East Area Planning Committee

8th February 2017

Application Number: 16/02017/FUL

Decision Due by: 26th September 2016

Proposal: Demolition of existing side extension. Erection of 2 x 4-bed semi-detached dwellinghouses (Use Class C3). Provision of new access with car parking for 2No. vehicles, private amenity space and bin and cycle store.

Site Address: 14 Holyoake Road Oxford OX3 8AE

Ward: Quarry And Risinghurst Ward

Agent: H Venners **Applicant:** JPPC

Application Called in – by Councillors – Sinclair, Munkonge, Taylor and Lygo for the following reason – Impact on neighbouring amenity

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Recommendation:

The East Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

1 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 Materials
4 Obscure glazed side windows
5 Boundary treatments
6 Removal of PD rights
7 Variation of local traffic order
8 Cycle storage
9 Vision splays
10 Drainage details
11 Refuse and Recycling Storage
12 Landscaping

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
CP11 - Landscape Design
CP13 - Accessibility
CP19 - Nuisance
CP20 - Lighting
CP21 - Noise
CP22 - Contaminated Land

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS10_ - Waste and recycling
CS11_ - Flooding
CS12_ - Biodiversity
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS23_ - Mix of housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes
MP1 - Model Policy
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

Other Material Considerations:
National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:
14/02688/FUL - Change of use from Chiropractor's Clinic (D1 use) to dwelling house (C3 use) (retrospective) – PERMISSION 20 November 2014

14/03474/FUL - Demolition of existing side extension and garage at 14 Holyoake Road. Erection of 2 x 5 bed dwellings (Use Class C3). Provision of dropped kerb,

car parking, private amenity space and bin stores. – WITHDRAWN

15/02096/FUL - Demolition of existing side extension. Erection of 2 x 5-bed dwellings (Use Class C3). Provision of dropped kerb, car parking, private amenity space and bin stores. – WITHDRAWN

16/00174/VAR - Variation of condition 2 (Cycles and Bins) and 3 (Car Parking Plan) of planning permission 14/02688/FUL to allow discharge of conditions post compliance period. (Amended plan) – PERMISSION 15 June 2016

Statutory and Internal Consultees:
Oxfordshire County Council Highways: No objections subject to conditions. Conditions should include removal of eligibility for resident's and visitor's parking permits. Additional conditions should include cycle storage details and vision splays to be provided prior to first occupation.

Natural England: No comments.

Representations Received:

(no address provided), 1, 2 (2 comments received) and 4 Linden Court, 15, 23, 32 Holyoake Road, objections:

- Site should be excluded from residents parking permits
- Plans are inaccurate
- Impact on daylight/sunlight
- Effect on privacy
- Height of development
- Information missing from plans
- Impact on parking
- Impact on highway safety
- Impact on traffic
- Impact on character of area
- Impact on trees
- Cycle storage provision
- Heritage value of site
- Impact during construction

Site Description

1. The application site consists of an existing dwellinghouse, 14 Holyoake Road and its substantial side, rear and front gardens. The property is a detached dwellinghouse constructed of red brick with a tiled roof. On the southern elevation of the dwellinghouse is a lean to extension which comprised a garage but has subsequently been converted to provide additional living accommodation.

2. Holyoake Road is characterised by two storey houses with a variety of sizes and architectural styles. The east side of the road contains some terraced houses dating from the early 20th Century with properties on the west side of the road containing some larger properties, including semi-detached and

detached houses. To the south of the application site is Linden Court which runs perpendicular to Holyoake Road and has a generous area for car parking that is accessed from Holyoake Road. Linden Court is a block of ten one bedroom houses that have small gardens abutting the application site's southern boundary.

3. The application is not in a Conservation Area. It should be noted that the application property has been previously put forward for local listing on account of its historic interest because it was once occupied (for a short-time) by the writer CS Lewis.

Proposed Development

4. It is proposed to demolish the small existing single storey side extension at 14 Holyoake Road and erect 2 x 4 bedroom semi-detached dwellinghouses on the site of the extension and generous side garden of the property. The proposed dwellinghouses would have accommodation across three floors; incorporating a loft accommodation. The ground floor of the property would have a single storey element at the rear to provide more accommodation at that level. The proposed dwellings would be constructed from brick to match 14 Holyoake Road and areas of render on the sides. The proposed development would have a similar overall height as the existing property at 14 Holyoake Road.

