

## West Area Planning Committee – 10 November 2015

**Application Number:** 15/02474/FUL

**Decision Due by:** 12 October 2015

**Proposal:** Demolition of existing WC, store and garage. Erection of single storey rear extension and formation of 2no. rear dormers. Insertion of 1no. sash window to side elevation and 2no. rooflights to front roofslope. Erection of detached single storey home office/garage. Relocation of garden gate and demolition of section of garden wall. (Amended plans)

**Site Address:** 23 Frenchay Road, **Appendix 1**

**Ward:** St Margarets Ward

**Agent:** Mr Nicholas Holloway

**Applicant:** Mr C Kirby

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### Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension and alterations are acceptable in design terms, would not cause unacceptable levels of harm to the amenities of the neighbouring properties, will not have a detrimental impact on highway safety and will not have an adverse effect on trees in the Conservation Area. The proposal therefore accords with policies CP1, CP6, CP8, CP9, CP10, HE7 and NE16 of the Oxford Local Plan, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.
- 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.
- 3 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.

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
- 4 Use of outbuilding
- 5 Ground resurfacing - SUDS compliant

### **Main Local Plan Policies:**

#### Oxford Local Plan 2001-2016

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**HE7** - Conservation Areas

**NE16** - Protected Trees

#### Core Strategy

**CS11** - Flooding

**CS18** - Urban design, town character, historic environment

#### Sites and Housing Plan

**HP9** - Design, Character and Context

**HP14** - Privacy and Daylight

**MP1** - Model Policy

### **Other Material Considerations:**

- National Planning Policy Framework
- This application is in or affecting the North Oxford Victorian Suburb Conservation Area.
- Planning Practice Guidance

### **Relevant Site History:**

59/08165/A\_H - Alteration to form bathroom. PDV 23rd June 1959.

60/09810/A\_H - Private garage. PDV 13th September 1960.

66/17974/A\_H - Conservatory. PDV 13th September 1966.

14/02304/CAT - Fell 1No Holly Tree and prune 1No Walnut Tree in the North Oxford Victorian Suburb Conservation Area.. RNO 14th August 2014.

14/03051/FUL - Erection of a single storey rear extension. Insertion of 2 no. windows to west elevation. Formation of 2 x dormer window to rear elevation and insertion of 1 no. rooflight to front elevation in association with loft conversion. Replacement of

garage with home office. Repositioning of garden gate. (Amended plan)(Amended description). PER 28th January 2015.

15/01976/VAR - Variation of condition 2 (approved plans) of planning permission 14/03051/FUL (single storey rear extension and 2no. rear dormers) to allow lowering of ground floor and lowering roof height of extension and insertion of additional rooflight to front roofslope. WDN 5th August 2015.

### **Representations Received:**

6no. third party objection comments – comments relate to overlooking and loss of privacy, the previous extension was more in keeping with the property, the garage should be inset from the pavement, the glazing should be broken up and the boundary wall should encompass half round bricks.

1no. support comment (Cllr Wade) – The proposal is an improvement on the previously approved application. The overlooking from the proposed first floor window will be quite minimal on No.25 and is outweighed by the benefits to No.23. The clerestory window would benefit from glazing bars to break it up. The curve in the boundary wall and coping stones should be retained.

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

Moreton Road Neighbourhood Association – no comments received.

Cunliffe Close Residents' Association – no comments received.

St Margarets Area Society – a pitched roof was preferable but support the lowering of the extension, the clerestory window should be removed or broken up, half rounded bricks should top the new wall, the garage should be set back from the pavement and the new side windows should be obscurely glazed.

North Oxford Association – no comments received.

Hayfield Road Residents Association – no comments received.

Highways Authority – no objection.

### **Issues:**

- Design
- Impact on the Conservation Area
- Residential Amenity
- Highways
- Arboriculture
- Flooding

### **Officers Assessment:**

#### Site:

1. 23 Frenchay Road sits on the crossroads between Frenchay Road and Hayfield Road in the North Oxford Victoria Suburb Conservation Area. The two storey end of terrace property is constructed of red brick and benefits from a rear garden with a detached garage, WC and store. This

application relates to the erection of a single storey rear extension following demolition of the WC and store, erection of a detached home office/garage following demolition of the existing garage, installation of 2no. rear dormers, sash window in the side elevation and 2no. front rooflights. This application is an amendment to the approved scheme 14/03051/FUL.

2. The application is to be considered by West Area Planning Committee as the proposal contains clearly glazed windows which were previously conditioned to be obscurely glazed by Planning Committee under application 14/03051/FUL.

