

Oakridge, Cow Lane, Steeple Aston, Bicester,
OX25 4SG

23/01940/F

Case Officer: Michael Sackey

Recommendation: Approval

Applicant: Mr Silversides

Proposal: Demolition of existing garden building. Erection of replacement single storey garden building home study, family gym and hobby room, and garden store

Expiry Date: 7 September 2023

1. Relevant Features of the Site

- 1.1. This application relates to a stone detached dwelling located along a narrow lane towards the south-east of Steeple Aston village and is within the designated Steeple Aston Conservation Area. Elevated from the lane by about 2.0m, a 1.5m high stone wall forms the southern boundary of the site.
- 1.2. The building is not listed and there are no nearby listed buildings.
- 1.3. Permitted development rights for the dwelling are intact.

2. Description of Proposed Development

- 2.1. The applicant seeks planning permission for the replacement of the existing garden building with a similar single storey garden building consisting of a home study, games room and garden store. The proposed outbuilding would measure approximately 5.6m depth, 12.5m width with a pitched roof, eaves height of 2.8m and ridge height of 3.3m. The proposals have been amended during the application to address officer concerns re visual impact. The assessment and determination of the application is based on the amended plans.

3. Relevant Planning History and Pre-Application Discussions

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

Application: 04/01639/F Permitted 30 December 2004

Erection of single storey extension and conservatory to the rear (as amended by plans received 06/10/04).

Application: 10/00804/F Permitted 21 July 2010

Demolish outbuilding and erect a single storey detached garden room and store.

Application: 17/01523/CLUP Permitted 2nd October 2017

Certificate of lawfulness of proposed development for the erection of a single storey rear extension

4. Response to Publicity

This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper 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 **27 September 2023**.

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.

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STEEPLE ASTON PARISH COUNCIL

Consulted on (24.07.2023); no comments received.

OTHER CONSULTEES

Deddington (Ward Councillor) - Consulted on (24.07.2023); no comments received.

Mid Cherwell Neighbourhood Forum - Consulted on (24.07.2023); no comments received.

Arboriculture - I have looked at the proposals and I have no real issues. An assessment was carried out of the rooting environment of the Horse Chestnut, which is protected by a TPO, and it was determined that no significant roots will be affected by the proposals but as a precaution screw piles will be used. What is lacking is a Tree Protection Plan and an arboricultural method statement. These will both be a requirement but can be dealt with by way of condition of any consent given. Both these will need to be produced in accordance with BS5837:2012.

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.

MID-CHERWELL NEIGHBOURHOOD PLAN

- PD5: Building and Site Design
- PH6: Parking facilities for Existing Dwellings

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

7.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway Safety

Principle of development

7.2. The proposed outbuilding would be set within the rear garden and is proposed to replace an existing outbuilding, for similar purposes (workshop/store), games room) to that of the existing building. It would have a similar footprint and on a very similar siting. The principle of development is thus considered acceptable. However, overall acceptability is also dependent on its relationship with the host dwelling as well as its visual impact.

7.3. A new, separate dwelling would not be acceptable in this location, because its form and layout would be significantly and demonstrably out of keeping with the character of the area and would adversely affect the living conditions of the existing dwelling and neighbours through intensification of use. A condition requiring the outbuilding to remain ancillary to the main dwelling would need to be imposed to make the proposed development acceptable.

Design and Impact on the Character of the Area

7.4. The proposed development would be positioned close to the eastern boundaries of the existing dwelling, it would be readily visible from the public realm and would have a visual impact. It would be taller. The existing building has an eaves height of 2.2m and ridge height of 2.9m, with a simple, stable block form and a dual-pitched roof. The proposed building has a similar form, but with an eaves height of 2.8m and ridge height of 3.3m. It would be more visually prominent given this height increase and a slightly greater visual impact.

7.5. However, the agent has latterly explained that tree protection requirements mean that the floor level needs to be raised and that any height lower than that proposed would present problems with construction in particular with doors opening. On balance, given the existing outbuilding it replaces and the fall-back position of an

outbuilding which can be achieved under the property's permitted development and which would also be visible from the public realm, and seen in the context of the existing dwelling and other existing built form, the proposal would not adversely affect the character and appearance of the area.

- 7.6. In light of this, and noting the nature of the development, the proposal is considered to be sufficiently subservient to the existing dwelling and to be acceptable in visual terms.
- 7.7. The proposals thus accord with Policy ESD15 of the CLP 2015, retained Policies C28 and C30 of the CLP 1996 and Policy PD5 of the Mid Cherwell Neighbourhood Plan.

