

West Area Planning Committee

11th July 2012

Application Number: 12/01296/FUL

Decision Due by: 20th July 2012

Proposal: Erection of single storey rear extension and alterations to roof to create habitable loft space. (Amended Plans)

Site Address: 27 Upland Park Road, (site plan at **Appendix 1**)

Ward: Summertown Ward

Agent: Form Design

Applicant: Dr Vijan Iyer

Application Called in – by Councillors – McCreedy, Fooks, Brett and Campbell for the following reasons – impact on the existing character of the street

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The alterations to the front of the property will create a distinctive dwelling within the street expressing the period when the property was built which was in the late 1920's. The rear alterations whilst not traditional in form are considered to respect the character and appearance of the property, uses materials of a quality appropriate to the nature of the development, the site and its surroundings and will not impact on the neighbours in significantly detrimental way.
- 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.
- 3 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.

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

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP10 - Siting Development to Meet Functional Needs
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space

Core Strategy

CS9 - Energy and natural resources
CS18 - Urban design, town character, historic environment

Sites and Housing Plan – Submission

HP9 - Design, Character and Context
HP14 - Privacy and Daylight

NB: The City Council has recently approved the Sites and Housing Development Plan Document (SHDPD) for consultation prior to public examination by an Inspector later this year. It forms part of Oxford's Development Plan Framework and although not formally adopted it does carry weight as a material consideration in determining planning applications.

Other Material Considerations:

National Planning Policy Framework

NB: As of 27th March 2012 the National Planning Policy Framework replaced various Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) which are now withdrawn.

Relevant Site History:

58/07590/A_H - Alterations and extension. PDV 9th December 1958.

72/26064/A_H - Extension to rear porch and erection of small boiler house. PDV 27th June 1972.

73/00394/A_H - Erection of car port and internal alterations. PDV 9th March 1973.

11/03296/FUL - Single storey ground floor extension and loft conversion (amended plans and description). WDN 30th January 2012.

Representations Received:

19 Upland Park Road: Close to adjoining properties, loss of light, loss of parking, loss of privacy, out of keeping with character of area, introduces a modern element which detracts from the attractiveness of the road,

Statutory and Internal Consultees:

Highway Authority: The site is located within a Controlled Parking Zone (CPZ) and thus indiscriminate parking can be enforced. After investigation and reviewing the supplied documents, the Highway Authority has no objection to the proposal on the basis of highway safety.

Oxford Civic Society: out of keeping with the area, house will be top heavy, canopy and style of windows would be alien to the style of the building and in particular the oriel dormer, loss of daylight and privacy and disturbance from light spill.

Issues:

Design
Residential Amenity
Sustainability

Officers Assessment:

Site Description

1. The application site comprises a large detached residential property on the northern side of Upland Park Road built in the late 1920's at the western end of the cul de sac. The property is set back from the highway by a front garden with a driveway at the side leading to a detached pitched roof garage.

Proposal

2. The application is seeking permission for demolition of the garage and the erection of a single storey wrap around extension and loft conversion. To the front the bay window is extended and a flat roof "porch" is inserted across the front of the property and around the side to join up to the new extension, which will cover the front door and to provide solar shading to the reception room. A double height oriel window is to be inserted above the front door with a dormer within the roof slope above. All windows are to be replaced. To the rear is a single storey extension. With regards to the loft conversion both sides of the roof are to have a hip to gable and to the rear a large dormer is proposed.

