

APPLICATION NO.	P13/V2226/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	21.11.2013
PARISH	NORTH HINKSEY
WARD MEMBER(S)	Eric Batts; Debby Hallett
APPLICANT	Ms S Bickford
SITE	102 West Way Oxford, OX2 9JU
PROPOSAL	Demolition of existing building and erection of new building containing 3 one-bedroom and 3 two-bedroom flats with associated carparking and new access from the highway.
AMENDMENTS	18 December 2013
GRID REFERENCE	448338/206037
OFFICER	David Rothery

1.0 INTRODUCTION

- 1.1 The settlement of Botley in the parish of North Hinksey is located west of the A34. The 0.09ha site lies to the north of West Way in Botley. It is occupied by a single residential dwelling house which is empty and boarded up and a long linear garden to the rear which has been foreshortened from the original garden length by approximately 25m from the common boundary with nos. 33 and 35 Seacourt Road to the north.
- 1.2 Local facilities in the settlement comprise schools, halls, public houses, a shopping parade and centre, medical services, public library and local recreation and sports facilities.
- 1.3 A location plan is **attached** at appendix 1.

2.0 PROPOSAL

- 2.1 This is a detailed full submission to consider the proposed development of 6 dwelling units comprising 3 one-bedroom and 3 two-bedroom flats within a single building. The development would take vehicular access from West Way to the south as part of a joint arrangement with the adjoining property 104 West Way. The amended layout shows the proposal with an area of car parking to the front and an area of communal garden space projecting back 20m from the rear of the building,.
- 2.2 In support of the application the following documents have been submitted:
- Planning Statement (Oct 2013 – Day-Tanner Partnership)
 - Protected Species Survey – Final (updated Oct 2013 – PP Associates)
- 2.3 The proposal is a small major development and has been publicised on this basis.
- 2.4 Extracts from the application plans are **attached** at appendix 2.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **North Hinksey Parish Council** – Object

Councillors had major concerns on this new application. It was noted that within the proposals there would be joint parking arrangements that would use land at 104 West Way. **There were a number of proposals that councillors felt did not comply with the Vales Local Plan to 2011 and councillors voted UNANIMOUSLY to OPPOSED the application.**

Concerns included:

- a). **The fact that properties would be overlooked from the front and back of the proposed development including houses in Seacourt Road.**
- b). **The proposed development would significantly change the character of the area.**
- c). **The design, having 2 large blocks next to each other amplifies the problem of the development being out of character. The Parish Council feels it needs to report that it continues to receive significant opposition and dismay at the approval given of the design for the adjacent building.**
- d). **There would be considerable access problems from the proposed joint parking arrangements at 102/104 West Way, which would increase the traffic volumes and not provide a safe access onto a major heavily used road, with bus lane, double yellow lines, no parking and no waiting restriction signs and a well used pedestrian route and primary school access route which used the pavement fronting the proposed access and parking areas. It would also cause problems for vehicles wanting to access the parking area coming from Oxford.**
- e). **The proposed combined parking allocation for both properties (102 and 104 West Way) is considered to be inadequate for residents and any visitors.**

3.2 **Representations from local residents** – A total of 5 representations had been received at the time of writing this report, of which all object to the proposal. The objections are made are on the following grounds:

- Harmful impact on open character of this area
- Increased traffic leading to additional road congestion and safety issues
- Unsympathetic design and use of materials out of character with the locality
- Loss of amenity through overlooking, light pollution, loss of views
- Unacceptable parking and servicing provision allowed for
- Inappropriate access onto West Way
- Loss of property values

3.3 **County Highways** – No objection in principle subject to conditions controlling access, vision splays, tracking movement paths, parking details cycle storage details and SUDS compliant parking and turning areas. A 278 Agreement for off site highway works to the traffic island fronting the site will also be required.

3.4 **Drainage Engineer** – Disappointing that no drainage strategy has been provided but this can be secured through condition as a feasible drainage solution is likely from the experience of the adjacent development. No objection subject to drainage strategy condition being applied.

