

East Area Planning Committee

- 5th December 2018

Application number:	18/02336/FUL		
Decision due by	19th November 2018		
Extension of time	Friday 14 th December		
Proposal	Erection of a 1 x 2 bed dwelling house. Provision of bin and cycle stores and new car parking.		
Site address	80 White Road, Oxford, OX4 2JL, – see Appendix 1 for site plan		
Ward	Lye Valley Ward		
Case officer	Michael Kemp		
Agent:	Mr Peter Pritchard	Applicant:	Ms C Cap
Reason at Committee	The application was called into committee by Councillors Kennedy, Tanner, Rowley and Pressel on the basis that the proposals would put pressure on parking provision and would constitute overdevelopment of the site.		

1. RECOMMENDATION

1.1. **East Area Planning Committee** is recommended to:

- 1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.
- 1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:
- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an amended proposal to develop a single detached dwelling within the rear garden area of No.80 White Road. The proposed dwelling would be 1.5 storeys and would extend to a height of 5.8 metres to the ridge. The application makes provision for parking for both the existing and

proposed dwelling. The application has been amended, which has included a reduction in the overall height of the dwelling, the dwelling has also been repositioned further back in the site. On officers advice an additional parking space has also been proposed to serve the existing property, in order to offset the loss of the existing parking space serving No.80 White Road.

- 2.2. The proposed dwelling is considered to be of an appropriate design and it is considered that the scale and siting of the building would not have an adverse impact on the residential amenity of the neighbouring properties. The proposals are therefore considered to comply with the requirements of Policies HP9 and HP14 of the Sites and Housing Plan and Policies CP1 and CP6 of the Oxford Local Plan. The proposals make provision for adequate vehicle and cycle parking, which is considered to comply with the requirements of respective policies HP16 and HP15 of the Oxford Local Plan. The proposals are subsequently recommended for approval subject to the conditions outlined.

3. LEGAL AGREEMENT

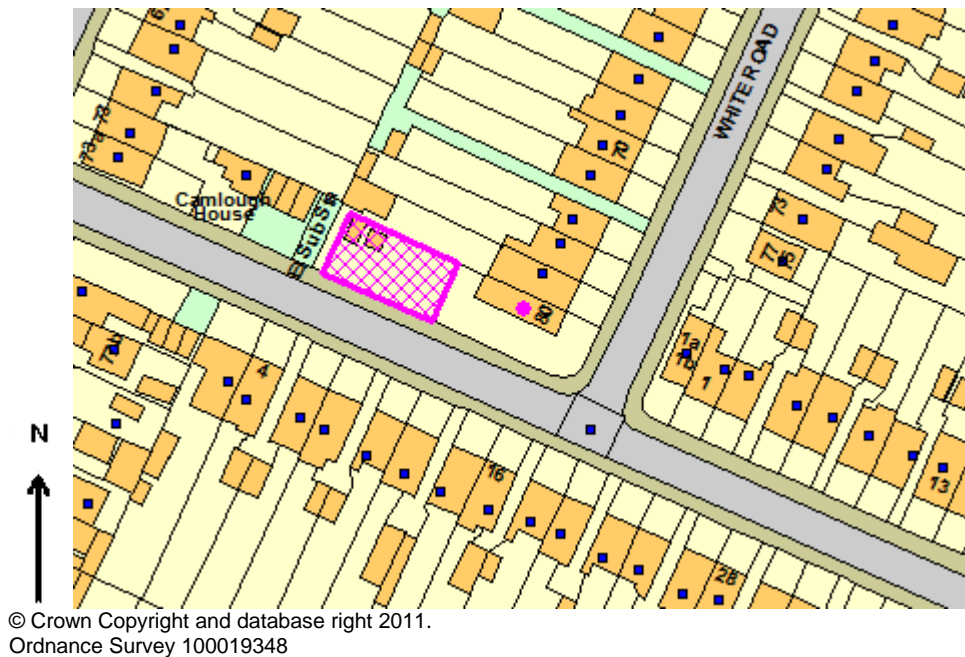
- 3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL contribution of £9822.54

