

Application No: 11/01816/F	Ward: Kidlington	Date Valid: 16/11/11
Applicant:	St. Thomas More Parish BRCDTR	
Site Address:	140 Oxford Road, Kidlington	

Proposal: Single storey extension with access ramp to adjacent church

1. Site Description and Proposal

- 1.1 Kidlington's Catholic Church, St. Thomas More, which was constructed in the 1960s (NE.41/67 refers), is located on the village's main thoroughfare and is surrounded by housing on either side. The church has eight dedicated parking spaces to the front of the adjacent presbytery. To the rear of the church and other housing on Oxford Road is the Thomas More Catholic Primary School, which obviously has strong ties with the church.
- 1.2 Sometime in the late 1990s the church acquired 140 Oxford Road, the adjacent hipped bungalow to the northwest of the church. Planning permission was refused in 1998 (98/00089/F) to convert 140 Oxford Road into a parish meeting room with a parking area to the front. It was resisted on the grounds of the adverse impact the development would have on the occupiers of 138 Oxford Road (neighbouring bungalow) in terms of noise and disturbance and highway safety. A subsequent application submitted the following year, 99/00211/F, had the parking area deleted from the proposal. Notwithstanding this revision, it was resisted on similar grounds. 140 Oxford Road, still a residential dwelling, currently remains vacant.
- 1.3 Planning permission is currently being sought to erect a single storey structure (13m x 10m and a ridge height of 4.5m) in the rear of the garden which would be linked, via a flat roofed lobby and store area (7.5m x 2.4m), to the church. Most of the space, in the main body of the extension, will be open plan with other smaller sections being partitioned to form a meeting room, kitchen and for toilet facilities. In a statement of justification the parish authority states that the hall will be used for children's liturgy, after Masses tea/coffee, a Youth Group, RCIA, Bereavement and Retired Peoples Groups.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice. The final date for comment was the 6th January 2012.

1 letter has been received. The following issues were raised:

Material planning comments:

- Previous history of refusal on the site
- Overdevelopment
- Out of keeping
- Highway safety

Lack of parking
Noise pollution
Loss of privacy
Loss of light
Concern over what the building will be used for
Drainage

Non material comments:

140 Oxford Road should not have been left empty given housing shortage
Ability of drainage system to cope
Potential of alarms going off by accident (problem with school)
Devalue property
Children health issues

3. Consultations

- 3.1 Kidlington Parish Council raises no objections to the application
- 3.2 The Anti-Social Behaviour Manager raises no objection subject to condition
- 3.3 OCC Highways Liaison Officer raises no objections subject to condition.
- 3.4 OCC Drainage Officer raises no objections subject to condition

4. Relevant Planning Policies

- 4.1 PPS1: Delivering Sustainable Development
PPG13: Transport
- 4.2 Policies BE1 and T4 of the South East Plan 2009
- 4.3 Policies ENV1, C28 and C31 of the adopted Cherwell Local Plan

5. Appraisal

- 5.1 The key issue in this case is the impact the development will have on the neighbouring residents most notably the current occupiers of 138 Oxford Road.
- 5.2 Although, as has been argued by the neighbours, this is a relatively large development it is important to put the proposal in to context. The applicant could, should it so choose, erect a large building within the rear garden up to a height of 4m without the need for planning permission. The only other restrictive provisos would be that the building should not cover 50% of the property's curtilage and be within 2m of any boundary, It could then seek permission for a link to the church which would be unreasonable to resist on overdevelopment / loss of light grounds.
- 5.3 Whilst the proposed structure has a large footprint it does not contravene the 50% limit - for clarity the land to the front of the 140 Oxford Road forms part of the calculation. Although the proposed building is 1 metre from the boundary with 138 Oxford Road and has a height of 4.5m, the impact would, in the opinion of the

HPP&DM, be little different to a building with a 4m ridge closer to the boundary with 138 Oxford Road that would still comply with the permitted development legislation.

