

**EAST AREA PLANNING COMMITTEE**

5<sup>th</sup> March 2013

**Application Number:** 12/03243/FUL

**Decision Due by:** 13th March 2013

**Proposal:** Erection of two storey side extension to create 2 x 1-bedroom self-contained flats (use class C3). Provision of car parking, bin and cycle stores, landscaping and private amenity space.

**Site Address:** 12 Clover Place – **Appendix 1**

**Ward:** Blackbird Leys Ward

**Agent:** Pope Ingram Associates

**Applicant:** Mr S Hoxha

Application called-in by Councillors Humberston, Malik, McManners and Tanner due to concerns about overdevelopment and the impact on parking within the street.

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The extension proposed is considered to be of a form, scale and appearance such that it is visually commensurate with surrounding development whilst providing an adequate quality of indoor and outdoor space to serve future occupiers of the new flats as well as the existing family house. Sufficient bin and cycle storage space is provided and no material harm will occur to highway safety. Consequently the proposals are considered to accord with the requirements of policies CP1, CP6, CP8, CP9, CP10, TR3 and TR4 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9, HP10, HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan.
- 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 Materials - matching
- 4 Bin and Cycle Storage details required
- 5 Off-street parking to be laid out prior
- 6 SuDS compliant drainage to be incorporated into scheme
- 7 C3 dwellings only

### **Main Local Plan Policies:**

#### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

### **Core Strategy**

- CS18** - Urban design, character, historic environment

### **Sites and Housing Plan - Submission**

- HP9\_** - Design, Character and Context
- HP12\_** - Indoor Space
- HP13\_** - Outdoor Space
- HP10\_** - Developing on residential gardens
- HP14\_** - Privacy and Daylight
- HP15\_** - Residential cycle parking
- HP16\_** - Residential car parking

### **Other Material Considerations:**

National Planning Policy Framework

### **Relevant Site History:**

None

### **Representations Received:**

One objection received from 12 Clover Place citing the following concerns:

- It will reduce the opportunity to park within the turning head such that

- occupiers of 10 Clover Place will not be able to parking outside their house;
- The development will create noise and disturbance which will affect neighbours' enjoyment of their property;
  - The proposals could result in four flats on the site as the existing house could also be converted resulting in even greater on-street parking demand.

### **Statutory and Internal Consultees:**

Thames Water Utilities Limited - No objection.

Blackbird Leys Parish Council – No objection.

Highway Authority – No objection. The proposals provide adequate off-street parking and will help free up access to the adjacent block of garages as well as restore the turning head to its intended use (i.e. to assist in the turning and passing of motor vehicles within the street).

Drainage Team Manager – No objection subject to the development being SuDS compliant.

### **Officers' Assessment:**

#### Site Description

1. The application site relates to an end of terrace three bedroom house and its large side garden which is sited at the end of a residential cul-de-sac within the Blackbird Leys area of the city. The house is currently accessed from a turning head at the end of the road which also includes a row of five garages. The application site is shown on a location plan attached as Appendix 1.

#### The Proposal

2. The application seeks consent for the erection of a two storey extension of 12 Clover Place to provide 2 x one bedroom flats with one at ground floor level and the other on the first floor.

3. Officers' consider the principal determining issues in this case to be:

- Design;
- Layout/Amenity;
- Impact on Neighbouring Properties
- Parking;
- Trees.

#### Design

4. The application property is a two storey building at the end of a terrace with benefits from a generous side/rear garden. The house and wider terrace is of no real architectural merit though it does enjoy a uniformity and strong building line that is worth preserving. The proposals seek to continue the terrace matching the height and forward projection using the same materials such that from the street it will simply appear as an extended terrace and thus be in keeping with the street. Whilst the proposals include additional two storey elements to the rear these are not substantial and, in any event, will have no impact on the public

realm. Consequently the proposals are considered to create an appropriate visual relationship with the surrounding area in terms of their form, scale, grain and general appearance such that they satisfy the requirements of design based policies CP1 and CP8 of the Local Plan as well as HP9 of the Sites and Housing Plan.