3.5 **Landscape** – Boundary treatments and landscape planting need to be considered together. The bike store should be repositioned to the western side boundary to open up the amenity area. Planting to the front boundary should be provided with a watering system and planting under the building overhang should be omitted as unlikely to be

successful.

- 3.6 Arboriculturalist – A Beech tree is very prominent and should be retained with special care to the root protection area surfacing. Details should be included in the landscaping scheme that will be required.
- 3.7 Environmental Health – No comments made on noise or air pollution issues.
- 3.8 Thames Valley Police Liaison Officer – The principles and standards of Secured by Design should be incorporated into the proposed development.
- 3.9 Waste Management – Require storage areas for wheeled bins per plot to be provided with collection points clear of parking areas.
- 3.10 Thames Water - No objection subject to accepted practice in the control of surface water and waste water discharge is followed.
- 3.11 Equalities Officer – no comment to make as small scale residential only
- 3.12 Architects Panel – Amendments suggested to appearance of building to match that of adjacent new build flats and to recess building and open up frontage area to enable planting screen to roadside. (these amendments have been provided)
- 3.13 All relevant and necessary consultations and notifications have been carried out and checked in preparing this report.

4.0 RELEVANT PLANNING HISTORY

- 4.1 [P12/V2254/FUL](#) - Refused (24/01/2013) - Refused on appeal (29/08/2013)
Demolition of existing dwelling. Erection of 6x 1-bedroom flats, 2x2-bedroom houses and 2x 3-bedroom houses with associated vehicle parking and new access way.
Adjacent site
- 4.2 [P12/V1410/FUL](#) – Approved (22/11/2012)
Demolition of existing two dwellings (98 & 100 West Way). Erection of a building containing 12 x 2-bed apartments.
- 4.3 [P11/V2237/O](#) - Approved (19/04/2012)
Demolition of 98 and 100 West Way, Botley. Outline application for erection of a building consisting of 12 x two bedroom apartments and ancillary works including parking.

5.0 POLICY & GUIDANCE

Vale of White Horse Local Plan

- 5.1 The local plan was adopted in July 2006. The following relevant policies have been considered to be saved by the Secretary of State's decision of 1 July 2009 whilst the Core Strategy is being produced.
- 5.2 Policy GS1 of the adopted local plan provides a general location strategy to concentrate development within the five main settlements
- 5.3 Policy DC1 requires new development to be of a high design quality in terms of layout, scale, mass, height, detailing, materials to be used, and its relationship with adjoining buildings.

- 5.4 Policy DC5 requires safe and convenient access and parking and suitable access from the public highway.
- 5.5 Policy DC6 requires hard and soft landscaping to protect and enhance the visual amenities of the site and surroundings and to maximise nature conservation and wildlife habitat creation.
- 5.6 Policy DC9 seeks to ensure development will not unacceptably harm the amenities of neighbouring properties and the wider environment.
- 5.7 Policies DC13 and DC14 relate to the water environment and require flood risk identification, assessment, and appropriate mitigation; and to limit surface run-off of water into the surrounding water system.
- 5.8 Policy H10 allows development in the five main settlements subject to design, appropriate character, efficient use of land and no loss of open space
- 5.9 Policy H14 allows for the subdivision of properties to form additional dwellings subject to no harm to character, no harm to neighbouring amenities and dwellings to provide adequate living spaces both inside and outside.
- 5.10 Policy H15 seeks net residential density of development dependant on the location of the proposal, 50dpha close to main settlement centres, 40dpha within the five main settlements of Abingdon, Botley, Faringdon, Grove and Wantage,

Supplementary Planning Guidance (SPG)

- 5.11 **Residential Design Guide** – December 2009
Provides guidance on design and layout. Section 4.2 of the adopted Residential Design Guide (December 2009) states that the key factor in the sub-division of plots to provide one or more additional dwellings is that the site's context should dictate the approach for designing and laying out the new buildings. New buildings need to fit comfortably within the street, and there should be a positive relationship between the built form and the street.
- 5.12 **Sustainable Design and Construction** – December 2009
Code for Sustainable Homes guidance to achieve code level 3 and working to code level 4 by 2013.
- 5.13 **Open Space, Sport and Recreation Future Provision** – July 2008
Advice for the provision and maintenance requirements for open space areas.

