

West Area Planning Committee

-12th December 2012

Application Number: 12/02278/FUL

Decision Due by: 30th October 2012

Proposal: Erection of single storey rear extension and first floor roof extension. (Amended plans) (Amended description) (Amended Plans)

Site Address: 42 Stratfield Road – Appendix 1

Ward: Summertown Ward

Agent: Mr Steve Karpa

Applicant: Leila Rawlins

Application Called in – by Councillors – McCreedy, Fry, Benjamin and Rowley for the following reasons - so that residents' concerns about overlooking, overdevelopment and detracting from the character of Stratfield Road can be heard in public

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the site and surrounding development and will be in keeping with the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities enjoyed by adjacent properties. No objections have been received from statutory consultees and the proposal complies with adopted policies contained in the Core Strategy 2026, the Oxford Local Plan 2011-2016, and the Sites and Housing Development Plan Document 2011-2026.
- 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.
- 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.

- 4 The Council has tried to work positively and proactively with the applicant(s) and their agent(s), including the offer of pre-application advice, discussions during the course of determination of the application and the opportunity to submit amended proposals where appropriate, in order to implement planning policy objectives, secure sustainable development and satisfy the requirements of the National Planning Policy Framework. On occasions, however, it will not have been possible to achieve acceptable proposals and applications will be refused.

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 Amenity windows obscure glass Side facing first floor,

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design of Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

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:

Representations have been received from 40 and 44 Stratfield Road in relation to the original and amended schemes. In summary the comments are:

- Modern windows out of keeping with the character of the property;
- Size of extension too big and would make the area very urban;
- Loss of garden area; tragic to eat into valuable precious green space in Summertown;
- Extension is too near the adjoining boundaries raising Party Wall issues, fears

for adjacent foundations, and impacting on light, gardens, privacy and noise pollution;

- Disproportionate to other houses: beyond the line of other extensions in the surroundings;
- Overbearing and boxing in of number 44 due to size and height next to the boundary

Statutory and Other Consultees:

Highways Authority: no objection; informative suggested regarding construction traffic

Oxford Civic Society: the proposed extensions are unacceptable, because they would be extremely large. They would be out of keeping with existing buildings and would overdevelop this building.

Issues:

Compatibility with the existing house

Impact on neighbouring properties

Cumulative loss of gardens in Summertown

Officers Assessment:

The Site and its Surroundings

1. Stratfield Road is located in Summertown. It runs approximately north/south between the rear of the main shopping area and the rear of St Edwards School. It is mostly comprised of turn of the century houses set in pairs or in short runs of terraces. Most properties have generous rear gardens.
2. 42 Stratfield Road is semi-detached (with number 40) and is the 'northern' half of the pair. It is gable-fronted with front bay windows to ground and first floor; it has brick walls and a slate roof. The small front garden in common with many properties along the road is used for parking a single car. The original building has a 2 storey rear projection (6.2 metres) to which has been added a single storey rear breakfast room projecting 4 metres out and 3.5 metres wide (replicating the width of the 2 storey element) with a sloping roof up to the first floor window cill.
3. The boundary to 44 Stratfield Road consists of a wall and fence with a trellis on top amounting to 2.2 metres, above which screening vegetation (ivy) is maintained giving a total boundary height between 42 and 44 Stratfield Road of 2.5 metres.
4. The rear garden of 42 Stratfield Road extends some 34 metres beyond the extension and is mostly laid to lawn with established trees and shrubs particularly along the boundaries.

