

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 27th June 2022**

**REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT**



WEST OXFORDSHIRE  
DISTRICT COUNCIL

**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.

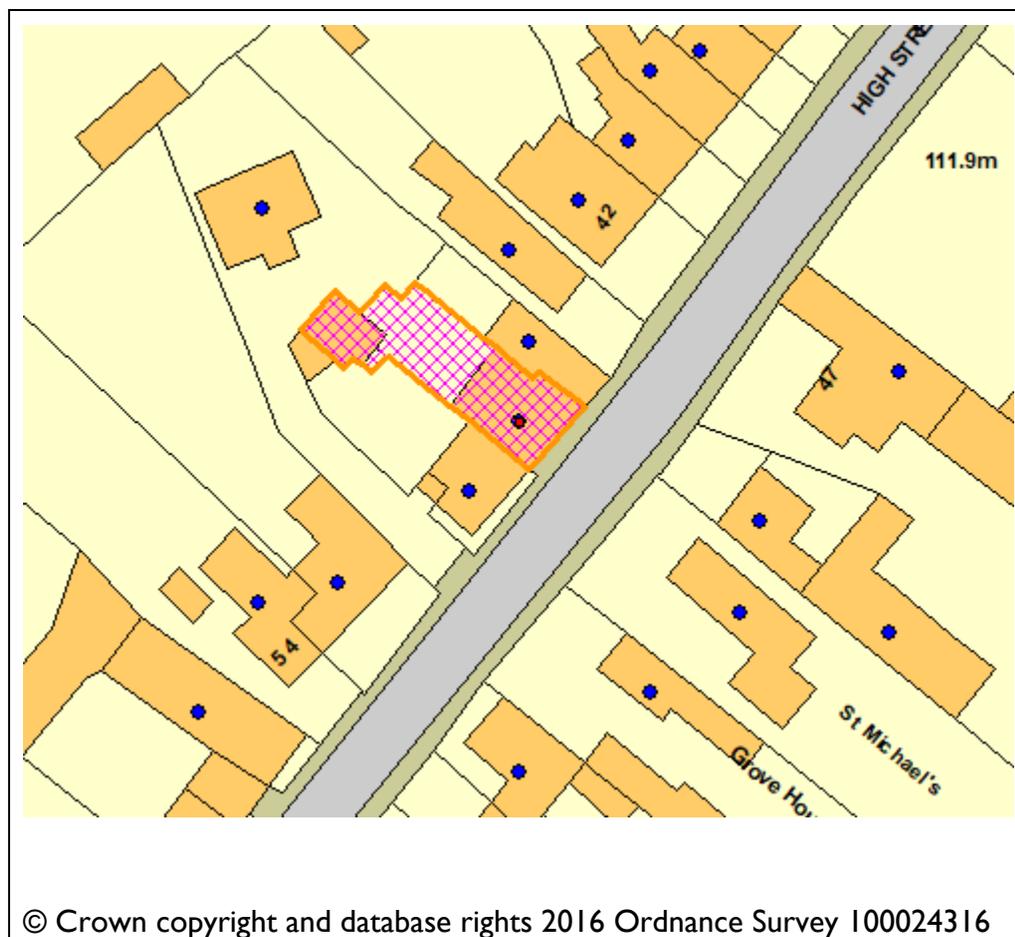
Please note that:

- I. 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](http://www.westoxon.gov.uk/meetings)

<b>Item</b>	<b>Application Number</b>	<b>Address</b>	<b>Officer</b>
11 - 19	22/00524/HHD	High Ridge 46 High Street	Alex Clarke
20 - 26	22/00722/HHD	10 Blackberry Way Woodstock	Sarah Hegerty

Application Number	22/00524/HHD
Site Address	High Ridge 46 High Street Milton Under Wychwood Chipping Norton Oxfordshire OX7 6LE
Date	15th June 2022
Officer	Alex Clarke
Officer Recommendations	Approve
Parish	Milton Under Wychwood Parish Council
Grid Reference	426316 E 218131 N
Committee Date	27th June 2022

