

West Area Planning Committee

-18th March 2014

Application Number: 14/00181/FUL

Decision Due by: 21st March 2014

Proposal: Erection of a two storey building to provide 1 x 3-bed dwelling and 2 x 2-bed flats. Provision of car parking, bin and cycle storage and private amenity space.

Site Address: Land Adjacent to 9 Plough Close (Site plan at Appendix 1)

Ward: Wolvercote

Agent: Asset Max Ltd.

Applicant: Mr Tariq Khuja

Application Called in – by Councillor Gotch, supported by Cllrs Jones, Fooks and McCready-
for the following reasons – Overdevelopment to the detriment of residents and the locality

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.
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. The proposal is considered to form an appropriate visual relationship with the surroundings including the adjacent Conservation Area and does not significantly impact on neighbouring amenity or highway safety or any other material considerations. As such the proposal complies with policies CP1, CP6, CP8, CP9, CP10, CP11, CP22, TR3, HE2, HE7, HS19 and HS21 of the Adopted Oxford Local Plan 2001-2016 and policies CS2, CS18 of the Oxford Core Strategy and policies HP9 .HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan.

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 Remove Permitted Development
- 4 Materials
- 5 Landscape plan required
- 6 Landscape carried out after completion
- 7 Boundaries
- 8 Visibility splay
- 9 cycles
- 10 Refuse storage
- 11 Sustainability
- 12 Parking area
- 13 Additional windows
- 14 Obscure glazing

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** – Creating places
- CP8** - Design Development to Relate to its Context
- CP11** – Landscaping
- CP10** - Siting Development to Meet Functional Needs
- CP22** - Contaminated Land
- TR3** - Car Parking Standards
- HE7** - Conservation Areas
- CP11** - Landscape Design
- HE2** - Archaeology
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment

Sites and Housing Plan

- HP9_** - Design, Character and Context
- HP12_** - Indoor Space
- 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:

11/00722/FUL – Erection of 2 x 3 bed houses. Approved.

10/01558/FULL – Erection of 3 houses (1 x 2 bed and 2 x 1 bed) Withdrawn.

Representations Received:

None received

Statutory and Internal Consultees:

Highways Authority – No objection subject to conditions.

Archaeology- No further archaeological evaluation work required.

Issues:

- Principle of Development
- Balance of Dwellings
- Design
- Private amenity space
- Impact upon adjoining properties
- Highways and Parking
- Archaeology
- Sustainability

Officers Assessment:

Site Location and Description

1. The site is currently vacant and comprises an area of approximately 0.05ha. It was formerly occupied by a Water Treatment Station, which has been demolished. The land is mostly laid to hardstanding, surrounded by a mix of boundary walls, and fencing.
2. The site fronts onto Wolvercote Green to the west whilst it is enclosed by residential properties to the north and east (Plough Close) and to the south by a two storey development, which is currently under construction, comprising three No. one bedroom flats and undercroft garaging for three cars and two No. three bed semi-detached dwellings (13/02259/VAR). To the south east are two storey properties in Ulfgar Road. Further to the north of the site beyond the properties in Plough Close are more traditional two storey Victorian houses fronting Wolvercote Green.

3. The site is accessed via a public footpath from Wolvercote Green with vehicular access obtained via Ulfgar Road.
4. The adjacent Common is included within the Green Belt with the Wolvercote/Godstow Conservation Area also abuts the site.

Proposal

5. Planning permission is sought for the erection of a two storey building to provide 2 No. two bed flats on the frontage facing Wolvercote Green and an attached three bedroom dwelling at the rear.
6. The flats would each have a private amenity area with bin and refuse stores to the north with a private garden serving the house sited at the rear (east).
7. Parking would be provided for four cars within the south east part of the site.

Principle of Development

8. The site constitutes previously developed land and the principle of residential development has already been established by virtue of an extant planning permission for two No. three bed dwellings (ref.11/00722/FUL).

Design and Layout

9. The surrounding area comprises a mix of single storey and two storey buildings of varying styles and roof heights. However, whilst the properties in Plough Close are single storey the dominant form is two-storey. Furthermore, the construction of the flatted development immediately to the south of the site and forward of the building line of the proposal represents a significant material consideration in terms of the scale of the surrounding built form.
10. The submitted elevation plan includes a streetscene drawing comparing the height of the proposal to its surroundings. Whilst being 1.1m higher than the extant permission it is noted that the proposed ridge height would still be lower than that of the development under construction to the south and also lower than No's 56-58 Wolvercote Green. The proposed hipped roof design would reflect the roofs on other nearby properties.
11. Although the proposed development would be higher than those properties within Plough Close the design of those dwellings does not replicate the general form and massing of development within the area, which is in general full height two storey, being further emphasised by the new development to the south.

12. Policies CP1 and CP8 of the Local Plan as well as policy HP9 of the SHP require new buildings to relate to their setting to strengthen, enhance and protect local character. Policy CP8 states that planning permission will only be granted where the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale and materials evident in the surrounding area.
13. The proposed building line of the development would be forward of 7-9 Plough Close. However, those properties similarly step forward of the houses to the north, whilst the new development to the south would step forward of the proposed development. As such the siting of the building in terms of its building line is a logical continuation of the stepped building line.
14. The proposed development, whilst deeper than that approved would in part be mitigated by the fact that it would not be as wide, with a greater space around the building than that previously approved.

