

EAST AREA PLANNING COMMITTEE

13th June 2013

Application Number: 13/00378/FUL

Decision Due by: 29th April 2013

Proposal: Conversion of existing integral garage into habitable accommodation including replacement of existing garage door with facing brickwork.

Site Address: 2 Mandelbrote Drive Oxford Oxfordshire OX4 4XG
Site plan – Appendix 1

Ward: Littlemore Ward

Agent: Greenfields Architectural Services

Applicant: Ms Zehanah Izmeth

Application called in – by Councillors Tanner, Fry, Sanders and Lygo for the following reasons: Impact on character and appearance of local area

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed development would preserve an adequate level of vehicular parking for a house of this size in this location; the proposed changes to the frontage of the building will not have an unacceptable effect on the character of the existing house, the wider local area or the visual setting of the adjacent listed building. There would be no material effect on the residential amenity of adjacent occupiers and the proposal therefore complies with Policies CP1, CP8 and HE3 of the adopted Oxford Local Plan, CS18 of the Core Strategy and HP9 and HP14 of the Sites and Housing Plan.
- 2 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.
- 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 Materials - matching

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals
CP8 - Design Development to Relate to its Context
CP10 -Siting Development to Meet Functional Needs
HE3 - Listed Buildings and Their Setting

Core Strategy

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan (SHP)

MP1 - Model Policy
HP9_ - Design, Character and Context
HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

The proposals will affect the setting of a listed building.

Relevant Site History:

97/01142/NF - Change of use from hospital to provide 83 residential units: 6x2, 25x3 & 7x4 bed houses; 6x1, 29x2 & 10x3 bed flats; 149 parking spaces. Erection of new building to provide 25x3 & 11x4 bed houses with integral garages and forecourt parking; 45x2 bed flats with 75 parking spaces in parking courts. Site roads, use of existing access from Sandford Road and landscaped communal gardens and parkland amenity space..PER 2nd April 1998.

Representations Received:

Comments have been received from 1, 9, 41 and 64 Mandelbrote Drive, 74 The Crescent and 13 and 27 Radcliffe House. These comments can be summarised as objecting to the proposals on the grounds of visual appearance and the effect on parking.

Statutory and Internal Consultees:

Local Highways Authority: No objection

Local Drainage Authority: No comment

Issues:

Visual appearance and effect on listed building
Parking

Officers Assessment:

Site description and proposal

1. 2 Mandelbrote Drive is a terraced town house with an integral garage situated on the gated development in the grounds of the former Littlemore Hospital, the original parts of which are situated behind the houses along Mandelbrote Drive and are a Grade 2 Listed Building.
2. Permission is sought to convert the garage to living accommodation, Permitted Development rights having been removed by a condition of the original planning permission 97/01142/NF.

Visual appearance and effect on listed building

3. Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. The Local Development Plan provides policies to support this aim and CP1, CP8, CS18 and HP9 are key in this regard.
4. Policy HE3 of the OLP states that permission will only be granted for development that has due regard to the setting of listed buildings and uses materials that respect the character of the surroundings.
5. Although situated on a private road, the proposed development would be visible from the public domain and highly visible from surrounding communal areas of the development. Glimpses of the listed building behind can be obtained from the gated parts of Mandelbrote Drive as well as from outside the gates, however there are few points from which can be gained a clear view of both the garage and the listed building and the direct contribution of the front elevation of 2 Mandelbrote Drive to the setting of the listed building behind is highly limited.
6. There is a regular rhythm and uniformity to the elevations along the terrace and the proposed conversion of the garage would serve to interrupt this rhythm. However, the effect on visual amenity will be limited and whilst officers do not consider the proposal ideal in design terms, the level of harm would not be sufficient to reasonably justify refusal of the application on this basis.

7. Overall, the development is not materially out of character with the existing house and immediate local area, would not have an unacceptable effect on the setting of the listed building and complies with Policies CP1, CP8 and HE3 of the adopted Oxford Local Plan 2001 – 2016 Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing Plan,

Parking

8. Policy CP1 of the OLP states that permission will only be granted for development that is acceptable in terms of parking and highway safety. The Sites and Housing Plan makes it clear that different levels of parking will be suited to different areas, and that developers should have regard to current best practice. Oxfordshire County Council has published “Car parking standards for new residential developments” (parking standards) which includes a guide to maximum parking provision in Appendix A.
9. Appendix A of the above parking standards suggests that a maximum of two parking spaces should be provided for a house of more than one bedroom. The house currently provides one parking space in the garage that would be lost, and a further space in front. Officers note that garages are often not used for parking a vehicle, particularly when arranged in tandem.
10. Whilst Mandelbrote Drive is not a particularly sustainable location compared to most of Oxford, both a local shop and bus route are available within 250 metres. It is noted that the parking of cars along Mandelbrote Drive is only permitted in designated spaces, with parking on the roadway itself being liable to enforcement action by a private company. However on street parking is available on nearby Armstrong Road, the Local Highway Authority has no objection and the loss of the garage is considered acceptable in terms of parking, access and highway safety and complies with Policy CP1 of the adopted Oxford Local Plan 2001 – 2016 and the Sites and Housing Plan.

Conclusion:

11. The proposed development would preserve an adequate level of parking for a house of this size in this location; the proposed changes to the frontage of the building not have an unacceptable effect on the character of the existing house, the wider local area or the visual setting of the adjacent listed building. There would be no material effect on the residential amenity of adjacent occupiers and the application therefore complies with Policies CP1, CP8 and HE3 of the adopted Oxford Local Plan, CS18 of the Core Strategy and HP9 and HP14 of the Sites and Housing Plan.

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: 13/00378/FUL

Contact Officer: Tim Hunter

Extension: 2154

Date: 23rd May 2013

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