

**Case Officer:** Matthew Coyne

**Recommendation:** Refuse

**Applicant:** Mr Tim Catling

**Proposal:** Demolition of existing chapel and erection of 1 dwelling

**Expiry Date:** 1 January 2018

**Extension of Time:** 5 January 2018

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is located within West Adderbury to the south of Round Close Road. The site comprises an existing one and a half storey detached building which is now vacant, but was previously used as a Catholic Church.
- 1.2. The site bounds Round Close Road to the north where there is a stone wall which encloses part of the frontage and to the front of the building there is a hard surfaced area which offers parking for one or two cars. The site is bounded to the west, south and east by residential uses. Partridge Court to the west is a two storey building comprising 7 residential flats, to the south lies two detached dwellings, the gardens of which abut the application site and to the east the boundary is formed by the side elevations of number 13 and 15 Round Close Road which contains a number of windows.
- 1.3. The site is located within the Adderbury Conservation Area. An ordinary water course runs through the site from west to east and runs on into the neighbouring garden of 13 Round Close Road in the south east corner of the site. The site lies within 50 metres of potentially contaminated land and with a site of medium Archaeological Interest.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The current application seeks permission for the demolition of the existing church and the construction of one, four bedroomed dwelling on the site. This would be constructed in the form of an L shaped building.
- 2.2. The building would have a gabled frontage onto Round Close Road, with a hipped wing set back from the road by approximately 9.5m. The proposal contains 3 number of car parking spaces which are set in front of the hipped wing of the dwelling and adjacent to the neighbouring property of 15 Round Close Road.
- 2.3. The building would be constructed in stone with a plain tile roof and timber casement windows. The proposal would have a low level boundary wall at the front of the site adjacent to Round Close Road.

## **3. EVANT PLANNING HISTORY**

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
15/01540/F	Demolition of existing chapel and erection of 4 no. dwellings	Application Refused

16/00814/F Demolition of existing chapel and erection of 4 no. dwellings - Re-submission of 15/01540/F Application Refused

17/00485/F Demolition of existing chapel and erection of 2 dwellings Application Withdrawn

- 3.2. 15/01540/F sought permission for the demolition of the existing chapel and the construction of 4no. of dwellings. The application was refused for 5 reasons including: the proposal amounted to overdevelopment of the site (that would be to the detriment of the residential amenity); the proposal would be of an unbalanced design that was harmful to the Conservation Area; the access would be to the detriment of the highway safety; there was inadequate information regarding the watercourse running through the site; and there was inadequate information relating to biodiversity enhancements.
- 3.3. 16/00814/F again sought permission for the demolition of the existing chapel and the construction of 4 number of dwellings. In this instance the proposal was refused for 4 reasons including: the proposal would amount to overdevelopment of the site (that would be to the detriment of the residential amenity); the proposed design and use of materials was to the detriment of the Conservation Area; there would be a substandard level of visibility to the site which would be to the detriment of highway safety; and there was inadequate information relating to the watercourse which runs through the site.
- 3.4. 17/00485/F sought permission for the erection of 2no. dwellings but was withdrawn following Officer advice (due to a lack of information on the watercourse; impact on the designated Conservation Area; impact on neighbouring properties; and concerns regarding highway safety).

#### **4. PRE-APPLICATION DISCUSSIONS**

- 4.1. Whilst the following pre-application advice was not specifically sought for the current proposal, the advice contained within this report is considered to represent part of the material considerations in the assessment of this application (due to the relevance of the advice given):

<u>Application Ref.</u>	<u>Proposal</u>
15/00074/PREAPP	Pre-App enquiry - Demolition of existing chapel and erection of 2 No dwellings

- 4.2. The above pre-application sought the advice of the LPA on the demolition of the existing chapel and the erection of 2 no. dwellings. This pre-application advice was given prior to the submission of the application 15/01540/F for the erection of 4 no. dwellings. The advice contained within the pre-application report advises that the principle of development in this location is considered to be acceptable, but the proposals represented overdevelopment of the site with inadequate parking provision and a negative impact on the neighbouring occupiers. It was recommended that a single dwelling (or at most a pair of semi-detached properties) be proposed instead.

#### **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 07.12.2017, although comments received after this date and before finalising this report have also been taken into account.

