

East Area Planning Committee

1st June 2011

Application Number: 11/00864/FUL

Decision Due by: 13th June 2011

Proposal: Erection of 6 two storey houses (4x3 bedroom and 2x2 bedroom). Provision of 10 car parking spaces, cycle parking and bin store.

Site Address: Former Filling Station Sandy Lane (site plan: appendix 1)

Ward: Blackbird Leys Ward

Agent: JP Planning Ltd

Applicant: Mr Alan Heather

Recommendation:

The East Area Planning Committee are recommended to approve planning permission for the following reasons:

- 1 That the proposed development would make an appropriate and efficient use of a previously developed and underused site, while also providing a suitable balance of housing within the site to meet future need within the Blackbird Leys Neighbourhood Area, and create a good standard of internal and external environment for the future occupants of the dwellinghouses while also safeguarding the residential amenities of the existing properties surrounding the development. The proposed semi-detached buildings would be of a size, scale, and design that would reflect the sites capacity and create an appropriate visual relationship with the built form and grain of the Sandy Lane street scene and wider area. No third party representations have been received.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans

- 3 Samples of materials
- 4 Landscape plan required
- 5 Landscape carried out by completion
- 6 Tree Protection Plan (TPP) 1
- 7 Arboricultural Method Statement (AMS) 1
- 8 No felling lopping cutting of trees
- 9 Landscape hard surface design - tree roots
- 10 Landscape underground services - tree roots
- 11 Details of Means of Enclosure
- 12 Details of Refuse and Cycle Storage
- 13 Details of the parking areas
- 14 Visibility Splays
- 15 Design - no additions to dwelling
- 16 Noise Assessment Survey and Sound Proofing Scheme
- 17 Contaminated Land Assessment and remediation

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
- CP11** - Landscape Design
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy

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

Other Material Considerations:

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- Balance of Dwellings Supplementary Planning Document (Jan 2008)

Relevant Site History:

81/00594/NF: Redevelopment of existing Petrol Station: Approved

82/00255/NF: Change of use of part petrol filling station to car sales and erection of canopy in connection with car sales: Refused

85/00453/NF: Construction of car washing facilities (Amended Plans): Approved

90/01130/NF: Construction of car washing facilities: Approved

96/01618/NO: Outline application for exhaust and tyre centre: Refused

98/01662/NO: Outline application for the erection of a building to provide Tyre and Exhaust Centre including closure of 1 access and use of remaining entrance to provide access to 8 parking bays: Allowed on Appeal

00/01595/NF: Erection of 2 storey building to provide Tyre & Exhaust Centre with 1 bed staff accommodation over, retention of existing vehicular access, 13 customer & staff parking spaces plus 1 for residential unit: Refused

09/01930/FUL: Erection of 3 storey building comprising of 5 flats (3 x 2 and 2 x 1 bedroom), erection of 3 storey building to form 3 x 3 bedroom houses. Provision of 13 car parking spaces and covered bin and bike storage (10 spaces): Withdrawn

10/02731/FUL: Erection of 3 x two-storey 3-bedroom dwellings and a two-storey building containing 4 x one-bedroom flats. Provision of car parking, cycle parking and covered refuse/recycling stores. (Amended description) (Amended plans): Refused

Representations Received:

None

Statutory and Internal Consultees:

Oxfordshire County Council Highways Authority: At the time of preparing the report, comments have not been received from the highways authority. If available these will be reported verbally at the meeting.

Issues:

- Principle of Development
- Balance of Dwellings
- Design
- Impact upon adjoining properties
- Residential amenities
- Highway Matters
- Contamination
- Other Matters

Officers Assessment:

Site Location and Description:

1. The site is located on the northern side of Sandy Lane, and is bordered to the north, east, and west by the car park for the Oxford Stadium, with Sandy Lane to the south (**site plan: appendix 1**).

2. The site was formerly used as a petrol filling station [The Greyhound Filling Station] but is currently lying vacant with the remnants long since demolished.

Proposal:

3. The proposed development would seek permission for the erection of three pairs of two-storey semi-detached houses to form 6 dwellings (4x3 bed and 2x2 bed).
4. The units of accommodation would have their own individual private gardens to the rear, and refuse and cycle storage. There would be a total of 10 off-street parking spaces accessed from Sandy Lane, with 2 spaces for the 3 bed units and 1 space for the 2 bedroom unit.

Principle of Development:

5. The site is currently vacant as the previous use as a petrol filling station has now ceased.
6. National planning policy guidance in the form of PPS3: Housing seeks to promote the re-use of previously developed land. The Oxford Core Strategy 2026 supports this aim with Policy CS2 stating that development will be focused on previously developed land.
7. As defined by Annex B of PPS3, the application site would be considered previously developed land. Therefore the principle of redeveloping the site for residential use would accord with both national policy guidance and Policy CS2 of the Oxford Core Strategy 2026.

