

West Area Planning Committee

10th February 2015

Application Number: 14/03198/FUL

Decision Due by: 14th January 2015

Proposal: Erection of single storey rear extension and formation of a basement. Raising roof height, hip to gable extension to allow formation of second floor. Installation of solar panels. (Amended Plans)

Site Address: 8 Charlbury Road, Appendix 1

Ward: St Margarets Ward

Agent: Yiangou Architects Ltd

Applicant: Mr And Mrs Harris

Application Called in – by Councillors – Wade, Goddard, Fooks and Wilkinson for the following reasons - The increased height and pitch of the roof will adversely affect the proportions of the house, and will affect the view from neighbouring properties to east and west. The new gables are out of keeping with those on neighbouring houses. The expanse of glass at the back of the house is out of keeping with the conservation area. The proposed back extension will double the house's original footprint.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extensions to the roof, rear extension and formation of basement are considered to be of a form, scale and appearance that, on balance, preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area without causing significant harm to the amenity enjoyed by occupiers of neighbouring properties. Consequently the proposals accord with policies CP1, CP8, CP9, CP10 and HE7 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP14 of the Sites and Housing Plan Submission document.
- 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
- 4 SUDs

Main Planning Policies:

Oxford Local Plan

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- HE7 - Conservation Areas
- CP10 - Siting Development to Meet Functional Needs
- NE16 - Protected Trees

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
- Application is within the North Oxford Victorian Suburb Conservation Area.

Relevant Site History:

79/00600/AH_H - Additional use of 3 rooms on weekdays during the daytime only as tutorial rooms for language school. REF 15th August 1979.

95/01609/CAT - Various tree work at 6 and 8 Chadlington Road and 1 Charlbury Road and the main Dragon School. RNO 18th December 1995.

05/00739/CAT - Fell lime tree in the North Oxford Victorian Suburb Conservation Area at 8 Charlbury Road, Oxford. WDN 9th May 2005.

05/00901/FUL - Two storey side extension. Single storey rear extension. New porch.. WDN 21st June 2005.

05/01278/CAT - Prune lime tree (as specified by Oxford University Parks Department in report dated 17/5/05) in the North Oxford Victorian Suburb Conservation Area at 8 Charlbury Road, Oxford. RNO 11th July 2005.

05/01350/FUL - Erection of two storey side extensions (north and south facing elevations). Erection of rear extension to form a swimming pool. Extension to existing porch (south facing elevation). PER 26th August 2005.

05/02118/CAT - Fell magnolia and pear trees (front garden) and plum, catalpa, lilac, elder and apple trees (rear garden) in the North Oxford Victorian Suburb Conservation Area at 8 Charlbury Road. RNO 2nd December 2005.

06/00223/CAT - Repollard lime tree in the North Oxford Victorian Suburb Conservation Area at 8 Charlbury Road. RNO 10th February 2006.

06/00422/FUL - Erection of single storey side extension (north elevation). PER 19th April 2006.

06/01550/FUL - Erection of two storey side extensions (north and south facing elevations). Erection of rear extension to form swimming pool and extension to existing porch (south facing elevation). (Amendments to planning permission granted under application 05/01350/FUL). WDN 15th September 2006.

07/00442/CAT - Fell 2 apple trees and crown raise 1 lilac tree to 3.5 m at 8 Charlbury Road in the North Oxford Conservation Area. RNO 12th March 2007.

08/02124/CAT - Fell Holly tree at 8 Charlbury Road in the North Oxford Victorian Suburb Conservation Area. RNO 10th October 2008.

08/02572/CAT - Fell Lime tree in the North Oxford Victorian Suburb Conservation Area at 8 Charlbury Road, Oxford. WDN 12th January 2009.

12/00319/CAT - Fell Lime tree in the North Oxford Victorian Suburb Conservation Area. RNO 20th March 2012.

12/02085/CAT - Fell 3 Malus sp. trees affecting the North Oxford Victorian Suburb Conservation Area. RNO 3rd October 2012.

