

East Area Planning Committee

-6th April 2016

Application Number: 15/03484/CT3

Decision Due by: 26th January 2016

Proposal: Erection of single storey rear extension.

Site Address: 72 Pegasus Road Oxford Oxfordshire OX4 6DP
(**Appendix 1** – Site location plan)

Ward: Northfield Brook Ward

Agent: N/A

Applicant: Oxford City Council

The Applicant is Oxford City Council; permission is sought under Regulation 3 of the Town and Country Planning Act 1992, and consideration by Members at area committee is required.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding and overlooking can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8 and CP10 of the adopted Oxford Local Plan 2001 – 2016, Policies CS11 and CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.
- 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:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching

- 4 Amenity - no balcony
- 5 Sustainable drainage

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

Core Strategy

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan (SHP)

MP1 - Model Policy

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

None relevant.

Representations Received:

No comments received.

Statutory and Internal Consultees:

Local Highway Authority: No Comments

Internal – Environmental Development: No objection, but recommends informative.

Issues:

Visual impact

Effect on adjacent occupiers

Flooding

Other matters

Officers Assessment:

Site description and proposal

- 1 72 Pegasus Road is a terraced house. Permission is sought to erect a single storey rear extension to provide a ground floor bedroom and WC for a disabled person.

Visual impact

- 2 Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
- 3 The proposed development would not be easily visible from the public domain. Flat roofed rear extensions are common in the area, the scale of the extension is not disproportionate to the house and subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

Effect on adjacent occupiers

- 4 Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
- 5 Because of the distance between the extension and the nearest window at number 74, there will be no material effect on that property's habitable rooms.
- 6 With regard to number 70, officers note that the application drawings are not entirely accurate and the 45 degree guidance indicates that there will be an effect on the window next door at number 70, though the effect will be somewhat marginal and the orientation of the properties means that there will be little loss of direct sunlight for most of the day. In any event, there is an alternative source of light and outlook to this room in the form of a glazed door that the 45-degree guidance indicates will not be materially affected and overall, the effect on adjacent occupiers will not be unacceptable and the proposals comply with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

Flooding

- 7 Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.
- 8 The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

Other matters

- 9 This site is located in the Blackbird Leys area, which is suspected to have historically had sewage sludge spread on the land. Site investigations have revealed that there is likely no risk to residents from heavy metals in the soil. Whilst it is very unlikely that any contamination is present on this site, an informative is recommended to advise the applicant of the situation.

Conclusion:

- 10 The development will form an acceptable visual relationship with the existing building and local area and will not have an unacceptable effect on the current and future occupants of adjacent properties. Concerns over flooding and overlooking can be dealt with by condition and the proposals therefore comply with Policies CP1, CP8 and CP10 of the adopted Oxford Local Plan 2001 – 2016, Policies CS11 and CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.

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: 15/03484/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 22nd March 2016

Appendix 1 – Site location

72 Pegasus Road