

**WEST AREA PLANNING COMMITTEE**

8<sup>th</sup> October 2013

**Application Number:** 13/02084/FUL

**Decision Due by:** 8th October 2013

**Proposal:** Erection of a single storey side and rear extension.

**Site Address:** 81 Wytham Street – Appendix 1

**Ward:** Hinksey Park

**Agent:** N/A

**Applicant:** Mr Matthew Fasanya

Application called in by Councillor Van Nooijen supported by Councillors Coulter, Khan and Clarkson due to the significant planning history on the site.

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## **Recommendation:**

APPLICATION BE REFUSED

For the Following Reason:

- 1 As a result of its bland side wall, awkward roof form and poor articulation with the form of the existing house, the proposed extension would detract from the appearance of the prominent corner plot and consequently the streetscene contrary to the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan 2011-2026.

## **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
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs

## **Core Strategy**

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

## **Sites and Housing Plan**

**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:**

09/02342/FUL - Erection of detached 2 storey dwelling with accommodation in the roof space. Erection of double garage and provision of off road parking for new and existing dwelling - Refused 8th February 2010.

10/00363/FUL - Erection of two storey building to form a three bedroom dwelling house with off street parking on land adjacent to 81 Wytham Street - Refused 14th April 2010.

10/03078/FUL - Double storey side extension and detached double garage - Refused 16th February 2011.

11/01739/FUL - Two storey side extension - Refused 11th August 2011.

11/02150/FUL - Proposed two storey side extension and single storey rear extensions (amended plans) - Refused 24th October 2011.

12/00508/FUL - Erection of two storey side extension and single storey rear extension – Declined to Determine 22nd March 2012.

12/00947/FUL - Erection of two storey side extension and single storey rear extension - Refused 30th May 2012.

12/01437/FUL - Erection of single storey side extension and single storey rear extension - Refused 18th July 2012.

12/03016/FUL - Erection of single storey side extension and single storey rear extension – Declined to Determine 25th March 2013.

### **Representations Received:**

Five objections received from third parties raised the following concerns:

- The proposed extension would appear over-dominant within the plot and break up the established building line of Oswestry Road;
- The proposals have changed very little from that rejected at appeal only recently;
- The design has little in common with that of the existing house and has conflicting roof lines that appear unsightly from Oswestry Road;

- The area is subject to flooding and this extension would only exacerbate the problem.

### **Statutory and Internal Consultees:**

Local Highway Authority – No objection subject to imposition of a condition requiring appropriate pedestrian vision splays onto Oswestry Road.

Drainage Officers – No objection subject to development being drained using SuDS methods.

### **Officers' Assessment:**

#### Application Site and Locality

1. The application site relates to one of a pair of cement rendered semi-detached family sized houses of mid-twentieth century construction. The property is located on a corner plot in a wider suburban residential area featuring predominantly semi-detached and terraced family sized dwellings of similar age. Appendix 1 to this report shows the site within its context. The house has been extended via a single storey rear extension following its original construction. A significant number of other properties in the locality have been altered and/or extended in recent decades such that some of the original uniformity of the area has been lost though the gaps around houses particularly on corner plots give the area a more spacious feel.

#### Description of Proposed Development

2. The application seeks consent to erect single storey side and rear extensions to 81 Wytham Street. The application drawings also show the creation of a vehicular access from Oswestry Road though this is not set out in the description of development proposals. In any event, the creation of such a new access and associated off-street parking would not require planning permission by itself as the road is not classified. The proposals differ from that previously refused by virtue of the side extension being set back slightly further from the front wall of the house (by approximately 1m) and a change to the roof form to a hipped roof from a gable end (facing Oswestry Road).

#### Background

3. The site has generated a significant planning history in the past few years. A number of planning applications have been submitted seeking permission for, originally, a new detached dwelling on the site but more recently has been reduced to two storey side/rear extensions and then more latterly to single storey side and rear additions. All such applications have been refused by the Council with five cases also dismissed at appeal including the most recent application for single storey side and rear extensions.

