

**Stonewalls
Bonds End Lane
Sibford Gower
Banbury
OX15 5RT**

18/00550/F

Case Officer: Sarah Willson

Recommendation: Approve

Applicant: Mr Michael Smales

Proposal: Erection of single storey extension to replace single storey extension

Expiry Date: 25 May 2018

1. APPLICATION SITE AND LOCALITY

- 1.1. The site is a detached two storey stone built cottage with slate that has been previously altered and extended and is set perpendicular to the adjacent lane. There is an existing vehicular access of Bonds End Lane with area of tarmac hardstanding and private garden area which wraps around to the rear of the adjacent property Vine Cottage to the south.
- 1.2. The property is not a listed building; however, it does sit within the Sibford Conservation Area and the Village's Historic Core. Grade II listed Quince Cottage sits opposite the site on the west side of Bonds End Lane and a further grade II property, The Old Vicarage, is some 35m north of the site. There are records of Protected and Notable Species (Brown Hairstreak Butterfly and Common Swift) within the vicinity of the site and the geology has the potential to be contaminated with naturally occurring arsenic, chromium and nickel; as with many areas across the Cherwell district; although given the nature and scale of the proposals and context of the site these constraints are unlikely to impact on the proposed development.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the replacement of an existing single storey flat roofed extension with a single storey dual pitched roof extension, linked to the main dwelling by a single storey flat roof element on a similar footprint to the existing extension. The west and south elevations will predominantly be glazed set within an Oak frame set on a stone plinth and the roof will be covered in slate with a wood-burning stove's flue protruding through the eastern roof-slope.
- 2.2. The application is a resubmission of a previously approved application (15/00810/F) however the works had not commenced within the conditioned time frame. All drawings and details submitted are the same as application 15/00810/F.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>	<u>Date</u>
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4. PRE-APPLICATION DISCUSSIONS

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

5. RESPONSE TO PUBLICITY

5.1. 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 all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 17.05.2018, although comments received after this date and before finalising this report have also been taken into account. One letter of comments was received from the residents of The Old Post Office (north-east of the site) as a result of this process.

5.2. Comments were raised regarding:

- The stability of the retaining wall between The Old Post Office and the proposed new extension.
- The position of the flue for the wood burning stove, affecting a mature holly hedge above.

6. RESPONSE TO CONSULTATION

6.1. 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.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. Sibford Gower Parish Council: No objections

OTHER CONSULTEES

6.3. Local Highway Authority: No objections

Conservation Officer: The Conservation Officer has reaffirmed their concerns with aspects of the design. The original comments from the permission 15/00810/F are included here:

This unlisted property in the Sibford Ferris, Sibford Gower and Burdop Conservation Area, consists of a row of two cottages set perpendicular to the lane. This form was employed by owners who wanted to get two or more properties on their plot of land.

The character of the property has been compromised by the insertion of unfortunate white upvc windows and it is important that any extension enhances rather than detracts from these vernacular cottages within the conservation area. The proposals replace an existing glazed extension with a flat roof and have the potential to enhance the property; my comments and recommendations are as follows:

The Design:

My initial thoughts are the proportions and height of the fenestration to the glazed office is too tall for a modest vernacular cottage. I recommend that the eaves are

lowered, which may require the articulation/proportions of the glazing panels to be adjusted. The glazed link would be more successful if it was recessed to create a deeper shadow between the cottage and the glazed office.

The height of the plinth looks shallow resulting in a very thin panel to the bottom of the glazed door. The options would be to increase the height of the plinth which would in turn require the glazing panels above the plinth to be narrower so that the proportion does not look odd; or omit the panel and just have a deeper base.

If the Applicant is set on a panel at the base of the door, the height of the panel should be taller than the mid-rail; and the bottom rail of the door should be taller than the mid-rail. Once this has been worked out, the height of the plinth can be set and together with the lowered eaves, the proportion of the fenestration can be confirmed (ideally based on the Golden Section or Euclidian Geometry etc) which enhances the 'host' building, rather than dominates it.

Material and finish of joinery:

Given that the house has shiny white upvc windows and dark stained timber, it is important that the extension is handled sensitively in the context of the character of the conservation area. The application states: oak frame and painted timber: what colour do they propose and has a coloured elevation been drawn to show what is oak and what is proposed to be painted? The benefit of timber joinery is that colours can be changed (within a suitable palette for the village which harmonises with the colour of the local stone), the white upvc windows will remain white, making it difficult to harmonise the property as a whole. Painting the windows and doors to the extension brilliant white to match the upvc windows would not work well with natural oak, neither would dark stained timber; it may be worth considering natural oak for the whole of the glazed extension.

The detailing of the joinery is critical to the success of the extension and this needs to be conditioned.

Woodburner and flue:

There is a hedge to the side of boundary which provides a screen to the site but it would be seen from the lane. Oddly, it has been set slightly off the door axis. I did not gain access to the adjoining property to see the impact the flue would have as there is an excessive amount of the flue above the roof. In terms of impact it might be less visible sited to the north and should be coloured a matt black/dark charcoal grey.

Flat roof:

They are proposing a single ply membrane – which one and is there any overlooking of this roof other than from their bedroom window?

Slate roof:

Sample of natural Welsh slate to match existing to be conditioned.

Rooflights:

The proposed rooflights look awkward on the principal south elevation, and would be seen from the lane. The proposed master bedroom has windows to the north and east; rooflights are also noisy when it rains. I recommend these are omitted.

The proposed rooflight to the west roof slope of the conservatory is not necessary and makes the roof too fussy. Adequate daylighting will be provided by the gable and glazed walls/doors. I recommend these are omitted.

Hard standing:

The colour palette, layout and material should be traditional for the area and harmonise with the stone of the cottages.