14/01805/FUL - Erection of single storey rear extension and formation of a basement. Raising roof height, hip to gable extension to allow formation of second floor. Formation of 5no. dormer windows and insertion of 7no. rooflights. (Amended plans). PER

Public Consultation

Statutory Consultees:

None.

Third Party Comments Received:

The Victorian Group of the Oxfordshire Architectural and Historical Society; 8 and 21

Northmoor Road; 13 Belbroughton Road; 4 Charlbury Road; 21 Bardwell Road; 4 Garford Road; and 28 Polstead Road.

Following comments were raised in objection to the development:-

- Concern that public consultation was carried out and that neighbours did not receive letters
- The proposal will set a precedence for future development
- Raising the roof will change the proportions of the building to its detriment
- The rear garble is far too steep and out of keeping with the shallower one
- The house has already had extensive extensions and should be left alone
- The building works of the basement will cause vibrations and disturbance
- The increased height will block views east from houses in Northmoor Road (4,6,8 in particular) and affect privacy.
- proposed extension redoubles the original house footprint, causing overdevelopment
- The expanse of glass at the back of the existing and proposed extensions is out of keeping with the character of the house and of the conservation area
- 8 Charlbury Road has been extended and intensified incrementally, and this latest application continues that process to a point where the site cover, built area and adverse impact on the garden suburb would reach unacceptable proportions.

Determining issues:

- Impact upon the conservation area
- Impact upon neighbouring properties

Officers Assessment:

Site:

1. The application site comprises a large detached dwelling, designed by Alfred John Rowley, built in 1908. Rowley trained under Harry Wilkinson Moore (designer of many houses in the area). The dwelling is located within the North Oxford Victorian Suburb conservation area.
2. Proposal:
3. The application proposes to erect a single storey rear extension and formation of a basement. It also seeks to raise the roof height, including a hip to gable extension to allow formation of second floor, insertion of dormer window and installation of solar panels. This application is a revision to the previously approved application reference number 14/01805/FUL.

Impact upon Conservation Area:

4. The prevailing character of this part of the North Oxford Victorian Suburb Conservation Area consists of substantial dwellings in a suburban setting with relatively generous gaps between buildings allowing views through to

rear gardens as well as green tree-lined wide streets. There is mix of architectural designs within Charlbury Road and most houses are unique in design and style. The size of these dwellings also varies. No. 8 lies between no.6 and no.8A Charlbury Road both of which have higher ridge lines than that of no.8. The increase in roof height would be lower than both neighbouring roofs. The proposed hip to gable extensions would also be in keeping in terms of style and scale. The proposed increase height of the roof remains the same as that already approved under 14/01805/FUL.

5. The front elevation would also include a gable extension above the main bay windows. This gable is considered to be similar and in keeping with the prominent gables of nearby neighbouring properties. The addition of a flat roof dormer on the front is considered to be of an appropriate size, scale and design, whilst the side dormer on the south elevation would be hidden from public view. The dormer on the north elevation would not be highly visible; it would only glimpsed along the through the gap between houses. All of these elements have previously been approved under 14/01805/FUL. The main difference in this development is the front gable above the main bay windows which is smaller in size and scale than the previously approved gable. It is considered that the smaller gable with smaller window is appropriate and acceptable in design terms.
6. At the rear the new single storey extension is considered to be acceptable in size and scale and design. It would not double the footprint of the existing house as thought by some. It would infill a small patio area directly in front of the existing dining room and existing back lounge. It would come out 0.5m from the existing rear lounge wall to sit slightly forward to the existing two-storey element. It would have an expense of bi-folding doors along the rear elevation. Officers consider that extension forms an appropriate visual relationship with the existing dwelling and again does not differ greatly in designs terms from what was previously approved. The plans also show the creation of a balcony terrace on the first floor on the new flat roof over the proposed single storey rear extension with a glazed balustrade. The balcony area is in the same location but has been realigned. Officers consider that moving the balcony area has no design implications.
7. The existing rear chimney stack would be replaced with a new rear gable, and whilst the loss of the chimney stack is regrettable, it is important to note that the removal of a chimney stack does not of itself require planning permission.
8. Where the previous application showed a flat roofed rear dormer window inserted in the rear roof, this would now be replaced by a gable extension.
9. The proposal also includes the addition of 3 new rooflights, 2 of these would not be visible at all as they would be located on the southern end of the dwelling behind the main elevation. There would also be solar panels located on the central part of the roof where they would not be visible in public views.

