

<b>Application number:</b>	22/01538/FUL		
<b>Decision due by</b>	24th August 2022		
<b>Extension of time</b>	30th September 2022		
<b>Proposal</b>	Demolition of existing garage. Erection of a single storey side extension. Provision of bin and bike stores.		
<b>Site address</b>	72 The Slade, Oxford, Oxfordshire, OX3 7DX – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Churchill Ward		
<b>Case officer</b>	Chloe Jacobs		
<b>Agent:</b>	Jim Driscoll	<b>Applicant:</b>	Mr A Rehman
<b>Reason at Committee</b>	The applicant is Councillor Rehman		

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## 1. RECOMMENDATION

1.1. Oxford City 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 and informative set out in section 12 of this report and grant planning permission; and

1.1.2. **Agree to delegate authority** to the Acting 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 Acting Head of Planning Services considers reasonably necessary and issue the decision

## 2. EXECUTIVE SUMMARY

2.1. This report considers the demolition of the existing garage and the erection of a single storey side extension. It also includes the provision of bin and bike stores.

2.2. The development is considered acceptable in design terms and would not detract from the character and appearance of the area. The proposal would not have a detrimental impact on the neighbouring properties and is considered to comply with policies S1, RE2, DH1, H14 and RE4 of the Oxford Local Plan 2036.

## 3. LEGAL AGREEMENT

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

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

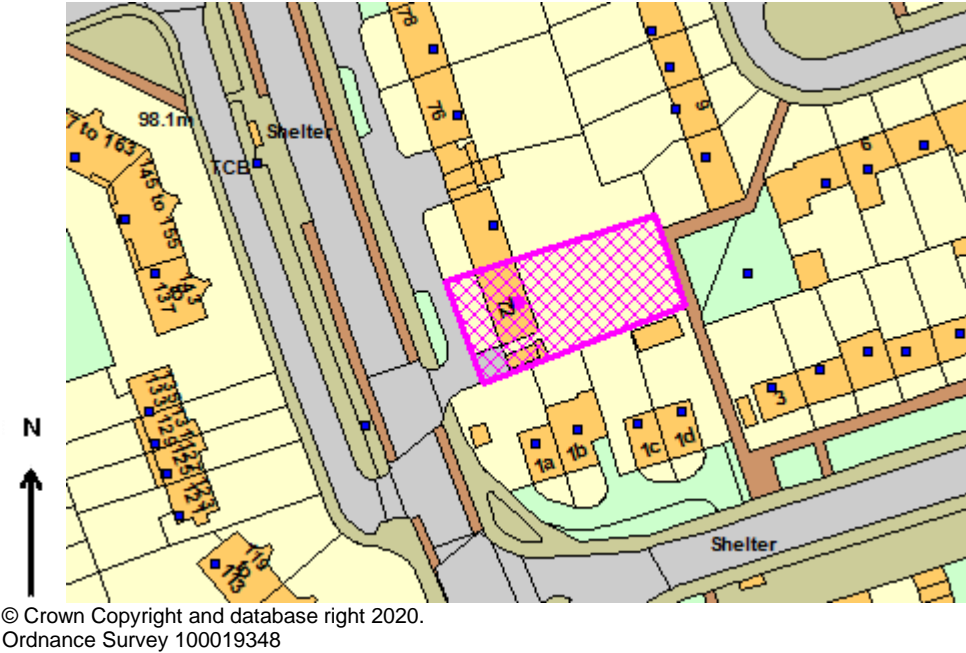
4.1. The proposal is not liable for CIL.

**5. SITE AND SURROUNDINGS**

5.1. The site is located within the Churchill Ward of Oxford to the East of the City Centre. The property relates to a two storey end of semi-detached property located on the east side of The Slade, near to the junction with Wood Farm Road. The application site is accessed by a private road which runs along the front of the application site. The property is in use as a Sui Generis HMO.

5.2. To the side is a garage and pedestrian access to the rear garden and there is additional parking in front of the garage. The property has previously benefited from a number of extensions and alterations including an extension to the rear at ground floor and a loft conversion.

5.3. See block plan below:



**6. PROPOSAL**

6.1. The application proposes the demolition of the existing garage which sits to the south of the application site. It then seeks to erect a single storey side extension in this location. The proposed extension would extend beyond the original side elevation by 3.9m and have a depth of 12.6m. The extension would be single storey and would consist of a flat roof which would measure 2.8m tall. The proposed extension would provide an additional en-suite bedroom and a living room in association with the existing Sui Generis HMO use.

6.2. It also includes the provision of bin and bike stores which would be sited to the front of the site. It is proposed that there would be three single storey bike stores, accommodating space for up to 4 bikes each, totalling 12 bikes. The bike store will consist of a mono pitched roof and would measure 2m wide by 1m deep with a

maximum height of 1.3m. As for the bin stores, there would be two stores which would have a 1.4m high flat roof and would measure 2m wide by 1m deep.

6.3. The extension would be constructed in materials including red face brick to match the existing dwelling under a fibreglass flat roof.

