

East Area Planning Committee	4 November 2015
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Application Number:	15/00955/FUL
Decision Due by:	7 November 2015
Proposal:	Demolition of existing builder's yard. Erection of 3 x 3 bed dwellinghouse (Use Class C3) and 3 x4 bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking, cycling and bins storage.
Site Address:	Ashlar House Adjacent 2 Glanville Road, Appendix 1. Oxford Oxfordshire
Ward:	Cowley Marsh Ward

Agent:	Mrs Laura Warden	Applicant:	Mr Daniel Phipps
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Recommendation:

Committee is recommended to grant planning permission for this development subject to the planning conditions set out in this report and the completion of a S106 Legal Agreement which secures affordable housing contributions for the delivery of off-site affordable housing provision and to delegate to officers the completion of that legal agreement and the issuing of the notice of planning permission.

RESOLVE TO APPROVE SUBJECT TO COMPLETION OF LEGAL AGREEMENT

Reasons for Approval:

1. The proposed redevelopment makes an efficient use of previous developed land within a predominantly residential area and will facilitate the removal of a vacant, disused and semi-derelict former builder's yard which is no longer fit for purpose and detracts considerably from the appearance of the locality and street-scene. The overall layout, scale and design of the proposed buildings are sympathetic to the site and its surroundings while also safeguarding the residential amenities of neighbouring properties. The proposed dwellings would provide good quality housing for future occupants and delivers appropriate contributions towards new affordable housing. The proposal is also acceptable in highways terms and energy efficiency and does not create any biodiversity, environmental or flooding impacts. The development would therefore accord with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and the Sites and Housing Plan 2011-2026.

2. The Council considers that the proposal accords with the policies of Development Plan as summarised in this report. It has considered all other material matters, including matters raised in response to consultation and publicity. Any material harm that might otherwise arise as a result of the proposal can be offset or mitigated by the conditions imposed.

- 3 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.

Conditions:

1. Development begun within time limit
2. Development in accordance with approved plans
3. Samples of materials
4. Landscape plan required
5. Landscape carry out after completion
6. Boundary details - development commencement
7. Sight lines
8. Details of cycle parking, waste & recycling storage areas
9. Suspected contamination - risk assess, Phase 2 and Phase 3 assessment required
10. Bat & Bird Boxes integrated into building
11. Surface drainage scheme

Legal Agreement and Community Infrastructure Levy (CIL):

To secure financial contributions towards the delivery of affordable housing off-site, the applicant will need to provide an undertaking under the terms of Section 106 of the Town & Country Planning Act 1990.

The proposal will be liable for a CIL payment of £77,174.

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
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP18** - Natural Resource Impact Analysis
- TR1** - Transport Assessment
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

- HE2** - Archaeology
- HE9** - High Building Areas

Core Strategy

- CS2** - Previously Developed and Greenfield Land
- CS9** - Energy and Natural Resources
- CS11** - Flooding
- CS12** - Biodiversity
- CS13** - Support Access to New Development
- CS17** - Infrastructure and Developer Contributions
- CS18** - Urban Design, Town Character, Historic Environment
- CS19** - Community Safety
- CS23** - Mix of Housing
- CS28** - Employment Sites

Sites and Housing Plan

- MP1** - Model Policy
- HP2** - Accessible and Adaptable Homes
- HP4** - Affordable Homes from Small Housing Sites
- HP9** - Design, Character and Context
- HP12** - Indoor Space
- HP13** - Outdoor Space
- HP14** - Privacy and Daylight
- HP15** - Residential Cycle Parking
- HP16** - Residential Car Parking

Other Planning Documents:

National Planning Policy Framework
Planning Practice Guidance
Affordable Housing and Planning Obligations SPD
Balance of Dwellings SPD
Waste Bin Storage and Access Requirements for New and Change of Use Developments
Technical Advice Note

Relevant Site History:

57/06462/A_H - Brooke Bond and Co. Glanville Road - Extension to store and garage. PER 22nd October 1957.

72/26803/A_H - Brooke Bond and Co. Glanville Road - Internal alterations to form new toilet and wash basin facilities including formation of new window. PER 1st December 1972.

75/00718/A_H - Advance Towelmaster Glanville Road - Formation of 2 office toilets and loading bay and demolition of old garages. PER 29th August 1975.

