

APPLICATION NO.	P18/S1070/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	17.4.2018
PARISH	WHEATLEY
WARD MEMBER(S)	Toby Newman
APPLICANT	Assetmax
SITE	4 Station Road, Wheatley, OX331ST
PROPOSAL	Alterations to raise building height to create an additional bedroom and garden area. (Privacy screens materials to be opaque glass as agreed by email dated 20 June 2018)
OFFICER	Neil Davies

1.0 **INTRODUCTION**

1.1 This application has been referred to the Planning Committee at the request of the local member, Councillor Toby Newman.

1.2 4 Station Road, which is shown on the attached location plan at **Appendix 1**, is a single storey property located close to the centre of Wheatley. Originally a bank the property has undergone several changes of use, culminating in a change to a residential dwelling in 2014.

1.3 The dwelling is not listed but does sit within the Wheatley Conservation Area and an archaeological constraints area.

2.0 **PROPOSAL**

2.1 The plans accompanying the application are attached at **Appendix 2**. Full copies of the supporting documentation and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk

2.2 The application seeks planning permission to raise the building height to create an additional bedroom and garden area.

2.3 The application also seeks to add roof-lights and a dormer window to the front elevation.

2.4 Privacy screen materials for the balcony were agreed to be opaque glass by email dated 20th June 2018.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Wheatley Parish Council – Objection**

- Work can only take place if trees are removed.
- No current evidence that permission was granted to change use from commercial to residential.

Neighbour representations – Object (x2)

- Loss of privacy.
- Noise issues.
- South facing velux windows higher than original and overlooks garden.
- Oppose cutting back of overhanging limbs of trees as the result would be misshapen, unsightly and unbalanced.

Forestry Officer - No objections.

County Archaeological Services - No strong views

OCC Highways Liaison Officer - No objection.

Conservation Officer – No objection.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S1145/PDO](#) - Approved (05/05/2015)

Proposed conversion of B1 office to a one bed self-contained flat (C3).

[P13/S3619/FUL](#) - Approved (06/01/2014)

Change of use from B1 office use to A1 use.

[P99/N0788](#) - Approved (13/01/2000)

Change of use from A2 (solicitors office) to B1 (office).

[P84/N0630](#) - Approved (26/11/1984)

Change of use to Solicitor's office

[P84/N0068](#) - Other Outcome (21/02/1984)

Change of use from (restricted use consent SO/N/134/78/CU for) Architects' office to Estate Agents/Surveyors' office with Building Society agency.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

CSEN3 - Historic environment

CSQ3 - Design

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

CON7 - Proposals in a conservation area

D1 - Principles of good design

G2 - Protect district from adverse development

H13 - Extension to dwelling

T1 - Safe, convenient and adequate highway network for all users

5.3 Neighbourhood Plan policies;

Paragraph 48 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Wheatley Parish Council are working towards the adoption of a neighbourhood plan and pre-submission consultation stage of development and as such it has limited weight at this stage

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 **The main considerations in the determination of this application are;**

- **Whether the proposed development was granted change of use from commercial use to a dwellinghouse.**
- **The impact of the proposal upon the amenities of neighbouring properties.**
- **The impact of the works upon the site and the wider Conservation Area.**
- **Parking provision.**
- **Public access.**
- **Impact upon trees within the vicinity.**
- **Archaeological constraints.**
- **Other Issues.**

6.2 **Whether the proposed development was granted change of use from commercial purpose to a dwellinghouse.**

The parish council have objected to the proposal highlighting that there is no current evidence that the change of use from commercial purposes to a dwellinghouse was granted. The planning history highlights that an application was made in 2014 for the change of use. The change of use from a B1 office use to residential (C3) is classed as permitted development provided that prior approval is obtained. The only issues that can be considered under such prior approval applications relate to highways matters, contaminated land issues and an assessment on the risk of flooding on site. The determination period for such approval is 56 days. Unfortunately, the 56 day determination period expired before a determination was issued. As the local planning authority did not notify the applicant within the necessary time period the change of use was automatically permitted under the provisions of section (9)(c) of Part N of the Order (1995). The parish council and the applicant were advised of the circumstances at the time and the council confirmed that the residential conversion could commence.

6.3 **The impact of the proposal upon the amenities of neighbouring properties.**

The proposal seeks to add a first floor to the building by raising the height of the southerly section of the pitched roof by 1.1 metres and connect it to the gable end dual, pitched roof on the northern section of the dwelling with a height increase of some 1.25 metres at this point. A new first floor window, front facing dormer and 2 rooflights will be added to the elevation fronting onto Station Road. Given that these elements are predominantly looking over a public highway toward a non-residential area they are not considered to impact on the amenities of any neighbour.

Existing front elevation



Proposed front elevation



6.4 The existing rooflight windows on the western elevation will raise in line with the height increase to the dwelling and enable a roof terrace to be added to the rear of the dwelling with one additional rooflight added. The neighbours to the south at number 12 Station Road have objected to the application citing a loss of privacy to the garden area. The rooflights would be located close to the ridgeline of the property to achieve

maximum height, one of which will look down Station Road. Whilst it is acknowledged that the second rooflight would look into the garden area it should be noted that any views are likely to be limited by the presence of existing trees and that there is a minimum of 20 metres separation distance between habitable rooms; this exceeds the separation requirements in the SODG. I am of the opinion that the amenities of this neighbour would not be overly affected by the raising of the existing rooflights.

