

# Site Address: Parkside, 8 Hunt Close, Bicester

13/01474/F

Ward: Bicester Town

District Councillor(s): Cllrs Edwards and Pickford

Case Officer: Laura Bailey

Recommendation: Approval

Applicant: Mrs Jackson

Committee date: 28 November 2013

**Application Description:** Two storey side extension; single storey rear extension; increase roof height over garage at first floor level (rear); dormer window to front elevation

## 1. Site Description and Proposed Development

- 1.1 The area is generally urban in character with Hunt Close formed by mainly detached dwellings. Despite its town centre location, the Close has a spacious feel to it with the dwellings set back from the road and backing onto a communal open space. A TPO protects trees within the open space.
- 1.2 The property is not a listed building and no listed buildings are in close proximity to the site. The site is not in a Conservation Area and there are no other relevant site constraints.
- 1.3 This application essentially seeks consent for the erection of a two storey side extension, to replace the single storey side element approved under the extant consent (see relevant planning history section below).
- 1.4 This application has been referred to the Committee at the request of Councillor Pickford.

## 2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letters and site notice. The final date for comment was the 7 November 2013.

5 letters of objection have been received and in summary, raise the following issues:

- Out of character with the area
- Loss of light
- Loss of privacy
- Overdevelopment
- Sight vision lines affected when driving around corner
- Consent has already been refused

## 3. Consultations

- 3.1 **Bicester Town Council:** Objects, requesting that the application be brought to the Planning Committee for determination. Request that CDC introduce a policy to limit garden developments.

### Cherwell District Council Consultees

- 3.2 **Tree Officer:** No objections.

## **Oxfordshire County Council Consultees**

- 3.3 **Highways Officer:** No objection, subject to a condition to require the retention of parking and manoeuvring areas.

## **Other Consultees**

- 3.4 None.

## **4. Relevant National and Local Policy and Guidance**

### **4.1 Development Plan Policy**

Adopted Cherwell Local Plan (Saved Policies)

- C28: Layout, design and external appearance of new development  
C30: Design of new residential development

### **4.2 Other Material Policy and Guidance**

#### **National Planning Policy Framework**

#### **Submission Local Plan (October 2013)**

The Proposed Submission Local Plan was published for public consultation in August 2012. A further consultation on Proposed Changes to the draft plan was undertaken from March to May 2013. On 7 October 2013, the draft Submission Plan was approved by the Council's Executive. The Plan was presented to Full Council on 21 October 2013 and Full Council endorsed it as the Submission Local Plan. Submission to the Secretary of State for Communities and Local Government is anticipated by the end of November 2013. The Submission Plan supersedes previous stages of the emerging Local Plan.

Full Council also endorsed the recommendations to:

- Note that the Infrastructure tables in the draft Local Plan are to be replaced in due course by a full Infrastructure Delivery Plan (IDP) prior to Examination.
- Delegate approval of minor text changes (including updating the thematic maps and final Monitoring Framework) to the draft Submission Local Plan text to the Head of Strategic Planning and the Economy in consultation with the Lead Member for Planning and its transfer in its publication format for Submission.

At the present time the emerging Plan carries weight, however it will not form part of the statutory Development Plan until the Examination process is complete and the Plan is formally adopted by the Council (anticipated mid 2014).

The following policies are considered to be material to the determination of this application and are not replicated by saved Development Plan policy:

ESD16: Character of the built and historic environment

## **5. Appraisal**

5.1 The key issues for consideration in this application are:

- Relevant planning history
- Character and appearance of the area
- Highway safety
- Neighbour amenity

### **Relevant planning history**

5.2 The site was the subject of a previous application (95/01994/F) which sought permission for a two storey side extension. This application was refused as it was considered that the size of the side extension and its proximity to the road represented a dominant and intrusive element in the street scene which is described as an attractive estate. The Case Officer reported that the dwelling is on an estate that was built at a fairly low density presenting a spacious and well landscaped layout.

5.3 A subsequent application was submitted (13/00298/F refers) for the erection of a two storey side extension and single storey rear extension, which was refused for reasons relating to the impact of the development on the character and appearance of the area and overdevelopment of the site. Planning permission was subsequently granted for a single storey side extension and single storey rear extension under 13/01012/F, which remains extant.

5.4 The significance of the latter consent is that the single storey rear and single storey front (side) extensions included in this application already benefit from consent. The first floor element above the garage does not require planning permission as it benefits from permitted development rights under Class A of the General Permitted Development Order (as amended). Therefore, the only element for consideration in this application is the increase from single storey to two storey on the front (side) elevation.

### **Character and appearance of the area**

5.5 Policies C28 and C30 seek to control all new development to ensure layout, design and external appearance are sympathetic to the character of the area and that they should be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity with acceptable standards of amenity and privacy.

5.6 Government guidance contained within the National Planning Policy Framework (NPPF), states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 56 of the NPPF expressly states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

5.7 Paragraph 60 of the NPPF goes on to state that planning policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

5.8 Paragraph 137 of the NPPF states that LPA's should look for opportunities for new

development within the setting of Conservation Areas (and other designated heritage assets) to enhance or better reveal the significance of the elements of the setting that make a positive contribution to or better reveal the significance.