### Location Map



**Application Details:**

Repair and rebuild of outbuilding to provide a home working and recreational space (amended plans)

**Applicant Details:**

Mr and Mrs Duncan Earley  
24 Stanbridge Road  
Putney  
London  
SW15 1DX  
England

**I CONSULTATIONS**

Parish Council

OBJECTION - This application is similar to the application for an additional bedroom /garden room and is now called a home working and recreational space. The height is still the same/ As the property is a holiday let it is questionable why a home working space would be necessary.

OCC Highways

no comment received

**2 REPRESENTATIONS**

Several representations have been made raising strong objections to the proposed scheme. These objections are summarised as follows:

- There is little need for direct access from the rear for an ancillary outbuilding at No.46.
- The installation of a bathroom in the building creates a feel more similar to a separate self-contained dwelling, rather than a home working space.
- The inclusion of a new garden shed increases the overall size and footprint of the building.
- Due to the properties use as an Airbnb, there are significant parking issues arising on the high street, an issue compounded by other holiday lets in the area.
- There are concerns that an additional building would leave to overdevelopment and increase the noise and disturbance for neighbouring residents.
- The proposed scheme includes windows which will overlook neighbouring properties and lead to a loss of privacy.
- There are concerns about the ownership of the land in which the building is situated, with the outbuilding sitting between and on several different deeds. It is a separate title and is not part of the original deed of No.46.
- The property is used as a holiday let and there are concerns that the proposal will increase the impact on neighbouring residents. This puts into question the use described in the application as a home-working space.

- Comparative to previous applications the proposal may represent a relative reduction to the scheme but does not address previous concerns that have been raised. Neighbours have concerns that due to the separate title and this lack of fundamental change in the proposal compared to a scheme for a renovated garden shed, for example, means it could still be used as suggested as separate self-contained property.
- There are several issues and inaccuracies with the submission of the application itself, involving the ownership as well as the conflation of the applicant and agent and a failure to acknowledge parking increases.

### **3 APPLICANT'S CASE**

A Design and Access Statement formed part of the application submitted. It raised several points which are summarised as follows:

The existing building is in poor structural condition and in need of significant repair to prevent further dilapidation. The proposal would maintain much of the existing structure. The previous appeal referred to a replacement building as opposed to this application. This deals with many of the comments raised by the inspector in their report.

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

T4NEW Parking provision

EHI Cotswolds AONB

NATDES National Design Guide

DESGUI West Oxfordshire Design Guide

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

### **5 PLANNING ASSESSMENT**

- 5.1 The application was deferred from the last committee meeting in order for Members to carry out a site visit prior to making a decision.
- 5.2 This application seeks planning permission for the renovation of an existing outbuilding to provide ancillary home working and recreational space at High Ridge, 46 High Street in Milton under Wychwood. The proposal is not within a Conservation Area but is located within the Cotswold Area of Outstanding Natural Beauty.
- 5.3 Amended plans have been submitted removing a number of windows from the proposal following your officers concerns about overlooking arising from the original scheme.

### **Relevant Planning History**

5.4 20/01116/HHD: This application was for the replacement of the existing outbuilding with a single-storey garden room. It would have involved the demolition of the building and the addition of a structure with metal cladding at a greater height and massing than the existing one. It was recommended for approval by your Officers but overturned and refused by Members of this committee.

