

**WEST AREA PLANNING COMMITTEE**

13th January 2015

**Application Number:** 14/02833/FUL

**Decision Due by:** 17th December 2014

**Proposal:** Demolition of existing house. Erection of 2 x 4 bedroom dwellings (Use Class C3). Provision of private amenity space, car parking, refuse and cycle stores (amended plans)

**Site Address:** 17 Apsley Road, **Appendix 1.**

**Ward:** Summertown Ward

**Agent:** TSH Architects Ltd

**Applicant:** Homespace Ltd

**Application Called in** by Councillor Cllr Gant, supported by Cllrs Wade, Fooks and Gotch.

for the following reasons – overdevelopment of site; loss of amenity to neighbours; and damage to the character of the road, which is an unusual, possibly unique, example of a road built almost entirely by the same builder at the same time, something much valued by the residents.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the site and surrounding development and will not detract from the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities enjoyed by adjacent properties, nor on vehicle or pedestrian movements. While the loss of existing vegetation is regrettable, its removal is not unacceptable and new planting will help to mitigate this loss. No objections have been received from statutory consultees and the proposal complies with adopted policies contained in the Core Strategy 2026, the Oxford Local Plan 2011-2016, and the Sites and Housing Plan 2011-2026.
- 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 Samples
- 4 Landscape plan required
- 5 Landscape carry out by completion
- 6 Landscape hard surface design - tree roots
- 7 Landscape underground services - tree roots
- 8 Tree Protection Plan (TPP) 1
- 9 Arboricultural Method Statement (AMS) 1
- 10 Car/cycle parking provision before use
- 11 Bin stores provided before occupation
- 12 Design - no additions to dwelling
- 13 Amenity no additional windows
- 14 Amenity windows obscure glass first and second floor side elevations,
- 15 Boundary details before commencement
- 16 Details of solar panels
- 17 SUDS
- 18 Variation of Road Traffic Order
- 19 Vision Splays

### **Community Infrastructure Levy (CIL)**

CIL is a standard charge on new development of 100 square metres or more, or to new houses of any size. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities. CIL is being brought in by councils across the country, although each local council has the ability to set the actual charges according to local circumstances. The amount payable in relation to this application is £24,400

### **Main Planning Policies:**

#### Oxford Local Plan 2001-2016

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**NE15** - Loss of Trees and Hedgerows

#### Core Strategy

**CS9** - Energy and natural resources

**CS10** - Waste and recycling  
**CS12** - Biodiversity  
**CS18** - Urban design, town character, historic environment  
**CS22** - Level of housing growth

#### Sites and Housing Plan

**HP2** - Accessible and Adaptable Homes  
**HP9** - Design, Character and Context  
**HP10** - Developing on residential gardens  
**HP11** - Low Carbon Homes  
**HP12** - Indoor Space  
**HP13** - Outdoor Space  
**HP14** - Privacy and Daylight  
**HP15** - Residential cycle parking  
**HP16** - Residential car parking  
**MP1** - Model Policy

#### **Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance

#### **Relevant Site History:**

None

#### **Representations Received:**

Objections from 4, 6, 8, 12, 13, 14, 17, 18, 19, 23 Apsley Road have been received; and from the Apsley Road Residents Association and the Oxford Civic Society.

These objections are summarised as follows:

- the scheme is damaging to the existing character of the area which is wholly comprised of detached houses of very similar appearance, all built by the same builder between 1931 and 1935 (with the exception of 2 recent infill houses at the end of the street), any changes to the original houses have been sympathetic;
- the character of the existing street should be preserved as a heritage asset – it may not be preserved as such now but it is likely that it should be in the future;
- the scheme does not make positive contribution to the street scene: the scheme attempts a pastiche of the existing dwellings but its bulk and style will break the rhythm of the streetscape, even under the amended plans it will be noticeably different from its neighbours, it overcrowds the site, there are no other front dormers in the street, the proposed bin and cycle stores in the front gardens will be unsightly, front garden parking will be at an awkward angle, no other existing properties have a central access to parking, the roof-top solar panels will be highly visible and out of character;
- the proposed gardens are too small for these properties and inappropriate for houses of this size, poor internal lighting and storage;
- unacceptable effect on adjacent properties;
- the existing property is in a good state of repair and can be improved or repaired, this would be better for carbon expenditure, it could be converted into flats without

- destroying the external appearance;
- the scheme will set a precedent for similar redevelopments in the future which will fundamentally affect the character of the street;
- the amended plans do not address the fundamental objection to the precedent set by the scheme and the resulting change in character of the area.

