

**Case Officer:** Lewis Knox

**Recommendation:** Approve

**Applicant:** Ms Valentina Moscu

**Proposal:** Single storey rear extension and rooflights added to existing roof. New external windows & doors.

**Expiry Date:** 17 March 2020

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## 1. APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises a two storey end of terrace dwelling located in a residential area of Bodicote to the south of Banbury. The main dwelling at the site is constructed from facing red brick to the front elevation with decorative stone bay window and blue/black brick banner and detailing. There are a mixture of white uPVC and white painted timber windows and doors under a natural slate roof. The side elevation is constructed from coursed natural Ironstone. An extension to the rear is constructed from facing red brick and natural slate roof.
- 1.2. The row of terraces features 6 dwellings and are identical in their frontages with the terraces mirrored down the middle. The application dwelling is the western most dwelling in the row. The rear garden is long and narrow which features predominantly grass areas with some patio.
- 1.3. The application dwelling is not a listed building but is located within the setting of numerous grade II listed buildings to the north. The dwelling is located within the designated Bodicote Conservation Area. There are no other planning constraints relevant to this application.

## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the erection of a single storey rear extension and rooflights added to existing roof.

## 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 **27 February 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. **Bodicote Parish Council** - The rooflights on the front of the property are not in keeping with the area.

### OTHER CONSULTEES

- 6.3. **Oxfordshire County Council Archaeology** - The site is located in an area of archaeological interest however the development is of a relatively small scale and as such there are no archaeological constraints to this scheme.

## 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)
- Bodicote Conservation Area Appraisal (April 2008)

## 8. APPRAISAL

- 8.1. The key issues for consideration in this case are:
- Design, and impact on the character of the area and conservation area
  - Residential amenity
  - Highway safety/parking provision

### Design and Impact on the Character of the Area and Conservation 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 extension would be located to the rear of the application dwelling and would therefore not be readily visible from the public domain and would not have a significant impact on the character and appearance of the streetscene or conservation area.
- 8.5. All dwellings within the terrace; including the application site; have previously been extended beyond their original footprints to the rear and so a single storey extension in this location would not appear out of keeping with the locality and would continue the existing character of the area.
- 8.6. The proposed extension would follow the shape of the boundary at the application site and this would lead to a slightly incongruous angled wall along the western elevation of the extension. Whilst this is not a desirable feature, given the lack of views from within the public domain, it is not considered that it would cause significant harm to the visual amenity of the streetscene or conservation area.
- 8.7. The proposed materials for the extension would match those existing at the dwelling currently and would therefore continue the existing character and appearance of the Bodicote Conservation Area and would be acceptable in this respect.
- 8.8. The objection from the Parish council over the rooflights to the front roof slope are noted. Whilst rooflights are not an abundant feature of the locality or conservation area, these rooflights could be inserted without the need for planning permission via permitted development rights; Schedule 2, Part 1, Class C; and so they are considered to be acceptable in this instance.

#### Residential Amenity

- 8.9. 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.*
- 8.10. 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.
- 8.11. The entirety of the proposed rear extension would be to the western side of the existing rear extension at the site and as such would not be visible from the attached neighbour to the eastern side and so would not impact on the residential amenity of the neighbouring occupants in terms of loss of light, loss of outlook or overbearing.

- 8.12. The neighbouring dwelling to the western side is set significantly back from the application dwelling and as such the proposed extension would extend along an area next to the front driveway at the dwelling and would not be located close to the living accommodation at the neighbouring dwelling. It would therefore not impact on the residential amenity of the neighbouring occupants.
- 8.13. The only proposed window would be located on the southern elevation of the extension and would face towards the rear of the garden at the application site and would not face any near neighbour and so would not impact on the levels of privacy in the locality.

#### Highway Safety/Parking Provision

- 8.14. 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*.
- 8.15. The proposal would not result in an increase in the number of bedrooms at the property and would not be located on any land which is currently in use as 9off-street parking provision. It is therefore considered that the development would not have any impact on the safety of the local highway network and is acceptable in this respect.

### **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: Job No: 19031 Drawing Numbers: 100, 103, 104 and 105.

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: Lewis Knox

DATE: 18.03.2020

Checked By: Paul Ihringer

DATE: 18/3/20

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