

West Area Planning Committee

12th May 2015

Application Number: 15/00539/FUL

Decision Due by: 10th April 2015

Proposal: Erection of single storey rear extension and insertion of 3 no. side windows. Formation of rear dormer window in association with loft conversion.

Site Address: 16 Complins Close, site plan at **Appendix 1**

Ward: St Margarets Ward

Agent: Mr Lance Dyson

Applicant: Mr Jing Jin

Application Called in – by Councillors –Wade, Goddard, Wilkinson and Fooks for the following reasons –doesn't take into account Waterways Management Committee Development Guidelines; integrity of terrace needs to be protected; disproportionately large dormer; heavy brick extension; visible from car park and canal path; jar on public eye; loss of light; overbearing; flooding

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 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.
- 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.

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

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

Core Strategy

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

14/02290/FUL - Erection of single storey rear extension and formation of 1no. dormer window to rear roofslope. WDN 1st October 2014.

24 Complins Close: 12/02166/FUL - Erection of single storey rear extension. Loft conversion to include insertion of rear dormer and three rooflights to front elevation. (Amended plans).PER 16th October 2012.

Representations Received:

Comments were received from the following with comments summarised below. 137 Frenchay Road, 23 Complins Close, 17 Complins Close, 7 Stone Meadow, 30 Lark Hill, 24 Clearwater Place, Councillor Wade.

- Large foot print/depth
- Detrimental impact on neighbours
- Loss of light
- Increase in flooding
- Garden would be too small
- Wrong roofing materials
- Dormer disproportionate
- Extension out of keeping
- Maximum amount of side windows and minimum brick pillars if glazed roof not possible
- Acknowledge and welcome, in most parts, the changes made

- Overbearing
- Set a precedent

Statutory Consultees:

No comments received

Determining Issues:

Design
Residential Amenity
Other

Officers Assessment:

Site Description

1. The application site comprises an end of terrace two storey property comprising two bedrooms with a conservatory at the rear. The property is set forward of its neighbour, No.17.) The property backs onto a parcel of land, close to Port Meadow to the east of the railway line. To the rear are mature trees and to the east is a car parking area which backs onto the Oxford Canal.
2. Complins Close is located off the Elizabeth Jennings Way, a residential development which constructed in 2002 on the former Unipart factory site. The Close is characterised by two and three storey houses and a block of flats with shared green spaces rather than individual front gardens. The green spaces are edged with trees and shrubs as well as several parking bays and bicycle racks.

Proposal

3. The application is seeking permission for the erection of single storey rear extension, insertion of 3 side windows in the east elevation and insertion of a dormer window in the rear roof slope.

Background

4. An application was submitted in August 2015 (ref.: 14/02290/FUL) for the erection of single storey rear extension and formation of 1no. dormer window to rear roofslope. This application was withdrawn after discussions with the case officer as the extension and dormer were considered to be too large. This current application is a result of discussions with the case officer after the previous application was withdrawn.

Assessment

Design

5. Policy CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and Policies CP1 and CP8 of the adopted Oxford Local Plan combine to require that planning permission will only be granted for development which shows a high standard of design, that respects the character and appearance of an area and uses materials appropriate to the site and surroundings.
6. The proposed extension is 6.0m long, extends the full width of the house and has a dual pitched roof with the eaves at 2.6m and the ridge at 3.6m. It would replace the existing conservatory. The extension is simple in form with small high level obscure glazed windows on the west elevation, cill height windows in the east elevation and sliding doors facing into the garden. The side elevation (east) will form part of the boundary wall and replaces the existing close boarded fence. A similar type of extension has been built at No. 24 which also incorporates the side wall as the boundary wall with windows.
7. The three proposed windows in the east elevation are of the same proportions and style as the existing windows and will therefore not look out of character when viewed within the elevation and will in fact add some symmetry to the east elevation.
8. The dormer window has a pitched roof with lead finish to the front and cheeks and a full height inward opening pvc door with a Juliette balcony. The dormer whilst relatively large does not dominate the roof slope, the existing pitch still remaining the dominant form. Again a very similar dormer has been inserted at No. 24 the property at the other end of the terrace. Taken together the two dormers create a symmetrical form to the rear.
9. The proposals are therefore considered to be in keeping with the existing building in terms of design and use of materials. A condition is suggested to ensure all materials match the existing property.

Residential Amenity

10. HP14 of the Sites and Housing Plan states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. HP14 also states that planning permission will not be granted for any development that has an overbearing effect on existing homes.
11. The only property potentially affected by the proposal is No. 17 Complins Close. This has a conservatory to the rear. The proposal does not breach the 24/25 degree code of practice in terms of sunlight/daylight when applied to the conservatory. The proposed extension is to the east of No. 17 therefore the proposal will not cause overshadowing due to the orientation of the gardens with the evening sun setting to the west.

12. The proposed extension extends 800mm beyond the end of the conservatory at No. 17. The common boundary between the two properties is a close boarded fence at 1.8m high. The proposed extension has a dual pitched roof which slopes away from the boundary with the eaves at 2.6m and the west elevation has three obscure glazed high level windows so this is not a blank brick wall facing No. 17. Taking these factors into account the proposed extension is not considered to be overbearing or create a sense of enclosure and will not harm the outlook of No. 17.
13. Given the set back of the rear of the property when compared to No. 17 the dormer window will not give rise to any excessive overlooking issues to No. 17.
14. The three proposed windows in the east elevation will overlook the car park and the canal beyond. They will increase natural surveillance of the parking area and will not cause any loss of privacy to the properties beyond the canal.

Other

15. Reference has been made in response to public consultation to Waterways Management Committee Development Guidelines. Whilst the guidelines may represent the thoughts and aspirations of the Management Committee they do not constitute any formally adopted document and have not been subject to any independent scrutiny or examination. They enjoy little or no status in themselves therefore. Nevertheless the concerns expressed in response to public consultation have been fully taken into account in assessing the proposals.

Conclusion:

16. Whilst the concerns of local residents are acknowledged officers have concluded that the built forms are appropriate and that the proposals are not harmful to the amenities of local residents. Committee is recommended to grant planning permission accordingly.

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: 14/02290/FUL, 15/00539/FUL

Contact Officer: Lisa Green

Extension: 2614

Date: 29th April 2015