Balance of Dwellings:

8. Policy CS23 of the Oxford Core Strategy 2026 seeks to ensure that residential development delivers a balanced mix of housing to meet future need, both within each site and across Oxford as a whole and relates to the size, type and tenure of dwellings.
9. The Balance of Dwellings Supplementary Planning Document (BoDSPD) has been produced to provide guidance on how the Council will apply this policy. The BoDSPD subdivides the city into a number of Neighbourhood Areas, and then applies a traffic light model to provide guidance on the preferred mix of accommodation within that local context. The application site is located within the Blackbird Leys Neighbourhood Area, which is an area where a lower proportion of new family dwellings are required in comparison to smaller units of accommodation as part of the mix for new development.
10. The proposed scheme would provide a total of 6 units of accommodation, with 4x3 bedroom units and 2x2 bedroom units, which would deliver a balanced mix of housing type in accordance with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Design:

11. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design through responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture.
12. The Oxford Local Plan 2001-2016 requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need for proposals to make an efficient use of land, but in a manner where the built form and site layout suits the sites capacity and that of the surrounding area. This view is supported through Policy CP8, which states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area.
13. The application site is an underused plot situated on the northern side of Sandy Lane, adjacent to the Oxford Stadium and its car park. This side of the street is characterised by a number of commercial / industrial buildings which break up the appearance of the street scene. The southern side of the street has a far more distinct appearance as the edge of the residential suburb, with groups of terraces set back from the pavement by small front gardens, with off-street parking set within large grass verges.
14. In terms of size, scale, and design the proposal would provide three pairs of semi-detached properties which would be evenly spaced across the plot, albeit with the 2 beds set back further from the road than the 3 bed units. The setting of the application site on the northern side of the road means there is little adjacent development for the scheme to relate to, nevertheless the buildings are of a residential scale and similar to the modest sized properties on the opposite side of the rear. The proposed dwellings would be constructed from a mix of materials such as facing brickwork, render, and timber horizontal boarding, all of which would be appropriate for the location and should be secured by condition.
15. As a result officers would raise no objection to the size, scale, and design of the semi-detached properties which would accord with Policies CP1, CP6, CP8, and CP10 of the Oxford Local Plan 2001-2016.

Impact upon adjoining properties

16. The Local Plan seeks to safeguard the amenities of properties surrounding proposed development. Policy HS19 states that permission will only be granted for development that protects the privacy and amenity of proposed and existing residential properties, and will be assessed in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported through Policy CP10.
17. Having regards to the site layout, the semi-detached blocks would be sited in a manner that does not create any adverse privacy or amenity issues for any of the individual properties within the scheme in terms of loss of light, outlook, overbearing impact or overlooking.

18. Turning to the properties on the southern side of Sandy Lane, the front boundary of the application site is situated approx 23m from these properties, and the proposed buildings would be set further away from this boundary. As such there would be sufficient separation distance to ensure that the proposal does not create any privacy or amenity issues for these properties on the opposite side of the road.

Residential amenities

19. The proposed dwellinghouses would all be self-contained with their own lockable entrance, kitchens and bathrooms and of a size that establishes an appropriate internal living environment for future occupants of the individual dwellings.

20. In terms of the general site layout, the Local Plan makes clear through Policy CP10 that development should be sited to meet functional needs, with outdoor needs properly accommodated. Policy HS21 also states that permission will not be granted for development where insufficient or poor quality private open space is proposed. Family dwellings of two or more bedrooms should have exclusive use of a private space, which should generally be 10m in length for dwellinghouses.

21. The dwellinghouses would each have their own private rear gardens, with the length of the gardens for the 3 bedroom units measuring approx 9.9m and the 2 bedroom units measuring 7m. The rear gardens for the 3 bed units would fall just short of the 10m length generally sought, but would have a reasonable width and as such would be considered appropriate for this type of accommodation. In relation to the 2 bedroom properties, the gardens would be below the general standard for a family dwelling, but they would have a reasonable width to make up for the reduced depth and the size is borne out by the need to site the building an appropriate distance from the Poplar Tree adjacent to the site. Therefore on balance despite this shortfall, officers would not raise an objection in this instance to the size of the gardens. In terms of refuse and cycle storage, the units of accommodation would have individual storage areas in the rear gardens which would be accessible from the frontage of the properties.

22. Therefore officers consider that the proposal would provide a good standard of internal and external environment for the future occupants of the dwellings which would accord with Policies CP10, HS20, and HS21 of the Oxford Local Plan 2001-2016.

Highway Matters

23. The proposal would provide two off-street parking spaces for each of the 3 bed dwellings, and a single off-street parking space for the 2 beds. This would satisfy the maximum parking standards as set out in Policy TR3 of the adopted Oxford Local Plan 2001-2016.

Contaminated Land

24. Having regards to the former use of the site as a filling station, a site investigation report has been carried out and has been assessed by the Oxford City Council Environmental Health Department. Should permission be granted for the proposal, a condition should be attached requiring further contaminated land risk assessments and any identified remediation to be carried out.

