

**8 Cranesbill Drive**

**18/02013/F**

**Bicester**

**OX26 3WG**

**Applicant:** Mr Nicholas Mawer

**Proposal:** Convert existing garage to a study and utility room

**Ward:** Bicester North And Caversfield

**Councillors:** Cllr Nicholas Mawer  
Cllr Lynn Pratt  
Cllr Jason Slaymaker

**Reason for Referral:** Application submitted by a CDC Councillor

**Expiry Date:** 29 January 2019

**Committee Date:** 17 January 2019

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

Planning permission is sought to convert the existing garage space to a study and utility room, which will involve removing the garage door and replacing it with a wall and window to match the dwelling, and to block up the existing window of the existing study on the western elevation of the dwelling.

#### **Consultations**

The following consultees have raised **no objections** to the application:

- Bicester Town Council, OCC Highways

No third party letters of objection or support have been received.

#### **Planning Policy and Constraints**

There are no specific constraints that apply to this development site.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

#### **Conclusion**

The key issues arising from the application details are:

- Design and impact on the character of the area
- Residential amenity
- Highway safety/parking provision

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is situated on a residential estate located north of Bicester town centre. The site comprises a two storey detached dwelling constructed from red brick under a plain tiled roof, with white uPVC fenestrations. The property also benefits from an integrated garage with space for one car to park, and a driveway to the front of the house with an additional 2 spaces for parking cars. The immediate locality mainly comprises of two storey detached dwellings finished in a similar red brick with either yellow or blue brick detailing, with examples of stone and rendering also seen in the wider vicinity.

## **2. CONSTRAINTS**

- 2.1 The building is not listed, it is not within close proximity to another listed building, and it is not located within a conservation area. There are no other planning constraints relevant to this application.

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. Planning permission is sought to convert the garage space into a habitable room. The footprint of the converted space will remain the same, however there will be a new window replacing the existing garage door on the front elevation of the property which will be constructed of materials that match the existing windows seen on the house. Any areas of wall that are to be filled with brick will also mirror the materials seen on the original dwelling.
- 3.2. Although not requiring formal approval, the window to the current study seen on the ground floor western side elevation is proposed to be blocked up with materials that will match the original dwelling.

## **4. RELEVANT PLANNING HISTORY**

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
98/00945/REM	RESERVED MATTERS (OUTLINE REF: 95/01300/OUT) Erection of 31 dwellings and associated works (residential) 2, 3 and 4 bedroom houses	Application Permitted

- 4.2. The permitted development rights for the insertion of new windows/openings in the walls or roof of the building were removed by condition 7 of permission 98/00945/REM in order to safeguard the amenities of the occupants of adjoining dwellings.

## **5. PRE-APPLICATION DISCUSSIONS**

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

## **6. RESPONSE TO PUBLICITY**

- 6.1. This application has been publicised by way of 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 29.12.2018, although comments

received after this date and before finalising this report have also been taken into account.

6.2. No comments have been raised by third parties.

## 7. RESPONSE TO CONSULTATION

7.1. 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

7.2. BICESTER TOWN COUNCIL: **No objections** with regards to this application.

### CONSULTEES

7.3. OCC HIGHWAYS: **No objections** subject to the condition that prior to the first occupation of the development hereby, the parking and manoeuvring areas shall be provided in accordance with the plan approved.

## 8. RELEVANT PLANNING POLICY AND GUIDANCE

8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. 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

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

8.4. Council Corporate Priorities

Cherwell District Council and South Northamptonshire District Council's Joint Corporate Strategy for 2018-19 sets out the councils three strategic priorities which form our overarching business strategy. Below these are the key actions for the year 2018–19. This is a strategy which looks to the future taking into account the priorities and aspirations of the communities who live and work in the districts.

The three corporate priorities are to ensure the Districts are “Protected, Green & Clean”, are places which support “Thriving Communities & Wellbeing”, and are Districts of “Opportunity & Growth”. All three priorities are of significance to the determination of planning applications and appeals. Below these priorities, the key actions which are of most relevance to planning applications and appeals are: (1) deliver the Local Plans for CDC & SNC; (2) increase tourism; (3) protect the built heritage; (4) reduce our carbon footprint & protect the natural environment; (5) mitigate the impact of High Speed 2; and (6) deliver affordable housing.

