

West Area Planning Committee

12th December 2012

Application Number: 12/02684/FUL

Decision Due by: 17th December 2012

Proposal: Erection of a two storey side extension with new vehicular access and parking.

Site Address: 72 Hill Top Road, **Appendix 1,**

Ward: St Clement's Ward

Agent: Mr Ben Tanner

Applicant: Mr & Mrs Boyns

Called in by Councillors – Jones, Rowley, McCreedy and Price
for the following reasons:

Overdevelopment, unsympathetic design

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. Issues relating to landscaping and drainage can be dealt with by conditions of planning permission to ensure the development complies with Policies CP1, CP6, CP8, CP10, CP11, NE15 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policies CS11 and CS18 of the Core Strategy.
- 2 A number of comments and objections have been received. The issues raised have been considered in the officer's report and it is considered that the concerns raised are either not so significant as to warrant refusal or that they can be sufficiently mitigated by the conditions imposed.
- 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 as specified
- 4 Amenity no additional windows side,
- 5 Flood and Water Management
- 6 Details excluded submit revised plans parking access and front garden layout, 1204 D 03,
- 7 Tree Protection Plan

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

NE15 - Loss of Trees and Hedgerows

TR3 - Car Parking Standards

HS19 - Privacy & Amenity

Core Strategy

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

- National Planning Policy Framework
- Oxford City Council Planning Design Guide 2 – Side Extension (Design Guide 2)

Relevant Site History:

None relevant

Representations Received:

Statutory Consultees:

Local Highway Authority: No objection subject to conditions.

Local Drainage Authority: No objection subject to conditions.

Other Comments

Oxford Civic Society: Overdevelopment and out of character with street. Too large, bulky, confused and unsympathetic.

Determining Issues.

- Making the best use of land
- Visual appearance

- Impact on adjacent occupiers
- Parking
- Trees

Officers Assessment:

Site Description and Proposals

1. 72 Hill Top Road is believed to have been constructed around the beginning of the previous century. The building is in part a typical Edwardian style house, with two storey box bay window rising into a front gable with the main roof running parallel to the street. A second element is an unusual castellated feature with flat roof to the front part and behind this, a dual pitched roof that runs perpendicular to the street. This second element may have been constructed as an addition to the original house.
2. Permission is sought to extend the property to the side to nearly double the accommodation and to dig out the existing cellar as additional accommodation. The proposed development would appear as a two storey extension from the street and would incorporate a garage and a secondary “service” door to the front in the form of a further curved feature.

Background

3. The proposals were the subject of a Pre Application enquiry as a result of which the extension was revised to make it more subordinate to the existing house; to move the side wall of the extension away from the south eastern boundary; and to amend the roof line so that the extension read more clearly as an addition to the existing house, rather than appearing as a separate property.

Making the Best use of Land

4. The National Planning Policy Framework has at its heart a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay where sustainable development is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
5. Policy CP6 of the Local Plan states that development proposals should make efficient use of land by making best use of site capacity in a manner that does not compromise the surrounding area.
6. The proposed development would provide additional and improved accommodation for a dwelling house within the curtilage of the existing large plot and is therefore supportable in principle. The key considerations are therefore whether the additional accommodation has been provided in a manner which accords with the principles of sustainable development and without an unacceptable effect on the surrounding area.

Visual Appearance

7. The Council expects new development to enhance the quality of the environment, and to this extent Policy CP1 of the Local Plan is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.
8. The proposed development would be very visible from the public domain. The greater part of the house is set back from the general building line to this side of the street but with a projecting bay aligned with those of its neighbours. In conjunction with the proposed roof line the extension would read as subordinate to the existing house and the painted render and concealed door would help it to appear as an extension rather than as a new infill property. Whilst not a direct reflection of other properties in the area, the proposals are considered to achieve an appropriate visual relationship with the already somewhat unusual house and the proposed changes to the existing dwelling are considered an improvement on the current situation.
9. Subject to a condition of planning permission to control the appearance of materials used in the build and the submission of further details relating to the appearance of the front garden / parking area, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP and CS18 of the Core Strategy.

Impact on Adjacent Occupiers

10. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1, CP10 and HS19 of the OLP support this aim. This is supported by Appendix 6 of the OLP which sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
11. The proposal complies with the 45-degree guidance and as a detached property is considered unlikely to result in a loss of light to the habitable rooms of surrounding dwellings. Indeed the amendments to the north west boundary may result in a marginal improvement in the situation for number 70 Hill Top Road. Whilst substantial, the projection to the rear relative to the houses on either side means that there is unlikely to be any great material change in circumstances in means of any overbearing appearance or loss of privacy. Overall, and subject to a condition to prevent the insertion of side facing windows, the proposed development is considered unlikely to have a material effect on adjacent occupiers, and the proposal complies with policies CP1, CP10 and HS19 of the OLP.

Parking

12. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. Policy TR3 states that planning permission will only be granted for development that provides an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in the plan's Appendix 3.
13. The current parking provision is by way of a garage with a depth of approximately five metres and space in front of about the same depth. The proposed extension will create a house with more than four bedrooms with two parking spaces proposed plus the garage. The parking spaces may be of sufficient depth if the garage is not fitted with an up and over style door which would reduce the available space in front of it. It is suggested therefore that further details are required by condition to ensure that the garage and parking area are all of sufficient depth to accommodate vehicles and not protrude over the highway.

