

## West Area Planning Committee – 9<sup>th</sup> June 2015

**Application Number:** 15/00352/FUL

**Decision Due by:** 31st March 2015

**Proposal:** Erection of a part single, part two storey rear and side extension. Alterations to roof to form hip to gable, formation of rear roof extension and insertion of 2 no. front dormer windows and 1 no. rear dormer window in association with loft conversion. (Amended plans)

**Site Address:** 23 Upland Park Road. **Appendix 1**

**Ward:** Summertown Ward

**Agent:** Mr Peter Pritchard

**Applicant:** Mr & Mrs J & P Shingleton

**Application Called in –** by Cllr Fooks, supported by Cllrs Wade, Goddard and Royce.  
for the following reasons – Overly large and impact on light to the neighbouring property.

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### **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension and alterations are 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 and CP10 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 as specified
- 4 Large domestic extension/granny flat
- 5 Amenity no additional windows

### **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

#### 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

Planning Practice Guidance

### **Relevant Site History:**

61/11541/A\_H - Extension of existing garage for private car. PER 12th December 1961.

65/16826/A\_H - Alterations to form additional room in roof space. PER 14th September 1965.

72/25721/A\_H - Extension to kitchen. PDV 11th April 1972.

07/02350/FUL - Increase height of existing roof of single storey rear extension. PER 7th December 2007.

### **Representations Received:**

11no. public comments received – objections relate to loss of light, clarity of drawings, loss of privacy, loss of trees which are not shown on the plan, overbearing impact, larger than other developments in the street, loss of parking, impact on variation of roof character in the street, impact on Davenant Road, impact on wildlife and use of the proposed annex.

### **Statutory Consultees:**

Thames Water Utilities Limited – no objection.

Cunliffe Close Residents' Association – no comments received.

North Oxford Association – no comments received.

### **Determining Issues:**

- Design
- Residential Amenity
- Parking

### **Officers Assessment:**

Site:

1. 23 Upland Park Road is an early 20<sup>th</sup> Century detached dwelling set in a cul-de-sac off the Banbury Road in North Oxford. The area is characterised by detached dwellings set on large plots which vary in appearance with the use of brick and render widely used. The roofs include a mixture of hipped and gable ends. Many of the properties in the street have been subject to various extensions and alterations over the years, including the host property. This application relates to the erection of a part single, part two storey rear and side extension, alterations to roof to form hip to gable enlargements, formation of rear roof extension and insertion of 2 no. front dormer windows and 1 no. rear dormer window in association with loft conversion.

Design:

2. Whilst hip to gable enlargements can significantly change the character and appearance of a property, in this case it would not be to the detriment of the surrounding area. The area is characterised by both hipped and gable end roofs and the application property would therefore form an appropriate visual relationship with the surrounding area. A mixture of roof slopes would also still be retained. It is also acknowledged that hip to gable enlargements can be carried out under permitted development rights in any event.
3. The proposed dormers to the front roof slope replace an existing flat roof dormer. The new additions are smaller, more discrete and sit more comfortably on the roof slope, retaining the essential symmetry of the front elevation to the property. It is concluded that the dormers do not detract from either the property or streetscape, but enhance them.
4. Whilst the extensions at the rear of the property are large additions, they again retain the character and features of the rear of the dwelling. The existing gable end projection is to be extended with a two storey rear extension. However, in the amended proposals now received part of the

two storey side extension has been moved further away from no. 21 by 0.9m. This serves to break up the massing of the extension and reduce the width of a flat roof area to the extension. The flat roof section is not widely visible in the surrounding area and is not opposed by officers in this instance. Overall although the extensions extend further into the garden than extensions at neighbouring properties, they are assessed as reasonable and not out of keeping with the property or the area in which it is located.

5. Although the proposed alterations and extension of the existing garage structure project further into the garden and has been increased in height, the proposals improve its appearance and make use of an unused structure, whilst linking to the main house. The ability to use the structure as a garage is limited in any event due to the narrow side access. It is concluded that the extension and conversion of the structure does not significantly impact on the massing of the host structure or the built form of the area, whilst ample car parking space is retained to the frontage of the property.
6. In terms of detailing, the materials and windows proposed respond well to the local context as they are similar or matching in appearance to those already used in the existing dwelling house.

#### Residential Amenity:

7. A number of objections have been received in relation to impact of the two storey rear extension and the hip to gable enlargement in respect of lighting conditions to the west facing windows and outlook of 21 Upland Park Road. When a 45 degree angle is taken from the cill of the side facing kitchen window of that property in line with Local Plan guidelines, the line drawn is not compromised by the proposed extension and alterations, indicating that lighting conditions would not be adversely affected such as to warrant refusal of planning permission. The affected room also benefits from a large rear facing window providing light and outlook from a second source. Unlike other properties in the street, No. 21 also has a bedroom window where the sole light source is a west facing window. Again the hip to gable enlargement does not compromise a 45 degree angle from this window, though there would be some change in the outlook at oblique angles. Accordingly the amended proposals pull back the side of the two storey rear extension by 0.9m to reduce any impact on No.21. It is concluded that the direct outlook from this window will not be significantly altered by the new extensions.
8. On other features, the increase in height to the existing garage and small increase in depth in the form of a small porch extension to the front and small extension to the rear would not significantly impact on No. 21 in terms of loss of light as the eaves would remain the same height, and the roof the same pitch.
9. In relation to the neighbour to the west side at no. 25, the proposed

extensions and alterations are not considered to have a detrimental impact on windows to that property. Whilst no. 25 does benefit from an east facing side window, it is not the main light source to the room involved and would not be significantly compromised by a hip to gable enlargement. The properties to the rear in Davenant Road are set at a distance of over 40 metres from the proposed extensions and are not considered to be affected by the proposals.

10. Finally, the proposed windows in the development are not considered to increase the potential for overlooking of neighbouring properties. Proposed side facing rooflights are positioned at 1.7 metres from internal floor levels and the proposed side facing first floor window to a bathroom is to be obscurely glazed. A condition is recommended to ensure that permitted development rights are removed for further side facing windows at ground and first floor level.

#### Parking:

11. Although the proposal results in the loss of the garage, it is recognised the existing access to the garage and the garage itself do not meet current space standards for car parking spaces in a garage. The submitted plans demonstrate that two parking spaces can be achieved to the front of the dwelling in line with maximum standards. The property also lies within a controlled parking zone which already restricts on street parking spaces available.

#### Other Matters:

12. Officers consider the proposal is unlikely to have a detrimental impact on wildlife, whilst the small shrub/tree shown to the rear of the garage to be lost as a result of the proposals is not considered to constitute any significant loss of a tree contributing positively to the wider area. The application site falls outside of a Conservation Area and the shrub/tree could be removed without consent.
13. The use of the annex to the rear is not shown to be a self-contained unit on plan. A condition is recommended to ensure that the use of the annex is retained as incidental accommodation to the main house and is not separated or let separately.

#### Conclusion:

Officers recommend approval 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:**

15/00352/FUL

**Contact Officer:** Sarah Orchard

**Date:** 21st May 2015