REPORT 7

APPLICATION NO.	P07/E1573
APPLICATION TYPE	FULL
REGISTERED	29 NOVEMBER 2007
PARISH	HENLEY
WARD MEMBER(S)	Joan Bland and Lorraine Hillier
APPLICANT	Mr & Mrs Harris
SITE	38 Milton Close, Henley
PROPOSAL	Erection of single storey front extension and part single storey part two storey rear extension and pitched roof over existing flat roof garage.
AMENDMENTS	NONE
GRID REFERENCE	475676/182500
OFFICER	Paul Lucas

1.0 INTRODUCTION

1.1 This application is reported to the Planning Committee at the request of Lorraine Hillier, one of the Ward Councillors.

1.2 The application site is shown on the OS extract **attached** as Appendix 1. The application site consists of a plot occupied by detached two storey 1960's property in a small estate off Deanfield Avenue within the built-up area of Henley. The immediate surroundings contain a mixture of detached and terraced houses of similar age and appearance. The properties are staggered, so that No.38 is set further forward than both No.39 (a similar detached house adjacent to the west) and No.37 (an end-of terrace house adjacent to the east). This means that the two storey rear building line of No's 37 and 39 project beyond the rear of No.38 by 3.2 metres and 0.8 metres, respectively. The rear garden of No.38 is longer than most of the other properties in Milton Close. The land slopes quite steeply down from west to east and from north to south so that the garden of No.38 is approximately 0.7 metre lower than No.39. The front garden of No.38 comprises a hardstanding capable of accommodating two vehicles. Some of the properties have been extended, most notably, No.20 has a two storey side extension and No.39 has a flat-roof front extension incorporating a balcony. A new dwelling was allowed on appeal between No's 32 & 33 in 2002 and has been recently constructed. No.38 itself has had the original horizontal cladding on the front elevation replaced by stone cladding and has a flat-roofed single storey extension and a terrace at the

rear.

2.0 THE PROPOSAL

2.1 The application seeks planning permission for the erection of single and two storey extensions and a pitched roof over the existing garage. The front extension incorporating an open sided porch would be 2.1 metres deep by 4.4 metres wide, covering approximately two-thirds of the front elevation. It would have a ridged roof up to a height of 3.3 metres with a gable of similar shape to the main roof. The garage would also be brought forward by 2.1 metres and linked to the front extension by a hipped roof. This roof would be continued over the remainder of the existing flat-roof garage. The garage would be converted to a bedroom and utility, but planning permission for this would not be required as there is no condition imposed on the original planning permission requiring the garages to be retained for parking.

2.2 The rear extension would comprise two storey and single storey elements. The main two storey element would measure 4.65 metres deep by 4.1 metres wide and 5.8 metres high with a gable roof set down of 0.5 metres from the main ridge of the original house. A secondary two storey element would be erected adjacent to the western side wall of the main two storey extension. This extension would measure 2.4 metres deep by 2.4 metres wide and 5.8 metres high with a hipped roof. There would then be a single storey rear element positioned in an infill location between the two storey elements. It would measure 2 metres deep by 2.4 metres wide and would have a hipped roof with a maximum height of 3.1 metres. A further single storey element would be positioned alongside the eastern elevation of the main two storey element. It would measure 4.65 metres deep by 1.5 metres wide and 2.9 metres high. The existing terrace would be extended further to the rear. Some alterations to openings on the existing house would be carried out, but these would not require planning permission. The stone cladding would be removed and the existing single storey rear extension would be demolished to make way for the extensions. The proposal would lead to the reconfiguration of the internal layout, to facilitate a downstairs bedroom, study and enlarged living room on the ground floor and the provision of a new master bedroom with en-suite and the enlargement of another of the bedrooms. The total number of bedrooms would remain at four. The plans also show the addition of a trellis onto the boundary wall with No.37.

2.3 The applicants' supporting letter is **attached** as Appendix 2. The plans of the proposed development are **attached** as Appendix 3.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 **Henley Town Council** – The application should be refused due to overintensive, bulk, loss of garage, not in accordance with design guide that extensions should

be subservient to main house.

Henley Society – No comments received.

3.2

OCC Highways – No objection.

3.3

Neighbours – Two letters of objection from the owner of 39 Milton Close raising the following points:

3.4

- Excessive development causing loss of sunlight and daylight to rear windows of No.39 and its garden;
- Loss of privacy to No.39, particularly from first floor balcony; and
- Excessive and out of keeping with the adjoining houses.