- 5.9 The site is situated close to the town centre of Bicester. The area is generally urban in character with dwellings set in a relaxed linear manner along Hunt Close. However, given the spacing of the dwellings being set back from the road and the mature landscaping in the vicinity gives the Close a spacious character. The site comprises a detached dwelling constructed of brick and tile which provides accommodation over 2 floors.
- 5.10 The site is not within the Bicester Conservation Area, although it is within 50 and 40 metres of its boundary, to the north west and south of the site, respectively. However, the site is not particularly prominent or visible from the Conservation Area, owing to the mature tree belt running along the southern edge of the close and kink in the road, which obscures visibility from the footpath/cycle link into the Conservation Area. The site will be more evident from the southern boundary of the Conservation Area in the winter, due to leaf loss, but will still not be a prominent feature in the close. In this regard, I do not consider that the setting of the Bicester Conservation Area would be adversely affected by the proposal.
- 5.11 The supporting text to Policy C28 of the Adopted Local Plan states that the Council will seek to avoid discordant or badly designed development that would harm the appearance and character of the existing built environment. It goes on to state that it is not the object of the policy to suppress innovation and creativity of design; in order to promote the creation of an interesting and attractive built environment the Council will encourage variety in design, provided that the appearance of a proposed development is sensitive to the particular site and is in harmony with the general character of its surroundings.
- 5.12 As noted above, the main element to consider in the determination of this application is the increase in ridge of the single storey front (side) extension to a two storey front (side) extension. This application differs from that refused under 13/00298/F as the two storey element is set back further from the front building line by approximately 1.3 metres, (0.7 metres further than the refused scheme). This serves to break up the bulk of the extension and gives a sense of subservience to the main dwelling. The ridge of the two storey element is also set down from the main ridge by ~1.5 metres, which contributes towards the sense of proportionality.
- 5.13 The reduction in the scale of the extension to the front of the property satisfactorily addresses previous concerns relating to the impact of the proposal on the character and appearance of the area. I therefore do not share the concerns of the neighbour and Town Council regarding overdevelopment.
- 5.14 Consequently, the proposal would appear as a subservient addition to the main dwelling and taking account of the nature and size of the development and prominence of the site, I consider that it represents appropriate development.
- 5.15 In conclusion, the proposed development is considered to represent a sensitive addition to the site, would not appear discordant in the street scene and would therefore be in harmony with the general character of its surroundings. Accordingly, it is considered that the proposal complies with the requirements of Policy C28 of the ACLP and Government guidance contained within the NPPF.

#### **Highway Safety**

- 5.16 Oxfordshire County Council Local Highway Authority (LHA) has raised no objection to the application on the grounds of highway safety as sufficient parking to serve the

dwelling would be provided on site. The LHA has requested a condition requiring a full specification of the parking area to be created to the front of the dwelling. I consider that this condition is reasonable and necessary.

5.17 Therefore, subject to the aforementioned condition, I am satisfied that the proposal would not be detrimental to highway safety.

5.18 Consequently, it is considered that the proposed development would not cause detriment to highway safety and as such, accords with central Government advice contained within the NPPF.

### **Neighbour amenity**

5.19 Representations have been received which raise concerns about loss of light and privacy. In particular, the adjacent neighbour (no. 10) has raised concerns that the development would result in overlooking and loss of light to their property. The two storey side (front) extension contains no windows within it, so overlooking will not be an issue. Similarly, given that the two storey extension is sited to the south east of the neighbouring property (no. 10), is of a lower ridge than the main dwelling and does not extend to the existing rear building line, I do not consider that this property would suffer a detrimental loss of light or overshadowing impact.

5.20 One window is proposed in the north east elevation to serve the bedroom at first floor, but this can be appropriately controlled by condition to ensure it remains obscurely glazed, as per the extant consent.

5.21 Windows are proposed within the single storey rear extension, but due to the screening provided by the existing close boarded fence and distance from the boundary, I am satisfied that there would not be an unacceptable level of overlooking towards the rear of no. 6 or no. 10. The single storey rear extension is sited to the north of the existing property and the single storey extension to the side (southwest). Given the orientation of the existing buildings and the location of the extensions, loss of light is unlikely to occur to an unacceptable level.

5.22 Therefore, subject to the aforementioned condition, I am satisfied that the proposal would not be detrimental to occupant amenity.

5.23 Consequently, it is considered that the proposed development would not cause detriment to the amenities of neighbouring properties and would therefore comply with the requirements of Policy C30 of the Adopted Cherwell Local Plan and central Government guidance contained in the NPPF.

### **Engagement**

5.24 With regard to the duty set out in paragraphs 186 and 187 of the Framework, it is considered that the duty to be positive and proactive has been discharged through approval of an application which represents sustainable development and dialogue with the applicant during the course of the application.

### **Conclusion**

5.25 The proposed development is considered to represent an appropriate addition to the site and would be in harmony with the general character of its surroundings. Furthermore, the proposal is not considered to cause detriment to neighbour amenity or highway safety. Consequently, the application is recommended for approval, subject to the conditions set out below.

**6. Recommendation**

**Approval**, 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 listed below:

Drawings: SK.12-565-07A, 153, 154, 155 and 156

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 commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the proposed parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

4. Prior to the first occupation of the development hereby approved, the first floor window in the north east elevation of the dwelling shall be fixed shut, other than a top hung opening element, and shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

**STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.

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