

East Area Planning Committee

3rd August 2011

Application Number: 11/00703/CT3

Decision Due by: 5th May 2011

Proposal: Single storey extension to provide ground floor bedroom shower room and entrance lobby to accommodate disabled tenant.

Site Address: 74 Balfour Road Oxford Oxfordshire OX4 6AH

Ward: Blackbird Leys Ward

Agent: Corporate Assets

Applicant: Oxford City Council

NB: Determination by Committee is required as the applicant is Oxford City Council.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is not considered to be materially out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties, and provides an adequate level of private amenity space. The proposals therefore comply with Policies CP1, CP8, CP10, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy. No comments or objections have been received from third parties.
- 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.

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

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

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

HS21 - Private Open Space

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

None relevant

Relevant Site History:

None relevant

Representations Received:

No comments received

Statutory and Internal Consultees:

No comments received

Issues:

Design

Effect on adjoining occupiers

Private open space

Officers Assessment:

Site description

1. 74 Balfour Road is a two storey end of terrace house, situated on Blackbird Leys within reasonable distance of local shops and bus services.

Proposal

2. Permission is sought to construct a single storey rear extension to provide access and a ground floor bedroom and bathroom for a disabled tenant.

Design

3. The Council expects new development to enhance the quality of the environment, and with this Policy CP1 is central to the purpose. This policy states that all new development should respect the character and appearance of the area. This view is taken a step further in Policies CP8 of the OLP and CS18 of the Core Strategy, which require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.
4. The proposed development is not easily visible from the public domain, and a number of similar extensions are evident in the surrounding area. Subject to a condition of planning permission to control the appearance of materials used in the build, the proposal is not considered to be materially out of character with the existing house or local area, and complies with Policies CP1 and CP8 of the OLP and CS18 of the Core Strategy.

Effect on adjoining occupiers

5. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers, whilst Policy HS19 of the adopted Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that adequately provides both for the protection of the privacy or amenity of the occupants of proposed and existing neighbouring residential properties. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties.
6. Appendix 6 of the OLP sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
7. The proposal complies with the 45-degree guidance, is considered unlikely to have a material effect on adjacent properties, and complies with Policies CP1, CP10 and HS19 of the OLP.

Private Amenity Space

8. The adopted Oxford Local Plan requires that new dwellings should provide an amount of private open space to allow their occupants to enjoy fresh air and light in privacy. It goes on to say that where occupiers are likely to be children, then shared amenity space is not appropriate and, generally, the length of a private garden for a family house should be 10 metres.
9. Policy CP1 requires relevant development proposals to safeguard the amenities of adjoining land users and occupiers, whilst CP10 states that permission will only be granted where developments are sited to ensure that outdoor needs are properly accommodated, including private amenity space, where buildings are orientated to provide satisfactory light, outlook and privacy, and where the amenity of other properties is adequately protected. Policy HS21 states that planning permission will not be granted for

development proposals where insufficient or poor quality private open space is proposed.

10. The proposed development would result in the loss of private amenity space to the rear of the property. However the maximum depth of the garden would remain in excess of 10 metres, the width would remain at 8.5 metres, and it is considered that the amenity value of the lost garden space would be more than compensated for by the increase in amenity gained inside the house.
11. In any event, the remaining part of the garden is considered to be sufficient for sitting out, drying clothes and otherwise serving the dwelling and the proposals comply with policies CP1, CP10 and HS21 of the OLP.

Conclusion:

- 12. The development is not considered to be materially out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties, and provides an adequate level of private amenity space. The proposals therefore comply with Policies CP1, CP8, CP10, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy and the application is recommended for approval.**

Human Rights Act 1998

13. 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.
14. 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

15. 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 safety.

