

**EAST AREA PLANNING COMMITTEE**

5th February 2013

**Application Number:** 12/03146/FUL

**Decision Due by:** 4th February 2013

**Proposal:** Erection of single and two storey rear extensions

**Site Address:** 11A Fairfax Road Oxford Oxfordshire OX4 2QG

**Ward:** Lye Valley Ward

**Agent:** N/A

**Applicant:** Mrs Diana Knight

**Application Called in –** by Councillors Kennedy, Sinclair, Fry and Canning due to concerns that the extension will result in an overdevelopment of the site.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The extension is considered to form an appropriate visual relationship with the existing house and surrounding development without resulting in unacceptable harm to neighbouring residential amenity. Consequently, the proposal complies with policies CP1, CP6, CP8, CP10, HS19 and HS21 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 and policies HP9 and HP14 of the Sites and Housing Plan 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.

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 to match existing
- 4 Surface Water Drainage and Biodiversity

## **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

**HS21** - Private Open Space

### **Core Strategy**

**CS18**- Urban design, town character, historic environment

**CS12** - Biodiversity

### **Sites and Housing Plan - Submission**

**MP1** - Model Policy

**HP9** - Design, Character and Context

**HP14** - Privacy and Daylight

### **Other Material Considerations:**

National Planning Policy Framework

### **Relevant Site History:**

05/01314/FUL: Conversion of dwelling into two flats; erection of extension to form self contained dwelling; erection of detached dwelling; erection of detached garage. – APPROVED (This application approved a number of new dwellings including the application property)

### **Representations Received:**

None

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

Oxfordshire County Council Drainage: Development to be drained via a SUDs system

### **Determining Issues:**

- Design
- Impact on Neighbouring Amenity and Living Conditions
- Surface Water Drainage and Biodiversity

## **Sustainability:**

The site lies within a sustainable location with easy access to local shops, services and public transport links. The proposal will make more efficient use of an existing brownfield site.

## **Officers Assessment:**

### Site Description and Proposal

1. The application site comprises a detached, three bedroom dwelling which sits on a large plot and benefits from a rear garden and land to the side of the property. The property is located within a new development sited off Fairfax Road which comprises a mix of self contained flats and dwelling houses separated from Fairfax Road by a set of iron gates. The property backs onto the rear gardens of the dwelling houses on Horspath Road and is adjacent to the flats on Hollow Way. The views are partially shielded by trees and hedges. Appendix 1.
2. The application seeks planning permission for a part single, part two storey rear extension. The extension will be built with matching materials to the existing dwelling. The development would involve the removal of a rear dormer window in order to accommodate the proposed rear gable end and the reduction in width by 0.8 metres of the remaining dormer window. The works would also include the addition of a chimney to the side of the property as part of the two storey extension.

### Design

3. Policies CP1 and CP8 of the Oxford Local Plan state that planning permission will only be granted for development that respects the character and appearance of the area and creates an appropriate visual relationship with the site and its surroundings 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.
4. The two storey element of the proposed extension would project 4.3 metres from the property's rear wall. The single storey element would project 3.150 metres. The proposed width of the extension would match the existing width of the dwelling house. The single storey extension would be 2.8 metres in height up to the proposed flat roof. The two storey extension would measure 4.4 metres in height up the eaves and 7.5 metres up the proposed roof ridge. The extension would be 0.1 metres lower than the original roof ridge.
5. It is the officer's opinion that the proposed extension would be subservient in terms of size and scale to the existing property and the site as a whole. The materials used would match those of the existing dwelling and would thus be in

keeping with the character of the dwelling and surrounding area. A condition is recommended to secure this. The extension would have an appropriate visual relationship to the surrounding area, as required by policies CP1 and CP8 of the Oxford Local Plan and policy CS18 of the Core Strategy.

6. This application has been called in to committee due to Councillor's concerns that there is already an overdevelopment on the site, due to the redevelopment of the site in 2005, and that the proposal will add to this issue. The proposed single and two storey rear extension along with the existing footprint of the property will still leave over 50% of the application site undeveloped and the property will still be served with a large garden area. As the proposal is at the rear of the property, it is believed that it will not have an overbearing impact on the application site or other properties within the gated area.

#### Living Conditions and Impact on Neighbours

7. The single storey extension would provide the property with an enlarged kitchen. The two storey extension would provide an enlarged living area and would enable the addition of a study. On the first floor a fourth bedroom will be created with an en suite bathroom. The proposal would therefore clearly result in an improvement to the internal amenity of the application property in terms of enlarged living space.
8. Policy HS19 of the Oxford Local Plan and Policy HP14 of the emerging Sites and Housing Plan 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. In most cases, no development should intrude over a line drawn at an angle of 45 degrees in the horizontal plane from the midpoint of the nearest window of a habitable room and rising at an angle of 25 degrees in the vertical plane from the cill. Policies HS19 and CP10 of the Oxford Local Plan also require the correct siting of a new development to protect the privacy and amenity of the occupants of the proposed and existing neighbouring residential properties.

#### Daylight and Sunlight

9. The application site is set back from the properties on Fairfax Road to the east by approximately 9 metres and is not directly adjacent to the flats on Hollow Way to the west. The proposal will therefore not materially affect the level of daylight or sunlight currently enjoyed by surrounding properties. The policy satisfies Policy HS19 of the Oxford Local Plan and HP14 of the Sites and Housing Plan submission and can be supported in these terms.

