

Case Officer: Lewis Knox

Recommendation:

Applicant: Matt & Adele Dyer

Proposal: Two storey rear extension and upward extension to roof of main house to facilitate loft conversion

Expiry Date: 13 August 2020

Extension of Time: No

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a large, two storey detached dwelling located in the western edge of Bodicote to the south of Banbury. The dwelling at the site is externally faced in a mixture of white painted render and red brick, with white uPVC windows and doors under a slate tile roof. The site is located on the northern side of Wykham Lane and is accessed via brick steps leading to the front door.
- 1.2. The site benefits from some off-street parking provision which is located to the western end of the property, the driveway access is constructed from gravel, this end also benefits from a detached garage constructed from render and corrugated metal roof. To the rear of the dwelling is a relatively large grassed garden. The property shares boundaries with 17 Wykham Lane to the west and 15 Wykham Lane to the east with Bodicote cricket pitch to the north. Boundary treatments consist of mature hedging and vegetation. The application dwelling is not a listed building and the site is not located within a designated conservation area. There are no other land use based planning constraints relevant to this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for Two storey rear extension and raise roof of main house to facilitate loft conversion.

3. RELEVANT PLANNING HISTORY

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

Application: 11/00721/F Permitted 24 June 2011

Single and two storey side and rear extensions

Application: 15/01846/F Permitted 9 December 2015

Alterations and erection of single storey rear extension

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 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 July 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** – No comments received

OTHER CONSULTEES

6.3. **Oxfordshire County Council Highways** – Raised no objections

6.4. **Bodicote Neighbourhood Plan Contact** – No comments received

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
- Residential amenity

- Highway safety/parking provision

Design and Impact on the Character of the 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 street scene.*
- 8.4. The proposed raising of the roof at the application dwelling would be readily visible from the public domain and by virtue of its scale and massing would have a significant impact on the character and appearance of the local area.
- 8.5. The dwelling has benefitted from significant extensions in the past and is already much larger than when the dwelling was first constructed. The dwelling is set within a large plot and it is not considered that this development would make the building appear cramped within its surroundings and would not result in an overdevelopment of the site.
- 8.6. The proposed two storey rear extension would be located to the rear of the application dwelling and would not be readily visible from the public domain and would not significantly impact on the character and appearance of the street scene.
- 8.7. The application dwelling already has several different roof heights which have developed through numerous previous developments. The part of the roof which is proposed to be raised is the main central roof, which is already the highest part of the dwelling, and a significant increase is proposed, and the resultant roof would be asymmetrical in side profile.
- 8.8. The street scene along Wykham Lane consists of numerous different dwelling types and roof forms. It is not considered that the increased height or size of the roof at the application dwelling would itself demonstrably harm the existing character of the area.
- 8.9. All materials proposed for the development would match those already existing at the dwelling. As it is the central part of the dwelling which is being extended the materials would match this section with white painted render, uPVC windows and doors and a slate roof.
- 8.10. Overall therefore it is considered that the proposed development would not cause significant harm to the character and appearance of the area and would therefore accord with Policy ESD15 of the CLP 2031 Part 1 and Saved Policies C28 and C30 of the CLP 1996 in visual amenity terms.

Residential Amenity

- 8.11. 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.*

- 8.12. 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.
- 8.13. The proposed developments at the site would be set away from the side boundaries of the site and would therefore be set significantly away from the neighbouring properties to the east and west. The two-storey extension and increased roof would be 6.0m from the boundary with the neighbour to the east and would be approximately 20.0m away from the neighbouring dwelling. Given this separation it is not considered that the development would conflict with the 45-degree rule and would therefore not impact on this neighbour in terms of loss of light, loss of outlook or overbearing.
- 8.14. Similarly, the neighbouring property to the west would be approximately 85m away from the proposed extension with c. 20m to the boundary between the properties and so the would not be any impact on the amenity of this neighbouring dwelling.
- 8.15. The majority of the new openings created through the proposed development would face northwards towards the rear of the garden at the application dwelling and so would not have the potential for overlooking or loss of privacy to nearby dwellings. There would be one additional window in the western elevation of the two-storey extension. However, given the separation distance between this and the neighbouring dwelling it is not considered that the proposal would result in overlooking or overbearing to this neighbour.
- 8.16. It is therefore considered that the development would not detrimentally impact on the residential amenity within the locality and was thus accord with Policy ESD15 of the CLP 2031 Part 1.

Highway Safety/Parking Provision

- 8.17. 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.*
- 8.18. The proposed development would significantly increase the number of bedrooms at the property from 4 to 7 and therefore there could be some more impact on the levels of off-street parking provision required at the site. There is off-street parking to the western end of the site, and this is considered to be sufficient for a dwelling of this size with the detached garage and parking area in front of it. There is also some on-street parking available to the front of the dwelling.
- 8.19. Oxfordshire County Council Highways raised no objections to the proposals, and it is thus considered that the proposal would not adversely impact on the levels of highway safety in the locality.
- 8.20. It is considered that the development would accord with Policy ESD15 of the CLP 2031 Part 1 in regard to its impact on the safety of the local highway network.

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: 20_001_ Drawing No: 102, 103, 104 and 001

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Lewis Knox

DATE: 12.08.2020

Checked By: Nathanael Stock

DATE: 13.08.2020
