

West Area Planning Committee

11th October 2016

Application Number: 16/00391/FUL

Decision Due by: 13 May 2016

Proposal: Erection of rear conservatory and garden outbuilding.
Alterations to windows (Amended Plans).

Site Address: 24 Rosamund Road. **Appendix 1.**

Ward: Wolvercote Ward

Agent: N/A

Applicant: Miss Tania Brown

Application Called in Cllr Goddard supported by Cllrs Gant, Fooks, Gotch and Wade for the following reasons – the shed is overly bulky and may not be located on the applicants land.

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 and would not cause unacceptable levels of harm to the amenities of the neighbouring properties. The proposal therefore accords with policies CP1, CP6, CP8 and CP10 of the Local Plan, Policies HP9 and HP14 of the Sites and Housing Plan and Policy 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.

Conditions:

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

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

Core Strategy

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

Planning Practice Guidance

Relevant Site History:

14/02539/FUL - Erection of single storey rear extension. Enlargement of window on first-floor north side elevation and insertion of new window on ground-floor north side elevation (Amended plans): Approved

15/01326/FUL - Erection of single storey rear extension: Approved

Representations Received:

1no. objection comment received – material planning considerations within the comment include overshadowing of the neighbouring garden and accuracy of the plans.

Statutory and Non-Statutory Consultees:

Highways – no comment.

Issues:

Design

Residential Amenity

Officers Assessment:

Site and proposal:

1. 24 Rosamund Road is a two storey semi-detached property located in the Wolvercote area of Oxford. It is typical of those found in the area. The property falls outside the Wolvercote Conservation Area and Environment Agency Flood Zones 2 and 3. This application relates to the erection of a single storey rear conservatory and also seeks retrospective permission for a shed at the bottom of the rear garden. Following receipt of amended plans, the height of the shed was adjusting to reflect what had been built and the conservatory was moved away from the boundary with 22 Rosamund Road.

Design:

2. The shed sits at the bottom of the garden in an area where properties benefit from long back gardens. There are also a number of large sheds in the rear gardens of both Rosamund Road and Elmthorpe Road to the rear of the host property. The shed requires planning permission as it is located within 2 metres of a boundary and exceeds 2.5 metres in height. The proposal exceeds this height by approximately 80cm. This is shorter than the outbuilding approved at 26 Rosamund Road (adjoining property) which has a height of 3.9 metres.
3. The design of the shed is typical of garden outbuildings and is constructed of timber and painted yellow to match the host dwellinghouse.
4. The proposed conservatory, following the receipt of amended plans was relocated to the rear of the existing two storey rear extension. This helps break up the massing of the extensions which have been gradually added to the property over time. Whilst there have been numerous extensions to the property, the scale of the resultant property is not out of keeping with the scale of properties found in Rosamund Road.
5. The proposed materials of UPVC and glazing are also considered acceptable and standard in the use of a conservatory outside of the Conservation Area.
6. The proposal is therefore considered to comply with policies CP1, CP6 and CP8 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

Residential Amenity:

7. Concerns have been raised that the shed will cause overshadowing of the neighbouring gardens. The proposed shed is located at the end of the garden away from the light sources to neighbouring properties. The elevations are largely obscured by the fences surrounding the site and the roof slopes away from the gardens of both 22 and 24 Rosamund Road. It is therefore considered that it would be unreasonable to consider that the proposed shed has a detrimental impact on the amenity of neighbouring occupiers in terms of

loss of light or overbearing impact. In terms of privacy the proposed fenestration in the form of high level rooflights facing 22 Rosamund Road and windows facing into the garden of the host property on the north and west elevations. The proposal is therefore not considered to cause a detrimental level of overlooking of neighbouring properties.

8. Following receipt of amended plans the conservatory was moved away from the boundary with 22 Rosamund Road as the proposal was considered to be overbearing and result in a loss of light to this property. The proposal now complies with 45 degree guidelines from both the mains rear facing light sources of both 22 and 24 Rosamund Road and is therefore not considered to cause a detrimental loss of light to these properties or an overbearing impact.
9. Whilst the conservatory is to be constructed largely of glass, it is located at ground floor level and due to the boundary treatments around the rear garden of high fences is not considered to cause a detrimental loss of privacy to neighbouring occupiers.
10. The proposal is therefore considered to comply with policies CP10 of the Local Plan and HP14 of the Sites and Housing Plan.

Conclusion:

11. 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 permission, officers consider that the

proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

16/00391/FUL

Contact Officer: Sarah Orchard

Date: 22nd September 2016

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