

COMMITTEE REPORT

EAST AREA PLANNING COMMITTEE

18th June 2014

Application Number: 14/01065/CT4

Decision Due by: 11th June 2014

Proposal: Erection of single storey extension to rear elevation.

Site Address: 4 Fairfax Avenue Marston Oxford OX3 0RP

Ward: Marston Ward

Agent: N/A

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 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.
- 2 The proposal is considered to form an appropriate visual relationship with the main dwelling and adjacent properties and does not cause harm to the street scene. It does not cause harm to the residential amenities of adjoining occupiers. The proposal is therefore considered to comply with policies CP1, CP8 and CP10 of the Oxford Local Plan, CS18 of the Core Strategy and policies HP9 and HP14 of the Sites and Housing Plan and should therefore be granted.

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

- 1 Development begun within time limit
- 2 Materials to match existing
- 3 Amenity no balcony

Main Local Plan Policies:

Oxford Local Plan 2001-2016

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CP1 - Development Proposals

CP8 - Design Developmt to Relate to its Context

CP10 - Siting Developmnt to Meet Functionl Needs

Core Strategy

CS18_ - Urb design, town character, historic env

Sites and Housing Plan

HP9_ - Design, Character and Context

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

14/00182/H42 - Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.40m, for which the maximum height would be 2.70m, and for which the height of the eaves would be 2.70m (additional information) – Prior Approval Required 18.02.2014

Representations Received:

2 Fairfax Avenue: Objects to building in the back garden due to adverse impact on residential amenity and cumulative impact of other development in the area.

Statutory and Internal Consultees:

Old Marston Parish Council: There were concerns over the plans submitted. The ground floor plan looks like two properties which give the impression that it is a HMO.

Environment Agency: No comment

Issues:

Design

Impact on neighbouring amenities

Officers Assessment:

Site:

1. The application site is comprised of a two storey terraced house with an existing lean-to single storey conservatory that would be demolished in connection with this application.

Proposal:

2. This application is seeking planning permission for a new single storey rear extension (6.2m wide, 4m deep, 2.6m tall with a flat roof. The proposal

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includes a 1m deep canopy set 1m from the boundary.

Design:

3. Policy CP1 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for proposals that show a high standard of design and use materials appropriate to the nature of the development.
4. Policy CS18 of the Core Strategy states that permission will only be granted for development that demonstrates high quality urban design throughout. Development should respond appropriately to the site and its surroundings, create a strong sense of place, be easy to understand and move through, be adaptable, contribute to an attractive public realm and be of high quality architecture.
5. Policy HP9 of the Sites and Housing Plan states that permission will only be granted for residential development which responds to the overall character of the area including both built and natural features. The layout and density of the scheme must also respect the site context.
6. Whereas the proposal is 1m longer than that permitted under permitted development rights, the height at 2.6m would arguably cause less impact than a 3m deep permitted development extension that was 3m tall at the boundary. In addition, the canopy, being set 1m from the boundary will have marginal effect.
7. The extension is subservient to the main dwelling house and appropriate in terms of design in relation to the existing building.
8. As such, it is deemed that the proposal will not cause material harm to the visual amenities of the locality and the residential character of the neighbourhood.
9. The proposal is therefore considered to form an appropriate visual relationship with the main dwelling and adjoining. It is not visible from the street scene and does not cause harm to the visual amenities or residential character of the neighborhood. It is therefore considered to comply with policies CP1 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 and HP14 of the Sites and Housing Plan.

Impact on neighbouring amenity

10. 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.
11. The extension complies with the guidance as set out in Appendix 7 of the Sites and Housing Plan in terms of daylight/sunlight in terms of the impact

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of the windows of adjoining properties.

12. A condition will be imposed preventing the flat roof of the extension being used as a terrace or balcony area.

13. It is therefore considered that the impact of the proposal on the amenity of the neighbouring properties will be acceptable.

Conclusion: Approve

14. The proposal is considered to form an appropriate visual relationship with the main dwelling and adjacent properties and does not cause harm to the street scene. It preserves the residential character of the area. It does not cause harm to the residential amenities of adjoining occupiers. The proposal is therefore considered to comply with policies CP1, CP8 and CP10 of the Oxford Local Plan, CS18 of the Core Strategy and policies HP9 and HP 14 of the Sites and Housing Plan and should therefore be granted.

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: 14/01065/CT4

Contact Officer: Phil Ridley

Extension: 2069

Date: 14th May 2014