08/02529/FUL - Change of use from Business use (class B1) to Education and Training (class D1). PER 26th January 2009.

09/01766/CND - Details of car and cycle parking submitted in compliance with conditions 2

and 3 of planning permission 08/02529/FUL. PER 8th September 2009.

14/02103/FUL - Demolition of existing builder's yard. Erection of 1 x 2 bed flat (use class C3), 2 x 3 bed flat (use class C3), 3 x 3 bed flat (use class C3), 3 x 3 bed house (use class C3). Provision of private amenity space, car parking, cycle and bin storage. WDN 19th March 2015.

Public Consultation

Statutory Consultees:

Highways Authority:

The Highways Authority objected to the original layout because it felt that insufficient car parking was being provided to serve the six dwellings proposed. The original plan provided six car parking spaces, one for each dwelling.

In response, the applicant revised the car parking layout and has sought to accommodate the Highway Authority's concerns by proposing a total of nine car parking spaces, with two each allocated to the 4-bed dwellings sited in the rear of the site and one each allocated to the 3-bed homes which front onto Glanville Road. The six spaces provided in the rear courtyard to serve the 4-bed dwellings would be provided in 'tandem-style'.

The Highways Authority has also objected to the revised layout, suggesting that on-site car parking is inadequate, with only two spaces each proposed to serve the 4-bed units. In light of the level of car parking proposed, and the fact that the site is located within a Controlled Parking Zone (CPZ), it considers that some occupants would choose to park on-street, bringing a risk to highway safety. However, it balances this point by commenting that 'we are hopeful that the sustainable location of the development will have a positive influence on car ownership'.

In terms of parking layout, it also argues that 'tandem parking is not encouraged as it requires co-ordination between the household to utilise both spaces' and suggests there may be difficulties manoeuvring tandem-parked vehicles if the back-parked vehicle needed to move out of the way to allow the front-parked vehicle needed to exit.

Natural England:

No comments to make.

Other Parties:

Oxford Civic Society:

Objects to the proposal commenting that:

- The proposed access is narrow and reduces the width of the houses which front onto Glanville Road.
- There is little room to manoeuvre cars in and out of the parking spaces in front of the three houses proposed to the rear of the site.
- The rear amenity areas of the frontage plots will be overlooked by the houses to the

rear.

- The rear plots will overlook the rear garden of no.2 Glanville Road
- The only access to cycle storage for the mid terrace to the rear is through the house.

Individual Comments:

Individual letters commenting on the proposals have been received from the occupiers of 2, 4 & 23 Glanville Road. Their comments are summarised below:

- Concerns regarding loss of privacy to no's 2 & 4 Glanville Road in particular.
- Back gardens completely overlooked by the development.
- Concerns of impact on neighbours due to noise.
- Concerns of impact on neighbours due to overshadowing.
- Overdevelopment of site.
- Most housing in the street sits in much larger plots than would be created here.
- 3-storey housing does not fit in with an area which is predominantly 2-storey in character.
- Damage to resale value of neighbouring properties.
- Increase in parking issues locally as a result of insufficient parking proposed as part of the development.
- Increase in traffic and noise as a result of the development.
- The development will exacerbate existing flooding issues in back gardens etc. which have arisen since the Reliance Way development.
- Concerns that the bin store along the proposed access will lead to pests and smells affecting neighbouring properties.
- Glanville Road has undergone heavy development in recent years which has already led to a considerable increase in noise and parking problems.
- The design seeks to 'cram' development onto the site and the houses fronting Glanville Road will appear extremely narrow.
- The development is too high and should be restricted to 2.5 storeys at the front and 1.5 storeys at the rear.

Key Determining Issues:

- Principle of development (including loss of employment land)
- Impacts upon adjoining properties
- Design & character of development
- Nature and mix of housing proposed
- Residential amenities for the development proposed
- Highway safety
- Other material considerations to be taken into account are sustainability, biodiversity, landscaping and ground contamination.

Officers Assessment:

Site Location and Description

1. The application site is located within what is now a predominantly residential street,

within walking distance of local bus routes and local facilities, including those at Cowley district centre and the city centre itself.