Existing western elevation

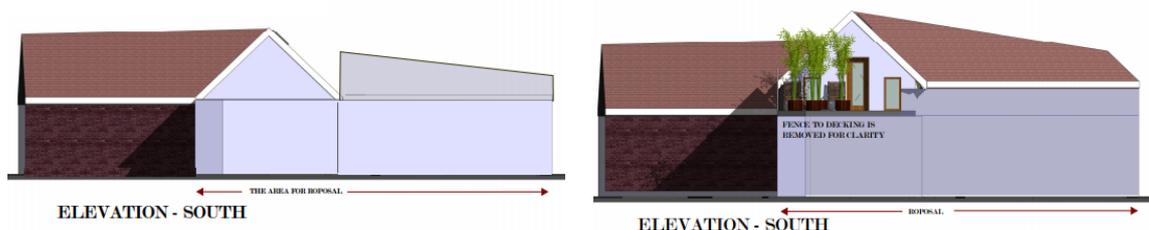
Proposed western elevation



- 6.5 The neighbours at number 12 have objected to the addition of an external door on the rear elevation at first floor level to create a balcony, on the grounds of noise and possible overlooking. A 1.8 metre privacy screen of opaque glass is proposed around the balcony area to prevent overlooking. This neighbour has acknowledged that the main area of overlooking would be into the garden area, however there are a row of trees on the boundary line that exceeds the height of the decked area, which if maintained would obscure views of the garden and neighbouring dwelling. Whilst there is potential for additional noise from the balcony, I do not consider this to be any different from a dwelling with a standard garden area of a neighbouring property and am therefore of the opinion that the decked balcony would not significantly harm the amenities of this neighbour.

Existing south elevation

Proposed south elevation



- 6.6 The neighbour to the north west at number 48 High Street has objected to the proposal because of the impact on the trees. This issue is covered at paragraph 6.10.

- 6.7 **The impact of the works upon the site and the wider Conservation Area.** The site is within the Wheatley conservation area. The conservation area is a designated heritage asset. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 193 of the NPPF (2018) reflects this requirement, stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 195 of the NPPF (2018) requires that planning permission should be refused if there is substantial harm or the total loss of a designated heritage asset. Paragraph 196 of the NPPF establishes that where the harm is less than substantial that any harm should be weighed against the public benefits of the proposal. CON7 of SOLP is the relevant local plan policy seeking to provide appropriate development within or adjacent to conservation areas.

- 6.8 The existing building makes a neutral contribution to the character and appearance of the Wheatley Conservation Area. It is of limited architectural and historic interest but does not detract from the special character of the area. The character of the area is varied having evolved organically over many centuries. The street plan in this village core is dense with most buildings being of two storeys in height. Buildings are predominantly of stone although the buildings subject of this application are rendered. I consider that the alterations to the gabled section, raising it up are acceptable and in keeping with the scale of nearby buildings on the opposite side of the street. I consider that the increase in size of the left-hand portion running parallel to the road although of acceptable height, is less well articulated in terms of scale due to the gap that is left between the ground floor windows and eaves line, however, I do not consider that there is any sensible way of overcoming this and do not consider that it would constitute grounds for refusal on the basis of harm to the conservation area.
- 6.9 **Parking provision.**
The application site lies close to the heart of Wheatley and does not benefit from any off-street parking. The Highways Officer has no objection to the proposed extension because it is unlikely to result in any significant intensification of transport activity at the property and is unlikely to have a significant adverse impact on the highway network. Given the sustainable nature of the site in terms of walking, cycling and public transport and in its proximity to the town centre it is considered ideal for a “car free” development. Furthermore, given waiting restrictions in the form of Double Yellow Lines and time specific parking bays this will address indiscriminate parking occurring within the vicinity of the site.
- 6.10 **Public access.** There is a public footpath that runs along the front of the property. An informative is recommended to ensure that measures are taken to ensure that it is kept free from obstruction during the development to ensure public access is retained.
- 6.11 **Impact upon trees within the vicinity.**
The neighbours at numbers 12 Station Road and 48 High Street have objected to the proposal due to the impact it may have on the trees adjacent to the site. By virtue of the application site sitting within the Wheatley Conservation Area all trees over a certain size are automatically protected. An Arboricultural report has been submitted with the application and the forestry officer has no objections to the proposal.
- 6.12 **Archaeological constraints.**
The site is located in an area of archaeological interest; Medieval Village at Wheatley with Medieval Quarries, however the development is of a relatively small scale and as such there are no archaeological constraints to this scheme.
- 6.13 **Other Issues.**
The council’s CIL charging schedule applies to relevant proposals. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. In this case CIL is not liable as the proposed development would not result in a footprint increase to the property.

7.0 **CONCLUSION**

7.1 It is recommended that planning permission is granted. The proposed changes affect the height and shape of the roof to allow for an extra bedroom and decked balcony area. The proposal does not adversely affect the character and appearance of the dwelling or the wider Conservation Area and does not compromise the residential amenity of neighbouring occupants in terms of outlook, privacy, overshadowing or loss of light. In conjunction with the proposed conditions the proposal will accord with development plan policies.

8.0 **RECOMMENDATION**

8.1 **To grant planning permission subject to the attached conditions:**

- 1: Commencement three years - full planning permission.**
- 2: Approved plans.**
- 3: Schedule of materials.**
- 4: Rooflights (flush fitting).**
- 5: Informative: keep areas free from obstruction.**

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