

East Area Planning Committee

14th August 2012

Application Number: 12/01112/FUL

Decision Due by: 5th July 2012

Proposal: Demolition of existing storage building. Erection of 2 storey building comprising 3 flats (3x1 bed) with ancillary amenity space (amended plans)

Site Address: Depot Adjacent 70 New High Street (site plan at **Appendix 1**)

Ward: Headington Ward

Agent: Mr Jake Collinge

Applicant: Belmark Homes Ltd

Application Called in – by Councillors – Wilkinson, Brett, Fooks and Jones for the following reasons – concerns about extra pressure on car parking

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed development would make an efficient use of previously developed land, and be designed in a manner whereby the level of development suits the sites capacity and creates an appropriate visual relationship with the surrounding area. The proposal would not have a detrimental impact upon the residential amenities of the neighbouring property. The proposed units would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of the units. The development would therefore accord with the relevant policies of the development plan.
- 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.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report,

that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

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 Samples
- 4 revised rear amenity space
- 5 Amenity no balcony
- 6 Ground resurfacing - SUDS compliant
- 7 Cycle parking details required
- 8 Suspected contamination - Risk assess
- 9 Variation of Road Traffic Order the site,
- 10 Sustainability design/construction

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE6** - Buildings of Local Interest
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy (OCS)

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS9_** - Energy and natural resources
- CS22_** - Level of housing growth
- CS23_** - Mix of housing

Sites and Housing Plan – Submission (SHP)

HP9_ - Design, Character and Context

HP12_ - Indoor Space

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP16_ - Residential car parking

NB: The City Council has recently approved the Sites and Housing Plan (SHP) for consultation prior to public examination by an Inspector later this year. It forms part of Oxford's Development Plan Framework and although not formally adopted it does carry weight as a material consideration in determining planning applications.

Other Material Considerations:

National Planning Policy Framework

NB: As of 27th March 2012 the National Planning Policy Framework replaced various Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) which are now withdrawn.

Relevant Site History:

50/00925/A_H - Provision of w.c.'s for workmen at corporation Depot. PER 24th January 1950.

11/00286/CT3 - Outline planning permission for demolition of existing derelict building and erection of 2x2 bed flats and 1x1 bed flats. WDN 24th February 2011.

11/00774/CT3 - Outline planning permission for demolition of existing building and erection of 2x2 bedroom flats. (All matters reserved). PER 12th May 2011.

12/01832/RES - Application for approval of reserved matters (access, appearance, landscaping, layout and scale) for outline application 11/00774/CT3 for the erection of 2 x 2 bedroom flats. PCO.

Representations Received:

80 New High Street, 51 New High Street, 59 New High Street, 65 New High Street,

Summary of Comments:

Close to adjoining properties
Out of keeping with older houses
General dislike of proposal
Inadequate parking provision
Increase in traffic
Loss of privacy

More open space needed
Overdevelopment
Loss of view of church
Flooding due to overused sewer system

Statutory and Internal Consultees:

Thames Water Utilities Limited: no objections

Highway Authority: no objection subject to the site being excluded from eligibility for parking permits,

Oxford Civic Society: preferable to build a smaller building to provide two flats so that space is left for off street car parking

Issues:

Principle
Balance of Dwellings
Design
Residential Amenity
Car Parking
Cycle Parking
Sustainability

Officers Assessment:

Site Description

1. The application site lies on the corner of New High Street and All Saints Road in Headington Ward. The site is currently occupied by a single storey building constructed of red brick with a corrugated pitched roof.

Proposal

2. The application is seeking permission for the erection of a two storey building to comprise of 3 x 1 bed flats along with associated amenity space, cycle parking and bin storage. The existing building on the site will have to be demolished in order to incorporate the proposal. The proposal is to be faced in render with a tiled roof. Samples will be requested via a condition to sure they are compatible to the area.
3. This application when originally submitted showed 2 x 1 bed flats and 1 x 2 bed flat. Due to the cramped internal living arrangements and the contrived amenity space Officers could not support the application. Therefore revised plans were submitted to amend the scheme to now propose 3 x 1 bed flats.

Assessment

Principle

4. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This is supported by policy CS2 of the OCS. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.
5. The site is considered to be previously developed land therefore the principle of redeveloping the site would accord with the NPPF and policy CS2 of the OCS.
6. The current building on the site is a redundant general storage building which was previously used for general storage. It has clearly been empty for some time and has no specific allocations within the OLP or the OCS. Therefore its loss is considered acceptable.
7. Notwithstanding the above, outline planning permission has been granted under 11/00774/CT3 in May 2011 which established the principle of redeveloping the site for housing. Outline planning permission was granted for 2 x 2 bed flats. An application has recently been submitted for the reserved matters of this outline planning permission and is currently being considered (ref.: 12/01832/RES).

Balance of Dwellings

8. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDS) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
9. The site lies within an amber area where pressure is considerable, so the Council needs to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
10. The application site is currently occupied by a store/garage building therefore there is no loss of an existing family dwelling and as the proposal is for less than 3 units no specific mix of new housing is required.