5.5 An appeal was lodged against this decision and the Planning Inspectorate dismissed the appeal. The key points raised in the appeal decision are as follows:

- Lengthy submissions have been made by the Council with regards to the use of the property and, in particular, questioning whether a change of use has occurred. However, the purpose of this appeal is to consider the application as refused by the Council, which in this instance was solely for the removal of the existing workshop and its replacement with a garden room. I have therefore determined the appeal on this basis.
- The proposals would result in a development that would be of a greater scale, bulk and height than the existing building. The changes would be especially harmful to the residents of No 50, whose main entrance and front patio face directly towards the appeal site, along with the residents of No 48, where part of the appeal site lies at the end of their garden. As a result of its relationship with neighbouring properties, the proposed development would therefore represent a visually intrusive, overbearing and overshadowing form of development.
- Whilst the proposal would be likely to increase the level of activity within the garden, I do not consider that this would increase to such a level that it would generate significant additional noise or disturbance to nearby residents, to justify withholding planning permission on this ground alone.
- Whilst the proposal would create additional residential accommodation in the form of a garden room, it would not increase the overall number of bedrooms at the property and therefore would not generate the need for any additional parking spaces. Furthermore, the existing parking space on site would be retained. As a result, the proposal would not lead to an unacceptable impact on highway safety.'

5.6 Your officer's note that a number of the concerns raised relate to the alleged use of the property as a holiday let. This is the subject of a separate enforcement investigation and cannot form part of the decision making process in relation to this application. The Planning Inspector took the same view when considering the previous application stating that a decision should be made based on the proposal as submitted within the application. In this case, the application is seeking consent for the repair and alterations to an existing outbuilding to provide a home working and recreational space to serve the host dwelling (Use Class C3).

## **Principle**

- 5.7 The principle of providing additional ancillary accommodation within an already established residential property is considered acceptable subject to consideration against the provisions of the adopted West Oxfordshire Local Plan 2031, the National Planning Policy Framework and other relevant material considerations such as design amenity and highways safety.

## **Siting, Design and Scale**

- 5.8 The outbuilding, the subject of this application, is located at the rear of the garden of High Ridge. The present building is subservient and secondary in its relationship with the primary building, however, it is evidently in a poor condition and a state of disrepair.
- 5.9 The proposals seek to retain the existing structure with repair works and the addition of a modest lean-to extension which will replace an existing shed. It has a width of 6m, a maximum height of 3m and a length of 9.5m when including the proposed cedar clad lean-to extension which will form a wood store and new entrance from the rear garden. This additional cedar addition is slightly bigger than the existing shed. Given that the scale, massing and form of the outbuilding will remain unchanged, other than the new lean-to addition, which is only 2m x 1.5m in footprint, your officers consider that the development will retain a similar relationship as existing appearing an appropriate, secondary outbuilding serving the main dwelling.
- 5.10 There are a number of roof lights and windows proposed to be introduced on the outbuilding but these are considered to be appropriate in design terms and will ensure that the secondary character of the outbuilding is retained.
- 5.11 Indeed, your officers consider these proposals would respect the character and appearance of the existing site and would repair and improve the existing structure which is currently dilapidated and fails to positively contribute to the visual amenity of the area.

## **Visual Amenity**

- 5.12 The proposal is located to the rear of High Ridge, 46 High Street. The site sits between several other residential properties, most notably number 50, but also numbers 44 and 48. All of these properties have a clear view of the current building but it will not be visible from the main High Street.
- 5.13 In light of its siting to the rear, and given that the development will not be significantly different to that which already exists, other than the addition of the small lean-to within the rear garden of the site and some fenestration, your officers are of the opinion that the development will respect the character and appearance of the area and will not detrimentally impact the visual amenity of the wider street scene, in accordance with

policies OS2 and OS4 of the West Oxfordshire Local Plan 2031 and the West Oxfordshire Design Guide.

### **AONB Impact**

- 5.14 The proposal falls within the Cotswold AONB, a nationally designated location due to its Landscape character. For sites located within the AONB, great weight should be given to conserving and enhancing the landscape and scenic beauty per the provisions of paragraph 176 of the NPPF, which is duly reflected in Policy EHI of the Local Plan.
- 5.15 In this case, given its siting within the built up residential area in Milton under Wychwood, the development would not have any visual impact beyond its immediate setting and will therefore not result in any harm to the landscape and scenic beauty of the Cotswold AONB. The Planning Inspector came to the same conclusion when considering the previously refused application on this site. As such, the application is considered to be acceptable in these terms.

