

## WEST AREA PLANNING COMMITTEE

10<sup>th</sup> October 2017

**Application Number:** 17/02052/CT3

**Decision Due by:** 10<sup>th</sup> October 2017

**Extension of Time:** 14<sup>th</sup> November

**Proposal:** Erection of single storey rear conservatory extension.

**Site Address:** 40 Morrell Avenue Oxford OX4 1ND

**Ward:** St Clement's Ward

**Agent:** Mr Gary Long

**Applicant:** None

**Reason at Committee:** This application is being determined by the committee as the application has been submitted by Oxford City Council.

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### 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

### 2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a single storey rear conservatory extension.

2.2. The key matters for assessment set out in this report include the following:

- Design;
- Residential Amenity;

2.3. The development is considered acceptable in terms of design and residential amenity and should therefore be approved.

### 3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

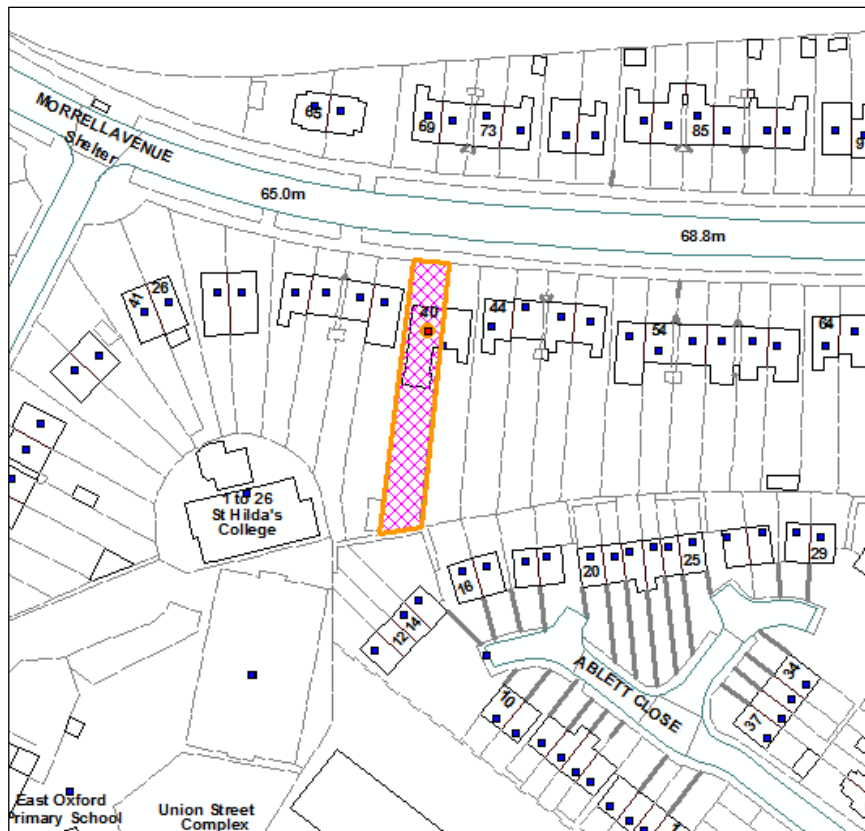
## 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

## 5. SITE AND SURROUNDINGS

5.1. The site is located on the south side of Morrell Avenue, and is a semi-detached property that is currently nominated for listing as a building of local interest. The property is set back from the street with parking area to the front and modest sized garden to the rear. The property has existing rear extensions that have formed an external courtyard along the east boundary.

5.2. A site location plan is set out below:



## 6. PROPOSAL

6.1. The application proposes to erect a single storey rear conservatory in-fill extension to provide additional room, to meet the occupants' specific requirements.

## 7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
67/19078/A_H	Vehicular access	APPROVED 15 <sup>th</sup> August 1967
01/00302/GF	Single storey rear extension	PERMITTED DEVELOPMENT
10/01155/CT3	Single storey rear extension	APPROVED 17 <sup>th</sup> November 2010

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP1, CP6, CP8, HE6	CS18	HP9	
Conservation/Heritage					
Housing	6	CP10		HP14	
Misc	5,17			MP1	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 23<sup>rd</sup> August 2017.

### **Statutory and Non-Statutory Consultees**

Oxfordshire County Council (Highways)

9.2. No comment.

### **Public representations**

9.3. No comments have been received.

## 10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Design
- ii. Residential Amenity

### i. Design

- 10.2. Policy CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and policies CP1 and CP8 of the Oxford Local Plan combine to require that planning permission will only be granted for development which shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development and creates an appropriate visual relationship with the form of the existing building and its surroundings.
- 10.3. Policy HE6 states that planning permission will only be granted for development that would have an adverse impact on a building of Local Interest where the development will make a more positive contribution to the character and appearance of the area.
- 10.4. The proposal has been designed to infill the existing courtyard formed from the erection of rear extensions to the property. It will only be partially visible from the rear garden of the host dwelling concealed against the existing rear extension at No.42 Morrell Avenue. It will be a glazed conservatory extension with mono-pitched roof sloping away from the neighbouring boundary, in-keeping with the character of the property. The extension projects approximately 4.7m from the original rear wall of the property with rear access, projecting no further than the existing projections to the property or that of the neighbouring extension. The eaves height of approximately 2.5m will enable the extension to sit subservient to the host dwelling, and below the eaves of the neighbouring extension, and is therefore not considered to be out of scale with the surrounding area.
- 10.5. The proposed exterior materials would be a rendered dwarf wall along the boundary with No.42 to match the original dwelling, and glazed UPVC framework for the structure of the conservatory, considered appropriate given its enclosed, relatively dark location.
- 10.6. The proposal is considered acceptable in design terms, and it is considered that the proposal will not impact on the important aesthetic aspect of the property from the streetscene, complying with policies CP1, CP6, CP8 and HE6 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

### ii. **Residential Amenity**

- 10.7. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. HP14

also states that planning permission will not be granted for any development that has an overbearing effect on existing homes.

- 10.8. The proposed extension will extend to a depth no greater along the boundary with No.42 Morrell Avenue than the existing single storey extension, at single storey height. The development will only be partially visible from the rear garden of the host property and a first floor window to the rear of No.42, but will not be visible from either neighbouring private amenity space. Given its enclosed location, the extension is not considered to have a detrimental impact on either neighbour in terms of loss of light, over bearing impact or loss of privacy.
- 10.9. The proposal is therefore considered to comply with policy CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.

## **11. CONCLUSION**

- 11.1. The development is considered acceptable in terms of design and residential amenity and as such is recommended for approval.
- 11.2. It is recommended that the West Area Planning Committee resolve to grant planning permission for the development subject to the conditions set out below.

## **12. CONDITIONS**

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. The materials to be used in the new development shall be those as specified in the application form. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

## **13. APPENDICES**

### **Appendix 1 – Site Plan**

## **1. 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.

## **2. 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