

WEST AREA PLANNING COMMITTEE

7th May 2014

Application Number: 14/00582/FUL

Decision Due by: 29th April 2014

Proposal: Erection of first floor extension to offices with undercroft parking.(Amended plans)

Site Address: 3 - 5 Middle Way – **Appendix 1**

Ward: Summertown

Agent: Stanley Partnership Architects **Applicant:** Mr R Lindsey

Application called in by Councillors Fooks, Wilkinson, Brett and Campbell due to concerns about the impact on highway safety as well as the appearance of the proposed building.

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed extension is considered to be of a form, scale and appearance that is in keeping with the existing former agricultural building as well as the more historic rural character evident in this part of Middle Way. The proposals will not give rise to significant harm to neighbouring residential amenity and will not worsen highway safety. Consequently the proposals are considered to accord with the requirements of all relevant policies of the development 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 Samples
- 4 Office use (B1 use class) only

- 5 Removal of office permitted development rights
- 6 Further details of balconette required prior to commencement of development

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

- CS2** - Previously developed and greenfield land
- CS18** - Urban design, town character, historic environment
- CS28** - Employment sites

Other Material Considerations:

- National Planning Policy Framework
- Planning Practice Guidance

Relevant Site History:

- 88/00427/NF - Change of use of unused stables to offices. Permitted 17th June 1988.
- 11/02040/FUL - Demolition of existing garage block; modification of boundary wall and erection of detached timber framed building to provide office accommodation. Permitted 26th September 2011.
- 13/03205/FUL - Erection of first floor extension to offices with undercroft parking.. Refused 11th February 2014.

Representations Received:

Four third party objections have been received raising the following concerns:

- Conservation repairs would ideally also be made to this important unlisted former slaughterhouse;
- The proposal would threaten pedestrians using the footway;
- This revised proposal uses inappropriate materials including timber cladding in a historic part of Middle Way. The proposed building overwhelms the traditional stone agricultural building, originally the Old Slaughterhouse. The balcony, materials and height of the eaves are out of keeping with the

surrounding buildings of Middle Way in particular the Victorian cottages opposite;

- These revised proposals have retained the car parking area for 8 cars ignoring the Highway Officer's comments in the recommendation for refusal on the previous planning application reference 13/03205/FUL. The 8 cars parked on the site have to manoeuvre in and out whenever one car wants to exit. It is hazardous and the new proposal is just as dangerous as the previous one as the area outlined for parking is the same. Council approval of this plan would effectively endorse the current informal arrangement which is dangerous and exceeds maximum parking standards.

Statutory Consultees:

Local Highway Authority (Oxfordshire County Council) - Object. There are currently eight informal car parking spaces which are proposed to be retained. These parking spaces are configured in such a way that vehicles wishing to leave the site are likely to require other parked vehicles to perform complex manoeuvres in order to let them do so. These manoeuvres cause both delay and danger and the proposal is not acceptable for these reasons. Oxford City Council's car parking policy maximum standards would allow a maximum of five car parking spaces which would be required to be to dimensional standards, but a much lower provision would be sought in this more sustainable location.

Officers' Assessment:

Application Site and Locality

1. The application site consists of an L-shaped building that was formerly used as a slaughterhouse. The building comprises two main elements. The first and more historic is the natural stone single storey original, part open sided slaughterhouse building which abuts the footway and has a ridge line running parallel to the road. It has side hung timber doors fronting Middle Way which allows access through to the courtyard to the rear. This stone building has been extended to the rear via a larger red brick barn-like structure which projects perpendicularly off the smaller stone building back into the site. The whole building has been used as a single office since the late 1980s.

2. To the side of the building lies an open, part hardsurfaced gap which is currently used for parking by staff associated with the office. There is space for approximately eight cars to park off-street in this gap.

3. Middle Way is a relatively high density residential street of Oxford located just off Banbury Road. It features mostly two and some three storey houses, some of which date back to the late 1800s including characterful Victorian era housing. More recent development has been a little higher rise and slightly blander in form and appearance ensuring that the street features something of a mixture of architectural styles. There are however also more historic buildings that reflect the previous rural character of the area including the former agricultural buildings on the application site as well as larger detached villas on more spacious plots, only a handful of which still exist in this part of Oxford.

4. The application site can be seen in its context on the site location plan attached as **Appendix 1**.

Description of Proposed Development

5. The application seeks permission for a first floor extension to the existing office building through a predominantly brick built structure set on brick pillars above the existing parking area. Waney edge timber boarded is proposed to clad the gable ends of the building and it is proposed to have a dark grey standing seam roof covering.

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

- Design and Appearance;
- Impact on Neighbouring Properties;
- Highways and Parking.

Design and Appearance

7. Policies CP1 and CP8 of the Local Plan require new buildings to relate to their setting to enhance and protect local character. It further adds that planning permission will only be granted where the siting, massing, form, layout, scale and appearance of a proposed development creates an appropriate visual relationship with the surrounding area.

