

**East Area Planning Committee**

**2nd November 2016**

**Application Number:** 16/00824/FUL

**Decision Due by:** 18th May 2016

**Proposal:** Erection of front and side porches and single storey rear extension. Formation of 1no. rear dormer.

**Site Address:** 2 Mortimer Drive Oxford Oxfordshire OX3 0RR

**Ward:** Marston Ward

**Agent:** Mr Allan Goodchild

**Applicant:** Faisal Hussain

**Application Called in –** by Councillors - Cllr Clarkson supported by Cllrs Fry, Tanner and Price

for the following reasons – Due to objections to the proposal

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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.

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 (OLP)**

**CP1** - Development Proposals

**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 (SHP)**

**MP1** - Model Policy

**HP9\_** - Design, Character and Context

**HP14\_** - Privacy and Daylight

**HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

### **Relevant Site History:**

50/00176/M\_H - Layout of housing estate.. PER 11th April 1950.

68/20374/A\_H - Erection of front porch to replace existing and alterations.. PDV 9th April 1968.

78/00647/SON\_H - Erection of garage.. PER 17th November 1978.

00/01279/NF - Demolition of existing garage & outbuildings. Single storey side & rear extension to provide 1 bedroom semi -independent accommodation for elderly relatives. ( Amended plans ). PER 17th October 2000.

04/01636/FUL - Demolition of existing garage. Erection of 2 bedroomed self-contained residential accommodation at rear.. REF 30th September 2004.

05/00925/FUL - Erection of 1 bedroom self contained accommodation at rear. (Amended plans). PER 21st June 2005.

06/02508/FUL - Erection of garden shed/store.. PER 23rd January 2007.

09/01627/FUL - Retention of porch to annex. Retention of shed conversion for use by annex.. PER 18th December 2009.

10/01974/FUL - Two-storey side extension and part two and single storey rear extension.. REF 8th September 2010.

10/03257/FUL - Two storey side and rear extension. (Amended plans). PER 31st August 2011.

13/02005/FUL - Erection of a part first floor part single storey extension to rear.. REF 4th October 2013.

14/02934/VAR - Variation of conditions 7 (Removal of garage) and 9 (Details excluded submit revised plans) of planning permission 10/03257/FUL (Two storey side and rear extension) to allow retention of the garage building until the works are complete.. PER 18th February 2015.

10/03257/CND - Details submitted in compliance with condition 9 (Details excluded submit revised plans) of planning permission 10/03257/FUL.. PER 17th February 2015.

15/01226/FUL - Erection of front and side porches. Erection of single storey rear extension. Formation of 1No dormer window and hip to gable roof extension.. REF 17th June 2015.

#### **Representations Received:**

3 Letters of objection

- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on privacy
- Effect on traffic
- General dislike or support for proposal

#### **Statutory and Internal Consultees:**

Local Highway Authority: No comments

#### **Issues:**

Visual impact  
Effect on adjacent occupiers

#### **Officers Assessment:**

##### Site description and proposal

1. 2 Mortimer Drive is a modest two storey semi-detached house. It is located in a small group of three pairs of semi-detached properties fronting the northern side of Mortimer Drive between its junctions with Oxford Road and Raymund Road. The application property is the eastern most property in this grouping.

2. Permission is sought for the erection of front and side porches and single storey rear extension plus formation of a rear dormer.

#### Site history:

3. Application 10/03257/FUL for a two storey side and rear extension has been granted and implemented. These proposals are an add-on to this scheme taking into account the Inspectors comments from application 15/01226/FUL for additions and amendments which was dismissed at appeal (Appendix 1). In this scheme the Inspector concluded that “alterations to the roof which included a gable end design would result in an unbalanced, cluttered and awkward appearance harmful to the appearance of the existing property and given the prominent position of the property in the street and the relative balance of surrounding properties this would be harmful to the appearance of the street scene and the general character of the area.”
4. The applicant has therefore reverted to the roof design of the previously approved scheme.
5. The inspector commented that the ground floor extensions would have little effect on the character of the area or appearance of the street scene. The single storey rear extension would not be visible from public locations, the side porch would be screened from most public views given the angle of the property and the boundary and the narrow gap that would remain between the two storey side extension and the side boundary towards the front of the plot. The front porch would be a minor addition with little impact given its size and scale.

#### Visual impact

6. 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.
7. Oxford City Council Planning Design Guide 2 – Side Extension seeks to ensure that pairs of semidetached houses are not unbalanced by side extensions that are not subordinate to the existing houses.
8. The extension and additions would result in a form of development that maintains the original profile of these properties and introduces a sympathetic and subservient addition that would not significantly disrupt the existing roof pattern of the pair. The proposals considered together are 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

9. 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.
10. Appendix 7 of the SHP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.

11. The only aspect of the scheme not already approved under 10/03257/FUL which is considered could impact on neighbours is the siting of the proposed single storey rear extension. However because of its position, set off the boundary of number 4 Mortimer Drive it complies comfortably with 45-degree guidance.
12. The proposed dormer has been designed to be subservient to the roof line and will not result in loss of privacy to adjoining occupiers through overlooking. Overall the proposal will not have an unacceptable effect on adjacent occupiers, and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

**Conclusion:**

13. Approval is recommended 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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:**

**Contact Officer:** Graeme Felstead

**Extension:** 2160

**Date:** 13th October 2016

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