

East Area Planning Committee

-6th November 2012

**Application Number:** 12/02103/FUL

**Decision Due by:** 11th October 2012

**Proposal:** Erection of part single storey, part two storey, side and rear extensions, including side roof extension. Erection of detached garage.

**Site Address:** 392 London Road Headington (Site Plan: Appendix 1)

**Ward:** Quarry And Risinghurst Ward

**Agent:** Mr Nadeem Khan

**Applicant:** Mr Rajinder Khatri

**Application Called in –** by Councillors – Sinclair, Pressel, Fry, Price  
For the following reasons – scale of development, its future use, loss of stone wall and trees.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is acceptable in design terms and would not be harmful to neighbouring amenity. Improvements to landscaping can be secured by condition which would improve the amenity of the area. The proposal complies with policies CP1, CP6, CP8, CP10, CP11 and S19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2016.
- 2 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 Window details to be approved
- 5 Tree Protection Plan (TPP)
- 6 Landscape plan required
- 7 Landscape carry out after completion
- 8 Contaminated land phased risk assessment
- 9 Details of boundary treatments to be approved
- 10 Use of garage for incidental purposes only
- 11 Details of guttering wholly within application site

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- HS19 - Privacy & Amenity
- CP11 - Landscape Design

**Core Strategy**

- CS18\_ - Urban design, town character, historic environment

**Sites and Housing Plan - Submission**

- HP9\_ - Design, Character and Context
- HP14\_ - Privacy and Daylight

**Other Material Considerations:**

National Planning Policy Framework

**Relevant Site History:**

None

**Representations Received:**

No neighbour comments received

**Statutory and Internal Consultees:**

Risinghurst & Sandhills Parish Council – object on grounds of concern over the future use of outbuildings

Highways Authority – no objection

Environmental Development – suggest a condition for a phased risk assessment to assess potential for contaminated land

**Issues:**

Design  
Impact on neighbours  
Landscaping  
Parking  
Contaminated land  
Other matters

**Sustainability:**

This proposal aims to make the best use of urban land and recognises one of the aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area.

**Officers Assessment:**Site

- 1 The application site comprises a detached dwelling set within a large plot on the southern side of the London Road (A40). The dwelling occupies a corner plot at the junction with The Larches. Accommodation is set over three floors and there is a detached garage building to the side.
- 2 Earlier this year, several trees were felled from the front and rear gardens and a stone wall that enclosed the front garden and driveway area was removed. At the time the trees were felled there was no Tree Preservation Order (TPO) in place, and the site is not located within a conservation area. Although it is regrettable, no consent was therefore required to remove the trees. Since then, a TPO has been placed on the site to protect the remaining trees. The demolition of the wall was also permitted development.

Proposal

- 3 Planning permission is sought for a two storey side extension on the eastern elevation, a single storey side extension on the western elevation and a conservatory on the rear elevation. The existing garage and store building would be removed and a replacement double garage erected. A new front porch would be erected on the front elevation.
- 4 Amended plans were sought for minor changes to the scheme: the insertion of a new window on front elevation at first floor level and the addition of a pitched roof to the new porch.

## Design

- 5 Policies CP1 and CP8 of the OLP state 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 CS18 of the Core Strategy states that planning permission will only be granted for development that demonstrates high quality urban design and responds appropriately to the site and its surroundings.
- 6 The two storey side extension would measure 3 metres in width and would continue the ridge line of the existing side facing gable at a height of 9.7 metres and would continue the front building line. It would incorporate new front and rear facing gables with timber paneling to reflect those on the existing house. As the dwelling is detached, is not considered necessary for the extension to be set back, and the main large front gable with the steeply pitched roof and higher ridge would remain the dominant form.
- 7 The single storey side extension would measure 1.55 metres in width to come out in line with the existing side projection. It would have a roof pitch to match the existing house and two windows in the side elevation.
- 8 The conservatory at the rear would have a depth of 4 metres (an extension of this size could be built under permitted development) and would appear as a subservient addition to the house.
- 9 The side extensions would both be finished in materials to match the existing house. The plot is large enough to accommodate these extensions and they are considered to be of a scale and form in keeping with the host building. Overall, the design is considered sympathetic to the character of the existing house.
- 10 A condition is suggested requiring details of the new windows to be approved to ensure they are in keeping with the host building and existing windows.

## Landscaping

- 11 Many trees were removed from the site prior to a TPO being made earlier this year. Amenity in the area would benefit greatly from new trees and shrubs being planted, particularly in the front garden area and so conditions are suggested to require a landscape plan to be submitted, approved and implemented.
- 12 A further condition is suggested requiring a Tree Protection Plan to be approved to protect the remaining trees.

## Impact on neighbours

- 13 Policy HS19 of the OLP states that the Council must assess proposals in terms of the potential for overlooking, sense of enclosure, overbearing nature and sunlight and daylight standards. This policy refers to the 45/25 degree code of practice, as detailed in Appendix 6 of the OLP.

14 Due its position on a corner, the only property that could be affected by the proposals is no. 394 London Road to the east of the site. This property has no windows in the side elevation facing towards the site and when extended there would still be a gap of over 6 metres between no's 392 and 394 London Road. The new garage would be sited along the boundary but due to its height and position would not block out light or harm outlook from the neighbouring property. The plans for the garage do not show rainwater goods and due to its position against the boundary, these could overhang onto the neighbouring property. A condition is therefore suggested requiring details to be submitted to show the development wholly within the application site. The proposal comfortably complies with the 45° guidance in respect of all habitable room windows.

