

Agenda Item 3

East Area Planning Committee:

4th March 2015

Application Number: 14/01332/FUL

Decision Due by: 11th July 2014

Proposal: Erection of single storey rear and first floor side extension. Formation of new roof over existing flat roof (Amended plans and description 22/10/2014)

Site Address: 51 Sandfield Road Headington Oxford OX3 7RW **Appendix 1**

Ward: Headington Ward

Agent: Mr Jonathan Dennis

Applicant: Mr & Mrs John Gorrell

Called in

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension to the rear, roof extension to the side and cantilever to the front are considered to be of an appropriate scale and design, and are not considered to have a significantly detrimental impact on the amenities of the adjoining occupiers, or to the character and appearance of Sandfield Road.
- 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 as approved plans
- 4 Obscure non-opening window first floor
- 5 SUDs Drainage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP10** - Siting Development to Meet Functional Needs
- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP11**- Landscape Design
- NE15**- Loss of Trees and Hedgerows

Core Strategy

- CS18**_ - Urban design, town character, historic environment
- CS11**_ - Flooding

Sites and Housing Plan

- MP1** - Model Policy
- HP9**_ - Design, Character and Context
- HP14**_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

72/26826/A_H - Bedroom and garage extension and internal modification. PDV 14th November 1972.

12/01131/FUL - Extension of roof to create new gable end with 2 side roof lights.
PER 25th June 2012.

Representations Received:

The application was amended to alter the design of the extension, and then further

amendments were made to update the relationship between the application site and neighbouring properties, and to update daylight and sunlight calculations. The amendments were advertised on each occasion.

49 Sandfield Road Objects for the following reasons. Effect on adjoining properties; effect on character of area; effect on privacy, information missing from plans; light - daylight/ plan policies; not enough info given on application. The neighbour commented;

- All comments on the previous plans remain, despite a revised Design and Access Statement, the extension remains overbearing.
- Despite the revisions, the proposals remains unchanged and contrary to policy, they still do not address the 45 degree rule, comments about outlook and privacy are misleading and inaccurate, reference to permitted development procedure is irrelevant.
- The design statement accepts that materials are not in keeping, but they were in first plans, it would be contrary to policies CP1 (a), (b), CP8 (b)(c), HP9, HP14
- Objections relate to the rear extension and cantilever shower room, not the roof alterations.
- The extension will extend further back from the rear of 51 than any other houses in the row and be overbearing to homes (CP.1(i), HP14). Increasing sense of enclosure to 49.
- The proposed rear extension does not relate to its context and would not strengthen and protect the local character (CP.1(a), CP.1(b), CP.8, CP.8(b), CP.8(c), HP9, HP14
- The rear extension is out of character with the local surroundings and would not create an appropriate visual relationship (CP.1(a), CP.8(b), HP9. The only flat roof in the area is the first floor of 51, there is no other part flat, part pitched roofs as proposed.
- The materials are out of character with the area (CP.1(b), CP.8(b), HP9). There are no slate roofs in the area, and the single ply membrane is also out of character.
- Regarding privacy (CP.1 (i), HP14 (a)), the proposed works include two new windows in the SE elevation which would look directly into the kitchen at 49.
- Regarding light (CP.1(i), HP14(b)) the proposed works would cause a considerable loss of daylight into the rear of 49, in particular into the windows and glazed door of the kitchen. Considerable loss of daylight and sunlight into the 4th bedroom of 49 due to the proposed cantilevered shower area.
- Plans are misleading as there has been no application of the 45 degree rule to the windows of 49.
- The statements re misleading saying they are a row of matching houses which have all been altered. 49 has not been changed in shape. It is misleading to suggest that the removal of a window will help with privacy, when more windows are proposed facing the kitchen.
- 51 is being used as the registered office for a VAT registered limited company. It is of concern that there is no mention of this in the application.

