

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 12th November 2018

**REPORT OF THE HEAD OF PLANNING
AND STRATEGIC PLANNING**



Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

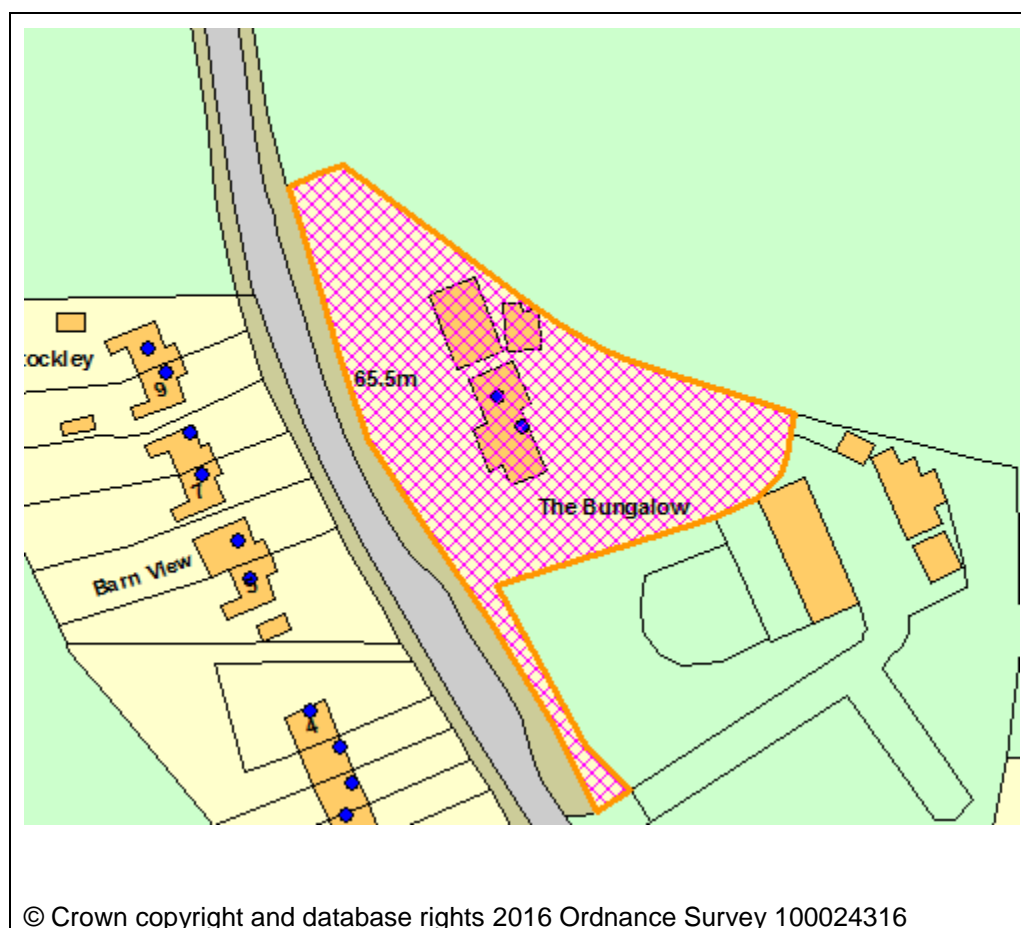
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

Application Number	Address	Page
18/02359/HHD	The Bungalow, Eynsham Road, Sutton	3
18/02522/S73	9 Burford Road, Carterton	6

Application Number	18/02359/HHD
Site Address	The Bungalow Eynsham Road Sutton Witney Oxfordshire OX29 5RZ
Date	31st October 2018
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	441404 E 206876 N
Committee Date	12th November 2018

Location Map



Application Details:

Extensions to front and side of bungalow to create extra living space for a Granny Annex

Applicant Details:

Mr Steve Long, The Bungalow, Eynsham Road, Sutton, Witney, Oxfordshire, OX29 5RZ

I CONSULTATIONS

- 1.1 Parish Council No Comment Received.

2 REPRESENTATIONS

- 2.1 No representations received.

3 PLANNING POLICIES

OS4NEW High quality design

H6NEW Existing housing

The National Planning Policy framework (NPPF) is also a material planning consideration.

4 PLANNING ASSESSMENT

Description of Site

- 4.1 This application relates to The Bungalow, a detached dwelling located on the outskirts of Sutton. The dwelling sits within a large plot and is set back from the road.

Proposal

- 4.2 The proposal is for extensions to the front and side of the bungalow. Materials are proposed as reconstructed stone walls, roof tiles to match existing and wood double glazed windows.

Planning History

10/0976/P/FP - Erection of single storey front extension to family annexe to form study - Approved - 31/08/18.

