

East Area Planning Committee:

1<sup>st</sup> July 2015

**Application Number:** 14/02182/FUL

**Decision Due by:** 23rd September 2014

**Proposal:** Erection of two storey side and rear extension (amended plans received 15/9/14)

**Site Address:** 159 Windmill Road Oxford (**site plan: appendix 1**)

**Ward:** Headington Ward

**Agent:** Mrs Christine Smith

**Applicant:** Mr Aman Alvi

**Application Called in by** Councillor Wilkinson, Councillor Wade, Councillor Fooks and Councillor Gotch.

**For the following reasons** – Out of keeping, impact on privacy, concerns about highway safety, and potential overdevelopment of the site

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## **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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Parking
- 5 Side windows

- 6 Surface water
- 7 Balcony

**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**

- CS11\_ - Flooding
- CS12\_ - Biodiversity
- CS18\_ - Urban design, town character, historic environment

**Sites and Housing Plan**

- HP14\_ - Privacy and Daylight
- HP15\_ - Residential cycle parking
- HP13\_ - Outdoor Space
- HP16\_ - Residential car parking
- HP9\_ - Design, Character and Context

**Other Material Considerations:**

- National Planning Policy Framework
- Planning Practice Guidance

**Relevant Site History:**

None

**Representations Received:**

Objections: Mr Downes (6 Rock Edge) (further objections received in relation to amended plans), Mrs Aistrop (7 St Annes Road)

- Amount of development
- Impact on character and appearance of the area
- Impact on privacy
- Impact on light
- Concerns about the proposal in relation to the presence (or lack of presence) of sufficient vegetation to screen the development.

**NB.** An additional consultation was carried out from 12<sup>th</sup> June 2015 until 26<sup>th</sup> June 2015 on the basis of amended plans that had been submitted to overcome some of the concerns raised in relation to the proposals. All responses received in relation to this second consultation up until 18<sup>th</sup> June 2015 are referred to above. Any further responses submitted between 18<sup>th</sup> June 2015 and 26<sup>th</sup> June 2015 will be provided as verbal updates to the East Area Planning Committee on 1<sup>st</sup> July 2015.

**Statutory Consultees:**

Oxfordshire County Council Highways Authority: No objections, but suggest

conditions to ensure that the development is built in accordance with Oxfordshire County Council Highways standards and surface water does not enter the highway.

Natural England: No objections

Oxfordshire County Council Drainage Authority: Development should be SUDs compliant

**Issues:**

Design

Impact on Neighbours

Access/Parking

Flooding and Surface Water Drainage

**Officers Assessment:**

**Site Description**

1. 159 Windmill Road is a 1930s semi-detached house in the Headington area. The property lies opposite the Nuffield Hospital. To the north west of the application site is a block of flats (157a and 157b Windmill Road). To the immediate south east of the application site is the adjoining semi-detached house at 161 Windmill Road. To the rear of the application site there are residential properties in Rock Edge with a similar overall size, appearance and character to the houses on Windmill Road (**appendix 1**)
2. 159 Windmill Road forms part of a row of similar properties which have a plain white render and integrate some brick detailing which introduces visual interest. The overriding character of the area is a pleasant suburban residential street.
3. The application property itself is a large dwelling which has recently been extended at the rear with the addition of a single storey extension with a flat roof. The extension has provided an enhanced ground floor living space with an open plan family room. A loft conversion has also been carried out at the property which includes both a box type dormer and a three rooflights on the front elevation. It is important to point out that planning permission is not sought for any of these elements as part of this application; it is understood that these extensions have been carried out on the basis of permitted development (as set out in Part 1, Classes A, B and C of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (the GPDO).
4. 159 Windmill Road has a long rear garden of approximately 19m, in length. The property also benefits from a front garden which is currently in use as a parking area. The layout of 159 Windmill Road means that it was constructed with the benefit of a side access. Plans of the property have indicated the presence of an outbuilding on the site but that is proposed to be demolished as part of the extensions sought in the application.
5. Existing boundary treatments between 159 Windmill Road and its neighbours include 1.8m high close boarded timber fencing. There is also an existing area of

shrubs and small trees at the rear of the garden at 159 Windmill Road.