5. SITE AND SURROUNDINGS

- 5.1. The site is located within a residential area of Cowley, characterised by suburban development, consisting principally of terraces and semi-detached pairs of 20th century brick and render dwellings. Many of the side and rear garden plots in the surrounding area have been subject of infill type housing development, notably within the garden of the adjacent property No.73A Wilkins Road, whilst two side gardens in Marshall Road, near the site have also been developed for infill housing development.
- 5.2. The application site is a rear garden plot, which serves as a private amenity space for No.80 White Road. The garden space runs alongside the street frontage of Oliver Road and contains some small outbuildings and small trees. There is a substation immediately to the north west of the site and a small row of single storey garages. Beyond the garages there is a new dwelling known as Camlough House, this is a 1.5 storey dormer bungalow, which is set back behind an area of private amenity space, this particular dwelling was granted planning approval in 2015 (15/00778/FUL). No.80 White Road is an end of terrace two storey brick and render dwelling, the property presently benefits from a single off-street parking space to the front of the existing garage off Oliver Road. The garage though is unlikely that it would comply with modern parking standards as it appears insufficiently wide.
- 5.3. The site plan is listed below:



6. PROPOSAL

6.1. The application proposes the erection of a detached, two bedroom dwelling alongside bin and cycle stores and a single off street parking space. The design of the proposed dwelling has been amended and the overall scale of development reduced both in terms of height and width. The position of the dwelling has also been amended to better reflect the existing pattern of development and to align to a greater extent with the adjacent properties, namely 80 White Road and Camlough House, both of which are set back further from Oliver Road. The proposed dwelling would extend to a total height of 5.8 metres to the ridge, 3.7 metres to the eaves and would be 1.5 storeys. The building would be 9 metres in length and 6 metres wide. The external elevations of the dwelling would be a mix of brick and render materials.

6.2. The site plan has also been amended to ensure that a parking space is retained for the existing property No.80 White Road; this would be located within the rear curtilage area of this property. Whilst a parking space would also be provided for the new dwelling to the south east.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

81/00831/NO - Outline application for one dwelling (retaining existing garage).
REF 5th March 1982.

92/00841/NF - Erection of single storey dwelling with attached garage accessed from Oliver Road. Parking space. REF 26th October 1992.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP1 CP6 CP8 CP9 CP10			
Housing	5			HP9_ HP10_ HP12_ HP13_ HP14_ HP15_ HP16_	
Transport	9				Parking Standards SPD
Environmental	14, 15				
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 28th September 2018. Site notices were re-posted on the 26th October 2018 advertising the amendments to the plans.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The maximum and recommended parking standards set out in policy HP16 in the Sites and Housing Plan are a total of two spaces for a two-bedroom property. Whilst the applicant proposes just one off street parking bay for the new dwelling, Oliver Road and adjoining White Road does not currently experience issues with parking stress and there is a temporary parking restriction in place during school peak time. This will help to prevent any additional on-street parking stress as a result of this proposed development.

As referred to by the applicant, the installation of a new off-street parking bay would involve adding a dropped kerb along Oliver Road. This would be at the cost of the applicant.

Secure and covered cycle storage is noted in the attached documents, but there is no clear indication of storage capacity and dimensions. This can be secured by condition. Oxfordshire County Council does not object to this application subject to conditions

Public representations

9.3. No third party comments have been received in support or objection to the proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Neighbouring amenity
- Transport
- Energy Efficiency
- Flood Risk

a. Principle of development

10.2. Policies CP6 of the Oxford Local Plan and HP10 of the Sites and Housing Plan support making a more efficient use of sites and developing on residential gardens subject to other material considerations. In this instance the important considerations relate to the design of the dwelling and its responsiveness to the character and appearance of the area, the scale of the dwelling in relation to the size of the site and the corresponding impact on the residential amenity of existing and future occupiers. Officers are satisfied that the site is of a sufficient size to support the proposed dwelling; the other material considerations are explored within the following sections of this report. Policy CS23 of the Core Strategy states that development should comply with the Balance of Dwellings Supplementary Planning Document (SPD). This document highlights that across Oxford, family sized dwellings are being lost to subdivision and new development should also include a certain percentage of 3 bedroom dwellings. The BOD's requirement to provide a percentage of three bed units applies only to developments of four or more dwellings; the proposals are for a single dwelling therefore the provision of a two bedroom unit would not conflict with Policy CS23 or the BOD's SPD.

b. Design

10.3. The proposed dwelling would be a 1.5 storey dormer bungalow comprising of a simple linear single gable form. The dwelling would face Oliver Road and would read as an infill development, which would sit between the recently approved development in the garden of 78a Wilkins Road (15/00778/FUL) and the existing end of terrace property, No.80 White Road.

