

West Area Planning Committee

-14th June 2016

Application Number: 16/00809/FUL

Decision Due by: 18th May 2016

Proposal: Demolition of an existing house. Erection of 2 x 4bed dwellinghouses (Use Class C3). Provision of car parking spaces, private amenity space and bin storage.(amended plans)

Site Address: 29 Apsley Road Oxford Oxfordshire OX2 7QX (**site plan: appendix 1**)

Ward: Summertown Ward

Agent: Mr Neil Clarke

Applicant: Mrs Mary Channer

Recommendation:

West Area Planning Committee is recommended to approve for the following reasons and subject to the conditions listed below.

For the following reasons:

- 1 The proposal forms an appropriate visual relationship with the site and surrounding development and will not detract from the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities enjoyed by adjacent properties, nor on vehicle or pedestrian movements. The proposal complies with adopted policies contained in the Core Strategy 2026, the Oxford Local Plan 2011-2016, and the Sites and Housing Plan 2011-2026.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 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 Landscape plan required
- 5 Landscape carry out by completion
- 6 Tree Protection Plan (TPP) 1
- 7 Car/cycle parking provision before use

- 8 Bin stores provided before occupation
- 9 Design - no additions to dwelling
- 10 Amenity no additional windows
- 11 Amenity windows obscure glass first and second floor side elevations
- 12 Boundary details before commencement
- 13 Details of solar panels
- 14 SUDS
- 15 Variation of Road Traffic Order North Summertown Controlled Parking Zone
- 16 Vision splays
- 17 Biodiversity enhancement

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
- CP10** - Siting Development to Meet Functional Needs

Core Strategy

- CS9** - Energy and natural resources
- CS10** - Waste and recycling
- CS12** - Biodiversity
- CS18** - Urban design, town character, historic environment
- CS22** - Level of housing growth

Sites and Housing Plan

- HP2** - Accessible and Adaptable Homes
- HP9** - Design, Character and Context
- HP10** - Developing on residential gardens
- HP11** - Low Carbon Homes
- HP12** - Indoor Space
- HP13** - Outdoor Space
- HP14** - Privacy and Daylight
- HP15** - Residential cycle parking
- HP16** - Residential car parking
- MP1** - Model Policy

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

None

Representations Received:

The responses below were made in relation to the originally submitted plans. The plans were revised to revise car parking arrangements and move the entrance doors to the front. An additional two week consultation was carried out on the revised proposals.

Three objection letters have been received from:

- 38 Templar Road

- 27 Apsley Road
- Apsley Road

The objections raise concern regarding the following:

- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on privacy
- Effect on traffic
- Height of proposal
- Local ecology, biodiversity
- Local plan policies
- Noise and disturbance
- On-street parking
- Open space provision
- Parking provision
- Public transport provision/accessibility

Statutory and Internal Consultees:

Thames Water: Have no objections regarding water infrastructure capacity or sewerage infrastructure capacity.

Highways: Objection (in relation to the originally submitted plans)

Oxfordshire Highways recommend objection to the proposed development due to the loss of on street parking bays.

Following a review of the application documents, it appears that the proposed vehicle access and dropped kerb would result in a loss of on street parking bays. The provision of off-street parking remains the same (2 spaces) therefore, there is estimated to be a net loss in parking provision with the current proposal. The site is located in the North Summerton (NS) CPZ which experiences high parking demand.

The proposals for the relocation of the dropped kerb should be amended to minimise the impact on parking provision.

Issues:

- Demolition of the existing property
- Impact on the street scene
- Impact on neighbouring properties
- Trees
- Biodiversity
- Highway Matters

Officers Assessment:

The Site and Surroundings

1. The application site is a detached house on the south side of Apsley Road.
2. Apsley Road is a straight road running some 300m east to west from its junction with Banbury Road. At the Banbury Road end there is a mix of uses with student

accommodation adjacent to Summertown House and the Remont Oxford Hotel in the southern corner of the junction.

3. The main length of the residential part of the road within which number 29 is located is characterised by detached houses with the exception of former 17 which has been demolished and replaced with a pair of semi-detached houses (application reference 14/02833/FUL), similar to those being considered as part of this application.
4. The properties on the south side of Apsley Road are generally set on a building line approximately 8m back from the back of the footway creating good sized front gardens most of which accommodate one or in some cases two off-street parking spaces. Low brick walls or fences with hedging define the front gardens, which are characterised by planting, lawns, hard landscaping, and some trees. There is some variation in the architectural style and external details and materials between properties, but overall there is a general uniformity in the street scene. Many properties have been extended sideways and rearwards but gaps remain between them.
5. 29 Apsley Road has a side attached single garage with room over. It has a hipped pitched tiled roof, a curved front gable with tiled roof detail to the ground floor front window, and decorative timber in the roof gable. The elevations are of red brick construction.
6. The front garden is laid to lawn with small borders, and there is an access drive for up to two cars. At the rear, the garden is divided in two parts. Closest to the house it is laid to lawn with borders and to the rear is a vegetable patch.