### **Residential Amenity**

- 5.16 Your officers are of the opinion that the impact on residential amenities is one of the key considerations of this case. Several objections have been raised with regard to the overlooking that would arise from the proposal, especially to neighbouring properties at 44, 48, 50 and 50a.
- 5.17 Your officers note that the Planning Inspector raised concerns about the impact on neighbours in the consideration of the previous scheme. However, these issues mainly related to the increase in height and massing and the overbearing impact this would have and potential for windows overlooking into the neighbour's gardens.
- 5.18 In this case, given that the proposed development will not result in any increase in the height of the building, and the only additional massing is the proposed lean-to extension, which replaces an existing shed, has a modest footprint and is single storey, your officers do not consider that the development will be overbearing, nor will it result in any undue loss of light to the detriment of neighbours over and above that which already exists.
- 5.19 Further, following a meeting on site with some of the neighbours, your officers secured the submission of amended plans which has removed one of the side windows which would have resulted in direct overlooking into some of the adjacent rear gardens. The proposed North Eastern elevation is now proposed to just retain one existing high level window so there will be no additional opportunity for overlooking over and above that which already exists. The windows in the front and rear elevations are proposed to be fitted with obscure glazing apart from a single, high level section at the top of them. Your officers consider that this will enable light into the outbuilding but will ensure there is no direct overlooking into the neighbours gardens or homes. Further, the Velux

roof lights proposed would not in themselves lead to any additional overlooking due to their nature and position in the roof.

- 5.20 Overall, in light of the above assessment, your officers are satisfied that this development meets the requirements laid out in policies OS2 and H6 of the Local Plan and will not result in any adverse impacts on the amenity of neighbouring residents.

### **Noise and Disturbance**

- 5.21 There have been several objections to this application, many focused on the noise that the development would generate and the impact that this would have on neighbouring residents. Officers note the conclusion made by the Planning Inspector in the consideration of application 20/01116/HHD which states:

"Whilst the proposal would be likely to increase the level of activity within the garden, I do not consider that this would increase to such a level that it would generate significant additional noise or disturbance to nearby residents, to justify withholding planning permissions on this ground alone".

- 5.22 Given that a similar ancillary use is proposed in this application, and that the building already exists and can be used for ancillary purposes without the need for planning permission, officers agree with the Planning Inspector and are of the opinion that the provision of ancillary accommodation within an existing residential garden, within a built up residential area, will not result in any adverse levels of noise and disturbance to the detriment of neighbours.
- 5.23 As such, the application is considered to be acceptable in these terms in accordance with policies OS2 and H6 of the West Oxfordshire Local Plan 2031.

### **Highways Impacts**

- 5.24 Residents have raised a number of concerns about parking in relation to this proposal. No comments have been received from the Local Highway Authority. However, similar to the previous scheme, the proposal does not increase the number of bedrooms on the property and would not result in the need for any additional parking. Indeed, the Planning Inspector found the previous proposal acceptable in these terms. Therefore these proposals meet the requirements of policy T4 of the Local Plan.
- 5.25 Your officer's note the concerns regarding parking provision mainly relate to the use of the property as a holiday let. As advised above, the alleged unauthorised use of the property as a holiday is being investigated separately.

### **Other Matters**

- 5.26 Another matter raised by local residents relates to the ownership of the outbuilding and the potential for a separate title to be sold independently. Matters of land ownership

and rights of access are considered to be a civil matter and are not material planning considerations. In this application, the outbuilding is considered to form one planning unit alongside the primary dwelling, and this has been represented as part of the conditions of the development which ensure that outbuilding is only used as accommodation ancillary to the occupation of High Ridge.

