

Agenda Item 8

West Area Planning Committee

10th December 2013

Application Number: 13/02640/FUL

Decision Due by: 12th December 2013

Proposal: Demolition of existing side extension and erection of part two storey, part five storey, side and rear extension, plus formation of basement. Erection of brick wall and iron railings to front boundary. (Amended Plans)

Site Address: 28 Norham Road, **Appendix 1.**

Ward: North

Agent: Mr Douglas Riach

Applicant: Mr Kieron Roberts

Application Called in – by Councillors – Upton, Fry, Van Nooijen and Tanner due to concerns regarding the size of the proposed extensions,

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extensions are considered to be of a form, scale and appearance that, on balance, preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area without causing significant harm to the amenity enjoyed by occupiers of neighbouring properties. Consequently the proposals accord with policies CP1, CP8, CP9, CP10, and HE7 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP14 of the Sites and Housing Plan Submission document.
- 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, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area North Oxford Victorian Suburb,
- 4 No terrace/herb garden at rear
- 5 No Terrace
- 6 Railings - further details
- 7 Mortar
- 8 Arch - Implementation of programme
- 9 Landscape plan required
- 10 Landscape hard surface design - tree roots
- 11 Landscape underground services - tree roots
- 12 Tree Protection Plan (TPP) 2
- 13 Arboricultural Method Statement (AMS) 2
- 14 Access details

Main Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- HE7 - Conservation Areas

Core Strategy

- CS18 - Urban design, town character, historic environment

Sites and Housing Plan

- MP1 - Model Policy
- HP9 - Design, Character and Context
- HP14 - Privacy and Daylight

Other Material Considerations:

- National Planning Policy Framework
- Application site falls within the North Oxford Victorian Suburb Conservation Area.

Relevant Site History:

- 99/01263/CAT - Fell yew in the North Oxford Victorian Suburb Conservation Area. Raise no objection.
- 91/00947/NFH - Retention of garden shed (Retrospective). Approved.

Public Consultation

Statutory and Other Consultees:

- County Highways Authority – The parking bay can accommodate two vehicles at the moment and as long as two vehicles can still be accommodated then there would be no objection to the proposal.
- County Drainage Team - The extension is to be drained using SuDs methods.

Third Parties:

Letters of comment have been received from the following: Oxford Civic Society, Oxford Preservation Trust, Oxford Architectural and Historic Society Victorian Group, 2 Linton Road, Councillor Wolff, 19 & 29 Linton Road, 9 & 13 Crick Road, 11 Benson Place:-

- Too wide, too deep and too tall at 5 storeys
- Spoil the symmetry of the pair of houses
- Enclose the important gap between the properties; enabling glimpses through to rear gardens would be lost
- The conservatory would create privacy issues to the neighbouring properties either side
- The basement extension is a regrettable plague which has spread from London to Oxford
- Out of scale with the other side additions in Norham Road
- Concerned about the effect on the beautiful horse-chestnut tree. These large trees and open spaces are a key characteristic of this Victorian conservation area.
- The proposed side extension would leave a mere 1m gap from the boundary wall, obscuring the views to the large trees at the bottom of the garden.
- The terrace on the upper ground floor level would be an invasion of the privacy of No. 29s bay window and gardens of Nos. 27 and 29.
- It is not clear if the balustrades added to the first and second floor windows at the rear elevation signify balconies.
- In accordance with Victorian side extensions, it should be limited to three stories, since it otherwise distorts the symmetry of the pair of grand semi-detached houses.
- This project proposes to make a large building larger. There has been a great deal of building in the N Oxford Conservation Area, filling in bits of land here and there with extensions etc. This application is yet another and is inappropriate for the site.
- The size of this enlargement would set a dangerous precedent if permitted; if developments like this continue then the streets will become terraces and the back gardens will stop being gardens.
- The proposed railings/ Juliet balconies on windows to the rear of 28 Norham Road also seem ugly and out of keeping.
- Extension would overwhelm existing house.
- Affects balance of two properties.
- Loss of symmetry.
- Visible from Norham road and fyfield Road.
- Negative impact on conservation area.

Determining Issues:

- Design/Impact upon that character and appearance conservation area
- Residential amenity
- Trees
- Parking

Officers Assessment:

Application Site:

1. The site lies on the south side of Norham Road and comprises a substantial, brick built semi-detached property laid out over 5 floors. The front garden is primarily hard surfaced with the rear laid to lawn with a number of small fruit trees and shrubs. The site backs onto Crick Road and lies within the North Oxford Victorian Suburb Conservation Area. **Appendix 1** refers.