#### Layout/Amenity

5. Each of the proposed flats are one bedroom units with both exceeding the 39sq m minimum size criterion set out in policy HP12 of the Sites and Housing Plan and of decent usable layout for future occupiers. Policy HP13 of the Sites and Housing Plan requires outdoor amenity to serve each new dwelling at a level proportionate to the size of the dwelling. In the case of one bedroom flats this can be in the form of a balcony measuring at least 1.5m x 3m in floor area though the scheme shows separate gardens for each flat thus far exceeding this minimum policy requirement. Each flat is also served by designated bin and cycle storage facilities with level and direct access out onto Clover Place to the level required by policies HP13 and HP15 of the Sites and Housing Plan. No concern is therefore raised about the internal or external quality of the living conditions to be experienced by future occupiers of the proposed flats.

#### Impact on Neighbouring Properties

6. Policies CP1 and CP10 of the Local Plan seek to ensure that neighbouring residential amenity is adequately safeguarded as part of development proposals. It is against these policy requirements that the application should be assessed in this regard.

7. The proposed extension continues the ridge line of the existing terrace though does include a two storey element that projects to the rear. This is however not of significant depth and is set down in height from the main ridge of the extension such that it will not significantly harm the outlook or light received into existing rear windows of 12 Clover Place or its resultant garden area. In addition, since there are no windows proposed in the north elevation of the two storey rear element there will be no loss of privacy for occupiers of the existing house (12 Clover Place) when enjoying their rear garden. Consequently, for these reasons officers have no concerns about the proposal with regard to its impact on established residential amenity.

8. Policy HP13 of the Sites and Housing Plan sets out a policy requirement for gardens of both new and existing houses to be proportionate in size to the dwelling. Whilst the existing garden of 12 Clover Place will be subdivided to make way for the new flats the resultant garden will still be of sufficient size to serve a family at approximately 75 sq m in area and of a reasonable, usable layout. Officers are therefore satisfied that the living conditions of the existing house will be adequately safeguard so that it is reasonably capable of enjoyment by a family.

#### Parking

9. The proposed flats are shown to be served by two off-street parking spaces which the Highway Authority considers to be adequate in size and accessibility both on access into and egress from the site. This accords with the parking

standards set out in policy HP16 of the Sites and Housing Plan. The existing house, 12 Clover Place, does not currently benefit from any off-street parking provision though the proposals include the creation of a new off-street parking space to serve the house which the Highway Authority considers to be sufficient and realistically usable. The result of this additional off-street parking space is the net reduction in on-street parking though the creation of a new vehicular access may result in the loss of the ability to park a car in the turning head at end of the cul-de-sac. However such indiscriminate parking within the turning head is contrary to the principles and intention of the highway as a place for vehicles to travel, pass and re-pass each other.

10. It is also worthy of note that at least two of the existing five garages at the end of the cul-de-sac are often not accessible for vehicular access as a result of indiscriminate parking within the turning head. The removal of part of this on-street parking to create an access through to the site will re-enable the use of these garages to the benefit of the functioning of the highway. In any event, on-street parking congestion is not considered to be a particular problem within the street such that any temporary displacement of indiscriminate parking on the highway will not prejudice highway safety and cars can be relatively easily parked elsewhere on the road. In summary both officers and the Highway Authority have no objections to the scheme with respect to highway safety and efficiency.

#### Trees

11. A tall cypress hedge (9m high) runs along the southern garden boundary beyond which is a brook and Gillian Park. A group of four crack willows stand along the northern bank of the brook within the park. The proposal would require the removal of the cypress hedge within the property boundary as this could not realistically be retained given the proximity of the proposed build to the southern boundary. No objection is raised to this as the hedge provides little public amenity benefit.

12. The root zones of the willows within the park may be adversely affected by the proposed building footprint as the potential rooting zone of the trees to the north is probably naturally limited by the brook. However the species is tolerant of disturbance and would probably survive. Nevertheless it is officers' view that neither the hedge nor the willows should be considered as significant constraints upon development and the proposals are considered to accord with the requirements of policy NE15 as no material harm to trees of significance either on or adjacent to the site would occur.

#### **Conclusion:**

13. The proposed development is considered to form an appropriate visual relationship with the surrounding area whilst providing a satisfactory standard of living for future and existing occupiers of dwellings without resulting in material harm to the safety and efficiency of the highway. Consequently the proposals are considered to accord with the development plan such that Committee is recommended to approve the application subject to the conditions suggested at the beginning of this report.

