

**Case Officer:** John Cosgrove

**Recommendation:** Approve

**Applicant:** Mr Jon Naisbit

**Proposal:** Single storey side and rear extensions - re-submission of 21/01346/F

**Expiry Date:** 21 December 2021

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## **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 single storey side/rear extension. The proposed extension would run the full width of the host dwelling and would extend 2.5 metres to the side, the extension would have a rear depth of 3.3 metres and an eaves height of 2.37 metres with a mono pitched roof with a maximum height of 3.6 metres. The proposed extension would feature 4 no rooflights in its rear roofslope and 1 no rooflight in its side facing roofslope.

## **3. Relevant Planning History and Pre-Application Discussions**

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

21/01346/F - Two storey side extension and single storey rear extension. – Refused: 08/06/2021.

The application was refused due to the impact of the proposal on the character and appearance of the host dwelling and wider area, and on the established building line and the adjacent amenity land and the trees therein and due to its impact on the amenity of neighbouring properties.

## **4. Response to Publicity**

This application has been publicised by way of 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 **18 November 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.

Caversfield Parish Council: No response.

CDC Building Control: No response.

CDC Environmental Health: No comments on Noise, Contaminated Land, Odour or Light pollution, with regard to Air Quality would like to see EV Charging Points.

CDC Land Drainage: No Comments.

## 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 extensions would be modest in scale and would integrate well with the host dwelling, the proposed rear extension would not be prominently visible from the public realm or from neighbouring properties and subject to a condition requiring

the materials used to match those of the host dwelling would not have any detrimental impacts on the character and appearance of the host dwelling or the wider area and is considered acceptable in design terms. The proposed side extension would also be modest in scale and would be positioned to sit between the flank of the dwelling and an existing boundary wall occupying a space that currently contains a garden shed. The proposal has been considerably scaled back from the scheme refused under planning permission Ref: 21/01346/F and the current application proposes a single storey extension that would not encroach into the amenity space to the side/ front of the dwelling. While it is noted that some pruning to the trees occupying the adjacent amenity land may be required, these works would be modest in scale and could be conducted under the applicant's common law rights as only branches oversailing the boundary would need to be pruned, and the proposal would not otherwise have a significant detrimental impact on these trees. Overall, the proposal is considered acceptable in design terms as it would not have any significant detrimental impacts on the character and appearance of the host dwelling or the wider area and therefore no objections are raised with regard to the design elements of Policies: ESD15 C28 or C30.

### **Residential amenity**

The proposed development would provide a good standard of amenity for the current and any future occupants of the host dwelling. Due to its single storey form and modest scale the proposed development would not have any adverse impacts on the amenity of any neighbouring properties and can be considered acceptable in amenity terms. Therefore, no objections are raised with regard to the amenity elements of Policies ESD15, C28 or 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. 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, 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:

Drawing No: 20980-02 Rev: B, Entitled: Existing and Proposed Plans and Elevations, Dated: April 2021 and received by the Local Planning Authority on the 26/10/2021.

Drawing No: 20980 – 01 Rev: A, Entitled: Site and Location Plans, Dated: April 2021 and received by the Local Planning Authority on the 21/10/2021.

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. The materials to be used for the external surfaces of the development hereby permitted shall match in terms of colour, type and texture those used on the existing building.

Reason: To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: John Cosgrove

DATE: 20/12/2021

Checked By: Paul Ihringer

DATE: 21/12/21

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