

Case Officer: Emma Whitley

Applicant: Mr Paul Nicol

Proposal: First-floor extension above the garage to create an additional habitable room.

Ward: Bicester East

Councillors: Cllr Sean Gaul, Cllr Richard Mold and Cllr Tom Wallis

Reason for

Referral: Application submitted by a senior officer of CDC

Expiry Date: 9 October 2020

Committee Date: 8 October 2020

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is a detached dwelling located on a residential estate to the north east of Bicester town centre. The dwelling is constructed from buff-facing brick with white uPVC fenestration under a plain tile roof. The property benefits from an attached single garage and an area of hardstanding to provide two off-street parking spaces.
- 1.2. The streetscene is characterised by detached and semi-detached dwellings of a similar scale: although the application property is slightly different due to a previous extension over the garage.

2. CONSTRAINTS

- 2.1. The dwelling is not listed, nor is it situated within close proximity to any listed buildings. The property is not situated within a conservation area. Indeed, there are no site constraints considered relevant to this proposal.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The applicant seeks planning permission for the enlargement of an existing first-floor extension above the garage. The space created would result in an additional habitable room.

4. RELEVANT PLANNING HISTORY

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

90/00043/S – Single storey extension to kitchen and dining room and first floor extension over front of garage. *Application Permitted.*

75/00407/SRM(1) – Erection of 140 houses with garages, roads and all services. *Application Permitted.*

5. PRE-APPLICATION DISCUSSIONS

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

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of 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 **10 September 2020**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

7. RESPONSE TO CONSULTATION

- 7.1. 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

- 7.2. BICESTER TOWN COUNCIL – **No objections/ comments** received at the time of drafting the report.

CONSULTEES

- 7.3. LOCAL HIGHWAYS AUTHORITY (OCC) – **No objections. Comments:** The proposal does not represent an intensification of use at the application site and is therefore unlikely to have an adverse traffic or road safety impact on the surrounding road network.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. 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
- C30 – Design of new residential development

- 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

- Cherwell Council Home Extensions and Alterations Design Guide (2007)

9. APPRAISAL

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

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

Design and Impact on the Character of the Area

- 9.2. Paragraph 124 of the NPPF states that: *'Good design is a key aspect of sustainable development'* and that it *'creates better places in which to live and work'*. 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.*
- 9.3. 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.*
- 9.4. The proposed first-floor side extension would be very visible in the streetscene due to the site's prominent location at the end of a cul-de-sac. Following the receipt of amended plans, which now show a subservient addition, the design of extension is considered acceptable notwithstanding its conspicuous siting. It is therefore concluded that the design of the extension would remain in keeping with the character of the street scene, particularly as the materials used in the construction are proposed to match the existing dwelling.
- 9.5. The proposal is therefore considered to accord with Government guidance contained within the NPPF, saved Policies C28 and C30 of the Cherwell Local Plan and Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 in respect of its design.

Residential Amenity

- 9.6. Paragraph 127 of the NPPF includes, as a core planning principle, a requirement that planning should have a *high standard of amenity for all existing and future users*. 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.*
- 9.7. 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.
- 9.8. The position of the extension in relation to the surrounding properties means that the extension would not impact neighbouring residential amenity in respect of loss of light, outlook or privacy.

- 9.9. The proposal therefore complies with Government guidance contained within the NPPF, saved Policy C30 of the Cherwell local Plan 1996 and Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

Highway Safety/Parking Provision

- 9.10. 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 110 of the NPPF which states that: *developments should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles*.
- 9.11. The site benefits from two parking spaces in front of the dwelling, with an additional space accommodated in the garage. As the proposal would not result in an additional bedroom, the parking provision retained at the dwelling is considered adequate for a dwelling of this size. Further, the Local Highways Authority did not provide any objections to this proposal.
- 9.12. The proposal is therefore considered acceptable in this regard and complies with Government guidance contained within the NPPF and Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be acceptable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW:

Time Limit

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.

Compliance with Plans

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: Drawing numbers SAS MCT 01 200 Rev PL; SAS MCT 01 201 Rev PL; SAS MCT 01 202 Rev PL; SAS MCT 01 250 Rev PL; SAS MCT 01 251 Rev PL; SAS FCB 01 Site Plan Rev P1; and SAS FCB 01 Location Plan Rev P0.

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.