Impact on the Conservation Area

15. Although the site is not located within the Wolvercote with Godstow Conservation Area it does nevertheless abut the south east corner and the open space forming part of Wolvercote Green. However the Conservation boundary excludes the buildings to the north of the site up to The Plough Public House and as such the importance of this part of the Conservation Area is related more to the open space and landscaping that encloses Wolvercote Green.
16. The important views around the site are the mature trees screening the canal and railway line and distant views back towards the Plough Public House from the footpath, all of which would remain unaffected.
17. The site itself is currently derelict with no trees and with a high brick wall facing Wolvercote Green with fencing above. The existing site does not therefore positively contribute to views from the Conservation Area and would benefit from some landscaping and from a lower boundary wall, opening up the site frontage and better relating to the open space beyond.
18. The proposed buildings are indicated as being facing brick and concrete tiles to match the neighbouring properties at 1-9 Plough Close. Such a finish would also reflect that of the new development to the south. Given that the site is abutting rather than within the Conservation Area and is more closely associated with the more modern properties surrounding it. A condition requiring samples of materials would be necessary to ensure an appropriate finish.
19. Overall, the proposal is considered acceptable as it would not adversely affect the adjacent Conservation Area or its surroundings.

Internal Layout and Private Amenity Space

20. Policy HS21 of the Local Plan states that planning permission will not be granted for development proposals involving residential uses where insufficient or poor quality private open space is proposed.
21. The ground floor flat would have 2 bedrooms, and a kitchen/living room with a large window at the front offering attractive views towards the adjacent open space. A kitchen door would provide direct access to a private outdoor amenity area of approximately 25sqm.
22. The first floor flat would have two windows on the front elevation serving the lounge/kitchen, with an obscure glazed window to the north side, to prevent overlooking of the amenity space serving the ground floor flat. Access to a private amenity area of approximately 20sqm, including provision for refuse storage and cycles would be via a path at the front. It is considered that both flats would have an acceptable level of internal and external accommodation.
23. The attached dwelling at the rear would have a separate pedestrian access from the south of the site. It would comprise a kitchen living room and study on the ground floor. Whilst the study window would be narrow it would nevertheless be full length and considered sufficient for what would be a relatively small room. The first floor has been designed to avoid rooms at the rear which would overlook properties in Plough Close whilst providing adequate light into each room.
24. A large amenity area exceeding 100sqm would be provided at the rear to serve the three bed dwelling with direct access from within the house.
25. In addition to the private amenity space the occupants of each property would benefit from the close proximity to the public open spaces of Wolvercote Green and Wolvercote Common.

Impact upon Adjoining Properties

26. The Council seeks to safeguard the amenities of the occupiers of properties surrounding any proposed development. The Local Plan states in Policy HS19 that permission will only be granted for development that adequately provides for the protection, and/or creation, of the privacy or amenity of the occupants of the proposed and existing residential properties. This will specifically be assessed in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. Policy CP10 also states that any new proposal should safeguard the amenities of existing properties surrounding any proposed development.
27. The proposal has been designed with a fully hipped rear projection being set down from the main ridge and with no windows in the first floor rear elevation. The building would be located 13m from the rear of No's 1-4 Plough Close, which are single storey and have small rear gardens enclosed by a 2.0m high

wall. It is considered that the separation distance is acceptable and that no undue loss of light, privacy and amenity would result to the properties at the rear.

28. No. 9 Plough Close, immediately to the north, beyond the footpath, has no flank windows. The private front garden would not be overlooked by any windows and whilst a window is proposed in the north elevation of the rear dwelling this would be an obscure glazed window serving a bathroom.

29. The north facing elevation of the new development to the south (ref.11/00349) has only secondary windows. It is not considered that the siting of the proposed building at 9m and the location of the south facing windows would adversely impact on the privacy or amenity of the future occupants of the adjacent development.

Parking Provision

30. The provision of four parking spaces for the proposed two No. 1 bed properties and one No. 3 bed house is considered appropriate, and in addition suitable provision is made for secure cycle storage within the amenity areas of each unit.

31. The Highway Authority have raised no objections to the proposal, subject to conditions. The parking layout allows for adequate pedestrian access to the new and existing property.

Archaeology

32. The site is located 120m east of a Scheduled Ancient Monument at Port Meadow, where extensive prehistoric landscapes of funerary monuments and field systems are recorded. The proposal is accompanied by an archaeology evaluation report and which the Council Archaeologist considers acceptable.

Sustainability

33. The site lies in a sustainable location within easy reach of shops, services and public transport links. The proposal constitutes a sustainable form of development that would make more efficient use of an existing redundant brownfield site.

34. The design and access statement submitted with the application states that where possible the development would use sustainable materials and those with low VOC emissions. It is also proposed to utilise energy saving devices and to where possible exceed Building regulations sustainability requirements.

Other matters

35. Community Infrastructure Levy (CIL): The levy is a standard charge on new development. The amount of CIL payable is calculated on the basis of the

amount of floor space created by a development. The proposal would be liable for a CIL payment should permission be granted. The CIL payment has been calculated at £19,520.

Conclusion:

36. On the basis of the above the proposal complies with the aims and objectives of the National Planning Policy Framework and the relevant Local Plan, Core Strategy and SHP policies and therefore officer's recommendation to the Members of the West Area Planning Committee is to approve planning permission.

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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Mark Spragg

Extension: 2069

Date: 19th February 2014