Design/Impact on the Conservation Area:

3. The proposed extension sits comfortably on the rear elevation of the host dwelling below the level of the first floor windows. The revised scheme has lowered the extension to pavement rather than garden level and also incorporates a reduction in depth. This is a similar scale to the approved scheme and to other extensions in the terrace, the proposal is therefore considered to form an appropriate visual relationship in terms of scale and massing. Although the revised design is more contemporary and incorporates more glazing and the property is in a prominent location, this is considered acceptable given the lowering of the extension which ensures it appears less dominant in the streetscene and is screened by a brick boundary wall. Further details were requested and submitted to show the glazing and fascia details, garage door and pedestrian gate and finishing details to fully assess the impact on the North Oxford Victorian Suburb Conservation Area. These details are considered acceptable. Whilst further glazing bars were considered, it was considered they would not significantly enhance or improve the appearance of the clerestory glazing. A condition is recommended to request a sample panel of the boundary wall prior to commencement of development to approve the use of bricks, mortar and brick bond. Half round coping stones are to be used in the main boundary wall, however due to the depth of the wall adjacent to the extension they cannot be used above the new gate.
4. The proposed rear dormers are slightly taller than those originally approved, however this brings the scale in line with those at the neighbouring property, 21 Frenchay Road. An additional rooflight has also been added to the front roofslope in line with other properties in the streetscene. The works associated with the loft conversion are therefore considered acceptable and form an appropriate visual relationship with the surrounding area.
5. The proposed workshop/garage replaces an existing disused garage which has been defaced with graffiti. The proposed timber structure is considered to be an improvement and enhance the character and appearance of the area. Due to increased size of the garage, the curved wall cannot be retained.

6. The proposal is therefore considered to comply with Policies CP1, CP6, CP8 and HE7 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

#### Residential Amenity:

7. The extension has been pulled back in line with the neighbouring extension at 21 Frenchay Road adjacent to the boundary and is not considered to have an overbearing impact, significant effect on outlook or cause a detrimental loss of light to the neighbouring occupier. When a 45° angle is taken on a horizontal plane from midpoint of the cill of the window and patio doors of the extension at 21 Frenchay Road, neither conflict with the line of the extension.
8. The proposed garden room/home office lies adjacent to the boundary with 90 Hayfield Road and is set down at pavement level. Since this property does not benefit from side facing windows it is not considered to impact on this property in terms of overbearing impact, loss of light or loss of outlook. It will also only exceed the height of the former garage by 50cm and given the screening from the existing boundary walls and the fact that windows will face into the host garden only the proposal is not considered to have a significant impact on the adjoining properties. A condition is recommended that the building shall remain for incidental purposes to the main dwellinghouse only and shall not be used as primary living accommodation in order to protect the amenity of neighbouring occupiers.
9. The proposed dormer windows have been kept to an acceptable size and given the existing landscaping in the area the proposed windows will not significantly increase overlooking of neighbouring properties. The proposed windows in the side elevation of the main house additional windows to the rear bedroom. The windows directly overlook Hayfield Road and the side elevation of 25 Frenchay Road. They are not considered to give rise to loss of privacy as they do not directly overlook the rear conservatory of 25 Frenchay Road and the first floor side facing window to the main house serves a hallway.
10. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

#### Highways:

11. The property lies within the North Oxford Controlled Parking Zone. The application proposes demolition of the existing garage, which is recognised as not adequate to accommodate a modern car. The proposed garage/workshop (as in the drawings) or 'home office' also does not meet Oxfordshire County Council parking standards for a garage. However, there is no net loss of vehicle parking and therefore no objection is raised in relation to the proposal on the grounds of highway safety.
12. Consideration has also been given to the design of the garage door to ensure

it does not open over the highway.

Arboriculture:

13. It is considered that the proposals will not have a significant adverse impact on the walnut tree on the site adjacent to the proposed garden room. As such there would be no associated harm to public visual amenity or the character and appearance of the conservation area in terms of tree impacts.

14. The proposed garden room is close to a walnut tree. The structure is shown in drawings to stand on a slab associated with the existing garage building in the same location. This will ensure that no tree roots will be impacted by excavations associated with a standard footing. The structure is of a similar height and volume to the garage and therefore there should be no spatial conflict with the tree's trunk or crown.

Flooding:

15. To avoid increasing surface water run-off and thereby attenuating flood risk in accordance with policies CS11 of the Oxford Core Strategy a condition is recommended that the developments which increases the size of the hard areas must be drained using SUDs methods, including porous pavements to decrease the run off to public surface water sewers in order to reduce flooding. Soakage tests should be carried out to prove the effectiveness of soakaways or filter trenches.

**Conclusion:**

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:**

15/02474/FUL

**Contact Officer:** Sarah Orchard

**Date:** 26th October 2015

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