#### Parking

15 A double garage is proposed to provide off-street parking and the area to the front is also capable of providing off-street parking. The Highway Authority has raised no objection to the proposal.

#### Contaminated Land

16 Due to the proximity of the site to a former telephone exchange, there is the potential for nearby land to be contaminated. It is therefore suggested by an Environmental Development officer that a phased risk assessment is carried out to identify and remedy any risk. This is added as a condition.

#### Other matters

17 A stone wall was removed from the front garden but as this did not require planning permission, it would not be reasonable to require a replacement to be constructed. However, a condition is suggested requiring details of all boundary treatments to be submitted and approved to ensure they are appropriate for the site and the surroundings.

18 The Parish Council objected to the scheme over concerns about the use of outbuildings. The only outbuilding proposed is the double garage which is not proposed for residential use and a condition is recommended to ensure that it can only be used for incidental purposes.

**Conclusion:** for the reasons set out above the proposal complies with policies CP1, CP6, CP8, CP10, CP11 and S19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2016 and is recommended for approval. .

#### **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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 12/02103/FUL

**Contact Officer:** Rona Gregory

**Extension:** 2157

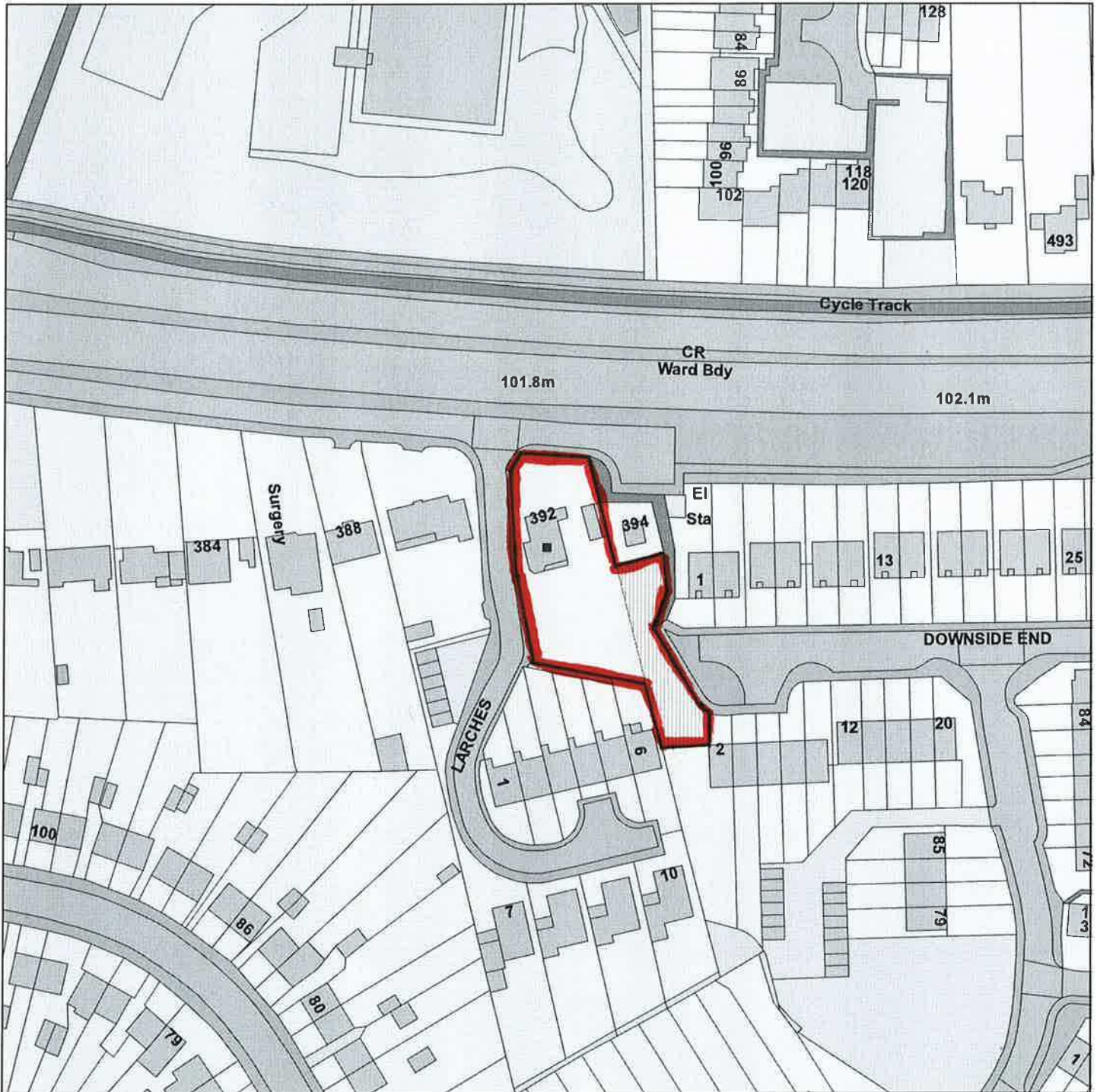
**Date:** 24th October 2012

# Appendix 1

## 392 London Road



GIS by ESRI (UK)



Scale : 1:1250

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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	
<b>Date</b>	26 October 2012
<b>SLA Number</b>	Not Set

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