Proposal:

2. The application seeks planning permission for the removal of the existing side extension and garden building, which are not original features of the property and the erection of part two storey, part five storey, side and rear extensions, plus formation of basement and erection of brick wall and iron railings to front boundary.
3. The new extensions would utilise matching facing bricks and natural slates, new timber sash windows and would incorporate a timber conservatory at the rear. The basement extension would have a sedum flat roof. It is also proposed to erect a new boundary wall and reinstate iron railings to the street frontage.
4. Amended plans were received on 22nd November following initial concerns with some elements of the proposal. The alterations were as follows:
 - The window boxes have been removed to rear elevation.
 - The iron cresting has been removed from ridge lines.
 - The railings to the rear elevation have been simplified in design.
 - The proposed conservatory roof lights have been moved away from the front elevation.
 - The small round window on the side elevation has been replaced with a small sash window.
 - A reduction in the massing of the conservatory element to create an improved balance with the bay window.
 - A reduction to the width and depth of the upper ground floor terrace area to the rear.
 - Slightly lifted the eaves line on the two storey element of the side extension
 - Revised the railing pattern to the site frontage.
 - Reduced the scale of the window on the two storey element of the side extension to ensure it is of a lesser stature than the main elevation.
5. The basement extension would measure 8.2m in length and 12.1m in width and would consist of a gym, lit by a light well 2.2m in length by 5.m in width. The proposed extension would have a large lower ground floor extension measuring 11.5m from the rear elevation including the roof overhang (10.4m from the rear bay window) with a step back to 9.5m. It would be 13.45m wide with flat sedum roof with 3 flat roof lights. The upper floor extension would include 3 components, the part five storey and part two storey side extension

and the timber conservatory. The five storey side extension is set down from the main right height and would be 2.9m wide, 9.9m in length and 14.2m high from ground level. The two-storey extension would be 7.7m in length, 2.2m wide and 7.6m high.

Design / Impact upon the Character and Appearance of the Conservation Area.

6. No.'s 27, 28 and 29 Norham Road were designed by Pike and Messenger who also designed several houses along Fyfield Road. No.27 is a detached house at the very end of Norham Road. No.'s 28 and 29, a semi-detached pair sits next to no.27 on the west side. All three properties differ in style from the typical Wilkinson designed semi-detached buildings of Norham Road. In particular 28 and 29 are of a grander scale as is no. 27. All three sit within wider plots with no.27 having the widest plot at the very end.
7. The Conservation Area and immediate surroundings are characterised by large Victorian era houses in a suburban setting with relatively generous gaps between buildings allowing views through to rear gardens as well as green tree-lined streets. The existing pair of houses has been altered with no.29 having a three storey side extension and no.28 poorly constructed single and two storey side extensions. The houses still read as a pair due to their dominant main front elevation, though symmetry has been somewhat lost in recent years. The existing side extension to No. 29 is considered to represent a highly sympathetic addition to the house that discreetly complements the character of the houses. A part two storey and part five storey side extension which is higher and deeper than the existing three storey element at 29 Norham Road will be more apparent from the streetscene especially with the removal of some of the small trees in front of the house and, due to its width and height, will not in reality bring back the symmetry of the pair of houses, though it will likely improve on the existing imbalance particularly as the extension is set back from the front of the house, in common with that at the adjoining house. The two storey side extension proposed will relate well to the design of the three storey side extension of no.29.
8. Gaps between buildings are an important contributing feature towards the special character and appearance of the Conservation Area. The current gap at ground level from the existing side extensions to no. 27 Norham Road is approximately 4.8m wide. The proposed extension would reduce this gap at ground level to 3.3m wide. Further up, the existing gap between the side elevation of 28 and 27 is approximately 8.2m wide and the proposal would reduce this gap to 4.5m wide. Therefore the proposed side will close some of the existing gap between the application property and No.27 Norham Road certainly when viewed from oblique angles. However, views from the house through to the green rear gardens and their associated trees will still be achievable and thus help preserve the green suburban character of the area. It is recognised that the gap between Nos. 27 and 28 Norham Road will have the appearance of being reduced and an extension of lesser width would be preferable. However, on balance, the proposals in this regard are not considered to cause sufficient harm to the character and appearance of the Conservation Area to justify its refusal as a sufficient gap remains. The

proposal will also open up the existing views through to the rear by removing some of the smaller trees in the front garden, reinforcing the sense of views through to the rear gardens.

