

East Area Planning Committee

16th April 2013

Application Number: 13/00174/FUL

Decision Due by: 8th April 2013

Proposal: Demolition of existing buildings. Erection of 2 x 3/4 bedroom houses fronting Lime Walk and two storey office building fronting All Saints Road. Provision of cycle and bin stores (amendment to planning permission 11/00648/FUL)

Site Address: Land adjacent and to the rear of 73 to 81 Lime Walk Oxford [Appendix 1]

Ward: Headington

Agent: Mr Andrew Self

Applicant: Mr John Warburton

Application Called in – by Councillors Wilkinson, Gotch, Rundle and Mills
For reasons relating to the increased size of the new dwellings compared to the extant scheme and the lack of any car parking to serve them. The proposed office block will also result in parking demand in an area that is already congested with parked cars.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the site and its surroundings and would appear in keeping with the character and appearance of the area. There is an extant planning permission for the development and this proposal seeks permission to enlarge the two approved dwellings. No objections have been received from statutory consultees or third parties and the proposal complies with adopted policies contained in the Oxford Local Plan 2001 - 2016, the Oxford Core Strategy 2026 and the Sites and Housing Plan 2012.
- 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 Design - no additions to dwelling
- 4 Samples
- 5 Landscape plan required
- 6 Landscape carry out by completion
- 7 Retain rear boundary wall
- 8 Bin and cycle stores
- 9 Variation of Road Traffic Order Lime Walk and All Saints Road,
- 10 Sustainable drainage
- 11 No external staircase to offices
- 12 Sustainability design/construction
- 13 Use Class C3 only
- 14 Construction Travel Plan

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
- CS10_** - Waste and recycling
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HS19** - Privacy & Amenity
- HS21** - Private Open Space

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing

Sites and Housing Plan - Submission

- HP9_** - Design, Character and Context
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

11/00648/FUL: Demolition of existing buildings. Erection of 2 x 3 bedroom dwellings fronting Lime Walk plus enlarged garden areas for existing properties at 73 and 75 – 81 [odd] Lime Walk. Erection of two storey office building fronting All Saints Road. Provision of cycle and bin stores. Approved

Representations Received:

None

Statutory and Internal Consultees:

Thames Water: No objection on grounds of water or sewerage infrastructure but advise that developers contact them for advise on infrastructure ownership.

Oxfordshire County Council as Local Highway Authority: No objection subject to the imposition of conditions and informatives in respect of the following:

- Exclusion of the site from the Controlled Parking Zone to remove eligibility for both resident and parking permits
- Reinstatement of existing dropped kerbs onto Lime Walk and All Saints Road to increase on street car parking
- Submission and approval of a Construction Traffic Management Plan

Issues:

- Principle
- Form and appearance
- Private amenity space
- Impact on neighbours
- Highways and parking

Sustainability:

The site lies in a sustainable location within easy access of shops, services and public transport links and the proposal to erect two dwellings and an office building would constitute a sustainable form of development that would make more efficient use of an existing brownfield site.

The application is not accompanied by any details relating to sustainable construction measures or energy efficiency. For this reason, condition 12 requires that further details are submitted and approved prior to the commencement of the development.

Officers Assessment:Site location and description

1. The site lies on the east side of Lime Walk at its junction with All Saints Road and currently comprises an open site following the recent demolition of the former light industrial buildings. The site is currently accessed from Lime Walk and All Saints Road.
2. In accordance with the extant planning permission [11/00648/FUL], 73 Lime Walk has been renovated and provided with a small garden area and

the flats at 75 – 81 Lime Walk have benefitted from a larger communal amenity space. The current application site area comprises the remaining brownfield land.

3. The area is characterised by residential dwellings, generally modest terraced and semi-detached properties fronting the pavement. Opposite the site in All Saints Road lies All Saints Church which is a substantial and imposing brick building.

The Proposal

4. The application seeks planning permission to amend the extant permission and enlarge the size of the two new dwellings by the erection of a two storey rear extension to provide more spacious bedroom accommodation on the first floor and the insertion of rear dormer windows to provide a further habitable room within the roofspace of each dwelling. The new dwellings would thereby provide 4 bedrooms at first and second floor levels and would be 'car free' with no off street parking provision. Apart from the rear extensions and dormer windows, the dwellings are similar to the extant scheme.
5. The dwellings would be erected using facing brick and roof tiles and would have private rear gardens that would extend to approximately 10 metres. The existing wall at the rear of the site is to be retained and repaired where necessary and bin and cycle store details are required by condition.
6. The application also includes a two storey office building fronting All Saints Road [phase 2 of the development]. A similar building was approved as part of the extant permission; however officers have concerns that the currently proposed external staircase to the first floor office could result in overlooking of neighbouring gardens and a condition is recommended that would require the entrance arrangement to be reconsidered.