The remaining key actions are also of significance to the determination of planning applications and appeals in particular delivering the Bicester, Banbury, Kidlington, Brackley, Towcester and Silverstone Masterplans.

The above corporate priorities are considered to be fully compliant with the policy and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

## **9. APPRAISAL**

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

- Design and impact on the character of the area
- Residential amenity
- Highway safety/parking provision

### Design and impact on the character of the area

#### *Policy Context*

9.2. Paragraph 124 of the NPPF states that: ‘*Good design is a key aspect of sustainable development*’ and that it ‘*creates better places in which to live and work*’. 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.*

9.3. 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 streetscene.*

#### *Assessment*

9.4. The proposed development would entail changing the principal elevation of the property which is visible from the public domain on Cranesbill Drive, and therefore could have an impact on the streetscene of the area. The surrounding area comprises mostly of two storey detached housing finished in similar materials to the application property. That being said, there are variances in materials and styles of the housing seen at the junction of Cranesbill Drive and Germander Way that results in the housing not being completely uniform. There are also examples of other garage conversions that have been given consent at numbers 20 and 52 Cranesbill Drive, as well as a number seen on the wider residential estate. With this in mind, it is therefore considered that the proposed development would not have a negative impact on the streetscene of the area, as slight differences are already present and therefore would not look unusual.

- 9.5. The proposed development would not protrude further than the original footprint of the garage, therefore the scale of the development would still respect the character of the original dwelling. The proposal ensures that all materials used as part of the development match those used in the existing dwelling, which would result in the quality and appearance of both the property and its locality being preserved.

#### *Conclusion*

- 9.6. For the above reasons, it is therefore considered that the proposal is acceptable in terms of design and impact on the character of the area, and thus accords with Government guidance contained within the NPPF, Policy ESD15 in the CLP 2031 Part 1 and saved Policies C28 and C30 of the CLP 1996.

#### Residential Amenity

##### *Policy Context*

- 9.7. Paragraph 127 of the NPPF includes, as a core planning principle, a requirement that planning should have a *high standard of amenity for all existing and future users*. 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*.
- 9.8. 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.

##### *Assessment*

- 9.9. As the existing footprint would remain unaltered, the development would present no impacts in terms of loss of light or outlook to any of the surrounding neighbours.
- 9.10. The neighbouring residents at numbers 1 and 2 Cranesbill Drive have the potential to be impacted by way of privacy. Number 2 however is positioned in a different orientation to the application property which results in the side elevation of this neighbouring property facing towards the proposed conversion. As there are no habitable room windows facing directly towards the new window, there will be no impact on these neighbours' amenity. Although number 1 does have windows that face towards the proposed they are in front elevation and located over 17 metres from the proposed new window; any impact on neighbour amenity is therefore going to be negligible.

#### *Conclusion*

- 9.11. For the above reasons, it is therefore considered that the proposal accords with Government guidance contained with the NPPF and saved Policy C30 of the Cherwell Local Plan 1996 and Policy ESD15 of the CLP 2011-2031 Part 1 that seek standards of amenity and privacy acceptable to the Local Planning Authority.

#### Highway Safety/Parking Provision

##### *Policy Context*

- 9.12. Policy ESD15 of the CLP 2031 Part 1 states, amongst other matters, that new development proposals should: *be designed to deliver high quality safe...places to live and work in*. This is consistent with Paragraph 110 of the NPPF which states

that: *developments should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.*

#### *Assessment*

- 9.13. Due to the proposal being the conversion of a garage to form a habitable room, the highway safety implication to consider is the loss of a parking space. Whilst the proposal would involve the net loss of one parking space, there will still be two parking spaces available on the driveway at the front of the property which the Highways Officer acknowledges is sufficient for a property of this size. Although the Highways Officer provides some commentary about the limitations of the space available he does not raise an objection or request an amendment to the plans. The condition recommended by the Highways Officer is considered unnecessary as no further work to the existing parking area is required.

#### *Conclusion*

- 9.14. For these reasons, it is therefore considered that the development proposal would be acceptable in terms of highway safety and parking provision, thus complying with Government guidance contained within the NPPF and Policy ESD15 of the CLP 2031 Part 1.

### **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

### **11. RECOMMENDATION**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

#### CONDITIONS/REASONS FOR REFUSAL

##### **Time Limit**

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.

##### **Compliance with Plans**

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: the application form, S.835/01a, S.835/03 and the existing and proposed ground floor plans.

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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