5.2. A neighbouring occupier advises that this application has addressed some previous concerns. Whilst they did not specifically object to the proposal they made the following comments/questions/concerns:

- There is no consideration for waste disposal
- Building is within 20m of a stream
- Concerns regarding the vehicular access
- No plan for garaging – concerns if this would come in the future (due to potential loss of light/outlook)
- Legal right of access for maintenance of property – should be maintained.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## **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.

### ADDERBURY PARISH COUNCIL

6.2. Adderbury Parish Council supports the application but requests that swift boxes are put on the new building.

### STATUTORY CONSULTEES

6.3. Oxfordshire County Council as Local Highways Authority raises no objections to the proposals subject to 2 conditions.

6.4. No comments were received from Thames Water.

### NON-STATUTORY CONSULTEES

6.5. Oxfordshire County Council Archaeology advises that the proposals would not appear to have an impact on any known archaeological sites or features.

6.6. The Building Control advises that they have no comments to make on this application.

6.7. The Conservation Officer did not provide any comments in relation to this application.

6.8. The Ecologist advises that they have no objections to the proposal subject to conditions.

6.9. The Environmental Protection Officer raises no objections in regard to noise, contaminated land, air quality, odour or light.

6.10. The Landscape Officer raises no objections to the proposals. They did, however, suggest a number of changes to the scheme.

6.11. No comments were received from the Waste and Recycling or the Housing Standards departments.

## **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)

- PSD1: Presumption in Favour of Sustainable Development
- BSC2: The Effective and Efficient use of land
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems (SuDS)
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment
- Policy Villages 1: Village Categorisation (Adderbury Category A)

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C23: Retention of features contributing to character or appearance of a conservation area.
- C28: Layout, Design and external appearance of new development
- C30: Design Control over new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

## **8. APPRAISAL**

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

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety
- Drainage
- Impact on protected species

### Principle of development

8.2. Paragraph 6 of the NPPF states that: “The purpose of the planning system is to contribute to the achievement of sustainable development”. Paragraph 14 of the National Planning Policy Framework (NPPF) states that a presumption of sustainable development should be seen as a golden thread running through decision taking and Paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice

for the planning system. The NPPF goes on to say that, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

- 8.3. Policy PSD 1 of the CLP 2031 (Part 1) reinforces the principles set out in the NPPF and states that planning applications that accord with the policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 8.4. Policy Villages 1 identifies Adderbury as a 'Category A Settlement' capable of accommodating minor residential developments, infilling and conversions with the built up limits. The site is considered to lie within the built limits of the village. In this instance the proposal results in the demolition of an existing building and the construction of a residential property. Given the nature of this proposal, it is considered that the development amounts to 'infill development' and would therefore be acceptable in accordance with the above mentioned policy.
- 8.5. Having regard to all of the above, the principle of residential development in this location is considered to be acceptable, in accordance with Policies Villages 1, ESD1 and PSD 1 of the CLP 2031(Part 1) and Government guidance contained within The Framework, subject to the other considerations outlined below.

#### Design, and impact on the character of the area

- 8.6. Government guidance contained within The Framework states that developments should seek to provide good design and that good design: is a key aspect of sustainable development; is indivisible from good planning; and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 8.7. The application property is located within Adderbury Conservation Area. The Conservation Area is defined as a designated heritage asset in the NPPF. The NPPF requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and seeks to ensure that new development should make a positive contribution to local character and distinctiveness. It goes on to state when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. Significance can be harmed or lost through alteration or destruction of a heritage asset and any harm or loss should require clear and convincing justification. The NPPF further states that where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.8. Saved Policy C23 of the 1996 Local Plan states that there will be a presumption in favour of retaining features which make a positive contribution to the character and appearance of a conservation area and Policies C28 and C30 seeks to ensure the layout, scale and design of development is of a high standard. Policy ESD15 of the Cherwell Local Plan Part 1 states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. This includes a requirement for new development to respect the traditional pattern of routes, spaces and plots and the form scale and massing of buildings. It also states development should contribute positively to an area's character and identity by creating or reinforcing local distinctiveness.

