

Case Officer: Victoria Barrett **Ward(s):** Bloxham And Bodicote

Applicant: Mr & Mrs J Tibbetts

Ward Member(s): Cllr C Heath
Cllr L Thirzie Smart

Proposal: Erection of single and two storey extension to outbuilding to provide garage and store

Committee Date: 29.10.2015 **Recommendation:** Refuse

1. Application Site and Locality

- 1.1 The application property is a detached, two storey dwellinghouse facing broadly south-west onto Westbourne Court, a cul de sac home to five properties and accessed via the Milton Road, within the built form of Bloxham. The property also benefits from a large outbuilding to its north with a comparable footprint to the main dwelling. The outbuilding, part single storey and part two-storey, features double garage, swimming pool and changing room, plus gym at first floor level above the garage. It is this outbuilding which is the subject of the current application. The majority of the outbuilding was granted planning permission in 2004 (see planning history below). The site is close to the Bloxham Railway Cutting, but outside any designated Conservation Area and there are no other relevant designations. The site is bounded to the north by a field, with the site's northern boundary delineated by hedgerow.
- 1.2 It is noted that at the time of the 2004 application the site's eastern boundary was linear, on a broadly north south axis, as borne out by available aerial mapping, but that the current application site includes land which appears to have been acquired from the eastern neighbour, 3 Milton Road.

2. Description of Proposed Development

The current application is for the erection of a part single storey, part two storey extension to the north side of the outbuilding, to provide garage with storage behind, and above the garage (no floor plans have been submitted of the first floor level). The two-storey part would have a width of c.5.8m, depth of c.6.1m, eaves height of c.4.2m and overall height of c.6.0m, north-south ridge and gable end facing north. The single storey part, set in slightly from the former element, would be flat roofed, with a height of c.2.33m and length of c.16.2m, its width increasing to c.6.6m at the eastern end. Soldier course detailing is proposed, over a brick arch header to the garage door, and a rooflight to the western 'front' elevation.

This application is reported to Planning Committee because the applicant is a close relative of a member of staff working in the planning department.

3. Relevant Planning History

11/01819/F – Front porch extension – granted
05/02306/F – Insertion of roof light to side elevation – granted
05/02207/F – Dormer to the front – granted

05/00830/F – Two storey extensions to side and rear and two dormer windows to rear – granted

04/02770/F – Erection of outbuilding to provide garaging, gym and swimming pool. Erection of 2.4 metre boundary wall (in accordance with plan no's 1215/34b and 1215/38a received 02/03/05) – granted

02/02338/OUT – Erection of 2 No. dwellings including construction of new access to highway (as additional plans received on 07.01.03) – withdrawn

00/00089/F – Erection of single storey garage extension with pitched roof to side of existing garage (as amended by plans received on 15.11.00) – granted

96/01337/F – Two storey side extension to dwelling – granted

4. Response to Publicity

Neighbour notification letters (x8); site notice (x1) posted 01.10.2015. The final date for comment was 22.10.2015. One letter received, advising no objections subject to certain assurances from the applicant.

5. Response to Consultation

Parish/Town Council:

There are concerns regarding overdevelopment of this site which will include:

- The creation of a hard edge to the field behind the property comprising a brick wall with little or no room for proper screening by way of a fencing and hedge
- Loss of biodiversity due to the removal of a hedge
- Seek the continuation of the existing Condition relating to the use of the outbuildings
- All construction traffic to access the site via Milton Rd.

Cherwell District Council: None

Oxfordshire County Council: None

Other External Consultees: None

6. Relevant National and Local Planning Policy and Guidance

6.1 Development Plan Policies:

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. Planning legislation requires planning decisions to be made in accordance with the Development Plan unless material planning considerations indicate otherwise. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

Cherwell Local Plan 2011 - 2031 Part 1

ESD15 - The Character of the Built and Historic Environment

Cherwell Local Plan 1996 (Saved Policies)

C28 - Layout, design and external appearance of new development

C30 - Design of new residential development

6.2 Other Material Planning Considerations:

National Planning Policy Framework ("the Framework") - National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. In particular paragraphs 9-17 (presumption), 18-20 and 22 (economy), 29-36 (transport), 56-67 (design), 93-104 (climate change and flooding), 109-125 (natural environment) and 186-206 (decision taking)

Planning Practice Guidance (NPPG) – This sets out regularly updated guidance from central Government to provide assistance in interpreting national planning policy and relevant legislation.

