

Case Officer: Victoria Barrett **Ward(s):** The Astons and Heyfords

Applicant: Mr & Mrs Smith

Ward Member(s): Councillor Mike Kerford – Byrnes
Councillor James Mcnamara

Proposal: Erection of rear part single and part two storey extensions (revised scheme of 15/01958/F)

Committee Date: 14.04.16 **Recommendation:** Approve
Called into Committee by the Ward Councillor
Cllr Kerford-Byrnes

1. Application Site and Locality

- 1.1 The application property is a two storey, detached, brick and tile dwelling, located within Grange Park in the west of Steeple Aston. The dwelling is sited in a different alignment to the properties within the immediate vicinity, with an east west plot as opposed to the north south plots of the neighbours. The site is bounded by five dwellings to the south (four that back on to the site's boundary fence) and a privately owned field to the north; it lies in an elevated position above these plots.
- 1.2 There is a group TPO covering many of the trees in Grange Park; two of these were located within the application site. These are not considered to be site constraints as they are no longer on the site, and whilst there is an enforcement investigation on the matter, this has no bearing on the consideration of the current application. The site lies outside of the Steeple Aston Conservation Area. Thus there are not any relevant site constraints to the application.

2. Description of Proposed Development

- 2.1 The application seeks planning permission for the erection of a rear part single and part two storey extensions. The dimensions proposed are:
- 2.2 This proposal is a re-submission of 15/01958/F which was refused on the following grounds:

The proposed development, by virtue of the size and position of the two storey element, would result in significant and demonstrable harm to the living conditions currently enjoyed by 30 Grange Park through a loss of outlook and an imposing and overbearing form of development. The application would therefore be contrary to Government guidance contained within the National Planning Policy Framework, Policy ESD 15 of the Cherwell Local Plan Part 1 (2011-2031) and saved Policy C30 of the Cherwell Local Plan 1996 and the Home Extensions and Alterations design guide (March 2007).

- 2.3 The main differences between the previously refused scheme and the current proposal are:
- Two storey extension set back by 2m from the south
 - Ridge height of two storey extension set down by 0.6m
 - Enlarged by 1m to the north

3. Relevant Planning History

14/01976/TPO Crown raise to 8m above this property and PER

provide 2m clearance from the property.
Remove all epicormic growth, as close to the
main stem.

15/01958/F

Single and two storey extension to rear

REF

4. Response to Publicity

The application was advertised by way of neighbour notification letters (x7) and a notice display near to the site. The final date for comment was 25.03.16; 11 comments were received and are summarised below. It is noted that the extension would only be visible to nos. 29 – 32 Grange Park. Three of the objectors live within the aforementioned properties; none of those writing in support live within close proximity of the site.

Objections (x5)

- 28 already dominates over 30 and the proposal would take this to an unacceptable level
- The proposal would not be possible with the protected trees intact
- Former owners could not even get a single storey extension considered
- It would overshadow and dominate neighbours
- No significant changes between the previous refusal and the current application
- Out of scale and character with other Grange Park properties
- Would restrict light to no 30, would be viewed from every window and would box it in

Supporters (x6)

- Other houses in Grange Park have similar extensions
- The removed trees are not relevant
- It would improve appearance and is well designed

5. Response to Consultation

Steeple Aston Parish Council – Objection. The proposed two storey extension is overbearing in relation to the neighbouring properties, and in particular to 30 Grange Park. We also objected last time on grounds of overlooking, which we now accept has been eliminated. However, we consider that the ‘outlook’ for 30 Grange Park would still be severely compromised by the revised scheme, which only offers a marginal improvement over the previous one.

Ecology – no comments received.

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 visual amenity

Impact on residential amenity

Impact on visual amenity

7.2 The overall design of the proposal is considered to be compatible with the dwelling, and given its siting away from the main roads of the estate this would not have a significant effect on the vicinity. Also, the majority of the proposed development would be constructed with materials to match the existing dwelling. The exception to this is the timber cladding, which would replace

the white cladding that is a prominent feature of Grange Park. Nevertheless, it is considered that the timber cladding would help modernise the dwelling and is of a more attractive design than the white cladding, not to mention that a dwelling in a more prominent position towards the entrance of the estate has recently undergone such a change.

- 7.3 Officers consider that the proposed extension would create a peculiarly shaped dwelling with a particularly ill-designed northern elevation. However, as mentioned, due to its secluded siting this would not be visible to the public. It is therefore considered that the proposal would accord with Policy C28 of the Cherwell Local Plan 1996 and the relevant policies of the Framework.

Impact on residential amenity

- 7.4 Having regard to its scale and siting, it is considered that the re-submitted proposal has overcome the significant harm that would have been experienced by no.30 Grange Park through the previous scheme. The current proposal has set the two storey element back by a further 2m from the southern boundary and reduced its height by 0.6m. The current proposal also would extend 1m to the north for one ground floor room and two bedrooms on the first floor to account for the space lost through the amended separation gap.
- 7.5 Although the proposed extensions would remain to be highly visible to no's 30-32 Grange Park, it is considered that the only property that could be significantly affected by the proposal would be no. 30 and the increased separation gap of over 20m would be adequate to retain the current standard of living in the dwelling, well exceeding the Council's recommended 14m. It is recognised that the outlook of no.30 would be different to what is currently enjoyed, yet the separation gap and subservient extension would prevent the development from creating an overbearing presence over the neighbour's site. Additionally, the subservience and increased separation gap is considered to mitigate the effect of the difference in levels between the site and no. 30.
- 7.6 As before, the single storey extension is considered to be acceptable, as the difference in scale between the proposed scheme and what would be possible under the property's permitted development rights is not significant (i.e. a similar level of impact would result). The flat roof of this element (under 3m in height) and the set-in corner would reduce the impact of this extension to be non-obtrusive to no. 30.
- 7.7 With regard to concerns raised about the impact on sunlight amenity, given the relationship between no. 28 and the surrounding neighbours sunlight would not be restricted by the eastern extension. Additionally, the privacy of neighbours would not be materially affected as there are not any windows proposed on the southern elevation. A condition could be imposed to ensure no new windows are inserted in the development.
- 7.8 Officers recognise that the proposed scheme would undoubtedly affect the views from and outlook of no. 30, through the construction of a featureless brick wall that would extend across the majority of the width of the site. However, it is recognised that this proposal would well exceed the Council's guidance in terms of separation and it would not cause significant or demonstrable harm either through loss of privacy or sunlight and would not be unduly overbearing to neighbours. The amended plans are considered to mitigate the harm that would have resulted from the original proposal, and it thus considered that a refusal of the current proposal would not be defensible at appeal. Additionally, the relationship between no.

28 and no. 30 would be similar, if less harmful, to that between no. 28 and no. 29. With this in mind, the development would comply with CLP 1996 Policy C30, and core principles of the Framework.

8. Conclusion

It is considered that the current proposal would result in a visually acceptable form of development, and would not cause such harm to the neighbouring properties through loss of light or its scale and siting as to warrant a refusal. The proposal would therefore comply with Policies C28 and C30 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011- 2031 and the relevant paragraphs of the Framework.

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 condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, drawings '15/733-03 rev.B, 15/733-04 rev.B' site location plan and block plan.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority; to enhance the visual amenity and comply with Policy ESD15 and with Government guidance contained within the National Planning Policy Framework.

CONTACT OFFICER: Victoria Barrett

TELEPHONE NO: 01295 221824