Oxford Civic Society – included in representations above

Apsley Road Resident's Association - included in representations above

### **Statutory and Internal Consultees:**

Local Highway Authority – the scheme is acceptable subject to exclusion from eligibility for parking permits and provision of vision splays. The parking area should be constructed in permeable materials.

Oxfordshire County Council, Drainage - the proposal to use a sustainable drainage system to drain the development and rain water harvesting is good. The car parking should be constructed of porous materials. Soakage tests should be undertaken before construction to ascertain the size of the SUDS system required

### **Determining Issues:**

- Demolition of the existing property
- Impact on the street scene
- Impact on neighbouring properties
- Residential amenities
- Trees
- Biodiversity
- Highway Matters

### **Officer's Assessment**

#### The Site and Surroundings

1. The application site is a detached house on the south side of Apsley Road.
2. Apsley Road is a straight road running some 300m east to west from its junction with Banbury Road. At the Banbury Road end there is a mix of uses with student accommodation adjacent to Summertown House and the Remont Oxford Hotel in the southern corner of the junction.
3. The main length of the residential part of the road within which number 17 is located is wholly characterised by detached houses. These are set on a building line some 8m back from the back of the footway creating good sized front gardens most of which accommodate one or in some cases two off-street parking spaces. Low brick walls or fences with hedging define the front gardens, which are characterised by planting, lawns, hard landscaping, and some trees, to form a typically verdant, suburban public environment. There is subtle variation in the architectural style and external details and materials between properties, but an overall uniformity in the street scene. There are 2 recently completed infill detached properties at the western end of road that

have been designed to reflect the existing street scene and architectural style. Many properties have been extended sideways and rearwards but gaps remain between them. Overall the street scene is one of robust and well-defined character, urban grain and visual rhythm.

4. 17 Apsley Road has a side attached single garage with room over. It has a hipped pitched tiled roof, a curved front gable with tiled roof detail to the ground floor front window, and decorative timber in the roof gable. The elevations are brick at ground floor and rendered at first floor. It has a single storey rear extension.
5. The front garden is laid to lawn with small borders, and there is an access drive for parking one car. There is a Hazel in the front garden which is suitable for retention and a Purple Plum which is not. At the rear, the garden is laid to lawn with borders. The rear boundary has a number of overgrown conifers.

### The Proposal

6. The application seeks planning permission for demolition of the existing house and the erection of two 4 bedroom semi-detached houses each with an off-street car parking space in the front garden from a central access. Amendments to the scheme as originally submitted have been secured including an alternative roof design which brings the front and rear eaves into line with those of adjacent properties; the inclusion of rear dormers which are of a scale and design in keeping with the host building; and reduced length of single storey rear extension to create more appropriately sized gardens for the size of houses proposed.
7. The scale and mass of the proposal emulates existing properties and the street scene. The proposed houses are located on the same front building line as the house to be demolished. 1 metre gaps are retained at the side boundaries with the adjacent houses which themselves are 1 metre from the boundaries - hence retaining 2 metre gaps between the properties on both sides.
8. The proposed houses have a main 2 storey range built on the existing rear building line. A second floor is created in the roof with side-facing gables to accommodate a staircase. The proposal includes 7m single storey rear projections with basements under those elements (shown for media/games). Internally the proposed properties have front living rooms and rear dining/kitchen/family rooms with full width glazed doors to the gardens (13m long). On the first and second floors there is an en-suite bedroom; 3 other bedrooms; a study and 2 family bathrooms. The layout meets the Lifetime Homes standard.
9. The roof height replicates the ridge heights of the 2 adjacent properties. An area of flat roof is created on which sloping Solar PV units are proposed.
10. The front elevation incorporates a hipped pitched roof with eaves to match the adjacent properties, 2 rounded bays with roof gables over, 2 small dormer

windows in the roof slope and semi-circular brick entrance arches.

