

East Area Planning Committee

2nd December 2015

Application Number: 15/02711/FUL

Decision Due by: 6th November 2015

Proposal: Erection of a detached single storey 1 x 1-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space, bin and cycle store with formation of new vehicle access.

Site Address: Land To The Rear Of 103 And 105 Collinwood Road. Site plan at **Appendix 1**

Ward: Quarry And Risinghurst Ward

Agent: Marc Chenery

Applicant: Wright & Brabbin

Application Called in – by Councillors – Munkonge, Fry, Anwar and Rowley for the following reasons – overdevelopment and car access issues

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 as specified
- 4 Drainage details
- 5 Ground resurfacing - SUDS compliant
- 6 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 Developmt to Relate to its Context
- CP10** - Siting Developmnt to Meet Functionl Needs

Core Strategy

- CS9**_ - Energy and natural resources
- CS10**_ - Waste and recycling
- CS18**_ - Urb design, town character, historic env
- CS22**_ - Level of housing growth
- CS23**_ - Mix of housing

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
- HP15**_ - Residential cycle parking
- HP16**_ - Residential car 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:

10/02632/OUT - Demolition of existing bungalow. Erection of 1 x 1-bed and 4 x 2-bed flats on 3 levels and 3 x 1-bed houses. Provision of 2 parking spaces to frontage and 6 to rear.. REF 23rd November 2010.

13/00263/FUL - Demolition of existing bungalow. Erection of 2 x 4 bedroom semi detached dwellings and 1 x 3 bedroom dwelling including car parking, amenity space, bin and cycle storage. APPRET .

13/00992/FUL - Demolition of existing detached bungalow. Erection of 2 x semi-detached, 4 bed dwellings. Provision of car parking, bin and cycle storage and amenity space. (Amended plans) (Amended description). PER 21st June 2013.

14/01885/FUL - Erection of 1 x 3-bed dwelling. Provision of car parking, bin and cycle storage and private amenity space.. REF 9th October 2014.

15/00828/FUL - Erection of 1 x 2-bed dwellinghouse (Use Class C3). Provision of car parking, bin and cycle storage and private amenity space (Amended Plans). WDN 17th July 2015.

Representations Received:

101 Collinwood Road: overdevelopment of the site; access and safety issues including bus stop opposite and cars always parked in the road; lack of access for emergency services;

Statutory and Internal Consultees:

Natural England: no comments to make.

Highway Authority: application should be granted subject to suitable conditions

Issues:

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

Officers Assessment:

Site Description

1. The application site comprises an area of waste land to the rear of two newly built houses fronting Collinwood Road in Quarry and Risinghurst ward. The waste land was originally part of the rear gardens of the new builds but has been sectioned off. To the north of the site is Collinwood Road United Reform Church and its Hall and beyond that the A40 dual carriageway London Road. The rest of the area is residential characterised by semi-detached properties.

Proposal

2. The application is seeking permission for the erection of a single storey one bed dwelling on land to the rear of the two new builds will access via a private driveway along with the provision of car parking, private amenity space, bin and cycle store.

Background

3. Planning permission was granted on 21 June 2013 (ref.: 13/00992/FUL) for the demolition of existing detached bungalow and the erection of two semi-detached, 4 bed dwellings with car parking, bin and cycle storage and amenity space. These two dwellings have now been built. At the time of the granting of planning permission they were afforded rear gardens of between 26 and 27m in length which significantly exceeds the required of policy HP13 of the Sites and Housing Plan 2011-2026 (SHP) which seeks houses of 2 or more bedrooms to be provided with a private garden, of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house. These gardens have subsequently been divided off leaving an area of waste land at the rear.
4. In October 2014 planning permission (ref.: 14/01885/FUL) was refused for a 3 bed dwelling and associated amenity space, car parking, cycles and bins on the piece of land to the rear of the “new” builds for the following reasons, impact on neighbours, overdevelopment, impact on gardens of approved dwellings, inadequate outdoor amenity space and lack of information of energy efficiency. A copy of the decision notice can be found at **Appendix 2**.

Assessment

Contributions

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

Principle

7. The site of the proposed new dwelling essentially comprises residential garden land all be it an area of waste land. The NPPF defines such land as greenfield

and, despite its location within a built-up area, requires consideration to be given to its environmental value. Policy HP9 of the SHP is specific to residential development on garden land and supports such development provided the site to be development is of an appropriate size and shape and that the developments respects the character and appearance of the surrounding area including views from both the public and private realms.

