

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 (revised scheme of 15/01513/F)

Committee Date: 14.04.2016 **Recommendation:** Refuse

Committee Referral Applicant is a close relative of an officer in the planning department

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

- 2.1 The current application is for the erection of a part two storey, part single storey extension to the north side of the outbuilding to provide a garage and storage area, with a storage area on the first floor (no floor plans have been submitted of the first floor level). The two-storey element would have a width of 5.5m, depth of 5.8m, eaves height of 4.2m and overall height of 6m, 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 2.9m, width of 5.2m and length of 14.8m. A brick arch header over the garage door is proposed on the front elevation, two rooflights on the rear (eastern) elevation and two false windows on the northern elevation.
- 2.2 This application is a re-submission of the previously refused 15/01513/F, which was refused on the following grounds:

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.

The main differences between the previous scheme and the current proposal are:

- The footprint of the two-storey element has been reduced slightly (from 5.8m x 6.1m to 5.5m x 5.8m); its eaves and ridge heights have not been changed
- The footprint of the single storey element has been reduced slightly, i.e. length reduced from c.16.2m to c.14.8m and width from c.6.6m to 5.2m); in particular it has been set in from the site's northern boundary, to allow for some planting
- The height of the single storey element has been increased from c.2.33m to 2.9m
- The rooflight on the front elevation has been omitted
- Two false windows have been added on the north elevation (facing the field)

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

15/01513/F – Erection of single and two storey extensions to outbuilding to provide garage and store – refused by Planning Committee, October 2015

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

Neighbours (x6) notified; site notice posted; press notice published; consultation expiry date is 28th April.

5. Response to Consultation

No responses to report at the time of writing.

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.

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. 20.5m by 5.2m would appear to be similar in scale to 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. 13.5m width with eaves exceeding 4 metres and ridge height of 6m or more 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, 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.
- 7.6 The amendments made are considered to be minor in comparison to the scale of the development, and do not address the significant and demonstrable harm caused by the original scheme.

Impact on the character and appearance of the area

- 7.7 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.
- 7.8 As with the original proposal, the current scheme would require the removal of the established tree/hedge planting that currently exists. Although this amended proposal would provide for replacement planting alongside the proposed extension, it is considered that this would not provide the same screening or contribution to visual amenity made by the existing planting and would not mitigate the harm caused by the proposed building. The increased proximity of the building to the natural environment would serve to urbanise its surroundings and adversely affect the rural, undeveloped character and appearance of the area.
- 7.9 The single storey extension was highlighted to have been harmful in the previous application 15/01513/F, and it is therefore unfortunate that the revised scheme has increased the height of this element. It remains that the effect of the flat-roofed element in this regard is exacerbated by its attachment to the two-storey element and its proximity to the field. 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.

- 7.10 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.
- 7.11 The re-submitted scheme would result in the same harm as the previous submission, as the proposal remains to be fundamentally the same. The amendments that have been undertaken are not of a significant nature and do not address or overcome the harm caused by the proposal.
- 7.12 For the reasons set out above, the re-submitted 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.
- 7.13 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

Refuse, subject to no additional representations received by 28th April that raise new issues having a significant bearing on the Local Planning Authority's assessment of the application.

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 and the Home Extensions and Alterations design guide (March 2007).

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