

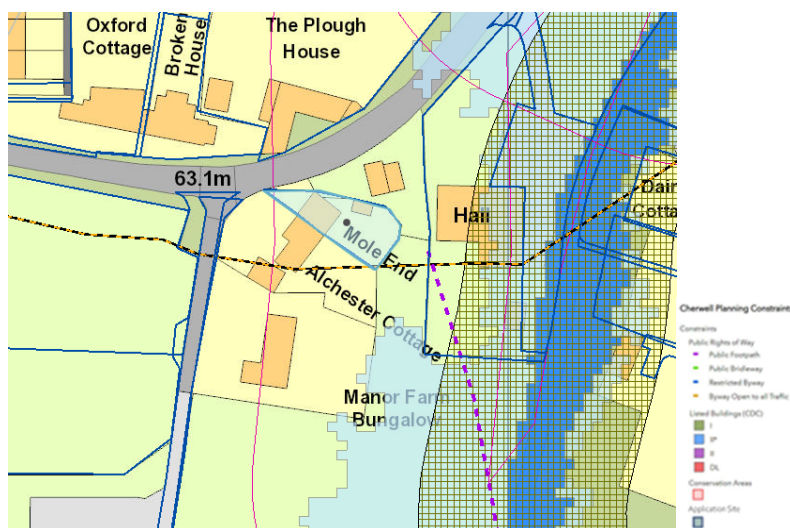
Case Officer: Hansah Iqbal

Recommendation: Refuse

Applicant: Mr Derek Dudley

Proposal: Single storey porch and two storey extension to side and rear of existing dwelling

Expiry Date: 6 September 2022



1. Relevant Features of the Site

London Oxford Airport Development Height Safeguarding Zone, Development Consultation: London Oxford Airport - All Development Exceeding 45 M - Distance: 0

Windfarm Development, Development Consultation: Consult NATS On ANY Windfarm Development (All District) - Distance: 0

Water Utility Company, Water Utility: Thames Water - Distance: 0

Pond Mapping, Detail: Standing water - eutrophic - Distance: 87.97

Archaeological Alert Area, Designation ID: DOX16956, Description: Wendlebury historic core including medieval settlement, Priority: Medium - Distance: 0

Sites of Special Scientific Interest, Name: Wendlebury Meads and Mansmoor Closes, Status: Notified, ID: 1001141 - Distance: 1320.21

Sites of Special Scientific Interest, Name: Wendlebury Meads and Mansmoor Closes, Status: Notified, ID: 1001141 - Distance: 1383.61

Aquifer, Details: Groundwater Vulnerability (Aquifers) - MINOR - Distance: 0

Development Near Watercourse, Source: OS Mastemap, buffered to 20m - Distance: 14.31

Best and Most Versatile Land, Category: 5 - Distance: 0

Potentially Contaminated Land, Description: Potentially Contaminated Land

Radon, Percentage Chance: Percentage of homes at or above the Action Level (Class 1) 0-1% (no affected areas) - Distance: 0

Public Right of Way, Route Code: 398/2/10, Status: Footpath - Distance: 6.78

2. Description of Proposed Development

The application seeks planning permission for a single storey porch and a two storey extension to the side and rear of the existing dwelling. More specifically, a part hipped, part pitched roof two storey extension would extend off the north-eastern elevation of this existing thatched dwelling, running along the northern boundary of the site for a distance of 8 metres. Due to the angle of the boundary, the extension is kinked, with a two storey connection between the proposed side/rear extension and the main dwelling and lean-to porch at ground floor level.

The existing dwelling turns its back to Main Street, with the porch and entrance to the dwelling currently sitting upon the 'rear' elevation at present. The proposed development would re-orientate the dwelling so that the entrance faces towards Main Street.

The existing dwelling walls are constructed from natural stone with red brick quoin detailing on the side and rear elevations, with red brick first floor and natural stone ground floor to the rear. Red brick detailing also surrounds the openings. As previously mentioned, the main roof of the dwelling is thatched. An existing lean-to extension on the 'front' elevation facing Main Street is tiled, and the existing pitched roof porch on the 'rear' elevation is also tiled.

The side elevation of the two storey extension would be constructed from red and buff brickwork, laid in Flemish bond with red stretchers and buff headers, similar to the pattern of brickwork on the rear elevation. The rear elevation of the two storey extension would be constructed of red brick in standard stretcher bond. The porch would be constructed with stone walls and red brick quoin detailing. The roof of the two storey extension would be constructed using slate. It is unclear what the construction materials would be for the porch roof, or the southern facing and front elevations of the two storey extension. An area of timber cladding is proposed on the southern facing elevation of the extension. Conservation rooflights would be installed within the northern and southern facing roof slopes. The rear elevation of the two storey extension would be blank, although first floor openings are proposed within the northern and southern facing elevations of the two storey extension, including an arched window on the southern elevation and a four pane opening that wraps around the kinked elevation on the northern elevation.