6. It should be noted that this part of Windmill Road is fairly busy with traffic as a result of traffic queuing at the nearby junctions of Windmill Road with Old Road and The Slade. The road is also wider outside of 159 Windmill Road as the highway incorporates a right turning lane for vehicles entering the Nuffield Hospital.

### **Proposed Development**

7. It is proposed to erect a two storey side and rear extension and modify access and parking arrangements at the front of the house. The proposed side extension would extend approximately 2.3m towards the boundary with 157a and 157b Windmill Road and would be set back slightly from the front of the house. At the rear, the proposed side extension would extend beyond the original rear wall of the house by approximately 3m and would therefore be in line with the existing recently constructed rear extension at the property.
8. The proposed extensions would create a larger ground floor kitchen and utility room area and a small study at the ground floor front part of the dwelling. At the first floor level the proposed extension would provide a new bedroom and ensuite at the rear and at the front it would create an extended bedroom with an ensuite.
9. The proposed extension includes a hipped roof at the rear and a sloping roof along the rear two thirds of the extension; the roof pitch sloping down to the boundary with No. 157a and 157b Windmill Road. The front third of the proposed two storey side extension would have a gable facing the boundary with 157a and 157b Windmill Road so that the front roofslope would match the front of the existing dwelling. It should be noted that the proposed overall ridge height of the proposed extension would be set below and further back than the existing dwelling.
10. The proposed extension includes a large first floor rear juliet balcony, in combination with the proposed patio doors at the ground floor rear elevation the rear aspect of the proposed development would include substantial glazing. There are three small windows proposed on the side elevation of the proposed development.
11. The application includes proposals to create an enhanced front parking area, with space provided for the parking of three vehicles. It is also proposed to create a new and wider access from the parking area at the front onto Windmill Road. The proposed site plans are annotated to suggest that the access and parking area will be built in compliance with Oxfordshire County Council highways standards.
12. The proposed extensions would be constructed of brick and render to match the existing house. Plain tiles to match the house are proposed for all the new roof elements of the development and the proposed driveway is proposed to be constructed of shingle.

13. It should be noted that the proposed development as described above and as featured on the proposed plans was not the originally submitted scheme that was put forward with the application. Following concerns raised by Officers the applicant has submitted amended plans for a smaller extension.

### **Principle of Development**

14. The proposed development is acceptable in principle as an extension to an existing dwellinghouse. The increased residential accommodation at the property that is proposed as part of the scheme would make a more efficient use of land that is broadly supported by Policy CP6 of the Oxford Local Plan 2001-2016.

### **Design**

15. Officers consider that the proposed extension would be acceptable in terms of its impact on character and appearance of the streetscene. As a result of being set below the height of the existing property and set back from the front of the house the proposed extension would appear visually subservient and provide a visual break between No.s 159 Windmill Road and 157a and 157b Windmill Road.

16. It is the recommendation of Officers that the use of materials to match the existing house and the similar scale and overall appearance of the proposed extensions would allow the development to harmonise with the existing built environment.

17. Officers have had regard to the design of the proposed extension in relation to its impact on the overall appearance of the property as one half of a pair of semi-detached houses. It is considered that despite the overall size of the proposals, the large extension would not be disproportional or overbalance the house relative to its adjoining neighbour.

18. On the basis of the above it is the view of Officers that the proposed development would be acceptable in terms of its design.

### **Impact on Neighbours**

19. It is considered that the proposed development would not have an overbearing or obtrusive impact on neighbouring residential properties. The use of hipped roofs combined with a low profile to the overall development mean that the development would not be overly visible to the detriment of nearby residential occupiers. In reaching this view Officers have been mindful of the separation between properties and the fact that 159 Windmill Road is situated within a generous plot and already incorporates a fairly large family dwelling; the extensions proposed are proportional to this overall scale of development.

