

West Area Planning Committee

13<sup>th</sup> September 2012

**Application Number:** 12/01789/FUL

**Decision Due by:** 10th September 2012

**Proposal:** Erection of part single, part two storey rear extensions. Erection of single storey side extension to form side entrance and front gable end (amended description and plans)

**Site Address:** 46 Stratfield Road, **Appendix 1**

**Ward:** Summertown Ward

**Agent:** Mr Nick Turner

**Applicant:** Dr C Bass

Application called in by Councillors Fooks, Campbell, McCready, Gotch and Jones due to concerns about possible overshadowing of neighbouring properties and overdevelopment of the site.

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**Recommendation:** Approve

For the following reasons:

- 1 The proposal is acceptable in terms of design and is considered to be in keeping with the site and surrounding area. It will not impact on the amenity of neighbours in a significant way. The proposal therefore complies with policies CP1, CP6, CP8, CP10, HS19, HS 20 and HS21 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy 2026 and Policy HP9 and HP14 of the Sites and Housing Plan
- 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:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Obscure glazed window

### **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**

- 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:**

12/02070/CPU – Rear dormer including Juliette balcony. Pending consideration

### **Representations Received:**

44 Stratfield Road: Objection - Overbearing development, privacy, effect on adjoining neighbours, length of ground floor extension, effect on character of the area.

48 Stratfield Road: Neither objecting or supporting – Access, amount of the development, effect on adjoining properties, effect on character of area, light-daylight/sunlight.

Oxford Civic Society: Objection to gable in front elevation.

### **Statutory Consultees:**

Highways Authority: No objection.

### **Issues:**

Design and Appearance  
Residential Amenity

### **Officers Assessment:**

### **Site Description**

1. The application site comprises a two storey semi-detached property to the east side of Stratfield Road. The street is characterised by two storey houses

with small front gardens. There are a variety of detached, semi-detached and terrace houses in the street which is aligned north - south, parallel to the retail premises fronting Banbury Road within the Summertown District Shopping Centre. The property enjoys a good length rear garden backing onto those commercial premises. **Appendix 1** refers.

## **Proposal**

2. The application is seeking permission to extend the property through a side extension to create a utility room; a part single storey rear extension to enlarge the kitchen area; a part first floor extension to provide an en suite to a bedroom; and a new front gable feature.
3. During the course of processing the planning application revised drawings were requested and submitted. These omitted a rear dormer window for which planning permission is not required. At the request of officers the amended drawings also modified the ground floor element of the extensions to improve the relationship to the neighbouring property to the north, no. 48 Stratfield Road. The revisions now indicate the eaves being reduced by 200mm and a change in the pitch of the roof to minimise the impact on the neighbouring property.

## **Design and Appearance**

4. In terms of the various elements to the application, the proposed ground floor extension will extend the entire width of the house and would be 4 m longer than the existing ground floor extension, bringing it in line with the door of the adjoining neighbouring conservatory at the property to the south, no. 44. The first floor extension extends out by 1.8m and would come in line with that property's first floor extension and would include an obscurely glazed window in the east elevation serving a bathroom. The side utility extension would extend to the boundary of No 48 and would comprise a lean to roof with an eaves height of 2.2m. The front gable would be set in line with the front façade of the house and provide a window to a bedroom set within the roofspace.
5. Policy CP1 and CP8 of the adopted Oxford Local Plan states that planning permission will only be granted for development which shows a high standard of design that respects the character and appearance of an area and uses materials appropriate to the site and surroundings. Policy CP8 states that development will only be permitted where new development creates an appropriate relationship with the surrounding area. It also states that building design is specific to the site and should respect without necessarily replicating its surroundings. These policies are supported by those of the recently adopted Core Strategy which at policy CS18 which indicates that planning permission will only be granted for development that demonstrates high quality urban design and responds appropriately to the site and its surroundings.
6. In this case the position of the side extension would mean that it would be

visible from the street in the gap between properties but as it is set well back it would not be prominent or have a detrimental effect on its surroundings. It would possess a lean - to roof which would further minimise any impact on the street scene. Similarly the ground floor rear extension would be subservient to the main dwelling and has been designed to maximise use and outlook of the garden by including bi - fold doors. Comments have been received by both neighbours regarding the size of the extension and its impact on the garden. Although the extension is large, officers consider the garden to be extensive enough to accommodate the extension without affecting the amenity of the occupiers.

