

EAST AREA PLANNING COMMITTEE

8th January 2013

Application Number: 12/02738/FUL

Decision Due by: 25th December 2012

Proposal: Erection of a two storey side extension and enlarged front porch (Amended plans)

Site Address: 19 Cavendish Drive, Oxford – **Appendix 1**

Ward: Marston Ward

Agent: N/A

Applicant: Nr Naveed Akhtar

Application called-in by Councillors Clarkson, Coultor, Clack and Seamons due to concerns about overdevelopment and because another application was recently refused on the site.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed two storey extension is considered to be of a form, scale and appearance that is visually commensurate with the existing house and surrounding development, preserves sufficient amenity space for a family dwelling and does not result in significant harm to neighbouring residential amenity. Consequently the proposals accord with policies CP1, CP6, CP8, CP9, CP10, HS19 and HS21 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as emerging policies HP9, HP12, HP13 and HP14 of the Sites and Housing Plan.
- 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 First floor rear windows obscure glazed
- 5 Removal of permitted development rights to build other extensions
- 6 Car parking required to be laid out prior to occupation of extension
- 7 SuDS compliant hardstanding shall be incorporated into the development

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Developmnt to Meet Functionl Needs
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

Core Strategy

- CS18_** - Urb design, town character, historic env

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

12/01813/FUL - Erection of a 2 storey side and rear extension to form 1 x 2 bedroom dwelling – Refused 17.09.2012

Representations Received:

Four third party objections received from properties along Arlington Drive citing the following concerns:

- The proposal would add to on-street parking and congestion on the T-junction between Cavendish Drive and Arlington Drive;
- The proposal would devalue neighbouring properties;

- The proposal does not provide adequate amenity space in proportion to the size of the extended dwelling;
- First floor windows would allow overlooking of neighbouring properties;
- The extension proposed is too large and would harm the character of the existing modest house.

Statutory and Internal Consultees:

Old Marston Parish Council – No objection

Drainage Officer – Sustainable drainage system should be incorporated

Highway Authority – No objection subject to parking spaces being of the required dimensions, adequate vision splays being provided and a condition imposed requiring sustainable drainage methods being incorporated into the driveway.

Officers' Assessment:

Site Description

1. The application site relates to one of a pair of two storey semi-detached houses of 1950's construction located on a corner plot within a wider suburban residential area of Oxford. The house has not been significantly altered or extended since its construction though recent conifer boundary vegetation has been removed such that the house is now more visible from the street. A location plan is provided at **Appendix 1**.

The Proposal

2. The application seeks consent for the demolition of the existing detached single garage and the erection of a two storey side extension along with an enlarged front porch. Additional off-street parking provision to the front of the property is also proposed as part of the application.

3. Amended proposals were submitted to the Council following officer suggestions to reduce the height of the extension and increase the gap to the adjacent property No. 57 Arlington Drive. It is on the basis of the amended plans that the application has been considered though Members should note that the representations received and summarised above relate to the original proposals. Given the reduction in scale of the development and therefore its reduced potential to have an adverse impact, it was not considered necessary or appropriate to re-consult. Members should bear this in mind when considering the representations made on the application.

4. Officers consider the principal determining issues in this case to be:

- Relationship to Refused Scheme;
- Design/Amenity;
- Impact on Neighbouring Properties; and
- Parking.

Relationship to Refused Scheme

5. A planning application for two storey side and rear extensions to 19 Cavendish

Drive was refused planning permission earlier in September 2012 under delegated powers principally due to the unsympathetic size of the extensions proposed and the inadequate space on the site to accommodate a reasonable sized new dwelling. The current application instead seeks permission for a considerably smaller side extension to the property (the rear extension has been omitted) so as to provide additional living accommodation for the existing house. It therefore has little in common with the previously refused application particularly as the amenity space policy requirements for a new dwelling are far different to that considered adequate for an extended house. Members are therefore advised that the previously refused application is not of particular relevance to the determination of this current application other than as a reference to those physical works previously proposed that were not considered to be visually commensurate with the existing house and its setting.