- 8.9. The application site is located to the south of Round Close Road within Adderbury Conservation Area. It currently comprises a detached rendered one and a half storey building with a gable front to the road. The surrounding development is a mixture of historic development and vernacular architecture with more modern infill development and therefore the form and character of development in this location is mixed residential development.
- 8.10. The proposed development seeks to demolish the existing building and its replacement with a two storey L-shaped building comprising 1no. 4 bedroomed dwelling. This development would have a forward projecting gable element in the north western corner of the site (fronting Round Close Road), with a hipped wing set perpendicular across the centre of the site (set back approximately 9.5m from Round Close Road). It would have a driveway access off of the street with 3no. car parking spaces situated in the north eastern corner of the site (forward of the hipped wing of the proposal).
- 8.11. The building would be set back from the front elevation of 1 to 7 Partridge Close by approximately 2.5 (which is approximately in line with the front elevation of 15 Round Close Road). Whilst the building line of the gable is considered to be acceptable, a large proportion of the building is set back from the road (at approximately 9.5m – or 6.5m from the gabled elevation). This is considered to be unfortunate, given that the more traditional buildings in the locality tend to have a stronger and more linear front building line adjacent to the highway (which is prevalent throughout the village of Adderbury) and this is a characteristic of many of the buildings which positively contribute to the Conservation Area. As such, the current proposal fails to create a sense of enclosure to the area which would be in keeping with the character of the designated Conservation Area which is a significant weakness of the scheme. Furthermore the layout of the frontage would car parking and manoeuvring space would rather dominate the frontage of the site which would detract from the character and appearance of the Conservation Area
- 8.12. Further to the above, it is noted that in the consideration of a previous application (16/00814/F) the Case Officer advised that: *the building ... would not have the type of detailing which clearly reflects it is the frontage of the building such as front doors. Traditional properties in the locality generally have front doors onto the street which provides a focus to the buildings and create a strong pattern and form of development. They also help to break up the massing of the elevation and provide a residential scale. The lack of positive frontage or any focal points onto the road is a weakness of the design and combined with the overall size of the building does not positively reinforce local distinctiveness.* In this instance, it is considered that the design has not been designed appropriate to reflect the previous advice given.
- 8.13. In the consideration of previous applications, it was considered that the proposal resulted in an unbalanced appearance which included one gable end and one hipped end on the front element of the building. Whilst it is appreciated that the current proposal differs from the earlier schemes, the proposal still has an unbalanced appearance – which is exacerbated by a forward projecting gable and a hipped wing perpendicular across the site. Additionally, the bulk scale and massing of this hipped wing is considered to be slightly excessive in comparison to the size of the gable and although set back, would appear incongruous. A more linear form of development along the front of the site (with a rear projecting gable) would be more appropriate in this instance and in keeping with the area.
- 8.14. Hipped roofs are not a traditional feature within the Conservation Area where the majority of properties have gable ended roofs. Whilst it is noted that the neighbouring building has a hipped end adjacent to the site, this part of the building

is clearly an ancillary wing to the main part of the building which faces onto Tanners Lane and is a two and half storey building with gable ends. Therefore this is not considered to provide sufficient justification for the roof design and it is considered to fail to reinforce local distinctiveness.

- 8.15. The building would be constructed of natural stone under a tile roof and its windows and doors would be constructed of painted timber. The use of these materials is considered to be acceptable and would be appropriate given the siting within the Designated Conservation Adderbury. In addition, the height of the building is considered to be acceptable and appropriate to the height of the neighbouring buildings.
- 8.16. Overall for a combination of the above factors the proposed layout, form and design is considered to result in a building which would fail to preserve or enhance the character and appearance of the Conservation Area or reinforce local distinctiveness. Whilst this harm would be significant it would amount to 'less than substantial harm' in the context of paragraph 134 of the NPPF. In this case the social and economic benefits of providing a new dwelling are not considered to outweigh this harm. The proposal is further contrary to Saved Policy C28 of the CLP 1996; Policy ESD 15 of the CLP 2031 (Part 1); and Government guidance contained within The Framework.

