

West Area Planning Committee

- 10 March 2015

Application Number: 14/03341/FUL

Decision Due by: 29th January 2015

Proposal: Erection of single storey rear extension (amended plans)

Site Address: 40 Bartlemas Road, **Appendix 1.**

Ward: St Clement's

Agent: Mr Cordelia Ellis

Applicant: Mr Richard Howorth

Application Called in – by Councillors - Clack, Fry, Van Nooijen and Lygo. for the following reasons - on the grounds that the sliding side doors will have a detrimental impact on privacy, light and noise pollution, and in terms of possible over-development of the site.

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 and CP10 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 No additional windows
- 5 Amenity - no balcony
- 6 Sustainable drainage

**Main Local Plan Policies:
Oxford Local Plan 2001-2016 (OLP)**

CP8 - Design Development to Relate to its Context
CP10 - Siting Development to Meet Functional Needs
CP1 - Development Proposals

Core Strategy

CS11_ - Flooding
CS18_ - Urban design, town character, historic environment

Sites and Housing Plan (SHP)

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:

None relevant

Representations Received:

Objections have been received from: 38, 40, 42 and 52 Bartlemas Road and 39 Southfield Road. These can be summarised as follows:

The full height, folding glazed doors to the side elevation, along with the similar treatment to the rear wall and the use of the house as an HMO will result in an increased level of noise and disturbance emanating from the house, as well as being too long, out of character with the area and would result in an increased level of overlooking to number 42 Bartlemas Road.

Statutory Consultees:

Local Highway Authority: No specific objection made, but advises that occupants will not be issued with additional parking permits.

Issues:

- Visual impact
- Effect on adjacent occupiers
- Flooding

Officers Assessment:

Site Description and Proposal

1. 40 Bartlemas Road is a terraced house with a two storey outrigger to the rear, currently in use as an HMO.
2. Permission is sought to erect a single storey extension measuring around 4.5m in depth, mainly to the rear of the outrigger, but projecting some 0.6 of a metre beyond the side wall in the direction of number 42.

Visual Impact

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.
4. The proposed development would not be easily visible from the public domain, however it would be clearly visible from surrounding properties and their gardens. The flat roofed form of the proposed extension is not a direct reflection of the original house or surrounding area, but flat roofed extensions are not uncommon in the area and the simple modern form of the current proposal is a well-considered example of this type of extension. Overall, and subject to a condition to control the appearance of the materials used in the build the proposal is not considered to be out of character with the existing house or local area, and complies with Policies CP1 and CP8 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.
6. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.

7. Partly because of previous development at number 38, the proposal complies with the 45-degree guidance and will not result in an unacceptable loss of light to the windows of adjacent habitable rooms. The extension was originally submitted showing full height, folding doors to the side elevation, but these have now been replaced by high level windows (around 1.85 metres above floor height) and subject to conditions to prevent the formation of additional side facing windows or a balcony to the flat roof, there will be no unacceptable increase in overlooking or perception of overlooking and overall the proposal, complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

Flooding

8. 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.
9. The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

Other Matters

10. A number of comments have been raised relating to noise emanating from the house. These seemed to have a particular concern relating to the full height, folding side fenestration which has now been removed from the side elevation, reducing any risk of undue noise emanating from the extended house.

Conclusion:

11. 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 and CP10 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: 14/03341/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 25th February 2015

Appendix 1

40 Bartlemas Road 14/03341/FUL



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