

<b>Application</b> <b>11/00279/F</b>	<b>No:</b>	<b>Ward: Bicester Town</b>	<b>Date</b> <b>21/02/2011</b>	<b>Valid:</b>
<b>Applicant:</b>	Mr John Blunsden			
<b>Site Address:</b>	31 North Street, Bicester			

**Proposal:** Demolition of existing rear extensions and outbuildings and removal of prefabricated garaging. Development of 3.no dwellings, incorporating the original dwelling

## 1. Site Description and Proposal

- 1.1 The application site is located within Bicester town centre, within the Conservation Area. There are no listed buildings within close proximity to the site. The site is accessed direct from North Street, which is a one way road leading onto Sheep Street.
- 1.2 The site is bound at the rear by Twitchers Alley, a public footpath which links North Street with Field Street. To the south east of the site, along the frontage, lies no.29 North Street, which is used as commercial premises. Beyond that lies an area of public open space known as 'Tollgate Seats', which is paved, planted and has public seating. To the north of the site, lies no. 33 North Street, which is a residential property, bound by a high brick wall and outbuildings to the rear.
- 1.3 The existing dwelling (31 North Street) comprises a two storey, stone built property, with timber fenestration and plain roof tiles. The property has a collection of outbuildings/single & two storey extensions at the rear. The rear additions to the existing dwelling are of some merit, but the outbuildings are more modern, pre-fabricated concrete structures which are unsympathetic to the character and appearance of the Conservation Area. The removal of these buildings is part of a separate application for Conservation Area Consent (11/00385/CAC).
- 1.4 The proposal involves the demolition of the existing rear extensions and outbuildings (under 11/00385/CAC) and the erection of a two storey rear extension to form 2 no. 2 bedroom dwellings, with the existing dwelling being renovated to form a third, 2 bedroom dwelling. Bin/bicycle stores are to be provided in the rear courtyard to serve each dwelling, with private garden space provided for units 2 and 3 to the rear. The extension is to be constructed from natural limestone, with painted timber fenestration and a natural slate roof.
- 1.5 This application has been brought to Committee at the request of the Ward Member.

## 2. Application Publicity

- 2.1 The application has been advertised by way of site notices/press notice The final date for comments was 8 April 2011.

2.2 One letter of objection has been received, raising the following material planning considerations:

- ⇒ Overdevelopment
- ⇒ Parking
- ⇒ Flooding
- ⇒ Loss of privacy
- ⇒ Loss of light
- ⇒ Will not enhance the Conservation Area

Non materials comments raised:

- ⇒ Restriction to jointly owned access

### **3. Consultations**

- 3.1 Bicester Town Council – no comments received at the time of writing this report. Any comments received will be reported at the meeting.
- 3.2 Senior Conservation Officer – Objects to the proposal on the basis of detriment to the character and appearance of the Conservation Area.
- 3.3 OCC as Local Highway Authority – No objection, subject to conditions.
- 3.4 CDC Private Sector Housing Manager – No comments to make.

### **4. Relevant Planning Policies**

- 4.1 National Policy Guidance:
  - PPS1 – Delivering Sustainable Development
  - PPS3 – Housing
  - PPS5 – Planning for the Historic Environment
  - PPG13 – Transport
- 4.2 Regional Policy Guidance:
  - Policy CC1: Sustainable Development
  - Policy CC6: Sustainable communities and character of the environment
  - Policy T4: Parking
  - Policy BE1: Management for an urban renaissance
  - Policy BE6: Management of the historic environment
- 4.3 Local Policy in the Adopted Cherwell Local Plan 1996:
  - Policy C28 – Standards of layout, design and materials
  - Policy C30 – Standards of residential amenity
- 4.4 Non Statutory Cherwell Local Plan 2011
  - Policies EN39 & EN40 – Preserve/enhance Conservation Areas
  - Policy D3 – Local Distinctiveness
  - Policy D6 – Standards of residential amenity

## 5. Relevant Planning History

- 5.1 10/00065/F (WDN) Demolition of existing extension and erection of 3 no. dwellings.  
11/00385/CAC (PCO) Demolition of existing rear extensions and outbuildings and removal of prefabricated garaging.

## 6. Appraisal

- 6.1 The key issues to consider in the determination of this application are as follows: Principle of the development, impact on neighbour amenity, impact on highway safety and impact on the character and appearance of the Bicester Conservation Area. Addressing each point in turn:

6.2 Principle of the development

One of the main objectives contained in Central Government guidance in PPS3 is to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure. This should be achieved by making effective use of land, existing infrastructure and available public and private investment, and include consideration of the opportunity for housing provision on surplus public sector land (including land owned by Central Government and its bodies or Local Authorities) to create mixed use developments. The priority for development should be previously developed land, in particular vacant and derelict sites and buildings.

- 6.3 However, PPS3 was recently amended to specifically exclude private residential gardens from the definition of previously developed land. This is important in this case, as development is encouraged by planning policy to pursue sites which are brownfield and consider these before putting pressure on Greenfield sites. Although the site would no longer be defined as brownfield land, it is in a sustainable location, within the built up limits of the town.

- 6.4 Guidance in PPS3 also refers to the need for Local Planning Authorities to provide high quality housing that is well designed and built to a high standard. Policy C30 of the adopted Local Plan and D6 of the Non-Statutory Plan also refer for the need for new housing development to provide an adequate degree of amenity and privacy. This applies to both existing and future residents.