- 10.4. The surrounding roads comprise principally of semi-detached and terraced dwellings, though there is a proliferation of recent development in the area comprising of infill detached properties in a similar form to the development proposed. The siting of the dwelling is considered to relate well to the surrounding built form and would read as a logical infill dwelling located within a presently undeveloped plot fronting Oliver Road. The position of the dwelling has been amended to better reflect the siting of the adjacent dwelling and existing property No.80 White Road. The proposals allow adequate separation between the proposed dwelling and adjacent properties and do not in officer's view represent an overdevelopment of the plot. Of particular importance to this is the significant gap that would be provided to the eastern side of the dwelling, on this plot and the remaining garden at no. 80 White Road. Such a gap would be reflective of other gaps on corner plots in the area and could not be argued to be overdevelopment.
- 10.5. The proposed materials palette is consistent with the surrounding vernacular, which comprises of brick and rendered properties, whilst the proposed dwelling also features prominent front facing dormer windows, similar to the adjacent recently constructed dwelling. The general scale of the dwelling is broadly consistent with the adjacent new build property, which is also a 1.5 storey dormer bungalow of a similar height and sits below the roof ridge of No.80 White Road.
- 10.6. Overall it is considered that the design of the dwelling respects the character and appearance of the area and is compliant with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan and the NPPF.

c. Amenity Impacts

- 10.7. The proposed dwelling would be served by an area of external amenity space, which would be located to the side of the existing property. This would be larger than the footprint of the proposed dwelling and is considered to be of a sufficient size and quality.
- 10.8. The proposals would result in the loss of a significant quantity of the amenity space of the existing property No.80 White Road, it is however noted that the garden serving this property is large comparative to the size of the existing property and is much larger than the rear garden spaces serving the neighbouring properties in White Road. The retained area of amenity space serving No.80 White Road would be larger than the footprint of the existing dwelling and is considered to be sufficient; it would also be similar to many of the surrounding properties in the area in terms of size. Provision is made for bin storage within the site; details of this would be secured by condition.
- 10.9. It is considered that the external amenity space provision would comply with the requirements of Policy HP13 of the Sites and Housing Plan.
- 10.10. The proposed dwelling would comply with the minimum floor space requirements for a two bed three person dwelling which is 70sqm. The proposed floor space would be 84sqm. Each of the bedrooms which are both doubles would exceed the minimum requirements as specified within the Governments

National Space Standards. The internal spaces are considered to be of an acceptable standard and comply with the requirements of Policy HP12 of the Sites and Housing Plan.

- 10.11. The only neighbouring property which would be potentially affected by the proposed development would be No.78 White Road. The rear amenity space of this property is located directly to the rear of the application site. The principle first floor windows of the proposed dwelling would be the front facing dormer windows. At the rear fenestration is restricted to roof lights these would be 1.8 metres above finished floor level, which limits the potential for the rear amenity space of No.78 to be overlooked as a result of the siting of the proposed development. In terms of the siting of the proposed dwelling, this would be close to the rear garden of the adjacent property, however the dwelling would be sited towards the rear section of this amenity space, adjacent to existing outbuildings and it is considered that the dwelling would not be overbearing or oppressive in terms of scale. There would also be no loss of light given the separation distances. All other properties would be a sufficient distance away so as not to be adversely affected. The proposals are therefore considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan and Policies CP1 and CP6 of the Oxford Local Plan.

d. Transport

- 10.12. Policy HP16 of the Sites and Housing Plan and corresponding Appendix 8 outline maximum parking standards applicable to new residential development. The application makes provision for one off-street parking space to serve the proposed dwelling which is a two bedroom property. The surrounding roads are not within a CPZ (only a temporary one in relation to school peak time as mentioned in the County Highway comments detailed above). The provision of one off street parking space to serve the new dwelling is considered to comply with maximum parking standards outlined within Policy HP16 of the Sites and Housing Plan. It is noted that no objections have been raised by County Highways in relation to the proposed parking provisions for this site.
- 10.13. The proposed plans have been amended on officer's advice to make provision for a replacement parking space to serve the existing property, in order to offset the loss of the existing space to the front of the garage. The garage is small in size and would be unlikely to meet modern parking standards; therefore the parking provision for No.80 is at present considered to be one space. Replacement provision would therefore match the existing provision and is considered adequate and compliant with Policy HP16 of the Sites and Housing Plan. Policy HP15 of the Sites and Housing Plan requires the provision of at least two cycle parking spaces for a two bedroom dwelling. The proposed site plan makes provision for at least two additional cycle parking spaces, this provision would comply with the requirements of Policy HP15 and can be secured by condition

