

East Area Planning Committee

3rd August 2011

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Application Number: 11/00623/CT3

Decision Due by: 27th April 2011

Proposal: Single storey rear extension.

Site Address: 9 Bears Hedge Oxford Oxfordshire OX4 4JJ

Ward: Rose Hill And Iffley Ward

Agent: Corporate Assets

Applicant: Oxford City Council

The applicant is Oxford City Council, and determination at Committee is required.

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 significant effect on adjacent properties or parking pressure in the area, and does not result in an unacceptable loss of private open space at the property. The proposals therefore comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy.
- 3 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
TR3 - Car Parking Standards

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

None relevant

Relevant Site History:

None relevant

Representations Received:

13 West View: No objection, comment that the area behind the house should not be used for the storing of materials.

Statutory and Internal Consultees:

Friends Of Iffley Village: No objections

Issues:

Design
Effect on adjoining occupiers
Private open space
Car parking

Officers Assessment:

Site description

1. The application site is an end of terrace house with areas of garden to three sides and a public path and area of public open space to the rear.

Proposal

2. Permission is sought to construct a single storey rear extension to the side of the house to provide a new bedroom and shower room for a disabled occupant.

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 easily visible from the public domain, but 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. 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.
7. No objections to the proposals have been received, but a comment has been made that the area behind the house should not be used for the storing of materials. An informative has been recommended to this effect.

Private open 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 side of the property. However, the area to the rear of the property would be unaffected and preserve a maximum dimension of over 10 metres, in accordance with Policies CP1, CP10 and HS21 of the OLP.

Car parking

11. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. Policy TR3 states that planning permission will only be granted for development that provides an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in the plan's Appendix 3, whilst policy NE10 requires developers to demonstrate appropriate provision to deal with surface water drainage.
12. The proposed extension will create a four bedroom house. Appendix 3 of the OLP gives a maximum standard of three parking spaces for a four bedroom house. However, in this case the intention is to provide a ground floor shower room and bedroom for an existing occupant, rather than deliberately add to the total number of bed spaces. Indeed, given that the ground floor facilities will increase the length of time the current occupant is likely to remain at the property, there is unlikely to be any increased pressure on parking as an immediate consequence of the development. Given that the standard in Appendix 3 of the OLP is a maximum figure, and the sustainable location of Bears Hedge with its proximity to local shops and bus services, one space is considered sufficient for this location and the proposal complies with Policy TR3 of the adopted Oxford Local Plan 2001 – 2016.

Conclusion:

13. **The development is not considered to be significantly out of character with the existing house or local area, is unlikely to have a material effect on adjacent properties or parking pressure in the area, and does not result in an unacceptable loss of private open space at the property. The proposals therefore comply with Policies CP1, CP8, CP10, TR3, HS19 and HS21 of the adopted Oxford Local Plan 2001 – 2016 and Policy CS18 of the Core Strategy and the application is therefore recommended for approval.**

Human Rights Act 1998

14. 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.

15. 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

16. 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: 11/00623/CT3

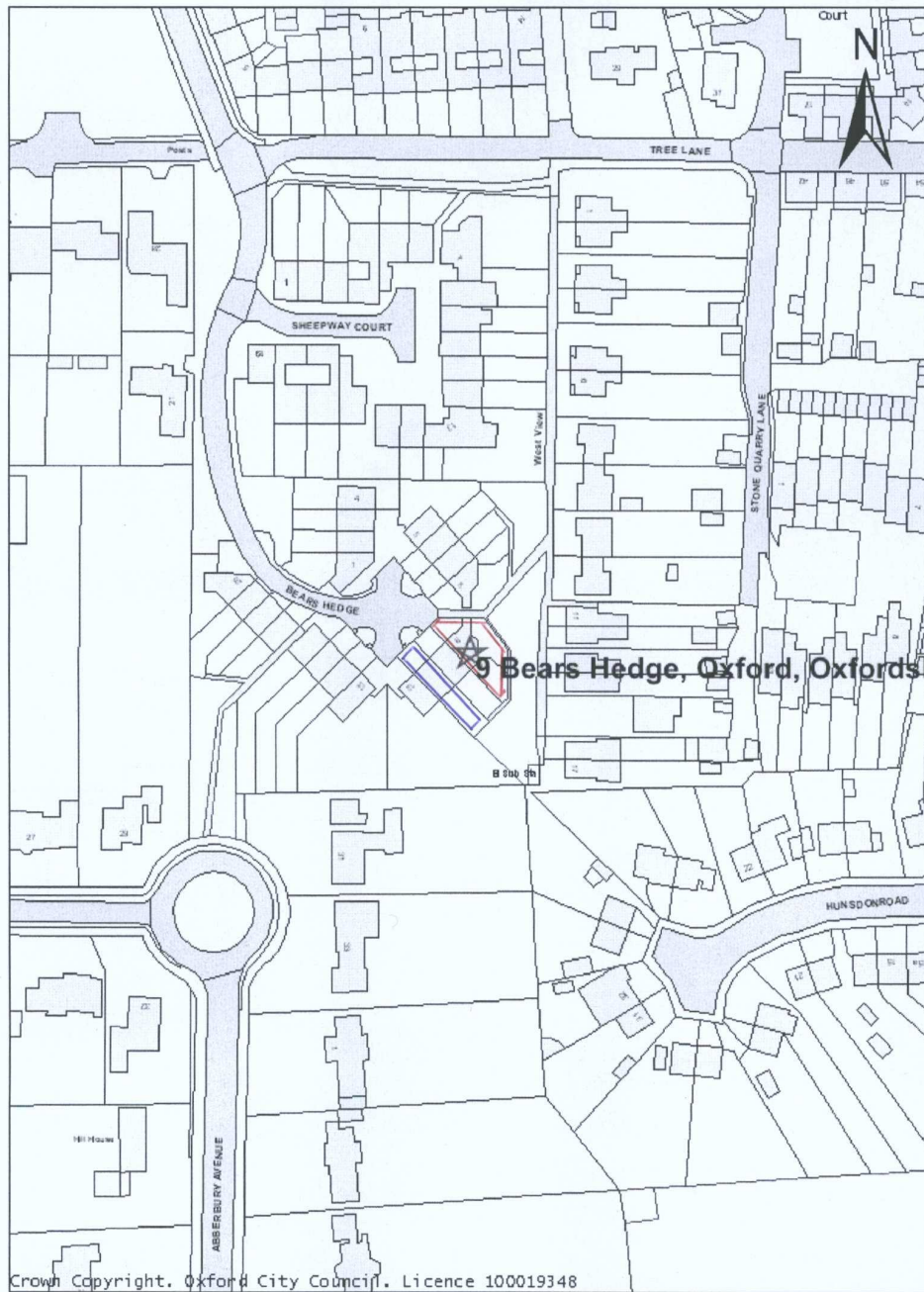
Contact Officer: Historic Application Officer

Extension:

Date: 21st July 2011

(Appendix 1 below)

9 Bears Hedge, Oxford, OX4 4JJ



Scale 1:1250

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31/01/2011

