

East Area Planning Committee

6th November 2012

Application Number: 12/02385/FUL

Decision Due by: 14th November 2012

Proposal: Erection of single storey bungalow with pitched roof

Site Address: Land to Rear of 14 Mortimer Drive Oxford Oxfordshire OX3 0RS

Ward: Marston Ward

Agent: Riach Architects

Applicant: Mr Rob Morgan

Application called in by Councillors Clarkson, McManners, Humberstone and Rowley on grounds of over-development, impact on neighbouring properties and impact in the street scene.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the existing dwelling and the surrounding development and would appear in keeping with the street scene. There is an extant planning permission for a broadly similar proposal, no objections have been received from statutory consultees and the proposal complies with adopted policies contained in both the Oxford Local Plan 2001 - 2016 and the Oxford Core Strategy 2026.
- 2 Objections have been received from Old Marston Parish Council and two local residents and the comments made have been carefully considered. However it is the Council's view that the points raised do not constitute sustainable reasons for refusing the application and that the imposition of appropriate planning conditions will ensure a good quality form of development that would appear sympathetic to the street scene.
- 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 Samples
- 4 Amenity no additional windows - north, south, east or west elevations
- 5 Design - no additions to dwelling
- 6 Boundary details before commencement
- 7 Landscape plan required
- 8 Landscape carry out by completion
- 9 Car parking spaces
- 10 Bin and cycle stores
- 11 Vision splays
- 12 Sustainability design/construction
- 13 Contamination study
- 14 Tree Protection
- 15 Hand dig dropped kerb and parking spaces

Main Local Plan Policies:

Oxford Local Plan 2001-2016

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

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urban design, town character, historic environment

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP10_** - Developing on residential gardens
- HP11_** - Low Carbon Homes
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

08/00025/FUL: Erection of side and rear single storey extension to form granny annex. Approved

08/02012/FUL: Erection of a pair of one bedroom semi-detached dwellings. Refused on grounds of overdevelopment, overbearing to neighbours and substandard garden remaining to serve 14 Mortimer Drive

09/00419/FUL: Erection of first floor extension to 14 Mortimer Drive. Refused and dismissed on appeal

0901386/FUL: Change of use from granny annex to self contained flat. Approved

12/00055/FUL: Erection of one bedroom bungalow with car parking and amenity space. Approved.

Representations Received:

2 letters of objection. The main points raised can be summarised as follows:

- Concern regarding construction noise
- Appearance not in keeping with the road
- The proposal would affect the erection of future extensions to 1 Raymund Road
- No specific dimensions provided for parking bays – they should be adequate to ensure cars do not park over the pavement
- The proposal should make a commitment to technology – use of solar panels would work well on a south facing roof.

Statutory and Internal Consultees:

Thames Water: No objection on grounds of water or sewerage infrastructure

Old Marston Parish Council: Objection on grounds of overdevelopment of the site, not in keeping with other properties and impact on the street scene.

Oxfordshire County Council as Local Highway Authority: No objection subject to conditions and informatives relating to:

- No discharge of surface water onto the highway
- Provision of dropped kerbs at applicant's expense
- Need to obtain vehicle crossing license
- Provision of vision splays
- Parking spaces to be 2.7 x 5 metres and to be permeable paving
- Provision of cycle parking and bin stores

Issues:

- Proposed changes to the approved plans and extant permission

Sustainability:

The Design and Access Statement accompanying the application states that the scheme has been designed to comply and where possible exceed the current

Building Regulations. It cites the following measures that will be incorporated into the proposal:

- Materials with low VOC emissions will be used where possible
- Use of energy saving devices and appliances
- Reduction in thermal bridging through design of the fabric of the building
- Use of heating systems and low and zero technologies
- Provision of energy efficient lighting [internal and external]
- Reduction in water run-off

Officers Assessment:

Site Location and Description

1. The application site lies on the west side of Raymund Road, close to its junction with Mortimer Drive. It comprises part of the rear garden of 14 Mortimer Drive which is a semi-detached property that has been extended at the side and rear to form a self contained, one bedroom flat with its own parking space and small garden.
2. The area is characterised by similar pairs of semi-detached dwellings with some infill development. A one bedroom, detached, single storey bungalow has been erected at 1A Mortimer Drive to the south of the application site.

The Proposal

3. The application seeks to amend an extant planning permission [12/00055/FUI] for the erection of a one bedroom dwelling which was granted planning permission under delegated powers in March 2012.
4. The proposed dwelling would be laid out over 2 floors with the bedroom and bathroom being provided within the roofspace. The new dwelling would face towards Raymund Road, would have a single car parking space and a rear amenity area. Bin stores would be provided at the side of the new dwelling and a condition is recommended to require the provision of cycle parking.
5. The new dwelling would be finished in white render with a tiled roof. It would have a maximum height of 6 metres and would be significantly lower than either 1 Raymund Road or 14 Mortimer Drive. The first floor bedroom and bathroom would be served by rooflights only with no first floor windows. This is the same arrangement as in the approved scheme.

Proposed changes to the approved plans and extant permission

6. The overall form and appearance of the proposed dwelling is the same as previously approved. The changes relate to a simpler roof construction, although the height remains as approved. In addition the footprint of the new dwelling has been slightly increased to provide an additional 3.5 square metres of floorspace in the kitchen/dining area with an associated slight increase in the width of the plot and the width of the rear garden

area.

7. As a result of the increase in the size of the application site, the remaining rear garden serving 14 Mortimer Drive has been reduced; however it still retains a length of 11 metres which is considered to be adequate to serve the family dwelling and complies with policy HS21 of the Oxford Local Plan. The existing one bedroom flat would have a private rear garden extending to 5.8 metres in length and the new dwelling would have a rear garden measuring 5 x 8 metres which is considered to be generous for a small, one bedroom dwelling.
8. In all other respects the proposal is the same as previously approved. There have been no changes in site circumstances since the previous grant of planning permission and the National Planning Policy Framework [NPPF] now includes a presumption in favour of sustainable development which would include the application proposal.

Conclusion:

9. The proposal forms an appropriate visual relationship with the existing dwelling and the surrounding development and would appear in keeping with the street scene. There is an extant planning permission for a broadly similar proposal, no objections have been received from statutory consultees and the proposal complies with adopted policies contained in the Oxford Local Plan 2001 – 2016 and the Oxford Core Strategy 2026.

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:

08/00025/FUL

08/012012/FU09/00416/FUL

09/01386/FUL

12/00055/FUL

12/02381/FUL

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Date: 24th October 2012