

DELEGATED REPORT

Application Number: 21/00068/FUL

Decision Due by: 8th March 2021

Proposal: Conversion of garage to habitable space and alteration from 1no. garage door to 1no. window. Erection of a front porch. Erection of a single storey rear extension and formation of covered terrace. Removal of 1no.window to side elevation (amended description)

Site Address: 12 Sunderland Avenue Oxford OX2 8DX

Ward: Wolvercote Ward

Agent: Josh Steele

Applicant: Kate Collison

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 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

Main Local Plan Policies: Oxford Local Plan 2036

S1 - Sustainable development
DH1 - High quality design and placemaking
H14 - Privacy, daylight and sunlight
RE2 - Efficient use of Land
M3 - Motor vehicle parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

07/00557/FUL - Single storey conservatory and two storey rear extensions. PER 4th May 2007.

Representations Received:

None received

Statutory and Internal Consultees:

Highways Authority - The existing garage does not meet our dimensional requirements to class as a parking space. The proposals do not offer any additional bedrooms so there is unlikely to be an increase in parking demand. The existing parking provision is likely acceptable for the proposal. The proposals are unlikely to have a detrimental impact on the local highway network in traffic and safety terms. No objection

Issues:

- I. Design
- II. Impact on Residential Amenity
- III. Car Parking

Sustainability:

N/a

Officers Assessment:**Site:**

12 Sunderland Avenue is a two storey detached dwellinghouse located in North Oxford, North of the ring road. The property lies on the North side of the street and is set significantly back off the highway via a large front driveway and consists of a large rear garden. The property has been constructed under a hipped-tiled roof and finished in white render.

Proposal:

Planning permission is sought for the conversion of the garage into a habitable space providing a utility and shower room. It is also proposed to erect a front porch that would extend beyond the principal elevation by approximately 2.8m, have a

width of 2.95m and be constructed under a pitched roof with an eave height of 2.4m and a ridge height of 3.6m. To the rear of the property it is proposed to erect a single storey rear extension that would extend beyond the rear elevation by 5m and have a width of 4.4m. It would be constructed under a flat roof with a height of 2.95m. Also to the rear of the property, it is proposed to erect a covered terrace. The roof covering would be at a height of 2.8m and would be connected to the rear elevation of the existing house and to the side elevation of the proposed extension. It would be supported by 2no. vertical beams.

Assessment:

Design

Policy DH1 of the Oxford Local Plan 2036 states that a planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.

Although the porch would be in excess of permitted development in terms of height and ground cover, due to its location within the plot, and the set-back nature of the house from the highway, officers are satisfied that the porch would not have an adverse effect upon the street scene. There are a variety of different porch designs with flat and pitched roofs, therefore this design would not be out of character with the area, and the proposed materials would match the existing as to ensure it would appear as a congruent addition to the host property.

The conversion of the garage to a habitable space primarily consists of internal alterations and would therefore have no design impact on the street scene. The proposed door to window alteration would be visible from the street scene. However, given that the new window matches the design of the existing fenestration, in addition to the set-back nature of the property from the highway, officers are satisfied that the proposed new window would be acceptable in design terms and form an appropriate visual relationship with the existing fenestration.

There are a variety of property types of different shapes and sizes and rear extensions are common in the area. Although the extension would be relatively deep at 5m, given the size of the existing house and plot, it is considered that the extension would be a proportionate addition to the host dwelling. Due to the large area of glazing to the rear elevation, the extension would clearly read as a contemporary addition and would not compete with the host property in terms of form, size or use. Through the use of materials to match the existing property, the extension would represent a congruent addition to the host dwelling.

The covered terrace is a lightweight structure that would cover the area between the side elevation of the proposed rear extension and the rear elevation of the dwelling and would be supported by 2no. vertical beams. Although there are no similar examples in the surrounding area, officers are satisfied that due to its lightweight structure the design would not be harmful. In addition, as it would only be visible to limited private views and that the application site is not in a conservation area, officers are satisfied that it would not harmfully impact the character of the surrounding area.

The proposals are therefore considered acceptable in design terms and accords with Policy DH1

Impact on Residential Amenity

Policy H14 of the Oxford Local Plan 2036 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. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

The proposed garage conversion would not result in any adverse residential amenity impacts as the majority of the alterations are internal, excluding the new window to the front elevation. This proposed window would have no impact on the residential amenity of the neighbouring properties and would not give rise to any breaches or privacy as it does not provide direct views into neighbouring gardens or habitable rooms.

The proposed porch would pass the 45/25 degree access to light test, outlined in Policy H14. Therefore, the porch would not impinge on the daylight received by either neighbour. Although the porch would be in excess of permitted development in terms of height and ground cover, due to the location of the porch within the plot, in addition to how set-back the property is from the highway, officers are satisfied that it would not result in any unacceptable overbearing or enclosure impacts to either neighbour. Nor would it give rise to any breaches or privacy.

The proposed rear extension would also pass the 45/25 degree access to light test. Therefore, the extension would not impinge on the daylight received by either neighbouring property. As the extension is set off the common boundary with No.14 by approximately 1.6m, and that the extension would only extend beyond the rear elevation of No.14 by approximately 1.5m, officers are satisfied that the extension would not result in any unacceptable overbearing or enclosure impacts to these occupants. Likewise, due to the placement of windows, there would be no breaches of privacy as they do not provide direct views into neighbouring gardens or habitable rooms.

When applying the 45/25 degree access to light test in the vertical plane, the proposed covered terrace would pass this test and would therefore not impinge on the daylight received by the rear ground floor window of No.10. In addition, as it would have a slightly reduced roof height compared with the proposed extension, of 2.8m, and would be set off the common boundary with No.10 by approximately 1.3m, which is approximately 2.5m away from the side elevation of No.10, officers are also satisfied that this structure would not result in any unacceptable overbearing or enclosure impacts to these occupants.

The proposal is acceptable in terms of its impacts on the residential amenity and therefore accords with Policy H14.

Car Parking

Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.

The application site is within a controlled parking zone (CPZ) and is sited in a highly sustainable location with good access to public transport and local amenities. After corresponding with the County Council Highways Authority, it has been determined that the existing garage does not meet the minimum requirements to be classed as a parking space. As it is not proposed to increase the number of bedrooms within the property, there is unlikely to be an increase in parking demand and therefore the existing parking provision is likely to be acceptable. The proposals are unlikely to have a detrimental impact on the local highway network in traffic and safety terms.

The proposals have acceptable impacts on car parking, and therefore accords with Policy M3.

Conclusion:

Approve, subject to conditions

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: N/a

Contact Officer: Charles Refson

Extension: 2520
Date: 1st March 2021