

East Area Planning Committee

9th October 2012

Application Number: 12/01967/FUL

Decision Due by: 26th September 2012

Proposal: Erection of part single storey, part two storey, rear extension to existing dwelling and two storey side extension to create two-bed dwelling (class C3) with associated parking, amenity space and bin and cycle storage. (Amended documents)

Site Address: 10A Kelburne Road, **Appendix 1**

Ward: Littlemore Ward

Agent: N/A

Applicant: Mr Nadeem Khan

Application Called in – by Councillors – Tanner, Canning, McManners, Coulter and Lygos
for the following reasons – over development and insertion of an extra house as part of a semi-detached dwelling

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 Permission remains extant on the site for the two storey side and rear extension, and single storey rear extension. The conversion of the side extension to form a two bed unit is considered acceptable as it provides adequate internal and external space for the occupiers including provision for sufficient levels of off-street car parking.
- 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.
- 3 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 Materials - matching
- 4 Amenity no additional windows
- 7 Construction Travel Plan
- 8 Vision splays
- 9 Pedestrian vision splays
- 10 No water onto highway
- 11 Cycles and bins

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- 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
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy (OCS)

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS22_** - Level of housing growth
- CS23_** - Mix of housing

Sites and Housing Plan – Submission (SHP)

- HP9_** - Design, Character and Context
- 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
Balance of Dwellings Supplementary Planning Document Jan 2008
Parking Standards, Transport Assessments and travel Plans Supplementary
Planning Document Feb 2007

Relevant Site History:

61/11146/A_H - Private garage. PDV 12th June 1961.

86/00375/NF - Single storey rear extension to dining-room. PER 19th May 1986.

88/01143/NO - Demolition of 10A and 10B Kelburne Road. Outline application for residential development including new vehicular and pedestrian access from Kelburne Road (Amended Plans). DIS 15th June 1989.

05/01979/FUL - Demolition of 10A and 10B Kelburne Road. Erection of 3 storey building containing 16 dwellings (4x3, 6x2 and 6x1 flats). 15 parking spaces. WDN 18th November 2005.

06/01671/FUL - Demolition of 10A and 10B Kelburne Road. Residential development including 6x3 bed houses and 3 flats (2x2, 1x1 bed), 15 parking spaces. REF 22nd December 2006.

08/00824/FUL - Two storey side and rear extension, with single storey rear extension. PER 23rd July 2008.

10/00464/PDC - To temporarily remove the garage to create working space for activities such as construction of new drainage, excavation by excavator, removal of dug material, access for materials/concrete delivery and erection of scaffolding. WDN 24th May 2010.

Representations Received:

10 Kelburne Road: Access, amount of development on site, effect on adjoining properties, effect on character of area, effect on existing community facilities, effect on privacy, effect on traffic, general dislike for proposal, height of proposal, noise and disturbance, on street parking.

Statutory and Internal Consultees:

Thames Water Utilities Limited: No objections.

Oxford Civic Society: Over-exploitation of a corner site, dwellings themselves are acceptable, small area of parking space is too cramped, access very difficult,

amenity area too small.

Highways Authority: No objection subject to conditions.

Issues:

Balance of Dwellings
Residential Amenity
Highway Issues
Cycle Parking
Bin Stores
Sustainability

Officers Assessment:

Site Description

1. The application site comprises a semi detached residential property located on the bend of Kelburne Road. The property is finished in pebble dash render and interlocking roofing tiles.
2. The other half of the pair of semis (10B Kelburne Road) has also been extended with a two storey side and rear extension and a single storey rear extension.
3. It is stated in the supporting documentation that the property is licensed as a HMO. However as can be seen from the planning history planning permission has not been applied for a change of use from a dwelling to a HMO. Before the property can be used as a HMO planning permission will be required.

Proposal

4. Planning permission was granted in July 2008 under ref.: 08/00824/FUL for a two storey side and rear extension and a single storey rear extension. This permission was commenced in February 2010 by the construction of the single storey rear element. Therefore this permission remains extant. The extant permission is identical to that submitted as part of this current application. Therefore under consideration is the use of the extension as a separate unit of accommodation given the proposed extensions can be built without further permission.

Assessment

Balance of Dwellings

5. Policy CS23 of the OCS requires residential development to deliver 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) sets out the appropriate housing mixes for each Neighbourhood Area within the City.

6. The site lies within a red area where pressure is considerable, so the Council needs to safeguard family dwellings and achieve a higher proportion of new family dwellings as part of the mix for new developments. For new residential developments of between 1 – 3 units, there should be no loss of an existing family dwelling.
7. The application site is currently occupied by a two bed unit which is to remain therefore there is no loss of an existing family dwelling and as the proposal is for less than 3 units no specific mix of new housing is required.

Residential Amenity

8. Policy HS20 of the OLP and HP12 of the SHP require good quality internal living accommodation. With policy HP12 stipulating any single dwelling providing less than 39m² of floor space will not be granted permission. The proposed two bed unit has a floor area of 111m² which is therefore in compliance with HS20 and HP12.
9. Policy HS20 of the OLP and HP13 of the SHP require new dwellings to have access to private amenity space. The existing garden is to be divided to provide private amenity space of the existing property and the proposed property. The resultant areas are considered to be adequate in size for each of the dwellings, with the proposed dwelling having a large area to the side/rear.

