

East Area Planning Committee

8th January 2013

Application Number: 12/02653/FUL

Decision Due by: 13th December 2012

Proposal: Demolition of existing dwelling house. Erection of 2 x semi-detached dwelling houses (Class C3), provision of car parking and landscaping. (Additional Information)

Site Address: 18 Sandfield Road, Headington [Appendix 1]

Ward: Headington Ward

Agent: Oxford Architects LLP

Applicant: G W Wright And Co Limited

Application called in by Councillors Rundle, Coulter, Lygo and Fooks on grounds of the bulk of the development, the impact on both neighbours and the impact in the street scene.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the site and the surrounding development and would be of a size and height that would appear in keeping with the street scene. No objections have been raised by 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 a number of local residents and the comments made have been carefully considered. However it is the Council's view that the comments made do not constitute sustainable reasons for refusing planning permission that would be supported on appeal and that the imposition of appropriate planning conditions will ensure the provision of a good quality form of development that would not unacceptably impact on the amenities enjoyed by neighbouring occupiers.
- 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 Boundary details before commencement
- 5 Amenity no additional windows - side,
- 6 Design - no additions to dwelling
- 7 Landscape plan required
- 8 Landscape carry out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Obscure glazed side windows
- 11 Permeable parking area
- 12 Sustainability design/construction
- 13 Bin and cycle stores
- 14 Car parking spaces
- 15 Contaminated land
- 16 Sustainable drainage details
- 17 No felling lopping cutting
- 18 Details of photovoltaic panels
- 19 Use as C3 dwellings only
- 20 Rooflights to be 1.7 metres above finished floor level

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
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urbsn design, town character, historic environment
- CS23_** - Mix of housing

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes

HP13_ - Outdoor Space
HP15_ - Residential cycle parking
HP16_ - Residential car parking
HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

62/11720/A-H: Outline application for erection of one dwelling. Approved

72/11720/A-H: Renewal of outline application for erection of one dwelling.

Approved

There has been no recent planning history relating to the site

Representations Received:

Letters of objection have been received from the occupiers of numbers 16 [2 letters], 17, 20 [2 letters], 22 and 32 Sandfield Road and number 21 Staunton Road. The comments made can be summarised as follows:

- Two, five bedroom, three storey homes would be out of keeping with the street
- The new building would be too close to neighbours, obstruct their views and impact negatively on their property values
- The erection of a 1.8 metre fence along the joint boundary with number 16 would not solve the issues of overlooking and loss of privacy because of different ground levels
- The existing sheds do not impact on privacy or outlook
- The proposed dwellings extend much further into the rear garden than anything presently there and includes a two storey section which will compromise sunlight and view
- The proposal is too large for the site and is not in character with the area
- There would be a significant loss of privacy and loss of light for the occupiers of number 16 and noise disturbance from the side entrance
- The height, width and bulk of the proposal would dwarf the surrounding buildings
- The dwellings could be used for multiple occupancy
- If the existing dwelling is allowed to be demolished it will set a precedent for other older houses in large plots that come onto the market and the whole character of the area would change for the worse
- A better solution would be renovate and extend the existing building
- The proposal would increase traffic and congestion on a stretch of road that is already busy
- Construction traffic will increase noise and disturbance
- The development would swamp the cottage at number 16
- The windows in the side wall of number 16 that face towards the site serve a kitchen, study and bedroom and these would all be adversely affected by the new building coming closer

- There will be overlooking from ground floor windows and noise from the entrance door

Statutory and Internal Consultees:

Thames Water: No objections on surface water or sewerage infrastructure.

