

West Area Planning Committee – 13th January 2014

Application Number: 14/03051/FUL

Decision Due by: 1st January 2015

Proposal: Erection of a single storey rear extension. Insertion of 2 no. windows to west elevation. Formation of 2no. dormer windows to rear elevation and insertion of 1 no. rooflight to front elevation in association with loft conversion. Replacement of garage with home office. Repositioning of garden gate. (Amended plan)

Site Address: 23 Frenchay Road, **Appendix 1.**

Ward: St Margarets Ward

Agent: Mr Noel Skeats

Applicant: Mr & Mrs Adams

Application Called in – by Councillors – Cllr Wade, supported by Cllrs Fooks, Gotch, and Goddard.
for the following reasons – out of proportion to the existing house and, visibility from the Hayfield/Bainton/Frenchay crossroads, detrimental to the conservation area, use of materials, impact on neighbouring amenity.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension and alterations are acceptable in design terms, would not cause unacceptable levels of harm to the amenities of the neighbouring properties, will not have a detrimental impact on highway safety and will not have an adverse effect on trees in the Conservation Area. The proposal therefore accords with policies CP1, CP6, CP8, CP9, CP10, HE7 and NE16 of the Oxford Local Plan, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.
- 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.
- 3 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.

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 Approved materials
- 4 Use of outbuilding

Main Planning 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

HE7 - Conservation Areas

Core Strategy

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP9 - Design, Character and Context

HP14 - Privacy and Daylight

MP1 - Model Policy

Other Material Considerations:

- National Planning Policy Framework
- The application site falls within the North Oxford Victorian Suburb Conservation Area.
- Planning Practice Guidance

Relevant Site History:

59/08165/A_H - Alteration to form bathroom. PDV 23rd June 1959.

Representations Received:

9no. third party objection comments – comments relate to overlooking and design of the proposed windows in the side elevation, the proposals not relating to the conservation area, use of materials, the lack of reinstatement of the boundary wall across the former garage entrance, size of the rear extension, use of rooflights, size of the proposed dormer, impact of repositioning a manhole and the impact on daylight to the adjoining property.

Statutory Consultees:

Thames Water Utilities Limited – no objection, informatives recommended.
Highway Authority – no comments received.

Determining Issues:

- Design
- Impact on the North Oxford Victorian Suburb Conservation Area
- Residential Amenity
- Car parking
- Arboriculture

Officers Assessment:

Site:

1. 23 Frenchay Road sits on the crossroads between Frenchay Road and Hayfield Road in the North Oxford Victoria Suburb Conservation Area. The two storey end of terrace property is constructed of red brick and benefits from a rear garden with a detached garage, WC and store. This application relates to the erection of a single storey rear extension following demolition of the WC and store, erection of a detached home office following demolition of the existing garage, installation of 2no. rear dormers, 2no. windows in the side elevation and 1no. front rooflight.

Design/Impact on the Conservation Area:

2. The proposed extension sits comfortably on the rear elevation of the host dwelling below the level of the first floor windows. The extension extends approximately 4.4 metres. There are already other extensions around this depth in the terrace; for example 15 Frenchay Road has a 4.3 metre extension. The proposal is therefore considered to form an appropriate visual relationship in terms of scale and massing. Although the property is in a prominent location, the materials have been amended to red brick to match the host dwelling with a blue slate and lead roof so the extension will appear less prominent.
3. Following the receipt of revised plans the dormer window was divided into two smaller dormers in order to form an appropriate visual relationship with the other dormers in the rear of the terrace, in this case they are smaller than other dormers which have been implemented, reducing the visual impact when viewed from the public realm at the junction of Frenchay Road with Hayfield Road..
4. The proposed garden room replaces an existing disused garage which has been defaced with graffiti. The proposed timber garden room is considered to enhance the character and appearance of the area. Whilst it is not proposed to reinstate the boundary wall across the former garage entrance, the proposal still improves the appearance of the conservation area and the lack of reinstatement of the wall would not warrant refusal of

this application.

5. The proposal is therefore considered to comply with Policies CP1, CP6, CP8 and HE7 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

Residential Amenity:

6. Although the extension projects up to 80cm further than the adjoining extension at 21 Frenchay Road it is not considered that this depth would have an overbearing impact, significant affect outlook or cause a detrimental loss of light to the neighbouring occupier. When a 45° angle is taken on a horizontal plane from midpoint of the cill of the window and patio doors of the extension at 21 Frenchay Road, neither conflict with the line of the extension.
7. The proposed garden room/home office lies adjacent to the boundary with 90 Hayfield Road and is set down at pavement level. Since this property does not benefit from side facing windows it is not considered to impact on this property in terms of overbearing impact, loss of light or loss of outlook. It will also only exceed the height of the former garage by 50cm and given the screening from the existing boundary walls and the fact that windows will face into the host garden only the proposal is not considered to have a significant impact on the adjoining properties. A condition would be imposed that it could not be occupied for independent residential purposes.
8. The proposed dormer windows have been kept to a nominal size and given the existing landscaping in the area the proposed windows will not significantly increase overlooking of neighbouring properties. The proposed windows in the side elevation of the main house are secondary windows to 2 bedrooms and are proposed to be obscurely glazed to a height of 1.7 metres and likewise will not cause significant harm. They overlook the Hayfield Road in any event and would not give rise to loss of privacy.
9. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

Car Parking:

10. The proposal results in the loss of a garage. However the garage is unused as it is below the size capable of reasonably accommodating a modern vehicle. As such effectively there is no loss of parking facilities. Although the site falls within a Controlled Parking Zone (CPZ) the site already benefits from on street parking permits and the proposal is not considered to result in an additional demand for on street parking spaces.

Arboriculture:

11. It is considered that the proposals will not have a significant adverse impact on the walnut tree on the site adjacent to the proposed garden room. As such there would be no associated harm to public visual amenity or the character and appearance of the conservation area in terms of tree impacts.
12. The proposed garden room is close to a walnut tree. The structure is shown in drawings to stand on a slab associated with the existing garage building in the same location. This will ensure that no tree roots will be impacted by excavations associated with a standard footing. The structure is of a similar height and volume to the garage and therefore there should be no spatial conflict with the tree's trunk or crown.

Other Matters:

13. Whilst the installation of front rooflights is not encouraged it is recognised that this could be installed under permitted development rights, as have other many other front rooflights in the terrace. The proposed windows in the side elevation are not considered to have a detrimental impact on the character and appearance of the conservation area and if obscurely glazed and non-opening above 1.7m from floor level internally could also be installed under permitted development rights. Careful consideration has been given to the scale and design of all windows above ground floor level to ensure they match those in the existing property.
14. The impact of repositioning a manhole is not a planning consideration.

Sustainability:

The proposal maximises available space for extension whilst retaining an adequate garden to bring the property up to modern living requirements. The replacement of a substandard garage with an office for home working also reduces the need to commute to work.

Conclusion:

Officers recommend approval of the application subject to conditions.

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

Background Papers:

14/03051/FUL

North Oxford Victorian Suburb Conservation Area Appraisal

Contact Officer: Sarah Orchard

Date: 30th December 2014