

**EAST AREA PLANNING COMMITTEE**

3<sup>rd</sup> June 2015

**Application Number:** 15/01015/FUL

**Decision Due by:** 4th June 2015

**Proposal:** Erection of two storey side extension to form 1x1-bed dwelling (Use Class C3). Provision of private amenity space, car parking and bin and cycle stores.

**Site Address:** 6 And 8 Mortimer Road (site plan at **Appendix 1**)

**Ward:** Rose Hill And Iffley Ward

**Agent:** N/A

**Applicant:** Mr Tariq Khuja

**Application Called in –** by Councillors –Turner, Pressel, Upton and Kennedy for the following reasons - It has been refused on previous occasions. It is a proposal to extend two properties and in effect create a terrace: there are concerns about precisely this effect of “terracing”, the design being out of keeping with the area, and the quality of the accommodation that would be offered.

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## **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 Materials
- 4 Vision Splays
- 5 Ground resurfacing - SUDS compliant
- 6 Bikes and Bins
- 7 Design - no additions to dwelling

### **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

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

#### **Core Strategy**

**CS2\_** - Previously developed and greenfield land

**CS9\_** - Energy and natural resources

**CS10\_** - Waste and recycling

**CS13\_** - Supporting access to new development

**CS18\_** - Urban design, town character, historic environment

**CS22\_** - Level of housing growth

**CS23\_** - Mix of housing

#### **West End Area Action Plan**

#### **Barton AAP – Submission Document**

#### **Sites and Housing Plan**

**MP1** - Model Policy

**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

**HP14\_** - Privacy and Daylight

**HP16\_** - Residential car parking

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

### **Relevant Site History:**

12/02234/FUL - Erection of 2-bed dwelling (class C3). Provision of private amenity space, car parking, refuse and cycle stores.. WDN 24th October 2012.

12/03127/FUL - Erection of 2 storey dwelling (class C3). Provision of private amenity space, car parking, refuse and cycle stores.. WDN 4th February 2013.

13/00261/FUL - Erection of 2 x semi-detached 2-bed dwellings (use class C3). Provision of private amenity space, car parking, refuse and cycle stores.. WDN 8th April 2013.

13/01278/FUL - Erection of 1 x 2 bed dwelling (use class C3) with associated car parking, refuse and cycle stores. REF 19th July 2013.

14/01802/FUL - Erection of two storey side extension to form 1x1-bed dwelling. Provision of car parking and bin and cycle stores.. REF 5th September 2014. Dismissed at appeal (appeal ref.: APP/G3110/A/14/2228658)

### **Representations Received:**

7A Mortimer Road: The proposed building removes a valuable 'lung' in an already tightly packed street and sets a bad precedent for other possible in-filling projects in Rose Hill; add to parking pressures; loss of trees; loss of outlook

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

Highways Authority: no objection subject to condition(s) being applied to any permission which may be granted on the basis of highway safety.

### **Issues:**

Contributions  
Principle  
Design  
Residential Amenity  
Lifetime Homes  
Sustainability  
Car Parking/Highways  
Cycle Parking

### **Officers Assessment:**

### **Site Description**

1. The application site comprises the gap between two pairs of semi-detached residential properties on the northern side of Mortimer Road within Rose Hill.

## **Proposal**

2. The application is seeking permission for the erection of a two storey side extension to No. 8 Mortimer Road to create a one bed dwelling. The plan as originally submitted showed the side extension/new dwelling protruding above the ridgeline of number 8 and set slightly back. It was officers' opinion that this would create a discordant feature within the street scene and amended plans were sought to show the side extension/new dwelling following the ridgeline and front building line of number 8. It is these plans that are under consideration.
3. This is the sixth application on this site for a new dwelling; three were withdrawn and two refused with the last one being dismissed at appeal (Copy of appeal decision at **Appendix 2**)

## **Assessment**

### Contributions

4. 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.
5. This application is liable for CIL.

### Principle

6. The principle of developing the gap between 6 and 8 Mortimer Road was established by the appeal decision on the previous planning application that was refused by officers (appeal ref.: APP/G3110/A/14/2228658 LPA ref.: 14/01802/FUL). It said:
7. *Para 4 –“No. 8 and its immediate neighbours are part of the original, spacious housing layout in Rose Hill. Infilling most of the gap between nos. 6 and 8, as proposed, would disrupt that established pattern. However the first key matter to consider is whether, in principle, the loss of that gap would cause material harm to the surrounding area’s character and appearance”.*

