

East Area Planning Committee

29<sup>th</sup> May 2012

**Application Number:** 12/00228/FUL

**Decision Due by:** 27th March 2012

**Proposal:** Proposed single storey rear extension.

**Site Address:** 16 Bartholomew Road Oxford Oxfordshire OX4 3QQ

**Ward:** Cowley Ward

**Agent:** Mr Gary Wilcox

**Applicant:** Mr Ben Clifton

The application needs to be determined by Committee because the applicant is a Council employee, in accordance with the Councils constitution. The report has been checked by the Councils Monitoring Officer.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. The proposals therefore comply with Policies CP1, CP8, CP10 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy. No objections have been received from third parties.
- 2 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 Amenity no additional windows side,

5 Amenity no balcony

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**HS19** - Privacy & Amenity

**Core Strategy**

**CS18\_** - Urban design, town character, historic environment

**Other Material Considerations:**

None relevant

**Relevant Site History:**

None relevant

**Representations Received:**

No comments received

**Statutory and Internal Consultees:**

Thames Water: No objection, but comments on legal changes relating to sewers.

**Issues:**

Design

Effect on adjacent occupiers

**Officers Assessment:**

Site description and proposal

1. 16 Bartholomew Road is a semi detached house with a passageway to side. Permission is sought to construct a flat roof single storey rear extension to provide extended living space. The extension would extend across the rear of the house and extend into the garden by 4 metres.

Design

2. Oxford City Council desires 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 and CS18 are key in this regard.

3. The proposed development is not easily visible from the public domain. The flat roofed design reflects the appearance of other extensions in the area and subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the Local Plan and CS18 of the Core Strategy.

#### Effect on adjacent occupiers

4. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1, CP10 and HS19 of the Local Plan support this aim. Appendix 6 of the Local Plan sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.

5. The properties on either side of the application site (14 and 18 Bartholomew Road) have already been extended and the proposal complies with the 45-degree guidance. Subject to conditions to prevent the insertion of side facing windows or the creation of a balcony or terrace to the flat roof, the development is considered unlikely to have a material effect on adjacent occupiers, and the proposal complies with Policies CP1, CP10 and HS19 of the Local Plan.

#### **Conclusion:**

6. The development is considered to form an acceptable visual relationship with the existing building and local area, is unlikely to have a significant effect on the current and future occupants of adjacent properties. The proposals therefore comply with Policies CP1, CP8, CP10 and HS19 of the adopted Local Plan and Policy CS18 of the Core Strategy.

#### 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 planning permission, officers consider

that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers: 12/00228/FUL**

**Contact Officer:** Tim Hunter

**Extension:** 2154

**Date:** 26th March 2012