

West Area Planning Committee

13th December 2016

Application Number: 16/02271/FUL

Decision Due by: 21st October 2016

Proposal: Alterations to roof to form hip to gable, formation of 1No. dormer window to rear roofslope and insertion of 1No. front rooflight and window to side elevation in association with loft conversion.

Site Address: 24 Rosamund Road. **Appendix 1**

Ward: Wolvercote Ward

Agent: N/A

Applicant: Tania Brown

Application Called in – by Councillor Goddard supported by Councillors Fooks, Wilkinson and Wade.
for the following reasons - potentially overlooks a neighbouring property and is out of keeping with other comparable developments nearby.

Recommendation:

West Area Planning Committee is recommended to grant planning permission for the following reasons:

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- 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.

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
- 4 Obscure glazing
- 5 Plans - specific exclusion

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

CS12_ - Biodiversity

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:

78/01181/A_H - Single storey rear extension. PDV 11th January 1979.

82/00501/NF - First floor extension to form bedroom. PER 8th September 1982.

14/02539/FUL - Erection of single storey rear extension. Enlargement of window on first-floor north side elevation and insertion of new window on ground-floor north side elevation (Amended plans).. PER 4th November 2014.

14/02539/NMA - Non-material amendment to planning application 14/02539/FUL to allow alterations to windows at first-floor level north elevation. Enlargement of 1 x rear window and 1 x side window to the proposed rear extension. PER 11th December 2014.

15/00854/FUL - Erection of single storey side and single storey rear extensions. Formation of 1 No rear dormer in association with loft conversion.. WDN 2nd April 2015.

15/01302/PDC - PERMITTED DEVELOPMENT CHECK - Rear Dormer. PNR 28th April 2015.

15/01326/FUL - Erection of single storey rear extension. PER 25th June 2015.

16/00391/FUL - Erection of rear conservatory and garden outbuilding. Alterations to windows (Amended Plans). PER 24th October 2016.

Statutory and Non-Statutory Consultees:

Oxfordshire County Council Highways: No comment.

Representations Received:

1no. third party objection comment received – comment relates to the accuracy of the plans, dominance of the dormer on the roofslope and concern that it is not in keeping with the rest of the area.

Site Description and Proposal

1. 24 Rosamund Road is a two storey semi-detached property set in the Wolvercote area of North Oxford. The property is typical of those found in the area and benefits from extensions to the rear and permission for a further extension. This application relates to alterations to the roof including a hip to gable enlargement and a rear box dormer.
2. Officers recommend that the main considerations for the determination of this application are:
 - Design
 - Residential Amenity
 - Permitted Development

Officers Assessment:

Design

3. There are concerns with the design of the proposal since the proposed hip to gable enlargement has the ability to unbalance the appearance of the pair of properties in the streetscene and the rear dormer appears as a large bulky addition which dominates the rear roofslope and unbalances the appearance of the rear of the property.
4. Despite this, it is acknowledged that these works could be carried out under permitted development and do not require a full planning application. Under permitted development, on a semi-detached property roof extensions can be carried out up to 50 cubic metres providing they are carried out with materials to match the existing dwellinghouse. The proposed alterations do not extend beyond the plane of the existing roof slope of the principal elevation that fronts the highway, they are no higher than the existing ridge height, they do not include verandas, balconies or raised platforms, side-facing windows are to be obscure-glazed and any opening is to be 1.7m above the floor and the roof extensions, apart from hip to gable ones, is to be set back, more than 20cm from the original eaves.
5. It is therefore considered that if permission is not granted that there is a very strong likelihood that the works will be carried out under permitted

development and it would therefore be unreasonable to refuse planning permission.

Biodiversity:

6. Section 99 of ODPM Circular 06/2005 states;
'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before permission is granted.'
7. In this instance it is considered that there is not sufficient reasonable likelihood of bats roosting under roof slates and tiles of this property to trigger a survey. However their presence cannot be discounted entirely and a small risk remains. In order to account for this it is recommended that the following informative is applied to the decision so that the applicant can take appropriate measures should they or evidence of their presence be discovered during removal of roof tiles.

Other matters:

8. An objection comment raised concerns that the extension on the ground floor does not match that which has been approved. A condition is recommended to exclude all other alterations to the dwelling other than those described in the description to address this issue.

Conclusion:

Officers recommend that West Area Planning Committee grant planning permission for the proposed development.

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:

16/02271/FUL

Contact Officer: Sarah Orchard

Date: 23rd November 2016

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