## **Conclusion**

- 5.27 Taking into account the above matters, the proposal is considered acceptable on its merits and complies with the West Oxfordshire Local Plan policies OS2, OS4, EH1, H6 & T4, The West Oxfordshire Design Guide 2014, the relevant provisions of the NPPF and other relevant material considerations. Therefore, it is recommended for approval subject to the conditions listed below.

## **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.

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.

- 4 The outbuilding hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.

REASON: A separate dwelling in this location would be unacceptable in principle and on visual, amenity and highways safety grounds failing to comply with policies OS2, OS4, H2, H6 and T4 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide and the relevant provisions of the NPPF.

## **INFORMATIVES :-**

1. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as

amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

2. Applicants are strongly encouraged to minimise energy demand, and take climate action, through fitting:
  - Electricity-fed heating systems and renewable energy, for example solar panels and heat pumps; thus avoiding fossil fuel based systems, for example gas boilers
  - Wall, ceiling, roof, and floor insulation, and ventilation
  - High performing triple glazed windows and airtight frames
  - Energy and water efficient appliances and fittings
  - Water recycling measures
  - Sustainably and locally sourced materials

For further guidance, please visit:

<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>  
<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

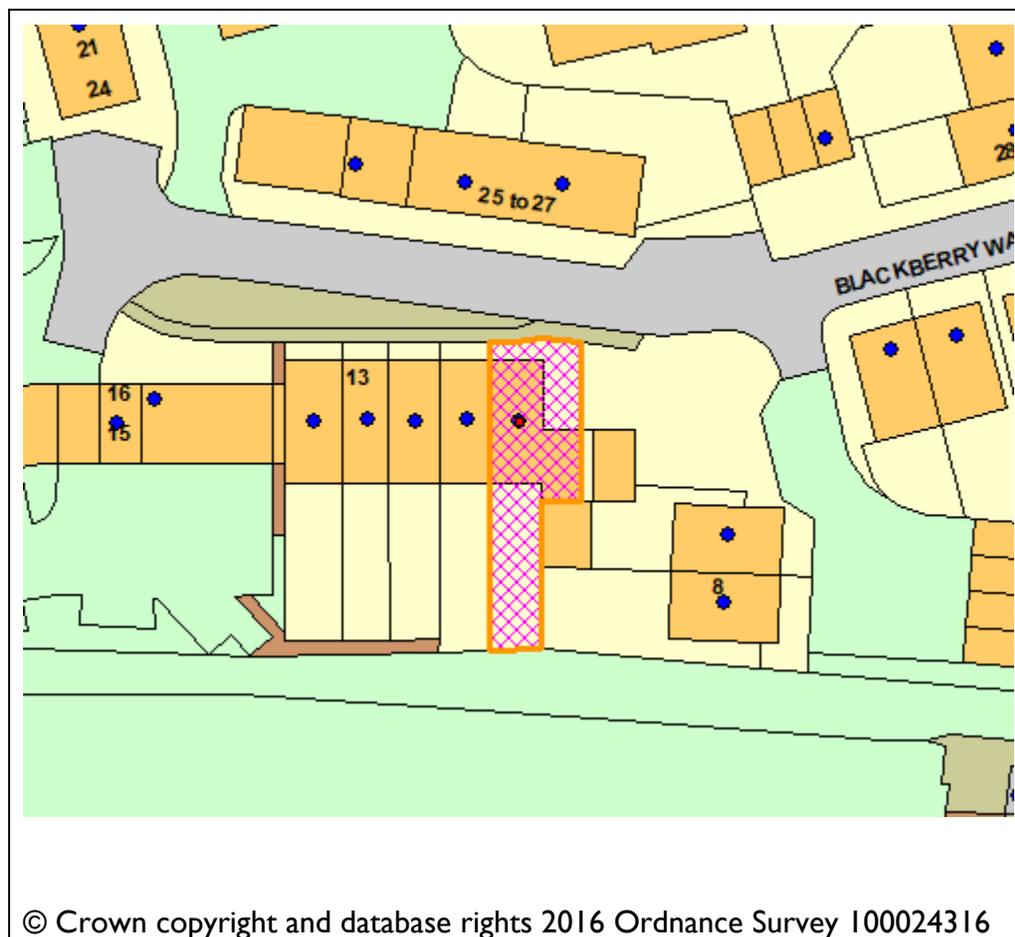
**Contact Officer:** Alex Clarke

**Telephone Number:** alex.clarke@westoxon.gov.uk

**Date:** 15th June 2022

Application Number	22/00722/HHD
Site Address	10 Blackberry Way Woodstock Oxfordshire OX20 1FQ
Date	15th June 2022
Officer	Sarah Hegerty
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	445601 E 217048 N
Committee Date	27th June 2022

### Location Map



### Application Details:

Erection of a first floor side extension above existing garage and parking space and single storey rear extension.

**Applicant Details:**

Mr Robert Gosling  
10 Blackberry Way  
Woodstock  
Oxfordshire  
OX20 1FQ

**I CONSULTATIONS**

Parish Council

Objection due to loss of light to neighbouring property, overdevelopment of the site, overbearing nature of the development. Council also recommends that WODC Planning Committee undertakes a site visit and reports the notification of absence of neighbour consultation be investigated by WODC.

**2 REPRESENTATIONS**

- 2.1 Two objection comments have been received from the neighbouring property No 9 Blackberry way:

**VISUAL IMPACT**

The visual impact of the proposed structure: firstly the garage extension, most particularly from the rear of our property, will be completely overbearing and intrusive. The significant size and height of the additional storey to the garage from our rear windows and especially in our small garden will substantially, and in our view, completely dominate. It will be noticeably prominent with a solid red brick wall to the full height of the house. It will be less than 5 meters from the rear wall of our house. Our property is very small at approx 80 sq.m. with 3 adults and fully grown teenager, making our outside space all the more important to us all. The side and rear walls of the existing garage are completely within our small garden space. The front of the building will be on our immediate boundary, adjoining our driveway in its entire length. It will immediately stand out and impose at the front of property facing the road and the properties opposite.

The surrounding dwellings are high density, with small spaces between and around buildings. They are very tight plots with very small gardens/outside space. These extensions would be out of scale and proportion to that of adjacent buildings and properties. The design and layout of the garage extension will look noticeably different to everything surrounding it.

In addition I would like it taken into account that No 8 Blackberry Way has had a significant rear extension passed by WODC - 21/0010/HHD - which is now constructed. Due to its height it has had a negative visual impact on our small garden space and reduced natural daylight and sunlight

in our living room and garden. This is in complete contradiction to the government drive, and indeed globally, to achieve a reduction in the need for artificial lighting. We now get less sunlight in the garden to help dry clothes outside and increased energy usage, along with the associated costs! The right to light does ruling does NOT account for this. This extension is also overbearing in its nature, being immediately on our boundary to the height of the first floor windows. This could and should have been given much more consideration when the planning application was submitted. Architects are well practiced in all manner of strategies to get plans approved. We have had that point highlighted to us on hindsight.

#### OTHER

The addition of actual photographs from all angles, including neighbouring properties, should be a prerequisite to planning applications. This would assist planners immensely in understanding the impact a building is likely to have on its surroundings and neighbours. Three weeks to object, comment is not sufficient time, it is common knowledge this is often abused to get applications through.

The impact/value of outlook and space ought to be taken into consideration for people's mental health, particularly in the current climate and working from home. The system should consider those people, who for a number of reasons, are not able to respond to applications as quickly or ably and as a result are railroaded into living with the end result. People move out and on - buildings don't.

I am not against new development or extensions to existing properties where it is appropriate and not detrimental in any way.

#### AMENITY VALUE

There is a risk of creating a precedent with this type of garage extension for the entire estate which would completely alter the look and feel of the area. This is important when considering all applications.