## 7. RELEVANT PLANNING HISTORY

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

50/00043/D_H - 72-82 The Slade - Eight terraced army houses. APPROVED 27th July 1950.
55/00385/D_H - 72-82 The Slade - Garages. APPROVED 28th July 1955.
16/02094/H42 - Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.0m, for which the maximum height would be 2.9m, and for which the height of the eaves would be 2.7m. PRIOR APPROVAL NOT REQUIRED 12th September 2016.
20/00514/FUL - Change of use of a dwellinghouse (Use Class C3) to a larger House in Multiple Occupation (Sui Generis) (amended description). APPROVED 17th April 2020.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Neighbourhood Plans:
Design	119-125, 126-136	<b>DH1</b> High quality design and placemaking	
Housing	60-77	<b>H14</b> – Privacy, daylight and sunlight	
Environmental	119-125, 152-169,	<b>RE4</b> – Sustainable and foul drainage <b>RE7</b> – Managing the impact of development	

Miscellaneous	7-12	S1 – Sustainable development	
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## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 22nd July 2022. It was noted that the initial site notices had been removed from the site and so additional site notices were displayed on the 2<sup>nd</sup> August.

### Statutory and non-statutory consultees

#### Natural England

9.2. Content that a suggested condition negates the need for a SuDS strategy to be submitted and therefore have no further comments to make on this on this application.

### Public representations

9.3. No third party representations have been received in regards to this application.

## 10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Impact on neighbouring amenity
- Drainage and SuDs
- Bike and Bin Storage

### a. Design

10.2. Policy DH1 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.

10.3. The proposal seeks to demolish the existing single storey garage and to replace it with a single storey side extension. The proposed extension would extend to the side by 3.9m and have a depth of 12.6m. The extension would be single storey and would consist of a flat roof which would measure 2.8m tall.

10.4. The proposed ground floor addition is fairly large, however, considering the size of the plot, and the surrounding extensions, the proposal would not be considered to be a disproportionate or an out of character.

10.5. Whilst flat roofs are generally not considered to constitute good design and would not usually be encouraged to the side, it is acknowledged that in this case, the existing garage which is to be replaced with the extension, also features a flat roof. The existing garage is joined to an existing brick wall and gate and this arrangement will be carried through into the proposed scheme whereby, the front

of the ground floor side extension takes design cues from the existing dwelling such as the front detailing. As a result, the proposal would be very similar visually in comparison to the existing arrangement on site and therefore such harm cannot be demonstrated to warrant refusing the application in this context.

- 10.6. In regards to the size of the proposed extension, officers consider that on balance, the proposed does not compete with the host dwelling in terms of form, size or use. However, if the extension were any larger it may tip that balance and the proposals likely represent the maximum that the property can be extended particularly at ground floor level. The proposals would be finished in facing brick to match the host property as to ensure they would appear as congruent and visually appropriate additions to the dwellinghouse.
- 10.7. The proposed extension would be partially visible from within the street scene. However, given that the front elevation has been designed to reflect the existing arrangement on site, officers are of the opinion that the proposed single storey side extension would not give rise to any adverse impacts in regards to visual amenity.
- 10.8. As a result, the proposed extension would not compete with the host dwelling in terms of form, size or use and the proposed materials to match the existing property would ensure that the extension appears as a congruent and characteristic addition that forms an appropriate visual relationship with the existing dwellinghouse.
- 10.9. The proposal is acceptable in design terms, and therefore accords with Policy DH1 of the Oxford Local Plan 2036.

**b. Impact on neighbouring amenity**

- 10.10. Policy H14 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes, and does not have an overbearing effect on existing homes. Policy RE7 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.

*74 The Slade*

- 10.11. No. 74 The Slade is a two storey semi-detached property which adjoins the application site to the north. Given that the proposed extension is sited to the south of the application site, it is considered that the proposal would not cause any detrimental impacts in regards to access to daylight, outlook, and privacy, and would not be overbearing when experienced from the neighbouring occupiers.

*1a, 1b, 1c and 1d Wood Farm Road*

- 10.12. To the south of the application site are two, semi-detached buildings which occupy 4 flats including nos. 1a, 1b and 1c, 1d Wood Farm Road.
- 10.13. The proposed extension would be sited adjacent to the boundary shared with the rear gardens of Nos 1a, 1b, 1c and 1d Wood Farm Road. The proposed

extension would be sited approximately 8m away from the closest habitable windows found in the rear single storey extension at No. 1b Wood Farm Road. Given the separation distance, and the limited 2.8m height of the extension, it is considered that the proposal would not cause any detrimental impacts in regards to access to daylight, outlook, and would not be overbearing when experienced from the neighbouring occupiers along Wood Farm Road. There are no windows proposed within the side elevation facing towards the rear of nos. 1a, 1b and 1c, 1d Wood Farm Road and therefore officers consider that the proposed extension would not give rise to any unacceptable levels of overlooking and or loss of privacy.