Openings would be constructed from timber effect UPVC double glazed openings in a heritage green colour, together with heritage green painted softwood eaves and fascia boards. However, the front door would be solid timber.

A new opening would be installed within the 'rear' elevation of the existing dwelling following the removal of the existing porch.

A small stone walled, and tiled roof outbuilding would be replaced as part of the works. The existing dwelling has one bedroom at present, and the proposed extension would create one additional bedroom and lounge/guest bedroom.

It is understood that the applicant has an existing right of access across the neighbouring land for the parking of vehicles, although this is beyond the red line area.

3. Relevant Planning History and Pre-Application Discussions

None.

4. Response to Publicity

This application has been publicised by way of a site notice displayed near the site, expiring **16 August 2022** 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 **16 August 2022**. Two responses were received, one in support of the application and one objecting. The comments raised by third parties are summarised as follows:

- As land boundary will be adjacent to proposed development we are in support
- Overlooking/loss of privacy
- Drainage/flooding issues

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 objection.

OCC Archaeology – no archaeological constraints.

OCC Rights of Way – no comments.

CDC Arboriculture – no comments received.

CDC Land Drainage – no objection in principle and comment as follows:

The Environment Agency maps indicate a high risk of surface water flooding near the property. The applicant should ensure that measures are in place to prevent surface water ponding that might affect the proposal. If a subsequent application is made then the applicant must submit a scheme that manages the residual surface water flood risk to our satisfaction.

OCC Highways – *Objection, the upgrade in the number of bedrooms requires additional parking space and should the agreement change with the neighbouring property, this house could be left without any off-street parking and this spilling the parking out onto the adjacent highway network.*

The applicant sent additional plans to address the concerns raised by the Highways Officer, however the original concerns remain.

6. Relevant Policy and Guidance

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

- 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*
- **ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment**
Requires relevant habitat and species surveys to accompany applications which may affect a site, habitat or species of known or potential ecological value, seeking net gains in biodiversity, the protection of existing trees and the protection, management, enhancement and extension of existing resources along with the creation of new ones. *See page 106 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

Mole End is one of a pair of semi-detached dwellings that sit to the south of Main Street, set at an angle to the road, with the north-western elevations of the dwellings facing towards a bend in the road. As a result, the north-western elevation of this pair of dwellings is visually prominent when entering the village from the west. Similarly, when approaching the site from the north-east, the northern-eastern facing elevation of Mole End is clearly visible from the public domain, albeit obscured in part by existing single storey garages adjacent to the village hall.

Mole End is not a listed building, nor does it lie within a Conservation Area, although it is an attractive building, that is clearly of some age, and marks the transition between the more contemporary housing to the west and the older core of the village towards the north-east. It is my opinion that the existing dwelling makes a positive contribution to the streetscene in this location.

The proposed development would involve the replacement of an existing single storey stone outbuilding with a two storey extension off the north-eastern elevation of the existing dwelling, running along the north-eastern boundary of the site for a distance of 8 metres at two storey height. The proposed extension would result in a substantial increase to the footprint of existing dwelling, approximately 5m² short of doubling the size.

Whilst I acknowledge that the height of the extension would appear subservient to the height of the dwelling, it is my opinion that the size and prominent positioning of the extension would lead to a development that draws undue attention to itself as a bulky and discordant addition to both the existing dwelling and the wider streetscene. This impact would only be exasperated by the unusual, kinked footprint, the use of both pitched and hipped style roofs, the large expanse of blank wall due to limited openings, the contemporary style first floor opening wrapping around the kinked elevation and the choice of red brick as a construction material where the predominant material on public facing elevations of the existing dwelling is natural stone.

Policy ESD15 of the CLP 2015 expects new development to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards, with development of all scales to be designed to improve the quality and appearance of an area and the way it functions. Saved Policy C28 of the CLP 1996 echoes this.

I consider the proposed extension would constitute a poorly designed addition to Mole End, detracting from the appearance of the existing dwelling and drawing undue attention to itself, to the significant detriment of the visual amenities of the area. I therefore consider the proposed development to be contrary to the above Policies in terms of visual impact.

Residential amenity

Due to the positioning of the extension adjacent to the village hall and two garages I consider that the only neighbour with the potential to be impacted by the development is adjoining Alchester Cottage to the south-west. As the proposed extension would be positioned to the north of this neighbour, I do not consider that it would result in overshadowing or loss of daylight, and as the extension sits outside of the 45 degree line taken from the mid-point of the nearest opening, I do not consider that it would result in an overbearing appearance or loss of outlook.