2. The application relates to a former builder's yard which has been vacant since 2012, whilst the site has a history of commercial/business use going back several decades. There is also a history of residential redevelopment of other commercial uses in the locality, including redevelopment of the former bus depot immediately adjacent and rear, now Reliance Way.
3. The site itself is largely given over to open storage space, but about a third is occupied by a single storey building, in a poor state of repair. Rear access to the yard is via a side entrance between the building and no.2 Glanville Road. There is off-street car parking to the front of the existing building.

Proposal

4. Planning permission is sought for the erection of six new dwellings following the demolition of the builder's yard and building. The dwellings would be created as two terraces of three dwellings; one with a frontage onto Glanville Road and one to the rear, served off a new access, adjacent no.2 Glanville Road, along the line of the entrance used previously to access the storage area for the builder's yard.
5. The new dwellings proposed are all 2.5 storey in height, with the three frontage properties being 3-bed and the three rear properties, which are slightly wider, being 4-bed dwellings. All of the properties are designed to have their own garden space and are proposed to be provided with allocated car parking spaces; the 3-bed properties with one space each and the 4-bed properties with two spaces each.

The Principle of Development

6. The National Planning Policy Framework [NPPF] and Oxford Core Strategy Policy CS2 encourages the reuse/redevelopment of previously developed land. Redevelopment of this site would provide a useful 'windfall' of new housing development and therefore make a contribution towards meeting the Council's identified housing requirement.
7. When considering the redevelopment of former employment sites however, Policy CS28 of the Core Strategy makes clear that the loss of employment land will only be acceptable if either:
 - the current or permitted employment use is or has a history of significant causing nuisance or environmental problems or;
 - no suitable commercial occupiers have been found to enable an employment-generating use to continue and;
 - the loss of jobs would not reduce the diversity and availability of job opportunities or the loss of small, start-up business premises available.
8. There is no record of the previous employment use of the site creating a significant nuisance or environmental problems in the area. The applicant must therefore demonstrate that no suitable alternative employment use can be found for the property

and the loss of jobs or premises would not be unacceptable.

9. In this context, evidence has been submitted by the applicant which shows that the vacant builder's yard has been marketed for over two years without a suitable commercial occupant being secured. Many enquiries were received showing interest in redeveloping the property to residential use (as proposed by this application), along with other enquiries for a variety of commercial uses, including car workshop/servicing, taxi depot, scaffolding yard, car tyre sales, storage, pre-school nursery, youth club, gym, storage etc. Some of those uses would not be considered suitable in what is now a predominantly residential location, because of the noise, traffic and nuisance they would have the potential to create. However, none of the more acceptable uses enquired about led to a firm proposal or offer.
10. It is also clear that the loss of the vacant builder's yard would not lead to a loss of existing jobs nor would it result in the loss of small business units.
11. In this context, the principle of demolition and residential redevelopment of the builder's yard is considered acceptable.

Impacts upon Adjoining Properties

12. To be acceptable, new development must demonstrate that it can be developed in a manner that will safeguard the residential amenities of the adjoining properties in terms of loss of amenity, light, outlook, sense of enclosure, and loss of privacy in accordance with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.
13. In terms of noise and disturbance, officers' judge that reuse of the premises as a builder's yard would have the potential to create a greater level of noise and activity than that from residential use, particularly when taking account of the potential for vans and trucks to be loaded with materials from the rear of the yard. The applicant has designed the scheme such that only three of the six properties will have a vehicular access to the rear, so vehicular movements neighbouring no.2 Glanville Road have been limited, and is not considered to have an unacceptable impact on the amenity of neighbouring occupiers.
14. In terms of overlooking and privacy issues, the relationship between the new development and no.2 Glanville Road is considered acceptable subject to existing boundary walls being retained and appropriate tree planting/landscaping and fencing being introduced along the boundary.
15. The relationship and distance between the two new terraces being created is also considered to be sufficient to maintain privacy and avoid overlooking between them.

Design & Character of Development

16. The NPPF considers that good design is a key aspect of sustainable development. This means that the level of development within any scheme should suit the site's capacity and respond appropriately and realistically to the site constraints and its surroundings. This is reflected in Oxford Local Plan Policy CP6 which requires

development to make the best use of the sites capacity in a manner compatible with the site itself and the surrounding area.

17. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported by Sites and Housing Plan Policies HP9 and HP10.
18. The character and age of residential development in the area is mixed but includes modern redevelopment.
19. The redevelopment of the former bus depot, immediately adjacent the application site is predominantly a flatted development of three and four storeys. Part of that redevelopment includes frontage development onto Glanville Road of three storeys which at its ridge is higher than this scheme. In terms of height and scale therefore, the application will not look ‘out of keeping’ with the locality or street scene. The inclusion of ‘backland’ housing in the street is a little unusual, though the positioning of the rear block reflects the adjacent development in Reliance Way, and due to the depth of the site is considered to sit comfortably within its surroundings. It also represents an efficient use of the site.
20. In terms of style, the scheme proposes a sympathetic modern design which is interesting but also complements the original character of the street and the ‘pastiche’ development style of the adjacent redevelopment of the former bus garage site station. The elevation which presents itself to Glanville Road, includes gabled dormers, to echo the more traditional detailing of adjacent properties, whilst flat-roofed dormers are proposed to elevations within the courtyard created to the rear.
21. A mixed palette of materials has been put forward to create further interest. The rear terrace is intended to be built in a combination of buff brick, rough-cast render and grey slate, with timber detailing, and the materials have been chosen to reflect similar materials used within the adjacent flatted scheme in Reliance Way. The front terrace however, is to be built in red brick, with a red/brown tile roof, to reflect the materials of properties fronting Glanville Road. The rough-cast render and timber detailing on both terraces will provide continuity of materials across the scheme. The design and materials are considered to be acceptable, and ensure that the development sits comfortably within the site and its surroundings.

Nature and Mix of Housing Proposed

22. To be acceptable, the proposal must provide a mix of housing that complies with the mix prescribed for the East Oxford Neighbourhood Area, as identified within the Balance of Dwellings Supplementary Planning Document (BoDSPD).
23. The BoDSPD states that residential development of 4-9 units should seek to provide a significant proportion of any new homes proposed as ‘family homes’. All the new homes proposed in this case are family-sized 3 & 4-bed homes and in this context, the

application complies with the BoDSPD.

24. In terms of affordable housing, the site area is below the 0.25 hectare threshold and is not required to make any on-site affordable housing provision under Policies CS24 of the Core Strategy or HP3 of the Sites and Housing Plan.
25. Policy HP4 of the Sites and Housing Plan however, requires smaller sites of less than 0.25 hectares to provide a financial contribution towards off-site affordable housing. A Government announcement in November 2014, sought to exempt small housing sites of less than 10 dwellings from contributing towards new affordable housing however, this has now been overturned in the High Court. Hence, Policy HP4 remains applicable and an affordable housing contribution is required. The applicant has confirmed that they are content to enter into a S106 Agreement to provide financial contribution towards off-site affordable housing provision, in full compliance with the Council's policy.
26. Policy HP2 of the Sites and Housing Plan also indicates that on sites of 4 or more dwellings, at least one dwelling should be either fully accessible or easily adapted to full wheelchair use. The plans confirm that half the units are designed to comply with Lifetime Homes Standards and therefore Policy HP2 is met.

Residential Amenities

27. The proposed dwellings are designed to provide an appropriate level of internal space and comply with Sites and Housing Plan Policy HP12. The proposals also provide satisfactory external amenity space and comply with this aspect of Policy HP13.
28. Policy HP13 also states that adequate provision needs to be made for safe and accessible refuse and recycling storage. The Waste Bin Storage and Access Requirements for New and Change of Use Developments Technical Advice Note (TAN) guides that residents should not be required to carry waste more than 30m to a collection point, whilst refuse vehicles should be able to get within 25m of the storage point. It also guides that bins should not have to be moved through a dwelling and that where appropriate, appropriately sized and designed bin storage should be provided. To ensure that the scheme complies with the TAN, the application proposes covered bin storage facilities to the front of each dwelling and a bin collection point along the new access where bins can be collected and left on collection days from the rear plots.

Highways & Transport Matters

29. The Highway Authority raises no objection to the new access road, however, it is concerned about the level of car parking proposed as part of the scheme.
30. A total of nine car parking spaces are proposed as part of a revised layout, with one space each allocated to the 3-bed units which form the front terrace and two spaces each, allocated to the 4-bed properties within the rear terrace. No unallocated or visitor space is proposed.
31. The levels of car parking included as part of the scheme are designed to discourage potential family occupiers from being over-reliant on use of the private car and

recognise the sustainability of this location and its convenience to local facilities, the city centre and bus services. Despite the Highway Authority's concerns, officers consider that the levels of parking proposed are appropriate, given the sustainability of this particular location.

