

**WEST AREA PLANNING COMMITTEE**

15<sup>th</sup> August 2012

**Application Number:** 12/01085/FUL

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

**Proposal:** Erection of side extension at lower and upper ground floor levels. (Amended plans)

**Site Address:** 33 Leckford Road Oxford (Appendix 1)

**Ward:** North Ward

**Agent:** MEB Design Ltd

**Applicant:** Mr And Mrs J Saunders

This application has been called-in by Councillors Fry, Pressel, Kennedy, Rowley and Curran due to concerns about the impact on the Conservation Area as well as neighbouring amenity.

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**Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension is a contemporary response to the historic precedents and is considered to be of a form, scale and appearance that preserves the character and appearance of the existing house and wider North Oxford Victorian Suburb Conservation Area. In addition, no significant harm to neighbouring amenity is considered to result from the proposals. The proposals therefore comply with policies CP1, CP8, CP9, CP10, HE7, HS19 and HS21 of the Oxford Local Plan 2001-2016, policies HP9 and HP14 of the Sites and Housing Plan Submission Document as well as policy CS18 of the Oxford Core Strategy 2026.
- 2 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.
- 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.

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 Sample Materials
- 4 Samples of Windows and Doors
- 5 Flue Details
- 6 Obscure glazed and non-opening windows in rear elevation

### **Main Local Plan Policies:**

#### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- HE7** - Conservation Areas
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

#### **Core Strategy**

- CS18** - Urb design, town character, historic environment

#### **Sites and Housing Plan - Submission**

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

#### **Other Material Considerations:**

National Planning Policy Framework

#### **Relevant Site History:**

None

#### **Representations Received:**

##### Consultation responses resulting from original plans:

Oxford Civic Society – Object. The design is out of keeping with the Conservation Area and would represent a discordant feature. No attempt has been made to relate

the pattern of fenestration with surrounding historic development and the use of materials (particularly a copper roof) would mean that the extension would not read as a natural accretion of the building.

The Victorian Group of the Oxfordshire Architectural and Historic Society – Strongly object to the proposed development which is ‘one of the most unsuitable they have seen’. The material choice is completely out of character with the surrounding area and is contrary to Government guidance in the NPPF which states that development should respond to local character and history and reflect the identity of local surroundings and materials. The proposal is described as a conservatory but it is nothing of the sort.

The Victorian Society – The proposed extension is large and would erode the sense of openness that currently exists on the site and the views this allows. In the most basic terms the extension proposed would be damaging to the special character and interest of the Conservation Area and should be refused.

Oxford Preservation Trust – The material choice and design would mean that the extension proposed would appear alien within its setting and would have a negative impact on the character and appearance of the Conservation Area.

Ten representations were received from third parties raising the following points:

- The proposed extension would result in significant potential to overlook the rear garden of 35 Warnborough Road and would reduce the pleasant view for neighbours enjoying this garden;
- The extension would block out light to the rear garden of 35 Warnborough Road particularly as it is to the north of the application site;
- The proposals are ‘offensive’ to the Conservation Area and are not sympathetic to the existing vernacular architecture;
- The proposals disrespect the style and proportions of the existing house;
- The extension proposed is too high, almost like a two storey extension and therefore out of proportion with the existing house such that it fails to preserve the important gaps between houses in the Conservation Area;
- The roof material is more akin to something industrial and is not suitable in a residential street such as Leckford Road;
- The overall design and material choices ‘are a betrayal’ of the important and distinctive features of the Conservation Area;
- If the development is approved it would make a mockery of the Conservation Area such that there would be little point in its designation;
- The extension complements and balances the existing house and will preserve the special character and appearance of the Conservation Area;
- The proposals represent an imaginative, stylish and graceful that would add to architectural interest in the street.