8. *Para 5 –“The proposed development would be seen primarily in the context of a very short row of dwellings, stepping down the hill, with spaces remaining between this row and the angled pairs beyond each end. Given this housing layout and gradient there appears to be little scope to infill the end spaces in a similar manner to the appeal proposal, such that any terracing effect would be limited to nos. 4-10. Moreover the form and nature of development opposite the appeal site, including terraced housing, reduces the importance of the original estate layout as an element of this particular street scene’s character. In these circumstances I find that infilling most of the gap between nos. 6 and 8 would not, in principle, unacceptably harm the street scene’s character and appearance, subject of course to that being achieved with a development of appropriate scale, form and design”.*

### Design

9. 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.
10. The proposal shows a two storey one bed dwelling in- filling the majority of the gap between 6 and 8 Mortimer Road thus creating a terrace effect. As stated above the infilling of the gap was considered by the Planning Inspectorate. The amended drawings are considered acceptable in design terms as the extension creates an appropriate visual relationship with the existing pair of semis as it continues the ridgeline and front building line creating a terrace of three which reflects the more modern development opposite. It is also of a similar scale form and mass as the existing pair of semis.

### Residential Amenity

11. Policy HP12 of the SHP requires good quality internal living accommodation, with the policy stipulating that any single dwelling that provides less than 39m<sup>2</sup> of floor space (measured internally) will not be granted permission. The proposed unit is over this requirement. It also stipulates each dwelling has its own lockable entrance, its own kitchen and at least one bathroom; the space provided within each room allows for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk-based home working; and each dwelling provides adequate storage space, taking account of the occupation intended. The proposed new dwelling also meets these criteria.

12. Policy HP13 of the SHP requires amenity space of adequate size and proportions for the size of house proposed. The proposal uses amenity space from both 6 and 8 Mortimer Road. The resulting spaces are considered acceptable for the type of house.
13. Policy HP13 also requires adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. A bin store is shown to the front of the new dwelling however as there are no details a condition can be added to seek such information.
14. Policy HP14 of the SHP require the siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. It also sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings and whether a proposal will create a sense of enclosure or being of an overbearing nature. There are no issues of overlooking, loss of privacy, sunlight/daylight issues nor will the proposal be overbearing or create a sense of enclosure in relation to the neighbouring properties.

#### Lifetime Homes

15. 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. This is to ensure that the spaces and features in new homes can readily meet the needs of most people, including those with reduced mobility. The standards include level entry to the home, minimum doorway widths, adequate wheelchair manoeuvring space, provision for future installation of internal lifts, and appropriate window heights. Given the need to promote social inclusion, the City Council considers it appropriate that all new homes should be built to Lifetime Homes standard. Lifetime Homes standards can be achieved.

#### Sustainability

16. Policy CS9 of the OCS sets out a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve Zero Carbon developments. 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.
17. Energy use in new development can be further reduced by appropriate siting, design, landscaping and energy efficiencies within the building. New developments, including conversions and refurbishments, will be expected to achieve high environmental standards.
18. The Council will require an assessment of energy demand from all proposals for residential development and student accommodation. This assessment must demonstrate that energy efficiencies, including renewable or low carbon

technologies, have been incorporated into the proposals. This is reiterated via policy HP11 of the SHP which states all development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.

19. There is a small energy statement within the design and access statement which says:

The project is committed to providing a building that incorporates sustainable design features. In all aspects of the proposal, sound design principles have been adopted to outline achievable sustainable design strategies;

- Where possible, use of recycled/re-used/reclaimed or renewable materials.
- Where possible, use of materials that have low VOC emissions.
- Specification of energy saving devices, appliances and fittings.
- The proposal has been designed to conform with and where possible exceed current Building Regulations Documents.

#### Car Parking/Highways

20. Infill development is defined as proposals for houses and flats that do not include a new access road or parking court, so that all vehicular access to private properties is directly from an existing street or close. Such development will be considered on its merits. The amount and design of parking should respond to the character of the area, by reflecting the way in which residential parking is provided for existing neighbouring homes.
21. One off-street car parking space is proposed for the new dwelling which is considered acceptable and responds to the character of the area which shows off street car parking spaces for the majority of properties. The Highway Authority has raised no objections to the proposal.

#### Cycle Parking

22. Policy CS13 of the OCS states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. A fundamental part of encouraging cycling is the provision of secure cycle storage within people's homes. This is reiterated in the Parking Standards Supplementary Planning Document which says secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments and again in policy HP15 of the SHP which states all residential cycle storage must be secure, undercover, preferably enclosed, and provide level, unobstructed external access to the street. Policy HP15 also requires houses and flats of up to 2 bedrooms to have at least 2 spaces per dwelling.
23. Cycle parking provision is shown at the rear of the property in the form of a store which according to the application will fit two cycles. As there are no details a condition can be added to seek such information.

**Conclusion:**

24. Members are recommended to approve the proposal.

**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:**

**Contact Officer:** Lisa Green

**Extension:** 2614

**Date:** 19th May 2015