

Case Officer: Sarah Greenall

Recommendation: Approve

Applicant: Mrs V Baxi-Varma

Proposal: Erection of conservatory to the rear

Expiry Date: 30 January 2020

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a two storey mid terrace property located in the residential estate of Kingsmere which forms part of the South West Bicester development. The building is constructed from Bradstone under a tiled roof with white uPVC windows and doors and red brick detailing around openings. The surrounding area is residential in nature with mostly Bradstone and red brick materials seen. There is also a small play area located to the south west of the site and parking area located to the north east.
- 1.2. The building is not listed, there are no listed buildings within close proximity, and the site is not situated within the 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 erection of conservatory to the rear of the dwelling. The conservatory would measure approximately 5.4 metres in width and 3.6 metres in depth with a mono-pitched roof design measuring 2.8 metres in height and dropping to approximately 2.3 metres at the eaves. The south east side elevation will be finished with a wall, the north west side elevation will have a section of wall with the remaining section having a dwarf wall with glazing, and the rear elevation will be finished with a dwarf wall and glazing a set of double doors opening up into the garden area. The development will be finished in materials to match the existing building.

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 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 **18 January 2020**, 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 objections** with regards to this application.

OTHER CONSULTEES

- 6.3. ARCHAEOLOGY (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 proposed development would be located to the rear of the property and as such would not be visible from the public domain on Wetherby Road. The proposed development would therefore not have a negative impact on the streetscene of the surrounding area.
- 8.5. While the proposed extension would span across most of the width of the house, it would be kept to single storey in height and located in a good sized garden, thus the scale of development is considered to be appropriate. The materials proposed for the conservatory are typical for development of this nature, with mostly uPVC glazing seen that will match that on the original dwelling. The walls and dwarf walls will be finished in stone to match the existing building, and is therefore considered to retain the character of the original dwelling and the surrounding area.
- 8.6. For these 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 and saved Policies C28 and C30 of the Cherwell Local Plan 1996 and policy ESD15 in the Cherwell Local Plan 2011-2031 Part 1.

Residential Amenity

- 8.7. 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.*
- 8.8. 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.
- 8.9. Due to the location of the development the only neighbours likely to be impacted would be the attached neighbours at numbers 79 and 83 Wetherby Road. The extension would be set slightly away from the boundary of number 79 due to the walkway that separates them and given its single storey nature and the presence of a boundary fence it is unlikely there would be any detrimental impacts on light, outlook or privacy in this regard.
- 8.10. Number 83 would however be impacted more as the development would be located closer to the boundary of this neighbour. While this is the case, given its single storey nature, the presence of the boundary fence and the fact this neighbour is located to the south of the development it is unlikely there would be any detrimental impacts in terms of light or outlook. There are no windows proposed to face towards this neighbour and therefore there would be no additional impacts on privacy in this regard.

8.11. It is therefore considered that for the above reasons the proposal accords with Government guidance contained with 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

8.12. 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*.

8.13. The proposed development would not impact the parking provision currently available at the property. It would not result in the addition of a further bedroom, and therefore there would be no requirement to provide additional parking provision. It is therefore considered the parking provision would be acceptable and the application would be unlikely to have a negative impact on the local highway network.

8.14. For these reasons, it is 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: Location Plan, Block Plan and Proposed Plan and Elevation.

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: 03.02.2020

Checked By: Paul Ihringer

DATE: 03/02/20