Background Papers: 11/00703/FUL

Contact Officer: Tim Hunter

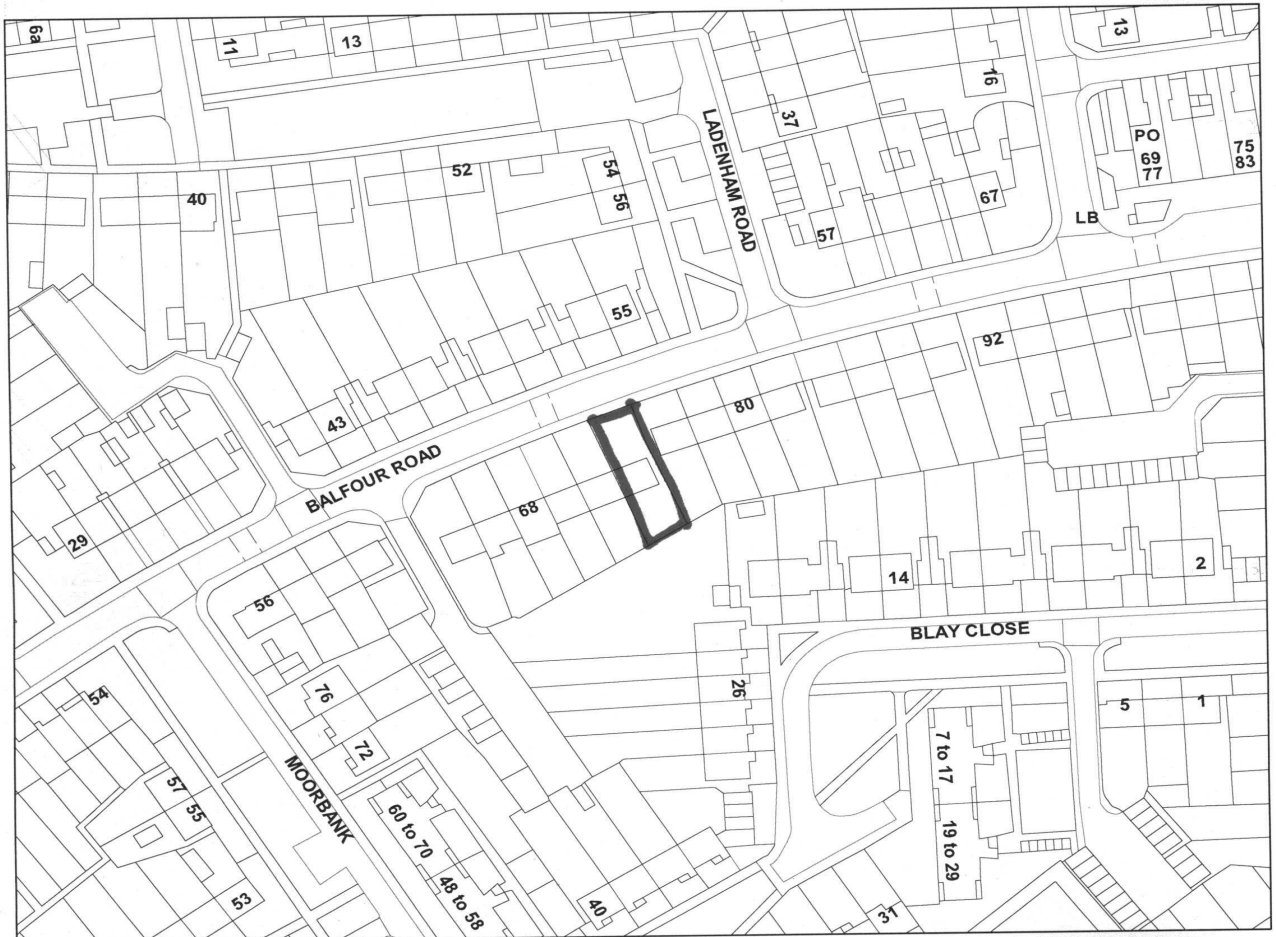
Extension: 2154

Date: 29th June 2011



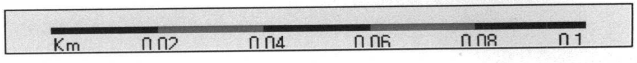
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74 Balfour Road



Legend

Scale: 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	19 July 2011
SLA Number	Not Set

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