The Proposal

7. The application seeks planning permission for demolition of the existing house and the erection of two 4 bedroom semi-detached houses each with an off-street car parking space in the front garden from individual access points. Amendments to the scheme as originally submitted have been secured including moving the main access doors so the primary access is from the front rather than from the side, and the parking arrangements have been revised to seek to limit the impact upon on street parking provision.
8. The scale and mass of the proposal emulates that approved at No. 17 Apsley Road. The proposed houses are located on a similar building line as the house to be demolished. Gaps are retained at the side boundaries with the adjacent houses which themselves are set in from the boundaries retaining meaningful gaps between the properties on both sides.
9. The proposed houses have a main 2 storey range built on the existing rear building line. A second floor is created in the roof with side-facing gables to accommodate a staircase. The proposals include 4.3m single storey rear projections with basements under the back half of the property and proposed single storey rear additions. Internally the proposed properties have front living rooms and rear dining/kitchen/family rooms with full width glazed doors to the gardens. On the first and second floors there is an en-suite bedroom; 3 other bedrooms; a study and 2 family bathrooms.
10. The roof height replicates the ridge heights of the 2 adjacent properties. An area of flat roof is created on which sloping Solar PV units are proposed.

11. The front elevation incorporates a hipped pitched roof with eaves to match the adjacent properties, 2 rounded bays with roof gables over, 2 small dormer windows in the roof slope and semi-circular brick entrance arches.
12. To the rear elevation dormers are set into the rear roof slope of a scale which is subservient to the roof and not dominating or overbearing in the view from adjacent gardens; and of a design which will be in keeping with the proposed rear elevation. The single storey rear projections are proposed to have flat roofs.
13. Enclosed bin stores are proposed in the front garden and secure cycle storage is proposed in the rear garden.

Demolition of the Existing Property

14. Whilst the existing house is attractive, it is not of sufficient quality to be listed nor is it in a conservation area. No controls are therefore available to the Council to resist its demolition or to insist on its retention within a development scheme for the site.

Principle of 2 Semi-detached Houses

15. Policy HP10 of the Sites and Housing Plan allows for suitably designed development on residential gardens provided that any biodiversity losses are avoided or mitigated. Policy CP6 of the Oxford Local Plan states that suitably designed development proposals should make maximum and appropriate use of land and best use of a site's capacity in a manner that does not compromise the character of the surrounding area. The aim of Policy CS23 of the Core Strategy and the Balance of Dwellings SPD (BoDs) is to provide for a range of housing types and sizes across the city.
16. The site is an existing residential plot and there is therefore no 'in principle' objection to its residential redevelopment subject to the development being acceptable in all other terms. Rather, it is considered that 2 semi-detached houses on this site would make good use of the site's capacity and create an additional family house in compliance with Policy CP6 of the Oxford Local Plan, Policy CS23 of the Core Strategy, and BoDs.

Impact on the Street Scene

17. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing DPD in combination require that development proposals incorporate high standards of design and respect local character.
18. It is considered that by virtue of their bulk and massing the proposed dwellings will result in an increase in the amount of development on this site and impact upon the character of the street scene by adding another pair of semi detached properties on a street originally characterised by detached dwellings. However by virtue of the small gaps retained between properties and the design incorporating features that promote subservience it is not considered that this will detract significantly enough to warrant refusal.
19. The proposed houses will not protrude into or dominate the street scene. The front elevation has been designed to draw on existing features in the street scene: front gables and windows that draw on the proportions and positions of fenestration

elsewhere in the street, a semi-circular brick arch to the front doors, and materials to match existing properties.

20. In the front garden the scheme proposes the creation of 2 off-street parking spaces (1 for each property), and bin stores, with planting, and landscaping. Some other properties in Apsley Road have hard landscaped areas in their front gardens used for off-street car parking which, over the years have become softened by matured planting, hedging and trees. The limited planting possible in the front garden of the proposed scheme would, over time serve to soften the impact of the proposed parking and re-integrate the site into the street scene. Landscaping and boundary treatment can be required by condition and their suitability will be judged against adopted policy.
21. Sloping, roof mounted solar PV panels are proposed and concern has been raised about their potential visual impact in the street scene. It is considered that they will be visible to a limited extent but will not be significantly obvious or jarring in the street scene because they are to be set back at an angle and in a position on the roof to minimize their visibility. They bring sustainability and energy efficiency benefits which outweigh any limited visual harm that they may create.
22. Overall the external appearance largely reflects the scale and architectural style of the existing houses in the street. It is therefore concluded that the proposed development will not dominate this part of Apsley Road nor appear cramped between its neighbours. Its front elevation is acceptable in that it draws on the character and context of the street scene in this part of Apsley Road.

