

Application Number: 10/00065/CT3

Decision Due by: 26th March 2010

Proposal: Two storey rear extension.

Site Address: 21 Farmer Place Oxford (site plan at **Appendix 1**)

Ward: Marston Ward

Agent: Oxford City Homes

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to form an appropriate visual relationship with the dwelling and its surroundings and does not impact on the immediate neighbours in a detrimental way.
- 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 Materials - matching
- 3 Amenity no additional windows

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP7** - Urban Design
- CP8** - Design Developmt to Relate to its Context
- CP10** - Siting Developmnt to Meet Functionl Needs
- HS19** - Privacy & Amenity

HS20 - Local Residential Environment

HS21 - Private Open Space

Other Material Considerations:

PPS1 Delivering Sustainable Development.

Relevant Site History:

01/01409/P - Conservatory. PNR 10th December 2001.

01/02000/PDC - Permitted Development Check - Conservatory. DNI 14th January 2002.

68/20767/A_H - Alterations to dwelling house. PDV 22nd October 1968.

Representations Received:

At the time of writing this report no comments had been received. However should any comments subsequently be received they will be reported verbally to Members.

Statutory and Internal Consultees:

New Marston (South) Residents' Association, New Marston (South) Residents' Association,

At the time of writing this report no comments had been received. However should any comments subsequently be received they will be reported verbally to Members.

Issues:

Design

Residential Amenity

Sustainability:

This proposal aims to make the best use of urban land and recognises one of the aims of sustainable development in that it will create extended accommodation on a brownfield site, within an existing residential area.

Officers Assessment:

Site Description

1. The application site lies in the south east corner of Farmers Place which is cul de sac in Marston. The property is terraced constructed in red brick under a concrete tiled roof.

Proposal

2. The application is seeking permission for the erection of a two storey rear extension in materials to match the existing house.

Assessment

Design

3. Policies CP1 and CP8 of the OLP state that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policies CP6 and CP7 emphasise the importance of making the best use of land and demonstrating good urban design.
4. The proposal will extend out from the existing rear elevation by 3.6m and is to be used as a kitchen diner and bedroom on the ground floor and two additional bedrooms on the first floor. The proposal will not be visible from the street scene and will be constructed in materials to match the existing property. It is therefore considered to form an appropriate visual relationship with the dwelling and its surroundings and would make appropriate use of the land available.

Residential Amenity

5. Policy HS19 of the OLP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25-degree code of practice, detailed in Appendix 6 of the OLP. In relation to No.19 the nearest first floor rear window serves the stairs and is therefore not a habitable room. The next window along at first floor serves a bedroom but the proposal does not breach the 45/25-degree code of practice in respect of this room. At ground floor at No.19 there is an original small lean to extension which houses a bathroom. This is not a habitable room. Therefore in respect of No.19 the proposal is considered acceptable in terms of the sunlight/daylight assessment.
6. With regards to No.23 there is a window in the side elevation at first floor level that presumably serves a bedroom. When the 45/25-degree code of practice is applied the proposal does not breach it. Directly below this window is a window at ground floor level, again it is presumed it serves a habitable room. The existing building line of the application site breaches the 45/25-degree code of practice in relation to this room therefore the proposal will also. However along the boundary are two mature conifer trees which are to remain and have the same impact that the proposal would have and from conducting a site visit Officers are of the opinion that given the existing boundary conditions the impact would be minimal.
7. Policies HS19 and CP10 of the OLP require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties. The proposal does not give rise to any additional overlooking or loss of privacy issues. A condition will be added to prevent any windows being added in the side elevations to prevent any future issues of overlooking or loss of privacy.

8. Policy HS19 also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. Whilst the extension does extend out into the rear garden by 3.6m the existing communal passage between the application site and No.19 and ground floor extension at No.19 will help to reduce any potential impact the extension may have. Along the boundary with no.23 are two large conifer trees which are to be retained which will screen the proposal and therefore it is not considered to be overbearing or create a sense of enclosure.

Conclusion:

9. For the reasons given above and taking into account all other matters raised Officers conclude that the proposal accord with all the relevant polices within the Oxford Local Plan 2001-2016 and therefore recommends approval as it is considered to form an appropriate visual relationship with the dwelling and its surroundings and does not impact on the immediate neighbours in a detrimental way.

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

Background Papers:

10/00065/CT3

Contact Officer: Lisa Green

Extension: 2614

Date: 24th February 2010

Appendix 1

10/00065/CT3 21 Farmer Place



Scale : 1:1250



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Organisation	Not Set
Department	Not Set
Comments	
Date	25 February 2010
SLA Number	LA100019348