

WEST AREA PLANNING COMMITTEE

17th April 2013

Application Number: 13/00304/FUL

Decision Due by: 4th April 2013

Proposal: Extension to 10a Bartlemas Road to create a 2 bedroom dwelling. Extension and subdivision of the existing 10 Bartlemas Road to create 2 x 1 bedroom dwellings (to be known as 10 and 10b Bartlemas Road). Removal of workshop in rear garden and provision of shared amenity space

Site Address: 10 and 10a Bartlemas Road

Ward: St Clement's Ward

Agent: Mrs Emily Warner

Applicant: Unique Lets Ltd

Application called-in by Councillors Clack, Sinclair, Rowley, Fry, Tanner and Kennedy as the street is cramped and already has buildings with only small gaps between them.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development proposed is considered to provide more efficient use of land by creating an additional dwelling of reasonable size and quality whilst also improving the quality of the two existing flats. The physical works proposed to the building are visually commensurate with surrounding development without significant harming neighbouring residential amenity. No material harm should occur to highway safety as no additional on-street parking will result as a consequence of the development proposed. As a consequence the proposals are considered to comply with the requirements of policies CP1, CP6, CP8, CP9 and CP10 of the Oxford Local Plan 2001-2016, policies CS18 and CS23 of the Oxford Core Strategy 2026 as well as policies HP9, 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 Prior to occupation the existing garden building shall be removed
- 5 Bin and Cycle storage
- 6 Limit parking permit eligibility to four permits

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

Core Strategy

- CS18**_ - Urb design, town character, historic env
- CS23**_ - Mix of housing

Sites and Housing Plan - Submission

- 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
Balances of Dwellings SPD

Relevant Site History:

12/01567/CEU - Application to certify that the existing use of 10 Bartlemas Road as a 2 bedroom dwelling and 10a Bartlemas Road as a 1 bedroom flat is authorised. Granted 16th August 2012.

12/02505/FUL - Conversion of existing 2 bedroom dwelling at No.10 into 2 x 1-bedroom dwellings (use class C3). Conversion of existing 1-bedroom flat at No.10A into 2 x 1-bedroom dwellings (use class C3) including two storey side extension and removal of workshop in rear garden. (Amended plans) (Amended description). Refused 3rd January 2013.

Representations Received:

None

Statutory and Internal Consultees:

Thames Water Utilities Limited – No objection.

Highways Authority – No objection subject to the development being limited to no more parking permits than the two existing flats are eligible for.

Officers' Assessment:

Site Description

1. The site comprises a building (formerly a typical two storey semi-detached family house) that has recently been converted and authorised to provide two relatively large flats (a two bedroom unit at ground/basement level and a one bedroom flat on the first floor). The house is built of red brick and features a blue slate roof though the front wall has been painted in a cream colour in common with a number of other properties within the street. The house features a two storey outrigger extension to the rear which it shares with the adjoining property (No. 8) and also includes a single storey flat roof element which was added at a later date.

2. As a result of its semi-detached form, the house benefits from a side pedestrian access which links through to the rear garden. In common with other properties in the street the rear garden is of typical rectangular layout so that it is of a relatively generous depth but quite narrow width. Within the garden there is a relatively large single storey domestic 'workshop' building that is in a poor state of repair and has clearly not been regularly used for some time.

The Proposal

3. The application seeks consent for the extension and subdivision of the two existing flats to enable the creation of an additional flat to form two x 1 bedroom and one x 2 bedroom units. As well as involving numerous internal alterations, an extension to the existing two storey rear outrigger is proposed as well as the insertion of two rear dormer windows in the rear roof slope. It is also proposed to alter the roof of the existing single storey flat roof addition so that it has a dual pitched roof. Each flat is proposed to have its own separate entrance and this will involve the insertion of side entrance doors as well as alterations to fenestration. To provide rear outdoor amenity space the existing detached workshop building in the rear garden is proposed to be demolished and bin and cycle storage facilities put in its place.

