

East Area Planning Committee

2nd November 2016

Application Numbers: 16/02230/FUL & 16/02231/LBC

Decisions Due by: 19th October 2016

Proposals: 16/02230/FUL: Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space and bin and cycle store.

16/02231/LBC: Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking, private amenity space and bin and cycle store. Repairs to boundary wall.

Site Address: Land Adjacent St George's 31 Cowley Road Littlemore –
see Appendix 1

Ward: Littlemore Ward

Agent: Mr Robert Di Carlo

Applicant: Mr & Mrs Carla Shelenko & Jonathan lee

Application Called in – by Councillors – Tanner, Fry, Simm and Clarkson for the following reasons – concern about the detail and local impact on Littlemore Conservation Area.

Recommendations:

16/02230/FUL

Officers recommend that the East Area Planning Committee approves the application for the following reasons:

- 1 The development makes best use of existing brownfield land, contributing towards meeting the City's housing need, whilst responding appropriately the setting of the Grade II Listed Farmhouse and Conservation Area in terms of design, form and materials and would not appear harmful. Whilst the loss of trees would be harmful, their loss in order to secure the future of the listed curtilage wall is considered justified in this instance and can be mitigated in the long term by replanting of trees. In relation to neighbours it is considered that there would be no significant detrimental impact on residential amenities in terms of daylight, sunlight, outlook or overlooking in this case.
- 2 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.

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 Material samples
- 4 Stone boundary walls
- 5 Wall junctions
- 6 Further details of fenestration and roof
- 7 Flue and rainwater goods
- 8 Further details gates, bins and cycles
- 9 Car Parking
- 10 Landscape carry out by completion
- 11 Landscape hard surface design - tree roots
- 12 Landscape underground services - tree roots
- 13 Tree Protection Plan (TPP) 2
- 14 Arboricultural Method Statement (AMS) 2
- 15 Biodiversity
- 16 Archaeology
- 17 Remove PD
- 18 Phased risk assessment - land quality
- 19 Validation report - land quality
- 20 Drainage plans
- 21 SUDS maintenance plan

16/02231/LBC

For the following reasons:

- 1 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Commencement of works LB consent
- 2 LBC approved plans
- 3 Material samples
- 4 Stone boundary walls
- 5 Wall junctions
- 6 Further details - fenestration & roof
- 7 Flue & rainwater goods
- 8 Further details - gates, storage

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
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- NE14** - Water and Sewerage Infrastructure
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- NE21** - Species Protection

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment
- 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:

The development is affecting a Grade II Listed Building.
This application is in or affecting the Littlemore Conservation Area.
National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

14/00464/FUL - Erection of 1 x 2-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space. Withdrawn 9th June 2014.

15/00689/FUL - Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of car parking and private amenity space. Approved 8th May 2015.

15/00690/LBC - Erection of 1 x 3-bed dwelling (Use Class C3). Provision of car parking and private amenity space. Repairs to boundary wall. Approved 7th May 2015.

16/01369/CAT - Fell 2No. Sycamore Trees in the St. Clement's And Iffley Road Conservation Area. Raise no objection 15th June 2016.

Representations Received:

31 Cowley Road: support. The proposal addresses issues not covered by the extant permission, in particular the levels and dimensions of the site, a roof height that is closer to that of the original historic coach house, more practical parking arrangement, surviving elements of the grade 2 listed property associated with this site are incorporated.

Statutory Consultees:

Highways Authority: no objection, condition recommended

Littlemore Parish Council: no objection

Issues:

Principle of development
Design, character and heritage
Residential amenity
Impact on neighbours
Parking
Trees
Archaeology
Drainage
Biodiversity
Land quality

Officers Assessment:

Site description

1. The site lies on the western side of the Cowley Road in Littlemore and forms part of the original curtilage of the St George's, which is a grade II listed farmhouse. In the past this was an orchard and had mill and stable buildings in it, although

nothing remains of them except for the boundary walls. Planning permission was granted for the subdivision of St George's into two residential units. The site is separated from these houses by the joint access and car parking for the houses.

