

West Area Planning Committee – 14th April 2015

Application Number: 15/00173/FUL

Decision Due by: 19th March 2015

Proposal: Erection of a single storey rear extension and rear garden studio/office. Formation of 1No rear dormer window and insertion of 1No side rooflight and 2No front rooflights in association with loft conversion. Alterations to access to enable parking for 1No vehicle. (Amended plans including reduction in depth and height of rear extension)

Site Address: 38 Frenchay Road Oxford Oxfordshire OX2 6TG

Ward: St Margarets Ward

Agent: Mr Stephen Broadley

Applicant: Mr & Mrs Willis

Application Called in – by Cllr Wade, supported by Cllrs Wilkinson, Goddard and Fooks
for the following reasons – overdevelopment, overlooking from dormer, height of the proposed extension, length of proposed extension and loss of front boundary walls.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension and alterations are acceptable in design terms, would not cause unacceptable levels of harm to the amenities of the neighbouring properties, will not have a detrimental impact on highway safety and will not have an adverse effect on trees in the Conservation Area. The proposal therefore accords with policies CP1, CP6, CP8, CP9, CP10, HE7 and NE16 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 Develop in accordance with approved plans
- 3 Materials - samples
- 4 Wall and railing details and sample
- 5 Ground resurfacing - SUDS compliant
- 6 Protection of tree roots

Main Local Plan 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

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
- This application is in or affecting the North Oxford Victorian Suburb Conservation Area.
- Planning Practice Guidance

Relevant Site History:

14/02814/FUL - Erection of single storey rear extension. Formation of 1No dormer window, insertion of 3No rooflights to front roofslope and 1No rooflight to side roofslope in association with loft conversion. WDN 26th November 2014.

Representations Received:

15no. Third Party Objection Comments – comments relate to size and design of the rear dormer, size and impact on amenity of the rear extension, highways safety and the loss of front garden, number of front rooflights, size of the bin and bike store,

impact of the home office on residential amenity and accuracy of the plans.

1no. Neutral Comment – comment relates to discussions with the owners of the property following withdrawal of the previous scheme. The scheme results in loss of overlooking between kitchen windows and allows for planting to screen the extension.

Statutory Consultees:

Highways Authority - This application should be granted but the suitable conditions should be applied in relation to drainage of the front parking area.

Issues:

- Design
- Residential Amenity
- Impact on the Conservation Area
- Arboriculture
- Parking

Sustainability:

The proposed development makes a more efficient use of the site and meets the needs of a family.

Officers Assessment:

Site:

1. 38 Frenchay Road is a mid-terrace red brick property located on the northern side of Frenchay Road in the North Oxford Victorian Suburb Conservation Area. The property has not previously been extended; this application relates to the erection of a single storey rear extension and rear garden studio/office, formation of 1No rear dormer window and insertion of 1No side rooflight and 2No front rooflights in association with loft conversion and alterations to access to enable parking for 1No vehicle.
2. Following receipt of amended plans the rear extension was reduced in depth by 1metre and height by reducing the pitch of the roof, drawings were amended to clarify how the dormer would appear behind the two storey rear projection and the location of glazed doors at the adjoining property was adjusted, cycle storage was removed from the front garden and additional planting was proposed and a front rooflight was removed.

Design/Impact on the Conservation Area:

3. The loss of front boundary walls and provision of a parking space in the North Oxford Victorian Suburb is regrettable due to the green garden suburb nature of the area; it also removes division between public and private realm and the continuity of the street frontage. However it is recognised in the Conservation

Area appraisal that parking is acceptable providing a balance is 'sought between providing suitable hard standing for the vehicle whilst preserving as much of the boundary wall as possible as well as the garden planting, softening the appearance of hard elements'. A large number of properties on this side of Frenchay Road have lost their gardens and walls, however in this case two sections of front wall are to be reinstated at either side of the site frontage. Reinstatement of railings has also been proposed which will enhance the character and appearance of the Conservation Area. The proposals also include and a traditional tiled path and additional planting which will add to the green appearance of the area and screen the proposed bin storage. It is also recognised that hardstanding can be laid under permitted development rights, although light grey blocks are currently proposed these are not considered to be appropriate to the Conservation Area and a condition is recommended to request samples of all external materials in order to find a suitable alternative. A condition is also proposed to request large scale details of the railings to ensure that they are in keeping with the Conservation Area and samples of any materials to be used. This aspect of the proposal is therefore considered acceptable.