Residential Amenity

- 7.8. The proposed development would be located in close proximity to the shared boundary with the neighbour to the southeast at Aston House and would comply with regards to the 45-degree rule with this neighbour and would not have significant impact.
- 7.9. It would also be well set away from the other adjacent neighbours and would not have any significant impact on these neighbours to the west and south.
- 7.10. Given its scale, nature, and its spatial relationship with the neighbouring properties, it is considered that the development would not have a material impact on the amenity of the neighbours. The proposal would have a similar arrangement to the existing, and it is noted that no objections have been received from local residents.
- 7.11. Overall, it is considered that the development would accord with retained Policy C30 of the CLP 1996, Policy ESD15 of the CLP 2031 and Policy PD5 of the Mid Cherwell Neighbourhood Plan and is acceptable in terms of its impact on the residential amenity of the locality.

Arboriculture

- 7.12. An Arboricultural Impact Assessment (AIA) has been submitted with the application.
- 7.13. The Arboricultural Officer (AO) advises that an assessment was carried out of the rooting environment of the Horse Chestnut, which is protected by a TPO, and it was determined that no significant roots would be affected by the proposals but as a precaution screw piles would be used. The AO further advises what is lacking is a Tree Protection Plan and an Arboricultural method statement. In order for the proposals to be acceptable in terms of arboricultural impact, the Tree Protection Plan and an Arboricultural method statement - to be produced in accordance with BS5837:2012 - would both be necessary but can be dealt with by way of condition of any consent given.
- 7.14. Having regards to the AIA, the AO comments and subject to the recommended conditions, it is considered that the proposal would not result in harm to the existing trees or vegetation in the vicinity of the site.
- 7.15. The proposal is thus considered acceptable in this regard and accords with Policy ESD10 and ESD15 of the CLP 2015 and the relevant paragraphs of the NPPF.

Highway Safety/Parking Provision

- 7.16. The Local Highway Authority was not consulted during the course of the application. The number of bedrooms would not increase as a result of the development and the site retains parking provision to the side of the dwelling or the existing gravelled forecourt for at least a few vehicles, and this is considered sufficient to serve the existing dwelling. The proposal is therefore considered not to result in any adverse impact upon the local highway network from a traffic and safety point of view, or in terms of parking provision.
- 7.17. The proposal is thus acceptable in this regard and accords with Policy ESD15 of the CLP 2015 and Government guidance in the NPPF.

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, The proposal is therefore considered to be sustainable development and, in accordance with Paragraph 11 of the NPPF, planning permission should therefore be granted.

For the reasons set out in this report and subject to a condition requiring the building to remain ancillary, the proposed development would respect the character and visual amenity of the Conservation Area, the site's surroundings and respond appropriately to the site's characteristics. The proposal would not adversely affect residential amenity and would not adversely impact on highway safety. The proposal would thus comply with retained Policies C28 and C30 of the CLP 1996, Policy ESD15 of the CLP 2015 and the relevant paragraphs of the Framework.

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 not be carried out otherwise than in complete accordance with drawings titled 064_100p01, 064_204p01, ARBORICULTURAL REPORT (Oak Ridge, Cow Lane, Steeple Aston, Oxfordshire OX25 4SG June 2023 – Ref: 22158)

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 character and appearance of the area, the significance of heritage assets, the health and integrity of trees 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.

3. No development shall commence above slab level unless and until samples of the materials to be used externally in the construction of the walls and roof of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the samples so approved and shall be retained as such thereafter.

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 safeguard the character and appearance of the Steeple Aston Conservation Area 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.

4. No development shall commence unless and until an Arboricultural Method Statement (AMS) detailing the tree protective measures/procedures and including a tree protection plan, to be undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in full accordance with the approved AMS and tree protection plan.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area and to safeguard the character and appearance of the Steeple Aston Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, to ensure the integration of the development into the existing built environment and to comply with saved Policy C28 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. The outbuilding subject of this decision shall not be occupied at any time other than for purposes ancillary (or incidental) to the residential use of the dwelling currently known as Oakridge, Cow Lane, Steeple Aston, Bicester, OX25 4SG and shall at no time form a separate planning unit nor shall it be sold, leased, let or sub-let separately from the aforesaid dwelling.

Reason – In the interests of highway safety and because a new dwelling in this location would not be acceptable in principle and would be out of keeping with the character of the area and would not safeguard the living conditions of neighbouring residents and to comply with Policy ESD15 of 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: Michael Sackey

DATE: 12.09.2023 / 06.10.2023

Checked By: Nathanael Stock

DATE: 06.10.2023