Design

11. The National Planning Policy Framework recognises that good design is a key aspect of sustainable development, contributing to making places better for people. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and

provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported in Policy HP9 of the emerging Sites and Housing Plan.

12. The surrounding area is characterised by mainly terraced properties with the occasional more modern semi and detached property. To the north of the site is All Saints Church.
13. The plans show a simple detached building with its main facade fronting New High Street thus following the form and layout of New High Street. To prevent an inactive elevation fronting all Saints Road access to the rear and first floor flats along with various window openings are shown on this elevation. To the rear are single and two storey elements which again reflects the style and form of the terraces fronting New High Street. The massing and scale is also reflective of New High Street. The design is therefore considered to be appropriate and in accordance with the objectives of policies CS18 of the OCS, CP8 of the OLP and HP9 of the SHP.

Residential Amenity

14. Policies HS19 and CP10 of the OLP and HP14 of the SHDPD require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. The proposal does not give rise to any unacceptable issues of overlooking or loss of privacy. There is the potential for the flat roof of the single storey extension to be accessed from the first floor. If this were to be allowed it would give rise to overlooking and loss of privacy to the neighbouring properties. A condition is therefore proposed to ensure the roof is not accessed.
15. Policy HS19 of the OLP and HP14 of the SHP set 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 and Appendix 7 of the SHP.
16. The only property affected by the proposal is 70 New High Street. This property has windows at ground and first floor that could potentially be compromised as a result of the proposal. At first floor in the rear elevation the 45 degree line taken in plan form from the window is not breached. Therefore this window will received acceptable sunlight/daylight. At ground floor there is a window in the rear elevation which, when applied the 45 degree line in plan form is breached and the 25 degree uplift is marginally breached. However the rear elevations/gardens face west and they will receive the full late afternoon/evening sun therefore officers are of the opinion that the window will receive adequate sunlight/daylight. 70 New High Street has a single storey flat roof extension which has windows in its side elevation. The 45 degree

uplift is applied to side windows and is not breached.

17. Policy HS19 also allows the City Council to assess proposals in terms of sense of enclosure or being of an overbearing nature. Although the proposal is to be built up to the boundary with 70 New High Street there is a 1.2m gap between the two and a 1.8m high fence along the boundary. Given this Officers do not consider the proposal to be overbearing or create a sense of enclosure on 70 New High Street.
18. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation. With policy HP12 stipulating any single dwelling providing less than 39m² of floor space will not be granted permission. Each flat is 39m² or over with adequate circulation space and therefore in compliance with HS20 and HP12.
19. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space. As the proposal is for one bed units a shared space is considered acceptable. The plans currently show a separate private amenity space for apartment one and a shared space for apartments 2 and 3. The space is proposed to be divided by some form of fencing. Officer consider this separation unnecessary and the whole of the amenity space should be made communal with some defensible landscaping adjacent to the rear windows of apartment 1 to provide some privacy. This can be dealt with via a condition.

Car Parking

20. Policy TR3 of the OLP states Planning Permission will only be granted for development that provides an appropriate level of car parking spaces, no greater than the maximum parking standards shown in Appendix 3. The maximum standard for a 1 bed dwelling is 1 space.
21. The proposal is to be a car free development. Car-free development will be considered favourably anywhere in Oxford provided that there are excellent alternatives to the car, that shops and services are provided near by, and that the car-free status of the development can realistically be enforced by planning condition, planning obligation, on-street parking controls or other means.
22. This is reiterated in policy HP16 of the SHP which allows for car free developments in locations that have excellent access to public transport, are in a controlled parking zone and are within 800m of a local supermarket or equivalent facilities.
23. The application site is within 400m walking distance of Headington District shopping centre and London Road with its services and bus routes to and from the city centre. The site also lies within an existing controlled parking zone. The Highway Authority has raised no objection to the development on the basis that it is excluded from eligibility for parking permits. A condition is recommended to secure this.

Cycle Parking

24. Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. According to the Parking Standards SPD secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments. The minimum requirement for residential dwellings is two spaces per residential unit. This is reiterated in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
25. Six cycle parking spaces have been shown at the rear of the amenity space although there are no details of the covering/shelter. This is recommended to be secured by condition.

Sustainability:

26. The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal would constitute a sustainable form of development that would make more efficient use of an existing brownfield site.
27. How sustainable design and construction methods will be incorporated into the building and how energy efficiency has been optimised through design and utilising technology that helps achieve Zero Carbon Development can be secured by a condition.

Other

28. The existing storage building was surveyed for bats in 2010/2011. Therefore on the basis of that report Officers do not believe another survey is necessary.

Conclusion:

29. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

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:

Contact Officer: Lisa Green

Extension: 2614

Date: 31st July 2012

Appendix 1

12/01112/FUL Depot adj 70 New High Street



Scale : 1:1250



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| Organisation | Not Set |
| Department | Not Set |
| Comments | |
| Date | 01 August 2012 |
| SLA Number | LA100019348 |