

## WEST AREA PLANNING COMMITTEE

10<sup>th</sup> March 2020

<b>Application number:</b>	19/03188/CT3		
<b>Decision due by</b>	4th February 2020		
<b>Extension of time</b>	20th March 2020		
<b>Proposal</b>	Erection of a two storey side extension and part single, part two storey rear extension (Amended plans and description).		
<b>Site address</b>	32 Union Street, Oxford, OX4 1JP, – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	St Clement's Ward		
<b>Case officer</b>	Jennifer Coppock		
<b>Agent:</b>	Jessop and Cook Architects Jessop and Cook Architects	<b>Applicant:</b>	Oxford City Housing Limited
<b>Reason at Committee</b>	The application is before the committee because the applicant is the Council's housing company.		

## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **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.

1.1.2. **agree to delegate authority** to the Head of Planning 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 Services considers reasonably necessary.

## 2. EXECUTIVE SUMMARY

2.1. The application seeks planning permission for two storey and single store extensions to the property. Officers consider that the design, scale and size of the proposals are acceptable and would not materially impact on the character of the pair of semi-detached dwellings (nos. 32 and 33) or the surrounding area. Further, it is considered that the proposal would not impact on the amenity of neighbours. The proposal is considered it compliance with adopted

local planning policy, specifically Policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP14 of the Sites and Housing Plan (2013).

### **3. LEGAL AGREEMENT**

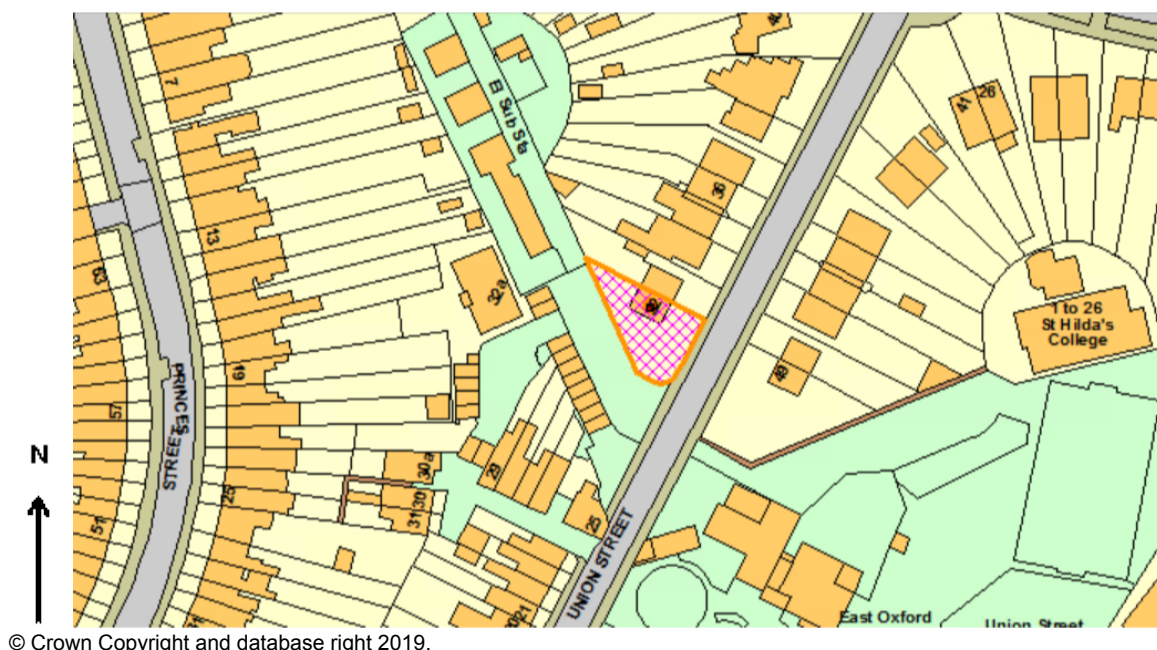
- 3.1. This application is not subject to a legal agreement.

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 4.1. The proposal is not liable for CIL.

