

**East Area Planning Committee**

9<sup>th</sup> October 2011

**Application Number:** 12/01984/FUL

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

**Proposal:** Erection of single storey rear extension two storey side extension to create 3-bedroom dwelling (class C3) with associated parking, amenity space and bin and cycle storage.

**Site Address:** 38 Rymers Lane, **Appendix 1**

**Ward:** Cowley Ward

**Agent:** I. C. Architects

**Applicant:** Mr P. Chung

**Application Called in –** by Councillors – Khan, Price, Coulter, Fry Lygo and Tanner  
for the following reasons – overdevelopment and out of line with Trevor Place

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**Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed development would make an efficient use of an appropriate site within a residential area. It has been designed in a manner whereby the level of development suits the sites capacity and creates an appropriate visual relationship with the surrounding area. The proposal would not have a detrimental impact upon the residential amenities of the neighbouring property. The proposed unit would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of the unit. The development would therefore accord with the relevant policies of the development plan and would not constitute an overdevelopment of the site.
- 2 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.

- 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 Materials - matching
- 4 Bay window - revised plans
- 5 Design - no additions to dwelling
- 6 Ground resurfacing - SUDS compliant
- 7 Surface Water
- 8 Vision Splays
- 9 Car parking sizes
- 10 Construction Travel Plan
- 11 Sustainability design/construction

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016 (OLP)**

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

**Core Strategy (OCS)**

- CS2\_ - Previously developed and greenfield land
- CS9\_ - Energy and natural resources
- CS18\_ - Urban design, town character, historic environment

**CS22\_** - Level of housing growth

**CS23\_** - Mix of housing

### **Sites and Housing Plan – Submission (SHP)**

**HP9\_** - Design, Character and Context

**HP10\_** - Developing on residential gardens

**HP11\_** - Low Carbon Homes

**HP12\_** - Indoor Space

**HP13\_** - Outdoor Space

**HP14\_** - Privacy and Daylight

**HP15\_** - Residential cycle parking

**HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

Balance of Dwellings Supplementary Planning Document Jan 2008

Parking Standards, Transport Assessments and travel Plans Supplementary Planning Document Feb 2007

Oxford City Council Design Guides 2: Side Extensions

### **Relevant Site History:**

12/01332/PDC - Extension and alterations. PRQ 16th July 2012.

12/01533/FUL - Single storey rear extension to no. 38 Rymers Lane. Subdivision of garden and erection of new 2 storey 2 bedroom dwelling with associated parking, amenity space and bin and cycle storage. WDN 27th July 2012.

### **Representations Received:**

45 Rymers Lane: amount of development on site, effect on character of area, on-street parking

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

Highways Authority: no objection subject to conditions

Thames Water Utilities Limited: no objections

### **Issues:**

Principle  
Balance of Dwellings  
Design  
Residential Amenity  
Highway Issues  
Cycle Parking  
Sustainability  
Other

**Officers Assessment:  
Site Description**

1. The application site comprises an end of terrace residential dwelling on the corner of Rymers Lane and Trevor Place within Cowley Ward. The property is rendered with a slate hipped roof.

**Proposal**

2. The application is seeking permission for the erection of a single storey rear extension and a two storey side extension with the side extension to be used as a separate 2/3 bed dwelling.

**Assessment**

**Principle**

3. NPPF requires LPA's to reconsider the development of garden areas; Policy CS2 of the OCS resists development on large areas of greenfield land. Policy HP10 of the emerging SHP is designed to strike a balance between the contribution of gardens to local character, and the need to ensure that suitable land can be used for well-designed residential development. The policy therefore indicates that development can continue to come forward on appropriate sites in residential areas.

**Balance of Dwellings**

4. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDS) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
5. The site lies within a red area where pressure is considerable, so the Council needs to safeguard family dwellings and achieve a higher proportion of new family dwellings as part of the mix for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
6. The application site is located to the side of the existing dwelling therefore there is no loss of an existing family dwelling and as the proposal is for less than 3 units no specific mix of new housing is required.