32. Officers also consider that the tandem-style layout of car parking in the rear courtyard is workable and is unlikely to give rise to manoeuvring difficulties which would have an impact on highway safety. Many dwellings are built with 'tandem-style parking' (often for example with a parking space in front of a garage) and households ensure they co-ordinate their parking accordingly.
33. To fully comply with Policy HP16, there is also a need to provide at least one allocated car parking space as a disabled space, with greater width of 3.3m. One disabled space is proposed, allocated to unit 4 and therefore the proposal complies with this requirement.
34. In terms of cycle parking, Policy HP15 requires that a total of 15 cycle parking spaces are provided. The most appropriate location in this scheme for cycle parking would be within the rear gardens of each of the properties proposed. Five out of the six properties proposed can accommodate cycle parking to the rear and have convenient access to it without needing to walk cycles through the property. However, Unit 5, which is the mid-terrace property in the rear terrace has no rear access and therefore the applicant proposes a secure cycle store to the front. The proposal therefore complies with Policy HP15.

Landscaping

35. The existing site has no landscaping and redevelopment presents an opportunity to provide new landscaping both within the street scene along Glanville Road and to the rear of the site. The application proposes new hedgerow and shrub planting along the access and along the frontage of the development. There is also the opportunity to plant several new trees to the rear, strategically planted to soften the development and restrict direct views between the development and neighbouring gardens. It will be important that these trees are properly managed and retained in the long term. The precise location and species of trees and shrubs to be planted can be dealt with by condition.

Biodiversity

36. There are no protected species impacted by this proposal.
37. However, in line with recognised good practice and governmental policy on biodiversity and sustainability (National Planning Policy Framework 2012 & NERC 2006), all practical opportunities should be taken to harmonise built development with the needs of wildlife. The NPPF seeks to provide a net enhancement to biodiversity through sustainable development and Policy CS12 of the Oxford Core Strategy 2026 states: Opportunities will be taken (including through planning conditions or obligations to): ensure the inclusion of features beneficial to biodiversity within new developments throughout Oxford.

38. Certain bat and bird species are urban biodiversity priority species almost entirely dependent on exploiting human habitation for roosting. In this context, an appropriate provision for this development might include; bat roosting tubes and bird boxes should reasonably be provided as part of the completed development. This can be dealt with by condition.

Contaminated Land

39. The information submitted with the application does not reveal any contamination however, the site is a former builder's yard and has been in commercial/industrial use since the 1930s. It is also immediately adjacent the former bus depot that was found to be contaminated during redevelopment and remediation was required. In this context and given that the development involves the creation of new residential dwellings, a sensitive use, it is considered prudent that any permission is conditioned to require site investigations and agreement to appropriate remediation, should any contamination be found during the course of development.

Sustainability

40. The application makes clear that the development is designed to make best use of previously developed land and will introduce trees and landscaping to provide new natural habitat for wildlife. The applicant also makes clear that the development is designed to accord with the most up to date building regulations to reduce energy and water consumption and where possible, will be built using materials from sustainable sources.
41. The levels of car parking proposed are designed to discourage potential occupiers from being over-reliant on use of the private car and recognise the convenience of this location to local facilities and bus services into the city centre etc.

Conclusion:

42. The proposed redevelopment is considered to secure an efficient use of previous developed land within a predominantly residential area and would facilitate the removal of a vacant, disused and semi-derelict former builder's yard which is no longer fit for purpose and detracts significantly from the appearance of the locality and street-scene. The overall layout, scale and design of the proposed buildings are sympathetic to the site and its surroundings whilst safeguarding the residential amenities of neighbouring properties. The proposed dwellings would provide good quality housing for future occupants and delivers contributions towards new affordable housing in accordance with policy. The proposal is acceptable in highways terms, will be energy efficient and does not create any biodiversity, environmental or flooding impacts. The development therefore accords with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and the Sites and Housing Plan 2011-2026.
43. The scheme is recommended for approval subject to conditions and S106 legal agreement.

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: Trevor Saunders

Extension: n/a

Date: 20th October 2015