7. Appraisal

7.1 Officers consider the following matters to be relevant to the determination of this application:

Impact on residential amenity

Impact on highway safety

Impact on the street scene

Impact on the character and appearance of the area

Impact on residential amenity

7.2 By reason of its siting relative to neighbouring properties, the proposed building would not detrimentally affect the living conditions of neighbouring residents. It would be sited at approx. 30 metres from the dwelling at Copper's End to the north-west, and approx. 18 metres from Bridge House to the west, separated from the latter by that neighbour's garage. One rooflight is proposed to the building's western front elevation, but this would not afford any significant degree of overlooking relative to the two rooflights on the existing garage building.

Impact on highway safety

7.3 There is sufficient turning space between the application site and Bridge House, such that the proposal would not significantly affect local highway safety.

Impact on the street scene

7.4 However, the proposal would result in a building which could not be described as subservient to the main dwelling. Indeed the footprint of the resultant building, at approx. 23 metres by approx. 14.1 metres (greater at some points) would appear to significantly exceed that of the

main dwelling. The effect of the building in this regard is emphasised by the height, form and massing of the two storey element of the current proposal, resulting in a building fronting the highway of approx. 14.1 metres width with eaves exceeding 4 metres and ridge height exceeding 6 metres for the duration of that width. For these reasons, it is considered that the proposal would result in a building of excessive scale that would not be subservient to the main dwelling, and which would have a detrimental effect on the visual amenity and character of the building and its immediate setting.

- 7.5 In addition, the western front elevation of the proposal, with elevated eaves and no windows other than a rooflight, would result in a building which is visually incongruous and unattractive displaying poor design and exacerbating a negative attribute of the existing outbuilding, to the detriment of the visual amenity of the locality.

Impact on the character and appearance of the area

- 7.6 The existing outbuilding is set some 6.0 – 6.5 metres off the site's northern boundary and, although the site is adjacent to countryside to the north and visible from footpaths across those fields, this degree of set off, combined with the presence of a hedge to the boundary has helped to minimise the visual impact of the existing outbuilding on its surroundings.
- 7.7 The current proposal would require removal of this soft, natural edge and its replacement with a harsh, built up edge, with the northern wall of the outbuilding's two-storey element becoming the boundary, and the remaining single storey part either forming the boundary or immediately abutting the boundary. The result is that the building would serve to urbanise its surroundings and adversely affect the rural, undeveloped character and appearance of the area.
- 7.8 It is noted that much of the proposed building is of a height (c.2.33m) which is close to the height of fence/wall which could be erected under permitted development rights (2.0m). However, that additional height over the length proposed is considered visually harmful itself and the effect of the flat-roofed element in this regard is exacerbated by its attachment to the two-storey element. And, by reason of its design, scale and siting, the proposed two-storey element is considered to detrimentally affect the character and appearance in its own right.
- 7.9 Further, through its attachment to, and visual association with the existing outbuilding, and most critically its proximity to the northern boundary, the current proposal would serve to significantly increase the visual impact of the existing outbuilding on the character and appearance of the area.
- 7.10 For the reasons set out above, the proposal would result in a building of excessive scale that would not be subservient to the main dwelling, a visually incongruous form of development displaying poor design, and would result in a cramped form of overdevelopment that would adversely affect the character and appearance of the area. The proposal therefore fails to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 and Policies C28 and C30 of the Cherwell Local Plan 1996.
- 7.11 Paragraph 17(3) of the Framework seeks "to secure high quality design", paragraph 58 states that planning decisions should aim to ensure that development is "visually attractive as a result of good architecture and appropriate landscaping" and paragraph 64 states that, "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area." Paragraph 56 states that the government "attaches great importance to the design of the built environment". For the reasons set out above, the proposal would fail to accord with these paragraphs of the Framework.

8. Conclusion

The proposal would not adversely affect local highway safety or the living conditions of neighbouring residents. However, for the reasons set out in this report, the proposal would adversely affect the visual amenity of the street scene and the character and appearance of the area, and would therefore fail to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 and Policies C28 and C30 of the Cherwell Local Plan 1996, and paragraphs 17, 58 and 64 of the National Planning Policy Framework.

9. Recommendation

By reason of its scale, form and massing, the proposal would result in a building of excessive scale that would not be subservient to the main dwelling, which would be visually incongruous displaying poor design, and would result in a cramped form of overdevelopment that would adversely affect the character and appearance of the street scene and that of the local area. The proposal therefore fails to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 and Policies C28 and C30 of the Cherwell Local Plan 1996 and paragraphs 17, 58 and 64 of the National Planning Policy Framework.

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