

West Area Planning Committee

13th June 2012

Application Number: 12/00147/FUL

Decision Due by: 7th May 2012

Proposal: Side and rear two storey extension to 9 Whitson Place.
First floor extension to 12 Whitson Place.

Site Address: 9 And 12 Whitson Place Oxford Oxfordshire OX4 3DD

(Site Plan: Appendix 1)

Ward: Iffley Fields Ward

Agent: Mr Mohammed Ehsan

Applicant: Mr Imran Faruq

Called in by: Councillors Tanner, Price, Sinclair and Coulter due to local concerns of over development.

Recommendation:

The west area planning committee is recommended to approve planning permission for the following reasons:

- 1 Subject to the conditions proposed for the reasons given in the Officers' report, 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. An adequate level of parking for the location is proposed and the proposals comply with Policies CP1, CP8, CP10, TR3, HS19 and HS20 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.
- 2 Comments have been received from 7 Whitson Place relating to potential loss of daylight to windows, possible loss of boundary treatment and obstruction of access. Officers consider that there will be no material loss of light, the boundary treatment can be addressed by a condition of planning permission and any obstruction of access by vehicles would be a civil matter outside of officers' control. The applicant has however been informed of the Considerate Contractors scheme.
- 3 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Amenity no additional windows side,
- 5 Amenity windows obscure glass side facing bathroom,
- 6 Details excluded submit revised plans
- 7 Bedrooms complete before occupation

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

TR3 - Car Parking Standards

HS19 - Privacy & Amenity

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

The Town and Country Planning (General Permitted Development) Order 1995. As amended. (GPDO).

Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

Relevant Site History:

11/02429/FUL - Side and rear two storey extension to 9 Whitson Place. First floor extension to 12 Whitson Place.. REF 22nd December 2011.

Representations Received:

7 Whitson Place: No objection in principle, but concerned about loss of daylight to windows, possible loss of boundary treatment and obstruction of access.

Statutory and Internal Consultees:

Local Highway Authority: No objection subject to conditions.

Issues:

Design

Effect on adjacent occupiers

Parking

Officers Assessment:

Site description and background

1. 9 and 12 Whitson Place are adjoining houses that form the end and middle of a terrace respectively. Permission is sought to construct a two storey side and rear extension at number 9 and a first floor extension at number 12.
2. The current proposal is an amended version of that submitted under application 11/02429/FUL that was refused for the following reasons:

Due to its height, excessive width, proximity to the boundary, projection beyond the building line and overall mass and bulk, the proposed two storey side extension is considered to be unacceptably out of character with the existing house and local area and likely to create a jarring and incongruous addition to the street scene to the detriment of visual amenity, contrary to Policies CP1, CP8 and CP10 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.

Due to its height, orientation, proximity to the boundary and overall bulk and mass, the proposed two storey side extension is considered likely to be unacceptably overbearing and lead to a material loss of light and direct sunlight to the adjoining garden at number 7 Whitson Place, leading to a significant loss of residential amenity to the current and future occupants of that property, contrary to Policies CP1, CP10 and HS19 of the adopted Oxford Local Plan 2001 – 2016.

3. The current application attempts to address the previous reasons for refusal by reducing the width of the two storey side extension, removing the extension's projection beyond the frontage of the main dwelling and improving the separation distance with number 7 Whitson Place.

Design

4. 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 Plan provides policies to support this aim and CP1 and CP8 key in this regard, along with policy CS18 of the Core Strategy.
5. Oxford City Council Planning Design Guide 2 – Side Extension seeks to ensure that pairs of semidetached houses are not unbalanced by side extensions that are not subordinate to the existing houses. It suggests that it is usually best practice to continue building lines and detailing on terraced houses.
6. Parts of the proposed development would be visible from the public domain. The two storey side extension, whilst relatively large accords with the advice of Design Guide 2 in that the building lines and design detailing of the existing terrace are continued in the extension.

7. Taken as a whole, the proposed extensions remain large and bulky. However, the impact on the street scene is relatively modest and when viewed from adjacent rear gardens the development achieves an appropriate visual relationship with the existing house and will reflect previous development on the terrace, whilst remaining less intensive than previously approved development on Whitson Place.
8. Overall, 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

9. 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.
10. 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.
11. The proposal complies with the 45-degree guidance and because of the proposed extension at number 12 is unlikely to result in a loss of light or creation of an overbearing effect to windows serving the habitable rooms at number 12.
12. The effect on the windows at number 7 and the gardens of adjoining properties has also been assessed. Due to the reduction in scale and proximity to the boundary with number 7 compared to the previous proposals, the current proposals are considered unlikely to result in a loss of light or creation of an overbearing effect.
13. Any increase in the potential for overlooking is considered low, and subject to conditions to ensure the development to the rear is complete before occupation, to prevent additional windows to the side and to ensure the bathroom window is fitted with obscure glass, the proposals are considered unlikely to have a material effect on adjacent properties, and to comply with Policies CP1, CP10 and HS19 of the Local Plan.

Parking

14. Policy CP1 of the Local Plan states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. Policy TR3 states that planning permission will only be granted for development that provides an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in the plan's Appendix 3.
15. The proposed extension will create a four / five bedroom house. Appendix 3 of the Local Plan gives a maximum standard of three parking spaces for a house with four or more bedrooms. However given that this is a maximum figure and the sustainable location of Whitson Place, with its proximity to local shops and bus services, one space is considered sufficient for this location.

16. It is noted that the proposed parking space does not fully comply with the Local Highway Authorities recently revised parking standards and it is therefore recommended that any grant of planning permission be conditional on the submission of revised plans showing the provision of a parking space with minimum dimensions of 2.5 by 5 metres and with adequate vision splays to ensure the development complies with Policies CP1 and TR3 of the Local Plan.
17. The suggestion by the Local Highway Authority that development be conditional on no surface water being discharged onto the highway has been considered, but as parking is already provided on existing hard standing, this is considered an unreasonable imposition.

Conclusion:

18. Subject to the conditions proposed for the reasons given in the Officers' report, 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. An adequate level of parking for the location is proposed and the proposals comply with Policies CP1, CP8, CP10, TR3, HS19 and HS20 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.

Human Rights Act 1998

19. 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.
20. 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

21. 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: 12/00147/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 28th May 2012

APPENDIX 1

12/00147/FUL

9 & 12 Whitson Place



Legend	
Scale:	1:1250



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Organisation	Oxford City Council
Department	Planning
Comments	
Date	29 May 2012
SLA Number	100019348