4. The current application follows a refusal of an application to create four x 1 bedroom flats on the site in January 2013. This application was refused for four reasons which are summarised as follows:

- The proposals did not provide an appropriate mix of dwellings;
- No financial contribution was provided towards off-site provision of affordable housing;

- The proposals would result in a poor quality basement flat;
- The roof terrace created would result in a loss of privacy for neighbouring occupiers.

5. The current scheme seeks to overcome each of these reasons for refusal by reducing the number of units on the site from four to three flats (and thus not triggering the Council's thresholds for applying affordable housing and balance of dwellings policies), reducing basement level accommodation and omitting the balcony/roof terrace feature.

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

- Principle;
- Design;
- Amenity;
- Impact on Neighbouring Properties; and
- Highway Implications.

Principle

7. Policies CP6 of the Local Plan, policy CS2 of the Core Strategy and Government guidance encourage greater efficiency of use of previously developed land so as to prevent unnecessary development on greenfield sites. The application proposals seek to provide an additional unit of residential accommodation within an existing residential street located close to the Cowley Road district centre such that it is sustainably located. Consequently the proposals are supported in principle by the policies of the development plan.

Design

8. To facilitate the creation of the additional flat, an extension to the side of the existing two storey rear outrigger is proposed. This results in the outrigger extending a further 1.8m in width so that it matches the width of the main house. As a consequence of the extension to the two storey outrigger, its roof pitch changes mid-way along its width to become shallower. Whilst this does somewhat unbalance the existing shared outrigger and perhaps appear a little awkward but due its location to the rear of the house and the fact that it is not visible from the public realm, the adverse effect of these works on the surrounding area is not considered to be significant.

9. The proposals also include the insertion of two joined dormer windows in the rear roofslope. Whilst such works to a house would not normally require consent, the building now comprises flats which do not benefit from permitted development rights and therefore roof extensions fall within the remit of planning control. Whilst the dormer windows are relatively significant in scale and prominent in the roofslope, there are a number of other similar and generally less appropriate dormer windows in the roofs of other houses in the immediate area. Two new rooflights are also proposed in the front roofslope though this would be in common with many other roof alterations in the immediate area and such provision is considered neither inappropriate nor excessive. Officers are therefore content that the works will not materially adversely affect the character of the area.

10. The scheme also involves the replacement of the existing flat roof on the rear single storey extension with a shallow pitched tiled roof. This extension is also proposed to be rendered to improve its appearance. Officers are supportive of such changes which should improve the appearance of this tired looking element of the building and provide a form of extension that is more in keeping with the character of the main house.

11. It is also welcomed that the proposals include the demolition of the existing rather unsightly workshop outbuilding as this currently detracts from the surrounding environment. Indeed, for reasons set out further below, it is suggested that a condition be imposed requiring this building to be demolished prior to occupation of the new flats though this is required to facilitate a reasonable level of amenity space rather than for aesthetic reasons.

12. In summary, for the reasons set out above, the physical works proposed are considered to represent visually appropriate development that responds satisfactorily to its context in accordance with policies CP1 and CP8 of the Local Plan as well as policy HP9 of the SHP.

Amenity

13. Policy HP12 of the Sites and Housing Plan requires new flats to provide a reasonable quality of internal space at a minimum of 39 sq m in floor space so that occupiers enjoy a reasonable standard of living in the future. All of the proposed flats comfortably exceed this policy requirement such that officers have no objection to the proposals in this regard. Policy HP12 also states that a new dwelling must possess adequate ceiling height, natural lighting/ventilation and a reasonable outlook that allows proper use and enjoyment of the dwelling. In contrast to the previous refused scheme, all of the flats are now set at above ground level which should ensure they enjoy good levels of light. Flat 1 has one room at basement level though it is not a habitable room and, although flat 3 is set over three floors, each room provides decent usable space with good lighting and an outlook onto Bartlemas Road from each room. Therefore, with regard to internal space, officers are satisfied that the scheme proposes dwellings of a reasonable quality in accordance with policy HP12.