#### Outlook and Overbearing Impact

10. The extension, by its nature, would bring the rear wall of the property closer to the surrounding properties. The closest properties would be the flats on Hollow Way, as the proposed angle of outlook onto the flats would be more acute than the existing; the extension would not overlook the properties any more than the current state. By virtue of the degree of separation between the proposed

extension and the closest openings on the rear elevation of the dwelling houses on Fairfax Road, the proposal will not have a material impact on the outlook afforded to these properties, nor would it appear unduly overbearing.

### Privacy

11. The proposal does not impact on the amount of privacy afforded to the neighbouring properties as there are no proposed windows looking directly into neighbouring rear windows or gardens. The proposal will be shielded from the view of the property on Horspath Road which backs onto the rear garden of the application site by a fence and high hedges.

### Surface Water Drainage and Biodiversity

12. The property is within the catchment area of the Lye Valley SSSI and therefore the disposal of the additional roof water to permeable vegetated area of the garden needs to be secured. This will be done via condition.

### **Conclusion:**

APPROVE

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:**

05/01314/FUL

12/03146/FUL

**Contact Officer:** Jennifer Owen

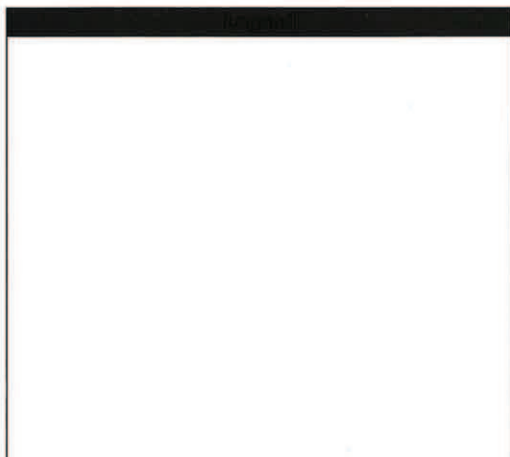
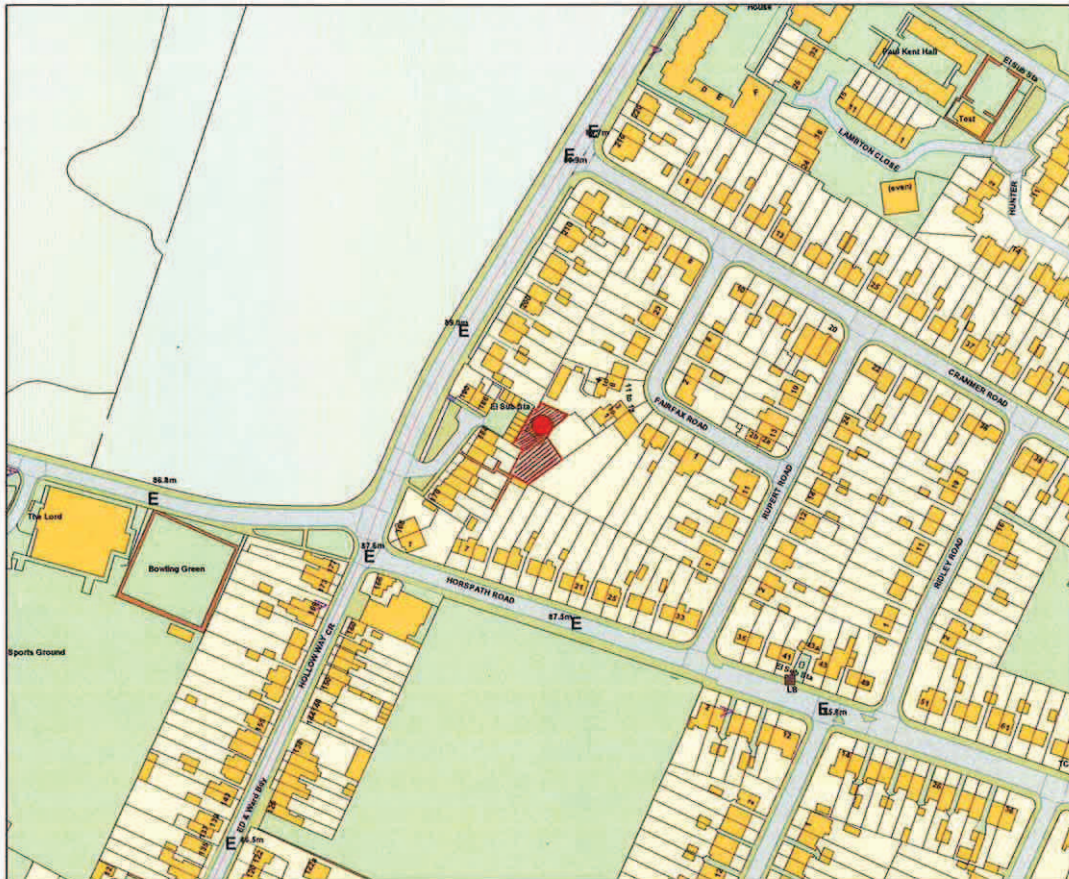
**Direct Dial:** 01865 252818

**Date:** 16th January 2013

Appendix 1  
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GIS by ESRI (UK)



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