

West Area Planning Committee

24th January 2017

Application Number: 16/01827/FUL

Decision Due by:

Proposal: Demolition of an existing rear and side extension. Erection of a single storey rear extension with formation of patio at lower ground floor, and two storey side extension at ground floor (amended plans).

Site Address: 17 St Margaret's Road Oxford OX2 6RU

Ward: St Margarets Ward

Agent: Mrs Nicola Richardson

Applicant: Mr & Mrs Turney

Application Called in – by Councillor – Wade
for the following reasons – the proposed two storey side extension would fail to preserve or enhance the special character of the conservation area by eroding the spacing between properties.

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reasons for Approval

- 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 - matching
- 4 Surface water drainage

CIL requirements

CIL is not chargeable on this type of development.

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP8** - Design Development to Relate to its Context
- CP6** - Efficient Use of Land & Density
- HE7** - Conservation Areas
- NE15** – Loss of Trees and Hedges
- NE16** – Protected Trees

Core Strategy

- CS18_** - Urban design, town character, historic environment
- CS11_** - Flooding

Sites and Housing Plan

- MP1** - Model Policy
- HP9_** - Design, Character and Context

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the North Oxford Victorian Suburb Conservation Area.

Planning Practice Guidance

Relevant Site History

None

Statutory and Internal Consultees

Oxfordshire County Council Highways: No comments

Representations Received

After the application was registered objections were received from a neighbouring property no.16 St Margret's Road, the St Margret's Areas Society, and from a Ward Councillor. These objections related to material issues regarding the impact of the proposed two-storey side extension. Revised plans were then submitted which sought to address the issues raised in the objections by reducing the size of the side extension. Further to these amended plans being submitted an additional public consultation was carried out. The representations set out below are the result of both public consultations.

Councillor Wade, 16 St Margaret's Road, objections:

- Concerns about the loss of the gap between properties
- Concerns about impact on character and appearance of area
- Impact of proposed development on Conservation Area
- 'Terracing' effect of proposed development
- Concerns about design of proposed development

St Margaret's Area Society

Concerns about the accuracy of the plans submitted. Welcome the removal of the garage but object to the replacement which would not be sympathetic and would detract from the appearance of the area. Concerns about then impact on the Conservation Area.

The Victorian Group of the Oxfordshire Architectural and Historical Society

The group objects to the application on the grounds that the proposed side extension would result in a loss of spacing between the host and neighbouring properties which is characteristic of the area. They also states that they believe that the proportions of the proposed extension do not relate to those of the host dwelling.

Site Descriptions

1. The application site is a three storey semi-detached family dwelling house with a basement level in the North Oxford Victorian Suburb Conservation Area. The property itself is a late 1800s building typical of the large dwellings which characterise the Conservation Area. The surrounding area is characterised by similar dwellings. The adjoining neighbour no.18 St Margret's Road sits adjacent to a corner plot with Kingston Road and this property features a two storey side extension.

Proposals

2. The application proposes a part two storey, part single storey side extension and a single storey rear extension.
3. The two storey element of the side extension would have a width of 2.3m and a mono-pitched roof with a maximum height of 6.1m (measured form the highest natural land level adjacent to the building) and an eaves height of 4.3m. It would be set back 1.7m from the front elevation of the property and would have a depth of 8.5m. The single storey element of the side extension would have the same width as the two storey element and a further depth of 4.85m with a sloped roof with a maximum height of 3.2m and an eaves height of 1.1m (measured from the highest natural ground level adjacent to the building).
4. The side extension would be built with materials (brickwork and clay tiles) to match as closely as possible the existing materials of the host property.
5. The single storey rear extension would be at around basement level, sunk into the ground by a depth of 1.3m. It would have a depth from the rear wall of the host dwelling of 4.8m and a sloped roof with a maximum height

of 2.2m and an eaves height of 1.2m (measured from the highest natural ground level adjacent to the dwelling). It would replace an existing single storey rear extension which is proposed to be removed.

6. The rear extension would be built with brickwork to match the existing host property and metal effect grey standing seam for the roof.
7. The proposals also involve the removal of a single apple tree in the rear garden.

