

Agenda Item 3

East Area Committee

6 December 2011

Application Number: 11/02533/FUL

Decision Due by: 29th November 2011

Proposal: Proposed single and two storey extension to garage and conversion to 1 bed dwelling

Site Address: 69 Cherwell Drive Oxford Oxfordshire OX3 0ND

Ward: Marston Ward

Agent: Pope Ingram Associates

Applicant: Mr Singh

Reason: Application called in by Cllrs Clarkson, Lygo, Price and Sinclair on the grounds of impact on neighbouring property and parking concerns. The site has a long history and would benefit from public debate.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Materials - matching
- 3 Landscaping
- 4 Landscape carry out by completion
- 5 Boundary treatment
- 6 Car parking
- 7 Cycle storage
- 8 Bin Storage

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP8 - Design Development to Relate to its Context
CP6 – Density
CP10 - Siting Development to Meet Functional Needs
CP11 -Landscaping
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space

Oxford Core Strategy 2026

CS2 - Previously developed land
CS23 – Mix of housing

Other Material Considerations:

PPS1: Delivering Sustainable Development
PPS3: Housing
Balance of Dwellings Supplementary Planning Document (BoDSPD)

Relevant Site History:

11/ 01858/FUL – Erection of first floor and two storey side extension to form 1 bed house. Refused on the basis of : Roof design, proximity of first floor to adjoining building, impact of parking area and access on the surrounding area.

09/00060/ENF – Unauthorized change of use of property from dwelling to Sikh Centre and private residential flat . Appeal dismissed and Notice complied with.

09/00061/ENF – Unauthorised extensions. Notice complied with.

07/01975/FUL - Single storey rear extension and change of use of dwelling to Sikh Centre and place of worship. Refused.

91/00046 – Ground floor extension at front of property and replacement garage. Approved.

Representations Received:

None received.

Statutory and Internal Consultees:

Marston Parish Council – No objection.
Highways And Traffic – No objection.
Thames Water Utilities Limited - Comments, no objection.

Issues:

- Principle of Development
- Balance of Dwellings
- Design
- Impact upon adjoining properties
- Parking Provision

Officers Assessment:Site Location and Description:

1. The site is located within a residential area comprising semi-detached and detached two storey houses. Some properties have been extended with two storey side extensions and first floor additions, set back from their front elevations. No.67 has a first floor extension which abuts the application boundary.
2. The application site is a three bed semi-detached dwelling with an attached single garage to the side projecting to the front with an extension incorporating an entrance to the main house and the garage.
3. The site frontage has been entirely laid to hardstanding with a low 0.3m high wall along part of the frontage. A single dropped access currently exists.
4. Whilst the site has previously been the subject of an Enforcement Notice relating to its use as a Sikh Centre and place of worship that use has now ceased and the Enforcement Notice has been complied with. The property is now in use as a single dwelling. The site location plan appears as Appendix 1.

Proposal

5. Planning permission is sought for an attached one bed house comprising a two storey side extension with a 3.6m wide first floor set in 1m from the ground floor and 1.2m from the south east boundary with No.67. The first floor would be set back 1m from the first floor of the existing house, whilst the ground floor would project forward from the front of the property by 1.5m, as existing. The two storey extension would project a further 2.75m beyond the rear of the existing house.
6. The proposed dwelling would comprise a kitchen/dining room and living room on the ground floor, with a bedroom and bathroom on the first floor.
7. Parking would be provided for one car in front of the new dwelling, whilst two spaces would be retained for the existing dwelling, accessed via a shared driveway.
8. The site layout has been amended to include rebuilding and extending the existing partly demolished boundary wall with new landscaping behind.
9. A bin store is shown at the front of the new dwelling, whilst the existing property has an existing bin storage area.

10. The existing house would be retained as a three bed dwelling.

11. This application follows refusal of application 11/01858/FUL and has incorporated the following amendments:

- First floor set in 1m from the ground floor.
- Hipped roof linked to main house.
- Shared access to enable retention of boundary wall and utilisation of existing highway access.

Principle of Development:

12. National planning policy guidance in the form of PPS3 'Housing' seeks to promote the re-use of previously developed land in order to minimise the amount of greenfield land being used for development. As defined by Annex B of PPS3, the site would constitute previously developed land. This is also emphasised in Policy HS2 of the adopted Oxford Local Plan 2001-2016, which states that permission will only be granted for residential development on previously developed land.

13. Therefore it is considered that the general principle of providing an additional dwelling would accord with both national policy guidance, CP6 of the adopted Oxford Local Plan 2001-2016 and Core Strategy policy CS2.

Balance of Dwellings:

14. Policy CS23 of the Oxford Core Strategy seeks to achieve an appropriate mix of dwellings for new residential developments to ensure a balanced distribution of dwelling types both within the site and in each locality.

15. The provision of a single one bedroom dwelling and retention of the existing dwelling would not conflict with this policy or policy HS8 and the Balance of dwellings SPD.

Design:

16. The Local Plan requires all new development to enhance the quality of the environment (Policy CP1). Policy CP6 states that the scale of development, including building heights and massing should be at least equivalent to the surrounding area. Policy CP8 requires new development to relate to its context with the siting, massing and design, creating an appropriate visual relationship with the form, grain and scale of the surrounding area.

17. The proposed extension would be set back at first floor level by 0.9m in accordance with the Council's Design Guide 2. Whilst the ground floor would project forward this is no different to the existing situation and similar to other such extensions. The width of the first floor extension would at 3.6m appear subordinate to the main house (5.7m). The amended roof design would result in a development which would appear as an extension to the main house, more in keeping with its setting and surroundings.