53 Sandfield Road. Objects for the following reasons; amount of development on site; effect on adjoining properties; effect on character of area; effect on privacy;

general dislike or support for proposal; height of proposal; Information missing from plans; light - daylight/sunlight; local ecology, biodiversity; local plan policies; not enough info given on application. The neighbours commented

- The fourth set of plans, in response to our comment about the error, in the plan relating to the distance between the boundary of 51, and the wall of our house. The ground level is still understated and the height of the window overstated, so the clearance line of the extension is incorrect.
- The adjustments to the length, width and design of the extension do not address our concerns
- The rear extension is very large and extends 6 metres from the rear of our house, there will be 26.5 sq. metres of black slate dominating our outlook, it will be oppressive and overbearing.
- It will impact light, sunlight and outlook from our sitting room and terrace. It breaches the 45 degree line and the 25 degree line, as drawn from the middle of the sill from the nearest window.
- The enlarged window of the utility room will overlook our much used terrace.
- Artificial light spillage from the extension via the velux lights will affect the bedrooms at the back of our house.
- There are three Lawson Cypress trees in our back garden which may be affected by the development, they could be weakened, they are an essential shield from the hospital.
- Discrepancy between the two design and access statements, the first said it fitted in with the original, the second that it will not match the house.
- There are no other large extensions in Sandfield Road, all other extensions are sensitive, and this will set a precedent for the infilling of back gardens and damage the area of green between Sandfield Road and the hospital
- The alterations to the flat roof is large structure, not a re-orientation of the approved alterations, it will add 2 metres of height and 10 square metres of wall on our side. It will be overbearing and cut light and sunlight between the houses, our entrance and front of the house.
- The application has dragged on too long, the amendments and revision have not addressed our concerns, the errors and omissions do not inspire confidence in their accuracy, it has been stressful.
- Ask for confirmation that the elimination of the large roof overhang is a fact and will not re-emerge at a later stage.
- 51, also named as Lancox House is the registered HQ of Lancox Ltd, it is not just a family home but is the premises for the company.
- If permission is granted for large extensions of this kind it could encourage adjacent homeowners to build larger extensions, is this leapfrogging desirable?
- The design statement is not accurate as the three houses are not matching. No 53 has had no alterations to it, and 51 has been altered in footprint, volume and windows.

Statutory and Internal Consultees:

Oxford Civic Society

The rear extension is very large in comparison with the existing footprint, and extends well beyond the rear elevations of the neighbouring properties on both

sides, which are in close proximity. Inadequate information is provided on the likely effect of the rear extension on the obstruction of light to the windows of the neighbouring properties, and, in the absence of proper demonstration that the neighbouring properties would not suffer unreasonable harm, we would recommend refusal of this application.

Highways Authority. No observations to make and so no objection to the application.

Oxfordshire County Council Environmental Services All extensions / developments which increase the size of the hard areas must be drained using SUDs methods, including porous pavements to decrease the run off to public surface water sewers and thus reduce flooding. You should carry out soakage tests to prove the effectiveness of soakaways or filter trenches.

Issues:

Design
Effect on adjacent properties
Trees
Flooding

Officers Assessment:

Site description and proposal

1. 51 Sandfield Road is a detached house built in the mid-1930s, within a street of predominantly 1930s detached houses. All of the houses in Sandfield Road have long gardens, and the majority of the houses on the western side of the road back on to the John Radcliffe Hospital. The house has previously been extended in the 1970s with a garage and first floor extension above, with a flat roof. The front elevation of 51 Sandfield Road has many of the features typical of a 1930s suburban house, with bay windows, a projecting front gable and mock Tudor details. The rear elevation is rendered with no particular design features.
2. This application is seeking permission for a single storey extension to the rear, a shower room at first floor level built on a cantilever over the porch, and the addition of a pitched roof above the existing flat roof to the front and side of the house. An existing ground floor window is to be enlarged on the north elevation and 2 additional high level fixed windows are proposed on the existing south elevation. The single storey rear extension is 5 metres deep, and extends to 0.4 metres short of the full width of the house, to provide a dining area and kitchen. The dining area of the extension has a flat roof, with sky lantern, and is 2.995 metres high. The kitchen extension will have a mono-pitched slate roof which has a height to eaves of 2.21 metres at the lowest point, and 3.1 metres height to eaves at the highest point; the roof continues to slope to 3.5 metres high.

