

West Area Planning Committee

12 May 2015

Application Number: 15/00417/FUL

Decision Due by: 14th April 2015

Proposal: Demolition of existing bungalow. Erection of 2 x 5 bed semi-detached dwellings (Use Class C3) with provision of parking for 4 no. vehicles. Formation of rear decking and associated landscaping (Amended Plans)

Site Address: Cedar Cottage Water Eaton Road, **Appendix 1**

Ward: Summertown Ward

Agent: Mr Neil Perry

Applicant: Mr Peter Wright

Application Called in – by Councillors -Fooks, Goddard, Gotch and Wade for the following reasons: overdevelopment of the site and negative impact on the surrounding dwellings due to the massing on the site, plus the impact on traffic safety with new drives facing an existing junction.

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.

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 Variation of Road Traffic Order - Water Eaton Road,

- 5 Vision Splays
- 6 Flood risk assessment
- 7 SUDS/Surface Water
- 8 Larger cycle store
- 9 Bats
- 10 Design - no additions to dwelling

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
- NE15 - Loss of Trees and Hedgerows

Core Strategy

- CS2 - Previously developed and greenfield land
- CS9 - Energy and natural resources
- CS10 - Waste and recycling
- CS11 - Flooding
- CS12 - Biodiversity
- CS13 - Supporting access to new development
- CS18 - Urban design, town character, historic environment

Sites and Housing Plan

- MP1 - Model Policy
- HP2 - Accessible and Adaptable Homes
- HP9 - Design, Character and Context
- HP1 - Low Carbon Homes
- HP12 - Indoor Space
- HP13 - Outdoor Space
- HP14 - Privacy and Daylight
- HP15 - Residential cycle parking

Other Material Considerations:

- National Planning Policy Framework
- Planning Practice Guidance
- Parking Standards Supplementary Planning Document
- Balance of Dwellings Supplementary Planning Document

Relevant Site History:

64/14877/A_H - Outline application for the erection of a dwelling house and a garage for a private car. PER 26th May 1964.

57/06352/A_H - Bungalow. PER 10th September 1957.

Representations Received:

Water Eaton Road 5, 7, 13,

Harpes Road 78 (x2), 1, 13, 36, 37, 51, 35, 71, 28, 80, 20, 3, 76, 11, 38, 64, 67, 72, 22 (x2) 27, 60, 6A,

Summary of Comments:

- generally in support of a residential development of this type on the site
- buildings should not be any higher than the neighbouring flats
- plans for 2 over-bearing properties will substantially damage the present pleasant view of the countryside currently visible from a long way up Harpes Road all the way to Water Eaton Road
- at odds with the emerging Neighbourhood Plan housing priorities for the area which are for 2 bed units for young people and older people who need to downsize, and for affordable housing
- height and scale of the proposed houses are too vast, and the materials unsympathetic
- loss of trees and vegetation
- impact on adjoining properties could be extremely negative
- SUDs needs to be applied to areas of hard surfacing
- Out of character
- Overdevelopment
- Highway and pedestrian safety issues/insufficient parking
- Flood risks
- Lack of affordable housing

Oxford Civic Society: Very little quality in design, very little appreciation of the quality and specific characteristics of the site, set as it is on the river bank, no imagination and some fundamental flaws; the development would result in the provision of sub-standard and inconvenient accommodation; no provision has been made for storage of bins or bicycles, and the design precludes easy access to the rear of the properties, or even to the interior because of the steps involved.

Statutory Consultees:

Environment Agency Thames Region: We have no objection to the application as submitted, subject to the inclusion of a condition for the development to be carried out in accordance with the approved Infrastruct CS Ltd Flood Risk Assessment (FRA) and Drainage Strategy report number 14-1431.07.002

Highways Authority: This application should be granted but with suitable conditions applied in relation to exclusion from the CPZ, SUDS, vision splays and surface water.

Determining Issues:

- CIL & affordable housing contributions
- Principle
- Design
- Residential Amenity
- Lifetime Homes
- Sustainability
- Highways and parking
- Biodiversity

- Trees
- Flooding

Officers Assessment:

Site Description

1. The application site is located on the eastern side of Water Eaton Road opposite the junction with Harpes Road within Summertown Ward. **Appendix 1** refers. The site is currently occupied by a late 1950's / 1960's bungalow which is in a poor state of repair. To the north of the site is Eaton Court a three storey flat roofed block of flats and to the south is Cherwell Lodge, again a three storey block of flats but with a pitched roof. As the land falls away to the rear both blocks appear as four storey when viewed from this direction.