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

- Provision of parking spaces of appropriate size
- SUDS drainage
- Provision of secure and sheltered cycle parking
- No discharge of surface water onto highway
- Permeable paving for hardstandings

Issues:

- Demolition of existing dwelling
- Principle of 2 semi-detached dwellings on the site
- Form and appearance
- Impact on neighbours
- Private amenity space
- Trees
- Highways and parking
- Sustainability
- Biodiversity

Officers Assessment:

Site location and Description

1. The application site lies on the west side of Sandfield Road and measures approximately 18 metres in width and 53 metres in depth. It currently accommodates a detached, two storey dwelling which was erected in the 1930's and includes a flat roofed car port to the side and a range of sheds/outbuildings along the joint boundary of the site with number 20 Sandfield Road.
2. Sandfield Road is characterised by a mix of generally detached, individual properties of different sizes and architectural styles. Number 16 Sandfield Road to the south of the application site is a modest chalet style bungalow and is probably the smallest and lowest property in the road.
3. The existing dwelling currently enjoys an extensive side and rear garden which contains a number of mature trees and shrubs along the side and rear boundaries. There are two, existing vehicle access points to the dwelling and the site lies within a Controlled Parking Zone, within walking distance of Headington District Shopping Centre.

The Proposal

4. The application seeks planning permission for the erection of a pair of 4/5 bedroom dwellings with the accommodation being laid out over 3 floors including the roofspace. Each dwelling would be served by two off street car parking spaces together with a private, rear garden and the new building would conform to the general building line evident in Sandfield Road.
5. The new dwellings would have a maximum height of 9 metres and an overall depth of some 18 metres. The new building would reduce in height to 7.8 metres and would be single storey at its rear. It would be erected using facing bricks to be agreed, render and plain, clay tiles for the roof. The layout of the dwellings would result in their front doors being sited in the side elevations of the new building.
6. The new dwellings have been designed to have only one, first floor, obscure glazed bathroom window in the side elevations that look towards numbers 16 and 20 Sandfield Road together with two high level rooflights [1.7 metres above finished floor level].

Demolition of the existing dwelling

7. The existing building is of insufficient quality to be listed nor does it lie in a Conservation Area and the Council therefore has no controls to resist its demolition or to insist on its retention within a development for this site.

The principle of 2 semi detached dwellings on the site

8. Policy HP10 of the Sites and Housing Plan allows for suitably designed development on residential gardens provided that any biodiversity losses are avoided or mitigated. The site constitutes an existing residential plot and there is therefore no 'in principle' objection to its residential redevelopment subject to consideration of design and biodiversity issues.
9. Policy CP6 of the Oxford Local plan states that suitably designed development proposals should make maximum and appropriate use of land and best use of site capacity in a manner that does not compromise the character of the surrounding area. Redevelopment of the site to provide 2 houses is therefore appropriate in principle subject to suitable design.
10. It is the case that the side garden of the existing dwelling is an obvious gap in an otherwise generally built up street frontage and outline planning permission was granted in the early 1970's for a new dwelling. The erection of a pair of family sized new dwellings would also increase the housing supply and comply with the general principle of the National

Planning Policy Framework which states that there is a presumption in favour of sustainable development that accords with an up to date and compliant Development Plan.

Form and appearance

11. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design, that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP6 states that development proposals should make the best use of site capacity but in a manner that would be compatible with both the site itself and the surrounding area.
12. Policy CP8 of the Oxford Local Plan states that the siting, massing and design of any new development should create an acceptable visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.
13. Policy CS18 of the adopted Core Strategy emphasises the importance of good urban design and its contribution to the provision of an attractive public realm.
14. The new pair of dwellings would have a symmetrical appearance when viewed from Sandfield Road and would be erected using primarily facing bricks and plain clay tiles with small areas of render on the front and rear elevations. The new building would have a footprint of 12.5 x 18 metres with a maximum roof height of some 9 metres which would be lower than the height of the adjacent dwelling at 20 Sandfield Road which has a maximum roof height of approximately 10.5 metres. Officers accept that the proposed new building would be substantially higher than both numbers 14 and 16 Sandfield Road but these properties are both unusually low in terms of the majority of the dwellings in the vicinity of the application site and do not represent the general character of the size of dwellings in Sandfield Road.
15. The new building would be set back some 6 metres from the edge of the pavement and there would be a dividing brick wall which would separate the two parking areas serving the two dwellings. It would be sited 1.8 metres from the joint boundary with 20 Sandfield Road and 3.4 metres from the joint boundary with 16 Sandfield Road. Both new dwellings would have a private rear garden extending to approximately 27.5 metres in length.
16. The accommodation would be laid out over 3 floors with living accommodation on the ground floors, 3 bedrooms and 3 bathrooms on the first floors with a further 2 bedrooms/study and bathroom on the third floor which would be within the roofspace of the building. Officers accept that the new building would be larger than the existing dwelling on the site