#### Consultation responses resulting from amended plans:

Oxford Civic Society – Whilst the amended scheme shows some improvement on the original proposals they will still be out of keeping with the existing house as the roof form is unnecessarily high, of contrived design and bears no rational relationship to the existing house and streetscene. The roof, while less obtrusive, is still proposed

to be constructed of copper and the style of glazing does not relate sufficiently well to the pattern of fenestration on the front elevation of the house. The proposed design is also too large to be appropriate to its context.

Victorian Group of the Oxfordshire Architectural and Historic Society – Continue to strongly object to the proposals though the change perhaps represents a slight improvement. However, it is hard to image anything less suitable in the Conservation Area.

Twelve third party representations were received. The comments of those OBJECTING are summarised as follows:

- The 3D images fail to show how the extension would appear from 35 Warnborough Road;
- The proposals represent a departure from Victorian architecture, which is exacerbated by its highly visible position within the street;
- The amended proposals are just as out of keeping with the Conservation Area and will continue to harm the privacy enjoyed by neighbouring properties;
- The materials, design and general appearance of the extension are inappropriate such that they do not respond to the special character and appearance of the Conservation Area;
- The use of a copper roof is completely alien to the area as is its general design and, if allowed, there seems little point in there being a Conservation Area;
- The proposals are overdevelopment which will close the gap between buildings in the street to the detriment of this important feature of the Conservation Area;
- The amended extension appears as a 'lump' attached to the house and the area should be protected from the subjective taste of individuals to preserve its historic character;
- Whilst the amount of overall glazing to the rear has been reduced and obscure glazing introduced, what is to prevent future occupiers from changing the windows and allow overlooking of properties to the rear?;

The comments of those SUPPORTING the proposals are summarised as follows

- 35 Warnborough Road will now not be overlooked and this concern has been met;
- The proposals are not a mere pastiche but a more imaginative proposal that respects its context;
- The extension would add to the interest and character of the area and would be a positive development;
- People's fears will be found to be unjustified when the extension is built;
- The proposed extension complements the conservatory look found at the adjoining property, 34 Leckford Road.

#### **Statutory and Internal Consultees:**

OCC Conservation Officers – Comments incorporated into report

Thames Water Plc – No objection

**Officers' Assessment:**

Site Description and Context

1. The application site relates to one of a pair of Victorian era semi-detached three storey townhouses located within the North Oxford Victorian Suburb Conservation Area. 33 and 34 Leckford Road were built in 1883 for the Oxford Building Co. and exhibit the traditional North Oxford gothic characteristics as elsewhere in the area. No 33 has remained largely unaltered since built. The pair of dwellings is located on the corner with Warnborough Road, which results in their private gardens partly located to the side rather than the rear of the properties. This means that no 33 has a relatively large gap between it and the adjacent semi-detached pair of houses at 31/32 Leckford Road.

2. The house is four storeys, including the semi basement and attic storey, and is composed of a series of 'additive' elements – the gabled front range, a two storey bay and lean-to porch. Each of these elements has slightly different characteristics: the bay has a hipped low pitched roof, the main gable has a steep pitched roof and the porch is in painted timber with a single sloping roof. Next door at No. 34 there is a recently built side 'conservatory' extension, replacing an earlier conservatory extension (conservatories are distinctive features in North Oxford, though many have been removed or replaced).

3. The area is characterised by its large houses, generally set in large plots with tree planting and front garden landscaping from which the leafy garden suburb quality derives. Gaps between buildings help to maintain the spacious setting and allow views through to the rear gardens and tree canopies. 33 Leckford Road has trees and a hedge to the front which filters views of the front elevation but the side elevation and the tall gable is exposed to view because of the wider than normal gap and because the building sits slightly forward further on its plot than its neighbours. The gable is articulated with a few small windows and a string course in brick but is otherwise plain.

4. The property provides physical evidence of the history of the suburb and holds qualities in its architecture and materials that are typical for the area. The existing landscaping of the front garden also contributes to the leafy character of the suburb.