Proposal

2. The application is seeking permission for the erection of a pair of 5 bed dwellings with associated car parking and amenity space. The materials proposed are buff brickwork with reconstituted stone bandings and a slate roof.

Officers' Assessment

CIL and Affordable Housing Contributions

3. The Community Infrastructure Levy (CIL) 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. CIL applies to developments of 100 square metres or more, or to new houses of any size. 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. These proposals are liable to CIL contributions accordingly.
4. With regards to affordable housing the site falls below the threshold for these requirements as it relates to fewer than 10 dwellings.

Principle of Development

5. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. It goes on to state that Local Planning Authorities should resist inappropriate development of residential gardens however. In this case the land has been occupied by a single bungalow for many years and policy HP10 of the Sites and Housing Plan allows for the development of garden areas in appropriate circumstances. No objection is therefore raised to the principle of

residential re use of the land for residential purposes.

6. From there policy CS23 of the Oxford Core Strategy 2026 seeks to ensure that residential development delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households. The Balance of Dwellings Supplementary Planning Document (BoDs) which provides further detail sets out the appropriate housing mix for each Neighbourhood Area within the City. The application site is located within the Summertown Neighbourhood Area which has been classified as an “amber area” which requires the City Council to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new developments. The mix of units only applies to developments of 4 units or more however and no objection of principle is therefore raised to the provision of 2 large houses, subject to all other material considerations.

Design

7. Policy CS18 of the OCS states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1, CP8 and CP10 of the OLP and HP9 of the SHP. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. CP8 states all new and extended buildings should relate to their setting to strengthen, enhance and protect local character and CP10 states planning permission will only be granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced or created. HP9 states planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features.
8. The new dwellings generally lie within the same footprint as the existing bungalow and have been designed in a “townhouse” style with a gabled roof to the street. From the front they appear as three storey dwellings with steps up to the front doors and bedrooms in the roof space. From the rear they are four storeys due to the slope of the land with a lower ground floor stepping out into the amenity space. This reflects the same pattern as the flatted developments either side of the application site.
9. In terms of the wider streetscene, Water Eaton Road has a mix of dwelling types and styles with the eastern side dominated by large blocks of flats of varying designs and materials. The western side is built out to a generally smaller scale however with terraces and individual dwellings.
10. Whilst the proposal is very different to the existing bungalow in its form and scale, it would be more consistent with neighbouring development in these terms, whilst acknowledging the variety of architectural styles to this side of the street. The houses are marginally taller than the flats to the south by 0.6m but this is not

considered to be significant. In addition there remain sufficient gaps between the proposal and the flats either side (almost 10m to the north and 5.5m to the south) to allow for views through to the River Cherwell and meadow beyond.

11. The proposed houses are unremarkable in their architecture but constructed of appropriate materials, (brick and slate) and are of appropriate scale in their context. They are therefore considered acceptable in terms of policy CS18 of the Core Strategy 2026, CP1, CP6 and CP10 of the Oxford Local Plan 2001-2016 and HP9 of the Sites and Housing Plan 2011-2026 in that they respect the character and appearance of the area and create an appropriate visual relationship with the form, grain, scale, and details of the site and the surrounding area.

Residential Amenity

12. Policy HP12 of the SHP requires good quality internal living accommodation, with the policy stipulating that planning permission will not be granted for new dwellings if any single family dwelling provides less than 75m² floorspace (measured internally). The proposed dwellings are well in excess of this criterion. Policy HP12 goes on to state that planning permission will not be granted for new dwellings if inadequate ceiling height, lack of natural lighting or natural ventilation, or a restricted outlook prevents proper use and enjoyment of the dwelling. These are substantial family dwellings with sufficient ceiling heights, natural light and ventilation and there is no restriction to their outlook. Again all these requirements are met.
13. Furthermore, policy HP13 of the SHP requires amenity space of adequate size and proportions for the size of house proposed. The City Council will expect an area of private garden for each family house which is at least equivalent to the original building footprint. Houses of 2 or more bedrooms must provide a private garden, of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house. A private garden is proposed for each new unit which vary in length between 11m and 13m and are considered to be of adequate size and proportions for the units proposed and the intended occupiers. The gardens also have the added benefit of backing onto a small stream and fine views towards the River Cherwell and meadows beyond.
14. On other matters policy HP13 requires adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. A wooden bin store has been provided in the rear garden. Similarly HP14 requires privacy and daylight for the occupants of both existing and new homes. In this case there are no windows in the side elevations of the adjoining blocks of flats and the proposed properties are of a similar depth and height to neighbouring flats. As such there are no issues of loss of privacy or sunlight/daylight, nor are there issues of the development being overbearing or creating an inappropriate sense of enclosure.