18. The reduced extent of the first floor element would allow a gap of 1.2, to the neighbouring extension at No.67, which unlike the previous proposal would avoid creating a terracing affect and would not unduly compromise the character of the streetscene.

19. The proposed dwelling would comprise an adequate internal environment of approximately 78sqm. In addition a level useable rear amenity area of approximately 46sqm (9.7 x 4.8m) would ensure a reasonable level of external amenity space.

20. The parking area as shown on the submitted plans would not change from the existing. However, unlike the previous scheme this proposal (as amended) allows for the retention of and an improvement to the existing front boundary wall, with the addition of planting behind it. This would enhance the existing appearance of the site by reducing the impact of the additional parking generated buy this proposal. The increase to the length of the boundary wall would also avoid the possibility of accessing the existing property over the highway verge which appears to have recently occurred.

Impact upon adjoining properties

21. The Council would seek to safeguard the amenities of the occupiers of the properties surrounding any proposed development. This is particularly important for existing residential properties, as new development can block light, have an overbearing effect and overlook adjoining properties. The Local Plan states in Policy HS19 that permission will only be granted for development that adequately provides for the protection, and/or creation, of the privacy or amenity of the occupants of the proposed and existing residential properties. This will specifically be assessed in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. Policy CP10 also states that any new proposal should safeguard the amenities of existing properties surrounding any proposed development.

22. No ground or first floor windows are proposed in the side elevations and as such no loss of privacy would result to No.67 or 71 Cherwell Drive. Similarly, it is not considered that the extent of the two storey extension would be harmful to light or amenity to the occupants of either property.

23. The existing property would still retain a reasonable living environment with windows on the rear elevation providing light into the kitchen/diner. In addition a private rear garden of approximately 56sqm (9.7 x 5.7m) is considered adequate.

Parking provision

24. The level of parking provision at 3 spaces (2 for the existing three bed dwelling and 1 for the proposed one bed dwelling) is considered acceptable. There would be no changes to the existing parking area apart from new landscaping along the frontage.

25. Secure cycle parking is shown in the rear garden of the proposed dwelling.

Conclusion:

26. On the basis of the above it is considered that this proposal has addressed the previous reasons for refusal and as such complies with the relevant Local plan policies. The application is therefore recommended for approval.

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:

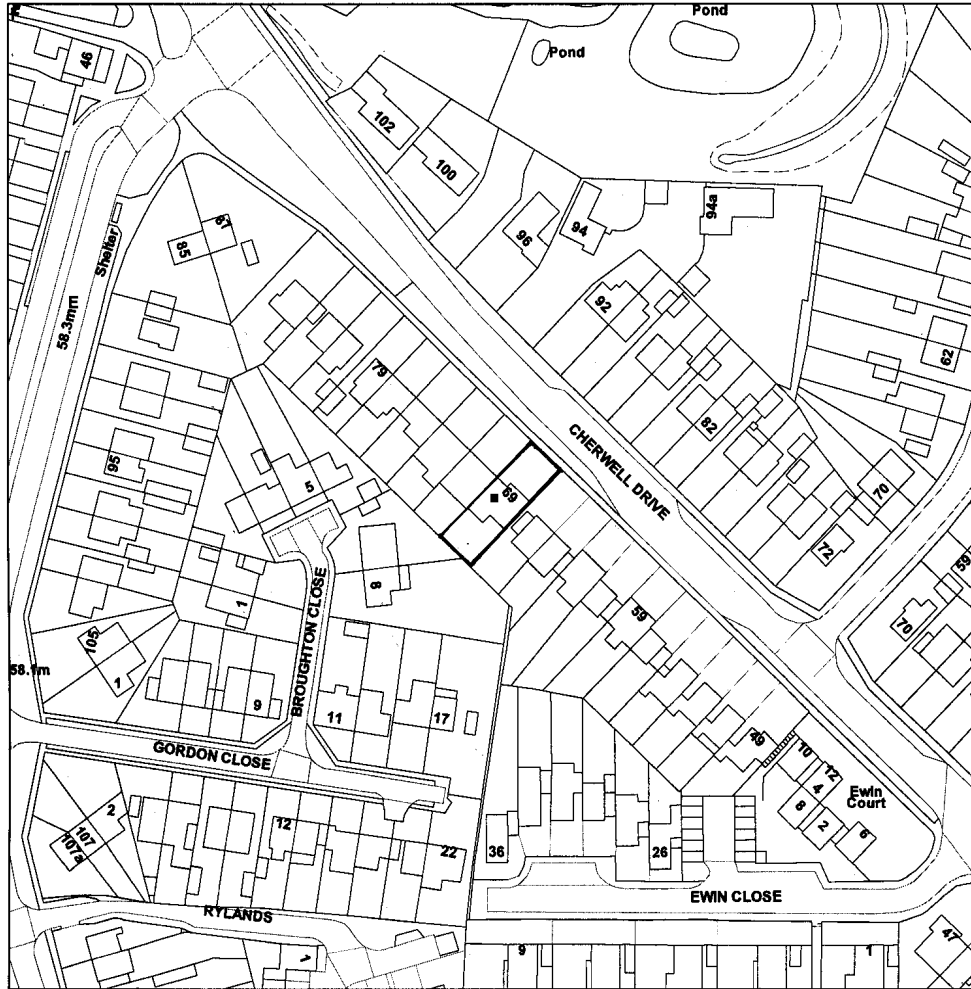
Contact Officer: Mark Spragg

Extension: 2716

Date: 18th November 2011

11/02533/FULL

69 Cherwell Drive



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	24 November 2011
SLA Number	Not Set

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