**Design**

7. The two storey side extension continues the ridgeline and building line of the existing dwellings thus continuing the form, scale and details of the

surrounding area in accordance with Oxford City Council Design Guides 2: Side Extensions. The front elevation is flat whereas the adjoining properties have a bay window at ground floor. To maintain the style and rhythm of the row of terrace it is recommended that a bay be added to the front elevation at ground floor level. This can be achieved by adding a condition.

8. The proposal is forward of the building line within the short terrace of houses in Trevor Place. However there are a variety of corner plot arrangements within the immediate vicinity and a number have been developed or have planning permission to be developed in similar fashion, for example at 40A Rymers Lane. The proposal would read as a logical part of the street scene of Rymers Lane and would not harm the appearance of Trevor Place. It is considered acceptable as it would be viewed as an integral part of the corner development rather than as one of the row of houses along Trevor Place and, because of its design and materials it would reflect the appearance of the terrace of which it would form part.
9. The single storey rear extension has a mono pitched roof and is to be faced in materials to match the existing property. It is simple in form and respects the character and appearance of the property and the area as a whole.

### **Residential Amenity**

10. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation, with policy HP12 stipulating any single dwelling providing less than 39m<sup>2</sup> of floor space will not be granted permission. The proposed new dwelling is in excess of the required 39m<sup>2</sup> and is therefore in compliance with HS20 and HP12.
11. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space. The existing garden is to be divided to provide private amenity space of the existing property and the proposed property. The resultant areas are considered to be adequate in size for each of the dwellings.
12. Policies HS19 and CP10 of the OLP and HP14 of the SHP require the siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. The proposals do not give rise to any issues of overlooking or loss of privacy.
13. Policy HS19 of the OLP and HP14 of the SHP set 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 SHP. The proposed single storey rear extension marginally clips the 45 degree line when taken from the proposed kitchen window of the new dwelling. However it is not considered significant enough to have a detrimental impact on the sunlight/daylight reaching the kitchen and therefore not significant enough to warrant a refusal of permission

14. Policy HS19 also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. The single storey rear element abuts the boundary with 36 Rymers Lane which also has a similar size single storey extension. Therefore the single storey extension will not have an impact on 36 Rymers Lane in terms of being overbearing or creating a sense of enclosure. The two storey side extension is set away from the corner boundary by 1.2m which mirrors that on the other side of Trevor Place. It is therefore not considered to be overbearing or create a sense of enclosure within the street scene.

### **Highway Issues**

15. Policy TR3 of the OLP states Planning Permission will only be granted for development that provides an appropriate level of car parking spaces, no greater than the maximum parking standards shown in Appendix 3. The maximum standard for a 2/3 bed dwelling is 2 spaces.
16. The existing property has one car parking space and an additional one is proposed for the new dwelling. Given the sites proximity to Templars Retail Park, the Cowley Centre and public transport it is officers opinion the maximum car parking standards should not be sought.

### **Cycle Parking/Bin Storage**

17. Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. According to the Parking Standards SPD secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments. The minimum requirement for residential dwellings is two spaces per residential unit. This is reiterated in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
18. A cycle and bin store have been shown on plot adjacent to a new gate access onto Trevor Place which is adequate in size to house two cycles and associated bins.

### **Sustainability**

19. The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal would constitute a sustainable form of development that would make more efficient use of an existing site.
20. How sustainable design and construction methods will be incorporated into the building and how energy efficiency has been optimised through design and utilising technology that helps achieve Zero Carbon Development can be secured by a condition.