Assessment

Design

3. Policy CS18 of the OCS states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the OLP and HP9 of the SHDPD. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area. However policy CP8 also does not rule out innovative design.
4. Upland Park Road is a cul de sac of mainly detached dwellings of mainly traditional appearance although there are a few examples of more modern infill. The dwellings provide a fairly built up frontage to the road with varying gaps to boundaries. The buildings themselves vary in their detailed design but are all of a quite traditional form. With very few exceptions they comprise two-storey detached houses, none of which are small, though the size varies. The main exceptions are a pair of semi-detached houses, which have recently been built at the far end of the cul-de-sac, and Upland Court, a small block of flats. The trees and other vegetation in many of the front gardens help to give the road a pleasant and relatively spacious character.
5. The hip to gables proposed will maintain the symmetry of the property and will not be out of place as there are a variety of dwellings within the street some with hipped and some with gabled roofs. The extension to the front bay is at ground floor only and it maintains the shape and form. The canopy extends out at the same depth as the extended bay and wraps around the property to join up with the proposed extension. The canopy is simple in form and narrow so as not to obscure the front elevation. The double height oriel window is to be inserted above the front door along with the dormer above continuing the vertical form of the front door. There are various types of front dormers within the street and it remains subservient within the roof. Whilst the dormer is not of a traditional form it is in keeping with the proposed alterations and style of the property.
6. The single storey rear extension has a flat roof across the rear and a mono pitched roof sloping away from the boundary with 25 Upland Park Road. The west elevation is curved with full height sliding and folding glazed doors. 27 Upland Park Road is a substantial residential property with a large rear amenity space. Whilst the rear extension is large it is Officers opinion that the property is fully capable of accommodating such a sizeable extension. The extension is at the rear and therefore will not be visible within the public domain and will therefore not have a detrimental impact on the character and appearance of the street scene.
7. The proposed rear dormer is set down from the ridgeline and up from the

eaves. Whilst it spans the majority of the roof it is broken up by the rear gable. It is in keeping with the other proposed alterations to the property and is therefore considered to form an appropriate visual relationship with the dwelling.

Residential Amenity

8. Policies HS19 and CP10 of the OLP and HP14 of the SHDPD require the siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. Proposals are assessed in terms of potential for overlooking into habitable rooms or private open space. Whilst there is a lot of glazing any potential overlooking issues have been mitigated by high level glazing at first and second floor levels and the use of roof lights to allow light in.
9. Policy HS19 of the OLP and HP14 of the SHDPD sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25-degree code of practice, detailed in Appendix 6 of the OLP and Appendix 7 of the SHDPD.
10. With regards to 25 Upland Park Road this property received planning permission in February 2010 for a single storey rear extension under reference 09/02729/FUL. Whilst this extension has not been built yet an initial notice has been received by the Councils Building Control which shows a clear indication of intent to start the works. In relation to the approved extension the proposal at 27 Upland Park Road does not breach the 45/25-degree code of practice. However as it has not yet been built the 45/25-degree code of practice needs to be applied to the existing building. There is a kitchen window on the rear elevation which when applied the 45 degree line in plan form is breached. However the 25 degree uplift is not due to the design of the roof therefore the proposal will not impact in terms of sunlight/daylight.
11. With regards to 29 Upland Park Road the proposals do not breach the 45/25-degree code of practice in relation to the nearest windows in both the rear and front elevation.
12. Policy HS19 also requires the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. The rear extension creates a wall along the boundary with 25 Upland Park Road 11.3m in length. However the eaves of the extension are at the same height as the existing garage. The proposal will extend 3m beyond the end wall of the existing garage but not as far as the out building in the rear garden of 25 Upland Park Road. Along the boundary currently is a 1.8m high wooden panel fence with dense vegetation obscuring the majority of the rear of the garage. Although the proposal would extend some 4m further into the rear garden than the permitted extension at No. 25, taking into account all these factors Officers do not consider the proposal to create a sense of enclosure or be of an overbearing nature.

Sustainability

- 13 The proposal will make efficient use of the land and will provide improved family accommodation. Notwithstanding the need to meet the requirements of the Building Regulations the building will be reinsulated with an external insulated render system; the house will be reconfigured to maximise solar gain, ecologically and reputedly sourced construction materials with low embodied energy will be used.

Conclusion:

14. For the reasons given above and taking into account all other matters raised Officers conclude that the proposal accords with all the relevant policies within the development framework and therefore recommends approval as the alterations to the front of the property will create a distinctive dwelling within the street expressing the period when the property was built which was in the late 1920's. The rear alterations whilst not traditional in form are considered to respect the character and appearance of the property, uses materials of a quality appropriate to the nature of the development, the site and its surroundings and will not impact on the neighbours in significantly detrimental way. The proposal is therefore supported.