5. The proposals also include an area for car parking at the front of the properties with a shared access from Holyoake Road. The proposals include car parking on the site with one car parking space provided for each property. Small areas of front garden are also proposed with side accesses provided for each of the new dwellings.

Officer Assessment

6. Officers recommend that the principal issues to consider in the determination of the application are:
   - Design
   - Impact on neighbours
   - Flooding and surface water drainage
   - Access and parking

Principle

7. Policy CP2 of the Core Strategy requires that the majority of development should take place on previously developed sites where appropriate. The proposed development would take place on land that currently contains a side extension though large parts of the site that would be developed are currently residential garden land. Residential garden land is not defined as previously developed land as set out in the National Planning Policy Framework (NPPF). However, in the scope of the Council's adopted planning policies, specifically Policy CP6 of the Oxford Local Plan 2001-

2016 and Policies HP9 and HP10 of the Sites and Housing Plan (2013) there is scope to accept the principle of development on garden land where there is sufficient residual garden land provided and subject to all other constraints. In this case, Officers consider that 14 Holyoake Road has a significant area of garden land that provides ample outdoor amenity space and that there is scope to consider that more efficient use of this land could be made. The resulting development would not create a harmful deficit in amenity space on the site and Officers therefore recommend that the development is acceptable in principle.

Design

Streetscene

8. Officers have had regard to the existing dwellinghouse on the site, the character and appearance of nearby houses and the overall character of the streetscene when considering the acceptability of the design of the proposed dwellings. It is considered that the form, scale and massing of the proposed development would form a visually acceptable addition to the streetscene. This part of Holyoake Road is characterised by a variety of different design types and styles that provide contrast and visual interest. It is considered that the dwellings proposed would make a positive contribution, particularly as a result of the use of matching materials that are proposed.

Building Heights and Roof Design

9. The proposed height of the development would be similar to the existing dwelling and the resulting development would form a visually acceptable relationship with the streetscene.

Permitted Development Rights

10. As a result of being new dwellinghouses, the development would normally benefit from permitted development rights if planning permission is granted. This would otherwise enable future occupiers to carry out some extensions without the need for planning permission. Officers have considered the acceptability of some of those developments and have concerns that given the constrained nature of the site; specifically the depth of the proposed dwellings and the development resulting from being infill development, some extensions could have a detrimental impact on neighbouring amenity or the appearance of the area. As a result, permitted development rights have been removed for extensions, dormers and porches (as set out in Part 1, Classes A, B and D of Schedule 2 of the Town and Country (General Permitted Development) Order 2015).

Landscaping

11. The application proposes the retention of the existing hedge along the southern boundary of the site. This landscaping adds to the quality of existing site by providing a verdant boundary but also would soften the appearance of

the development when viewed from properties in Linden Court. As a result, a condition has been included that would require the submission of a landscaping scheme prior to commencement that should include the retention (or replacement) of planting along the southern boundary.

Living conditions

Indoor Space and Lifetime Homes

12. The proposed development would provide a high quality living accommodation. The proposed dwellings, which would be large family homes would provide a very good standard of accommodation having taken into account the internal layout, quantity of indoor floorspace and the availability of natural light and ventilation. The generous proportions of the development mean that the development would also meet some of the lifetime homes standards that are required by Policy HP2 of the Sites and Housing Plan. Officers recommend that the development is considered to comply with the Council's requirements for new dwellings in terms of the indoor space provided, as set out in Policy HP12 of the Sites and Housing Plan (2013).

Outdoor Space

13. The proposed dwellings would benefit from rear gardens of 13.5m. The resultant spaces would be suitable for family dwellings and would meet the requirements of Policy HP13 of the Sites and Housing Plan.

14. Officers have recommended a condition that would require the submission and consideration of boundary treatments prior to commencement and the approved scheme to be installed prior to the first occupation of the dwellings to ensure that adequate fences are provided for privacy.

