

Case Officer: Shona King

Recommendation: Approve

Applicant: H Smart

Proposal: Demolition of existing garage to rear and single storey extension to front

Expiry Date: 11 January 2022

Extension of Time 18 March 2022

1. Relevant Features of the Site

The application site is located within Bodicote Conservation Area. It is a Grade II listed building. Vehicular access is provided from High Street. The property is mostly screened in public views by a high stone wall along the High Street and Broad Gap frontages.

2. Description of Proposed Development

Planning permission is sought for the demolition of an existing garage to the north elevation, served from High Street, and a single storey extension to the southern elevation. Various internal works and reconfiguration of the layout are also proposed, which are subject of the concurrent listed building consent application ref. 21/03762/LB.

It is not clear which is the principal elevation of the dwelling. Therefore, it is considered that, as the new window in the proposed 2nd floor bedroom is proposed to be clear glazed and not fixed closed and could be within the side elevation, planning permission is required for the window. Likewise, the window in the 2nd floor shower room.

It was originally proposed to create an access from Broad Gap to the south to provide off-street car parking. This element has been withdrawn from the application by the applicant following concerns from officers regarding the alterations to the boundary wall and the impact that this would have on both the character and appearance of the Conservation Area and on the setting of the listed building.

3. Relevant Planning History and Pre-Application Discussions

No applications or Pre-Application discussions are considered relevant to the current proposal.

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, expiring **22 December 2021**, by advertisement in the local newspaper expiring **16 December 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 **22 December 2021**.

The comments raised by third parties are summarised as follows:

- Highway safety
- Appropriateness of replacement tree species

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.

BODICOTE PARISH COUNCIL: The Parish Council raises an objection for the following reasons: 1. Highway safety concerns on a busy junction. 2. Significant changes to a listed wall.

6. Relevant Policy and Guidance

Cherwell Local Plan 2011-2031 Part 1 - (CLP 2015)

- **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 2015 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

It is considered that the proposed windows would not result in any adverse impact on the character or appearance of the Conservation Area nor on the setting of the listed building.

Whilst not requiring planning permission, the proposed demolition of the garage to the northern elevation of the property and the single storey extension to the southern elevation are considered to enhance the appearance of the property as

they are modern additions that are considered to be unsympathetic to the character of the Conservation Area and setting of the listed building.

It is proposed to fell a number of trees within the site. It is necessary for their loss to be assessed by the Council, particularly as these are within the Conservation Area. The trees proposed to be removed are of relatively small scale and are not considered to be of significant amenity value to require their retention.

Residential amenity

The proposals would not give rise to any unacceptable overlooking or loss of privacy of the neighbouring properties. The proposed new windows face towards the grounds of Bodicote House to the east and to the north towards Middle Lodge. Whilst there are no windows currently facing to the north that could result in overlooking of the neighbouring property, the new window at 2nd floor level is to serve a shower room and would be obscurely glazed preventing any significant overlooking of the private garden of Middle Lodge. There are already windows in the eastern elevation overlooking the grounds at Bodicote House and the additional bedroom window would not increase this significantly.

As such it is considered that the proposal complies with Policy ESD 15 of the CLP 2015 and saved Policies C28 and C30 of the CLP 1996.

Highway safety

The application has been amended removing the new vehicular access from Broad Gap. It is now intended to retain the existing vehicular access into the site. As this is an existing access it is considered that its retention would not give rise to any additional detriment to highway safety.

8. Planning Balance and Conclusion

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.

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 and documents:

- Drawing Nos: 001 00 001 P2, 001 00 100 P2, 001 06 100 P2, 001 06 101 P2, VE21088 10 P4, VE21088 11 P4, VE21088 12 P2, 001 01 100 P6, 001 01 101 P3, 001 01 102 P4, 001 02 100 P3, 001 02 101 P4, 001 02 102 P3, and 001 02 103 P4.
- Structural Engineers Report produced by Varndell Engineering Ltd dated

26/02/2022

- Heritage Consultant Statement prepared by NSP Heritage Consulting dated 14/02/2022

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to safeguard the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Shona King

DATE: 15 March 2022

Checked By: Nathanael Stock

DATE: 15.03.2022