10.14. All other properties are a sufficient distance away from the application site so as not to be affected.

10.15. The proposals are considered acceptable in terms of their impacts on neighbouring properties and would not cause harm to amenity. In this respect the application complies with Policies H14 and RE7 of the Oxford Local Plan 2036.

### **c. Drainage and SuDS**

10.16. Policy RE4 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Policy RE4 states that within the surface and groundwater catchment area for the Lye Valley SSSI, development will only be permitted if it includes SuDS and where an assessment can demonstrate that there will be no adverse impact on the surface and groundwater flow to the Lye Valley SSSI.

10.17. Whilst in a Flood Zone 1, the applications site sits within the surface water and groundwater catchment area for the Lye Valley SSSI. This is an area sensitive to water quantity and quality changes.

10.18. The proposed extension would be erected on an existing area of hard standing located to the side of 72 The Slade. However, the development may increase the impermeable area of the site, leading to increased surface water runoff. Therefore the site should be drained using Sustainable Drainage Systems (SuDS). Accordingly, a condition is recommended requiring that the site is drained using SuDS and this has been agreed with Natural England.

10.19. It is therefore considered that subject to a condition requiring that the site is drained using SuDS development, that the proposed development would comply with Policies RE4 and G2 of the Oxford Local Plan 2036.

### **d. Bike and Bin storage**

10.20. Policy M5 states that planning permission will only be granted for development that complies with or exceeds the minimum bike parking provision as set out in Appendix 7.3. Policy M5 also states bike parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street.

- 10.21. Policy DH7 states that planning permission will be granted where it can be demonstrated that bin and bike storage is provided in a way that does not detract from the overall design of the scheme or the surrounding area.
- 10.22. Whilst normally for householder applications for extensions, the provision of bin and bike storage is not normally required, in this case it is considered appropriate for the bin and bike information to be provided given the Sui Generis HMO Use of the site. It is also noted that the existing provision of bin and bike storage is sited in a covered shelter to the rear of the existing garage. Given that this area is subject to the proposed single storey extension, it is essential that the bin and bike storage is relocated to a suitable location.
- 10.23. The proposed plans show that three bike stores would be sited to the front of the property and would provide storage space for up to 12 bicycles. The number of bike spaces provided complies with the minimum amount required by policy M5 of the 2036 Local Plan and is therefore considered to be acceptable. It is considered that there is enough space at the front of the property to accommodate the bike stores without harming the street scene and which would provide convenient and accessible use for occupants. The bike stores would be single storey and would be constructed out of timber. By virtue of its siting, scale, traditional design and materials, officers consider that the proposed bike storage would respect the character and appearance of the main dwelling and surrounding area.
- 10.24. Bin storage is proposed in a secure storage area located within the front of the property. It is considered that there is enough space at the front of the property to accommodate a bin store again which would not detract from the street scene and which would be convenient and easily accessible for occupants to use. The bin store would be single storey and would be constructed out of timber under a flat roof. By virtue of its siting, scale, traditional design and materials, officers consider that the proposed bin storage would respect the character and appearance of the main dwelling and surrounding area.
- 10.25. Subject to condition requiring the bike and bin store to be erected on site prior to occupation of the extension and that the bike and bin stores must remain in perpetuity, Officers are satisfied that the proposal would comply with Policies M5 and DH7 of the Oxford Local Plan.

## **11. CONCLUSION**

- 11.1. On the basis of 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 consideration indicate otherwise.
- 11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting

permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.3. Therefore 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.

#### *Compliance with development plan policies*

11.4. In summary the proposed development would enlarge and enhance a residential property and is supported by the overall objectives of the Oxford Local Plan 2036 and Policies S1. The development would not result in any harm to the character or appearance of the host dwelling, nor the surrounding area and is considered to accord with Policy DH1 of the Oxford Local Plan 2036. The proposals would not be detrimental upon any neighbouring occupiers and would comply with Policies RE7 and H14. The development would not have any unacceptable impacts in terms of drainage, and is considered to be compliant with Policies RE4, of the Oxford Local Plan 2036 and the NPPF.

11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

#### *Material considerations*

11.6. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.

11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.8. Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, 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, and that there are no material considerations that would outweigh these policies.

11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

## **12. CONDITIONS**

### **Time limit**



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.

### **Development in accordance with approved plans**

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 and to comply with Policy DH1 of the Oxford Local Plan 2036.

### **Materials**

3. The materials to be used in the external elevations of the new development shall match those of the existing building.

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.

### **SuDS**

4. 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 should 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. Oxford City Council SuDS Design Guide can be found at [www.oxford.gov.uk/floodriskforplanning](http://www.oxford.gov.uk/floodriskforplanning)

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 2016 – 2036

### **Bike and Bin Storage**

5. Prior to occupation of the development hereby permitted, the bin and cycle storage shall be provided and available for use on site in accordance with approved drawing 72thesladeSIDEX8.1.1. The bin and cycle storage shall be retained thereafter as approved for the purposes of bin and cycle storage respectively only unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure adequate bin and bike storage is provided in accordance with policies DH7 and M5 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. HUMAN RIGHTS ACT 1998**

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

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

14.1. 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.