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:

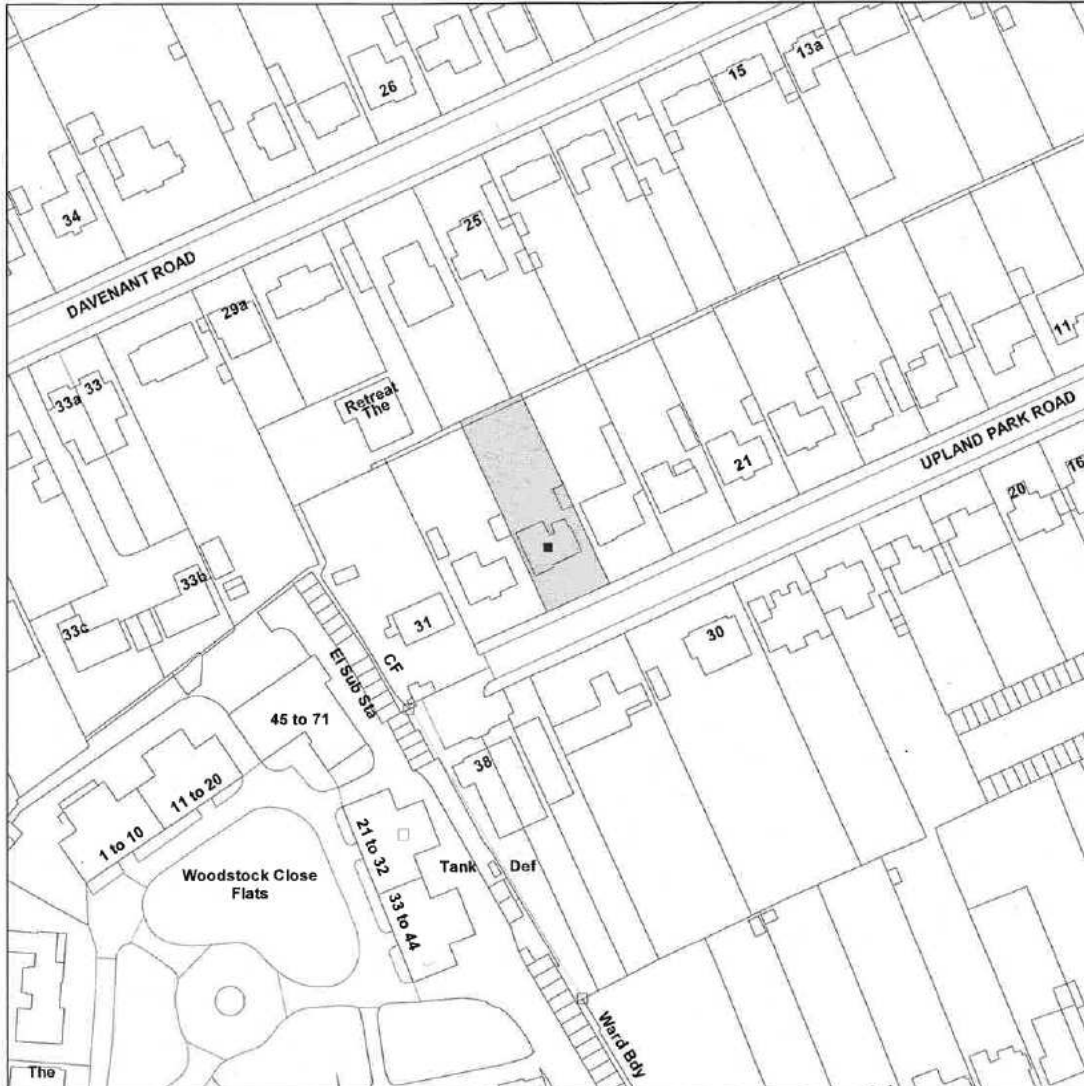
Contact Officer: Lisa Green

Extension: 2614

Date: 21st June 2012

Appendix 1

12/01296/FUL 27 Upland Park Road



Scale : 1:1250

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Ordnance Survey 100019348.

Organisation	Not Set
Department	Not Set
Comments	
Date	25 June 2012
SLA Number	LA100019348

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