5. The application site is shown on the location plan attached as Appendix 1.

The Proposal

6. The application seeks consent to erect a side extension to the property at both lower and upper ground floor levels. Amended plans were submitted during the application process in light of comments received during public consultation as well as in response to comments made by officers. It is on the basis of the amended plans that the application must now be determined though, in the interests of completeness, the comments received in relation to the original plans have also been set out earlier in this report.

7. Officers consider the principle determining issues in this case to be:

- Impact on character and appearance of the conservation area;
- Impact on Neighbouring Amenity.

#### Impact on Character and Appearance of the Conservation Area

8. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. The Government sets out a presumption in favour of sustainable development in the National Planning Policy Framework and explains that the purpose of the planning system is to contribute to the achievement of this. Core planning principles that should underpin decision making (paragraph 17) include “*conservation of heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generation*”.

9. The application site lies within a conservation area. In relation to development affecting a designated heritage asset (e.g. a conservation area) the NPPF states that “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification*”.

10. The Heritage guidance within the NPPF is supported by a Practice Guide that gives more detailed advice. Paragraph 178 of this guide states:

*“The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate”.*

11. The requirements of the NPPF are reflected in Local Plan policy HE7 which states that planning permission will only be granted for development that preserves or enhances the special character and appearance of a conservation area or its setting.

12. Officers consider the existing east elevation of the house to be bland and lacking any real interest which is particularly notable given its prominence when travelling from east to west along Leckford Road. Officers also note the existing and recently approved conservatory type extension to the side of the adjoining property, 34 Leckford Road. Whilst this extension is more traditional in form, it nonetheless means that an extension of similar scale to the application property would introduce balance to the pair of houses. Consequently, officers support the principle of an appropriately scaled side extension to 33 Leckford Road.

13. The applicant has explained that the form of the new extension is informed by historic precedents and the overall architectural form of the property and therefore takes the cue from the 'additive' form by seeking to ensure that any addition would appear subservient to the main range. Side conservatories over brick basement levels are typical features of the area. Side extensions with lean-to, sloping roofs are also common and a traditional solution to provide additional accommodation. The extension is proposed to be a contemporary styled conservatory addition to the property. Its overall scale both in terms of its height and width is considered to be similar to that existing at the adjoining property (34 Leckford Road) and, more importantly, is such that it helps clearly preserve the gap between the adjacent pair of semi-detached houses (31 and 32 Leckford Road).

14. Whilst officers support the principle of a side extension, given that this elevation is so prominent within the streetscene it is particularly important that any development respects the character and appearance of the Conservation Area. Achieving this, however, does not necessarily require a direct replication of existing features and design and a contemporary approach to development in the Conservation Area is potentially acceptable provided that it preserves the features that are significant to the special character and appearance of the Conservation Area.

15. By virtue of its subservient scale the extension proposed is considered to preserve the primacy of the existing house and avoid the appearance of any meaningful closure of the gap between the buildings along Leckford Road, maintaining a view through the gaps to the gardens behind.

16. Officers consider the size of the extension to be generally in keeping with later additions to houses within the Conservation Area and has a scale that is appropriate here. The prominence of the gable end will mean that the extension would be more visible from the public realm, though in the longer term planting up the boundaries will reduce or eliminate the view. An extension on the gable end has the potential to add interest to the view and moderate its rather bland appearance.

17. The design promotes a contemporary style of conservatory, using a similar palette and texture of materials found in the area, but in a slightly different order. The features that contribute to the character and appearance of the property and conservation area are an integral part of the design concept:

- the roof form is a modest sloping lean-to that features a chimney stack, albeit with contemporary eaves detailing;
- bay window with tripartite window is provided on the front elevation;
- glazing above a brickwork base is proposed for the side elevation suggestive of the conservatory form.