4.0 **RELEVANT PLANNING HISTORY**

4.1 A previous planning application for a larger set of extensions was refused planning permission by the Planning Committee in March 2007 for the following reasons:

"1. The proposed extensions, by reason of their design and appearance, would be out of keeping with the character and appearance of the original house and the surrounding area. The proposal would therefore be contrary to Policies G2, G6 and H13 of the adopted South Oxfordshire Local Plan 2011 and Section 4.6 of the South Oxfordshire Design Guide.

2. The proposed rear extension, by reason of its size, height, position and appearance, would have an unacceptably overbearing impact on the rear of No.39 Milton Close and result in loss of light to the detriment of the residential amenity of the occupiers. It would therefore be contrary to adopted South Oxfordshire Local Plan 2011 Policies G2 and H13 and Section 4.6 of the South Oxfordshire Design Guide."

A subsequent appeal against the Council's decision was dismissed in August 2007. The Planning Inspector concluded:

"I do not consider that the proposed rear extensions constitute a neighbourly form of development…The appearance and character of the dwelling would be harmed by the proliferation of extensions…and indirectly the character of the settlement would be harmed…"

A copy of the appeal decision is **attached** as Appendix 4.

4.3 P80/S0723 – Planning permission was granted for the erection of a single storey rear extension in February 1981.

5.0 **POLICY AND GUIDANCE**

5.1 Adopted South Oxfordshire Local Plan 2011 Policies:

- G2 – Protection of the Environment
- G6 – Promoting Good Design
- D1 – Good Design and Local Distinctiveness
- D2 – Vehicle and Cycle Parking
- D4 – Privacy and Daylight
- H13 – Extensions to Dwellings
- T1 – Transport Requirements for New Developments

5.2 Supplementary Planning Guidance:

- South Oxfordshire Design Guide – Sections 4.3 and 4.6.

5.3 Government Guidance: PPS1.

6.0 **PLANNING ISSUES**

6.1 The planning issues that are relevant to this application are whether:

- The development would be in keeping with the character and appearance of the original dwelling and the surrounding area;
- The living conditions of neighbouring residential occupiers would be compromised;
- The development would result in an unacceptable deficiency of off-street parking spaces for the resultant dwelling; and
- The development would leave sufficient outdoor amenity space for future occupiers.

6.2 A comparison of various dimensions of the rear extensions of the current proposal with the scheme dismissed at appeal is shown in the table below:

	Current Proposal	**Dismissed Proposal**
Overall Depth	4.65 metres	11.5 metres
Two Storey Depth	4.65 metres	4.65 metres
Overall Width	7.9 metres	7.9 metres
Two Storey Width	6.4 metres	7.9 metres
Two Storey Width of Main Gable	4 metres	6.4 metres
Distance to Boundary No.39	1.1 metre	1.1 metre
Two Storey Distance to Boundary No.39	1.1 metre	1.1 metre
Main Gable Distance to Boundary No.39	3.5 metres	1.1 metre
Maximum Height	5.8 metres	6.2 metres

Distance of Ridge to Boundary	6.6 metres	4.3 metres
Overall Increase in Floor Area including Front Extension (Existing = 76 m2)	65.61 m2	103.8 m2

Character and Appearance

6.3 Criterion (ii) of Policy H13 of the adopted SOLP 2011 requires that the scale and design of proposed extensions are in keeping with the character of the dwelling and the site and with the appearance of the surrounding area. EX2 of Section 4.6 of the SODG recommends that extensions should complement the form and character of the original house. The proposed extensions would be significant, but as the above measurements show, materially smaller than the dismissed extensions. Only the front extension would be noticeable in the street scene on Milton Close. The front extension would reflect the shape of the main roof and would be more in keeping with the appearance of original properties than the flat-roofed front extension at No.39. The pitched roof over the garage would constitute an improvement to its appearance. Although the ground floor of No.38 would project further forward than its neighbours, this was the case when the houses were originally built and this serves to reinforce the stagger. These elements of the proposal remain the same as the previous application (with the exception of the garage conversion) and neither the Council nor the Inspector raised any objections to them. There would be some views of the two storey rear extension from Deanfield Avenue and the Inspector was concerned about the proliferation of extensions visible from this direction. However, due to the rear extension being more substantially set down from the ridge, the fact that it would no project beyond the side walls of the original house at two storey level and that it would be only 1 metre closer to Deanfield Avenue over a distance of some 20 metres, the current proposal would not appear unduly prominent or out of keeping with the original house. These properties are not of particular architectural merit and there is insufficient symmetry to resist the extensions to No.38 of the scale proposed. The character of the surroundings would not therefore be materially harmed. In the light of this assessment, the proposal would satisfy the above criterion.

