

WEST AREA PLANNING COMMITTEE

13th March 2013

Application Number: 12/03016/FUL

Decision Due by: 17th January 2013

Proposal: Erection of single storey side extension and single storey rear extension.

Site Address: 81 Wytham Street – **Appendix 1**

Ward: Hinksey Park

Agent: N/A

Applicant: Mr Matthew Fasanya

The application has been called-in by Councillors Tanner, Curran, Rowley and Fry on the grounds that there has been local concern about development at the site.

Recommendation:

APPROVE for the following reasons:

- 1 The proposed extensions are considered to be of a form, scale and appearance that is respectful of the site's corner site context and surrounding development without harming neighbouring residential amenity or adversely impacting highway safety. Consequently the proposals accord with the requirements of policies CP1, CP8, CP9, CP10 and HS19 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as emerging policies HP9 and HP14 of the Sites and Housing Plan.
- 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:-

- 1 Time Limit
- 2 Approved Plans
- 3 Materials to Match

- 4 Development in accordance with Environment Agency standing advice for householder developments.

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Develop to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

Core Strategy

- CS18_** - Urban design, town character, historic env

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

09/02342/FUL - Erection of detached 2 storey dwelling with accommodation in the roof space. Erection of double garage and provision of off road parking for new and existing dwelling. REF 8th February 2010.

10/00363/FUL - Erection of two storey building to form a three bedroom dwelling house with off street parking on land adjacent to 81 Wytham Street. REF 14th April 2010.

10/03078/FUL - Double storey side extension and detached double garage. REF 16th February 2011.

11/01739/FUL - Two storey side extension. REF 11th August 2011.

11/02150/FUL - Proposed two storey side extension and single storey rear extensions (amended plans). REF 24th October 2011.

12/00508/FUL - Erection of two storey side extension and single storey rear extension. Declined to Determine 22nd March 2012.

12/00947/FUL - Erection of two storey side extension and single storey rear extension. REF 30th May 2012.

12/01437/FUL - Erection of single storey side extension and single storey rear extension. REF 18th July 2012. Dismissed at appeal 22nd October 2012.

Representations Received:

Eight objections received from local residents citing the following points:

- The extensions would project past the established building line of Oswestry Road;
- The conflicting roof lines and forms would appear unsightly;
- The proposal would increase the risk of local flooding;
- The proposal does not provide adequate off-street parking for a dwelling of the size proposed;
- The proposals clearly fail to overcome the reasons behind the refusal of previous applications and the concerns raised by the Inspector at appeal.

Statutory and Internal Consultees:

Highway Authority – No objection subject to informatives and conditions.

OCC Drainage Officer – No objection.

Officers' Assessment:

Site Description and Locality

1. The application site relates to one of a pair of cement rendered semi-detached family sized houses of mid-twentieth century construction. The property is located on a corner plot in a wider suburban residential area featuring predominantly semi-detached and terraced family sized dwellings of similar age. Appendix 1 to this report refers. The house has been extended via a single storey rear extension following its original construction. A significant number of other properties in the locality have been altered and/or extended in recent decades such that some of the original uniformity of the area has been lost.

The Proposal

2. The application seeks consent to erect single storey side and rear extensions to 81 Wytham Street. The application drawings also show the creation of a vehicular access from Oswestry Road though this is not set out in the description of development proposals. In any event, the creation of such a new access does not require planning permission as the road is not classified.

Background

3. The site has generated a significant planning history in the past couple of years. A number of planning applications have been submitted seeking permission for,

originally, a new detached dwelling on the site but more recently has been reduced to two storey side/rear extensions and then more latterly, single storey additions. All such applications have been refused by the Council with four cases also dismissed at appeal including the most recent application for single storey side and rear extensions.