2. Planning permission was granted under reference 15/00689/FUL for the erection of a 3-bedroom house, and this permission is extant. Since that time, the site has been purchased and the new owner is seeking to make alterations to the approved scheme.

Proposal

3. The principal differences between the proposal and the approved scheme are as follows:
 - Corrections to survey of ground levels and of ridge heights of properties in Swinbourne Road and St George's farmhouse
 - Increase in overall base to ridge height of 300mm
 - Slightly enlarged footprint, moving the north elevation wall forward to accommodate a larger entrance hall
 - Insertion of flue
 - Insertion of conservation-type rooflights to west and north roof slopes
 - Alterations to fenestration on south elevation to include French doors
 - Relocated parking spaces and bike store and reconfiguration of the proposed surrounding wall
 - Installation of new gates
 - The repair and reconstruction of the stone wall along the west boundary
4. A small alteration to the location of the western boundary wall was made during the course of the application. This was to reflect the location of the original wall and moves the wall away slightly from properties in Swinbourne Road.

Principle of development

5. The principle of development has been established through the approval of application 15/00689/FUL. The application is liable for the Community Infrastructure Levy.

Design, character and heritage

6. The new house has been designed to read as an ancillary stable/farm building to the former farmhouse of St George's. The external changes proposed to the original scheme are minor and are not considered to alter this reading of the new house in relation to St George's. The larger openings on the south elevation have dimensions that read as barn door openings. The gates proposed are set back from the existing and are in a simple metal farmyard design appropriate for the location. The flue proposed has been located away from the street elevation and will not be visually obtrusive.
7. The proposed materials are broadly similar to those already approved and it is recommended that samples be required by condition, together with further joinery

and design details, to ensure appropriate materials are used and the development is executed to an appropriate high quality, given the sensitive location.

8. Both the car and bike parking and the bin store would be enclosed by a 1600mm high stone wall, no higher than the existing listed wall. This is not considered to have a harmful impact and would be in-keeping with the farmhouse aesthetic. The bike and bin stores are small in scale and details would be required by condition.
9. The proposal to reconstruct the western boundary stone wall is a welcomed improvement to the site, which would enhance the character and appearance of the conservation area and the setting of the listed building. A sample panel of stonework has been constructed on the site demonstrating the construction, materials, and overall finish and appearance for the proposed stone wall repairs and constructions on the site. This sample panel is considered appropriate and as such it is recommended that a condition is applied requiring the works to be carried out in accordance with this sample panel.
10. The applicant has undertaken a detailed survey of the levels within the site and of the surrounding buildings; these measurements differ from those submitted with the originally approved application. The surrounding buildings are in fact higher than was previously understood – the ridge of the terrace on Swinbourne Road is 1700mm higher than previously thought and the ridge of St George's is 330mm higher than previously thought. As a result, the new building's small increase of 300mm in overall height will not result in an obtrusive structure in relation to the surrounding buildings and will therefore sit comfortably as a subservient building in this setting.
11. It is considered therefore that the proposed development is appropriate in architectural design, form, layout and appropriately responds to the setting of the Grade II listed building and the Conservation Area in which it stands. It responds to the existing character and appearance of the street scene in accordance with Policies CP1, CP8, CP10 of the Oxford Local Plan, Policies CS18 and CS19 of the Core Strategy and HP9 of the Sites and Housing Plan 2013 and the NPPF.

Residential amenity

12. The changes to the approved scheme will not alter the quality of internal space or external facilities significantly. The repositioning of the bin and bike storage is considered to be a practical and discreet arrangement.

Impact on neighbours

13. The changes proposed include relocated parking spaces both for the proposed new dwelling and for the two dwellings at St George's. These changes are understood to have been agreed with St George's.
14. The location of the roof lights and the rooms they will serve will not cause any overlooking onto neighbouring properties.

