

**WEST AREA PLANNING COMMITTEE**

7<sup>th</sup> January 2014

**Application Number:** 13/03091/FUL

**Decision Due by:** 13th January 2014

**Proposal:** Erection of first floor rear extension and formation of dormer to rear. (Amended Plans)

**Site Address:** 102 Southmoor Road Oxford Oxfordshire OX2 6RB

**Ward:** North

**Agent:** Roland Huggins Architect

**Applicant:** Mr & Mrs David Edwards

This application is being determined by committee as the application has been submitted by a council officer. The monitoring officer confirms the application has not had any special treatment.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is acceptable in design terms, would preserve the character and appearance of the North Oxford Victorian Suburb Conservation Area and would not cause any significant levels of harm to neighbouring properties. The proposal therefore accords with policies CP1, CP6, CP8 and HE7 of the Local Plan, MP1, HP9 and HP14 of the Sites and Housing Plan and CP18 of the Core Strategy
- 2 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Materials - matching
- 3 Develop in accordance with approved plans

## **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
- 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
- The application site falls within the North Oxford Victorian Suburb Conservation Area.

### **Relevant Site History:**

None

### **Representations Received:**

No comments received

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

No comments received

### **Determining Issues:**

- Design and Impact on Conservation Area
- Impact on Neighbouring Amenity

### **Officers Assessment:**

#### Site

1. The application site comprises a four storey mid-terrace Victorian property located on the eastern side of Southmoor Road. The property is located within the North Oxford Victorian Suburb Conservation Area.

#### Proposal

2. The application proposes a first floor rear extension over the existing outrigger and the insertion of a rear dormer window. The application also proposes changes to the fenestration to the rear lower ground and ground floor.

#### Design and Impact on Conservation Area

3. Policy HE7 of the Oxford Local Plan states that planning permission will

only be granted for development that preserves or enhances the special character and appearance of the conservation area of their setting. Policy CP8 states that planning permission will only be granted where the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area.

4. The proposed first floor extension would be sited wholly to the rear of the property and therefore not visible from the street scene. The extension has been designed to be subservient to the existing dwelling and will feature a pitched roof. A number of alterations have been carried to the outriggers of other properties in the street in the past, and when viewed from the rear the addition of this extension would not have an adverse impact on either the dwelling or conservation area in which it stands.
5. The application also proposes the insertion of a dormer window into the rear roof slope. The application as submitted sought the introduction of one large dormer of the same size as an existing one, and with a single sash window. The existing dormer structure possess two small windows however and amended drawings were sought and received indicating the same arrangement in the new structure which would better retain the character and appearance of the house.
6. The proposal also proposes other changes to the fenestration. At lower ground level an existing window would be replaced by double doors, whilst at main ground level an existing side (north) facing door would be replaced by a full length window and the door repositioned to the rear.
7. The materials proposed will match those of the existing dwelling, consisting of timber sash windows, and matching red brick and clay tiles.. Overall it is therefore considered that the proposed extensions and alterations will create a visually appropriate relationship with the dwelling and will not have a detrimental impact on the conservation area. Therefore the design is considered acceptable.

#### Impact on Neighbouring Amenity

8. HP14 of the Sites and Housing Plan 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. HP14 also states that planning permission will not be granted for any development that has an overbearing effect on existing homes.
9. The principle properties that will be affected by the proposal is No. 100 and No. 104 Southmoor Road due to their proximity to the application site.

#### *Loss of Privacy and Overlooking*

10. The proposed rear extensions would include new rear facing windows at first floor level serving a new bathroom, and at roof level within the new dormer

servicing a bedroom, as well as a high level side window to the bathroom. The dormer window would be located in a position on the roof slope that is consistent with many others nearby, and as such any overlooking of neighbouring gardens would be no greater than those, and in line with that to be expected of rear facing windows in a terraced context.

#### *Outlook and Overbearing Impact*

11. The proposed dormer would be located in a position that would not impact the outlook or have an overbearing impact. The rear first floor extension would extend only 2.2m from the rear of the house and would be set against the common boundary and close to a neighbouring window located at No. 100. It is considered that due to the small scale of the extension and the size of the neighbouring window the proposed extension would not have any detrimental impact on its outlook or be considered overbearing.

#### *Loss of Light*

12. Policy HP14 of the Sites and Housing Plan sets 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, detailed in Appendix 7 of the Sites and Housing Plan. In normal circumstances, no development should intrude over a line drawn at an angle of 45° in the horizontal plane from the midpoint of the nearest window of a habitable room and rising at an angle of 25° in the vertical plane from the sill. The extension complies with the guidance in relation to sunlight/daylight in relation to both neighbouring properties. Due to the scale and orientation of the rear extension it is not considered to significantly impact the level of light afforded to No.100.

#### **Sustainability:**

13. 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:**

14. The proposal is similar to many others in the immediate locality and would not be visible from the public realm. Overall it is considered to be acceptable in design terms, and would preserve the character and appearance of the North Oxford Victorian Suburb Conservation Area and not cause harm to neighbouring properties. The proposal therefore accords with policies CP1, CP6, CP8 and HE7 of the Local Plan, MP1, HP9 and HP14 of the Sites and Housing Plan and CP18 of the Core Strategy and can be supported.

#### **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:** 13/03091/FUL

**Contact Officer:** Sarah De La Coze

**Extension:** 2186

**Date:** 19th December 2013

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