4. The most recent appeal decision related to a scheme for a side and rear extension that the Council refused on the basis of its awkward roof form of the side extension and its unsightly and unbroken mass when viewed from Wytham Street. At appeal the independent Planning Inspector concurred with the views of the Council and stated that *“as the proposed side extension would significantly reduce the existing space between the side of the house and the adjacent street, it would be a particularly prominent feature in the streetscene. It is therefore especially important that the scheme achieves the high quality design that relevant development plan policies expect”*. The Inspector went on to add that *“due to the length and height of the side extension, the scheme would not amount to a high quality design”*. The Inspector then went on to note that *“the resultant proportions of the extension, including its shallow roof pitch, would not relate well to the proportions and roof pitches that are characteristic in this locality”*. The Inspector also stated that due to there being *“only a single doorway to break up the large and otherwise blank expanse of the side elevation, which would be much closer to the street than the existing side wall of the house: it would also be at odds with the appearance of most other nearby buildings, which are well articulated with door and window openings”*.

5. The Inspector’s decision letter is attached as appendix 2 and is a material planning consideration in the assessment of applications of a similar nature on the site.

6. Officers consider the principal determining issues in this case to be:

- Design/appearance;
- Impact on Neighbouring Amenity;
- Parking/Highway Implications;
- Flooding.

Design/Appearance

7. Policies CP1 and CP8 of the Local Plan as well as emerging policy HP9 of the Sites and Housing Plan require development to relate well to its context and, where a site is particularly prominent, proposals should enhance the style and perception of the area. It is against this development plan policy backdrop that the proposals should be assessed in design terms.

8. The Council has previously not considered the rear single storey lean-to element of the proposals to be objectionable and this continues to be the case as it is virtually unchanged from that proposed in the previous application. It would not therefore be reasonable for the Council to consider this element unacceptable now and, as such, officers have no concerns about this extension.

9. The Inspector in her recent appeal decision raised the importance of high quality design given the visual prominence of the corner plot and that it would reduce the existing open nature of the site. The current scheme is however considered to be

significantly different from that considered to be previously unacceptable mainly due to the reduction in the height of the roof pitch and its now more regular roof form that is in character with that at the existing extension to the property on the opposite corner plot, 79 Wytham Street. Since the roof has been reduced in height its bulk has consequently been reduced when viewed from the streetscene such that it will no longer dominate the corner between Oswestry Road and Wytham Street. Whilst it is acknowledged that the depth of the side extension remains unchanged and that it is still predominantly unbroken with the exception of one doorway, its overall reduced mass is considered to be significant such that it is far more respectful and subservient to the established open character of the corner plot.

Impact on Neighbouring Amenity

10. The impact in this regard has already been assessed under numerous previous planning applications as well as appeal decisions and been found to be acceptable. No additional harm will result from these new proposals due to their reduced scale such that they must continue to be acceptable.

Parking/Highway Implications

11. The current property does not benefit from any off-street parking provision despite being a three bedroom family house. The proposals seem to include the provision of a hardstanding area for the parking of two cars to be accessed from Oswestry Road which should reduce the levels of on-street parking in the locality. Highway Officers do not consider the proximity of the proposed extension to the highway and junction (between Wytham Street and Oswestry Road) to be a risk to highway safety given the adequate resulting visibility splays and low speed of existing vehicular traffic on the roads. In any event, previous applications have been considered acceptable in relation to highway safety impacts and it would not be reasonable to now object to the scheme on these grounds.

Flooding

12. Whilst this issue has been raised by objectors, previous schemes have been considered acceptable providing an appropriate condition is attached ensuring that finished floor levels are no lower than existing levels in accordance with Environment Agency standing advice for householder developments. The proposals must therefore continue to comply with policy CS11 of the Core Strategy in this regard as well as national guidance in the NPPF.

Other Matters

13. An objector has raised concerns about the number of absentee landlords in the area. This is however not a material planning consideration and the proposal must be assessed on its individual planning merits rather than on the property's ownership.

Conclusion:

14. The proposed extension is considered to be of a form, scale and appearance that is appropriate to its prominent corner setting and which does not materially harm the amenity enjoyed by neighbouring properties or highway safety. Consequently the proposals are considered to accord with all relevant policies of the development plan such that Committee is recommended to approve the application subject to the conditions listed at the beginning of the report.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

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.