Lifetime Homes

15. Achieving mixed and balanced communities requires the City Council to plan for

people's different physical needs. The City Council wishes to see new homes built that are accessible to all who may wish to live in them, and visit them, including those with disabilities. The Lifetime Homes Standard is a widely used national standard, which goes further than statutory building regulations. LifetimeHomes specifications ensure that the spaces and features in new homes can readily meet the needs of most people, including those with reduced mobility. Policy HP2 of the SHP states planning permission will only be granted for new dwellings where all the proposed new dwellings meet the Lifetime Homes standard, though account will be taken of any genuine practical, viability or heritage constraints. The proposal has been designed to meet Lifetime Home standards.

Sustainability

16. Policy CS9 of the OCS sets out a commitment to optimising energy efficiency. A key strategic objective in the Core Strategy seeks to maximise Oxford's contribution to tackling the causes of climate change and minimise the use of non-renewable resources. New developments are therefore expected to achieve high environmental standards. An short energy statement has been included with the planning application which indicates high thermal efficiency through thermal mass and use of double glazing. The buildings are naturally ventilated with trickle ventilation and mechanical ventilation only in bathrooms and kitchens. All timber is proposed from sustainable sources only.

Highways and Parking

17. Policy CS13 of the OCS encourages low parking standards in locations accessible by walking, cycling and public transport. Policy HP16 states planning permission will be granted for car-free or low-parking houses and flats in locations that have good access to public transport, are in a controlled parking zone, and are within 800 meters of a local supermarket or equivalent facilities. In this case the development proposes 2 parking spaces per unit. As it is located within a Controlled Parking Zone it is recommended that it be excluded from eligibility for residents' permits however in order that existing conditions are not exacerbated. This can be achieved by condition. The Highway Authority has also requested a condition to provide vision splays for vehicles entering and leaving the site.

18. Similarly policy HP15 establishes a cycle parking requirement. Although a cycle store is included in this case it would accommodate only 2 cycles when large houses of this sort would require provision for at least 3 cycles. A condition is suggested requiring details of a larger store.

Biodiversity

19. A bat survey accompanies the planning application. It did not indicate the presence of any bat roosts in the existing bungalow but recommends that in the event of bats subsequently being identified upon construction that work stops and a mitigation strategy be submitted for approval and implemented before the development can continue. A condition is recommended accordingly.

20. The survey revealed no nesting birds.

Trees

21. The proposals will not affect any existing trees that are significant to public amenity in the area. Several trees have already been removed from this site but these were not protected and the applicant was entitled to remove them.

Flooding

22. Policy CS11 of the OCS states for all developments over 1 hectare and/or development in any area of flood risk from rivers (Flood Zone 2 or above) or other sources developers must carry out a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk. A flood risk assessment was submitted with the planning application and the Environment Agency were consulted accordingly. The Environment Agency raise no objection to the application as submitted, subject to the inclusion of a condition for the development to be carried out in accordance with the flood risk assessment submitted. A condition has been included to enforce the requirement.

Conclusion.

23. Whilst officers acknowledge the concerns raised in respect of the planning application, the existing bungalow is not of special merit and the houses it would replace are of a scale consistent with its neighbours. Each of the houses is well provided with amenity and parking spaces, and would not impose unacceptably on neighbouring properties. Matters relating car parking provision and bats or nesting birds if encountered can be addressed by condition. Overall officers have therefore concluded that the development makes good use of the site to provide two good quality family houses. Committee is recommended to support the application accordingly.

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: 15/00417/FUL

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