Principle

- 4.3 This application seeks permission for domestic extensions within the residential curtilage of an existing dwelling. The principle of development is therefore acceptable subject to design and amenity issues being carefully considered against the Adopted Local Plan.

Design and Visual Impact

- 4.4 In terms of the scale, the proposed development is relatively small in comparison to the site plot and is considered subservient to the host dwelling.
- 4.5 With regard to design, the materials for the proposed development are in-keeping with those of the host dwelling and are therefore considered acceptable. The extensions are proposed to have dual pitched roofs and are in-keeping with the style of the host dwelling and therefore considered acceptable.
- 4.6 With reference to the street scene, the host dwelling is located on a street with a mix housing design. The proposed development is set back in the plot and would be largely hidden from the street by existing vegetation and is therefore not considered harmful to the street scene.

Amenity

- 4.7 In relation to amenity, the proposed development sits within a large plot with the nearest neighbours located on the opposing side of Eynsham Road. Existing vegetation to the front of the property ensures that the proposed development would not have a negative impact on these neighbouring properties in terms of overbearing, overlooking or loss of privacy. No objections have been received by neighbours or the Parish Council.

Conclusion

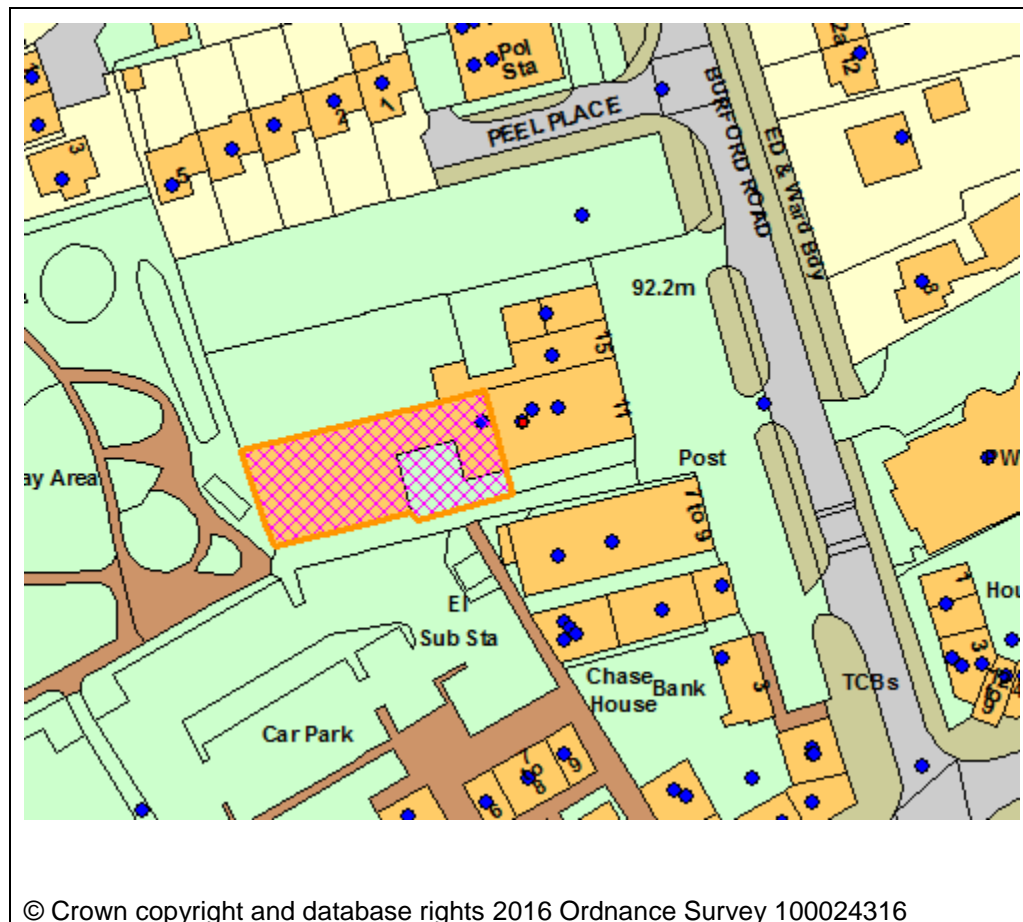
- 4.8 The proposed development complies with Policies H6 and OS4 of the Adopted Local Plan. In light of the above the planning application is considered to be acceptable and is recommended for approval.

5 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

Application Number	18/02522/S73
Site Address	9 Burford Road Carterton Oxfordshire OX18 3AG
Date	31st October 2018
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	428026 E 206869 N
Committee Date	12th November 2018

Location Map



Application Details:

Removal of condition 6 of planning permission 17/01248/FUL to allow the windows to the rear (North) elevation to be fitted with clear glazing and to have opening mechanisms.