Design

3. Policies CP1, CP6, CP8, CP10, CS18 and HP9 seek to ensure that development is of a high standard of design, which relates well to its surroundings, and is visually well related to the host building. The proposed roof extension to the front of the house will match the slope over the main roof of the house when viewed from the street, and will be tiled to match the rest of the roof. Rooflights are proposed to the front and rear roof slopes. There is an extant permission (12/01131/FUL) for a pitched gable over the extension, of a lower height. It is considered that whilst this is of an increased height to the previously approved plans, it is more appropriate to the design of the house, and will be more in keeping with the original design of the house. Moreover, the addition of a pitched roof will be a visual improvement as the existing flat roof is an unsympathetic feature within the street scene.
4. The proposed cantilevered shower room is to be constructed above the porch, and extending out from the catslide roof. There will be a gable roof above, to match the design of the main gable to the house, with a window with design features to the front. This is again reflecting the design features of a 1930s house, and will ensure that the proposed extension blends well with the street scene. This aspect of the proposal is considered to be visually appropriate to Sandfield Road. Although there are a number of different designs of individual houses, there is a predominance of 1930s design features and the alterations to the front elevations reflect these characteristics.
5. The proposed extension to the rear is of a more contemporary design. The application as originally submitted proposed a more conventional extension, however, this was amended to reflect the objections of neighbours about depth and height, and so a contemporary design was then adopted. The public comments have referred to the change in the design approach, and the differences between the two design statements. The rear elevation of the house in contrast to the front is bland, rendered and is devoid of design features of any note. It is therefore a blank canvass, and a contemporary design has been proposed. The objections have referred to the size, materials and design being out of character with the area. The extension is 5 metres deep and of a significantly size. The height at its maximum point is 3.5 metres high, which is considered to be appropriate given the design and scale. The two sections of the extension, one being flat roofed, and one with a mono-pitch adds interest to the building. The rear elevation being extended in this way would be read as a 21st Century addition to the house, the open plan layout within the house also reflects modern lifestyles. A conventional design was originally considered, but then not pursued following the objections to the impact that a conventional extension would have on the adjacent properties. The mono-pitch roof was proposed, as this could be achieved with a lower eaves height, and reduce the effect on 53 Sandfield Road, as discussed below. Policy CP8 says that design should be specific to the site and context and should respect without necessarily replicating local characteristics and that innovative design should not be ruled out. In this context the innovative design is considered to be visually appropriate, and

within the scale of the existing house. The property has an extensive garden, and so it is not considered that there would be an overdevelopment of the plot. It is clear that modern extensions of contemporary design have been approved by the Council throughout the city.

6. The mono-pitch roof is proposed to be slate, and the neighbours have objected to this, as they consider this will be out of keeping with the materials within Sandfield Road. Whilst the slate roof is uncommon, particularly on this style of 1930s house, the proposed extension is a contemporary design, and is a complimentary design to the rear elevation of the house. The roof slope is distinct in design from that of the main roof of the house, and on that basis it is considered to be visually appropriate to use a material which reflects the smooth, clear uncluttered lines of this very contemporary design. Contemporary extensions elsewhere have not been required to have matching materials where the proposed materials form part of the contemporary nature of the design.
7. The proposed extensions to the front, side and rear are considered to be in accordance with the development plan policies which seek to ensure that new development is of an appropriate design. The extensions that will be seen in the public views blend well with the street scene and 1930s character of the immediate area. In contrast the rear extension introduces a contemporary design, and additional features, and is also considered to be appropriate in this location.

Effect on adjacent properties

8. Policy HP14 of the Sites and Housing Plan and policy CP1 of the Oxford Local Plan seek to ensure that new development will not have an adverse impact on the amenity of adjoining occupiers. Policy HP14 sets out the criteria for assessing the impact on sunlight and daylight. The policy also refers to the guidance in Appendix 7 which sets out the 45° guidelines. The neighbouring properties have raised objections due to the loss of sunlight and daylight to rooms and garden areas as a result of the different aspects of the proposal.
9. The assessment of the 45°/25° guideline has been undertaken on the three elements of the proposal. The 45° line was indicated on the submitted plans from the dining room of 49 Sandfield Road, and the proposed extension does not contravene that line. However the occupier was also concerned about the impact on their kitchen, and so the assessment has also been undertaken using the window of the kitchen door as the assessment point. The rear extension clips the 45° line, however when the 25° uplift from the line is calculated the extension does not contravene the line. The rear extension is not considered to result in any unacceptable loss of sunlight and daylight to the kitchen of 49 Sandfield Road. The occupiers of 53 Sandfield Road were also concerned about the impact on their sitting room. The submitted plans were corrected to show an accurate relationship between the two properties. The assessment of the guidelines shows that the extension contravenes the 45° line. However when the 25° uplift of that line is taken into account, the