but take the view that the size and bulk of the new building would not appear unacceptably out of character with the street scene and, in visual terms, would relate satisfactorily to the form and appearance of neighbouring dwellings.

Impact on neighbours

17. Policy HS19 of the Oxford Local Plan states that planning permission will only be granted for development that adequately provides both for the protection and/or creation of the privacy or amenity of the occupiers of the proposed and existing, neighbouring, residential properties.
18. The only two properties that would be directly affected by the proposal are numbers 16 and 20 Sandfield Road. Given the depth of the application site, there would be no impact on properties in Woodlands Close to the rear of the site.
19. As regards number 20 Sandfield Road, there is a side garage abutting the joint boundary with the application site with the main dwelling being set in by some 3 metres. There is an existing first floor window that faces towards the existing dwelling at close range and it is considered that the proposed development would have no additional adverse impact upon the outlook from this window. In addition, the proposal does not breach a line drawn at 45 degrees from this window.
20. The occupier of number 20 has also expressed concern that the proposed dwellings would be much deeper than the existing dwelling and would extend beyond the rear wall of number 20 resulting in a loss of light to and outlook from the rear windows. Officers do not agree with this assertion as firstly, the rear projecting part of the new building that would be closest to number 20 would be single storey only and would therefore not affect sunlight or daylight reaching the rear windows at number 20 and secondly there are a number of sheds and outbuildings that exist and are sited along the joint boundary of the application site with number 20. It is considered that the removal of all of these outbuildings and the erection of a single storey structure further away from the boundary would actually improve the outlook from number 20. There is no breach of the 45 degree line as regards the rear windows at number 20.
21. Number 16 Sandfield Road is a modest, chalet style bungalow with a maximum height of 6.5 metres. A total of 3 windows face towards the application site and views from these windows are currently towards an open side garden with the blank, side wall of the existing house some 10 metres away. The windows serve a kitchen/dining room and a separate study on the ground floor and a bedroom on the first floor. The kitchen window is a secondary window with the room having double and single doors and a further window which look down and give access to the rear garden.

22. The proposal would result in the new building being sited some 6 metres from the side wall of number 16 which, in terms of the normal spacing of dwellings in a street, is considered to be a generous gap. Plans submitted with the application show that there will be no breach of the 45 degree line from either the ground floor or the first floor side windows. However it is accepted that the new dwellings would be larger and higher than the existing dwelling and would be closer to number 16 and it is therefore necessary to consider the issue of outlook and whether the new dwellings would appear unacceptably overbearing in the outlook from the house and garden at number 16.
23. Officers have visited the site and viewed the application site from all of the windows affected at number 16. The existing boundary fence is low and does not block the view from the two ground floor windows. If a standard, 1.8 metre high boundary fence was erected along the side boundary of the application site [which could be done without planning permission], then the view from both of the ground floor windows would be substantially compromised in terms of the current outlook. Officers therefore take the view that it would not be possible to satisfactorily defend a reason for refusal that related to the impact of the development on the ground floor windows at number 16.
24. In terms of the first floor bedroom window, it is the case that the view from this window will be compromised. However the new dwelling will be 6 metres away from this window and the side wall of the new dwelling has no habitable room windows that would result in any overlooking. Given these circumstances, officers do not consider that the resultant harm is sufficient to warrant a reason for refusal on amenity grounds.
25. The occupiers of number 16 have also raised concerns regarding the siting of the front door on the side wall of the new dwellings which they feel would result in increased noise and disturbance close to their side windows. The erection of a substantial fence along the joint boundary would effectively screen use of this front door and would also, to some extent, mitigate against any additional noise and disturbance. Any residual disturbance would be no greater than would usually be the case between adjoining, residential properties. It is also the case that number 16 has a side front door close to the boundary with 14 Sandfield Road.
26. As regards views from the garden of number 16, the two storey element of the rear part of the new dwellings would be some 6 metres away from the joint boundary with the remaining single storey structure, with a height of 3.3 metres, being set in from the boundary by 3.4 metres. Given these distances and heights, officers do not consider that the proposal would unacceptably impact upon the enjoyment of the garden area of number 16.