20. The impact of the proposed development on the privacy of neighbouring residential occupiers has also been considered. It is the view of Officers that the development would not give rise to a materially harmful impact on nearby residential properties or their private amenity spaces. The proposed extension does incorporate side windows on the elevation facing 157a and 157b Windmill

Road but these are proposed to serve a hallway and ensuite. It is recommended that a condition be included that ensures that these windows are obscure glazed to prevent overlooking.

21. There are no proposals for balconies as part of the application; however as previously described the proposed first floor rear of the extension would incorporate a large Juliette balcony. The proposed balcony would be directed with the main view over the host property and it is considered that this would not give rise to an unacceptable level of overlooking. Officers have also been mindful of the potential for overlooking from the Juliette balcony (and all windows at the rear of the proposed development) into the gardens of properties in Rock Edge; the long rear garden of the property ensure that the privacy of those residential occupiers would be preserved.
22. Following on from the above Officers have considered the potential for the use of the existing single storey rear extension as a balcony. This is not proposed as part of the application but given the overall concerns that have been raised in relation to the potential impact on privacy it is recommended that a condition be included that ensures that the flat roof cannot be used as a balcony and accesses onto this part of the property cannot be created in the future.
23. Officers have considered the impact of the proposed development on the light conditions for nearby residential occupiers. Particular regard has been had on the impact of the development on windows at 161 Windmill Road, 157a and 157b Windmill Road. It is considered that the proposed development would not have an adverse impact on any nearby residential property as a result of loss of light. A specific assessment has been made in relation to the 25/45 degree code as set out in Policy HP14 of the Sites and Housing Plan.
24. Therefore in relation to the impact of the proposed development it is the view of Officers that it would not have a materially detrimental impact on amenity of neighbouring residential occupiers.

### **Access/Parking**

25. The proposed development incorporates proposals to alter the existing access arrangements and to provide an enhanced area of parking. It is the view of Officers that the proposed parking and associated access improvements should be welcomed in the context of the increased capacity for on-site parking that would result from their provision. The proposed car parking for three cars would mean that sufficient car parking would be provided to the standards required by Policy HP16 of the Sites and Housing Plan. Officers recommend that a condition be included that ensures that the parking improvements are carried out as shown on the proposed plans so that adequate arrangements are provided at the property.
26. With specific regard to the proposed access improvements it is considered that the development would be acceptable and there have not been any objections received from Oxfordshire County Council Highways department. It is noted that vehicles may be required to reverse into the highway from the proposed

development but it is considered that this is likely to be acceptable in this location as a result of the good overall levels of visibility. It is also considered that vehicle speeds within the immediate vicinity of the site would be fairly low such that cars entering the highway from the application site would be visible to motorists.

### **Flooding and Surface Water Drainage**

27. The application site does not lie in an area of high flood risk. It is the view of Officers that the proposed development makes adequate arrangements for managing surface water drainage. The application form states that the proposed parking area at the front of the property would be composed of shingle; a condition is recommended that seeks to ensure that a permeable material is used as specified.

### **Biodiversity**

28. Officers have considered the impact of the proposed development on biodiversity. Particular regard has been had in relation to the impact of the proposed development on the nearby nature reserve and SSSI at Rock Edge. It is considered that the proposed development would not have an adverse impact on that area and no objections have been received from Natural England.

### **Conclusion**

29. On the basis of the above, Officers recommend that the application be approved subject to the conditions referred to in the above report. In reaching this recommendation Officers have had regard to the consultation responses received in relation to the proposed development. Specific amendments have been sought to address some of the concerns raised in the first consultation.

#### **Human Rights Act 1998**

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

#### **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:**

14/02182/FUL

**Contact Officer:** Rob Fowler **Extension:** 2104

**Date:** 12<sup>th</sup> June 2015

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