

**East Area Planning Committee**

-6th September 2012

**Application Number:** 12/01954/FUL

**Decision Due by:** 24th September 2012

**Proposal:** Erection of two storey rear extension

**Site Address:** 101 Bulan Road Oxford (Site Plan: appendix 1)

**Ward:** Lye Valley Ward

**Agent:** Richard Two Ltd

**Applicant:** Mr And Mrs M Parsons

**Application Called in –** by Councillors Kennedy, van Nooijen, Khan, Tanner  
For the following reasons - over development of the site  
and subsequent parking issues

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is acceptable in design terms and would not cause any unacceptable levels of harm to adjacent neighbours. The proposal is considered to comply with policies CP1, CP6, CP8, CP10 and HS19 of the Oxford Local Plan 2001-2016 and policy CS18 of the Core Strategy 2026.
- 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 Lye Valley SSSI – rain water drainage plan approved

- 5 Vision splays – access point
- 6 Pedestrian vision splays
- 7 Parking provided in accordance with parking plan
- 8 No surface water discharged onto Highway
- 9 Removal of garage

**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

**NE12** - Groundwater Flow

**TR3** – Parking standards

**Core Strategy**

**CS12** - Biodiversity

**CS18\_** - Urban 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:**

At the time of writing the report the consultation period was still open. To date there have been no comments received; any comments received will be reported verbally at Committee.

**Statutory and Internal Consultees:**

Highways Authority – no objection subject to conditions, which have been attached

**Issues:**

Design

Impact on neighbours

Parking

Biodiversity

**Sustainability:**

This proposal aims to make the best use of urban land and recognises one of the aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area.

**Officers Assessment:**Site

1. The application site comprises a two-storey semi-detached dwelling located on the western side of Bulan Road. The property has had no previous extensions.

Proposal

2. Planning permission is sought for a single and two-storey rear extension to provide a large kitchen/diner and utility on the ground floor and a fourth bedroom upstairs.
3. An existing garage in the garden would be removed. This is secured by condition as it would otherwise compromise the development of the extension.

Design

4. Policies CP1 and CP8 of the OLP state 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 CS18 of the Core Strategy states that planning permission will only be granted for development that demonstrates high quality urban design and responds appropriately to the site and its surroundings.
5. The proposed extension would be finished in matching materials and would have a pitched roof, in keeping with the host building. Several other properties in this area, including the next door property at 103 Bulan Road, have had similar extensions and this development would not appear out of character. The extension would be sited at the rear and would not impact on the streetscene.
6. The extension would measure 4 metres in depth, and the plot is large enough to accommodate an extension of this size without appearing cramped. Adequate amenity space for the size of dwelling would remain.

Impact on neighbours

7. Policy HS19 of the OLP states that the Council must assess proposals in terms of the potential for overlooking, sense of enclosure, overbearing

nature and sunlight and daylight standards.

8. The OLP 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, as detailed in Appendix 6 of the OLP.
9. To the north of the site, no 103 Bulan Road has had a single and two-storey rear extension (ref. 04/01095/FUL) and the proposed extension would project out in line with this. There would therefore be no harmful impact on this property. The windows in the side facing elevation of the original dwelling serve a bathroom and staircase and not habitable rooms.
10. To the south, no. 99 Bulan Road has a single storey rear extension, and the proposal complies with the 45° guidance when measured from nearest ground floor window. The proposal breaches the 45° guidance when measured from the nearest first floor window and just clips a line drawn at an angle of 25°, but the breach is marginal. The affected window serves a bedroom that has another window on the rear elevation that also lights this room. Furthermore, the room faces west-south-west and so would receive adequate sunlight and the extension would be sited 2.8 metres way from the edge of the window so would not appear unduly overbearing. Officers are satisfied that the impact on no. 99 Bulan Road is acceptable.

#### Parking

11. Following a request from the Highway Authority, a parking plan has been provided to show two off-street parking spaces on the frontage. This meets with the requirements in the Oxford Local Plan for dwellings of this size, and the Highway Authority raises no objection to the proposal, subject to conditions which have been attached.

#### Biodiversity

12. The site lies within the Lye Valley aquifer area and therefore any additional roof water should to be drained to the vegetated areas of the garden and not put down the surface drains. A condition has been attached to this effect.

**Conclusion:** For the reasons given above, the proposal is considered acceptable in all respects and is recommended for approval.

### **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:** 12/01954/FUL

**Contact Officer:** Rona Gregory

**Extension:** 2157

**Date:** 17th August 2012

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