Private amenity space

27. Policy HS21 of the Oxford Local Plan states that planning permission will not be granted for development proposals involving residential uses where inadequate or poor quality private open space is proposed. It goes on to say that each dwelling should have access to a private, open space and that family dwellings of two or more bedrooms should have exclusive use of an area of private open space which should generally have a length of 10 metres.
28. Policy HP13 of the Sites and Housing Plan also requires the provision of an appropriate amount of private amenity space but is not so specific regarding its size, requiring only that it is proportionate to the size of the dwelling proposed.
29. In this case, the proposed dwellings are large, family dwellings and both would have a long, rear garden extending to some 27.5 metres with widths of between 8 and 9.7 metres. It is considered that these garden areas are generous, acceptable and more than proportionate to the size of the proposed dwellings.

Trees

30. Officers have been involved with the applicant at pre-application stage to discuss any tree implications. As a result of these discussions, the semi-mature, purple leaved plum tree that exists in the front garden of the application site is to be retained and protected during construction. It is also proposed to retain all the trees that are remote to the building works, particularly the trees close to the rear boundary.
31. There is also a sorbus tree adjacent to the boundary with number 16 Sandfield Road which it is proposed to remove. This is considered to be acceptable subject to appropriate replacement planting following the completion of the building works. A suitable condition is therefore recommended to ensure this replanting takes place.

Highways and parking

32. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application subject to a number of conditions and informatives as set out earlier in this report. The LHA make the point that the site lies in a Controlled Parking Zone and that there was no observed on street parking pressure at the time of the site visit. Two off street parking spaces are proposed to serve each of the two new dwellings and there are two existing dropped kerbs serving the application site.

Sustainability

33. The application is accompanied by an Energy Statement which makes the following statements:

- The orientation and internal layout of the new dwellings allows for the maximum amount of natural light
 - Roof mounted photovoltaic panels will be installed to meet Part L of the Building Regulations [condition 18 refers]
 - Bins will be provided for general waste and recycling
 - The building will have good levels of insulation to achieve u-values above those specified in the Building Regulations
 - Low energy light fittings will be used
 - To reduce water use, all WC's will be of a low flush type and taps will be spray headed
 - Water butts will be provided to collect water from the roofs
 - All windows will be opening to allow maximum ventilation
 - Efficient gas boilers will be used.
34. The plans submitted with the application do not show any details of photovoltaic panels and therefore a condition is recommended to ensure that these details are submitted and that the panels are fitted to each dwelling.

Biodiversity

35. The application is not accompanied by any details relating to biodiversity and officers are satisfied that the site does not contain any protected species that would require particular attention or mitigation.

Conclusion:

36. The proposal is considered to form an appropriate visual relationship with the street scene and would not appear out of keeping with the character of the area. Although the new dwellings would be large, the site is of generous proportions and would satisfactorily accommodate the new dwellings together with adequate parking and private amenity space. No objections have been received from statutory consultees and the proposal complies with adopted policies in the Oxford Local Plan and the Core Strategy and advice contained in the NPPF that encourages efficient and effective use of land in sustainable locations.

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:

12/02653/FUL

Contact Officer: Angela Fettiplace

Extension: 2445

Date: 13th December 2012

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