Other Matters

25. There are two Poplar trees outside the site on the eastern boundary. An Arboricultural Report has been included with the application that recognises these as having a high amenity value. The 2 bedroom semi-detached dwellings have been sited in a manner that would not have an impact upon the closest poplar tree, and although part of the building would encroach upon the root protection area [RPA] of the tree it would be unlikely to have an impact upon the tree. Conditions should be attached requiring details of the tree protection measures.

26. The site is located close to potential noise sensitive developments such as the Oxford Stadium, and as such Environmental Health have recommended a condition requiring a noise assessment survey of the site and scheme for soundproofing of the development be submitted.

Conclusion:

27. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore Members of the East Area Planning Committee are recommended to grant planning permission for the proposed 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.

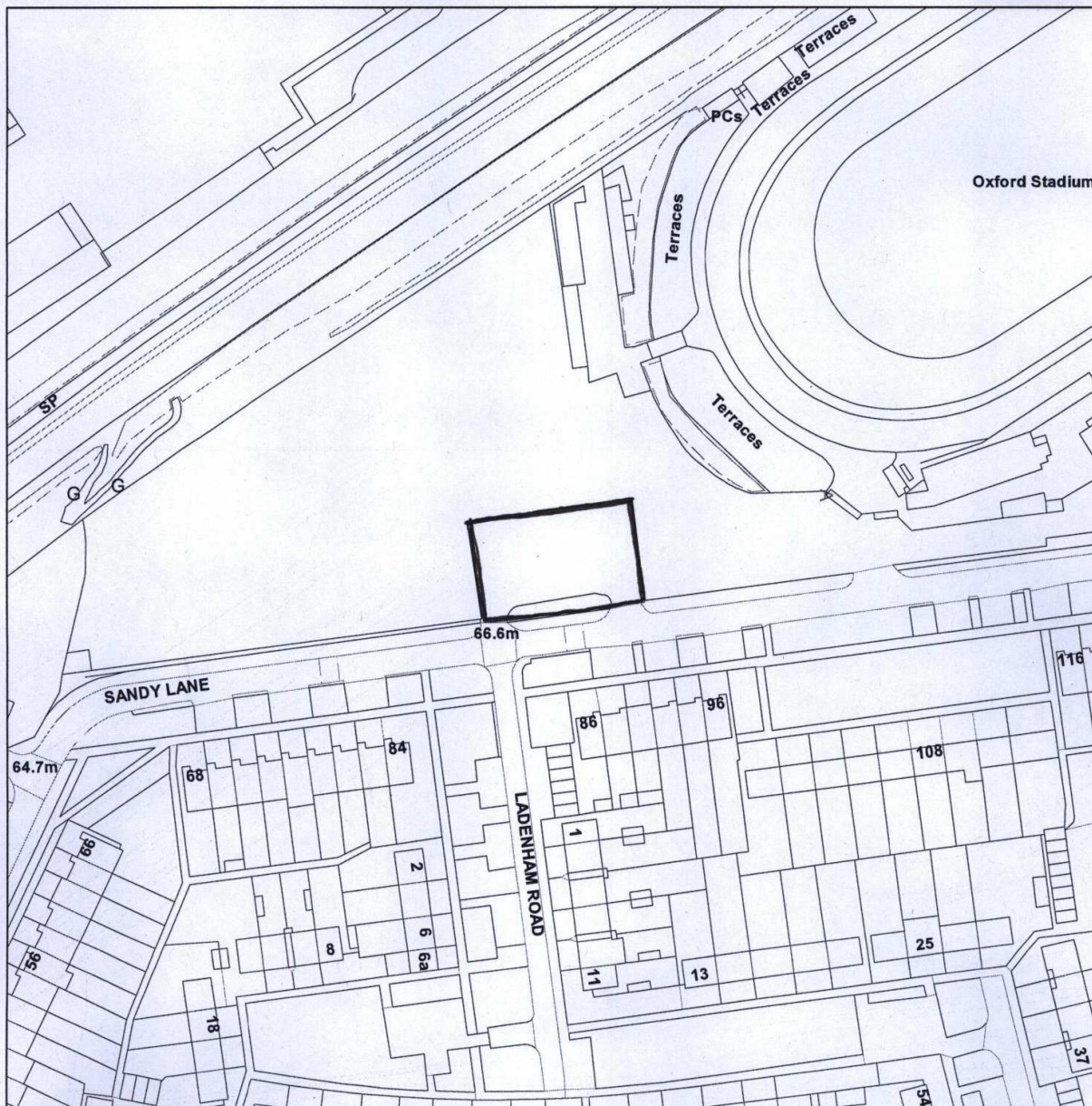
Contact Officer: Andrew Murdoch
Extension: 2228
Date: 20th May 2011

Appendix 1

Former Filling Station, Sandy Lane (11/00864/FUL)



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	19 May 2011
SLA Number	Not Set

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