Principle

7. The extant planning permission has established the principle of the erection of a pair of semi-detached dwellings and a two storey office building. The current proposal seeks alterations to the form of the buildings to be erected on the site and to the size of the residential dwellings.

Form and appearance

8. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design, that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings.
9. Policy CP8 of the Oxford Local Plan states that the siting, massing and

design of any new development should create an appropriate visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CS18 of the Oxford Core Strategy emphasises the importance of good urban design that can contribute to the character of the area and create an attractive public realm.

10. The dwellings would have a simple, traditional form and would appear in keeping with the general character of the area. The height of the dwellings would equate with the height of the adjacent flatted development at 75 – 81 Lime Walk. The addition of the two storey rear extensions and rear dormer windows would be subservient additions and are consistent in form with similar additions regularly approved by the Council.
11. The two storey office building would also be erected using brick and roof tiles and is of a size and height that would appear acceptable in the street scene. The issue of the external staircase has already been referred to earlier in this report and a condition has been imposed to address this issue.
12. Officers take the view that the form of the development would positively enhance the appearance of the site and the local area.

Private amenity space

13. Policy HS21 of the Oxford Local Plan states that all new family dwellings should have exclusive use of an area of private amenity space which should generally have a length of 10 metres. Policy HP13 of the Sites and Housing Plan states that houses with 2 or more bedrooms should have direct and convenient access to an area of private open space of adequate size and proportions for the size of the house proposed and at least commensurate with the original building footprint.
14. The private, rear gardens serving the two, new houses would be some 10 metres long and 5 metres wide and it is considered that these are adequate to serve the dwellings and comply with planning policy.

Impact on neighbours

15. Policy HS19 of the Oxford Local Plan and policies HP9 and HP14 of the Sites and Housing Plan all seek to ensure that new development does not unacceptably impact on the standard of residential amenities enjoyed by the occupiers of existing, neighbouring occupiers.
16. The current proposal would result in two, first floor bedroom windows being 2.85 metres closer to the rear gardens of houses in New High Street together with the addition of two second floor, bedroom dormer windows. Window to window distances would be approximately 24 metres and it is considered that such separation distances would ensure that the proposal would not result in any loss of privacy to the occupiers of properties in New High Street.

17. The proposal would not have any adverse impact on the occupiers of either 73 Lime Walk or the flatted development at 75 – 81 Lime Walk which are located adjacent to the application site.

Highways and parking

18. Oxfordshire County Council as Local Highway Authority is not raising any objection to the application subject to the imposition of a number of conditions and informatives as set out earlier in this report.

19. The Highways Officer has commented as follows:

- The site is well located for a range of shops and facilities in Headington and regular bus services along London Road
- The site lies in the Headington Central Controlled Parking Zone
- There is on street parking pressure in the vicinity of the site
- Lime Walk is subject to a 20mph speed limit and the road is traffic calmed in part
- The new dwellings would be car free and would be excluded from eligibility for parking permits
- Short stay on street parking is available for non-permit holders adjacent to All Saints Church which could provide an opportunity for on street visitor parking
- The number of vehicle trips likely to have been generated by the former distribution/storage use of the site is a material consideration
- The reinstatement of the existing dropped kerbs on Lime Walk and All Saints Road could increase on street parking.

20. The extant permission is for 2 x 3 bedroom dwellings and an office building. The current proposal is for 2 x 4 bedroom dwellings. Officers take the view that the increase in the size of the dwellings in terms of one additional bedroom has limited relevance to the issue of 'car free' development and the impact of the proposal on the local road network.

Conclusion:

21. The proposal forms an appropriate visual relationship with the site and the surrounding development and would appear in keeping with the character and appearance of the area. There is an extant planning permission for the development and the current proposal seeks to enlarge the two dwellings. No objections have been received from third parties or statutory consultees and the proposal complies with adopted policies contained in the Oxford Local Plan, the Oxford Core Strategy and the Sites and Housing Plan.

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:

11/00648/FUL

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Extension: 2445

Date: 12th March 2013

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