

Applicant: Mr Masud Raja

Proposal: Rear extension to provide bedroom and level access shower room

Ward: Banbury Ruscote

Councillors: Cllr Barry Richards
Cllr Sean Woodcock
Cllr Mark Cherry

Reason for Referral: The Local Authority is the applicant

Expiry Date: 2 November 2017 **Committee Date:** 23rd November

Recommendation: Approve

1. APPLICATION SITE AND LOCALITY

- 1.1. This application relates to a two storey, semi-detached dwelling within a residential cul-de-sac of similar properties. The existing property is finished in buff brick and concrete roof tiles. The property is south west facing and fronts on to a communal area of open space. The site, within Banbury, is bounded on the remaining three boundaries by residential properties. The existing dwelling is situated within a plot measuring approximately 190 square metres which is linear in nature. The proposed dwelling has a footprint of approximately 55 square metres. The boundaries to the rear of the boundary are protected by timber close board fencing measuring between 1.5 metres - 2.2 metres in height and sporadic planting.
- 1.2. There is currently a single storey, flat roofed extension to the rear of the property which measures approximately 3.1 metres in height. The extension measures approximately 4.3 metres (length) by 4.75 metres (breadth). There is an ancillary wc measuring 2 metres x 1.8 metres situated on the northern elevation accessed off the main body of the extension which is of a similar height. The existing extension is finished in render/roughcast and upvc and appears in a poor state of repair. This extension will be removed prior to the proposals commencing.
- 1.3. The application building is not listed and the site is not located within a designated conservation area. The property's permitted development rights remain intact and there are no other planning constraints relating to the dwelling or the site which need to be considered in the assessment of this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks planning permission for the erection of a rear extension at 27 Goodrington Close, Banbury.
- 2.2. The proposed extension would protrude from the existing rear building line by approximately 6 metres and would measure approximately 4.7 metres in width. The extension would be single storey in height and would have a shallow pitched roof measuring approximately 3.7 metres in height.

- 2.3. The proposed extension would be finished in concrete roof tiles and buff brick to match those of the main dwelling to which it relates. The proposals would have significantly less glazing than the existing extension and would not create any issues such as overlooking or invasion of privacy. The proposed window on the gable end would not create any issues in terms of overlooking due to the properties orientation and existing boundary treatment.
- 2.4. The proposals are of a size and scale that would not detract from the amenity currently afforded to the neighbouring properties in terms of loss of sunlight, daylight or overshadowing.
- 2.5. The application is to provide bedroom and level access shower room. An occupational therapist has assessed the need for the proposals and has confirmed that the development falls under a medium priority.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
15/01600/HPA	Single storey rear extension - length 5.95m, overall height 2.8m height to eaves 2.6m	Prior Approval Not Required

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 06.10.2017, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties regarding this application.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. **Banbury Town Centre:** No objections received relating to this application

STATUTORY CONSULTEES

- 6.3. **OCC Highways:** No objections received relating to this application

NON-STATUTORY CONSULTEES

- 6.4. N/A

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. 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. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF) - National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied.
- Planning Practice Guidance (PPG) - This sets out regularly updated guidance from central Government to provide assistance in interpreting national planning policy and relevant legislation

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety and parking;

8.2. Paragraph 56 of the NPPF makes clear that: *the Government attaches great importance to the design of the built environment.* This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.*

8.3. Saved Policies C28 and C30 of the CLP 1996 reinforce this, with Policy C30(ii) stating: *that any proposal to extend an existing dwelling (should be) compatible with the scale of the existing dwelling, its curtilage and the character of the street scene.*

8.4. The proposed extension would represent a sizable addition to the existing dwelling but its design is considered appropriate and compatible with the scale of the existing

dwelling. Design guidance suggests that extensions are required to be subservient to the existing dwelling, usually by means of a reduction in ridge height. In this instance subservience has been achieved due to the shallowness of the ridge, which does not compete with the existing eaves or ridge. The materials proposed are considered acceptable and are consistent with those used to construct the existing dwelling (buff brick and dark concrete roof tiles). The extension does not break the existing side elevation building lines and will not be visible from the road.

- 8.5. Overall, the proposed extension is considered not to cause harm to visual amenity of the locality or character and appearance of the existing dwelling. The proposal is therefore considered to comply with Policy C28 of the adopted Cherwell Local Plan 1996 and Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 (Part 1) and Government guidance contained within the National Planning Policy Framework requiring good design.
- 8.6. Paragraph 17 of the NPPF includes, as a core planning principle, a requirement that planning should: *always seek to secure...a good standard of amenity for all existing and future occupants of land and buildings*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*.
- 8.7. The Council's Home Extensions and Alterations Design Guide (2007) provides informal guidance on how the Council will assess proposed extensions to houses, including guidance on assessing the impact on neighbours. This includes assessing whether a proposed extension would extend beyond a line drawn at a 45° angle, as measured horizontally from the mid-point of the nearest habitable room window.
- 8.8. The single storey side extension would not have a detrimental impact on the amenity of the neighbouring dwellings in terms of loss of sunlight, daylight or overshadowing and would have a neutral impact in terms of overlooking or invasion of privacy. Given the size and height of the extension, the existing building lines of the property, existing boundary treatments and positions of windows, the proposed extension is not considered to detract from the amenity of the adjoin or neighbouring properties.
- 8.9. The proposal is therefore considered to comply with saved Policy C30 of the Cherwell Local Plan 1996 and Policy ESD15 of the Cherwell Local Plan 2031 in amenity terms.
- 8.10. The properties in the immediate locale do not have on-plot parking. On street parking is provided and the proposals are not deemed to add unduly to the level of parking and do not raise any issues in terms of parking provision or highway safety.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The proposed development is considered not to cause harm in terms of visual amenity, residential amenity or highway safety and is considered to comply with the policies outlined in Paragraph 7 of this report. The proposal is therefore recommended for approval subject to the conditions below.

10. RECOMMENDATION

That permission is granted, 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 approved plans: SLP.01; and P.01.

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.

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