Applicant Details:

Gentian Projects, c/o agent.

I CONSULTATIONS

- 1.1 Town Council Object - The windows would overlook adjacent properties.

2 REPRESENTATIONS

- 2.1 No comments received

3 APPLICANT'S CASE

- 3.1 A letter was submitted as part of the application from the applicant's agent. It has been summarised as:
- 3.2 This application seeks to remove condition number 6 which states:
- "Before first occupation of the buildings hereby permitted the window(s) to the rear (North) elevations shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter".
- 3.3 Paragraph 55 of the NPPF2 (and national planning policy guidance - Paragraph: 003 Reference ID: 21a-003-20140306) states that "planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise, and reasonable in all other respects."
- 3.4 The case officers planning committee report states under Residential Amenity (para 5.19) "The proposed buildings will be located to the rear of the existing building which has flat accommodation previously approved within it.
- 3.5 Given the distance that the new building will be sited, your officers do not consider that an adverse impact will result to the residential amenities of these occupants".
- 3.6 The report continues to state in para 5.20 "The rear elevations of the proposed buildings are set back from the boundary with the neighbouring unit. The proposed fenestration along the rear elevations are limited and mainly serve hallways. As such your officers do not consider that there would be adverse overlooking to the neighbouring property".
- 3.7 From their assessment, the LPA deemed there to be no adverse impact on the residential amenity to the property to the rear and acknowledged that the windows to the rear are limited mainly to serve hallways and do not consider there to be adverse overlooking issues to the neighbouring property.
- 3.8 It is therefore deemed unreasonable and unnecessary for the addition of the condition, which limits all fenestration on the rear (northern) elevation to be obscure and fixed shut.
- 3.9 Notwithstanding this assessment, a landscaping scheme has been submitted to the local authority which will see the area to the north of the site being landscaped which will further reduce any impact of the development to the neighbouring properties.
- 3.10 It is therefore concluded, that following the assessment as outlined within the officers committee report where the LPA did not consider the proposal to have an adverse impact on

overlooking and residential amenity of the neighbouring property, the addition of a condition which seeks to limit the transparency and opening of the windows is deemed unnecessary, unreasonable, and irrelevant to the planning permission being permitted. It is therefore assessed that the condition should therefore be removed.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

5.1 This application refers to a previous approved scheme for the erection of 5, two bedroom flats with parking to the rear of 9 Burford Road Carterton (17/01248/FUL) The approved development takes the form of three buildings. As part of the decision, officers included a condition for the windows to the rear elevation of the proposed buildings to be obscurely glazed to ensure that residential amenity at adjacent properties was sufficiently protected from the proposed and existing occupiers.

5.2 This application seeks consent for that condition to be removed.

5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

5.4 Your officers are of the opinion that the principle of providing residential accommodation in this location has already been established. As such your officers consider that the main planning issue of this proposal is whether or not adjacent properties will be adversely overlooked by the development.

Highways

5.5 Your officers are of the opinion this matter will not be affected by this proposal.

Residential Amenities

5.6 The proposed first floor accommodation has been designed so that the rear windows are minimal in number, there being three windows. These windows serve a corridor for flats 4 and 5. Flat 3 has a secondary window serving the kitchen, dining and living area which is small in scale. In addition there are 6 roof lights which serve the hall ways and a bathroom. The ground floor windows serve habitable rooms such as bedrooms.

5.7 Your officers consider that the allowing the ground floor windows serving the proposed development to be clear glazed is acceptable. As they are at a lower level, and proposed

screening and boundary treatments are proposed, your officers do not consider that there will be an unacceptable level of overlooking to and from the proposed development.

- 5.8 With regards to the first floor windows and roof lights, your officers are also of the opinion that these windows will not result in adverse overlooking issues. This is due to the accommodation that they will serve but also that the windows will not directly overlook existing residential accommodation. The view out of these windows look across gardens associated with the existing neighbouring buildings and mature trees towards Peel Place.

Conclusion

- 5.9 In view of the above, your officers do not consider that the residential amenities of adjacent properties will be adversely affected by removing the relevant condition from the previous consent.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below, the application details approved under planning application reference 17/01248/FUL, and details approved by condition application 18/02306/CND.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, porches, conservatories, roof extensions, roof lights, balconies, conservatories, sheds, garages or other out buildings;, other than those expressly authorised by this permission, shall be erected, or installed.
REASON: Control is needed to retain the open character of the vicinity, and to protect residential amenities of neighbouring properties.
- 4 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.