Gates: Are the existing gates being reused, if not please provide details.

Ecology: No objections.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)

8. APPRAISAL

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

- Design, and impact on the character of the area
- Residential amenity
- Highway safety/parking provision

Design and Impact on the Character of the Area

- 8.2. Paragraph 56 of the NPPF makes clear that: *the Government attaches great importance to the design of the built environment.* This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.*
- 8.3. Saved Policies C28 and C30 of the CLP 1996 reinforce this, with Policy C30(ii) stating: *that any proposal to extend an existing dwelling (should be) compatible with the scale of the existing dwelling, its curtilage and the character of the streetscene.*
- 8.4. The site is fairly well screened from west and north and views of the proposals will be limited to some views of the roof of the proposed extension above the existing boundary walls and hedges. Views will be had of the southern and eastern elevations when travelling down Bond’s End Lane; these views will be seen in the context of the existing residential site and set against the back-drop of the existing boundary wall and extensive boundary planting.

- 8.5. The extension is set to the back of the plot, would only be partially visible from the public domain and would not be prominent or visually intrusive within the street-scene. Whilst the conservation officer has raised some concerns relating to the design and scale of the proposal in relation to the existing property; it is considered that any harm that would be caused to the character and appearance of the conservation area is not so significant that it would warrant a reason to refuse the application on these grounds alone.
- 8.6. The application gives little detail as to the proposed materials to be used in construction of the proposals (other than stating stone and slate) or whether they would match those in use on the existing building. Whilst the principle of the use of stone and slate is considered acceptable, it is considered appropriate to continue the conditions that samples and further details are provided, prior to construction, to ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Residential Amenity

- 8.7. Paragraph 17 of the NPPF includes, as a core planning principle, a requirement that planning should: *always seek to secure...a good standard of amenity for all existing and future occupants of land and buildings*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*.
- 8.8. The Council's Home Extensions and Alterations Design Guide (2007) provides informal guidance on how the Council will assess proposed extensions to houses, including guidance on assessing the impact on neighbours. This includes assessing whether a proposed extension would extend beyond a line drawn at a 45° angle, as measured horizontally from the mid-point of the nearest habitable room window.
- 8.9. The site has a somewhat unusual relationship with the neighbouring property Vine Cottage; with the windows in the north elevation of Vine Cottage looking out onto the garden and parking area of the site and also the rear of Vine Cottage backing directly onto the garden of the site. Concerns were raised by the occupants of Vine Cottage with regard to possible loss of light to their windows when the application 15/00810/F was submitted. The windows currently look out over an area of tarmac and will continue to do so as shown on the submitted plans. It is considered that the current situation, in terms of outlook from the windows of Vine Cottage, will not be significantly altered by the proposed development.
- 8.10. Given the scale and nature of the proposed extension and the site's relationship with neighbouring properties it is considered that there will be no significant impact on neighbour amenity in terms of loss of light, loss of privacy or over domination.

Highway Safety/Parking Provision

- 8.11. Policy ESD15 of the CLP 2031 Part 1 states, amongst other matters, that new development proposals should: *be designed to deliver high quality safe...places to live and work in*. This is consistent with Paragraph 35 of the NPPF which states that: *developments should be located and designed where practical to...create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians*.
- 8.12. The site retains adequate levels of parking for the proposed levels of accommodation, and access is to be improved as part of the proposals. It is considered that the proposed development, subject to parking areas being retained on site, would not be detrimental to the safety and convenience of highway users.

Other matters

- 8.13. The residents of The Old Post Office have re-stated their concerns from the original submission regarding the potential of the works to affect the boundary wall between the proposed extension and the curtilage of the Old Post Office. Their concerns are noted and it is highlighted that the grant of planning permission does not override third party rights. Whilst no changes to the boundary are proposed, other than where the wall of the extension is proposed to be built up and where a stone shed is to be removed (not requiring planning permission), the applicant will need to be mindful of the Party Wall Act 1996. Any damage or repair of boundary treatment will need to be dealt with as private matter and not through the planning process.
- 8.14. Concerns were also raised regarding the position of the wood burning flue and potential issues with a mature holly hedge above it. The proposals will be subject to Building Control legislation and subject to building regulations approval covering this matter.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. It is considered that the proposals assessed within this application are an acceptable form of development that causes no significant harm to neighbour amenity; the design is of a typical residential nature and are sympathetic to the character of the context of the site; providing standards of amenity which are considered acceptable. The proposals are considered to cause no significant harm to the character and appearance of the conservation area or setting of the listed building adjacent the site, and as such are considered to comply with the above mentioned policies and are recommended for approval as set out below.

10. 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 following plans and documents: 01, 12 Rev. C, 13 Rev. B, 14 Rev. C and 15 Rev. A.

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. Prior to the construction of the extension hereby approved, samples of the slate to be used in the construction of the roof of the extension shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. The natural stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone on the existing building and

shall be laid dressed, coursed and pointed to match that of 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.

5. Prior to the construction of the extension hereby approved, full details of the doors and windows hereby approved, including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the installation of the 1.2m gates hereby approved, full details of the 1.2m gates, including materials and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the gates shall be installed in accordance with the details so approved.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. The flue for the wood burning stove shall be painted matt black prior to the first occupation of the extension hereby approved and retained as such in perpetuity.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. Prior to the construction of the extension hereby approved, the existing means of access between the land and the highway shall be improved in accordance with the detail shown on drawing 12 Rev. C, formed, laid out and constructed strictly in accordance with Oxfordshire County Council's specification and guidance.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

9. The parking area shown on drawing 12 Rev. C shall be kept free of obstructions at all times and used only for the specified purpose.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

Case Officer: Sarah Willson

DATE: 17.05.18

Checked By: Paul Ihringer

DATE: 22/5/18