8. Policies CS2 of the Core Strategy and CP6 of the Local Plan are also material in that they generally seek to support greater efficiency of use of land provided that development is appropriate to its context.
9. In principle the development is therefore considered acceptable as the garden land is not considered to be of such significant public amenity value given its limited public views and lack of particular visual or biodiversity interest.
10. 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. However 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 one house, subject to all other material considerations.

Design

11. The proposed new dwelling is single storey with a mono pitched green roof ; it will be rendered along with elements of timber cladding. The building is simple in form and low lying and gives the impression of being an outbuilding. It will not be visible from the highway due to its position within the plot therefore it will have no impact on the street frontage or streetscape.
12. Compared to the refused scheme this current scheme is significantly reduced in mass, bulk and form and is therefore less cramped on the site . Whilst it is still a backland development the density is reduced to a one bed dwelling and whilst it is not conforming to the 1930's layout it complements the "new" builds which also do not conform to the existing 1930s suburban nature of the area. As stated previously the proposed dwelling gives the impression of an outbuilding which one might expect to see with the "new" builds and their excessively long gardens.
13. The proposal is 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 it respects the character and appearance of the area and creates an appropriate visual relationship with the form, grain, scale, and details of the site and the surrounding area.

Residential Amenity

14. Policy HP12 of the SHP requires good quality internal living accommodation, with it stipulating any single dwelling that provides less than 39m² of floorspace (measured internally) will not be granted planning permission. The proposal is over this requirement and allows for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk-based home working and adequate storage space, taking account of the occupation intended.
15. 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. The amenity space for the existing 2 “new” builds has been reduced in length compare to what was approved however the resultant garden spaces are equivalent to the original building footprint and are in fact 10m in length which is considered acceptable for these two family properties.
16. Policy HP13 does not in fact stipulate the garden size requirements for a one bed dwelling house. Notwithstanding this the building has been re-orientated compared to the refused scheme thus reducing overshadowing and provides a more than adequate area of garden for the dwelling.
17. Policy HP13 also states planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. A bin storage area is shown on the plan at the side of the dwelling which is easily accessible.
18. Policy HP14 of the SHP states planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes and planning permission will not be granted for any development that has an overbearing effect on existing homes.
19. The main windows of the proposed dwelling face east out onto the garden space or north out onto the boundary fence/side elevation of the church hall. There are therefore no issues of overlooking or loss of privacy.
20. The rear of the proposed dwelling abuts the rear boundary fence of the 2 “new” builds. The eaves are at a height of 2.5m with the boundary fence being 1.8m in height. The roof of the proposed dwelling slopes up and away from the boundary and is a green roof.. The outlook is therefore of a verdant nature. The much reduced mass and bulk and simplified form of the proposal overcomes the previous reason for refusal of the building being oppress, overbear and overshadow the rear gardens of the aforementioned neighbouring dwellings and unacceptably reduce the quality of the outlook from rear-facing windows in the houses themselves.

Lifetime Homes

21. 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. Lifetime Homes specifications ensure that the spaces and features in new homes can readily meet the needs of most people, including those with reduced mobility.
22. 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. Account will be taken of any genuine practical, viability or heritage constraints.
23. The proposal has been designed to meet Lifetime Home standards and are easily adaptable in the future should the need arise.

Sustainability

24. 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.
25. 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. Policy HP11 of the SHP states All development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.
26. An energy statement has been submitted and is considered acceptable. Of particular note is the green roof. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife and helping to lower urban air temperatures and mitigate the heat island effect

Car Parking/Highways

27. The development proposes two parking spaces despite this development being a one bedroom property. The Sites and Housing Plan states that parking matters for this kind of infill development shall be decided on their merits, to reflect local context and existing parking capacity. On this occasion, the Highway Authority deems this to be acceptable as many of the other properties in the surrounding area have access to two off street parking spaces. They have raised no objections in terms of Highway Safety or access issues.

Cycle Parking

28. 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. Three cycle parking space in the rear garden have been provided which is considered acceptable.

Other

Contamination

29. The development involves the creation of new residential dwellings. Residential dwellings are considered to be sensitive uses. While the risk of any significant contamination being present on the site is low, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore, Officers recommend that an informative is placed on any planning permission regarding unexpected contamination

Flood Risk

30. Given the increase in hard area more details in relation to drainage will need to be provided. A condition is therefore suggested.

Conclusion:

31. 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: 11th November 2015

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