Highway Issues

10. Policy TR3 of the OLP states Planning Permission will only be granted for development that provides an appropriate level of car parking spaces, no greater than the maximum parking standards shown in Appendix 3. The maximum standard for a 2 bed dwelling is 2 spaces. A total of three car parking spaces are proposed for the existing (two bed) and proposed unit; one in the form of a garage which meets the Highway Authority size standards and two off street spaces to the front. The site is in a good location for access to shops, local schools and bus routes therefore the proposed level of car parking is considered acceptable.

Cycle Parking/Bin Stores

11. Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. According to the Parking Standards SPD secure, and preferably sheltered, cycle parking should be integrated in the design of residential developments. The minimum requirement for residential dwellings is two spaces per residential unit. This is reiterated in policy HP15 of the SHP which requires houses and flats of up to 2 bedrooms to have at least 2 spaces per

dwelling.

12. The application form states four cycle parking spaces are to be provided with the drawings indicating an area for cycles and bins. However no details have been provided. These can be requested via a condition.

Sustainability

13. As stated above the site is located within a sustainable location close to shops, local schools and bus routes. Energy efficient measures have been incorporated into the design in the form of solar panels.

Conclusion:

14. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026; Oxford Local Plan 2001-2016; and the emerging Sites and Housing Plan. Therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

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:

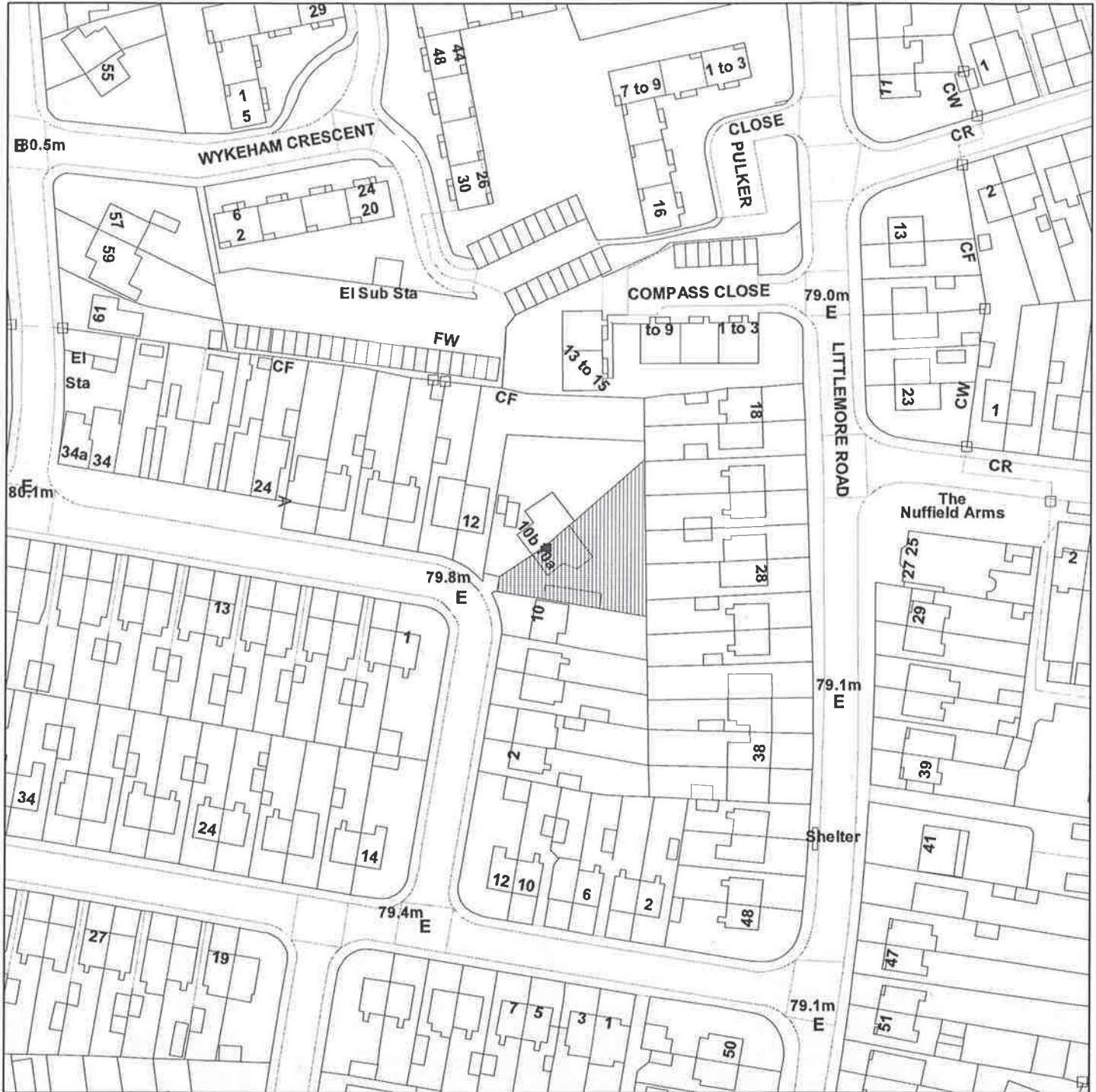
Contact Officer: Lisa Green

Extension: 2614

Date: 24th September 2012

Appendix 1

12/01967/FUL 10A Kelburne Road



Scale : 1:1250



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Ordnance Survey 100019348.

Organisation	Not Set
Department	Not Set
Comments	
Date	25 September 2012
SLA Number	LA100019348

