

West Area Planning Committee – 13th January 2015

Application Number: 14/02925/FUL

Decision Due by: 12th January 2015

Proposal: Erection of garden outbuilding.

Site Address: 30 Harpes Road, **Appendix 1.**

Ward: Summertown Ward

Agent: N/A

Applicant: Miss Andrea Feinberg

Application Called in – by Councillors – Cllrs Fooks, Wilkinson, Goddard and Van Nooijen
for the following reasons – overbearing impact on the garden of 28 Harpes Road.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed outbuilding is acceptable in design terms and would not cause unacceptable levels of harm to the amenities of the neighbouring properties. The proposal therefore accords with policies CP1, CP6, CP8 and CP10 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 Materials as specified
- 3 Develop in accordance with approved plans
- 4 Use of building
- 5 Ground resurfacing - SUDS compliant

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

Core Strategy

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP9 - Design, Character and Context

HP14 - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

12/02518/FUL - Demolition of existing lean-to extension and conservatory. Erection of single storey side and rear extension. PER 16th November 2012.

Representations Received:

- 3no. third party objection comments – comments relate to lack of information on plans, waterlogging of the area, impact of noise and loss of light on neighbours, scale of development, overdevelopment of the site and impact on wildlife.
- Cunliffe Close Residents' Association – no comments received
- North Oxford Association – no comments received

Determining Issues:

- Design
- Residential Amenity

Officers Assessment:

Site:

1. 30 Harpes Road is a two storey end of terrace property situated in the Sunnymead area of Oxford to the east of the Banbury Road. The property

currently benefits from a rear shed. This application seeks to erect a larger garden shed/home office following removal of the existing structure.

Design:

2. The proposed structure is of a simple design and is constructed of timber with a tiled roof. This is considered an acceptable use of materials and is in keeping with the other large garden sheds in the area. Although it is substantially larger than the existing shed, it still only amounts to an external floorspace of 16.5m². A shed of this footprint could be constructed under permitted development rights.
3. The proposal is therefore considered to comply with Policies CP1, CP6 and CP8 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

Residential Amenity:

4. The proposed outbuilding is set at the rear of the garden away from neighbouring dwellings in both Harpes Road and Victoria Road. There are other large sheds and outbuildings set at the rear of the properties in this area. The shed requires planning permission as the height of the building exceeds 2.5 metres and it is situated within 2 metres of a boundary. The garden is bordered by high boundary fences to the sides and rear and is also screened by large trees at the rear. Due to this the proposed structure will not be widely visible from the surrounding area.
5. The proposal is not considered to amount to overdevelopment of the site. An adequate length garden of 13.5 metres would be retained.
6. In order to protect the amenity of neighbouring occupiers a condition would be attached to the permission to ensure that the shed is not used for primary living accommodation such as a bedroom or living room to minimise noise disturbance.
7. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

Other Issues:

8. A condition would be imposed to ensure that the structure is drainage using SUDs (sustainable urban drainage methods) in order to reduce any impact on localised flooding.

Conclusion:

Officers recommend approve 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: 14/02925/FUL

Contact Officer: Sarah Orchard

Date: 31st December 2014