#### POLICY /PRINCIPLE

We have not received any official communication from WODC Planning Dept of this or the original planning application (21/02469/HHD). Nor of the planning application 21/0010/HHD to No 8 Blackberry Way. As a direct neighbour to No 8 (semi-detached) and No 10 Blackberry Way with adjoining immediate boundaries WODC Planning Dept has a legal obligation to notify us directly in writing. We were not provided with this notice either in writing or email. It did not give us adequate notice, highlight the urgency or opportunity to object to any of the applications.

#### NEIGHBOURLINESS

There is no mention within the planning applications of the need for extensive access to our property in order to facilitate the proposed construction. This should be an additional consideration. Access to the front, side and rear of the property for building these proposed works

will be on our land/garden. It will be hugely intrusive, especially in such a small garden such as ours. There is no other access. This needs to be taken into account when decisions are made. It would help prevent bad feelings amongst neighbours and breakdown of the smaller community relations.

I invite you to visit our property to fully understand the issues and implications. I would like to include photographs which will help illustrate our serious concerns and objections. As I am unable to do so here I will email these under separate cover to WODC Planning Dept and Woodstock Town Council.

2. It is my opinion that the proposed build at number 10 would be obtrusive and overbearing. We have recently seen an extension built to the rear of number 8 that has had an effect on the amount of sunshine that we receive and the view that we used to enjoy. Our property is relatively small and our outdoor space is important to me as i suffer with depression and i feel that the proposed size of the new build will just add to the feeling of being hemmed in. It has been brought to my attention that when the original plans were submitted that there was no mention of requiring access to our property and i would find this extremely intrusive. I am also lead to believe that we have received no official communication from WODC Planning Dept regarding this application. My partner vanessa Phillipson has submitted a more detailed complaint, but I endorse everything that Vanessa has stated.

### **3 APPLICANT'S CASE**

No applicant case has been submitted.

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

T4NEW Parking provision

DESGUI West Oxfordshire Design Guide

NPPF 2021

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

### **5 PLANNING ASSESSMENT**

#### **Background Information**

The application seeks consent for erection of a first floor side extension above existing garage and parking space and single storey rear extension.

The site is located in a residential area of Woodstock and it not in an area of special designated control. The property semi-detached dwelling and is constructed of reconstituted stone under

a tile roof with a red brick garage to the side (east) of the dwelling. The dwelling is orientated facing north with the properties to the east facing east meaning that the side elevation of the host dwelling is widely visible within the streetscene. General Permitted development rights allowing extensions, windows and roof lights have been removed for the whole estate.

The application is before Planning Sub-Committee for consideration as Councillor Cooper called the application in making reference to policy H6 of the Local Plan.

The application was deferred from the previous Planning sub-committee to allow a site visit by Members.

Officers would like to note at this point the comment made by the Town Council and an objector that the application was possibly not publicised correctly. Applications are advertised by a yellow site notice which has to remain available for viewing by the public for 21 days as dictated within the regulations. Officers completed a site visit on the 7th April and it was noted on that date that the yellow site notice was visible and at no point was the Council made aware that the notice had been removed before the end of the consultation period. Officers have therefore concluded that the application was publicised in a correct and proper manner.

### **Planning History**

21/02469/HHD - Approved - Erection of a first floor side extension above existing garage and parking space. (EXTANT PERMISSION)

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 siting, design and form, neighbourly amenity and highways impacts.

### **Siting, Design and Form**

As noted above the site has an extant permission for the erection of a side extension which is broadly the same as detailed within this application. The main differences between the extant permission and this application is the addition of a single storey rear extension and the rear wall of the first floor addition is inline with the main dwelling rather than the garage. Whilst officers acknowledge that the principle of a side extension remains acceptable, the application has still been fully assessed in a holistic manner.