Impact on Neighbouring Properties

23. Policy HP14 of the Sites and Housing Plan requires that reasonable privacy and daylight are allowed for occupants of existing and new homes.
24. The proposed main range replicates the existing dwelling and broadly lines up with the rear walls of the adjacent properties. The applicant has demonstrated that the single storey rear extension from the main range would breach the 45 degree test when measured from the adjacent principal windows to habitable rooms at 29 and 31 Apsley Road but would not breach the 25 degree test as shown in Appendix 7 of the Sites and Housing Plan. The rear of these properties are also south facing and would therefore retain good levels of natural light. Given the configuration of windows and rooms at the two neighbouring properties it also is judged that the proposal will not unduly overbear either property or unacceptably enclose the outlook from the rear of those properties. Proposed side facing windows at first and second floor serve bathrooms and stairwells and can be conditioned to be obscure glazed therefore maintaining the neighbours' privacy.
25. It is therefore judged that the daylight, sunlight, privacy and outlook currently enjoyed at the adjacent properties would not be unduly affected by the new development particularly given the southerly aspect.

Garden Space and Residential Amenities

26. Policy CP10 of the Oxford Local Plan; and Policies HP 2, 10, 12, 13, 15 and 16 of the Sites and Housing Plan set out the functional requirements for residential developments.

27. The proposed new dwellings will have a deeper footprint and therefore higher site coverage than the existing building. The proposed gardens in the final set of amended drawings replicate the footprints of the proposed houses and meet policy requirements. Their size is significantly smaller than other garden sizes in Apsley Road but it is not considered that the reduced garden area will adversely affect the character and quality of the public realm.
28. All other functional requirements such as for cycle parking, indoor space and waste storage are met. The applicant has submitted a statement indicating that the proposal meets the Lifetime Homes Standard and exceeds Part L of Building Regulations and this is judged to be satisfactory.

Trees

29. Policy NE15 of the Oxford Local Plan specifically refers to the retention of trees, hedgerows and other landscape features where their removal would adversely impact upon public amenity or ecological interest.
30. The proposals require the removal of two small cotoneaster trees from the front garden and several rear garden trees including 2 apple trees and a Judas tree. These are considered to be low quality and value trees and any detrimental impact upon public amenity resulting from their removal can be adequately remediated by new tree planting.
31. The proposals provide an opportunity to secure the planting of two medium-large growing trees of an appropriate species in the front garden which will benefit the character and appearance of the area.
32. It is recommended that if planning permission is granted, this should be subject to the receipt and approval of a landscape plan, a landscape implementation plan and a tree protection plan secure through appropriately worded planning conditions.

Biodiversity

33. Policy CS12 of the Core Strategy states that development will not be permitted that result in a net loss of sites and species of ecological value and where there is an opportunity, development will be expected to enhance Oxford's biodiversity.
34. The site has been assessed for its biodiversity value. It is considered that there is not a reasonable likelihood of protected species or habitats being impacted by the proposals. It is however considered appropriate to recommend a condition is included, if minded to approve, in order to secure enhancements measures.

Highway and Drainage Matters

35. Each new property would be provided with an off-street parking space in the front garden. The Local Highway Authority initially objected to the proposals on the basis of loss of one on street parking provision. The applicant has since amended their plans to change the access arrangements from the highway and decrease the loss of on street parking. Given the road layout as shown on the plans, the applicant has now demonstrated that there will be no net loss of a viable parking space as a result of this proposal.

36. It is considered that it is appropriate to require the CPZ to be amended to prevent occupiers of the new property gaining access to a parking permit to prevent increased pressure with regard to on street parking provision.
37. The proposal to use a Sustainable Urban Drainage System and rainwater harvesting is welcome. A condition is recommended requiring submission of details of soakage tests and the size of the SUDs system that would be appropriate and for hard landscaping to be porous and SUDS compliant.

Sustainability:

38. Policy CS9 of the Core Strategy 2026 and HP11 of the Sites and Housing Plan encourage the use of renewable energy sources and the promotion of energy efficiency.
39. The Energy Statement indicates that this proposal is to use a form of construction and energy management system which will create high levels of sustainability and energy efficiency through efficiency in design, a rainwater harvesting system, a mechanical ventilation system and solar panels on the roof.
40. Further, the site is already developed and its redevelopment will help make efficient use of land in accordance with Policy CS2 of the Core Strategy and CP6 of the Oxford Local Plan. It is in a sustainable location close to local services and transport links.

Conclusion: West Area Planning Committee is recommended to approve subject to the conditions listed above.

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: 16/00809/FUL

Contact Officer: Sarah Jones

Extension: 2186

Date: 25th May 2016