The Proposal

5. The proposal as originally submitted included:

- a rear box dormer to facilitate a loft conversion but this is now substantially complete: it is considered to be permitted development and was removed from the application;
 - a 2 storey rear/side extension with a pitched and hipped roof wrapping round the end of the original 2 storey rear element of the house. It was to extend 1.75 metres rearwards and 1.1 metres side wards making it 4.35 metres wide and bringing it to within 1 metre of the boundary with 44 Stratfield Road for a length of 4.6 metres;
 - a single storey rear extension with a very shallow angled dual pitched roof with eaves of only 2.35 metres and ridge 3.15 metres, projecting 4.8 metres from the original house, and extending fully up to the side boundaries; and
 - a small roof extension to raise part of the ceiling height in the original 2 storey projection by just under a metre and create a small area of flat roof to a bathroom and bedroom. On its own this would be classed as permitted development but as it is being constructed as part of this scheme it needs planning permission.
6. At the request of officers:
- the 2 storey rear/side extension was removed from the application on the grounds that it would block the light to, enclose the outlook from and overbear 44 Stratfield Road to an unacceptable degree; and
 - the single storey rear extension was set in from the boundary by 350mm in order that the existing wall, fence and screening could be maintained between 42 and 44 Stratfield Road.
7. This amended application therefore seeks planning permission for a single storey rear extension as described and set in from the boundary with 44 Stratfield Road by 350mm; and a small first floor roof extension to the original rear 2 storey projection.

Compatibility with the existing house

8. The extensions are to be constructed in brickwork, tiles and other materials to match. The fenestration is to be of contemporary design but of proportions suitable to this property and would not look discordant on the rear elevation. The external appearance is therefore acceptable.

Impact on neighbouring properties

9. Policies CP1 of the Oxford Local Plan, CS18 of the Core Strategy, and HP9 and HP14 of the Sites and Housing DPD allow for residential extensions provided that the design respects the site context and provides reasonable privacy, daylight and outlook for neighbouring homes.
10. The proposed single storey extension is to project 4.8 metres beyond the original house. This is only 800mm beyond the existing breakfast room extension, and about 1m beyond the conservatories at 40 and 44 Stratfield Road. It is not inconsistent with other extensions in Stratfield Road.

11. It is considered that this will not adversely affect the daylight or outlook available to the adjoining property, 40 Stratfield Road which is located on the south side of the semi-detached pair and has a conservatory which projects 3.8 metres out. The extension is set in slightly from the boundary with 40 Stratfield Road to allow the gutter and foundations on that side to be located wholly within the boundary of 42 Stratfield Road. Party Wall concerns are not planning issues, they are civil matters dealt with under separate legislation. Issues around the stability of existing adjoining foundations are dealt with under the Building Regulations.
12. In relation to 44 Stratfield Road, the projection of the proposed extension just clips the 45 degree line from what would have been the original rear back window of the house but is now within a 3m conservatory. Although that projection meets the 45 degree guideline, the degree to which the proposed extension might overbear or enclose the outlook from 44 Stratfield Road has also been assessed because of the proximity of the proposed extension to the shared boundary and its length along it.
13. The roof of the extension will be visible from 44 Stratfield Road but given that it has been designed with low eaves (2.35m) a very shallow pitch and moderately low ridge (3.15m), it will be largely screened from view from 44 Stratfield Road by the existing wall/fence and vegetation growing to 2.5m high along the shared boundary at that point. Further, it will not obscure any of the daylight or sunlight available to 44 Stratfield Road from that southerly direction. It is concluded therefore that the extension will not impact on the daylight or sunlight available from the south nor unacceptably enclose the outlook from or overbear 44 Stratfield Road.
14. The small roof extension in the existing house has also been assessed using the 45/25 degree code. It is judged not to unduly affect the light or outlook available to rear or side facing windows at 44 Stratfield Road. The side facing windows in the proposed roof extension are to be obscure glazed which will also be secured and maintained as such by condition.

Cumulative loss of gardens in Summertown

15. Local residents have also voiced fears about the cumulative impact of the loss of garden space and its impact on the character of the street and the area. In this case some 35 metres of garden is retained beyond the extension. Officers regard these losses as minimal and being rear private space having no impact on the character of the public realm. Even if regarded cumulatively this could not be supported as a reason for refusal in this instance.

Sustainability

16. 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.

Conclusion

17. The proposal forms an appropriate visual relationship with the site and surrounding development and would appear in keeping with the character and appearance of the area. The proposal will not have an unacceptable detrimental impact on the residential amenities enjoyed by adjacent properties. No objections have been received from statutory consultees and the proposal complies with adopted policies contained in the Core Strategy 2026, the Oxford Local Plan 2001 - 2016, and the Sites and Housing development Plan Document 2011-2026.

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: Fiona Bartholomew

Extension: 2159

Date: 30th November 2012