- 6.5 Whilst the site is not considered to constitute a brownfield land, it is centrally located within the town centre, with good links to public transport and other services. For these reasons, it is in a sustainable location.

However, the development is considered to be fundamentally flawed, by reason of its impact on neighbour amenity and character and appearance of the Conservation Area. These issues are discussed in more detail below:

6.6 Impact on neighbour amenity

The proposal involves the erection of a two storey rear projection of ~16 metres along the boundary of no. 33 North Street. This extends ~14.5 metres further than the existing two storey rear projection, albeit that the ridge of the proposed extension is set down ~0.5m lower than the existing ridge.

- 6.7 The rear garden of no. 33 is very compact and is enclosed by high boundary walls around its perimeter. The proposed extension would, by reason of its height, position and depth adjacent to the boundary, have an unacceptable overbearing impact on the rear garden space of no. 33. Furthermore, owing to the orientation of the respective properties (no. 33 is to the north of the site), light into the rear garden is likely to be further diminished, to the detriment of the occupants amenity.
- 6.8 The building to the south east of the site (no.29) is occupied by a commercial premises and as such, it is not considered that the proposal would cause detriment to their amenity.
- 6.9 No. 1 Hailles Gardens lies directly to the south of the site, with a gap of ~14 metres between the respective rear elevations. The bedroom windows serving unit 3 would look directly into the rear windows of no. 1 and given the distance between the sites, it is considered that this would result in overlooking, to the detriment of the occupants amenity.
- 6.10 Impact on highway safety  
The LHA raises no objection to the proposal, subject to a condition requiring the provision of covered cycle parking facilities, prior to the occupation of the development. The LHA have not raised objection with regard to the increased use of the access.
- 6.11 Given the location of the site within the town centre and viable means of public transport within close proximity, it is not considered appropriate to recommend refusal of the application on the basis of insufficient parking.
- 6.12 Impact on the character and appearance of the Bicester Conservation Area  
The Draft Bicester Conservation Area Appraisal (November 2009) describes the North Street character area as a linear route which leads visually straight into Sheep Street. The North Street frontage lacks the coherence of other streets, because it is composed of a variety of building ages, styles, materials and uses and it also contains gaps in the frontage created by vacant plots and minor vehicular accesses. Buildings range from timber framed limestone rubble cottages at the northern end of North Street to red brick Victorian terraces at the start of Buckingham Road and Field Street. Some buildings such as The Plough public house and 31 North Street retain small outbuildings to the rear.
- 6.13 PPS 5 requires Local Planning Authorities to take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment.
- 6.14 Policy C28 of the Adopted Local Plan seeks to ensure that standards of design and external appearance are sympathetic to the character of the context of the development. In Conservation Areas, development is required to be of a high standard.
- 6.15 Policies EN39 and EN40 of the Non Statutory Plan echoes this advice, stating that the extension of buildings that do not preserve or enhance the character and appearance of a Conservation Area will be resisted.

- 6.16 The eaves of the building have been dropped in an attempt to reduce the bulk and height of the building adjacent to no. 33. However, this has produced a pitch which is much shallower than the surrounding buildings and a much wider gable width, which exacerbates the bulk and massing of the extension.
- 6.17 The Senior Conservation Officer has stated that the principal concern about the proposal is the choice of architectural style of the rear extension and also its size. The use of dormer windows which are completely lacking on the 18th/19th century artisan cottages found in the Crockwell area of Bicester are prevalent on the extension making the rear elevation very busy. The roof pitch is also rather shallow compared to the original roof and neighbouring historic properties.
- 6.18 31 North Street in particular is singled out for mention in the conservation area appraisal because of the existence of rear sheds. It is the intention to remove these buildings to facilitate the new extension (dealt with as part of the Conservation Area Consent application submitted with this application). It is clear that the more modern, pre-fabricated concrete structures contribute little to the character and appearance of the area and their removal will enhance the area. However, the more traditional, historic structures to the rear of the building are of some merit. This issue is further analysed in 11/00385/CAC application submitted with this proposal.
- 6.19 Other matters raised  
Concern has been raised by the owner of no. 29 North Street with regard to a right of way across the shared access into the site. The agent has confirmed that his client retains sole ownership of the access. The rights across the shared access are not impacted by the development.
- 6.20 Flooding has also been raised as an issue. The site is not within a flood zone requiring the submission of an FRA. Surface water drainage is an issue that could be dealt with by planning conditions and/or Building Regulations.

## **7. Recommendation**

### **Refusal, for the following reasons**

1. The proposed development would by reason of its scale, bulk and appearance result in an unsympathetic and incongruous extension to the dwelling which would be detrimental to the historic character and appearance of the dwelling, the surrounding area and would not preserve or enhance the character and appearance of the Conservation Area. As such, the proposal is considered to be contrary to PPS5: Planning for the Historic Environment, Policies BE1 and BE6 of the South East Plan 2009, Policies C28 and C30 of the Adopted Cherwell Local Plan and Policies D3, EN39 and EN40 of the Non-Statutory Cherwell Local Plan.

The proposed extension by reason of its height, length and proximity to the neighbouring properties, will appear overbearing when viewed from both the garden and from within the dwelling of no. 33 North Street and would result in an unacceptable level of overlooking into the rear windows of no. 1 Hailles Gardens. This will have a significant and adverse effect on the amenities the occupiers of these properties currently enjoy, contrary to Policies CC1 and CC6 of the South East Plan, Policy C30 of the adopted Cherwell Local Plan and Policy D6 of the Non-Statutory Cherwell Local Plan 2011

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