Refuse and Recycling Stores

15. Refuse and recycling stores are proposed for the front gardens of the proposed dwellinghouses on the site. Officers recommend a condition is included that would require the submission of the design of the refuse and recycling stores prior to commencement and their installation prior to occupation. Subject to this condition, Officers recommend that the proposals would meet the requirements of Policy HP13 of the Sites and Housing Plan (2013).

Impact on Neighbours

16. Officers have carefully considered the comments raised in relation to the proposed development and have responded to the specific concerns relating to the impact on neighbouring amenity set out below.

Impact on Light

17. Concerns have been received about the impact on light arising from the

proposed development. The proposed development would be largely in line with existing adjacent dwellinghouse and therefore would not impact on the light conditions for that property. The size of the front garden and distance across Holyoake Road would ensure that there would be no loss of light to properties on the opposite side of the road to the proposed development. In relation to Linden Court the proposed development would chiefly extend along the part of the boundary that is adjacent to the car park that serves properties in Linden Court. The single storey element at the rear of the proposed dwellings would be adjacent to Linden Court but would comply with the requirements of Policy HP14 of the Sites and Housing Plan (2013) and specifically with the 25/45 degree code set out in that policy. As a result, the proposed development would not cause a detrimental impact on light for the occupiers of Linden Court. In reaching this view, Officers have been mindful that the proposed development would be sited to the north of Linden Court which would further decrease the potential impact on light for those properties.

Impact on Privacy

18. The length of the rear garden of the proposed dwellinghouses means that the development would not have a detrimental impact on the rear gardens or rear aspects of properties in Windmill Road in terms of a loss of privacy. No transparent side windows are proposed for the new dwellings, only bathrooms windows which would provide limited light without resulting in a loss of privacy. Officers have recommended a condition that would require these windows to be obscure glazed in this way in order to protect the privacy of surrounding occupiers (including those at Linden Court).

Access and Parking

Access

19. The proposed development would involve the creation of an access onto Holyoake Road. The new access would serve a parking area for the proposed dwellings. There are no highway objections to these proposals subject to a condition requiring that appropriate visibility splays are included; Officers have included this condition as part of the officer recommendation.

Car Parking

20. The existing property (14 Holyoake Road) would continue to benefit from a small area of off-street parking at the front of the property. The proposed new dwellings would benefit from a single car parking space each at the front of the application site. The proposed parking provision would be acceptable have had regard to the location of the site which benefits from being in close proximity to nearby shops and services in Headington District Centre and good access to public transport on London Road and Windmill Road. There are no objections from the Highway Authority in relation to the car parking provision though this is an area that has significant levels of on-street parking stress. As a result of concerns about the potential impact that additional car parking could have on on-street parking (if occupiers of the proposed

dwellings made use of on-street parking) a condition has been included in the officer recommendation that would remove eligibility for parking and visitor permits for the proposed dwellings. This approach is recommended by Oxfordshire County Council as the Highway Authority and is based on the current local parking conditions in the Holyoake Road area.

Cycle Parking

21. The application specifically proposes cycle stores, however there are no details provided. Officers recommend that this could be adequately addressed by condition by requiring the submission of a covered, secure cycle store for each of the dwellings in the rear gardens prior to commencement. A condition has been included in the officer recommendation.

Flooding and Surface Water Drainage

22. The application site does not lie in an area of high flood risk. The proposals have provided a detailed scheme of drainage that incorporates sustainable drainage measures (SUDs). The technical details for this scheme are acceptable and are recommended to be included by condition. Officers recommend that the proposed development would comply with the requirements of Policy CS11 of the Core Strategy (2011).

Contaminated Land

23. The existing site is mostly composed of garden land and there are no objections in relation to land contamination. Officers recommend that the development would be acceptable subject to an informative to require unexpected contamination to be appropriately dealt with.

Conclusion:

24. On the basis of the above, Officers recommend that planning permission should be granted subject to the conditions included above. In reaching this view, officers have been mindful of all the comments raised through public consultation and where appropriate these issues have been responded to in the recommended conditions.

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:
16/02017/FUL

Contact Officer: Robert Fowler
Extension: 2104
Date: 20th January 2017

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