## 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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 12/03243/FUL

**Contact Officer:** Matthew Parry

**Extension:** 2160

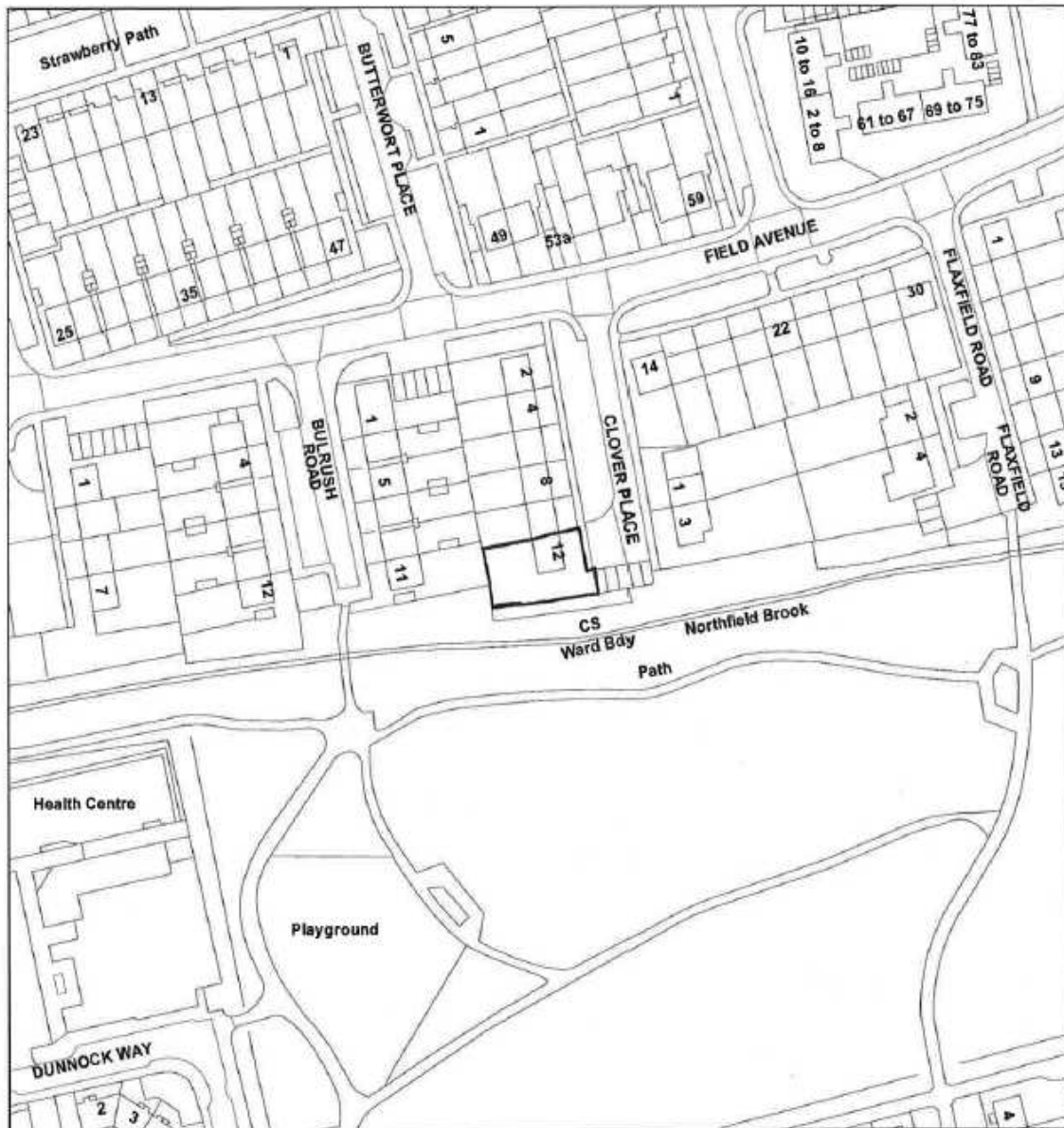
**Date:** 25th February 2013

# Appendix 1

## 12 Clover Place



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Oxford City Council
Department	City Development
Comments	12/03243/FUL
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