4. The installation of front rooflights is considered permitted development, however for the property to remain in keeping in the streetscene the number of front rooflights has been reduced from three to two.
5. The proposed garden room/home office is of a modest size and also fits within permitted development rights, therefore a planning application does not need to be sought for this part of the proposals.
6. The proposed single storey extension, whilst amounts to a large projection from the wall of the main dwellinghouse along the boundary with No. 40, the additional floorspace only projects 1.5 metres from the side of the original two storey rear projection. In relation to the relationship with No. 36, the extension projects a distance of 3 metres from the original property, a depth which could be carried out under permitted development if the extension were to project solely from the original rear projection/outrigger only.
7. The extension has now been designed with a hipped roof which relates to that of the existing dwellinghouse and rear projection. With the exception of the small area of copper detailing the design also responds well to the surrounding area by using materials to match the existing dwellinghouse.
8. The proposed dormer amounts to an increased volume in roofspace of approximately 5.5m³. This is smaller than other dormers in this stretch of Frenchay Road, the rear dormer permitted in 2012 at 28 Frenchay Road to a similar sized roofslope is over 7m³. The triangular shape of the dormer relates to the existing roofslope. The small box section adjacent to the dormer allows for headroom above the stairs and would be largely screened by the existing rear projections of the properties and is covered in tiles to match the existing roofslope.

9. The rear of the property is screened by existing trees on the playing fields on Bainton Road and is not widely visible in the Conservation Area.

Residential Amenity:

10. The proposed extension extends over 10 metres from the original rear wall of the main dwellinghouse, but has been tucked inside the boundary with No. 40 by 20cm and has a low eaves height of 2.1 metres. The extension is therefore able to comply with 45 and 25 degree guidelines from the nearest windows to habitable rooms of both 40 and 36 Frenchay Road. The floor level of the rear room in the main part of No.40, most affected by the proposal, is set higher than that of the extension. Due to the low nature of the extension in combination with the footprint of the extension it is considered that there will not be a detrimental impact on the residential amenity of 40 Frenchay Road. In terms of the relationship with 36 Frenchay Road, a combination of a depth which could be constructed under permitted development and an eaves height much lower than permitted development restrictions (3m) is not considered to have a detrimental impact on this property in terms of loss of light, overlooking or an overbearing impact. There is also an alternative light source to this room.
11. The proposed dormer is sited over 25 metres from the rear boundary of the garden, a distance which is not considered to have a detrimental impact on overlooking of neighbouring properties at the rear.

Arboriculture:

12. Whilst the loss of another traditional garden frontage is regrettable, it is recognised that it is not a reason for refusal. There are no objections on arboricultural grounds in relation to Adopted Oxford Local Plan Policies CP1.CP11, NE15, NE16; as there is no significant impact to public visual amenity or to the character and appearance of the conservation area in arboricultural terms. To ensure that there is no damage to tree roots a condition is recommended to ensure that the garden room has 'no-dig' foundations.

Parking/Highway Safety:

13. There has been no objection to the proposals from the Local Highway Authority in terms of highway safety and creation of an access subject to the resurfacing of the front garden is SUDs compliant.

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:

15/00173/FUL

North Oxford Victorian Suburb Conservation Area Appraisal (Draft)

Contact Officer: Sarah Orchard

Date: 30th March 2015