Contact Officer: Matthew Parry

Extension: 2160

Date: 10th January 2013

Background Papers:

12/03016/FUL

12/01437/FUL

12/00947/FUL

12/00508/FUL

11/02150/FUL

11/01739/FUL

10/03078/FUL

10/00363/FUL

09/02342/FUL

Appendix 1

81 Wytham Street



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	17493016/PL1
Date	08 January 2013
SLA Number	Not Set

Appendix 2 – Inspector’s Decision Letter (12/01437/FUL)



Appeal Decision

Site visit made on 22 October 2012

by **Jane Miles BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 October 2012

Appeal Ref: APP/G3110/D/12/2180165

81 Wytham Street, Oxford OX1 4TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Matthew Fasanya against the decision of Oxford City Council.
 - The application ref: 12/01437/FUL was refused by notice dated 18 July 2012.
 - The development proposed is a single storey side and rear extension.
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Decision

1. The appeal is dismissed

Reasons

2. The current appeal proposal follows a series of previous applications including three dismissed on appeal. As I understand it, those dismissed on appeal all included two-storey development. In this case the proposed extension would be single storey, albeit its roof ridge would match the eaves height of the host building. The extension would extend further back than the main rear wall of the house and wrap around the corner in a continuous single storey extension across the full width of the rear elevation.
3. The **main issue** to consider is the effect of the proposal on the character and appearance of the host building, street scene and surrounding area.
4. The appeal site is within a suburban residential area characterised primarily by pairs and terraces of closely spaced dwellings. However No. 81 occupies a more spacious corner plot, at the junction of Wytham Street with Oswestry Road. In this corner position, and as the proposed side extension would significantly reduce the existing space between the side of the house and the adjacent street¹, it would be a particularly prominent feature in the street scene. It is therefore especially important that the scheme achieves the high quality design that relevant development plan policies² expect.
5. However, due to the length and height of the side extension, the scheme would not amount to a high quality design. This is firstly because the resultant proportions of the extension, including its shallow roof pitch, would not relate well to the proportions and roof pitches that are characteristic in this locality. Secondly, there would be only a single doorway to break up the large and

¹ The exact amount of the reduction is difficult to assess with certainty, as there appear to be some inconsistencies between the various submitted drawings at different scales.

² Most notably Policies CP.1 and CP.8 of the Oxford Local Plan 2001-2016 (LP) and Policy CS18 of the Oxford Core Strategy 2026 (CS)

otherwise blank expanse of the side elevation, which would be much closer to the street than the existing side wall of the house: this would also be at odds with the appearance of most other nearby buildings, which are well articulated with door and window openings. For these reasons I agree with the Council that the extension would be a discordant feature in the street scene. It would not amount to a high quality design and would have a harmful effect on the character and appearance of the host building, street scene and surrounding area.

6. The extension would be subservient to the host building, but that in itself does not overcome my concerns. Of the various house extensions I saw in the area it seems likely the appellant's view, that the form of his proposed extension would be consistent with 'an adjacent development', relates to an extension to the house on the opposite corner (no. 79). There are however some significant differences between that extension and the proposal for no. 81, notably that no. 79's plot appears to be slightly larger; the roof pitch on the two-storey part of that extension more closely resembles that of the host building; a transition from two-storey to single storey is marked by a change in roof pitch and a small inset; the side elevation is better articulated with three window openings. Consequently the side extension at no. 79 (with its gable end form reflecting that of the church building on the opposite side of Wytham Street) is more successful in design terms than the one proposed for no. 81.
7. I note the appellant's points about the practicability of the proposed roof pitch in terms of roof tiles, but that is not the matter at issue. I have had regard to all other matters raised but have found nothing sufficient to alter or outweigh my conclusion that the proposal would cause unacceptable harm in terms of character and appearance, contrary to the objectives of relevant LP and CS policies. It follows therefore that the appeal must fail.

Jane Miles

INSPECTOR

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