

Case Officer: Gemma Magnuson

Recommendation: Approve

Applicant: Ms Debbie Whitford

Proposal: Removal of roof. Construction of new roof with bedroom accommodation

Expiry Date: 9 January 2020

1. APPLICATION SITE AND LOCALITY

- 1.1. The Bungalow, as the name suggests, is a single storey detached dwelling situated north-west of the village of Bodicote. The building is not listed, although Grade II listed buildings are situated to the south, and across the road to the east. The site is just within the designated Conservation Area. The site is of archaeological interest, and a group of TPO'd trees lie within the site. The land is likely to contain naturally elevated levels of Arsenic.
- 1.2. The existing dwelling has a brown tiled roof and buff brick walls. Openings are white UPVC.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for to remove the existing roof, construct a new roof and provide bedroom accommodation, with associated rooflights and a flat roofed dormer window to the rear.
- 2.2. The existing roof height to ridge would be increased by 70cm and continued along to incorporate an existing single storey side projection resulting in the loss of the existing step down between these two elements. A hallway would be created at ground floor level where the gable would be extended to accommodate the new roof. Two pitched roof dormer windows would be installed within the front facing roofslope, with a flat roofed dormer to the rear. Rooflights would also be installed upon both the front and rear elevations.
- 2.3. Construction materials would consist of a grey tiled roof, a painted frontage and buff brick to the remaining elevations. Window openings would be grey UPVC, with either UPVC or timber doors (the applicant is undecided).

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 **10 January 2020**, 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. Bodicote Parish Council – request that the work is in keeping with the area.

6.3. Bodicote Neighbourhood Plan Forum – no comments received.

OTHER CONSULTEES

6.4. OCC Local Highway Authority – no objection.

6.5. CDC Ecology – A bat and nesting bird survey has been carried out and found that there is no evidence of protected species, and very limited potential for them. Impacts upon biodiversity are therefore unlikely.

6.6. CDC Arboriculture – Requested a tree survey and Arboricultural Impact Assessment. This was received on 18 December 2019, and no objections were raised to this, subject to conditions.

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)

- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- 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, including heritage assets and protected trees
- Residential amenity
- Highway safety
- Biodiversity

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

- 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 ESD15 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. 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.
- 8.4. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 seek 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.
- 8.5. 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 site occupies a plot adjacent to the village hall car park, and despite being single storey, the side elevation is clearly visible above the fence when approaching from the north. White Post Road itself is tree lined up until this point, and the protected trees contribute to this leafy green character. The existing dwelling sits between old and new, with a Grade II listed dwelling to the south and the more contemporary Bodicote Village Hall to the north. The dwelling sits centrally within its modest plot, set back from the road by a large area of tarmac driveway. A stone wall marks the eastern boundary.
- 8.7. The increase in height of the roof would involve an increase to both the height and footprint of the dwelling, removing the existing single storey element and creating a one and a half storey dwelling. The dwelling would however, continue to sit centrally within its plot and would not, in my opinion, appear as an overly prominent feature of the streetscene.
- 8.8. Pitched roofed dormer windows are proposed upon the more visibly prominent frontage, and I consider these to be sympathetically designed, centred over the ground floor openings and not appearing disproportionate to the remaining roofslope.

- 8.9. A flat roofed dormer window is proposed to the rear, which in unfortunate, as it would be visible from the adjacent car park. However, given its small size, I do not consider that it would appear overly prominent or cause harm. The rooflights are not excessive in number, and I do not consider that they would cause harm.
- 8.10. A white rendered panel already exists upon the front elevation of the dwelling and I do not consider that the continuation of this white colouring across the entire frontage would cause harm. Further, the painting of the exterior of a building does not normally require planning permission.
- 8.11. The footprint of the existing dwelling would increase as a result of the development, requiring excavation near to the roots of the protected trees, although subject to conditions, the Arboricultural Officer is content that the trees would be afforded sufficient protection.
- 8.12. I consider that the proposed development would not result in harm to the visual amenities of the locality, including the designated heritage assets and their settings, and the protected trees, in accordance with the above Policies.

Residential Amenity

- 8.13. Government guidance contained within the NPPF requires development to create places that are safe, inclusive and accessible, promoting health and well-being, and with a high standard of amenity for existing and future users. Policy ESD 15 of the Cherwell Local Plan 2011-2031 requires all development to consider the amenity of both existing and future development. Saved Policy C30 of the Cherwell Local Plan 1996 seeks standards of amenity and privacy acceptable to the Local Planning Authority.
- 8.14. Due to the position of the dwelling in relation to its neighbours, I consider that there are three properties with the potential to be affected by the proposed development.
- 8.15. Firstly, The Old Seven Stars to the south-west of the site. Whilst the proposed increase in height and openings would be a sufficient distance from the dwelling itself to avoid harm, the proposed flat roofed dormer window would be positioned in close proximity to the shared boundary to the west, and would be visible above the existing boundary hedge where there are no openings at present.
- 8.16. However, given the small size of the dormer, the proposed use of obscure glazing and that not the entirety of this neighbour's garden would be affected by the perception of overlooking, I do not consider that I can reasonably argue that significant harm would be caused in terms of a loss of privacy for this neighbour. I have recommended that all openings on this elevation are obscure glazed in order to avoid any overlooking of the neighbour, with any opening parts above 1.7 metres from floor level.
- 8.17. Secondly, Brown Thatch is positioned across the road to the east, although the new openings would look out over the frontage where privacy is limited at present, and at a distance exceeding 22 metres. I do not consider that a significant loss of privacy or amenity would occur.
- 8.18. Thirdly, Yew Tree Cottage is positioned to the south, opposite where the roof and gable would be increased in height. However, the separating distance exceeds 20 metres and no new first floor openings are proposed, and I do not consider that a significant loss of privacy or amenity would occur as a result.
- 8.19. The proposal accords with the above Policies in terms of residential amenity.

Highway Safety/Parking Provision

- 8.20. 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*.
- 8.21. Whilst the number of bedrooms would increase, the large existing parking area to the front would remain largely unaltered. I agree with the assessment of the Highway Authority that sufficient off-street parking would be retained on site as a result of the development, in accordance with the above Policies.

Biodiversity

- 8.22. Government guidance contained within the NPPF requires the protection and enhancement of biodiversity. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy ESD10 echoes Government guidance, requiring relevant habitat and species surveys to accompany applications which may affect a site, habitat or species of known or potential ecological value, seeking net gains in biodiversity, the protection of existing trees and the protection, management, enhancement and extension of existing resources along with the creation of new ones.
- 8.23. Given the proposed roof works and the presence of historic buildings and mature trees in close proximity to the site, a protected species survey was undertaken. The survey concluded that the dwelling was not identified as a bat roost, and no further surveys or mitigation is required. I agree with the assessment of the Ecology Officer that protected species would not be harmed as a result of the development, 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: Site location plan, block plan, Drawing No: 2019-20/12/2

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.

3. Prior to the removal of the existing roof, a schedule of materials and finishes for the roof and dormer windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule and retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. The rooflights and bathroom window on the western facing elevation shall be obscure glazed (Level 3 or above) and fixed shut, unless the cill height of any opening parts are 1.7 metres above the floor of the room within which it is installed.

Reason - To safeguard the privacy and amenities of the occupants of the neighbouring property and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the removal of the existing roof or any groundworks relating to the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no new window(s) or other openings, other than those shown on the approved plans, shall be inserted in the roof of the western facing elevation without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining dwellings in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 09 January 2020

Checked By: Paul Ihringer

DATE: 13/1/20