- 5.4 Furthermore, despite the fact that the occupiers of 138 Oxford Road will experience a limited loss of light, the extension will be viewed against the backdrop of the much larger church when viewed from their garden. So although the HPP&DM has some sympathy for the neighbours' objection regarding the scale of the development, the HPP&DM is convinced that it would not be possible to sustain a reason for refusal, based on these on these grounds, at appeal.
- 5.5 Of more concern in this case is the introduction of a non-residential activity into this environment. During brief pre-application discussions with a representative of the church, it was stressed that the impact on the neighbouring residents would have to be minimised. Having a very shallow pitched roof and keeping the elevations facing 140 Oxford Road and the garden of 138 Oxford Road blank goes a long way to achieving this goal - a point acknowledged by the Council's Anti-Social Behaviour Manager (ASBM). Indeed, the ASBM concluded that providing that the hall was not equipped with amplified sound, he was happy that the neighbouring residents would not be unduly disturbed. The development is therefore considered to comply with Policies ENV1 and C31 of the adopted Cherwell Local Plan (CLP).
- 5.6 Having addressed the size of the hall and its impact on the neighbouring residents, it is important to acknowledge that the actual design of the hall is not controversial, the blank elevations and shallow pitch, somewhat unfortunate features, are not significant flaws and are justified in this particular instance. It should also be remembered that the building will be largely obscured from the public domain by the church and the surrounding housing. The development is therefore considered to accord with Policy C28 of the CLP.
- 5.7 The Highways Officer is of the opinion that any additional pressure on parking will be limited as the hall will be used in conjunction with church services or when the church is not in use. The Highways Officer is satisfied that the existing parking provision to the front of the presbytery will suffice.
- 5.8 As for highway safety, the Highways Officer concluded that the existing access on to the service road does not pose any particular concerns. Accident data for this part of Kidlington reveals that all the road incidents that have occurred in the past ten years (all minor) were down to driver error rather any physical or geometric issues. The Highways Officer finishes his report by stating that although the area around the school can be *'intensively used during school 'in' and 'out' periods'* when greater care is needed, these busy times are unlikely to coincide with church activity. Based on the Highways Officer's assessment, it is concluded that this proposal complies Government guidance contained within PPG13.
- 5.9 Based on the assessment above, the HPP&DM is satisfied that the development complies with Government guidance contained within PPS1: Delivering Sustainable Development and PPG13: Transport and Policies BE1 and T4 of the South East Plan 2009 and saved Policies ENV1, C28 and C31 of the adopted Cherwell Local Plan. This application was brought before Committee at the request of the local Member.

6. Recommendation

Approval, subject to the following conditions:

- 1. 1.4A - Full Permission: Duration Limit (3 years) (RC2)**
- 2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following approved plans: 1123 001; 1123 002; 1123 003 B; and 1123 004 D**

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority, and in accordance with PPS1: Delivering Sustainable Development.

- 3. SC 2.6AA - Materials to Match**

- 4. That no amplified sound equipment shall be operated or used in the building hereby approved.**

Reason - In order to safeguard the amenities of the area and to comply with Policy BE1 of the South East Plan 2009 and Policies C31 and ENV1 of the adopted Cherwell Local Plan.

- 5. The use of the building hereby approved shall be limited to the activity as set out in the Statement of Justification which formed Appendix 1 of the Applicant's design and Access Statement.**

Reason - In order to safeguard the amenities of the area and to comply with Policy BE1 of the South East Plan 2009 and Policies C31 and ENV1 of the adopted Cherwell Local Plan.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as Local Planning Authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposed extension to the church is of a design, size and style that is appropriate and will not unduly impact on the neighbouring properties or compromise highway safety. As such the proposal is in accordance with Government guidance contained within PPS1: Delivering Sustainable Development and PPG13: Transport and Policies BE1 and T4 of the South East Plan 2009 and Policies ENV1, C28 and C31 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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