

## West Area Planning Committee – 13 January 2015

**Application Number:** 15/00043/CT3

**Decision Due by:** 11 March 2015

**Proposal:** Re-painting of front elevation from white to grey

**Site Address:** 40 Cardigan Street, **Appendix 1**

**Ward:** Jericho And Osney

**Agent:** Mr Chris Scott

**Applicant:** Oxford City Council

---

### **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed alteration 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, CP10 and HE7 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.

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

## **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
- This application falls within the Jericho Conservation Area.
- Planning Practice Guidance

## **Relevant Site History:**

None.

## **Representations Received:**

No comments received.

## **Statutory Consultees:**

No comments received.

## **Issues:**

- Design
- Character and Appearance of the Jericho Conservation Area

## **Officers Assessment:**

### Application Site/Proposal:

1. 40 Cardigan Street is a mid-terrace, two storey residential property falling within the Jericho Conservation Area and is also affected by the Jericho Article 4 Direction. The front elevation of the property is currently brick which has been painted white with a section which has been partially rendered at ground floor level. This application relates to the repainting of the front elevation of the property from white to grey. The Jericho Article 4

Direction removes permitted development rights for the painting of the exterior of any building or work comprising the painting of unpainted external brick or stone wall, elevation or part of any elevation. The type of works making up the planning application would normally be determined by officers under delegated authority, but as a City Council planning application, it falls to be considered at committee.

Impact on the dwelling and the wider Conservation Area:

2. The dwelling forms part of a terrace where there is not a consistent colour throughout the terrace. Many of the properties have been painted, which vary in colour, including white, peach, blue and green. Whilst the immediate terrace does not include grey, this is a colour used on similar terraces in the wider surrounding area including Hart Street. The change in colour to the principle elevation is therefore considered to be a suitable and neutral change which forms an appropriate visual relationship with the wider Jericho Conservation Area.
3. 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:

4. The proposal is not considered to have a detrimental impact on the amenity of neighbouring occupiers.
5. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

**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:**

15/00043/CT3

**Contact Officer:** Sarah Orchard

**Date:** 18th February 2015