11. The rear elevation is more contemporary in style, incorporating a hipped pitched roof with the eaves level to match the adjacent properties. Dormers are set into the rear roof slope of a scale which is subservient to the roof and not dominating or overbearing in the view from adjacent gardens; and of a design which will be in keeping with the proposed rear elevation. The single storey rear projections are proposed to have dual pitched roofs.
12. Cycle and bin stores to the required numerical standard are proposed in the front garden: these are designed as 1.5m high vertical slatted timber enclosures.
13. Removal of the existing Purple Plum tree in the front garden is proposed as it is not a good specimen for retention. It is proposed to be replaced with a semi-mature tree in a suitable tree pit. The existing Hazel is to be retained. There would also be room in the front garden for a small amount of additional landscaping.
14. The overgrown conifer trees in the rear garden are to be removed to overcome their overshadowing and dominance of the rear garden space. A native species hedgerow with additional trees is proposed as replacement. These would be secured by condition.

#### Demolition of the Existing Property

15. Whilst the existing house is attractive, it is not of sufficient quality to be listed nor is it in a conservation area. No controls are therefore available to the Council to resist its demolition or to insist on its retention within a development scheme for the site.

#### Principle of 2 Semi-detached Houses.

16. 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. 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 a site's capacity in a manner that does not compromise the character of the surrounding area. The aim of Policy CS23 of the Core Strategy and the Balance of Dwellings SPD (BoDs) is to provide for a range of housing types and sizes across the city.
17. The site is an existing residential plot and there is therefore no 'in principle' objection to its residential redevelopment subject to the development being acceptable in all other terms. Rather, it is considered that 2 semi-detached houses on this site would make good use of the site's capacity and create an additional family house in compliance with Policy CP6 of the Oxford Local Plan, Policy CS23 of the Core Strategy, and BoDs.

## Impact on the Street Scene

18. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing DPD in combination require that development proposals incorporate high standards of design and respect local character.
19. The plot width is acceptable for a redevelopment scheme of this sort. The proposed houses will not appear cramped as there is sufficient plot width to accommodate them with gaps to the side boundaries that are typical of this street.
20. The proposed houses have been positioned on the existing front building line and will not protrude into or dominate the street scene. The front elevation has been designed to draw on existing features in the street scene: front gables and windows that draw on the proportions and positions of fenestration elsewhere in the street, a semi-circular brick arch to the front doors, and materials to match existing properties. While the front dormers are not typical of Apsley Road they are small and will not be jarring or dominant in the street scene. Moreover whilst the application is for a pair of semi detached houses in a street predominantly of detached houses, officers do not consider this in itself sufficient reason to oppose the proposed development.
21. In the front garden the scheme proposes the creation of 2 off-street parking spaces (1 for each property), timber slatted cycle and bin stores, with tree retention and planting, and landscaping. Some other properties in Apsley Road have hard landscaped areas in their front gardens used for off-street car parking which, over the years have become softened by matured planting, hedging and trees. The limited planting possible in the front garden of the proposed scheme would, over time serve to soften the impact of the proposed parking and re-integrate the site into the street scene. It may also be possible to incorporate dwarf walls along part of the front boundary to replicate other front boundary treatments in this road. Landscaping and boundary treatment can be required by condition and their suitability will be judged against adopted policy.
22. Sloping, roof mounted solar PV panels are proposed and concern has been raised about their potential visual impact in the street scene. It is considered that they will be visible to a limited extent but will not be significantly obvious or jarring in the street scene because they are to be at an angle and in a position on the roof to minimize their visibility. They bring sustainability and energy efficiency benefits which outweigh any limited visual harm that they may create.
23. Overall the external appearance largely reflects the scale and architectural style of the existing houses in the street. It is therefore concluded that the proposed development will not dominate this part of Apsley Road nor appear cramped between its neighbours. Its front elevation is acceptable in that it draws on the character and context of the street scene in this part of Apsley Road and makes a positive contribution to local character and distinctiveness.