**Conclusion:**

21. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

**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:**

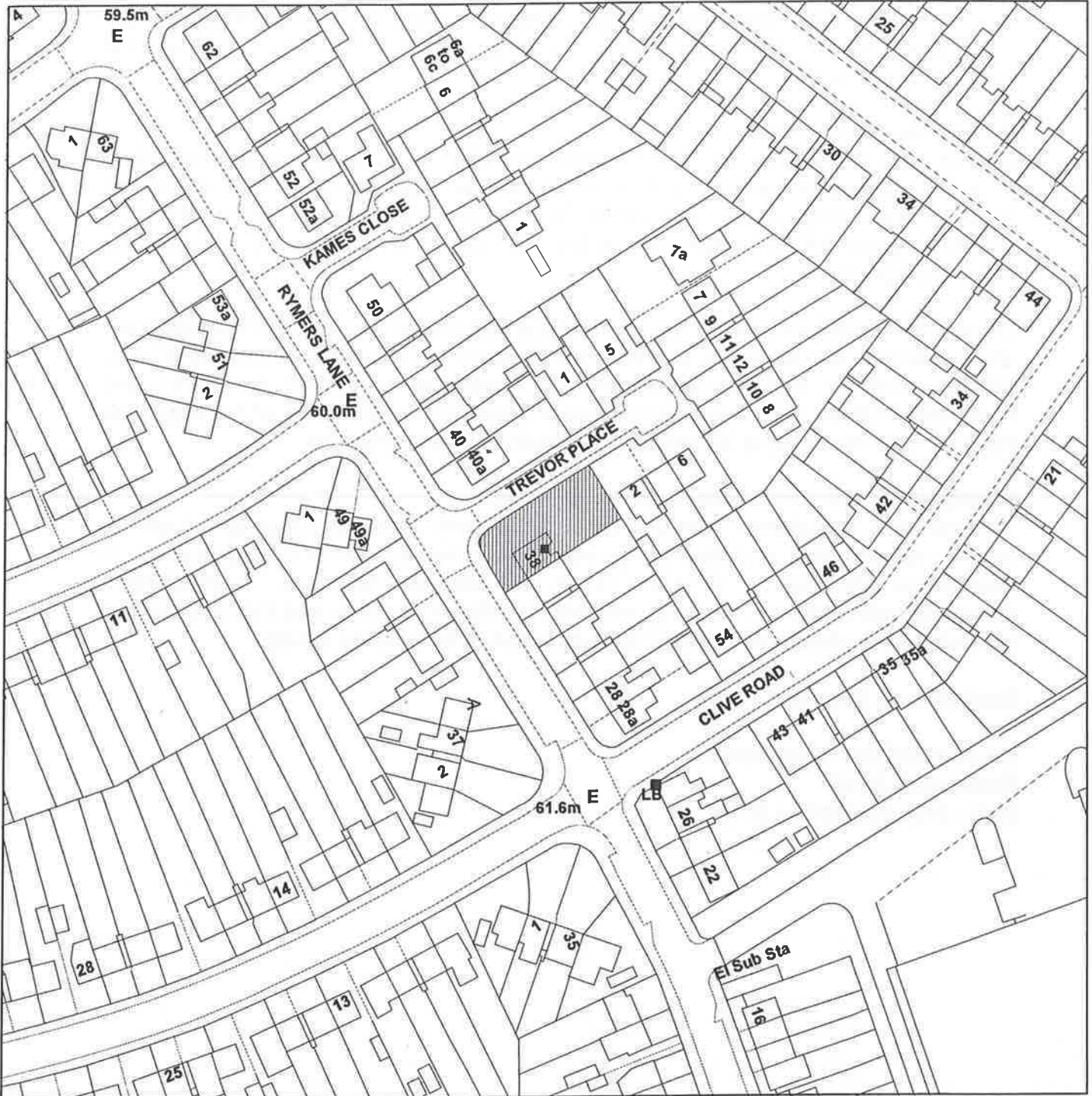
**Contact Officer:** Lisa Green

**Extension:** 2614

**Date:** 24th September 2012

# Appendix 1

12/01984FUL 38 Rymers Lane



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	26 September 2012
SLA Number	LA100019348

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Ordnance Survey 100019348.