

West Area Planning Committee

12 October 2011

Application Number: 11/02150/FUL

Decision Due by: 12 October 2011

Proposal: Proposed two storey side extension and single storey rear extensions

Site Address: 81 Wytham Street Oxford Oxfordshire OX1 4TN

Ward: Hinksey Park

Agent: N/A

Applicant: Mr Matthew Fasanya

This application has been called-in by Councillors Van Nooijen, Rowley, McManners and Hazell on the grounds that the proposal appears to represent overdevelopment of a cramped corner site in a residential area.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The scale, form and appearance of the development proposed is considered to be in character with the existing dwelling and wider streetscene without causing material harm to the levels of amenity enjoyed by occupiers of neighbouring dwellings. The proposals are therefore considered to comply with policies CP1, CP6, CP8, CP9, CP10 and HS19 of the Oxford Local Plan 2001-2016 and policies CS11 and CS18 of the Oxford Core Strategy 2026.
- 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.

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 Materials - matching
- 4 Development to be carried out in accordance with the flood mitigation measures contained within the submitted Flood Risk Assessment

5 Parking area to be laid out prior to commencement

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
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- HS19 - Privacy & Amenity

Core Strategy

- CS11 - Flooding
- CS18 - Urb design, town character, historic env

Other Material Considerations:

- PPS1 – Delivering Sustainable Development
- PPS25 – Development and Flood Risk

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 – Refused February 2010 – Dismissed at appeal October 2010.

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

10/03078/FUL - Two storey side extension and detached double garage – Refused February 2011 – Dismissed at appeal June 2011.

11/01739/FUL – Two storey side extension – Refused August 2011

Representations Received:

Objections received from 78, 79, 82, 83, 85, 87, 91, 94, 96 and 98 Wytham Street citing the following reasons:

- The proposal extends beyond the existing building line and would reduce the open corner area on the junction between Wytham Street and Oswestry Road harming the character of the site and therefore streetscene;
- Building closer to the junction will reduce visibility for vehicles thereby endangering pedestrian safety;
- The development is excessive in size and disproportionate to the existing house;
- Additional development on the site will increase the risk of flooding in an area

which has already suffered from flooding in the recent past;

- The applicant has the eventual intention to turn the house into a block of flats;
- The public notice is continually removed, quite possibly by the applicant or tenants of the property, preventing full public consultation.

Statutory and Internal Consultees:

Highways Authority – No objection

Issues:

Planning History
Design/Appearance
Impact on Neighbouring Amenity
Highways/Parking
Flooding

Officers Assessment:

Site Description

1. The application site relates to one of a pair of cement roughcast rendered semi-detached family sized houses of early to mid-twentieth century construction. The property is located on a corner plot in a wider residential area of predominantly semi-detached and terraced family sized dwellings of similar age. The house has been extended via a single storey rear extension following its original construction and a significant number of other properties in the locality have been extended to the side and rear in recent decades.

Description of Proposals

2. The application seeks permission for a two storey side extension to 81 Wytham Street and a single storey lean-to extension along the entire width of the resultant widened dwelling. The proposed new access along Oswestry Road and the associated parking/cycle storage do not require planning permission and will therefore not be assessed as part of this application.

Planning History

3. A number of planning applications have been submitted in the recent past seeking permission for both a new dwelling on the site and, more recently, an extension to the existing dwelling. In both cases the Council concluded that achieving a new dwelling on the site would represent overdevelopment and result in a poor quality relationship with the surrounding residential area. On two of the applications, appeals were subsequently dismissed by the Planning Inspectorate on similar grounds to the Council's original reasons for refusal.

4. In February 2011 an appeal was lodged against the Council's non-determination of an application seeking planning permission for a two storey side extension to the existing dwelling. Shortly after the lodging of this appeal the Council refused the application on the grounds that the proposals represented both overdevelopment of the plot and inappropriate design due to its excessive prominence on the corner of Wytham Street and Oswestry Road. The Planning Inspector, in his decision on 24

June 2011, supported the Council's decision and stated that the proposals '*would result in the introduction of a disproportionately large extension to the host property and an unduly prominent building in the streetscene*'. The Inspector went on to state that '*the proposal would also significantly diminish the sense of openness that currently exists at this corner location*'. An application was submitted immediately following this appeal decision but the Council considered the revisions to the design to be very minor in nature and which did not adequately address the reasons for the dismissal of the latest appeal. The Council refused the application in August 2011 and this current application follows that refusal.

