

West Area Planning Committee

10th October 2012

Application Number: 12/01994/FUL

Decision Due by: 27th September 2012

Proposal: Erection of a two storey side extension.

Site Address: 52 Marston Street, **Appendix 1**

Ward: St Marys Ward

Agent: N/A

Applicant: Mrs Alison Berman

Application Called in – by Councillors – van Nooijen, Coulter, Canning, Price, Lygo, Fry and Baxter
for the following reasons – to ensure local concerns are fully addressed

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to respect the character and appearance of the area, uses materials of a quality appropriate to the nature of the development, the site and its surroundings and will not impact on the neighbours in significantly detrimental way. The development would therefore accord with the relevant policies of the development plan and would not constitute an overdevelopment of the site.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Revised front elevation - windows
- 5 SUDs/Surface water
- 6 Vision splays
- 7 Pedestrian awareness vision splays
- 8 Car parking size
- 9 Sustainability design/construction

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- TR3 - Car Parking Standards
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Core Strategy (OCS)

- CS18_ - Urban design, town character, historic environment

Sites and Housing Plan – Submission (SHP)

- HP9_ - Design, Character and Context
- HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework
Oxford City Council Planning Design Guides 2 Side Extensions

Relevant Site History:

11/02077/FUL - Demolition of existing rear extension, garage and side extension. Erection of a two storey side and rear extension to provide a new 3 bed house and

extended accommodations at no. 52 Marston Street. Provision of two off street car parking spaces. WDN 15th August 2011.

Representations Received:

29 Marston Street, 51 Marston Street, 12 Marston Street, 37 Marston Street

Summary of comments

- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on privacy
- Local plan policies
- Noise and disturbance
- Parking provision
- Light – daylight/sunlight
- Restrict use to current HMO licence
- Drawings not detailed enough, windows out of proportion
- Materials should match existing.

Statutory and Internal Consultees:

Highways Authority: No objections subject to conditions.

Issues:

Design
Residential Amenity
Sustainability:
Other

Officers Assessment:

Site Description

1. The application site comprises a semi detached residential property on the western side of Marston Street. Marston Street links Cowley Road with Iffley Road within St Marys ward. The property is constructed in light brick with darker, red brick, detailing. It has a front bay window in timber to the ground floor window and the main entrance to the property is set back to the side but facing the highway. To the side is a detached prefabricated garage.

Proposal

2. The application is seeking permission for the erection of a two storey side extension which will require the removal of the existing garage. An off street car parking space will be retained to the front of the new extension.

Assessment Design

3. Policy CS18 of the OCS states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the OLP and HP9 of the SHDPD. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area. Policy CP8 also does not rule out innovative design.
4. The proposed two storey side extension is set back, by some two and a half metres, from the front building line and the ridge of the roof is in line with the eaves of the existing property and the ridgeline of the neighbouring property at 51 Marston Street. The existing entrance is retained and built above which then creates a link to the new extension. The extension creates a gable within the street scene.
5. The proposed extension is subservient to the main property and is set back from the front building line so as not to be seen within the street scene from long range views. Marston Street has a variety of style of properties along it and therefore the proposal will not look out of character or context when viewed within the street.
6. The windows to the front elevation are proposed to be aluminum casements rather than timber sashes as used in the original house. They also vary in their size and proportions. Officers would wish to give further consideration to these details and materials. For the elevations matching brickwork is welcomed though natural rather than artificial slate would be preferred as the roofing material. Appropriate conditions are suggested to require alternative detailing.

Residential Amenity

7. Policies HS19 and CP10 of the OLP and HP14 of the SHDPD require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. The proposal does not give rise to any issues of overlooking or loss of privacy.
8. The proposal has been designed so as not to breach the 45/25-degree code of practice in relation to the neighbouring properties. It is therefore in accordance with policy HS19 of the OLP and HP14 of the SHP and will not have a detrimental impact in terms of sunlight/daylight.
9. Policy HS19 of the OLP also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. The proposal

is subservient within the street scene when compared to the existing property and will therefore not be overbearing. Its design and position in relation to the neighbouring properties makes it acceptable in terms of policy HS19.

Sustainability

10. The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal would constitute a sustainable form of development that would make more efficient use of an existing site.
11. How sustainable design and construction methods will be incorporated into the building and how energy efficiency has been optimised through design and utilising technology that helps achieve Zero Carbon Development can be secured by a condition.

Other

12. The drawings as submitted are considered adequate, along with the details submitted on the application form, to enable officers to reach a decision.
13. Having looked at the property history for the site a HMO license was granted on 8th August 2012 for up to 4 people. However no application for planning permission has been received to change the property to a HMO and planning permission would be required to do so. The plans as submitted show the property to be a family home and the application form states the applicant wishes to modernise the property and make it a useable family home. Officers have no reason to doubt this and the application has to be determined as it stands.

Conclusion:

14. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Lisa Green

Extension: 2614

Date: 26th September 2012

Appendix 1

12/01994/FUL 52 Marston Street



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	27 September 2012
SLA Number	LA100019348

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Ordnance Survey 100019348.