e. Energy Efficiency

- 10.14. Policies CS9 and HP11 expect the applicant to demonstrate how sustainable design and construction methods will be incorporated and how energy

efficiencies have been incorporated into the design. Given the proposal is a small scale development that is not a qualifying site to provide 20% of energy consumption through renewables it is considered appropriate to deal with energy and water efficiency by condition.

10.15. A condition relating to water efficiency is recommended to ensure that optional requirement of building regulations is triggered in accordance with policy CS9 of the Core Strategy.

10.16. A condition is also be recommended in relation to energy efficiency to ensure that the new dwelling meets an energy performance equivalent to ENE1 level 4 of the Code for Sustainable Homes in accordance with Policies HP11 of the Sites and Housing Plan and CS9 of the Core Strategy.

e. Flood Risk

10.17. Oxford Core Strategy Policy CS11 resists development where it would increase the risk of flooding. The site is classified by the Environment Agency as being at a low risk of fluvial flooding and within flood zone 1. The Councils Flood Mitigation Officer has advised that the development is acceptable subject to SUD's details which should be provided by way of condition. The development is therefore considered to comply with the requirements of Policy CS11 of the Oxford Local Plan.

11. CONCLUSION

11.1. The proposals relate to the provision of a single infill dwelling within a large rear garden plot serving 80 White Road an end of terrace property. The principle of development is considered to comply with the requirements of Policy HP10 of the Sites and Housing Plan, which allows in principle for the development of private garden plots subject to there being no adverse amenity impacts and subject to the development respecting the character and appearance of the area.

11.2. It is considered that the scale and siting of the dwelling would not impact adversely on the amenity of No.78, the immediately adjacent property to the rear of the site. The design and appearance of the dwelling is considered to respect the character and appearance of the area and immediately surrounding development and is compliant with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan and the NPPF

11.3. The development makes acceptable provision for cycle and vehicles parking and would not impact adversely on highway safety or amenity and is considered to comply with the relevant requirements of Policies HP15 and HP16 of the Sites and Housing Plan.

11.4. It is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. The dwelling shall not be occupied until all of the dwellings hereby approved meet Building Regulations Part M access to and use of building, Category 3 wheelchair user dwellings, Optional requirement M4(3).

Reason: To ensure that new housing meets the needs of the proposed occupiers of the units and to comply with the Development Plan, in particular Local Plan policies CP1, CP13, Core Strategy Policy CS23 and Sites and Housing Plan Policy HP2.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or enacting that Order) no structure including additions to the dwelling house as defined in Classes A, B, C, D, E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area and the amenity of neighbouring properties and occupiers of the dwellings in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.

6. A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of above ground works. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

7. A plan showing the means of enclosure for the new development including details of the treatment of all the boundaries of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of above ground works. The approved treatment of all of the site boundaries shall be completed prior to first occupation of the approved development and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the privacy of adjoining occupiers in accordance with policies CP1, CP8, CP9 and CP10 of the Adopted Oxford Local Plan 2001-2016 as well as policy HP14 of the Sites and Housing Plan 2011-2026.

8. Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

A SuDS maintenance plan shall also be submitted and approved by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

9. Prior to occupation of the dwelling visibility splays measuring 2m by 2m shall be provided to each side of the access. This visibility splay shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policies CP1 and CP10 of the Oxford Local Plan.

10. Before the commencement of above ground works details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy HP15 of the Sites and Housing Plan

11. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

12. The dwelling shall not be occupied until the relevant requirements of level of energy performance equivalent to ENE1 level 4 of the Code for Sustainable Home have been met and the details of compliance provided to the local planning authority.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

13. The dwelling(s) shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

14. The areas for parking and manoeuvring of vehicles for the proposed dwelling and for 80 White Road as shown on the approved plans shall be laid out and made available for use prior to first occupation of the development hereby approved and shall be retained solely for such purposes thereafter.

Reason: In the interests of highway safety in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

- **Appendix 1 – Block Plan**

14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.