In regards to the siting, the property would retain a 12m garden to the rear and the garage and parking space to the side remain as existing. Both elements of the proposal are not considered to negatively impact on the streetscene given that they remain within the outline of the host dwelling and to the rear of the property which is not visible within the streetscene. Due to the orientation and distances between the properties, the neighbouring property is not significantly impacted by the proposal and officers do not consider the proposals would result in overdevelopment of the site as a whole. Neighbouring properties in close proximity have also extended to the rear or have garden rooms in the rear amenity spaces. Whilst these do not set

a precedent, as each site is considered on its own merits, rear development is considered to form part of the character of the area.

In regards to the design, the first floor extension of the existing garage is traditional in design with a dual pitched roof and dormer window on the front elevation. The pitch of the roof is consistent with the existing garage of the host dwelling and that of the neighbouring property and the outline of the additions lies within the outline of the existing gable end of the property. The ridge line is approx. 1m lower than the host dwelling and the front wall is stepped back approx. 1.5m with a brick pier to the front left corner allowing the ground floor parking space to be open-sided. The proposed materials are reconstituted Cotswold Stone, red brick and roof tiles to match the host dwelling. Officers consider the proposed design and materials are in keeping with the host dwelling and the wider character of the area. The proposed rear lean-to style extension extends beyond the rear wall 1.7m, bringing it out in line with the rear build line of the existing garage and is proposed to be red brick and roof tiles to match that of the existing garage.

Officers conclude that the lower ridge and stepped front build line and modest 1.7m extension to the rear is overall, considered to be in keeping with the existing character and appearance of the property and represents a subordinate addition to the property. This is therefore considered to be compliant with local plan policies OS2, OS4 and H6 of the West Oxfordshire Local Plan and Chapter 14 of the West Oxfordshire Design guide.

## **Highways**

County Highways were not consulted as part of this application given that the off street parking availability of the site remains unchanged (with the garage and parking space remaining). The proposal is therefore considered acceptable in this regard.

## **Residential Amenities**

Officers have had regard to the two objection comments received from No 9 Blackberry Way. Some of the information within the comments is factually incorrect, not related to this site and application, and/or is a civil matter and therefore does not form part of the planning assessment, however careful consideration has been given to the remainder of the comments.

Firstly considering the first floor side extension. This is set within the outline of the existing house and maintains the rear build line of the property. This is broadly in line with the side elevation of the neighbouring property to the East (No 9 Blackberry Way) and also the garage serving this property. At the closest point (the corner of No 9) there is approx 7.5m between the proposed development of the closest dwelling (corner to corner).

Whilst the development will be visible from the rear windows of the property, given that the proposed remains within the outline of the existing dwelling and the existing development (Garage and Garden Room serving No 9), officers do not consider that the development will negatively impact on the neighbouring property (No 9) by way of loss of light or overbearing impact. The proposed Juliette balcony faces out on the street and would not allow views into

the neighbouring properties windows or rear amenity space and therefore will not give rise to any loss of privacy or overlooking. Given the orientation of the properties there is not considered to be any overshadowing to the rear amenity space of No 9.

Considering the rear extension, the single storey lean-to design extends only 1.7m to the rear and is infill development from the rear wall of the existing garage to the boundary with the adjoining neighbour (no 11). Officers do not consider the proposed would negatively impact amenity on either of the neighbouring properties (No 9 and No 11) given the single storey nature, lean-to design and position of the existing garage.

Officers are therefore satisfied that the proposed does not give rise to any negative neighbouring amenity impacts and is acceptable in this regard.

## **Conclusion**

The overall appearance, design and form of the extensions are considered to be in-keeping with the existing character and appearance of the property and represent a subordinate addition, with the design and materials complementing the existing. The proposed is not considered to negatively impact on the streetscene or that of the amenity of neighbouring properties.

In light of this assessment, taking in consideration the design, neighbouring amenity and highways implications, this proposal is acceptable in accordance with policies OS2, OS4, H6 and T4 of the adopted Local Plan 2031, relevant sections from the NPPF and West Oxfordshire Design Guide 2016.

## **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.

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.

**Contact Officer:** Sarah Hegerty

**Telephone Number:** 01993 861713

**Date:** 15th June 2022