

Case Officer: Sarah Greenall

Recommendation: Approve

Applicant: Mr Robert Yates

Proposal: Conversion of existing garage

Expiry Date: 22 November 2019

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a two storey semi-detached property within the new residential housing estate of Kingsmere that forms part of the South West Bicester development. The house is constructed from a rustic red brick under a slate tiled roof with white uPVC fenestrations. It has an attached garage to the south that is set further back from the front elevation of the property with a driveway. The surrounding area comprises of similar styles detached, semi-detached and terraced residential dwellings.
- 1.2. The building is not listed, there are no listed buildings within close proximity, and the site is not situated within a designated conservation area. There are no further site constraints directly relevant to this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the conversion of the existing garage. The footprint of the converted space will remain the same and the garage door will be retained, however there will be doors inserted on the rear and north east side elevation of the garage opening into the rear garden area of the property.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regards to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **4 November 2019**, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. BICESTER TOWN COUNCIL: No comments received at the time of writing this report.

OTHER CONSULTEES

- 6.3. LOCAL HIGHWAYS AUTHORITY (OCC): **No objections** with regards to this application.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design of new residential development

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)

8. APPRAISAL

- 8.1. The key issues for consideration in this case are:
- Design, and impact on the character of the area
 - Residential amenity
 - Highway safety/parking provision

Design and Impact on the Character of the Area

- 8.2. Paragraph 124 of the NPPF states that: *‘Good design is a key aspect of sustainable development’* and that it *‘creates better places in which to live and work’*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional*

pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.

- 8.3. Saved Policies C28 and C30 of the CLP 1996 reinforce this, with Policy C30(ii) stating: *that any proposal to extend an existing dwelling (should be) compatible with the scale of the existing dwelling, its curtilage and the character of the streetscene.*
- 8.4. The front elevation of the garage would remain the same, and therefore there would be no change to the streetscene of the area. Given the footprint of the garage would also remain unchanged the scale of development is also considered to be acceptable. The only notable change in the appearance of the dwelling would be the insertion of doors to the rear opening into the rear garden space which would not be visible from any areas of the public domain. Further to this, the doors would be in keeping with the character of the windows and doors seen on the existing building.
- 8.5. For the above reasons, it is therefore considered that the proposal is acceptable in terms of design and impact on the character of the area, and thus accords with Government guidance contained within the NPPF, Policy ESD15 in the CLP 2031 Part 1 and saved Policies C28 and C30 of the CLP 1996.

Residential Amenity

- 8.6. Paragraph 127 of the NPPF includes, as a core planning principle, a requirement that planning should have *a high standard of amenity for all existing and future users*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.*
- 8.7. The Council's Home Extensions and Alterations Design Guide (2007) provides informal guidance on how the Council will assess proposed extensions to houses, including guidance on assessing the impact on neighbours. This includes assessing whether a proposed extension would extend beyond a line drawn at a 45° angle, as measured horizontally from the mid-point of the nearest habitable room window.
- 8.8. The footprint of the garage would remain the same as existing and therefore there would be no impact on surrounding neighbours' outlook or light amenity. The only proposed openings are on ground floor level facing into the rear garden area which is bound by close boarded fencing. Given this, it is unlikely there would be any detrimental impacts on the privacy amenity of any surrounding neighbours.
- 8.9. For the above reasons, it is therefore considered that the proposal accords with Government guidance contained within the NPPF and saved Policy C30 of the Cherwell Local Plan 1996 and Policy ESD15 of the CLP 2011-2031 Part 1 that seek standards of amenity and privacy acceptable to the Local Planning Authority.

Highway Safety/Parking Provision

- 8.10. Policy ESD15 of the CLP 2031 Part 1 states, amongst other matters, that new development proposals should: *be designed to deliver high quality safe...places to live and work in*. This is consistent with Paragraph 110 of the NPPF which states that: *developments should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.*
- 8.11. The proposed development would result in the loss of a parking space within the garage. While this is the case, there would still be two parking spaces available on

the driveway serving the application property, which is considered an adequate amount for a property of this size.

- 8.12. For these reasons, it is therefore considered that the development proposal would be acceptable in terms of highway safety and parking provision, thus complying with Government guidance contained within the NPPF and Policy ESD15 of the CLP 2031 Part 1.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. For the reasons set out in this report, the proposal complies with the relevant Development Plan policies and guidance listed at section 7 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: Site Location Plan, 5-102 A and Garage Conversion Floor Plan and Elevations Version: 1.1.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Case Officer: Sarah Greenall

DATE: 20.11.2019

Checked By: Paul Ihringer

DATE: 22/11/19
