

East Area Planning Committee	2nd December 2015
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Application Number:	15/00955/FUL
Decision Due by:	22nd January 2016
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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Supplementary Paper responding to issues raised by Committee on 4th November 2015:

Introduction

1. Members will recall that this application was brought to East Area Planning Committee on 4th November 2015 but deferred to allow officers to provide further information about compliance with policies on separation distances and the impact on the flats at the rear of Plots 4, 5 and 6, in particular the impact on any windows to habitable rooms.
2. During the meeting, some members also commented on the proposal for 'tandem' car parking spaces in the rear courtyard serving Plots 4, 5 and 6 and, the narrowness of the internal dwelling space of Plots 1, 2 and 3.
3. Officers' response to these issues is set out below:

Separation Distances

4. As set out in officers' original report, 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.
5. Neither Policy HP14 of the Sites and Housing Plan, nor Policy CP10 of the

Oxford Local Plan specify any minimum overlooking distances between dwellings to be adhered to. Similarly, the Council has no adopted planning guidance that specifies minimum distances. Each situation and development proposal must therefore be looked at individually.

6. Appendix A to this Supplementary Paper (supplied by the applicant) shows the various distances between the proposed dwellings and existing homes.
7. In respect of no.2 Glanville Road, the relationship between the new two new terraces and no.2 is considered acceptable, subject to existing boundary walls being retained or replaced with a boundary of similar height and appropriate tree planting/landscaping being introduced along the north-eastern boundary. The main issue to consider here is the potential for overlooking from the upper floor windows into the rear garden of no.2. Whilst any overlooking here is tangential and is not an unusual juxtaposition, the introduction of one or two urban scale trees along the boundary with provide enough screening to maintain acceptable levels of privacy for occupiers. Upper floor windows from the rear terrace (ie. plot 6) will also face the main windows in the rear elevation of no.2 from a distance of 23m and face onto the ground floor extension windows on no.2 from a distance of 19m. Both these distances are considered sufficient in terms of tangential overlooking.
8. The distances between the two new terrace blocks themselves is 21m. That distance comprises the 8.5m deep rear garden areas to plots 1-3, the 9m wide car parking court for plots 4-6 and a 3.5m deep frontage area to plots 4-6. Again, this distance is considered to be more than adequate to maintain satisfactory levels privacy for occupiers of the two new terraces.
9. The relationships between the new development and the adjacent flatted development in Reliance Way are also considered acceptable. In part, this is because the builder's yard is bounded by a 3.6m (12ft) brick wall, that gives considerable privacy to the proposed development. 106 Reliance Way, to the west of the builder's yard, sits parallel to plots 4-6. Side facing windows within the ground and first floor flats here would look directly onto the high boundary wall of plot 4 so there is no loss of privacy to plot 4 from that aspect. At second floor level, the side window facing the site would face directly onto the side wall of plot 4, so again, does not present any concern in terms of overlooking or loss of privacy.
10. The other relationship that needs consideration is that between the flats in block 84-94 Reliance Way and plot 4. Again, the potential for overlooking from these flats is significantly reduced by the 3.6m high wall which bounds the builder's yard at this point. This essentially prevents any tangential overlooking from ground and first floor flat windows in this block. At the second floor, the high wall still partly obscure views into the garden of what would be plot 4 and the window is some 14m from rear elevation windows of plot 4. This distance is again considered acceptable and reflects several similar instances of relationship distances between properties built in Reliance Way.
11. Officers therefore remain of the view that that there are no justifiable grounds to

refuse this proposal for reasons of overlooking or loss of privacy.

Tandem Car-Parking

12. As set out in officers' original report, 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.
13. 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. Whilst noting the Highway Authority's concerns, officers consider that the levels of parking proposed are appropriate, given the sustainability of this particular location.
14. Officers also consider that the tandem-style layout of car parking in the rear courtyard is workable and unlikely to give rise to manoeuvring difficulty that would have an impact on highway safety. The Tracking Plan attached as Appendix B to this report gives an indication of vehicle manoeuvring from the car parking spaces proposed.
15. Many dwellings are built with 'tandem-style parking', including for example, where a parking space sits in front of a garage. There are also several instances of tandem car parking layout with the Reliance Way development, including tandem parking associated with block 106 (for flats 108 and 110).

Internal Space in Plots 1, 2 and 3

16. The proposed dwellings are designed in a 'townhouse' style over three floors. The front terrace provides three 3-bed homes and the rear terrace, three 4-bed homes. The homes in the front terrace are narrower than those to the rear, but all homes provide an appropriate level of internal space (ie. 91sq.m for 3-bed homes and 117sq.m for 4-bed homes) and comply with Sites and Housing Plan Policy HP12, which requires a minimum space standard of 75sq.m for family homes.

Conclusion

17. In light of this additional information, officers remain of the view that this application should be recommended for approval.
18. 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.

19. The scheme is recommended for approval subject to conditions and S106 legal agreement.

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

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: 14th November 2015

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