Officers Assessment

8. Officers recommend that the principal issues to consider in the determination of the application are:
 - Design impact on conservation area
 - Impact on residential amenity
 - Trees

Design and impact on Conservation Area

9. The application site is within the North Oxford Victorian Suburb. Policy HE7 states that planning permission will only be granted for development in conservation areas which either preserves or enhances the special character of the conservation area. The prevailing character in the North Oxford Victorian Suburb Conservation Area, (as described in the North Oxford Victorian Suburb Conservation Area Appraisal), is one of openness, with gaps between houses providing views into rear gardens.
10. The proposed single storey rear extension would replace an existing single storey rear extension which fails to reflect the character of the main dwelling. The proposed extension would occupy the footprint of this extension and so would be subservient to the main dwelling. The proposed extension would, by way of its sloped roof design and materials, represent an improvement and would therefore enhance the character and appearance of the Conservation Area.
11. The proposed two storey side extension would be immediately visible in the street scene being set back 1.7m from the front elevation of the property. The immediate local area features existing side extensions; in particular there is a side extension on the attached neighbour's property no.18 approved under 87/01058/NFH. This extension is more visually prominent than that which is proposed due to its siting and dual pitched roof design. Whilst Officers do not consider that the side extensions on a nearby property sets a precedent it is argued that the proposal would not be out of character in the context of the streetscene or the Conservation Area.
12. The proposed two storey side extension would by way of its choice of materials and sloped-roof design, reflect the character of the host dwelling house. Its size would be subservient to the main dwelling and its simple

design means that it would not detract from the character of the host property.

13. The extension would sit between the host property and the un-attached neighbour; no.16 St Margret's Road. No.16 features an existing single storey side element which has a width of 1m and a pitched roof with a ridge height of 4.2m and an eaves height of 3.1m. There would be a 1m gap between the proposed extension and the neighbouring extension. In order to preserve as much as possible the characteristic spacing between the houses the extension has been designed to have a modest height, scale and massing. It would not be more than 1.5m higher than the side element on the neighbour's property and would have an eaves height 0.3m lower than the ridge height of the neighbour's side element.
14. Because of its modest height the extension would not result in a harmful loss of space between properties at first and second floor level. Where there is existing buildings between the two properties at ground floor level it is not considered that the additional bulk of the proposed extension would significantly reduce the spacing between the buildings at ground floor level. In reaching this view, Officers have been mindful of the existing context of the site.
15. For these reasons it is considered that the proposed side extension would preserve the special character of the Conservation Area in accordance with Policy HE7. It would therefore also form an appropriate relationship with the surrounding area and respect the historic character of the locality in accordance with policies CP1, CP8, CS18, and HP9.

Residential Amenity

16. The single storey rear extension, due to the levels at the site and being sunken below the natural ground level, would not protrude higher than the boundary treatment at this site and therefore would have no impact on the amenities of the neighbouring properties.
17. The two storey side extension would not protrude beyond the rear of the neighbouring property no.16. The side elevation of this neighbouring property features two windows at ground floor serving a cloakroom and a utility room. There are two windows at first floor level serving a hallway. These are not habitable rooms as referred to in Policy HP14 and as such any loss of light to these windows caused by the extension is not materially harmful to the amenity of the property.
18. The extension would protrude 1.2m beyond the front elevation of no.16 which features the front door of the property. The extension would not result in a harmful loss of light to this front elevation and it should be noted that the front door does not provide light to a habitable room.
19. For these reasons the proposals would not harmfully impact the amenities of nearby residential properties. The proposed development would thereby

by in accordance with policy HP14, CP1 (e) and CP10 (f).

Trees

20. There are no significant arboricultural amenity implications associated with this development. The scheme involves the loss of one mature orchard apple; this is clearly an old tree and is probably contemporaneous with the original development of St Margaret's Road, however the tree is not large or visible in the public realm. In these terms the tree does not represent a significant landscape feature.

Conclusion

21. Officers recommend that the proposed extension's design is acceptable and would not lead to any unreasonable impacts on the adjacent properties and would preserve the character and appearance of the Conservation Area. The proposed removal of the apple tree is also acceptable. Whilst the objections have been carefully considered, they do not raise issues which would lead to sustainable harm being caused, or to justify the application being refused planning permission.

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:

16/01827/FUL

Contact Officer: Kieran Amery

Extension: 2186

Date: 10th January 2017