



- 3.2 Two earlier applications have been approved for extensions to the rear of the property – one at two storeys and one at single storey. Neither of these schemes has been started. Both are now beyond the three year period for starting and are no longer considered ‘live’.

#### **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 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 26 August 2021, although comments received after this date and before finalising this report have also been taken into account.

- 5.2 No comments have been raised by third parties.

#### **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.

- 6.2. Banbury Town Council: **Raised no objections**

- 6.3. Local Highways Authority (OCC): **No objections**

- 6.4. Building Control (CDC): **No adverse comments**

#### **7. RELEVANT PLANNING POLICY AND GUIDANCE**

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. 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

Design, and impact on the character of the area

*Policy Context*

- 8.2 Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, permission should be refused for development of poor design that fails

to take the opportunities for improving the character and quality of an area and the way it functions.

- 8.3 Saved Policies C28 and C30 of the adopted Cherwell Local Plan 1996 exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context as well as compatible with the existing dwelling. Proposals to extend an existing dwelling should be compatible with the scale of the existing dwelling, its curtilage and the character of the streetscape.
- 8.4 Policy ESD15 of the CLP 2031 states that development should '*Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette*'.

#### *Assessment*

- 8.5 The proposed extension would be located to the rear of the dwelling and would therefore not be readily visible from the public domain and would not have a significant impact on the character and appearance of the streetscene.
- 8.6 It would be stepped in from the sides of the existing dwelling meaning vision along the side of the proposed development would be minimal.
- 8.7 A larger extension was approved at the property in 2017 (Ref: 17/01674/F); this permission is no longer extant. The reduction in scale coupled with the introduction of a pitched roof as opposed to a flat roof is considered to be an improvement on the previously approved design.
- 8.8 All materials proposed for the extension are to match what currently exists at the dwelling and so the existing character of the site and locality would be retained and continued through the development.

#### *Conclusion*

- 8.9 The proposal is considered to be acceptable in design terms as it does not conflict with Policy ESD15 of the CLP 2031, saved Policies C28 and C30 of the CLP 1996 and government guidance contained in the NPPF.

#### Residential amenity

##### *Legislative and policy context*

- 8.10 Policy C30 of the CLP 1996 requires that a development must provide standards of amenity and privacy acceptable to the Local Planning Authority. These provisions are echoed in Policy ESD15 of the CLP 2031 which states that new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.

##### *Assessment*

- 8.11 The extension would be of a smaller footprint, both depth and width reduced, than the previously approved extension and as such, and notwithstanding the pitched roof, would have less of an impact on the amenity of the neighbouring occupants in terms of loss of light and loss of outlook.
- 8.12 There is one proposed opening which would face towards the boundary with the attached neighbour, 69 Bretch Hill. However, as it would face the neighbours

extension which forms part of the boundary between the two properties, it is not considered that this window would have a negative residential amenity impact.

- 8.13 There would be little or no impact to the neighbouring property, 73 Bretch Hill, to the immediate north as this end of terrace property is set much further back than the application property. The rear elevation of the proposed extension would not protrude beyond the rear elevation at the neighbour and would therefore not harm these neighbours residential amenity.

#### *Conclusion*

- 8.14 The proposals would be acceptable in neighbouring amenity terms and accord with Policy ESD15 of the CLP 2031, saved Policies C28 and C30 of the CLP 1996 and government guidance contained in the NPPF.

#### Highway Safety

##### *Legislative and policy context*

- 8.15 Paragraph 111 of the Framework notes, '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

##### *Assessment*

- 8.16 The site itself does not benefit from any off-street parking provision within the curtilage of the property. The properties in this area of Bretch Hill share a parking area to the north east of the site. The proposed extension would result in an additional bedroom at the property increasing the overall number from three to four. However, as the parking requirements for three and a four bedroom dwelling do not differ, Officers concur with the Highways Officer's assessment that *the proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view.*

#### *Conclusion*

The proposals would be acceptable in highway safety terms and accord with Policy ESD15 of the CLP 2031, saved Policies C28 and C30 of the CLP 1996 and government guidance contained in the NPPF.

## **9. PLANNING BALANCE AND CONCLUSION**

- 9.1 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.

## **10. RECOMMENDATION**

### **RECOMMENDATION – TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW**

#### CONDITIONS

##### **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: DWG NO P.01, P.02 Rev A and P.03 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.