#### Residential amenity

- 8.17. Policy ESD 15 of the CLP 2031 (Part 1) requires new development to consider the amenity of both existing and future occupants, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Furthermore, Paragraph 17 of the Framework states that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".
- 8.18. The application site is surrounded by residential uses. Numbers 13 and 15 Round Close Road form the western boundary of the site and have windows directly facing onto the development site. The ground floor windows of number 15 serve a dining room, and WC (obscure glazed), the dining room also has a second window facing east, and the first floor windows of number 15 are a bedroom/office and bathroom (obscure glazed). The ground floor windows of number 13 serve a kitchen and a WC (obscure glazed) and it has not been established what the first floor windows serve.
- 8.19. The front projecting gable of the proposal would be sited approximately 1.5m from the ground floor window of 1-7 Partridge Court (which serves the dining room/study of this ground floor flat). Whilst the proposal is considered to be sited slightly closer to this window, the proposal is not considered to interfere with their outlook any more than the current arrangement on the site. It is therefore considered that the proposed building would not cause an unacceptable impact in terms of overshadowing on this side facing window.
- 8.20. The side (east) elevation of the dwelling would front towards 13 and 15 Round Close Road. The first floor window of the proposal serves the landing and could be obscurely glazed by way of condition. The proposal contains no other openings on the east elevation and as such would not result in a loss of privacy in this regard. The first floor windows on the west elevation serve a bathroom and stairwell and could again be obscurely glazed by way of a condition. It is, therefore considered that this would not result in any loss of privacy to 1-7 Partridge Court.
- 8.21. Notwithstanding the above, the side projecting hipped element would be within 6.5m of the ground floor window of 15 Round Close Road. The Council's Home

Extensions and Alterations Design Guide is a relevant consideration as it contains advice on suitable separation distances for residential properties to ensure suitable standards of amenity in terms of privacy and overshadowing. This guidance does not form part of the adopted Local Plan and can therefore only be given limited weight in the consideration of this application. In this document, it is advised that facing elevations, which contain principal windows, should maintain a 22 metres separation and windowless elevations should be at least 14m from a neighbour's habitable room. In this case, the proposed eastern elevation of the dwelling would be 6.5m away from the side facing elevation of numbers 13 and 15 (including the habitable windows of 15 Round Close Road. Due to the separation distances, this relationship would cause a detrimental impact on the outlook of these properties by being an overbearing form of development.

- 8.22. Further to the above, the private amenity space of the proposal dwelling would be immediately adjacent to the windows of 13 and 15 Round Close Road. Policy ESD15 of the CLP 2031 (Part 1) requires the LPA to consider matters of amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. There will be a clear conflict between the privacy of the neighbouring properties (through which there would be a loss of privacy) and the privacy of the future occupiers of the application site (which will be severely overlooked by the neighbouring occupiers). As such, it is considered that the proposal fails to provide an adequate standard of outdoor amenity space for the proposed occupier which would also be to the detriment of the privacy of the neighbouring occupiers.
- 8.23. The existing ground floor and first floor windows on the rear of the flats in Partridge Court closest to the development site serve bedrooms. The proposed building would cause additional overshadowing and would be visible from the bedrooms of the ground floor and first floor flat. However, on balance, it is not considered that the proposal would cause unacceptable overshadowing or overbearing impact particularly in light of the earlier decisions on the site.
- 8.24. In conclusion on this issue, the site is tightly constrained due to the location of the existing neighbouring dwellings and the relationship with the proposed development. The current proposal seeks to achieve a development of one dwelling, which due to the relationship of the site with neighbouring properties is considered to be harmful to the residential amenity of neighbouring properties (caused by an overbearing impact and overlooking). It would also fail to provide a good standard of amenity space for future residents (due to the lack of private amenity space). Therefore the proposed development is considered to be contrary to Policy ESD15, saved Policy C30 of the Cherwell Local Plan 1996 and advice in the NPPF.

#### Highway safety

- 8.25. 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 35 of the NPPF which states that: *developments should be located and designed where practical to...create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians*.
- 8.26. Oxfordshire County Council as Local Highways Authority raises no objections to the proposals subject to a number of conditions (relating to the access details and the parking and manoeuvring areas). In this instance, it would be considered appropriate to include these conditions on any permission. Whilst it is noted previous concerns have been raised from the Highways Officer, the current proposal is considered to adequately address their concerns.



- 8.27. Having regard to the above, the proposal is considered to be acceptable in highway safety terms and would thus be in accordance with Policy ESD 15 of the CLP 2031 (Part 1) and Government guidance contained within The Framework.

