

Case Officer: Gemma Magnuson

Recommendation: Approve

Applicant: Mr & Mrs A Pasteur

Proposal: Extension of garden terrace

Expiry Date: 12 August 2019

Extension of Time:

1. APPLICATION SITE AND LOCALITY

- 1.1. Cedar Lodge is a detached Grade II listed dwelling situated to the north of the village of Steeple Aston, in the designated conservation area. Other Grade II listed buildings are situated to the north and west of the site. The site is of medium archaeological interest and it is likely to contain naturally elevated levels of Arsenic. A number of protected and notable species have been identified in the area. Two TPO'd trees are within the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the extension of the garden terrace. The existing stonework and copings would be re-used.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

19/00531/F - Removal of existing timber framed conservatory, internal alterations, new kitchen extension and the refurbishment of an existing potting shed to form a new garden studio – approved.

19/00532/LB - Removal of existing timber framed conservatory, internal alterations, new kitchen extension and the refurbishment of an existing potting shed to form a new garden studio – approved.

- 3.2. The garden terrace was indicated as potential works on the above plans, which were approved, although was not formally applied for.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No formal pre-application discussions have taken place with regard 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 **8 August 2019**, although comments received after this date and before finalising this report have also been taken into account. 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. Steeple Aston Parish Council – no comments received.
- 6.3. Mid-Cherwell Neighbourhood Plan Forum – no comments received.

OTHER CONSULTEES

- 6.4. CDC Arboriculture – no comments received.
- 6.5. CDC Conservation - The proposed extension to the garden terrace in materials reused from the consented extension is not considered to cause additional harm to the setting of the listed building. There are no objections to granting consent for 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

MID-CHERWELL NEIGHBOURHOOD PLAN

- PD4: Protection of important views and vistas
- PD5: Building and Site Design

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

8. APPRAISAL

- 8.1. The key issues for consideration in this case are:

- Design, and impact on the character of the area, including heritage assets
- Residential amenity

Design and Impact on the Character of the Area, including Heritage Assets

- 8.2. Government guidance contained within the NPPF requires development to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive, sympathetic to local character and history, and establish or maintain a strong sense of place. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.
- 8.3. Policy ESD 15 of The Cherwell Local Plan 2011-2031 Part 1 requires development to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.
- 8.4. Further, development proposals will be required to conserve, sustain and enhance designated and non-designated heritage assets including buildings, features, archaeology, conservation areas and their settings. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.
- 8.5. Saved Policy C28 of the Cherwell Local Plan 1996 seeks a standard of layout, design and external appearance, including the choice of external finish materials, that are sympathetic to the character of the context of the development. In sensitive areas, such as conservation areas, development will be required to be of a high standard and the use of traditional local building materials will normally be required.
- 8.6. The proposed development would represent a minor alteration to an existing terrace, retaining the existing height and re-using the existing materials. The works would take place to the rear of the dwelling and would not be visible from the public domain. The works would take place a sufficient distance from protected trees and given the minor nature of the works I do not consider that an Arboricultural Method Statement is required. Further, the Arboricultural Officer has not provided comments on the scheme and I must therefore assume that no objections are raised.
- 8.7. I do not consider that the works would result in any harm to the historic significance of the listed building or its setting, the designated conservation area or the visual amenities of the wider locality, in accordance with the above Policies.

Residential Amenity

- 8.8. 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*.
- 8.9. Whilst the proposed development would involve the creation of a raised platform, there is sufficient separation between the site and neighbouring properties in order to avoid a significant loss of privacy or amenity, in accordance with the above Policies.

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: Dwg. No: 2018-1014-PL20 Rev. A

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: Gemma Magnuson

DATE: 09 August 2019

Checked By: Nathanael Stock

DATE: 09.08.19
