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| **East Area Planning Committee** | **11 January 2017** |

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| **Application Number:** | 16/02614/FUL |
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| **Decision Due by:** | 5 December 2016 |
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| **Proposal:** | Erection of a two storey side extension to form 1 x 2-bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking and bin and cycle store. Erection of a part single, part two storey rear extension to existing dwellinghouse. |
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| **Site Address:** | 21 Kestrel Crescent Oxford Oxfordshire OX4 6DY |
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| **Ward:** | Northfield Brook Ward |

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| **Agent:** | N/A | **Applicant:** | Mr Ulfat Kiani |

**Recommendation:**

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reason for approval:

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.

Conditions:

1 Development begun within time limit

2 Develop in accordance with approved plans

3 Materials - matching

4 Parking provision

5 Visibility Splays

**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

**Core Strategy**

**CS2\_** - Previously developed and greenfield land

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

**CS23\_** - Mix of housing

**Sites and Housing Plan**

**HP2\_** - Accessible and Adaptable Homes

**HP9\_** - Design, Character and Context

**HP10\_** - Developing on residential gardens

**HP12\_** - Indoor Space

**HP13\_** - Outdoor Space

**HP14\_** - Privacy and Daylight

**HP15\_** - Residential cycle parking

**HP16\_** - Residential car parking

**Other Material Considerations:**

National Planning Policy Framework

Planning Practice Guidance

**Relevant Site History:**

04/01941/FUL - Demolish outhouse. Erection of single storey rear extension with pitched roof over garage.. PER 26th November 2004.

**Representations Received:**

1 Letter of objection from 23 Kestrel Crescent concerning overdevelopment of the site and harm to the streetscene.

**Statutory Consultees:**

Highways – No objection.

**Officers Assessment:**

Site Location and Description:

1. The site is located on the southern side of Kestrel Crescent and comprises a two-storey semi-detached dwellinghouse which is separated from the street by a front garden and has a private garden to the rear. There is a single-storey garage to the side with off-street parking space in front accessed from Kestrel Crescent.

Proposal

1. Planning permission is sought for the demolition of the existing garage and the erection of a two-storey side extension to create a 1x2 bedroom dwellinghouse (use class C3), and provision of car parking, cycle and refuse storage.

Principle of Development

1. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This is supported by Policy CS2 of the Oxford Core Strategy 2026. The proposed building would be sited in the area to the side of the existing dwellinghouse, which has a small garage that would be considered previously developed land rather than the private garden. Therefore there would be no objection to the principle under Policy CS2 of the adopted Oxford Core Strategy 2026.

Balance of Dwellings

1. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being located within the Blackbird Leys Neighbourhood Area. In these areas there is no specific target mix for residential dwelling types, and as such the proposal to create an additional 2 bedroom dwelling would accord with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Form and Appearance

1. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy HP9 of the Sites and Housing Plan states that the form, layout, and density of the scheme should make an efficient use of land whilst respecting site context; and the development exploits opportunities to makes a positive contribution to local character and distinctiveness, and maintains natural surveillance of the public realm. This is supported by Policy CP8 of the Oxford Local Plan 2001-2016.
2. The built form and grain of Kestrel Crescent is characterised by a mixture of semi-detached and terraced properties of uniform size, set within similar sized plots with front gardens and reasonable sized private gardens that help establish a balanced appearance and rhythm to the street scene.
3. An appeal for a 2 bed attached unit at 15 Kestrel Crescent was allowed on appeal and the Inspector considered that the proposal would not result in harm to the street scene. The application is considered to be similar to the allowed appeal scheme.
4. Given this it is therefore considered that the proposed dwelling would strike an appropriate balance with the existing and other properties in the street. The scheme when considered with the neighbouring proposal at no 19 would generate a terrace of dwellings but this it is considered would not lead to visual harm to the street scene and is also demonstrated by the allowance of the planning appeal at no 15.
5. The overall size, scale, and design of the new dwelling would create an appropriate visual relationship with the built form of the existing semi-detached property and would relate satisfactorily to the existing dwelling and neighbouring properties within the street. .The proposal is therefore considered to comply Policy CS18 of the Oxford Core Strategy and Policies CP1, CP6, CP7, CP8, CP9 and CP10 of the Oxford Local Plan 2001-2016 and Sites and Housing Plan Policy HP9.

Impact upon Adjoining Properties

1. The Council seeks to safeguard the amenities of properties surrounding any proposed development. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of existing and new homes. In making any assessment the following factors will be considered; whether the degree of overlooking to and from neighbouring properties or gardens resulting from development will compromise privacy of existing or new homes; the orientation of windows in existing and new dwelling in respect of access to daylight, sunlight and solar gain, and that existing and proposed walls hedges, trees and fences help protect privacy and also do not create an overbearing impact. This is also supported through Policy CP10.
2. The proposed two-storey side extension built on its own or in conjunction with no 19 would be unlikely to create any privacy or amenity issues in terms of restricting light, overlooking and overbearing impact upon any of the adjoining properties. The rear gardens are south east facing and so the extension would not have a material impact upon light received to this space.
3. The proposal would therefore it is considered accord with the aims and objectives of Policy CP10 Oxford Local Plan and HP14 of the sites and Housing Plan

Residential Uses

1. In terms of the overall quality of the residential accommodation, it would be necessary for the proposal to have regards to the policies of the Sites and Housing Plan 2011-2026.
2. Policy HP12 and TAN1a makes clear that dwellings of 2 bedrooms should have an internal floor area of 70m² and above, provide adequate storage and circulation space for family accommodation of this size and comply with lifetime homes standards. The proposal complies with the limit and is acceptable.
3. There would also be a requirement to provide suitable outdoor space for the accommodation it serves. This should be proportionate to the size of dwelling and surrounding area, and also of a good useable quality. There would be sufficient space to provide amenity space for both the proposed and existing dwelling in accordance with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan.

Highway Matters

1. The proposed development is within a sustainable location with nearby shops and services and public transport links in close proximity. The proposed level of off-street parking is considered to be acceptable and the submitted plans indicate that off-street parking will be practical and usable. As such no objection would be raised to the proposal in highway terms, subject to conditions requiring suitable visibility splays to be provided for the parking areas, and a sustainable urban drainage system for the hard surfacing.

**Conclusion**

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 2026 and therefore officer’s recommendation to the Members of the East Area Planning Committee is to approve the development.

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

**Background Papers:**

**Contact Officer:** Graeme Felstead

**Extension:** 2160

**Date:** 16th December 2016