Design/Amenity

6. Policies CP1 and CP8 of the Local Plan as well as emerging policy HP9 of the Sites and Housing Plan require new residential development to form an appropriate visual relationship with the surrounding area in terms of form, scale, grain, materials and design detailing. It is against this development plan policy backdrop that the scheme should be considered with respect to its general design and appearance.

7. The existing house is not considered to be of any particular architectural merit with the area featuring generally modern two storey family sized housing in a suburban setting. The two storey extension proposed is considered to respect this character by being subservient in height, width and depth to the host dwelling which helps preserve the primacy of the host dwelling and therefore prevents significantly unbalancing the pair of semi-detached houses when viewed from the street. Indeed in this regard the proposals are very similar in form and scale to an extension constructed on the corner plot directly opposite the application site at 40 Cavendish Drive as well as further along the road at Nos. 13 and 32. Consequently two storey extensions of similar form, scale and appearance have been approved elsewhere within the same street and are considered to have been successfully incorporated into the built fabric of the locality. A small enlargement to the front porch is also proposed though the visual impact of this is considered negligible and it should be noted that a porch of similar size could, in any event, be constructed under householder permitted development rights, had these been retained.

8. The existing garden of the house is, when taken as a whole, of a reasonable size though of relatively awkward layout such that it does not include vast amounts of genuinely usable space. The majority of the garden is not particularly private space as it is visible from Cavendish Drive and Arlington Drive due to the house being on a corner plot. The two storey extension will however not result in any meaningful loss of private amenity space given that it will, in the main, be constructed on the footprint of the existing detached garage such that the genuinely private space to the rear will not be affected. However, to ensure that further extensions do not take place that could cumulatively result in significant loss of garden space, a condition is recommended to be imposed removing permitted development rights for later extensions to the house and garden

buildings. Consequently, providing such a condition is attached, officers have concluded that adequate amenity space remains to serve the extended dwelling such that it would still remain suitable for a family in accordance with the requirements of policy HS21 of the Local Plan and emerging policy HP13 of the Sites and Housing Plan.

Impact on Neighbouring Properties

9. Policies CP1, CP10 and HS19 of the Local Plan require development proposals to adequately safeguard established residential amenity in order to be considered acceptable. The extension proposed projects directly away from its adjoining property, No. 17, such that it will not have any material impact on the living conditions of occupiers of this neighbouring dwelling.

10. Given the orientation of the plot, the extension will project relatively close to the boundary with No. 57 Arlington Drive. However, it is not considered to be of such significant scale to unacceptably overbear or harm the outlook from this adjacent property or indeed materially block significant levels of light into the rear garden or its habitable rooms. Two windows are proposed at first floor level to the rear (including one to a bathroom) that could potentially allow increased overlooking of the rear garden of No. 57. A condition is therefore recommended to be imposed ensuring that such windows are obscurely glazed and fixed shut so as to prevent any potential loss of privacy in this regard.

Parking

11. The extension is proposed to create an additional bedroom along with a living room and bathroom. With an increase of only one bedroom it is not considered reasonable to assume that there would be any material increase in car parking associated with the house. In any event, there is sufficient space for off-street parking to be accommodated on the site and the application proposals three off-street parking spaces. Such provision well exceeds that required by policy TR3 of the Local Plan for four bedroom dwellings with the result that officers are not concerned about the impact of the proposed development on the functioning of the highway. The Highway Authority has similarly concurred with this view. It is however recommended that a condition be imposed requiring the off-street parking spaces to be laid out and made available for parking prior to the occupation of the extension.

Other Matters

12. One of the objections received cites concern about the impact of the proposals on nearby property values. Members are advised that this is not a planning consideration as is made clear by well established Government guidance.

Conclusion:

13. The proposals are considered to result in development that is visually appropriate to the site and its surroundings whilst adequately safeguarding neighbouring amenity. Additionally officers have no concerns about the proposals with respect to parking provision as more than adequate levels are included as part of the scheme. Consequently Committee is recommended to resolve to approve the application subject to the conditions suggested.

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: 12/01813/FUL & 12/02738/FUL

Contact Officer: Matthew Parry

Extension: 2160

Date: 21st December 2012

Appendix 1

19 Cavendish Drive



Scale : 1:1250

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