18. Brickwork and stone is proposed for the masonry elements in the extension in common with the predominant materials in the area. The roof is proposed to be in copper, a traditional roofing material and used at Leckford Place School. It is intended that the roof will be pre-patinated and fixed to a red-brown colour

(rather than allowed to go green), so that tonally it is similar to the redbrick detailing in the houses. The windows are timber and metal, to complement the modern design, but have an overall shape and form that is intended not to detract from the verticality and proportion of the existing sash windows

19. It is not for the local planning authority to prescribe architectural styles for any new development, however it must be comfortable that the appearance of any new building, the way it is designed to relate to its context and the materials proposed will not harm the historic values and character of the area.

20. Officers have concluded that there is the creative opportunity to provide a contextual but modern extension to this property and that this proposal as amended shows, on balance, a sensitive response to the physical context and can be supported.

#### Impact on Neighbouring Amenity

21. Policies CP1, CP10 and HS19 of the Local Plan require development proposals to adequately safeguard the amenity enjoyed by neighbouring residents and this requirement is also reflected in policy HP14 of the emerging Sites and Housing Plan.

22. The conservatory is proposed to extend primarily to the side of the existing house into an area of open side garden. Whilst the extension would provide two floors of extra accommodation and, from the rear, appears more significant in height in comparison with the existing house, it should be recognised that the ground levels are somewhat lower to the rear of the application site than the property to the rear, 35 Warnborough Road, such that the proposed extension will not appear unduly large when viewed from the rear of this neighbouring dwelling. Officers are also of the view that, since the proposed extension is not of significant height or mass (maximum 6m above ground level) and since it is set in from its northern boundary with 35 Warnborough Road by nearly 7m, that it will not significantly harm the outlook from the rear garden of this adjacent property.

23. In addition and related to the above, given that the proposed extension is set a considerable distance in from any boundary and is not of significant height, officers do not consider that it would materially harm the levels of daylight or sunlight enjoyed by any nearby property including 35 Warnborough Road despite its southerly location with respect to 35 Warnborough Road.

24. Whilst the extension proposed is designed as a contemporary conservatory structure, following amendments to the proposals it only features clear glazing at high level in the upper ground floor of the rear elevation in order to prevent any significant loss of privacy for the garden of 35 Warnborough Road. It should also be recognised that there are a considerable number of existing windows facing north towards 35 Warnborough Road and any loss of privacy should be considered in the context of the existing ability to overlook 35 Warnborough Road during winter months. Notwithstanding this, officers consider it likely that, in winter when boundary vegetation is not in leaf, without obscure glazing there would be the potential for additional overlooking of the rear garden of 35 Warnborough Road which would be to an unacceptable extent. Therefore, in



order to protect the privacy of this adjacent property a condition is recommended to be imposed requiring obscure glazing and preventing the insertion of new windows in the rear elevation without planning permission.

25. Overall, the proposals are considered to be acceptable with respect to impact on neighbouring properties in accordance with the requirements of policies CP1, CP10 and HS19 of the Local Plan.

#### Archaeology

26. The scheme is considered to be too small-scale to have significant archaeological implications however the application site is located approximately 80m from human remains identified in the 19<sup>th</sup> century to the south of St Philip and St James School. The skeletons may indicate the presence of a Roman inhumation cemetery, the extent of which remains unknown. An informative is therefore recommended to be added to any consent requesting that the City Council Archaeologist is informed in the event that any artefacts or remains are encountered during building works.

#### Sustainability

27. The application proposal would make better use of land on a brownfield site within an established built-up area whilst preserving the character of the historic environment in which it is located.

#### **Conclusion:**

28. Officers consider the proposals to represent, on balance, a visually appropriate contemporary solution to development in the North Oxford Victorian Suburb Conservation Area that adequately preserves the special character and appearance of the designated heritage asset in which it is located. No significant harm to neighbouring amenity is considered to result from the proposals. Committee is therefore recommended to approve the application subject to the conditions set out at the beginning of the report.

