

Case Officer: Gemma Magnuson

Recommendation: Approve

Applicant: Mr & Mrs Charles Parker

Proposal: Proposed single storey rear extension

Expiry Date: 6 January 2020

1. APPLICATION SITE AND LOCALITY

1.1. The application relates to The Fold, a detached dwelling situated central to the village of Sibford Ferris. The building is not listed although Grade II listed buildings are positioned to the north. The site is in a Conservation Area and a public right of way runs adjacent to the site to the south. The site is of archaeological interest and likely to contain naturally elevated levels of Arsenic. The Swift has been identified in the vicinity.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The applicant seeks planning permission for the erection of a single storey rear extension. Two new rooflights would also replace an existing rooflight in the rear facing roofslope. The extension would accommodate an en-suite.

2.2. The extension would be constructed from brick with a tiled roof to match that existing. Openings would be UPVC to match the existing.

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 **23 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. Sibford Ferris Parish Council – no comment, no objection.

OTHER CONSULTEES

- 6.3. Ramblers Association – no comments received.
- 6.4. British Horse Society – no comments received.
- 6.5. Open Spaces Society – no comments received.
- 6.6. OCC Archaeology – no archaeological constraints.
- 6.7. OCC Highway Authority – no objection.
- 6.8. OCC Rights of Way – no comments received.
- 6.9. CDC Environmental Health – no comment.
- 6.10. CDC Rights of Way – ask that due to the location of the Public Bridleway the applicant is reminded that during any development works if planning permission is subsequently granted the Public Bridleway must not be impacted on and will need to remain clear and accessible at all times.

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, including heritage assets and trees
 - Residential amenity
 - Highway safety and public right of way

Design and Impact on the Character of the Area

- 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. 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. 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.
- 8.5. The proposed works would take place to the rear of the existing dwelling, away from clear view of the public domain. The footprint would be 1.9m x 4.8 m, which would represent a minor addition to the footprint of the existing dwelling. The development would be sufficiently separated from the listed buildings to the north in order to avoid any harm to their setting. There are protected trees in close proximity to the although as these are to the front rather than the rear of the dwelling I do not consider that harm would result to their health or longevity.
- 8.6. The matching of construction materials will ensure that the extension is in-keeping with its host. Rooflights already existing upon the rear roofslope and I do not consider that the addition of a further opening, and the relocation of an existing opening, would result in harm.
- 8.7. The development would not harm the historic significance of the setting of the nearby listed buildings or designated Conservation Area. Further, harm would not be caused to the visual amenities of the 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. 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. Saved Policy C30 of the Cherwell Local Plan 1996 seeks standards of amenity and privacy acceptable to the Local Planning Authority.
- 8.10. The extension would be positioned a sufficient distance from all neighbouring properties in order to avoid any harm in terms of a loss of amenity. The existing boundary treatment would obscure outlook from the proposed ground floor opening.

The proposed rooflights would replace an existing rooflight in this location, and I do not consider that an additional loss of privacy would occur as a result. The proposal accords with the above Policies in terms of neighbour impact.

Highway Safety and Public Right of Way

- 8.11. 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*.
- 8.12. The public right of way would not be affected by the proposed development. Further, the works would not involve an alteration to existing parking arrangements, and I do not consider that harm would be caused in terms of highway safety, 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: Drawing No. 02 Proposed

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.

Note

1. The applicant is reminded that the Public Bridleway must not be impacted on and will need to remain clear and accessible at all times during construction work.

Case Officer: Gemma Magnuson

DATE: 24 January 2020

Checked By: Paul Ihringer

DATE: 24/1/20
