

East Area Planning Committee

3<sup>rd</sup> August 2014

**Application Number:** 14/00764/FUL

**Decision Due by:** 13th May 2014

**Proposal:** Erection of single storey extension to front elevation and three storey extension to side elevation.

**Site Address:** 50 Giles Road Oxford Oxfordshire OX4 4NL  
(Location Plan – Appendix 1)

**Ward:** Littlemore Ward

**Agent:** Crawford Bond Architects Ltd      **Applicant:** Mr \_ Mrs Tiling

**Application Called in –** by Councillors – Tanner, Coulter, Fry and Price  
for the following reasons - out of keeping

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1      The development will form an acceptable visual relationship with the existing building and will protect the special character and appearance of Littlemore Conservation Area. There will be no unacceptable effect on the current and future occupants of adjacent properties and an acceptable level of parking will be provided for a house of this type in this area. Concerns over flooding and biodiversity can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8, CP10 and HE7 of the adopted Oxford Local Plan 2001 - 2016, Policies CS11, CS12 and CS18 of the Core Strategy and Policies HP9, HP14 and HP16 of the Sites and Housing Plan.
- 2      Officers have considered carefully all comments and/or objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that these 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 Provision of parking
- 5 Sustainable drainage
- 6 Ecology provision of swift boxes

### **Main Local Plan Policies:**

#### **Oxford Local Plan 2001-2016 (OLP)**

**CP1** - Development Proposals

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**HE7** - Conservation Areas

### **Core Strategy**

**CS11\_** - Flooding

**CS12\_** - Biodiversity

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

### **Sites and Housing Plan (SHP)**

**MP1** - Model Policy

**HP9\_** - Design, Character and Context

**HP13\_** - Outdoor Space

**HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

This application is in or affecting the Littlemore Conservation Area.

Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

Planning Practice Guidance

### **Relevant Site History:**

02/01453/FUL - Erection of pair of three storey, 3 bed semi detached houses with two parking spaces and with vehicular access through the existing garage court (Amended plans). PER 12th September 2002.

09/01014/FUL - Demolition of existing conservatory. Erection of single storey side extension.. PER 8th July 2009.

**Representations Received:**

No comments received

**Statutory and Internal Consultees:**

Local Highways Authority: Holding objection - Requests parking plan

**Issues:**

Visual impact  
Effect on adjacent occupiers  
Flooding  
Parking  
Ecology

**Officers Assessment:**

Site description and proposal

1. 50 Giles Road is a modern semi-detached house over three floors, erected under a permission granted in 2002. A side extension was erected to replace a conservatory under permission granted in 2009. The house as approved was a three bedroom house with one parking space to the front.
2. Permission is now sought to erect a three storey side extension on the footprint of the existing side extension in order to increase the size of two of the bedrooms and provide an en-suite to the master bedroom.

Visual impact

3. The site lies on the edge of, but just within Littlemore Conservation Area, a designated heritage asset as defined in the NPPF. The NPPF states that: *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation."* Protection of the character and appearance of the conservation area is therefore a statutory responsibility of the Local Planning Authority, but the NPPF is also clear that *"proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."*
4. This principle is echoed in Policy HE7 of the Oxford Local Plan which requires new development to either preserve or enhance the special character and appearance of a conservation area.

5. Oxford City Council also requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18, HE7 and HP9 are key in this regard.
6. Oxford City Council Planning Design Guide 2 – Side Extension seeks to ensure that pairs of semidetached houses are not unbalanced by side extensions that are not subordinate to the existing houses. It suggests that it is usually best practice to continue building lines and detailing on terraced houses.
7. The existing pair of semis have been constructed in the last 15 years and other than fitting in with the general pattern of development contribute little to the special character and appearance of the conservation area.
8. The proposal is for a side extension that would be set back from the front wall, somewhat in from the back wall and down from the main part of the roof. The width of 3 metres is relatively modest and reflects the footprint of the existing single storey extension that it would replace. The extension is therefore of a subservient nature to the existing building and is specified in a similar style and materials. It is therefore considered that the net effect of the proposed extension on the conservation area would continue to be neutral and the proposed development would preserve those elements of the setting that make a positive contribution to the conservation area.
9. Whilst the proposed development would be visible from the public domain outside of the conservation area, its situation in the plot and at the end of an access road behind a modern row of shops and maisonettes means that its impact on the public realm would be slight and this effect is currently further reduced by the presence of mature planting. Subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house, will preserve the special character and appearance of the conservation area and complies with Policies CP1, CP8 and HE7 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

#### Effect on adjacent occupiers

10. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
11. Because of its position to the side of the house, the proposal complies with the 45-degree guidance and will not result in an unacceptable increase in overlooking or overbearing to adjacent properties, and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

## Flooding

12. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.
13. The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

## Parking

14. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The Sites and Housing Plan makes it clear that different levels of parking will be suited to different areas, and that developers should have regard to current best practice.
15. Oxfordshire County Council has published “Car parking standards for new residential developments” (parking standards) which includes detailed technical guidance on parking space dimensions and visibility, along with a guide to maximum parking provision in Appendix A.
16. The application has been amended in light of comments from the Local Highway Authority to remove the front extension and provide two parking spaces. Appendix A of the above parking standards suggests that a maximum of two parking spaces should be provided for a house of more than one bedroom. Whilst the number of bed spaces may increase, the number of bedrooms will remain the same, the increase in parking to two spaces is considered adequate and the development complies with Policy CP1 of the OLP and the Sites and Housing Plan.

## Ecology

17. It is considered that there is not a reasonable likelihood of protected species being impacted by the proposals. However, in line with recognised good practice and governmental policy on biodiversity and sustainability (National Planning Policy Framework 2012 & NERC 2006), all practical opportunities should be taken to harmonise the built development with the needs of wildlife. The NPPF seeks to provide a net enhancement to biodiversity through sustainable development and policy CS12 of the Oxford Core Strategy 2026 states: Opportunities will be taken (including through planning conditions or obligations) to: ensure the inclusion of features beneficial to biodiversity within new developments throughout Oxford.
18. In this instance it is appropriate for provisions for wildlife to be built into the development. Certain bat and bird species are urban biodiversity priority

species almost entirely dependent on exploiting human habitation for roosting – such as the swift. This development is located with good connectivity to productive feeding habitat and the height of the development (3 storey) is ideal for nesting swifts. Oxford is a national swift population hotspot and home of the world's longest running swift research and conservation project (the Oxford Swift Research Project). Swifts are entirely dependent on human habitation for nesting so it is important that a steady stream of new roosting sites is available if the population is to grow. An appropriate provision for this development would be for 3 integrated Swift boxes to be placed under the eaves on the north western aspect of the extension in the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

## **Conclusion:**

**19. The development will form an acceptable visual relationship with the existing building and will protect the special character and appearance of Littlemore Conservation Area. There will be no unacceptable effect on the current and future occupants of adjacent properties and an acceptable level of parking will be provided for a house of this type in this area. Concerns over flooding and biodiversity can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8, CP10 and HE7 of the adopted Oxford Local Plan 2001 – 2016, Policies CS11, CS12 and CS18 of the Core Strategy and Policies HP9, HP14 and HP16 of the Sites and Housing Plan.**

## **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: 14/00764/FUL**

**Contact Officer:** Tim Hunter

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**Date:** 20th August 2014

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