#### 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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 12/01085/FUL

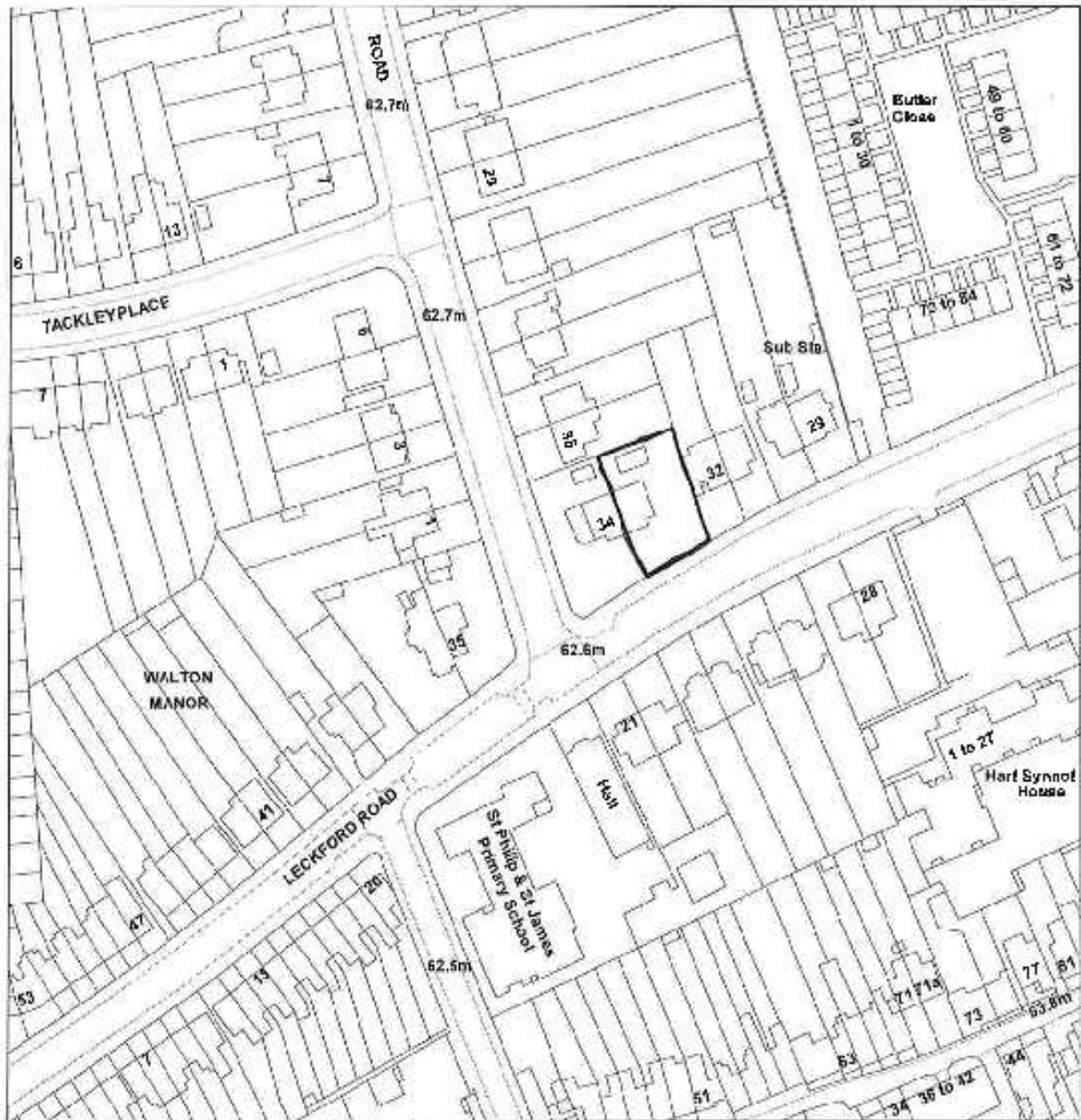
**Contact Officer:** Matthew Parry

**Extension:** 2160

**Date:** 1<sup>st</sup> August 2012

# Appendix 1

## 33 Leckford Road



Scale : 1:1250

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