9. The rear of 28 Norham Road is highly visible from Fyfield Road, though the rear conservatory extension is relatively modest in scale. The form is considered to be appropriate to its domestic setting and with its timber frame consistent with that found elsewhere within the Conservation Area. There have been several objections to the size and scale of the conservatory having a detrimental impact upon the character of the conservation area by closing down the gap and diminishing the views. Whilst the rear of the property is visible from Fyfield Road, the original layout of the site can cope with this type of development due to the amount of garden space available. The proposal would still retain the views of 'sense of openness' that prevails throughout the suburb. The proposal will be of a high standard, with appropriate materials and scale being taken into account so that the resultant development is considered to contribute positively to the significance of the area.
10. The repair and rebuilding of the existing front boundary wall with reinstatement of cast iron railing of the 'trellis' pattern over an the low brick wall are considered to be appropriate to the Conservation Area and consistent with the historic precedents of the area such that views to and between buildings are maintained.
11. The lower ground floor extension is significant in size. However this alone should not be a reason for refusal, as the property is substantial in size, occupying a large plot overall. It is considered that the lower ground floor extension is acceptable and can be supported.

Residential Amenity:

12. Concerns had been raised from the adjoining flats at no.29 that the proposed conservatory would result in a loss of privacy. As a consequence amended plans have reduced the size of the conservatory at the rear substantially. There is already a degree of mutual overlooking from existing rear windows in any event but the distance and acute angles would not give rise to any significant additional levels of overlooking or loss of privacy to either the flats and rear garden of no. 29, or to no. 27.
13. Concerns have also been raised with regard to light spillage from the proposed roof lights on the lower ground floor extension. The design and access statement has stated that the roof light would have blinds to mitigate any light spillage.
14. The terrace/herb garden which is accessed from the conservatory would be located on the roof above the lower ground level. Concerns have been raised regarding the loss of privacy to the rear garden from the raised terraced. Officers consider that anyone stood on the terrace would be of level that would be able to look over the boundary brick walls directly into both neighbouring gardens. Therefore a condition is suggested to omit the terrace

from the scheme and ensure that the flat roof of the lower ground floor extension is not used as a future terrace.

15. Overall it is considered that the proposed five storey extension would not create any loss of light to the neighbouring property at no.27 Norham Road, nor would it be overbearing in nature or adversely affect the outlook from neighbouring rear windows. Rather, the application complies with the aims and objectives of Policy HP14 of the SHP and CP10 of the OLP, which seek to safeguard the amenities of adjoining properties. Officers have concluded that the extensions have been carefully designed to minimise any adverse impact to the neighbouring property, and are therefore considered acceptable in this regard.

Trees:

16. The proposals require the removal of 2 existing mature trees from within the site; a yew (T1) and a Lawson's cypress (T2). These large trees are uncomfortably close to the existing buildings and this in itself provides a reasonable justification for their removal regardless of any development of the site. The presence of other trees in the front garden of the property ensures that their removal will not significantly harm amenity in the area.
17. The proposals include reducing the height of the group of yew trees that grow along the front boundary on the west side of the vehicular access to 4 metres in height. The 2 yew trees on the north east end of the group next to the vehicular access will be removed. This is appropriate management of trees that were probably originally planted as a hedge and have become tall as a result of lack of management.
18. The arboricultural report that is submitted as part of the planning application includes an appropriate Tree Protection Plan and method statements for working near to retained trees to ensure that they are not harmed during construction. The application provides an opportunity to upgrade the neglected front garden and this will ultimately benefit the appearance and character of this part of the North Oxford Victorian Suburb Conservation Area. Details of new soft and hard landscaping are required by planning condition in this regard.

Parking:

19. The proposal includes widening the existing access which would result in the loss of a short stretch of an existing residents parking bay. The parking bay can accommodate two vehicles at the moment and will still be able to do so. A condition is suggested requiring further details of the proposed access extension, including any impact on the parking bay, to ensure that two vehicles would still be able to park in the residents parking bay.

Other Matters:

20. Norham Road and Crick Road have previously produced evidence of Bronze

Age and early Saxon burials and for Iron Age features. Based on a review of current archaeological evidence the proposal is considered not have any archaeological impacts as it is considered to be relatively small in scale and not located within the main archaeological historic route of the Woodstock Road. Therefore, it is considered that no archaeological condition is necessary for this development.

Conclusion.

21. Approve, 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 grant permission officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 13/02640/FUL

Contact Officer: Davina Sarac

Date: 27th November 2013