### **5. SITE AND SURROUNDINGS**

- 5.1. The application site comprises a two storey brick built semi-detached dwelling under a tiled roof with a lawned garden to the front and rear. Accommodation includes a living room, kitchen and bathroom on the ground floor and two bedrooms on the first floor. The site is bound by feather board fencing. Vehicular parking is provided on-street.
- 5.2. The application site is located on the northern end of Union Street which is characterised by two storey terrace and semi-detached dwellings. Union Street is part of a Controlled Parking Zone with parking bays on both sides of the street. The majority of properties in this part of Union Street have off-street parking in the front gardens.
- 5.3. Surrounding land uses include residential properties to the north, east and west. 'The Union', which includes the Adult Learning Service, East Oxford Children's Centre, East Oxford Primary School and Early Intervention Service, is located to the south east, Council owned garages to the south west and an electrical sub-station lies to the north west.
- 5.4. See site location plan below:



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## 6. PROPOSAL

- 6.1. The application proposes a two storey side extension, leading to a part two, part single storey extension to the rear. The extension would provide a bedroom, bathroom and an enlarged kitchen on the ground floor with a further bedroom and bathroom on the first floor. As a result of the extension, the main entrance would be relocated from the side of the property to the front elevation. A new ramped access to the front and raised paved area to the front, side and rear is proposed to allow level access. The proposal provides covered cycle parking.

## 7. RELEVANT PLANNING HISTORY

- 7.1. There is no relevant planning history relating to the site.

## 8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents	Neighbourhood Plans:
Design	Paragraphs 124, 127, 130	CP6 CP8 CP10 CP13	CS18	HP9 HP14		
Natural environment	Paragraph 170	NE15 NE16 CP11				
Transport	Paragraphs 102, 109 and 110			HP15 HP16	Parking Standards SPD	
Miscellaneous		CP1		MP1		

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 20<sup>th</sup> December 2019 and an advertisement was published in The Oxford Times newspaper on 19<sup>th</sup> December 2019. Following an amendment to proposed plans, pink site notices were displayed around the site on 4<sup>th</sup> February 2020 and an advertisement was published in The Oxford Times newspaper on 6<sup>th</sup> February 2020.

### Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. The proposals are in a sustainable location with good access to local amenities and public transport. The proposals are in a CPZ.

Cycle Parking - The proposals need to provide 3 covered and secure cycle parking spaces to conform to policy requirements. The current proposal is acceptable.

Car Parking - The proposals will double the number of bedrooms from 2 to 4 and do not provide any off street car parking. Because of this, it will be necessary to exclude the property from obtaining residents parking permits. This will ensure that existing on street parking is protected from the development.

Oxfordshire County Council do not object to the granting of planning permission, subject to a condition to remove eligibility for parking permits.

### **Public representations**

- 9.5. One local resident commented on this application from an address in Church Hill Road.

- 9.6. In summary, the main points of objection were:

- Access
- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on pollution
- Effect on privacy
- Effect on traffic
- General dislike or support for proposal
- Height of proposal
- Information missing from plans
- Light - daylight/sunlight
- Local ecology, biodiversity
- Local plan policies
- Noise and disturbance

### **Officer response**

- 9.7. The local resident raised detailed concerns regarding the design of the extension and impact on the amenity of neighbours. In response to these concerns and those of Officers, amended plans were requested to reduce the width and height and set the building line of the extension behind the principal elevation of the original dwelling in order to create a more subservient and balanced addition, retaining the amenity of neighbours.

## **10. PLANNING MATERIAL CONSIDERATIONS**

- 10.1. Officers consider the determining issues to be:

- i. Design
- ii. Neighbouring amenity
- iii. Parking and bin storage
- iv. Trees

### **i. Design**

- 10.2. Policy CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and Policies CP1 and CP8 of the adopted Oxford Local Plan and Policy DH1 of the emerging Local Plan require that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.
- 10.3. The proposed side extension would measure approximately 3.3m in width and would be set back from the principal front elevation by approximately 2.4m. The proposed roof ridgeline would be 1m lower than the ridgeline of the original dwelling.
- 10.4. The proposed part single, part two storey rear extension would project approximately 2.1m from the original rear wall. The two storey element would measure approximately 3.1m in width and would be set down from the roof ridgeline of the proposed side extension by approximately 0.3m. The single storey element (which would by itself constitute permitted development) would measure approximately 4.4m in width, the ridge of the mono pitched roof would measure 3.5m in height and the extension would be set away from the boundary with no. 33 by approximately 0.5m.
- 10.5. The side extension would abut the south western boundary, removing side access to the rear garden. The triangular shaped rear garden would extend a maximum of 10.3m from the rear wall of the proposed single storey extension.
- 10.6. A lean-to timber structure with a tiled roof would be erected to the side of the property to provide covered cycle storage. The size, scale and design of the structure is considered subservient to the original dwelling, respecting its form and character and would not detrimentally impact on the character of the street scene. This element of the proposals was not included as part of the original scheme and was included at the request of officers; as a relatively small-scale addition to the plans it was not subject to further consultation but

would not materially impact on the amenity of neighbouring occupiers or the visual appearance of the development.

