

West Area Planning Committee

11th October 2016

Application Number: 16/02097/FUL

Decision Due by: 10th October 2016

Proposal: Erection of a single storey rear extension. Formation of basement. Alterations to landscaping with provision of additional vehicle access from Chadlington Road.

Site Address: 7 Chadlington Road Oxford Oxfordshire OX2 6SY

Ward: St Margarets Ward

Agent: Mr James Corris

Applicant: Mrs H Wallace

Application Called in – by Cllr Wade, supported by Cllrs Wilkinson, Goff and Goddard for the following reasons – loss of greenery, increase in ground surface water run off and overbearing impact on the neighbour to the north.

Recommendation:

The West Area Planning Committee are recommended to grant planning permission for the following reasons

- 1 The proposed development is acceptable in design terms, would preserve the character and appearance the North Oxford Victorian Suburb Conservation Area and would not have a detrimental impact on the amenities of the neighbouring properties, trees, flooding, biodiversity or highway safety. The proposal therefore accords with policies CP1, CP6, CP8, CP10, CP11, HE7, NE15 and NE16 of the Oxford Local Plan, CS11, CS12 and CS18 of the Core Strategy and HP9 and HP14 of the Sites and Housing Plan.
- 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.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area North Oxford Victorian Suburb
- 4 Tree Protection Plan (TPP) 2
- 5 Arboricultural Method Statement (AMS) 2
- 6 Ground resurfacing - SUDS compliant
- 7 Amenity no balcony
- 8 Visibility Splays
- 9 On street parking

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
- CP11** - Landscape Design
- HE2** - Archaeology
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees

Core Strategy

- CS11_** - Flooding
- CS12_** - Biodiversity
- 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:

15/02763/FUL - Erection of single storey rear extension. Formation of basement. Alteration to boundary wall. Provision of bin and cycle stores, car parking and additional landscaping. (Amended plans) (Additional Information): Approved

Representations Received:

4 third party objections have been received whose comments relate to loss of trees and greenery in the rear garden, scale/depth of the extension, style of the extension, impact of the northern windows, impact of the basement extension and impact on flooding.

Statutory and Non-Statutory Consultees:

Linton Road Neighbourhood Association – no comments received.
Moreton Road Neighbourhood Association – no comments received.
Cunliffe Close Residents' Association – no comments received.
North Oxford Association – no comments received.

Issues:

Design
Impact on the Conservation Area
Residential Amenity
Arboriculture
Highways/Drainage

Officers Assessment:

Site and proposal:

1. The property is a large detached house set in a large plot on the west side of Chadlington Road in the North Oxford Victorian Suburb conservation area. It has been extended to the side (south) in a style in-keeping with the original house and has a 30m (approx) garden. It currently has a wide vehicular access directly in front of the front door, as well as a pedestrian gate adjacent to the boundary with number 6. There is a large ginko bilboa tree in the front garden along with various ornamental shrubs and informal planting.
2. Planning permission was granted under application 15/02763/FUL for a single storey rear extension incorporating two glazed lanterns – one towards the rear and one close to the original house, a basement that would be located below the proposed rear extension and extend a further 5.3m beyond its rear wall, demolition to accommodate a glazed lantern adjacent to the original house, removal of a chimney stack and creation of a new vehicular access, boundary wall and bike and bin storage to the front of the property.
3. This application relates to an amendment to the design of the rear ground floor extension.

Design/ Impact on the Conservation Area:

4. The materials proposed for the rear extension are sympathetic to the host dwelling and its scale is still proportionate to the main house and has not been increased since the approval of application 15/02763/FUL. Whilst a more contemporary addition, it reads as such and is considered to form an appropriate visual relationship with the house. The only outward sign of the basement is a flush, walk-on roof light which is considered acceptable. Materials will be secured by condition to ensure the satisfactory appearance of the extension.
5. The replacement of the close-boarded fencing and introduction of a low wall with brick piers and informal planting behind was allowed under the previous application and was considered to enhance the appearance of the conservation area and to be in-keeping with the character of the suburb. Details will be required by condition of the materials of the wall.
6. Under the previous approval, Officers raised concerns about the proposed formal hedging behind the low wall since this would not be in-keeping with the informal planting style characteristic of the conservation area and would block glimpsed views into the front garden. Ornamental planting behind the wall was requested to be retained and is continued through to this amended application.
7. Bin and bike storage is proposed to the front of the property. This is set back some distance from the road and is therefore considered an appropriate location. Details of the materials will be required by condition to ensure a suitable quality and appearance in the Conservation Area.
8. Overall, the proposal is considered to respect the character and appearance of the existing property and 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:

9. The proposal will have minimal impact on residential amenity and is of the same scale of the previous approval. The only property significantly affected is 6 Chadlington Road and it is considered that, due to the boundary treatment of brick wall and vegetation, and the distance between properties the two properties, the introduction of the rear extension will not harmfully impact this property's light or outlook. The introduction of glazing to this elevation is not considered to cause excessive light pollution to the neighbouring property, 6 Chadlington Road due to the high boundary wall between the properties.
10. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

Arboriculture:

11. The proposal requires the removal of 4 existing trees (apple T2; blackthorn T3; laburnum T4; and, whitebeam T7) and construction activities encroach

within the Root Protection Area of mature Gingko T1.

12. The trees to be removed are all low quality and value trees. Apple tree T2, blackthorn T3 and laburnum T4 all stand within the rear garden of 7 Chadlington Road and have no public amenity value. Laburnum T4 is in poor structural condition and should be removed regardless of whether development takes place. Although whitebeam T7 stands in the front garden it is a small, early mature specimen and its removal will not significantly harm public amenity.
13. The Gingko tree, T1, is a higher quality and value tree that is prominent in public views from Chadlington Road. Construction activities encroach within its Root Protection Area (RPA as defined by BS5837:2012) and have potential to damage roots if not carefully undertaken. A detailed final Tree Protection Plan and Arboricultural Method Statement have now been submitted and conditions are recommended that the proposals are carried out in accordance with these reports.
14. Subject to conditions, the proposal is therefore considered to comply with policies NE15, NE16 and CP11 of the Oxford Local Plan.

Highways/Drainage:

15. The location of the proposed new vehicle access and dropped kerb will require the existing on-street residents' parking bay to be relocated. An amendment to the Traffic Regulation Order is therefore requested for this by condition to ensure on street parking is not compromised.
16. In the interest of highway safety, pedestrian visibility splays must be provided from the new vehicle access.
17. All additional hard surfaced area must be drained using SUDs methods to ensure the development does not contribute to surface water flooding in accordance with policy CS11 of the Core Strategy..
18. The proposal, with its new vehicular access, is therefore considered acceptable in terms of highway safety in accordance with policy CP1 of the Local Plan.

Biodiversity

19. The development includes the removal of a chimney and a section of sliding roof. The building is of an age and fabric that could support bats and is also located in an area that offers good foraging habitat for bats.
20. In accordance with Section 99 of ODPM Circular 06/2005 the presence of protected species such as bats needs to be established before the planning permission is granted, otherwise not all relevant material considerations may have been addressed in making the decision. However, bearing in mind the delay and cost that may be involved,

developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development.

21. In this instance it is considered that there is not sufficient reasonable likelihood of bats roosting within the areas of the property affected by the development to trigger a survey. However the presence of bats cannot be discounted entirely and a small risk remains. In order to account for this it is recommended that an informative is applied to the decision so that the applicant can take appropriate measures should they or evidence of their presence be discovered during removal of roof tiles.

22. The proposal is considered to comply with policy CS12 of the Core Strategy.

Archaeology

23. Due to the scale and location of the basement proposed, there are no concerns relating to archaeology.

Conclusion:

24. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan and therefore officer's recommendation to the committee is to approve the development subject to the conditions listed above.

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 approval, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

16/02097/FUL

Contact Officer: Sarah Orchard

Date: 26th September 2016

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