

Case Officer: Emma Whitley

Recommendation: Approve

Applicant: Mr & Mrs Hooke

Proposal: Replacement garage roof

Expiry Date: 15 November 2021



1. Relevant Features of the Site

- Situated on Potentially Contaminated Land
- Situated within Flood Zone 3
- Situated within Flood Zone 2
- Situated within the Wendlebury historic core including medieval settlement Archaeological Alert Area

2. Description of Proposed Development

The applicant seeks planning permission for the replacement of the existing flat roof of the garage with a pitched roof. The resulting roof would increase the total height of the garage to 4m (from 2.67m). The applicant has confirmed that the roof tiles will match the existing dwelling.

3. Relevant Planning History and Pre-Application Discussions

The following Planning History and Pre-Application discussions are considered relevant to the current proposal.

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
61/00380/M	Site and layout for 26 dwellinghouses with garages and accesses	Application Permitted
65/00355/M	Chalet type house and double garage	Application Permitted
97/01900/F	4 roof dormers to create 2 extra bedrooms one with en-suite and new bathroom	Application Permitted

13/00691/F	Proposed two storey side and single storey front extension	Application Permitted
17/00742/F	Demolition of existing garage, erection of new detached dwelling with integral garage, erection of replacement double garage for existing dwelling	Application Refused
18/00848/F	Erection of new detached dwelling with integral garage	Appeal Dismissed (Against Refusal)
21/02285/CLUP	Certificate of Lawfulness of Proposed Development to replace the flat roof on garage with pitched roof with tiles to match house.	Application Refused

No pre-application discussions have taken place with regards to this proposal.

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, expiring **19 October 2021** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **19 October 2021**.

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.

Wendlebury Parish Council – No comments or objections received at the time of drafting the report.

Building Control (CDC) – Comments:

Due to the size of the garage, a building control application will be required before work commences on site.

Archaeology (OCC) – No objections.

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.*
- ESD 6 – Sustainable Flood Risk Management
Requires the submission of a Flood Risk Assessment (FRA) and demonstration that developments will be safe and remain operational (where necessary), and that

surface water will be managed effectively on site and that the development will not increase the flood risk elsewhere. See page 95 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 proposals would only be visible from within the north side of the Rectory Close cul-de-sac. Whilst the proposed alterations to the garage would affect the appearance of the structure, the alterations are not considered to significantly affect the general scale or form of the existing building.

The proposed replacement roof of the existing garage would be carried out using materials to match the main dwelling and would be in-keeping with the immediate streetscene.

Conclusion: acceptable in this regard.

Residential amenity

Given the relatively minor nature of the proposals and distance between neighbouring properties, the proposals are not considered to result in detrimental harm to the amenities of neighbours.

Conclusion: acceptable in this regard.

Highway safety

The proposals would not encroach on the retained parking provision at the site.

Conclusion: acceptable in this regard.

Flood risk

Whilst the overall site is situated within Flood Zones 2 and 3, the location of the existing garage is outside of these areas. Further, given that the footprint of the structure remains on the site, the circumstances and risk to flooding on the site remain unchanged.

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, does not identify any material planning issues which compromise the acceptability of this application. The proposal is therefore considered to be sustainable development and, in accordance with Paragraph 11 of the NPPF, planning permission should therefore be granted.

9. 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: PP-001 (Site Location Plan), PP-002 (Block Plan), PP-005 (Proposed Ground Floor Plan), PP-007 (Proposed Roof Plan) and PP-009 (Proposed Elevations).

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: Emma Whitley

DATE: 11/11/21

Checked By: Paul Ihringer

DATE: 15/11/21
