential fall-back position would be to remove the existing conservatory and to add a full width single-storey extension projecting up to 8m from the original rear elevation, with a height of 3m. This could be achieved under permitted development. Discounting the removed conservatory, this would increase the dwelling’s footprint by approximately 104m² and add approximately 249m³ of volume. Calculations indicate that this would result in a total volume for the dwelling of approximately 966m³. Taking into account the applicant’s circumstances and requirement for additional space, officers consider there is a very realistic prospect of permitted development rights being

implemented if the proposal is refused. Officers consider that this adds weight to the fall-back position as a material consideration.

- 5.8 The size of the dwelling as proposed in the application is calculated to be approximately 855m³. This is some 110m³ smaller than the volume of the building with its full permitted development fall back. Therefore, implementing the permitted development fall-back would result in a significantly greater total volume of building to that being proposed. Translated into its impact on the openness of the Green Belt, the larger volume under the fall-back is considered to have a greater impact on openness.
- 5.9 Consequently, there will be a benefit to the Green Belt from the proposal when compared to the fall-back. In view of this more beneficial outcome, officers conclude that the comparison to the fall-back does amount to very special circumstances which outweighs the harm to openness caused by the inappropriate nature of the proposal. Therefore, the proposal is considered to be acceptable in terms of Green Belt policy.
- 5.10 In recognition of the increase in size over and above that of the original dwelling, it is recommended that permitted development rights for extensions to the proposed dwelling, including enlargements to the roof, are removed.
- 5.11 **Design and Character**
Policy CP37 of LPP1 seeks to ensure that new development achieves good quality design that is respectful of its context. The local area is characterised by mainly single storey, but also one and a half storey, detached dwellings. Examples of one and a half storey dwellings include no.17 Sunningwell, two doors from the site, and several dwellings in Long Furlong Road to the west, including nos. 18, 19, 23, 25, 28, 31, and 33. The key characteristic of all of the dwellings, regardless of height, is the prevalence in general of a single storey eaves height.
- 5.12 As amended, the proposal is to demolish the unauthorised works and construct a roof extension over the existing ground floor resulting in a one and a half storey chalet bungalow style design. A single storey extension would replace the conservatory at the rear. The ridge height would raise from 4.5m to 6.5m with the roof pitched in on three sides. At the rear, a twin gable with valley section would allow for two rear windows serving two rear bedrooms. Roof lights would provide further openings along either side. Although the proposal will increase the height of the existing dwelling, the external eaves will remain predominantly at single storey level, which is considered to replicate the key characteristic of surrounding housing. Proposed external materials will also be sympathetic to the locality.
- 5.13 In view of the other examples of chalet bungalows in the locality, officers consider that the design and scale of the proposal does reflect its context. In this regard, officers consider that the proposal does comply with policy CP37 of LPP1.

5.14 **Residential Amenity**

Policy DP23 of LPP2 seeks to protect the amenity of neighbours from harmful development. The proposal has received 21 objections from neighbours with the main concerns being the impacts on the Green Belt, on visual amenity and on privacy. Several objections focus on works that have commenced without planning permission. The current application seeks to resolve this situation, and members will be aware that the breach of planning control in itself is not material to the consideration of the planning application.

5.15 In terms of the potential impact on neighbour privacy, the upper floor rear windows would be separated from the closest dwellings on Long Furlong Road by a distance of over 40m. This is well in excess of the minimum of 21m recommended within the adopted Joint Design Guide 2022. At the sides, the eaves would remain at single storey level and the roof slopes would both be pitched away from the neighbours. The only side windows would be in the form of rooflights which will be set at a relatively high level to minimise risk of overlooking. The works would also remain within the footprint of the existing dwelling. These factors mean that the proposal does not cause harm to the amenities of the neighbours to either side in terms of loss of light, loss of privacy or dominance.

5.16 Officers therefore conclude that the proposal does not cause harm to any neighbours and complies with policy DP23 of LPP2.

5.17 **Access and parking**

Policies CP35 and CP37 of LPP1 and policy DP16 of LPP2 deal with access and parking. The proposal would not affect the existing parking area at the front of the site which is served by an extant vehicular access. The proposal will increase the number of bedrooms from three to six. Revised parking standards have been recently adopted by Oxfordshire County Council, and these revised standards are automatically applied in the Vale by virtue of policy CP35. For the proposal these adopted parking standards require up to three parking spaces, including provision for visitor parking. The existing parking area provides sufficient space provided that the area is kept free from obstruction which has been conditioned accordingly. No objection has been raised by the County Highways Officer.

6.0 **CONCLUSION**

6.1 Officers consider the benefits of the proposal for the openness of the Green Belt, when compared to the permitted development fall-back, amount to very special circumstances. Consequently, the impact of the proposal on the Green Belt is considered to be acceptable. Therefore, officers consider the outcome of the planning balance is that the proposal complies with the provisions of the development plan, in particular policies CP13, CP35 and CP37 of the adopted Local Plan 2031 Part 1 as reviewed and Policies DP16 and DP23 of the adopted Vale of White Horse Plan 2031 Part 2. The proposal is also considered to comply with the provisions of the National Planning Policy Framework and the council's adopted Design Guide SPD 2015.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 Policies:

CP13 - The Oxford Green Belt

CP35 - Promoting Public Transport, Cycling and Walking

CP37 - Design and Local Distinctiveness

A Regulation 10A review (five-year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

Vale of White Horse Local Plan Part 2 Policies:

DP16 - Access

DP23 - Impact of Development on Amenity

Neighbourhood Plan

Preparation for a neighbourhood plan has commenced but is at an early stage. Therefore, the neighbourhood plan has little weight at this time.

Joint Design Guide 2022

National Planning Policy Framework and National Planning Practice Guidance

Other legislation

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 provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

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