### Impact on Neighbouring Properties

24. Policy HP14 of the Sites and Housing Plan requires that reasonable privacy and daylight are allowed for occupants of existing and new homes.
25. The proposed main range replicates the existing dwelling and broadly lines up with the rear walls of the adjacent properties. The applicant has demonstrated that the single storey rear extension from the main range would not breach the 45°/25° code when measured from the adjacent principal windows to habitable rooms at 15 and 19 Apsley Road. The rear of these properties are also south facing and would therefore retain good levels of natural light. Given the configuration of windows and rooms at the two neighbouring properties it also is judged that the proposal will not unduly overbear either property or unacceptably enclose the outlook from the rear of those properties. Proposed side facing windows at first and second floor serve bathrooms and stairwells and can be conditioned to be obscure glazed therefore maintaining the neighbours' privacy.
26. It is therefore judged that the daylight, sunlight, privacy and outlook currently enjoyed at the adjacent properties would not be unduly affected by the new development particularly given the southerly aspect.

### Garden Space and Residential Amenities

27. Policy CP10 of the Oxford Local Plan; and Policies HP 2, 10, 12, 13, 15 and 16 of the Sites and Housing Plan set out the functional requirements for residential developments.
28. The proposed new dwellings will have a deeper footprint and therefore higher site coverage than the existing building. The proposed gardens in the final set of amended drawings replicate the footprints of the proposed houses and meet policy requirements. Their size is significantly smaller than other garden sizes in Apsley Road but it is not considered that the reduced garden area will adversely affect the character and quality of the public realm.
29. All other functional requirements such as for cycle parking, indoor space and waste storage are met. The applicant has submitted a statement indicating that the proposal meets the Lifetime Homes Standard and this is judged to be satisfactory.

### Trees

30. Policy NE15 of the Oxford Local Plan specifically refers to the retention of trees, hedgerows and other landscape features where their removal would adversely impact upon public amenity or ecological interest.
31. It is judged that there will be no loss to public amenity or ecological interest from the tree removals required for this development and as referred to above. New planting will help to mitigate any losses.



## Biodiversity

32. Policy CS12 of the Core Strategy states that development will not be permitted that results in a net loss of sites and species of ecological value and where there is an opportunity, development will be expected to enhance Oxford's biodiversity.
33. The site has been assessed for its biodiversity value. The conclusion is that because of the location and the maintenance of the building to be demolished, the development is unlikely to have an adverse impact on biodiversity or offer opportunities for bio-diversity enhancement.

## Highway and Drainage Matters

34. Each new property would be provided with an off-street parking space in the front garden. The Local Highway Authority has raised no objections to the development subject to conditions and informatives relating to vision splays, sustainable drainage of the parking area and amendment of the CPZ.
35. The proposal to use a Sustainable Urban Drainage System and rainwater harvesting is welcome. A condition is recommended requiring submission of details of soakage tests and the size of the SUDs system that would be appropriate and for hard landscaping to be porous and SUDS compliant.

## **Sustainability:**

36. Policy CS9 of the Core Strategy 2026 and HP11 of the Sites and Housing Plan encourage the use of renewable energy sources and the promotion of energy efficiency.
37. The Design and Access Statement indicates that this proposal is to use a form of construction and energy management system which will create high levels of sustainability and energy efficiency. The aim is to produce as much energy on site as possible, essentially making the houses self-sufficient for heating, lighting and ventilation. The design maximizes the amount of accommodation within the building envelope avoiding roof voids wherever possible. Materials are to come from sustainable sources.
38. Further, the site is already developed and its redevelopment will help make efficient use of land in accordance with Policy CS2 of the Core Strategy and CP6 of the Oxford Local Plan. It is in a sustainable location close to local services and transport links.

## **Conclusion:**

39. The proposal forms an appropriate visual relationship with the site and surrounding development and will not detract from the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities enjoyed by adjacent properties, nor on vehicle or pedestrian movements. While the loss of existing vegetation is regrettable, its removal is not unacceptable and new planting will help to mitigate this loss.

No objections have been received from statutory consultees and the proposal complies with adopted policies contained in the Core Strategy 2026, the Oxford Local Plan 2011-2016, and the Sites and Housing Plan 2011-2026.

#### 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 subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

#### **Background Papers: 14/02833/FUL**

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**Date:** 2<sup>nd</sup> January 2015