#### Drainage

- 8.28. There is an ordinary watercourse which passes through the site and then east into the rear garden of number 13 Round Close Road. Policy ESD6 of the CLP 2031 (Part 1) seeks to secure the management and reduction of flood risk. This policy seeks a site specific flood risk assessment to support the application because the site has experienced flooding as recently as 2014 and the development is within 9 metres of a watercourse. No such report has been submitted to support the application.
- 8.29. During visits to the site the watercourse was observed flowing quickly through the neighbour's garden and through the area which it exposed in the site. It therefore appears to be an important drainage channel within this part of the village. The proposed development will be constructed in close proximity to this drainage channel.
- 8.30. It is noted that the previous applications sought to culvert the drainage channel, whereas it is now their intention to leave it open. Whilst this may be a more acceptable solution, the application has been submitted in the absence of any site specific flood risk assessment. This information has been consistently requested from the applicant's and in the absence of this information, it is not possible to determine whether the proposal would be at risk from flooding or whether the proposed development would increase flood risk elsewhere. Furthermore the depth of the watercourse appears quite close to the surface and it has not been demonstrated that the building will not affect the watercourse flow during the building work (and after the development is completed and how it can be maintained).
- 8.31. As the application has been supported by very limited information regarding the existing watercourse and how this will be dealt with within the proposed development, the Local Planning Authority is unable to make a proper assessment as to how the proposal will affect the watercourse. The application is therefore considered to be contrary to Policy ESD 6 of the CLP 2031 (Part 1) and Government guidance contained within The Framework.

#### Impact on protected species

- 8.32. Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making. Paragraph 99 of Circular 06/2005: Biodiversity and Geological Conservation states that: *It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.*
- 8.33. Paragraph 109 of the NPPF states that: *The planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible.* This requirement is echoed by Policy ESD10 of the CLP 2031 Part 1.

- 8.34. The Ecologist advises that they have no objections to the proposal, but requests a number of conditions be imposed on any permission (including no works to trees/hedgerows between March and August and for biodiversity enhancements). Given there has been records of swifts in the area, these conditions are considered to be necessary, should permission be granted.
- 8.35. Having regard to the above, the proposal is considered to be acceptable in accordance with Policy ESD 10 of the CLP 2031 (Part 1), Government guidance contained within the Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

## **9. PLANNING BALANCE AND CONCLUSION**

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The principle of development is considered to acceptable in accordance with Policy Village 1 of the CLP 2031 (Part 1). Notwithstanding this, the layout, form and appearance of the building fails to preserve or enhance the Conservation Area or reinforce local distinctiveness and would be contrary to Saved Policy C28 of the CLP 1996; Policy ESD15 of the CLP 2031 (Part 1) and Government guidance contained within The Framework. Furthermore, the proposal fails to protect the amenity of the neighbouring occupiers by being an overbearing form of development. Additionally, the relationship between the windows of the neighbouring properties (of 13 and 15 Round Close Road) and the private amenity space of the proposed dwelling, would result in a loss of privacy. The application also lacks any detailed information on flood risk which is contrary to Policy ESD 6 of the CLP 2031 (Part 1) and Government guidance contained within the Framework.
- 9.3. Notwithstanding the above, the proposal provides an adequate amount of parking which would not be to the detriment of the highway safety and the proposal would not be to the detriment of any protected species.

## **10. RECOMMENDATION**

That permission is refused, for the following reason(s):

1. The proposed development, by virtue of its layout, form and design would result in an incongruous form of development that is not in keeping with the traditional pattern of development and would fail to sympathetically integrate into the built environment or reinforce local distinctiveness. The proposals are thus considered to cause less than substantial harm to the character and appearance of the Adderbury Conservation Area and would fail to preserve and enhance this heritage asset. The public benefits arising from the scheme are not considered to outweigh this harm. As a result the proposal fails to comply with Saved Policy C28 of the Cherwell Local Plan 1996; Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.
2. The proposal, by virtue of its layout, form and scale, would detrimentally impact on the outlook to the widows on the western side elevation of 15 and 13 Round Close Road. The relationship of the proposed garden with these windows would also result in an unacceptable level of overlooking and loss of privacy to these properties and would fail to provide a good standard of outdoor amenity space for the future occupier of the proposed dwelling. The

proposal is therefore considered contrary to Saved Policy C30 of the Cherwell Local Plan 1996; Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1; and Government guidance contained within the National Planning Policy Framework.

3. The application is supported by inadequate information in relation to the ordinary watercourse which runs through the site. The Local Planning Authority has therefore been unable to make an informed decision as to whether the proposed development can be carried out without undue harm caused to the flow of the existing watercourse and the potential for increased flooding within the local area. Therefore, the proposal fails to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Matthew Coyne

DATE: 05/01/2017

Checked By: James Kirkham

DATE: 08/01/2017

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