

Case Officer: Lewis Knox

Recommendation: Approve

Applicant: Mr G L & Mrs P E Nicholson

Proposal: Front extension and garage conversion to bedroom/study

Expiry Date: 5 October 2020

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site consists of a two storey detached dwelling located in a residential area of Bodicote to the south of Banbury. The dwelling at the site is constructed from facing brickwork, with white uPVC windows and doors under an interlocking concrete tile roof. The site currently benefits from an incorporated single garage and a flat roof porch extension to the front of the dwelling.
- 1.2. The site is set back from the main highway along Wards Crescent behind a grass verge. The front of the site has a small grass area which is next to the concrete driveway which leads to the garage and front door. The site shares boundaries with neighbours to the north, south and west. Boundary treatments consist of high level fencing.
- 1.3. The application dwelling is not a listed building and is not located within a designated conservation area. There are no other planning constraints considered relevant to this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the erection of a front extension and garage conversion to bedroom/study.

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 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 **17 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. **Oxfordshire County Council Highways** – Raised no objections subject to condition.

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 proposed extension would be to the front of the application dwelling and would therefore be readily visible from the public domain and would have an impact on the character and appearance of the area.
- 8.5. The area is characterised by relatively large front porches; the application site already benefits from such a development. The proposed development is to convert the garage and extend the front porch into a more substantial front extension to accommodate a new bedroom and study.
- 8.6. Other similar larger scale front extensions are visible within the immediate vicinity to the application site, most notably at 16 Wards Crescent to the south. The front elevations of the dwellings within Wards Crescent are all varying and there is no coherent structure and so the proposed front extension would not disrupt any uniformity within the locality.
- 8.7. The extension would be set back from the public domain within Wards Crescent and so the proposed development would not appear overly dominant within the streetscene and would not overbear of the public highway.
- 8.8. The proposed materials are all to match the existing dwelling and surrounding properties and so the character of the site and the area would be retained through these materials.
- 8.9. It is considered that the development would accord with Policy ESD15 of the CLP 2031 Part 1 and Saved Policies C28 and C30 of the CLP 1996 in terms of its impact on the character and appearance of the locality.

Residential Amenity

- 8.10. 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.*
- 8.11. 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.

- 8.12. The proposed extension would extend close to the shared boundary with 4 Wards Crescent to the north and so there would be some potential impact on the residential amenity of the neighbouring occupants.
- 8.13. The application dwelling is set slightly behind the front elevation of 4 Wards Crescent and the proposed extension is relatively minor in scale. Given this relationship it is not considered that the development would conflict with the 45 degree rule to the closest habitable window on the neighbouring dwelling and as such the extension would not impact in terms of loss of light, loss of outlook or overbearing to this neighbour.
- 8.14. The plans show additional doors and windows along the northern elevation of the application dwelling which would face towards 4 Wards Crescent. One would serve a shower room and would be obscurely glazed and so would not impact on privacy. The additional door and window would serve a utility room and not a principally habitable room and so no loss of privacy would occur. There are also not windows on the southern elevation of 4 Wards Crescent which would face towards these openings.
- 8.15. It is considered that the development would accord with Policy ESD15 of the CLP 2031 in terms of its impact on the residential amenity of the locality and is considered acceptable in this respect.

Highway Safety/Parking Provision

- 8.16. 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*.
- 8.17. Oxfordshire County Council Highways raised no objections to the proposals provided that the parking and manoeuvring area is provided and retained in accordance with the plan submitted with this application (Drawing no – 478 P04 Rev C). The site would retain adequate off-street parking provision for a dwelling of this size and there would not be any detrimental impacts on the safety of the local highway network.
- 8.18. It is considered that the development would accord with Policy ESD15 of the CLP 2031 Part 1 in terms of its impact on 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: Drawing No 478 P01, 478 P03 Rev C and 478 P04 Rev C

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. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved, Drawing no – 478 P04 Rev C, and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason - In the interests of highway safety and flood prevention and to comply with Policies ESD7 and 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: 02.10.2020

Checked By: Paul Ihringer

DATE: 5/10/20