14. Policy HP13 of the Sites and Housing Plan requires one and two bedroom flats to be served by private outdoor amenity space which should either be in the form of a balcony or a shared outdoor space that enjoys direct access from the flats. In this case the flats are proposed to share the existing rear garden which is of a reasonable size particularly following the proposed demolition of the existing domestic workshop outbuilding which takes up about half of the usable garden. Officers consider this space to be more than adequate in size and quality to satisfactorily serve the needs of future occupiers of all of the flats though to ensure sufficient space is available however it is recommended that a condition be imposed requiring the demolition of this existing outbuilding prior to occupation of the flats.

15. Designated bin and cycle storage is proposed to be provided in the rear garden to serve the flats. These facilities are shown to be both covered and secure as well as benefitting from direct and level access out to the road. The

level and quality of such bin and cycle storage therefore accords with the requirements of policies HP13 and HP15 of the SHP..

Impact on Neighbouring Properties

16. Policies CP1 and CP10 of the Local Plan as well as policy HP14 of the SHP require proposals to adequately safeguard neighbouring amenity in order to be granted planning permission. It is against these policy requirements that the application proposals should be assessed in this regard.

17. The increased width of the two storey outrigger extension means that it will project much closer to the boundary with 12 Bartlemas Road. However the extension is not significant in scale in the context of existing development and will not materially overbear the rear garden of this neighbouring property. Similarly, given that there are no rear windows in No. 12 directly adjacent to the location of the widened outrigger, no significant loss of light into habitable rooms of the neighbouring property will occur. The existing situation potentially allows occupiers of 10A Bartlemas Road to overlook the small rear garden of No. 12 from upper floor side windows in the existing two storey outrigger. As a result of the widening of the outrigger however and the altered internal layout of the flats, this effect will be substantively reduced with the only upper floor side window facing this neighbouring property being a bathroom window. Consequently officers conclude that the scheme should not have a significant adverse impact on the outlook and light enjoyed by 12 Bartlemas Road and should in fact represent an improvement in privacy terms.

18. The increased width of the two storey outrigger will not have an impact on the amenity enjoyed by No. 8 Bartlemas Road given that it will project away from this neighbouring house. A minor increase in the height of the existing single storey rear extension is proposed as a result of an alteration to the roof form to create a dual pitched roof. The resulting roof is however not materially higher than the existing roof where it abuts the neighbouring property and officers no concerns at all about the physical impact of the development on No. 8 Bartlemas Road.

19. Dormer windows are proposed in the rear roofslope which will create the possibility to overlook part of the rear garden of Nos. 8 and 10 Bartlemas Road. However, in the context of existing upper floor rear facing windows as well as other dormer windows in the locality, this increased overlooking is not considered to be significant and officers are not concerned about this element of the scheme.

20. Overall therefore officers are satisfied that the proposals adequately safeguard neighbouring amenity in accordance with the development plan policies listed above.

Highway Implications

21. The existing flats benefit from eligibility for two residents' parking permits each in the newly created East Oxford CPZ making a total of four permits available for the building. To ensure no increase in on-street parking results from the development in an area already suffering intense parking pressure, a

condition would be necessary limiting the development to a total of four parking permits between the three flats. It is understood that the applicant is satisfied with this distribution of the parking permits amongst the dwellings.

22. Cycle parking is proposed to be provided in accordance with the standards set out in the Local Plan such that an alternative to the private car is readily available. Officers are therefore satisfied that the proposals are acceptable on highway grounds and concur with the views expressed by the Highway Authority in this regard.

Conclusion:

23. The proposals are considered to provide reasonable quality additional residential accommodation in a sustainable location that will appear visually commensurate with surrounding development whilst not resulting in material harm to established residential amenity. The proposals are thus considered to accord with the Council's development plan and, as a consequence, Committee is recommended to approve the application subject to the conditions set out 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: 12/01567/CEU, 12/02505/FUL & 13/00304/FUL

Contact Officer: Matthew Parry

Extension: 2160

Date: 28th March 2013

This page is intentionally left blank