

Case Officer: Jordan Campbell

Applicant: Ms Fazal Bibi

Proposal: Single storey rear extension

Ward: Banbury Grimsbury and Hightown

Councillors: Cllr Beere, Cllr Biegel and Cllr Moon

Reason for Referral: Application submitted by a member of staff acting as agent, advisor or consultant

Expiry Date: 10 March 2023

Committee Date: 9 March 2023

SUMMARY RECOMMENDATION: GRANT PERMISSION

1. APPLICATION SITE AND LOCALITY

1.1. The application relates to a semi-detached, two-storey dwelling facing eastwards onto Grimsbury Square, bounded by residential neighbours to either side and by an access lane to the rear/west serving the backs of various properties.

2. CONSTRAINTS

2.1. The application dwelling is not a listed building, nor is the site located within a conservation area. There are no site-specific constraints relevant to the assessment of this application.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. The applicant seeks planning permission for a single storey rear extension

4. RELEVANT PLANNING HISTORY

4.1. There is no planning history directly relevant to the proposal

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 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 **12 December 2022**.

6.2. The comments raised by third parties are summarised as follows:

- Concerns raised that construction works may block and prevent access to the shared rear access

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

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. BANBURY TOWN COUNCIL: **No objections**

OTHER CONSULTEES

7.3. n/a

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 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- 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 / amenity

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- CDC Home Extensions and Alterations Design Guide (2007)

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

Design and impact on the character of the area

- 9.2. The proposed extension would be set to the rear and set down in height from the existing dwelling and given its scale, form and siting would be a subservient addition to the dwelling. Therefore, and while it may be visible in glimpsed views from the north/north-west, it would not significantly or adversely affect the character or appearance of the area. The materials proposed would match those of the existing dwelling.

Residential amenity

- 9.3. Given its scale and siting the proposal would not materially affect neighbours to the east of the site or to the west/rear. The extension would be set off the boundary with the neighbour to the south and given this spatial relationship and its scale and siting the proposal would not adversely affect the living conditions of this neighbour either through loss of light, privacy or outlook.
- 9.4. The proposed extension would, however, abut the boundary with the neighbour to the north and would have an impact on this neighbour's light and outlook, including to the neighbour's conservatory which is directly north of the proposed extension. That said, regard is had to the depth (3.25m), eaves height (2.35m), relatively low roof pitch and that the proposed extension would not project rearward of the conservatory, indeed it would not project as far as the conservatory. In addition, the affected neighbour has not objected to the application.
- 9.5. Overall, on balance, it is considered that the proposal would not adversely affect the living conditions of neighbouring occupiers either through loss of light, privacy or outlook.

Highway safety

- 9.6. No additional bedrooms have been added to the site as a result of the proposed development. Thus, it is considered there would be no significant adverse impact to the safety of the local highway network or any requirement for the provision of additional off-street parking at the site, and the proposal is therefore acceptable in this regard.

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

GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

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 in accordance with the information contained within the application form and drawings numbered P.01 and P.02

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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