

<b>Application</b> 11/00230/F	<b>No:</b>	<b>Ward: Bloxham and</b> <b>Bodicote</b>	<b>Date</b> 17/02/2011	<b>Valid:</b>
<b>Applicant:</b>	Mr and Mrs Cautley			
<b>Site Address:</b>	35 The Rydes, Bodicote			

**Proposal:** Proposed extension and alterations

## 1. Site Description and Proposal

- 1.1 The application site is a detached, dark brick built property with an attached single storey garage, and a large open fronted garden. The site is within a planned, low density residential estate towards the Eastern edge of Bodicote; the estate is adjacent to, but not within the Bodicote Conservation Area.
- 1.2 The proposal is for a first floor extension over the garage, with a two storey gabled extension to the rear.
- 1.3 The application is placed before the committee for determination following the call in request of the local Member.

## 2. Application Publicity

- 2.1 The application has been advertised by way of a press notice, neighbour letters and a site notice. The final date for comments was 31 March 2011.
- 2.2 One letter of objection has been received from occupiers of the neighbouring property to the East (essentially the rear of the site), expressing concerns over the accuracy of the submitted drawings; the neighbouring property also object to the scheme on the basis of;
  - the appropriateness of the scheme in terms of the character and appearance of the wider estate
  - loss of light
  - visual amenity
  - loss of privacy

## 3. Consultations

- 3.1 Bodicote Parish Council – strongly object to the scheme;
  - concerned over the accuracy of the submitted drawings
  - harm to the street-scene and character of the estate (as a result of design details and material choices)
  - loss of privacy
  - loss of light

## **4. Relevant Planning Policies**

- 4.1 National Policy Guidance:  
PPS1 – Delivering Sustainable Development
- 4.2 Regional Policy in the South East Plan 2009:  
CC1 – Sustainable Development  
BE1 – Management for an Urban Renaissance
- 4.3 Local Policy in the Adopted Cherwell Local Plan 1996:  
Policy C28 – Layout, design and external appearance to be compatible with the character of the context of a development proposal  
Policy C30 – Through the exercise of design control, development should provide acceptable standards of privacy and amenity

## **5. Appraisal**

- 5.1 In order to assess the acceptability of this proposal, there are two main issues to consider; the appropriateness of the design for the location, and in the light of the relevant policies in the Plan; the impact of the proposal on the amenity of the neighbouring properties. Policies C28 and C30 of the adopted Cherwell Local Plan seek to ensure that residential development is sympathetic to the character of the context of the development, is compatible with the scale of the dwelling and the street-scene and provides acceptable standards of amenity and privacy.
- 5.2 Turning first to the appropriateness of the design there are again, several issues. Firstly, the first floor extension over the existing garage is not stepped down or back from the original, existing roofline. Whilst this set down is often sought as a design feature of two storey extensions across this district, there are occasions when exceptions to this may be considered appropriate. It is considered that in this case, that exception would be appropriate. The existing forward projection of the central element already serves to break up the roofline and bulk of the dwelling, and the addition of a further roof element would, in the opinion of Officers lead to a cluttered roofline.
- 5.3 Following feedback from the Parish Council, neighbouring properties and Case Officers, the architect has amended the design; reducing the height of the windows to the rear, to standard sized windows (in order to reduce the likelihood of perceived overlooking).
- 5.4 There are points of the design however that the architect does not wish to alter following feedback; notably the set-down in the ridge height and the use of timber boarding to the front (and rear) elevations. These design ideas have been explored in some detail by the architect in a Design Statement submitted with the amended drawings (attached as Appendix 1).
- 5.5 Officers recognise the criticism of the use of different materials in the street-scene, but also acknowledge that there is a case for high quality design being acceptable. It is clear that this is a finely balanced case in terms of design, but the architect has set out sound design reasons for the proposed scheme and design, and it is considered that in this location, this is an acceptable approach, which will lead to a quality development within the wider planned estate.
- 5.6 The second main issue to consider is the impact of the proposal on the amenity of

the neighbouring properties. Given the layout of the estate, and the orientation of the properties, the principal impact is upon #34, which effectively sits to the rear of this property (the gable wall of #34 forms the end boundary of the garden to #35).

- 5.7 The proposed extension will be 13m from the nearest point of the neighbouring property (the gable wall), and approximately 18m from the nearest facing window of the neighbouring property. It is important to note however that the element of the neighbouring property which faces the application site does not contain a habitable room; it is instead the front door to the house, with the garage door adjacent and a downstairs bathroom behind. It is not disputed that the proposal will have an impact on the outlook from the front door of the neighbouring property; but as the impact is on a non-habitable room, it is not considered unacceptable
- 5.8 The proposal is not therefore considered to cause an unacceptable, refuse-able loss of light or privacy to the neighbours, nor is it considered that the privacy of the occupants of the application site would be harmed by the proposal.
- 5.9 The proposal will be visible from the public domain in two regards; the first floor element over the existing garage will be visible from the street, and the rear element will be visible from the path running from Weeping Cross through to The Rydes, between 33 and 35. This is considered acceptable.
- 5.10 As mentioned above, the acceptability of the proposal is finely balanced in terms of the requirements of the local plan, but it is considered to be an acceptable scheme.
- 5.11 The proposal is therefore considered to accord with the provisions of Policies C28 and C30 of the Local Plan; the extension is sympathetic to the character of the context of the development and is compatible with the scale of the dwelling and the street-scene and provides standards of amenity and privacy which are considered acceptable to this authority. It is therefore recommended for approval, subject to conditions.

## 6. Recommendation

### Approval, subject to the following conditions;

- 1) SC 1\_4A (Time for implementation)
- 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;
  - drawing WG06-006D (received on 04 April 2011)
  - drawing WG06-007C (received on 04 April 2011)
  - drawing WG06-008C (received on 04 April 2011)
  - the details set out in the application forms

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with government guidance in PPS1 – Delivering Sustainable Development.

- 3) SC 2\_2AA “timber cladding” and “porch and rear infill-elements” (Material sample)

### Planning Notes

- 1) T1 – Third party rights
- 2) U1 – Construction sites

**SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as Local Planning Authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposed development is appropriate and will not unduly impact on the neighbouring properties, public, private or any other amenity, or the appearance of the street-scene. As such the proposal is in accordance with government guidance contained in PPS1 – Delivering Sustainable Development; Policies CC1 and BE1 of the South East Plan 2009; and Policies C28 and C30 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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