

Case Officer: John Cosgrove

Recommendation: Refuse

Applicant: Mr Jon Naisbit

Proposal: Two storey side extension and single storey rear extension.

Expiry Date: 9 June 2021

1. Relevant Features of the Site

The application site is located on the west side of Montgomery Road adjacent to the junction with Thompson Drive, and contains a two-storey detached dwelling constructed from brick and situated on a generous plot. There is a small area of soft planted amenity land managed by a third-party management company and containing semi-mature trees adjacent to the Southern boundary of the plot. The area is characterised by a mixture of detached and semi-detached dwellings constructed from brick, with a darker brick soldier course below the first-floor windows being a distinctive feature of the area. The site is not within a Conservation Area and does not contain or impact on the setting of any listed buildings. There are no other relevant planning constraints.

2. Description of Proposed Development

The application proposes the erection of a two-storey side and single storey rear extensions. The proposed two storey side extension would measure 2.5 metres wide, 7.7 metres deep and would have an eaves height of c. 5 metres and a ridge height of c. 7.99 metres. The proposed single storey rear extension would have a mono pitched roof and would run the whole width of the extending dwelling measuring 3.3 metres deep, 12.7 metres wide and would have an eaves height of c. 2.54 metres and a maximum height of c. 3.58 metres.

3. Relevant Planning History and Pre-Application Discussions

There is no planning history or pre-application discussions considered relevant to the current proposal.

4. Response to Publicity

This application has been publicised by way of letters sent to neighbouring properties, the final date for comments was **28 May 2021**, although comments received after this date and before finalising this report have also been taken into account.

No comments have been raised by third parties.

5. Response to Consultation

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.

Caversfield Parish Council: No response.

CDC Building Control: The proposed works will require an application for Building Regulation approval. The newly created bedrooms at first floor will require escape windows.

CDC Environmental Health: No comments on noise, contaminated land, odour or light. Measures should be in place to encourage the uptake of low emission transport including the provision of Electric Vehicle (EV) charging infrastructure. We would like to see EV charge points to allow for the future uptake of EV's by residents and visitors to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

CDC Land Drainage: No comments on drainage/land drainage

6. Relevant Policy and Guidance

Cherwell Local Plan 2011-2031 Part 1 - (CLP 2031 Part 1)

- PSD1 – Presumption in favour of Sustainable Development
When considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. Planning applications that accord with the policies in the Development Plan will be approved without delay unless material considerations indicate otherwise. *See page 36 of the CLP 2031 Part 1 for full details.*
- ESD15 - The Character of the Built and Historic Environment.
New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. Where development is in the vicinity of the District's distinctive natural or historic assets, delivering high quality design that compliments the asset will be essential. *See page 117 of the CLP 2031 Part 1 for full details.*

Cherwell Local Plan 1996 (saved policies) – (CLP 1996)

- C28 – Layout, Design and External Appearance of New Development
New development required to have standards of layout, design and external appearance sympathetic to the character of the urban or rural context of that development. *See page 120 of the CLP 1996 for full details.*
- C30 – Design of New Residential Development
Development should be compatible to the scale of the existing dwelling, its curtilage and the character of the street scene. Development should also provide acceptable standards of amenity and privacy. *See page 120 of the CLP 1996 for full details.*

Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- CDC Home Extensions and Alterations Design Guide (2007)

7. Appraisal

Design and impact on character of the area

The proposed two storey side extension would be set in from the front elevation by 0.3 metres and its roof would be set c. 0.12 metres below the ridge of the host

dwelling, thus providing a minimal degree of subservience, which while sub optimal is considered sufficient to ensure that the proposed development would read as a subordinate extension to the host dwelling. The proposal would extend beyond the existing building line, would sit against the boundary of the plot, and would have an overbearing impact on the adjacent piece of soft planted public amenity land and therefore it is considered that the size scale and positioning of the proposed two storey side extension would have a sufficiently detrimental impact on the character and appearance of the host dwelling and the wider area to justify the refusal of planning permission. Furthermore, it is noted that a first floor soldier course in contrasting brick is a prominent feature of the host dwelling and characteristic of dwellings in the wider area and this has not been shown on the existing or proposed plans and would need to be carried across from the host dwelling to the extension in order for any such proposal to be acceptable in visual amenity terms. The proposed single storey rear extension would have a modest depth and height and would integrate well with the host dwelling and would not have an adverse impact on the character and appearance of the host dwelling, however, due to its location against the boundary of the plot the proposed single storey rear extension would have a severe detrimental impact on the trees located on the adjacent amenity land and would therefore have a detrimental impact on the wider area. Overall, the proposed development is not considered acceptable in design terms. and therefore, objections are raised with regard to the design elements of Policies: ESD15, C28 and C30.

Residential amenity

The proposed development would have a positive impact on the amenity of the current and any future occupants of the host dwelling. However, due to its size scale and position within the plot it is considered that the proposed single storey rear extension would have an adverse impact on the adjacent amenity land and on the amenity of neighbouring properties. While the proposed two storey side extension would not extend beyond the rear elevation of the host dwelling, due to its position to the south of the dwelling and its ridge height it is considered that the proposed extension would have a modest adverse impact on the amenity of the neighbouring dwelling to the rear by way of loss of light and outlook, which in combination with the adverse impact of the proposal as a whole on the semi-mature trees along the southern boundary of the plot, would result in an overall adverse impact that is considered sufficiently severe to justify the refusal of planning permission on this occasion. Having regard to the above the proposed development is not considered acceptable in amenity terms and therefore, objections are raised with regard to the amenity elements of Policies: ESD15, C28 and C30.

Highway safety

The host dwelling benefits from two parking spaces in a tandem arrangement on hard standing to the northern flank of the host dwelling. The application does not propose the loss or gain of any parking spaces and would not create any new or alter the existing access onto the highway. While the proposal would increase the size of the dwelling from a four to a five bedroom dwelling, however with regard to Oxford County Council's Highways Parking Standards, the existing quantum of parking is considered sufficient to serve the enlarged dwelling and therefore no objections are raised with regard to parking or highway safety.

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, demonstrates that subject to conditions the proposed development would fail to accord with the provisions of the relevant Development Plan policies and the proposal is therefore not considered to represent sustainable development and

therefore, in accordance with Paragraph 11 of the NPPF, it is recommended that planning permission be refused on this occasion.

9. RECOMMENDATION

That permission is refused for the following reasons

1. Due to its size, scale, positioning and design the proposed development would fail to respect the established building line and would fail to integrate with its host dwelling such that it would appear as an unsympathetic addition to the host dwelling that would have a detrimental impact on the character and appearance of the host dwelling and the wider area contrary to the provisions of Policy ESD15 the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
2. Due to its scale and position within the plot the proposed development would have a significant adverse impact on the adjacent amenity land and the trees contained therein, and would have an adverse impact on the amenity of neighbouring properties by way of loss of light and outlook area contrary to the provisions of Policy ESD15 the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: John Cosgrove

DATE: 08/06/2021.

Checked By: Paul Ihringer

DATE: 8/6/21