10. The last element of the proposals is the raising of the existing roof by 1.8m to enable the roof space to be utilised and provide additional living accommodation. Officers consider that whilst the extension to the roof is substantial, the proposal would form a visually appropriate relationship with the existing dwelling and surrounding area as neighbouring properties are significantly taller than no. 8 currently with extensive roof areas themselves providing a third level of accommodation. Indeed even with its additional height the application property would still be lower than its neighbours to ridge height. It is concluded therefore that this element would not harm the character or appearance of the conservation area. Although the enlarged property would be substantial, it would be comparable with its neighbours creating a better balance between them. The remaining garden would still be large, measuring 425 sq m. with generous gaps between buildings remaining, allowing views through to rear gardens.
11. Concerns have been raised with regard to the application setting a precedent for future extensions; however, all planning applications are judged on their own merits and site circumstances, therefore, officers consider that this would not set a precedent.
12. On balance therefore it is concluded that the development would not be detrimental to the appearance of the existing building or harmful to the character and appearance of the conservation area, and as such would comply with policies CP1, CP6, CP8 and HE7 of the OLP and CS18 of the OCS.

Impact upon Neighbouring Properties:

13. Policies HP.14 of the SHPDPD and CP.10 of the OLP require the appropriate siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. Proposals are assessed in terms of potential for overlooking into habitable rooms or private open space.
14. In terms of privacy the proposed dormer windows would not create any adverse overlooking that would be more than typically to be found in a residential street in an urban environment. The north facing dormer looking onto the side elevation of no.8A Charlbury Road would look out towards the second floor side window, which is a bathroom window. Moreover neither would the creation of a balcony and terrace at first floor level overlook the neighbouring properties as it is enclosed by a flank wall and roof structure.
15. On the potential for loss of light, the single storey rear extension would comply with the 45/25 degree guidance as set out in Appendix 7 of the Sites and Housing Plan and would not cause a loss of light to either neighbouring property.

16. However concerns have been raised with regards to views and privacy from Northmoor Road as a result of the increase in height of the roof. The distance between the Northmoor Road properties and application site is approximately 55.0m. This well exceeds the advice at paragraph A3.26 of the Sites and Housing Plan which states that there should be at least 20 metres distance between directly facing windows to habitable rooms in separate dwellings.
17. With regard to views from the Northmoor Road properties, whilst the extended house would be visible, officers consider that the proposed increase in roof height would not adversely affect the amenities of those properties. In summary therefore, officers consider that there is no adverse impact on the residential amenity of the neighbouring properties. The application complies with policy CP10 of OLP and HP14 of the SHP.

Other Matters:

18. Concerns have also been raised about possible noise disturbance and vibration to the neighbouring properties as a result of the excavation of the basement. With any building work there is always an accepted level of noise disturbance, but there is no reason to suppose that disturbance to neighbouring properties should be greater than at any other comparable building project. Normal Building Regulations would apply with reserve powers available under Environmental Health legislation if a statutory nuisance were created.

Conclusion:

The extensions represent a variation to a similar development already granted planning permission and have been carefully designed with the wider context in mind. Officers' have come to the view that it would not lead to any unreasonable impacts on the adjacent properties or on the character and appearance of the Conservation Area. The proposal conforms to the Council's policies and the presumption should be in favour of the grant of permission. Whilst the concerns of neighbouring householders are acknowledged and have been carefully considered, they do not raise issues which justify the application being refused planning permission.

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: 14/03198/FUL, 14/01805/FUL.

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Date: 28th January 2015