6.4 Living Conditions of Adjoining Dwellings

Criterion (iii) of Policy H13 of the adopted SOLP 2011 requires that proposed extensions and alterations do not harm the residential amenity of occupants of nearby properties. EX5 of Section 3.6 of the South Oxfordshire Design Guide recommends that a proposed extension should not intrude upon a neighbour's privacy or significantly reduce the amount of daylight their house would receive. The front and side extensions and garage roof would be on the side of No.37. Although there would be some loss of light and outlook to the front kitchen window, the internal arrangement at No.37 is open plan and the living conditions in the front rooms of the property would not be materially affected. This remains the same

arrangement as the last application and was not a matter that was of concern to either the Council or the Inspector. The proposed two storey rear extension would only project 1 metre beyond the rear of No.37. This would enable a sufficient level of light and outlook to the rear rooms of No.37 to be preserved. The land at No.38 is higher than No.37 and the boundary wall/fencing steps down the garden, whereas the extended terrace would remain at the level of the house. In order to prevent overlooking of No.37 from this terrace, a trellis is proposed to be added to the boundary to ensure that its height remains above 1.8 metres on No.38's side, thereby ensuring sufficient privacy for No.37. This can be covered in a planning

6.5 condition. The occupants of No.37 have raised no objections to the proposal.

The two storey rear extension would project beyond the rear of No.39 by 3.7 metres, at a distance of 3.5 metres from the boundary and by 1.4 metres at a distance of 1.1 metres. The single storey element would project as far as 3.4 metres beyond the rear of No.39. Although the extension would be visible from the rear of No.39, it would be at a distance of 6 metres from the centre of the nearest window on both floors. The increase in the distance of a portion of the extension from the boundary with No.39 (refer to the above table) would enable the two storey element of the extension to be well outside a 45-degree line of sight from that window, as demonstrated by the submitted ground floor site plan. Consequently, whilst there would be some loss of light and outlook to the downstairs lounge and upstairs window, given the aforementioned separation distances, the drop in land levels from No.39 to No.38 and shrub planting on No.39's side of the boundary, this impact would be significantly less than the appeal scheme. There would be some overshadowing of the garden, but as the extension would be to the east of the garden, this would only occur very early in the morning and mainly in the summer months, when there is more daylight generally. In the winter, the sun would rise further to the south-east. There would be no side windows and although there would be doors at first floor level they would comprise a Juliet balcony (arrangement without a projecting platform). The doors can be conditioned to open inwards to prevent direct views into adjoining

6.6 properties. On the basis of this assessment the proposal would meet the requirements of the above criterion.

Parking

Criterion (v) of Policy H13 of the adopted SOLP 2011 requires that satisfactory parking areas are provided for the extended dwelling. The proposal would not increase the number of bedrooms from the current four. Although the garage would be converted into a bedroom (this could be carried out anyway under permitted development rights), the remaining hardstanding would provide two off-street

6.7 parking spaces, which would be sufficient to meet adopted standards for a dwelling of this size. Consequently, the proposed development would not result in

conditions prejudicial to highway safety, nor would it result in excessive vehicular movements in accordance with the above criterion.

Outdoor Amenity Space Provision

Criterion (v) of Policy H13 of the adopted SOLP 2011 requires that satisfactory amenity areas are provided for the extended dwelling. The amount of garden area would remain at some 170 square metres, which would be above the recommended minimum standard of 100 square metres for a dwelling of this size. The proposal would therefore comply with the above criterion.

7.0 **CONCLUSION**

7.1 The application proposal would comply with the relevant Development Plan policies and it is considered that, subject to the attached conditions, the proposed development would be in keeping with the character of original dwelling and the surrounding area, would not materially harm the living conditions of adjoining residents and would not give rise to any highway safety issues.

8.0 **RECOMMENDATION**

8.1 **Grant Planning Permission**

Subject to the following conditions:

1. **Standard 3 Year Time Limit**
2. **Matching Materials – Walls and Roofs**
3. **Matching Materials – Windows and Doors**
4. **Juliet Balcony – Doors to Open Inwards only**
5. **Trellis to be installed on boundary with No.37 before commencement**
6. **Hardstanding to be retained for parking of private vehicles only**
7. **Permitted development rights removed first floor side windows and rooflights**

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