However, two first floor openings are proposed within the southern facing elevation of the proposed extension that would allow outlook across the private amenity space currently enjoyed by this neighbour. I consider that the proposed openings would appear intrusive when viewed from the garden of Alchester Cottage, and that it would result in an unacceptable loss of privacy for this neighbour. In an email sent on the 4th October 2022 by the applicant's agent, to address the neighbours concerns in terms of overlooking the applicant suggested obscure glazed windows however, due to the size and mass of the enlargements they would still impose a perceived and intrusive loss of privacy on the residential amenities on the neighbours.

Policy ESD15 of the CLP 2015 requires new development to consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Saved Policy C30 of the CLP 1996 seeks standards of amenity and privacy acceptable to the Local Planning Authority.

It is my opinion that the proposed openings in the southern facing elevation of the extension would lead to an unacceptable loss of privacy for users of the private amenity space associated with Alchester Cottage, contrary to the above Policies.

Highway safety

The proposed development will increase the number of bedrooms at the property from the current one bedroom, to two bedrooms, a potential third bedroom being the guest room indicated at ground floor level. At present, the applicant has no off-street parking within the red line site area, although it was apparent from my site visit that an area of land beside the site had been surfaced with gravel and was being used for parking. The site location plan submitted with the application does indicate that the applicant has a right of access over the land for car parking.

Whilst the residents of Mole End currently benefit from the right to park vehicles upon the land, should this change in the future the dwelling could be left without any off-street parking thus leading to parking on the adjacent highway network and posing a threat to the safety and convenience of highway users. Furthermore, there does not appear to be any opportunity to provide off-street parking within the red line area following implementation of the proposed scheme. The Highway Authority has objected to the application on this ground, and I am in agreement with this assessment.

In an email dated 4th October 2022 the agent did try to address the objection of the Highway Authority through the inclusion of the land within a blue line and indicating that two cars could be parked upon the land. However, the concern remains that the applicant doesn't actually own the land. If the land were included within the red line, notice would need to be served upon the owner and Certificate B signed.

I therefore consider the development contrary to the above Policies that seek to deliver high quality safe places to live and work in, and do not support development which is not suitable for the roads that serve the development and which have a severe traffic impact.

Flood risk

The site does not lie within the flood plain, although I gather from comments from the both the neighbour and Land Drainage that the area does experience flooding. I understand that the flooding arises as a result of surface water flooding, at which the site is considered to be of high risk. The Land Drainage Officer advised that measures would need to be put in place to prevent surface water ponding that might affect the proposal. However, in light of my concerns regarding the design of the proposed extension and the impact upon residential amenity and highway safety, I have not sought additional details from the applicant in order to identify what these measures would be.

Therefore, as requested by the land drainage officer if a subsequent application is made, the applicant must submit a scheme that manages residual surface water flood risk.

Ecology

The proposed development would involve the demolition of an outbuilding that has gaps beneath tiles and other nearby features suitable for use by bats such as buildings in a poor state of repair, mature trees and a watercourse. I have sought the advice of the Ecology Officer who has advised that a bat survey would not be

necessary in this case, although the potential for bats to be present should be drawn to the attention of the applicant via a planning note.

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, identifies that despite the proposed development not having a detrimental impact upon flood risk or protected species or their habitat, it would result in significant harm to the visual amenities of the area, the privacy currently enjoyed by neighbouring property Alchester Cottage and highway safety. The proposal is not considered to constitute sustainable development as a result. I therefore recommend that the application is refused.

9. RECOMMENDATION

That permission is refused, for the following reason(s):

1. That the proposed extension, by virtue of its size, design, positioning and choice of construction material would appear as a bulky and discordant addition to the existing dwelling, drawing undue attention to itself, to the detriment of the visual amenities of the area. The development would not constitute high quality design and would neither complement nor enhance the character of its context. The proposal therefore runs contrary to 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.
2. That the proposed first floor openings in the southern facing elevation, by virtue of their positioning, would result in overly intrusive features when viewed from the private amenity space associated with Alchester Cottage and would thereby fail to provide an adequate level of privacy for these neighbouring residents. The proposal therefore fails to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
3. The proposed extension would create an additional bedroom at Mole End and an extra bedroom/living room; a one bedroom dwelling at present that benefits from no off-street parking within the ownership of the applicant. The additional bedroom will lead to increased on-street parking in a location where this would present harm to the safety of highway users. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Hansah Iqbal

DATE: 29 September 2022

Checked By: Paul Ihringer

DATE: 6/10/22