proposed extension does not contravene the line, even though 53 Sandfield Road is at a lower ground level. Whilst 51 Sandfield Road is to the south, there are additional windows which also serve that room, and given that a 2 metre fence could be erected on the boundary which would also contravene the 25° uplift, it is considered that on balance the loss of light is not sufficient to warrant the refusal of the application.

10. The occupiers of 53 Sandfield Road were also concerned about the impact of the proposed shower room on the ground floor kitchen and a first floor bedroom. The guidelines in Appendix 7 of the Sites and Housing Plan indicate that where side windows are affected, a 45° angle is drawn in the vertical plane from the cill. The line has been drawn from the cill of the first floor window, and the extension does not contravene the line. The outlook is not considered to be adversely diminished, because it was facing the side elevation of 51 Sandfield Road, and this is not materially altered. An assessment has also been undertaken from the kitchen window which shows that the extension will contravene the line. However given that the room is north facing and that there are three other side windows to the kitchen and the back door giving light to the room, the shower room will not have an overbearing impact or result in any significant loss of light to the kitchen.
11. The occupiers of 53 Sandfield Road have also raised objection to the proposed roof extension as they consider it will have an overbearing impact on their front door, and will reduce the amount of light available to the patio area to the rear. The proposed addition to the roof will not directly impact any habitable rooms, and whilst there will be some additional height, this is not considered to have a general overbearing impact on the living conditions within the house. Whilst there is some loss to the rear garden, this is at limited times of the day. As discussed above this aspect of the proposal will result in a general improvement to the street scene, and given that there is an extant permission, the additional height proposed is not considered to be sufficient to warrant refusal of this application.
12. Policy HP14 also seeks to ensure that proposals will not result in a significant loss of privacy to neighbouring properties. The windows to the rear extension will all face into the rear garden of 51 Sandfield Road and so there will not be any direct overlooking from these windows. There has been a concern about light spillage from the roof lights on the extension, although this will not affect privacy level to 53 Sandfield Road. A first floor window to the side elevation is also proposed as part of the roof alterations to the front. This window is indicated on the submitted plans as being obscure glass, and a condition is recommended to ensure that it remains so and non-opening, to maintain the privacy to the front of 53 Sandfield Road. Two high level windows in the side elevation of the existing house are proposed to provide additional light. There have been objections to this from 49 Sandfield Road. The windows are proposed to be high level and non-opening, and are considered to be Permitted Development, and so these could be inserted at any time without needing planning permission. No objection is therefore raised to this element of the proposal

13. The proposed extensions are considered to be in accordance with Policy HP14 and CP1, and will not result in any significant loss of sunlight and daylight or be significantly overbearing to the adjacent houses.

Trees

14. Policies CP1, CP11 and NE15 of the Oxford Local Plan do not permit development proposals which will result in the removal of trees which will have a significant adverse impact on public amenity or ecological interest. A tree assessment was submitted with the application, and the proposed rear extension will not impact any trees of public amenity value.

Flooding

15. 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.
16. The Local Drainage Authority has suggested that drainage from the development be compatible with the principles of Sustainable Urban Drainage Systems (SUDS) to attenuate the run-off of rain water and it is considered reasonable for any grant of planning permission to be conditional on SUDS compliant drainage in order to reduce the rate of run off and the risk of flooding in accordance with Policy CS11 of the Core Strategy.

Conclusion:

17. The proposed extension to the rear, roof extension to the side and cantilever to the front are considered to be of an appropriate scale and design, and are not considered to have a significantly detrimental impact on the amenities of the adjoining occupiers, or to the character and appearance of Sandfield Road and so the application is recommended for approval.

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:

14/01332/FUL

Contact Officer: Sian Cutts

Extension: 2186

Date: 18th February 2015