

## EAST AREA PLANNING COMMITTEE

7th April 2021

<b>Application number:</b>	20/03072/FUL		
<b>Decision due by</b>	1st February 202		
<b>Extension of time</b>	TBA		
<b>Proposa</b>	Erection of a part single part two storey rear extension. Alteration to 1no. door to front elevation. (Amended Details)		
<b>Site address</b>	16 Lytton Road Oxford OX4 3PB		
<b>Ward</b>	Cowley Ward		
<b>Case officer</b>	Tim Hunter		
<b>Agent:</b>	Patrick Stimpson	<b>Applicant:</b>	Megan Hale
<b>Reason at Committee</b>	The applicant is related to an employee of Oxford City Council.		

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### 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **delegate authority** to the Head of Planning Services to:

finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

### 2. EXECUTIVE SUMMARY

2.1. This report considers a proposal to erect a single and two storey rear extension and alterations to the arrangement of the door to the front porch. Partly because of the position of extension to the rear and the existing extensions to the properties on either side, the proposal is not considered to be unacceptably harmful to visual or residential amenity. For those reasons the proposals are considered to comply with the relevant planning policies set out in the report and the NPPF.

### 3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

#### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

#### 5. SITE AND SURROUNDINGS

5.1. The site is located in the Florence Park Area of Oxford to the south-east of the city centre. The application site is a terraced house with pedestrian access to the rear by way of an under-croft. A pitched roof porch has been erected to enclose the original front door. The area is characterised by a mix of terraced and semi-detached houses, many of which have been extended to the rear, including the adjacent houses at 14 and 18 Lytton Road.

5.2. See site location plan below:



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Ordnance Survey 100019348

#### 6. PROPOSAL

6.1. Permission is now sought for a single storey extension to the rear, with a smaller first floor extension above it.

6.2. The extensions would be 5.8m wide, across the width of the main rear elevation, whilst the single storey element would be 5.7m deep and 1.9m deep at the first floor. At 5m in height, the eaves of the first floor extension would match the

existing house, with the ridge of this part set down 0.5m from the main existing ridge. The eaves of the ground floor element would be 2.8m high, with a ridge height of 4m.

6.3. Permission is also sought to change the access arrangement to the porch, so that a glazed panel sits to the left hand side of the door rather than the right.

## 7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

00/01339/NF - Single storey front and rear extensions. ( Amended plan ).  
Approved 26th September 2000.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Oxford Local Plan 2036
Design	117, 122, 124, 127, 128, 130,	DH1 – High quality design and placemaking
Transport	102, 108-110	M1 – Prioritising walking, cycling and public transport M3 – Motor vehicle parking M5 – Cycle parking
Environmental	163, 178-180	H14 – Privacy, daylight and sunlight RE3 – Flood risk management RE4 – Sustainable drainage, surface and groundwater flow
Misc	11	S1 – Presumption in favour of sustainable development

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 4th February 2021.

### **Statutory and non-statutory consultees**

Oxfordshire County Council (Highways)

9.2. No comments received.

## Natural England

9.3. No comments received.

### **Public representations**

9.4. No third party comments received.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- i. Visual amenity
- ii. Neighbouring Amenity;
- iii. Flooding
- iv. Parking;

### **i. Design and Impact on Character of Surrounding Area**

10.2. In terms of scale, bulk and mass, the proposed development reflects other development in the local area particularly that of the adjacent properties at number 14 and 18 Lytton Road.

10.3. The proposed extensions are similar to the single and two storey extension to the adjoining house at number 18, albeit the current proposal is 1.5m deeper to the ground floor and is provided with a dual pitched roof with valley gutters and a small overhang to the rear, rather than the lean to arrangement at no. 18.

10.4. Number 14 has a slightly rudimentary single storey rear extension which is 1m deeper than that currently proposed.

10.5. This limited variation in the form of additions to the rear is a characteristic of the area. As such, the current proposals would not materially alter or harm the character of the local area, would not result in material visual harm and are acceptable in terms of visual amenity.

10.6. The proposed change in the arrangement to the front door, with the door and side panel switching places would not materially change the impact of the porch and is acceptable in design terms.

10.7. Subject to a condition on the planning permission to control the appearance of materials used in the build, the proposal is not considered to be unacceptably out of character with the existing dwelling or local area and would not result in unacceptable visual harm in compliance with Policy DH1 of the OLP 2036

### **ii. Impact on Neighbouring Amenity**

10.8. Both of the adjacent properties are already extended. Partly because of that, and partly because of the limited depth of the proposed first floor extension, the

45 degree line from all adjacent windows would pass behind the proposed extensions, indicating no unacceptable loss of light to the adjacent dwellings.

10.9. Officers note that the submitted block plan does not correctly assess the 45/25 degree guidance, but Officers have checked this separately and as the proposal complies with the guidance, this is not a material concern.

10.10. The presence of the adjacent extensions also means that the proposed development would not be unduly overbearing, enclosing or oppressive.

10.11. Any overlooking from the proposed first floor windows would not be materially more harmful than that from existing first floor windows. All other windows would be to the rear at ground floor level.

10.12. On the above basis, and subject to a condition to prevent overlooking from additional side windows, the impact on adjacent occupiers would be limited and acceptable. The proposal therefore complies with Policy H14 of the OLP 2036.

### **iii. Trees**

10.13. There are some trees to the rear of the site, but the development would not harm any trees that are important for public amenity in the area and the proposals are acceptable with regard to Policies G7 and G8 of the OLP 2036.

### **iv. Flooding**

10.14. Officers note that the application site does not lie in an area of high flood risk, however any grant of permission should be subject to a condition to ensure that the development is SUDs compliant and does not have a detrimental impact on surface water drainage as required by Policy RE4 of the OLP 2016.

## **11. CONCLUSION**

11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and

whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

- 11.1. Officers would advise members that having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 when considered as a whole, and that there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend that the East Area Planning Committee grant planning permission for the proposed development for the reasons set out at the beginning of this report and subject to the conditions set out below.

## **12. CONDITIONS**

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy DH1 of the Oxford Local Plan 2036.

- 3 Unless otherwise approved in writing by the Local Planning Authority, the materials to be used shall be as specified in the approved plans and supporting documents.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policy DH1 of the Oxford Local Plan 2036.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no additional windows shall be placed in the side elevation(s) of the extensions hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policy H14 of the Oxford Local Plan 2036.

- 5 All impermeable areas of the proposed development, including roofs, driveways, and patio areas shall be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding. Soakage tests shall be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water shall be attenuated on site and

discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required. If the use of SuDS are not reasonably practical, the design of the surface water drainage system shall be carried out in accordance with Approved Document H of the Building Regulations. The drainage system shall be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policy RE4 of the Oxford Local Plan 2036.

### INFORMATIVES :-

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

### **13. APPENDICES**

- **Appendix 1 – Block plan**

### **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

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

Appendix 1 – Block Plan



Trees

- T1 <2m
- T2 2m
- T3 3m
- T4 3m

Green dot dash 12m from proposed development