8. The appearance of the existing buildings on the site reflect the rural history of this part of Summertown and, in this sense, they are a rare feature within the immediate area. Middle Way features a mix of architectural styles and design detailing though generally the southern part of the street where it meets South Parade has a more traditional rural feel with greater individual variety to its buildings. The existing gaps between the application site and No. 9 Middle Way are however rather unsightly and are used mainly for off-street parking and storage such that they feature informally laid hard surfacing as well as sparse grass coverage.

9. The gaps do not positively contribute to the streetscene either in themselves or by providing pleasant views to greenery or buildings of architectural merit beyond. Middle Way has a tighter, closer and high density character with its buildings generally extending close up to or abutting the road edge.

10. Officers therefore consider an appropriately designed extension that responds to the agricultural character of the existing building to be acceptable in principle. The extension proposed is set back significantly from the front wall of the existing building and is of a height consistent with the existing rear projecting barn element such that it will not dominate or unduly impose itself on the existing buildings or the streetscene. Its dual pitched roof form is designed to a similar angle as that of the existing building and its predominantly brick walls will also allow it to sit comfortably alongside the larger red brick section of the existing building. Waney edge timber cladding to the gables in untreated oak is a traditional material found on many rural and agricultural buildings which officers consider to be appropriate given the origins and character of the former slaughterhouse building. The fenestration arrangements

are of a relatively traditional form too. A condition is recommended to be imposed requiring approval of samples of all external materials prior to the commencement of the development to ensure a satisfactory appearance. Officers do however still have some concerns about the front balcony element which is a less typical feature of an agriculturally styled building. Whilst some form of safety protection outside the front facing doors is considered reasonable, officers would wish to see details of its design and materials prior to commencement to ensure it was consistent with the building's otherwise rural character.

11. Overall therefore officers are of the view that, subject to the recommended conditions, the development proposed is in keeping with the character of the existing building and would enhance rather than detract from the appearance of the site within the street. For this reason the proposals are considered to accord with the requirements of policies CP1 and CP8 of the Local Plan as well as policy CS18 of the Core Strategy.

Impact on Neighbouring Properties

12. Policies CP1 and CP10 of the Local Plan require development proposals to adequately safeguard neighbouring residential amenity.

13. The extension proposed would be adjacent to a strip of land which features a number of single storey garage blocks. This land ensures that there is a generous separation distance between the development proposed and the dwelling of No. 9 Middle Way. The separation distances involved will prevent the office extension from overbearing or overshadowing this neighbouring house or its rear garden area. Furthermore, the extension proposed does not feature any side facing windows that could allow overlooking of neighbouring gardens or give the perception of harmful overlooking.

14. A ground floor kitchen window in No. 8 South Parade faces onto the adjacent strip of land featuring the garage blocks. However, given the separation distance of over 10m, this window will not be unduly affected with respect to the light or outlook it currently enjoys. The rear facing window in the extension will also not afford direct views into this kitchen window given the oblique angles involved thereby not being likely to have an adverse effect on the levels of privacy enjoyed by occupiers of No. 8 South Parade.

15. Consequently officers are satisfied that the proposals adequately safeguard neighbouring residential amenity as requirement by the aforementioned development plan polices and have no concerns in this regard.

Highways and Parking

16. The site proposed for the extension is currently used for the off-street parking of cars connected with the existing office. Cars generally park side-by-side extending to four cars deep leaving space for up to eight cars. Middle Way is relatively narrow and made awkward to navigate as a result of numerous parked cars in allocated bays including some directly opposite the site access. Whilst undesirable, the use is lawful in planning terms and consideration can only be given to the direct impact of the

development proposed as part of the assessment of the application proposals.

17. The Local Highway Authority (LHA) has objected to the development on the basis that it formalises existing poor quality parking arrangements. Third party objections have also been received that similar raise concerns about this matter.

18. However, the development proposed simply builds above this existing parking so that the level of parking would not be affected. Whilst there will be a slight reduction in the width of the parking spaces as a result of the pillars, the pillars are relatively narrow and in the opinion of the Highway Authority would not in themselves materially adversely affect parking manoeuvres. Whilst existing parking provision exceeds that which the Council would normally expect for an office in this location, the level of car parking already exists and will not be impacted by the development. With this in mind, officers are of the view that the proposals would not materially worsen or harm highway safety.

Other Matters

19. A third party comment has raised the matter of the desirability for improvements to the condition of some of the stonework in the existing building. This however is beyond the scope of the current proposals and is not appropriate to pursue within the scope of the current planning application.

20. To ensure the Council has control over future uses/development of the building in the interests of neighbouring amenity, conditions are recommended securing the building within office use (use class B1(a)) and removing any permitted development rights to carry out further alterations to the extended building or change its use.

Conclusion

21. The proposals are considered to enhance the appearance of the site to the benefit of the streetscene without adversely affecting existing highway movements or neighbouring living conditions. Consequently officers find that the proposals accord with all relevant policies of the development plan and can be supported subject to the conditions listed 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:

88/00427/NF

11/02040/FUL

13/03205/FUL

14/00582/FUL

Contact Officer: Matthew Parry

Extension: 2160

Date: 27th April 2014

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