Trees

14. Policy CP1 of the OLP states that where relevant, development proposals must retain and protect important landscape and ecological features and provide for further landscape treatment where appropriate to safeguard the local amenity. NE15 of the OLP states that permission will not be granted for development proposals which include the removal of trees that form part of a development site where this would have a significant adverse impact upon public amenity or ecological interest, whilst NE16 states that permission will not be given for proposals that involves major surgery to, or loss of protected trees unless this can be shown to be good arboricultural practice and any protected tree lost is to be replaced. Policy CP11 also requires that existing trees of significant landscape value are retained, and states that where development is permitted near trees, protection during site works will be necessary and expects these to be required by a condition of planning permission.
15. It is noted that the application includes an arboricultural survey. Following a site visit, officers do not consider the application will result in the loss of trees that would have a significant adverse impact upon public amenity or ecological interest and subject to a condition requiring the implementation of a tree protection plan, the development complies with Policies CP1, CP11 and NE15 of the OLP.

Drainage and Flooding

16. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk, floodwater flows and flood water storage. The development will result in an increase in the land covered by buildings and hard standing and it is considered that any grant of planning permission should be conditional on the submission and approval of a SUDs compliant drainage plan demonstrating how run off water will be dealt with to avoid additional water

being fed into the existing drainage in the area to avoid an increase in the risk of flooding elsewhere and to ensure the development complies with Policy CS11 of the Core Strategy.

Conclusion:

17. The development is considered to form an acceptable visual relationship with the existing building and local area and is unlikely to have a significant effect on the current and future occupants of adjacent properties. Issues relating to landscaping and drainage can be dealt with by conditions of planning permission to ensure the development complies with Policies CP1, CP8, CP10 and HS19 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.

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: 12/02684/FUL

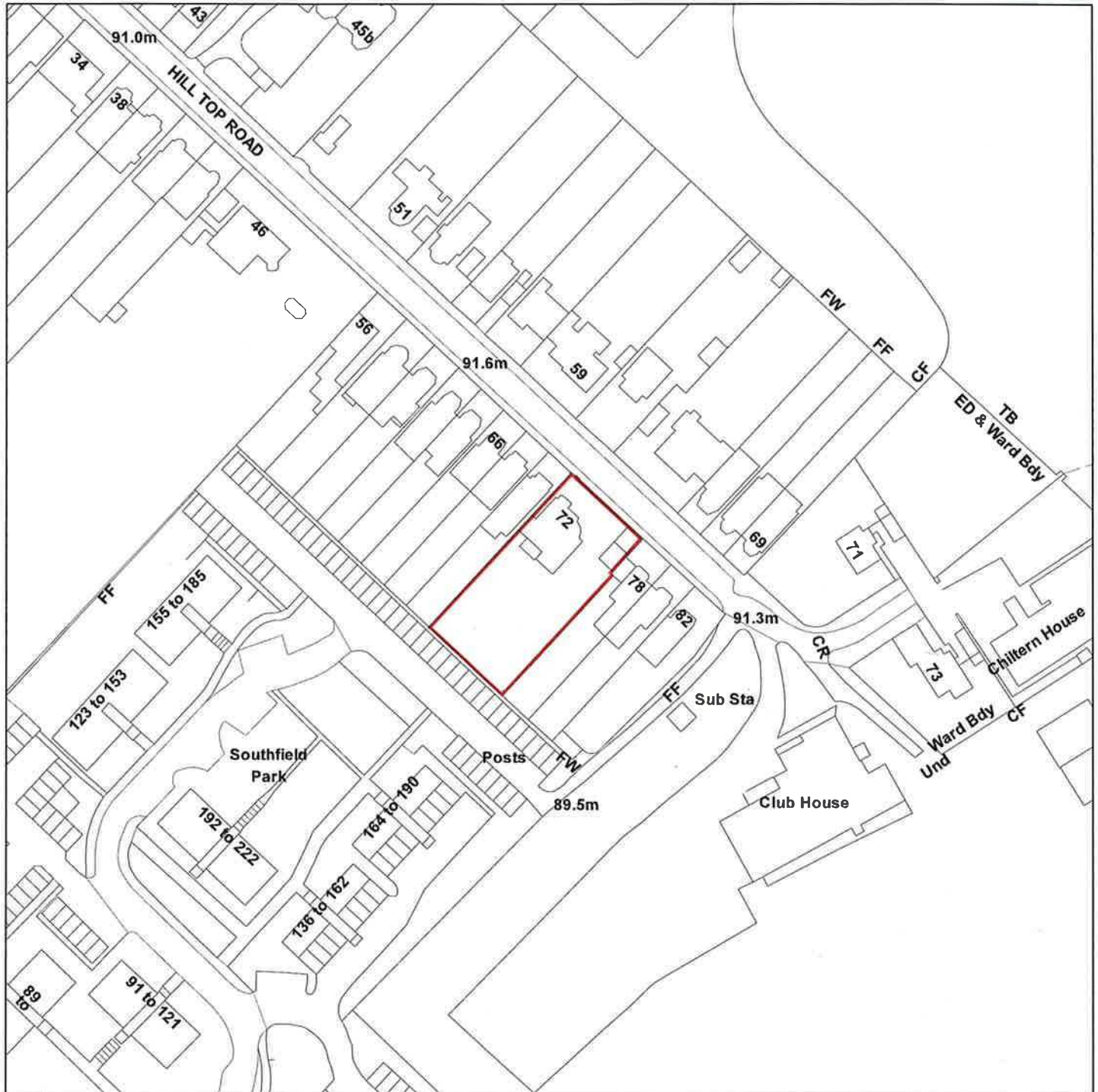
Contact Officer: Tim Hunter

Extension: 2154

Date: 28th November 2012

72 Hill Top Road

12/02684/FUL



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	30 November 2012
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