Parking

15. The revised proposal locates the two parking spaces for the new dwelling away from the immediate frontage, closer to Cowley Road. The bike storage is located beside the new car parking spaces. The four spaces serving the dwellings at St George's have been reorientated. This is considered an improved arrangement with which the Highways Authority is satisfied.

Trees

16. This application proposes the removal of the same trees as those of the consented scheme, i.e. 11 of the individual sycamore trees (T2, T3, T4, T6, T7, T9, T10, T15, T16, T17, T18), both hawthorns (T1, T5) the 2 pines (G2) and the hazel hedge (H1). The holly (T8) will be retained and pruned. All of the other existing trees including the higher value horse chestnut (T12) will be retained. New tree planting is proposed to mitigate the removal of existing trees.
17. Trees which stand along the eastern boundary of the application site are prominent in public views along Cowley Road. The proposed removal of sycamore trees T4, T7, and T10 in particular will have a significant visual impact in these views, which will be detrimental to both the character and appearance of this part of the Littlemore Conservation Area. Although the new tree planting proposed in this part of the site is appropriate to mitigate this visual impact and will eventually provide an enhancement for the conservation area when the new trees have matured, this will take many years to accrue.
18. However, the listed stone boundary wall alongside Cowley Road is a retaining wall and these trees grow on raised ground very close to it. Horse chestnut, T12, has already caused significant structural damage to the wall and there is a high risk that sycamores T4, T7 and T10, will also cause similar damage in the future as they grow. Although it will be detrimental to public amenity, the removal and replacement of these existing sycamores is considered to be prudent to avoid damage to the listed boundary wall regardless of whether or not the proposed development takes place. The loss of these trees should not therefore be a reason to refuse planning permission in this case.
19. The revised scheme proposes different tree species and slight change in footprint affecting the tree root protection areas, but the overall arboricultural impact and tree proposals have not altered significantly and so the same conditions regarding landscaping, tree protection and arboricultural method statement are recommended.

Archaeology

20. This application is of interest because it involves works within the former garden of a 17th century house in Littlemore, within the footprint of an outbuilding (possibly a coach house) recorded on the 1819 enclosure map. A written scheme of investigation has been submitted with which Officers are satisfied and which is recommended to be secured by condition.

Drainage

21. The proposed development is located within Flood Zone 1 according to the Environment Agency's Flood Maps. Plans have been provided which indicate the proposal will incorporate porous pavement for the hardstanding areas, which is considered acceptable. The applicant has provided a drainage layout and some geotechnical investigation, however, in order to comply with policy CS11 of the Core Strategy, further information is required to ensure that the development will not increase flood risk elsewhere. Officers recommend that this information will be required by condition.

Biodiversity

22. The size, aspects and location of the development to productive habitat makes it ideally suitable for enhancements. Certain bat and bird species are urban biodiversity priority species almost entirely dependent on exploiting human habitation for roosting. To accord with policy CS12 of the Core Strategy, it is considered appropriate for provisions for wildlife to be built into the development. An appropriate provision for this development would be; 1 bat roosting tube on the East gable aspect, which can be secured by condition.

Land quality

23. The Council records indicate that there was a ruin on this site and that this site is adjacent to a former smithy, which may have extended on to the site. As these former land uses have potential for land contamination, Officers recommend that relevant conditions are placed on any planning permission at this property to ensure the safety of the development.

Conclusion

24. The development makes best use of existing brownfield land, contributing towards meeting the City's housing need, whilst responding appropriately the setting of the Grade II Listed Farmhouse and Conservation Area in terms of design, form and materials and would not appear harmful. Whilst the loss of trees would be harmful their loss in order to secure the future of the listed curtilage wall is considered justified in this instance and can be mitigated in the long term by replanting of trees. In relation to neighbours it is considered that on balance there would be no significant detrimental impact on residential amenities in terms of daylight, sunlight, outlook or overlooking in this case. Officers recommend that the East Area Planning Committee approves the application, subject to conditions.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission and listed building consent, 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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officers: Nadia Robinson and Amy Ridding

Date: 19th October 2016

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