

East Area Planning Committee

-5th March 2013

Application Number: 12/03194/FUL

Decision Due by: 5th March 2013

Proposal: Erection of a single storey rear and side extension

Site Address: 72 Ferry Road Oxford

Ward: Marston Ward

Agent: Mrs Vivienne Cuffolo

Applicant: Mrs Amanda Jeffries

Application Called in – by Councillors – Clarkson, McManners, Price and Rowley for the following reasons – impact on neighbouring properties

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension is acceptable in design terms and would not appear out of character in the area. The harm to neighbouring properties has been carefully considered and officers are satisfied that the proposal would not unacceptably affect the living conditions of the occupiers of the adjoining properties. The proposal accords with policies CP1 and CP6 of the Oxford Local Plan 2001-2016, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy 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 as specified

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

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

Representations Received:

74 Ferry Road – object to proposals on grounds of: maintenance of property due to lack of space between buildings; measurements appear inaccurate; boundary issues; impact on light and visual amenity; impact of side element on streetscene

Statutory and Internal Consultees:

None received

Issues:

Design

Impact on neighbours

Other matters

Sustainability:

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.

Officers Assessment:

Site

1. The application site comprises a two-storey semi-detached dwelling located on the north-eastern side of Ferry Road in Marston. The property has had no previous extensions.

Proposal

2. Planning permission is sought for a single storey extension to wrap around the side and rear of the property. The extension would have a flat roof with two large rooflights and would extend the full width of the plot. The existing rear store/w.c would be removed. The extension would provide a dining room, study and downstairs shower room.
3. The extension would measure 3 metres in height and would extend 3.8

metres beyond the existing rear building line. The side element would measure approx. 1.2 metres in width and would partly infill the existing side access.

4. During the course of the application an amended plan was sought to address officer concerns regarding the impact of the development on light and outlook from no. 70 Ferry Road, which is the other half of the pair of semis.

Design

5. Planning permission will only be granted for residential development that responds to the overall character of the area and responds to the site and its surroundings, using high quality urban design. This is embedded in policies HP9 of the SHP, policy CP1 of the OLP and policy CS18 of the Core Strategy.
6. The side element of the extension would be set back over 4 metres from the front building line so would have a minimal impact on the streetscene, and being single storey would still retain a gap between the houses at first floor level.
7. The extension would have a flat roof and would be of a scale proportionate to the existing house and garden and its appearance would be in keeping with the nature of other residential extensions in the area.

Impact on neighbours

8. Policy HP14 of SHP states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes and that does not have an overbearing effect on existing homes. In respect of access to sunlight and daylight, the 45°/25° guidelines will be used, as illustrated in Appendix 7 of the SHP.
9. With regard to no. 74 Ferry Road, the proposed development complies with the 45/25° guidance in respect of windows serving habitable rooms. The occupants of no. 74 Ferry have raised concerns that the extension would affect light to a hallway window and would be harmful to their visual amenity. Hallways are not habitable rooms and so the impact on this window would not be considered to be harmful to the living conditions of the occupants. The proposed extension would abut the boundary with no. 74 Ferry Road, and would extend a further 3 metres beyond the rear building line of this property. Officers are of the view that the height and depth of the extension would not be unduly overbearing and would not have an unacceptable impact on the amenities of no. 74 Ferry Road.
10. The adjoining property, no 70 Ferry Road has not been extended and has a rear facing window opening that would be affected by the proposal. To address concerns an amended plan has been submitted which reduces the height slightly (from 3.1 metres to 3metres) and reduces the depth of the extension that would abut the boundary with no. 70 Ferry Road. The extension now projects out to a depth of 3 metres along the boundary and

is then angled away from the boundary for the remaining 800mm of the extension. As it is possible to build an extension that measures 3 metres in height and 3 metres in depth under permitted development, the only additional element of the proposal that would affect no. 70 Ferry is the remaining 800mm that has been moved away from the boundary. Officers are therefore of the view that although the development breaches the 45/25° guidance, the impact of the development over and above what could be built under PD is negligible and would it would therefore be unreasonable to refuse planning permission. Furthermore, the affected window is a large full height window opening so officers are satisfied that adequate light would still reach this room.

Other matters

11. The neighbouring property no. 74 Ferry Road has raised several concerns that relate to issues which are not valid planning considerations. The concerns raised relate to issues of maintenance and boundary lines which are civil matters between the affected parties. The plans show the proposal to be wholly within the application site.

Conclusion: for the reasons given above, the application is considered to comply with the relevant policies of the development plan and is recommended for approval, subject to conditions.

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: 12/03194/FUL

Contact Officer: Rona Gregory

Extension: 2157

Date: 21st February 2013