

Case Officer: Gemma Magnuson

Recommendation: Approve

Applicant: Dr Trina Crilley

Proposal: Loft conversion including insertion of two dormer windows in front elevation.

Expiry Date: 29 May 2020

Extension of Time: Yes

1. APPLICATION SITE AND LOCALITY

1.1. Holly Mount is a semi-detached dwelling situated west of the village of Sibford Gower. The building is not listed, although there are Grade II listed buildings in close proximity to the site. The site within the designated Conservation Area. Swifts and their nests have been identified in the vicinity of the site. The site is of archaeological interest and the land is likely to contain naturally elevated levels of Arsenic, although no groundworks are proposed.

1.2. The existing dwelling is constructed from stone with a tiled roof.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The applicant seeks planning permission for a loft conversion including insertion of two dormer windows in front elevation. The dormers would match those at the adjacent dwelling Bankside Cottage.

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 **26 April 2020**, although comments received after this date and before finalising this report have also been taken into account. One comment was received, supporting the proposal.

5.2. The comments raised by third parties are summarised as follows:

- If the dormers are the same size, shape, material and level as those on Bankside, they will enhance the look of this very prominent building in the heart of the village.

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.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. Sibford Gower Parish Council – support the application and comment as follows:

This property is identified as a non-designated heritage asset, situated within the Sibfords Conservation area. The application to convert an existing loft space into an additional bedroom with two additional dormer windows to the south elevation is both proportionate and appropriate for the property. There would appear to be a precedent identified through a similar conversion to the adjoining property (Bankside Cottage - planning ref: 03/00857/F)

OTHER CONSULTEES

- 6.3. CDC Conservation – no objection subject to them matching those at Bankside, to be conditioned.
- 6.4. CDC Ecology – no objection subject to condition regarding timing of the works and the bird nesting season.

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
- Residential amenity
- Protected species

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. Holly Mount is one of a pair of semi-detached dwellings situated in a prominent location within the streetscene. The other dwelling, Bankside, has existing dormer windows within the front facing roof slope (see 03/00857/F) and the proposed dormers would match these. The dormers would be positioned in line with windows in the ground and first floors and would not appear top heavy. I consider that the works would result in a more a balanced frontage for this pair of dwellings, and I do not consider that harm would be caused to the historic significance of this non-designated heritage asset, the setting of nearby listed buildings of the designated Conservation Area.
- 8.6. The Conservation Officer appears to reach the same conclusion, bearing in mind what could be constructed here as permitted development, although further details of the dormer windows are requested via condition. I have not recommended a condition as the plans have stated that the dormer windows would match those at adjacent Bankside, with roof and cheeks to match those existing. I do not consider that I could add more to this through the assessment of details. I have recommended a condition requiring the dormer windows to match those at Bankside.
- 8.7. As this is not a listed building I am unable to control the impact upon the interior of the building, although I have suggested notes. I consider the proposal to accord with the above Policies in terms of visual impact.

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 dormer windows are positioned a sufficient distance from neighbouring properties to avoid a loss of amenity. New openings would be introduced at second floor level and this would increase overlooking to the frontage of dwellings opposite the site, although views would be similar to those obtained from the first floor openings, and as this would affect the less private frontages of neighbours, I do not consider that a significant additional loss of privacy would occur. The development therefore accords with the above Policies in terms of residential amenity.

Protected Species

- 8.10. 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.
- 8.11. The Ecology Officer identified that the roof may be suitable for use by bats and a survey was requested. This was undertaken and the Ecology Officer is content that the works would not impact upon bats or their habitat. She has asked for a further survey for nesting birds if the works cannot be undertaken outside of the bird nesting season, in accordance with the recommendations of the Bat Survey Report. I consider the proposed development to accord with the above Policies in terms of protected species and their habitat.

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: Bat Survey Report dated 13 May 2020, Drawing No: 19-061-01 Rev. A

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. The proposed dormer windows shall match those upon the south facing roofslope at Bankside Cottage, the adjoining dwelling to the east of the site, in terms of design, material and colour/finish.

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. If the works are to be undertaken during bird nesting season, a further survey for nesting bird will be required, in accordance with the recommendations in the Bat Survey Report dated 13 May 2020.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Note

1. The applicant is encouraged to avoid any historic primary trusses and purlins.
2. The applicant is advised that enhanced fire and smoke detection, and the upgrading of the fire resistance of doors, may be required by Building Control Regulations. A number of companies are known to produce intumescent papers, paints and seal to add to historic doors and door ironmongery to enable such features to be retained.

Case Officer: Gemma Magnuson

DATE: 28 May 2020

Checked By: Paul Ihringer

DATE: 29/5/20
