

**SUT/20422 – Mr & Mrs P Foley**  
**Garden room with attached garden store. (Retrospective)**  
**The Nook, Churchmere Road, Sutton Courtenay, OX14 4AQ**

**1.0 The Proposal**

- 1.1 This application seeks retrospective planning permission for the construction of a garden room and store to the north-east of 'The Nook'. The structure measures 4.9 metres wide by 3.36 metres deep, with an eaves height of 2.58 metres and a ridge height of 3.9 metres. A copy of the site plan and application drawings are at **Appendix 1**.
- 1.2 The property lies within Sutton Courtenay Conservation Area.
- 1.3 The application comes to Committee due to an objection received from Sutton Courtenay Parish Council.

**2.0 Planning History**

- 2.1 The property known as 'The Nook' was constructed under planning permission SUT/15716/4, which was granted in October 2006.

**3.0 Planning Policies**

- 3.1 Policy H24 of the adopted Vale of White Horse Local Plan allows for the erection of ancillary buildings and structures within the curtilage of a dwelling provided various criteria are satisfactory including; i) the impact on the character and appearance of the area as a whole, and ii) the impact on the amenities of neighbouring properties in terms of privacy, overlooking and overshadowing.
- 3.2 Policy DC1 of the Local Plan refers to the design of new development, and seeks to ensure that development is of a high quality and takes into account local distinctiveness and character.
- 3.3 Policy DC9 of the Local Plan 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.
- 3.4 Policy HE1 relates to development within or affecting the setting of a Conservation Area, and seeks to ensure that development preserves or enhances the established character or appearance of the area.

**4.0 Consultations**

- 4.1 Sutton Courtenay Parish Council objects to the application, stating "The Council deplores the retrospective nature of this application. It is potentially unneighbourly. It does not relate well to the adjacent building and destroys the open outlook to and for the house next door".
- 4.2 One letter of objection has been received, raising the following points:

- The planning application for the existing house (SUT/15716/4) showed 'the existing shed to be removed'. Construction of this new garden building only commenced immediately after the building inspector's visit following completion of the house.
- The garden room is significantly larger than would be permitted without planning permission within the conservation area.
- The garden building was put up very rapidly before Christmas, such that it was completed before planning enforcement could take action. If this building is permitted to remain without penalty it makes a mockery of the planning system.
- The neighbouring property (The Courtyard, All Saints Lane) was designed in an L-shape with the main living rooms each having five full-height sliding glass doors overlooking a paved courtyard to take full advantage of the sun.
- The garden building now forms an undesirable focal point of the courtyard and main living rooms from the neighbouring property.
- The building casts a shadow across the courtyard (designed as an all year suntrap) and into the main living rooms.
- Built close to the boundary the garden room has been elevated unnecessarily on a brick plinth, and overlooks the neighbouring property. The windows in the garden room can be seen and it is assumed that the neighbouring property can be seen from these windows.

## 5.0 **Officer Comments**

- 5.1 The main issues in determining this application are the impact of the garden room on the character and appearance of the conservation area, and the impact on the amenities of neighbouring properties.
- 5.2 Regarding the impact on the conservation area, the primary views of the structure are from All Saints Lane to the east of the site. When viewed from this lane the garden room is seen within the context of the existing house and the neighbouring properties. The materials used blend in with those used on the existing house, and consequently it is considered by Officers that the character and appearance of the conservation area are not harmed by the building.
- 5.3 The garden room is situated to the south-east of the nearest neighbouring property (The Courtyard), at a slightly higher level than this dwelling. Whilst some early morning winter sun will be affected by the proposal, it is not considered that this limited overshadowing would warrant refusal of the application. Located a minimum of 8 metres away from the neighbouring property, it is not felt that the structure overdominates this property. Given the position of the windows in the garden room and the existence of a substantial boundary wall, it is considered by Officers that any overlooking of the neighbouring property is limited, and the amenities of the neighbouring property are not harmed.

## 6.0 **Recommendation**

6.1 *That planning permission be granted, subject to the following condition:-*

1. *MC20 Amended Plans.*