

**Site Address: 17 The Paddocks
Deddington**

14/00735/F

Ward: Deddington

District Councillor: Cllr Williams

Case Officer: Shona King

Recommendation: Approval

Applicant: Ms Louise Tustian

Application Description: Rear extension and minor alterations to attached outbuilding

Committee Referral: Employee Application

Committee Date: 10th July 2014

1. Site Description and Proposed Development

- 1.1 The application site is a semi-detached two storey dwelling and is located to the south of Hempton Road in Deddington. It is linked to a further dwelling by an attached outbuilding. The site is outside the Conservation Area.
- 1.2 The proposal comprises the erection of a two storey rear extension, the raising of the height of the attached outbuilding and the conversion of the outbuilding into a garage at ground floor and a bathroom and ensuite above.
- 1.3 The application has been amended to reduce the depth of the first floor element of the rear extension.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 19th June 2014. A letter has been received. The following issues were raised
 - Party Wall Act
 - Overbearing due to height and length
 - Loss of light

3. Consultations

- 3.1 Deddington Parish Council: No objections

4. Relevant National and Local Policy and Guidance

- 4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

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

- 4.2 Other Material Policy and Guidance

Submission Cherwell Local Plan – January 2014 (SLP)

The Submission Local Plan (January 2014) has now been through public

consultation and was submitted for examination in January 2014, although this plan does not have Development Plan status, it is a material planning consideration. The plan sets out the Council's strategy for the District to 2031.

National Planning Policy Framework

Planning Practice Guidance

5. Appraisal

5.1 The key issues for consideration in this application are:

- Impact on the visual amenities of the area
- Impact on the living amenities of the neighbouring properties

Impact on the visual amenities of the area

5.2 The proposed alterations to the outbuilding are considered to be acceptable in terms of the design. The ridge is to be raised by approximately 1.4m which will result in a step in the ridge from the adjoining outbuilding at No. 16 but it will not be harmful to the visual amenities of the area. The conversion of the part of the outbuilding into a garage will not in my opinion adversely affect the visual amenities of the area. The front garden is already laid to gravel.

5.3 The rear extension has been amended in terms of the design to mitigate the potential impact on the living amenities of the neighbouring property at No. 16.

5.4 The existing dwelling is rendered with a tiled roof and the two storey extension is to be clad with timber boarding with a tiled roof. Whilst this is not entirely in keeping with the existing property it is considered that it will not result in any significant detriment to the visual amenities of the area. The extension will not be readily visible in public views given the relationship with the surrounding properties and whilst there is a public footpath across the fields to the south of the site the extension is unlikely to be prominent from it.

Impact on the living amenities of the neighbouring properties

5.5 The proposed alterations to the outbuilding will not result in any detriment to the living amenities of the neighbouring properties due to the relationship between the buildings.

5.6 The two storey extension however has been amended to reduce the potential impact on the living amenities of the neighbouring property No. 16. The extension was originally to extend approximately 6.5m from the rear of the existing outhouse, 1m from the shared boundary. With a ridge height of 7.5m and an eaves height of 4.2m it was considered that it would dominate the private garden area of that property. Also, whilst the original rear extension would not have affected the 45 degree from the closest habitable room window in the rear elevation of No.16, officers were concerned about the effect that the extension would have on the outlook from No. 16 and considered that it would be overbearing on the garden of No. 16.

5.7 The application has been amended reducing the depth of the first floor element by 1.8m. This reduction has lessened the impact on the neighbour sufficiently to ensure that the living amenities of No. 16 are not so adversely affected as to warrant refusal of the application. The ground floor element is considered to be acceptable as originally proposed due to the height of the boundary fence between the properties and what can be constructed as permitted development.

5.8 The living amenities of No. 18 are not considered to be significantly affected due to

the distances involved and the relationship between the properties.

Engagement

- 5.9 With regard to the duty set out in paragraphs 186 and 187 of the Framework, the applicant and agent have been informed of any problems or issues that have arisen during the application. It is considered that the duty to be positive and proactive has been discharged.

Conclusion

- 5.10 To conclude the development is considered to be acceptable in terms of its design and will not adversely affect the living amenities of neighbouring properties. The development is considered to comply with Policies C28 and C30 of the adopted Cherwell Local Plan.

6. Recommendation

Approval, subject to the following conditions:

1. That the works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.

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.

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: Application Form, site plan and drawing no. 5709-02b

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, a colour scheme for the colouring of the external timber cladding shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the cladding shall be finished and thereafter maintained in accordance with the approved colour scheme.

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. Notwithstanding the provisions of Classes A to C (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 1995 and its subsequent amendments, the flat roof of the extension shall not be used as a balcony without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of the adjoining dwellings in accordance with Policies C28 and C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. The rooflights in the east and west elevations of the extension shall have a cill height of not less than 1.7m above finished floor level.

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.