Design/Appearance

5. The proposals have been amended from that previously refused by the replacement of the previously proposed two storey hipped roof rear extension with a single storey lean-to addition which is shown to extend across the width of the rear of the house. The side extension however remains unchanged and is set down and set back from the existing house in an effort to create the appearance of a more organic addition to the host dwelling. Given the importance of the more open nature of this corner plot, as identified by the Inspector in his recent appeal decision, any proposed extension must be subservient to the existing host dwelling and not result in the dwelling dominating its plot. The side extension is still shown to be relatively wide in comparison with the existing dwelling. However, it is subservient in all dimensions and Officers consider that, on balance, it retains sufficient distance from the boundary of the site such that it would not appear to dominate the plot when viewed from Wytham Street in line with the Inspector's comments.

6. The previously refused scheme did not, however, demonstrate sufficient subservience when viewed from Oswestry Road and in the most recent appeal decision the Inspector added that the extension '*would be deeper than that of the host dwelling and would introduce a long side elevation in close proximity to the Oswestry Road boundary where currently there is a generous gap between the flank elevation of the dwelling and the boundary fence*'. The Inspector concluded that '*when viewed in the approach along Oswestry Road, the extended roofline would appear as a large, bulky addition*'.

7. In response to these comments, the current application has substantially reduced the depth and height of the rear extension with the consequence that Officers consider the proposals to represent a more proportionate addition to the existing property with considerably reduced actual and perceived bulk when viewed from Oswestry Road. Officers therefore consider that, by reducing the scale of the development proposed and maintaining an adequate gap to the Oswestry Road site boundary (of a minimum of 1m), the resultant dwelling would not appear to over-dominate its corner plot to the detriment of the streetscene.

8. It is noted that a number of other similar dwellings on nearby corner plots have been extended to the side over recent years. Whilst the application site is different and indeed slightly narrower towards the Wytham Street frontage than 79 Wytham Street which has been similarly extended, the rear garden is slightly larger and its predominant retention as open garden space should ensure that the plot is not over-developed and would preserve an adequate open appearance when viewed from the Wytham Street/Oswestry Road junction.

Impact on Neighbouring Amenity

9. The proposed side extension projects towards Oswestry Road and therefore away from neighbouring dwellings. The proposed rear extension is single storey and will project out broadly in line with an existing single storey extension at the neighbouring attached house, No.83 Wytham Street. Consequently the proposals will cause no additional material harm to the amenity of neighbouring dwellings due to loss of privacy or daylight and neither will it have an overbearing impact on these dwellings.

Flood Risk

10. The application site is located within Flood Zone 3 as identified by the Environment Agency (EA). The application has been accompanied by the required Flood Risk Assessment (FRA) in line with the standing advice given by the EA in relation to householder and minor non-residential development. Consequently, if the development were to be carried out in accordance with the FRA (and a condition is recommended), Officers consider that the proposals will not materially increase the risk of flooding either locally or elsewhere in accordance with PPS25 and policy CS11 of the Oxford Core Strategy 2026.

Highway Safety/Parking

11. The current property does not benefit from any off-street parking provision despite being a three bedroom family house. The proposals include the provision of a hardstanding area for the parking of two cars to be accessed from Oswestry Road which is considered to be sufficient for the resultant five bedroom dwelling and in accordance with requirements contained within the Local Plan. 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. Planning permission is not required to create an access from Oswestry Road and this is a fallback position to which significant weight should be given.

Conclusion:

12. Following the recently refused scheme, the proposed extensions now represent development that is of a form, appearance, scale and proportion in character with the existing dwelling and wider streetscene without harming the amenity enjoyed by occupiers of neighbouring dwellings. Consequently the application is considered to comply with all relevant policies of the development plan and Officers recommend approval accordingly.

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: 09/02342/FUL, 10/00363/FUL, 10/03078/FUL, 11/01739/FUL and 11/02150/FUL

Contact Officer: Matthew Parry

Extension: 2160

Date: 5 September 2011

11/02150/FUL

81 Wytham Street



Legend

Scale: 1:1250

Scale bar: 0, 0.02, 0.04, 0.06, 0.08, 0.1 Km

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Organisation	Not Set
Department	Not Set
Comments	
Date	29 September 2011
SLA Number	Not Set

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