7. The first floor extension would line up with that of the adjoining property to the south. The first floor element would integrate well with the surrounding area and would create an acceptable visual relationship with the adjoining properties.
8. Lastly the proposed front gable is considered to create an appropriate visual relationship to the existing site and its surroundings. The Civic Society comment however that it would mean the semi detached house would lose its symmetry with its attached neighbour. Although officers acknowledge that this would be the case, the gable is relatively small and there is not such a level of uniformity in the streetscene that small changes such as this would amount to unacceptable visual harm. Consequently, the addition of the gable is not considered to have a detrimental affect on the street scene and can be supported. Roof lights are also proposed for the roof allowing maximum natural light.

### **Residential Amenity**

9. Policy HS19 of the Oxford Local Plan and HP14 of the emerging Sites and Housing Plan set out guidelines for assessing development in terms of whether it would allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. These policies refer to a 45 / 25-degree code of practice which acts as a guideline for assessing these relationships. In most cases, no development should intrude over a line drawn at an angle of 45° in the horizontal plane from the midpoint of the nearest window of a habitable room and rising at an angle of 25° in the vertical plane from the sill.
10. With regard to No 48 Stratfield Road, the proposed single storey extension does breach the 45° line but complies with the 25° uplift line in relation to the nearest door on the east elevation that property. The extension therefore satisfies Policy HS19 and HP14 and can be supported in these terms.
11. The extension to the northern side has an eaves height of 2.2 m and the boundary treatment between the application site and No. 48 consists of a standard 1.8 metre high fence. Moreover, the applicants could erect a 2 metre high fence at this point without requiring planning permission. Officers consider that the additional height of the eaves over that which could be constructed, and for a relatively short length, indicates that any additional harm would only have a minimal impact upon the amenities of that property.

12. Policies HS19 and CP10 of the Oxford Local Plan also require that the siting of new development should protect the privacy of the proposed or existing neighbouring residential properties and proposals that would be assessed in terms of potential for overlooking into habitable rooms or private open space. The occupiers of No 44 Stratfield Road to the south have objected to the planning application on the basis that the proposal would have an overbearing impact as a result of the first floor extension, expressing their concern about the loss of light to their conservatory and potential loss of privacy by the inclusion of a window on the rear elevation at first floor.
13. With regard to No 44 the extension at first floor level would come in line with their extension eliminating any potential for overbearing. Minimising the potential for overshadowing has also been addressed by reducing the overall height of the ground floor extension. It would also come in line with the door of the brick built conservatory at No 44. As such it would not breach the 45 / 25 degree guideline and is considered acceptable.
14. The existing first floor extension at the application site currently has a rear facing window in the east elevation overlooking the rear garden. In these proposals the extended first floor includes an obscurely glazed window as it serves a bathroom. Officers acknowledge the fact that the conservatory at No 44 has a glazed roof and therefore the extension and window would be visible from No 44 but it is not considered that the new obscure glazed window would impinge on the neighbour's privacy or add to any issues of overlooking.

### **Sustainability**

15. The site lies in a sustainable location within easy access of shops, services and public transport links. The proposal would make more efficient use of an existing brownfield site. The development would use modern materials that will provide thermal insulation whilst glazed sealed window units will provide good thermal properties. The development also includes areas of patent glazing to allow for maximum natural daylight.

### **Conclusion.**

16. The proposal is acceptable in terms of design and is considered to be in keeping with the site and surrounding area. It will not impact on the amenity of neighbours in a significantly detrimental way. The proposal therefore complies with policies CP1, CP6, CP8, CP10, HS19, HS20 and HS21 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy 2026 and Policy HP9 and HP14 of the Sites and Housing Plan

### **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 for approval officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 12/01789/FUL, 12/02070/CPU

**Contact Officer:** Sarah Nicklin

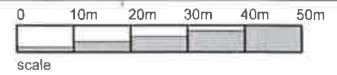
**Extension:** 2186

**Date:** 31st August 2012

# APPENDIX 1

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## PLANNING



**PROPOSED REAR EXTENSION & ALTERATIONS TO DWELLING**

46 STRATFIELD ROAD  
OXFORD  
OXON.

**EXISTING:  
LOCATION PLAN**

scale	date	drawn by
1:1250@A4	JUL 12	NT
project	dwg. no.	rev.
12.46	S1.01	



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