- 10.7. The extensions would be in red facing brick and render with clay roof tiles to match the existing.
- 10.8. The extension would make more efficient use of the site, whilst retaining sufficient outdoor amenity space to the rear and respecting the form, character and appearance of the original dwelling.
- 10.9. The proposals are considered to comply with policies CP1, CP6, CP8, CP10 of the Oxford Local Plan 2001-2016, CS18 of the Core Strategy 2026 and HP9 of the Sites and Housing Plan. The proposals are also considered in compliance with Policy DH1 of Emerging Oxford Local Plan 2036, noting that it carries only limited weight at this time.

## **ii. Impact on neighbouring amenity**

- 10.10. 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.
- 10.11. The single and two storey rear extensions would not contravene the 45/25 code when applied to the windows of habitable rooms at no. 33. It is also noted that a part single, part two storey rear extension was recently approved at no. 33 which would project approximately 1.2m further than the proposed extension, subject to this application. If that scheme is implemented then the impact on neighbouring amenity would be further reduced.
- 10.12. Further, it is considered that the proposal would not be overbearing on no. 33 due to the depth of the extension and the distance of the ground and first floor extensions from the boundary with no. 33. By virtue of the distance between the proposal and Sylvia House, 32a Union Street (5 flats) to the south west, it is not considered that the extension would have an overbearing impact on these units.
- 10.13. The proposal is therefore considered acceptable in terms of its impact on neighbouring amenity, in line with Policy HP14 of the Sites and Housing Plan (2013).

## **iii. Parking**

- 10.14. The application site is within a sustainable location with good access to local amenities and public transport. As stated above, the site lies within a Controlled Parking Zone.
- 10.15. The proposal would create two additional bedrooms but does not provide any off-street parking provision. The Highways Authority has recommended that the property is excluded from the eligibility of obtaining residents parking permits, however as this is an application for an extension to an existing family

dwelling, it is not considered appropriate to impose such a restriction, particularly given that the property is within the East Oxford Controlled Parking Zone where the maximum number of car parking permits is already limited to two per household.

- 10.16. The Highway Authority has advised that the proposal should provide three covered and secure cycle parking spaces, in line with Policy HP15 of the Sites and Housing Plan. The current proposal provides acceptable cycle parking spaces in compliance with the planning policy following the submission of revised plans that include this provision to the side of the proposed development.

#### **iv. Trees**

- 10.17. It is not considered that the proposal would harm the existing 2no. trees on site if reasonable care is taken to protect them physically during the construction phase. To ensure this is the case, a condition has been recommended requiring a Tree Protection Plan to be submitted and approved by the Council prior to the commencement of development in accordance with Policies CP1, CP11 and NE16 of the adopted Local Plan 2001-2016.

### **11. CONCLUSION**

- 11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. In the context of all proposals, paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 11.3. Due to its design, scale and size it is considered that the visual impact of the proposed extensions would not materially harm the character of the pair of semi-detached dwellings or the surrounding area, in compliance with policies CP1, CP6, CP8, CP10 of the Oxford Local Plan 2001-2016, CS18 of the Core Strategy 2026 and HP9 of the Sites and Housing Plan.
- 11.4. It is considered that the proposal would not impact on the amenity of neighbours, in compliance with Policy HP14 of the Sites and Housing Plan.

- 11.5. It is considered that the proposed cycle and bin storage is acceptable in compliance with Policy HP15 of the Sites and Housing Plan.
- 11.6. It is recommended that the Committee resolve to grant planning permission subject to the following conditions.

## **12. CONDITIONS**

- 12.1. Officers recommend that conditions would be required relating to the following matters but that the wording is delegated to the Head of Planning.

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 proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by policy CP1 of the Oxford Local Plan 2001-2016.

4. All Impermeable areas of the proposed development, including roofs, driveways, and patio areas shall be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding. Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required. If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations. The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development. Oxford City Council SuDS Design Guide can be found at [www.oxford.gov.uk/floodriskforplanning](http://www.oxford.gov.uk/floodriskforplanning)



Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026

5. Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

### **13. APPENDICES**

- **Appendix 1 – Block Plan**

### **14. HUMAN RIGHTS ACT 1998**

- 14.1. 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.

### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 15.1. 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.

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