

East Area Planning Committee

3rd December 2014

Application Number: 14/02524/FUL

Decision Due by: 3rd November 2014

Proposal: Erection of a single storey rear extension. (Amended plans)

Site Address: 3 Anne Greenwood Close Oxford OX4 4DN

Ward: Rose Hill And Iffley Ward

Agent: Mr Roger Watkins

Applicant: Mrs Georgina Wood

Application Called in – by Councillors - Turner, van Nooijen, Seamons and Price.
for the following reasons – Size and impact on neighbours

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding and overlooking 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 and CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.
- 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 Amenity - No windows to side
- 5 Sustainable drainage
- 6 Tree Protection Plan (TPP) 1

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

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan

MP1 - Model Policy

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

HP16_ - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- This application is in or affecting the Iffley Village Conservation Area.
- Planning Practice Guidance
- The Town and Country Planning (General Permitted Development) Order 1995. As amended. (GPDO).

Relevant Site History:

None relevant

Representations Received:

Comments and objections have been received from the following addresses:

2 Anne Greenwood Close

4 Anne Greenwood Close

5 Anne Greenwood Close
17 Anne Greenwood Close
3 Denton House, Anne Greenwood Close
28 Tree Lane
9 Rothwell Street, London

Issues raised can be summarised as follows: Loss of light, tunnelling effect, loss of outlook, risk of flooding, light pollution, out of character with area.

Statutory and Internal Consultees:

Natural England: No objection.

12 Bay Tree Close for Friends of Iffley Village: Loss of light, increase in tunnelling effect Light pollution, increase in risk of flooding. Suggests that roof should reflect the approach used at number 1 Green wood Close.

Issues:

Visual impact in a conservation area
Effect on adjacent occupiers
Flooding

Officers Assessment:

Site description and proposal

1. 3 Anne Greenwood Close is a terraced house on a close of mainly modern dwellings, within Iffley [Village] Conservation Area. The terrace is somewhat staggered between number 3 and 4, with the rear wall of number 3 being placed some 1.5 metres further back in the plot than number 4.
2. Permission is sought to erect a single storey extension that would project 2 metres beyond the existing rear wall. The current proposal is an amended version of the original submission that has been developed in an attempt to reduce the effect on adjoining occupants.

Visual impact in a conservation area

3. Oxford City Council 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 and HP9 are key in this regard, whilst policy HE7 of the OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation area or its setting.
4. The proposed development would have an asymmetric roof profile and an arrangement of glazing that is not typical of the surrounding dwellings or wider

conservation area. However, it would not appear prominent when viewed from the public domain and subject to a condition of planning permission to control the appearance of materials used in the build, is not considered to be materially out of character with the existing house or local area, preserves 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

5. 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 45/25 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
6. When viewed from number 2 Anne Greenwood Close, the extension would extend 2 metres behind the rear walls. Number 2 is to the north of the application site and particular regard has been given to any loss of light or direct sunlight. The proposal does comply with the 45/25 degree guidance. Furthermore, the current plans show a height on the boundary of 2 metres and officers are mindful of the fact that a boundary treatment could be erected to the same height for the full depth of the garden. The pitch of the roof, at less than 30 degrees, is modest. Officers are of the opinion that the low height at the eaves and modest pitch to the proposed roof would mean any loss of light and direct sunlight would be little more than the result of what could be erected under remaining Permitted Development rights granted by the GPDO.
7. The extension would appear deeper in relation to number 4, because of the staggered nature of the existing terrace. However the extension does still comply with the 45/25 degree guidance, because the 25 degree element of the guidance would pass above the eaves and roof of the extension. The orientation of the properties means that there will be no material loss of direct sunlight to number 4 and the low height at the eaves and modest pitch to the proposed roof would further reduce any loss of light or outlook to number 4 to a level that would be little more than the effect of a 2 metre boundary treatment that could be erected under Permitted Development rights granted by the GPDO.
8. There is some potential for light pollution from the proposed skylights, however this is the case with all windows, whether fitted with blinds or not and the impact of any light escaping from the proposed skylights is not sufficient to reasonably justify refusal of the proposal, either in whole or in part
9. Overall, the extension will not have an unacceptable effect on adjacent occupiers, and subject to a condition to prevent overlooking by the formation of side facing windows, there is no conflict with Policies CP1 and CP10 of the OLP, Policy HP14 of the SHP or the 45/25 degree guidance of Appendix 7 of the SHP.

Flooding

10. 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.
11. The majority of the rear garden is already hard surfaced and any increase in surface water run-off will be marginal. Nevertheless, the opportunity exists to secure a reduction in this run-off, through a condition requiring the use of sustainable drainage. Such a condition would be both a reasonable condition of any grant of permission, and in accordance with Policy CS11.

Other matters

12. The remaining rear garden would measure 7m in depth and whilst relatively small would remain sufficient for a two bedroom house in this area.
13. The number of bedrooms would not change and there would be no material effect on parking pressures in the area.
14. There is a path to the rear of the garden and whilst public access is not physically prevented, the path appears to be used for only for access to the rear gardens in the terrace and is not a public byway.
15. Whilst the area is characterised by a high level of mature trees, some of which may be within falling height of the proposed development, there are no nearby trees that are subject to a Tree Preservation Order and subject to a condition requiring tree protection measures if materials are to be brought in from the rear path, the proposed development is not considered likely to result in harm to surrounding trees.

Conclusion:

16. The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding and overlooking 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 and CS18 of the Core Strategy and Policies HP9 and HP14 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: 14/02524/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 20th November 2014