

**Oak View, Weeping Cross, Bodicote, Banbury,
OX15 4EE**

20/01919/F

Case Officer: John Gale

Recommendation: Approve

Applicant: Mr & Mrs Edward Garland

Proposal: Single storey side/rear extension

Expiry Date: 7 October 2020

1. APPLICATION SITE AND LOCALITY

- 1.1. Oak View is a modest detached dwelling within the built-up limits of Bodicote village. It was likely built between the wars and it is constructed from rendered blockwork, with slate roofing and white uPVC fenestrations. Alongside the dwelling runs an access road to a small group of dwellings constructed in the early 2000s.
- 1.2. The area is characterised by varied housing, with examples of detached, semi-detached and terraced dwellings from all periods over the last 200 years along the street
- 1.3. The building is not listed and it is not situated within a designated Conservation Area, however it is close enough to the edge of the Bodicote Conservation Area that an assessment of the impact to its setting may be required.
- 1.4. There are no other constraints situated on the property or the land which would need to be taken into consideration in the assessment of the application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for a single storey side/rear extension.
- 2.2. The proposed lean-to extension would in-fill a gap between a two-storey rear gable. The floor area covered would be 2.1m by 6.7m with a maximum height of 3.5m and an eaves height of 2.5m.
- 2.3. The proposed extension would be constructed from materials to match the existing building.

3. RELEVANT PLANNING HISTORY

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

Application: 96/01163/F	Permitted	17 September 1996
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Construction of new conservatory.

Application: 65/00309/B	Permitted	1965
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Install new kitchen and bathroom

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 **18 September 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. CDC BUILDING CONTROL: Building regulations application will be required for the proposed work.

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 streetscene.*
- 8.4. The proposals would in-fill an existing gap between the rear elevation of the front range and the rearwards two-storey gable. It would be a modest sized enlargement in comparison to the existing building and the design is in-keeping with the character of the building and with materials to match it is considered to be an acceptable form of the elopement.
- 8.5. The building lies approximately 30m to the east of the conservation area but given the assessment that the extension is in-keeping with the existing building, it would therefore not impact negatively upon the setting of the Conservation Area nor the street scene more generally.
- 8.6. The proposals are therefore considered not to adversely impact on the visual amenity of the area and accord with saved Policy C28 of the Cherwell Local Plan 1996, Policy ESD15 of the CLP 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

Residential Amenity

- 8.7. 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.*
- 8.8. 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.
- 8.9. The proposals would not impact upon the neighbouring residents to the east of the site due to the current two-storey element of the dwelling shielding them from any impact.

- 8.10. To the west of the site there is an access road separating the boundary with that of the neighbouring dwelling, Mill House. This gap of 4-5m is sufficient to protect the neighbouring amenity from any harm from the modestly scaled proposals.
- 8.11. The proposal therefore accords with Government guidance contained with the NPPF and saved Policy C30 of the Cherwell Local Plan 1996 and Policy ESD15 of the CLP 2011-2031 Part 1 that seek standards of amenity and privacy acceptable to the Local Planning Authority.

Highway Safety/Parking Provision

- 8.12. 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*.
- 8.13. The proposals are not considered to result in additional pressure on parking in the area given the modest additions with no new bedrooms proposed.
- 8.14. It is therefore considered that the proposal is acceptable in highway safety terms.

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: Garland Block 2020; Garland Site 2020; 20:3745:1 and; 20:3745:2 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.

Case Officer: John Gale

DATE: 07.10.20

Checked By: Paul Ihringer

DATE: 7/10/20