4. The most recent appeal decision related to a scheme for a side and rear extension that the Council refused due to its impact on the streetscene caused by the bland side wall, awkward roof form and loss of openness of the corner plot. At appeal the independent Planning Inspector concurred with the views of the Council and stated that: *“the roof pitches would be shallow and their overall design is at odds with the host dwelling and not characteristic of properties in this locality generally. In addition*

*the side elevation would be blank apart from a single doorway. In view of its length, this would create a bland, poorly articulated side elevation. Therefore, given the prominent location of these extensions I conclude that overall the proposal would not achieve an acceptably high quality of design".* The appeal was consequently dismissed and the decision is a material planning consideration of very significant weight in the determination of this application. The Inspector's decision letter is attached as appendix 2.

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

- Design/appearance;
- Impact on Neighbouring Amenity;
- Parking/Highway Implications; and
- Flooding.

#### Design/Appearance

6. Policies CP1 and CP8 of the Local Plan as well as policy HP9 of the Sites and Housing Plan 2011-2026 (SHP) require development to relate well to its context and, where a site is particularly prominent, proposals should enhance the style and perception of the area. It is against this development plan policy backdrop that the proposals should be assessed in design terms.

7. The Council has previously not considered the rear single storey lean-to element of the proposals to be objectionable and this continues to be the case as it is virtually unchanged from that proposed in the previous application. Indeed the Inspector agreed in her recent appeal decision that the rear extension element was not an issue of concern.

8. The Inspector in her recent appeal decision raised the importance of high quality design given the visual prominence of the corner. The current scheme is not however considered to represent a sufficient improvement over that recently dismissed at appeal. Whilst to an extent the mass of the side wall facing Oswestry Road has been reduced by the elimination of the gable and the slight set back from the front wall, the side wall remains bland and punctuated with just one rather unattractive window sited well down along the side wall so that the visible corner remains predominantly blank and oppressive.

9. The Inspector previously raised concerns about the poor articulation of the extension with the house. In this case the roof forms are considered to be of varying and awkward roof pitches that, whilst from the front elevation appear more acceptable, take on an unusual and rather contrived form when viewed from Oswestry Road that does not appropriately respond to the character of the existing house. For these reasons officers consider the proposals to continue to fail to meet the high quality expected of development on such a prominent site in accordance with the specific requirements of policy CP8 of the Local Plan

#### Impact on Neighbouring Amenity

10. The impact of the extensions has already been assessed under numerous previous planning applications as well as appeal decisions and been found to be acceptable. No additional harm will result from these new proposals due to their reduced scale such that they must continue to be acceptable.

### Parking/Highway Implications

11. The current property does not benefit from any off-street parking provision despite being a three bedroom family house. The proposed drawings include the provision of a hardstanding area for the parking of two cars to be accessed from Oswestry Road which should reduce the level of on-street parking in the locality. In any event, previous applications have been considered acceptable in relation to highway safety impacts and it would not now be reasonable to object to the scheme on these grounds. A condition should however be imposed requiring appropriate pedestrian vision splays as per the Highway Authority's recommendation if the application were to be approved despite officers' recommendation.

### Flooding

12. Whilst this issue has been raised by objectors on both this application and previous applications, no concern is raised about the impact on flood risk given the minor scale of the development proposed and that proposed floor levels in the extensions are set no lower than existing floor levels of the house in accordance with Environment Agency standing advice for householder developments. The proposals must therefore continue to comply with policy CS11 of the Core Strategy in this regard as well as national guidance in the NPPF.

### **Conclusion:**

The proposed extensions are not considered to address the reasons for refusal of the previous application or the concerns raised by the Inspector when dismissing the appeal. Consequently the proposed extensions are considered to have an unacceptable visual relationship with the existing house and wider streetscene. Committee is therefore recommended to refuse planning permission for the reason set out at the beginning of this report.

### Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### 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:**

09/02342/FUL

10/00363/FUL

10/03078/FUL

11/01739/FUL

11/02150/FUL

12/00508/FUL

12/00947/FUL

12/01437/FUL

12/03016/FUL

13/02084/FUL

**Contact Officer:** Matthew Parry

**Extension:** 2160

**Date:** 18th September 2013