Other Policy Documents

- 5.14 **National Planning Policy Framework (NPPF)** – March 2012
Paragraph 56 confirms that *“good design... should contribute positively to making places better for people.”* Paragraph 64 states: *“Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions”.*
- 5.15 Paragraph 59 of the NPPF states: *“Local planning authorities should... concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”.*
- 5.16 The NPPF also confirms the change made to the status of garden land in that gardens are no longer classified as “previously developed land”. While the change does not rule

out the development of garden land, it is clearly intended to prevent harmful forms of development on garden sites and gives increased recognition to gardens as an environmental asset.

6.0 PLANNING CONSIDERATIONS

Policy Situation

- 6.1 At the heart of the new National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Within the context of the NPPF, planning permission should be granted where the development plan is absent, silent or relevant policies are out of date, unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF taken as a whole (para.14).
- 6.2 Botley is one of the 5 main settlements within the district. The location of the residential site is sustainable as it is close to the range of services and facilities available within the area. The principle of the proposal is considered to be acceptable and there is no policy objection against this proposal.
- 6.3 Local Plan Policy DC1 seeks new development to be of a high design quality in terms of massing, detailing, materials to be used, and in its relationship with adjoining buildings. The design proposed sits well and is in keeping with the modern buildings immediately either side. The Residential Design Guide also covers the sub-division of plots for this type of development with the key factor being the sites context which should dictate the approach that is adopted for the design and layout. New buildings need to fit comfortably with the street, and this proposal matches the scheme adjacent to it.

Site Specifics

- 6.4 Para.109 of the NPPF says that “the planning system should contribute to and enhance the natural and local environment”, and Para.111 says that planning decisions “should encourage the effective use of land by re-using land that has previously been developed (brown-field land).” The site has clearly been used for residential accommodation in the past.
- 6.5 The principle of replacing these two dwellings with a contemporary designed building of flats should take into account the granting of outline planning permission on the adjacent site 98-100 West Way in April 2012. The key issues in relation to the current application are whether the proposed separate building is acceptable in terms of design, appearance, highway safety, and neighbour amenity.

Visual impact - layout, design and appearance

- 6.6 Good design in layout is a key aspect of sustainable development and the NPPF is explicit in seeking a high quality outcome. The layout and arrangement of the development gives rise to a density of 66 dpha which is significantly above the specifications of policy H15 of the local plan.
- 6.7 West Way is an area of Botley that consists of a variety of buildings, ranging from large commercial buildings to semi-detached / detached dwellings and bungalows intermixed with blocks of flat accommodation. The clearly modern contemporary design and appearance of this building stands out from the overall character of the area but acceptably mirrors the architecture of the adjacent building (98-100). The design has been amended to address the comments of the Architects Panel to provide an element

of uniformity with the adjacent building and to enable a set back on the site to encourage additional front boundary landscape screening.

- 6.8 The architectural appearance of the building is in context with the adjacent development on 98-100 West Way, and would generally be in keeping with the immediate surrounding buildings either side of it which have been converted and extended (no.104) or redeveloped in a similar contemporary modern style (nos. 98 - 100). In this regard the development in the form proposed does not have an adverse impact in terms of the appearance of the area and whilst modern in appearance it would not be harmful to the character of the locality.
- 6.9 The proposal retains and maintains the existing garden boundaries to the rear of the site and shows additional landscaping to the open frontage area to be created. The site would need to strengthen the proposed landscaping to the public highway which is to be partially lost to enable a shared vehicular access to be introduced for both this development and to serve the flatted development at no.104. The landscaping across both the two sites (102 and 104) would be improved through this proposal but additional details would be needed and this could only be secured through a suitably worded landscape condition, which is suggested.
- 6.10 The indicated layout arrangement shows that adequate private and public outdoor space is provided and the layout relates well to the surrounding development in the area. Planning conditions can secure the retention of hedgerows and trees and the plot layouts will be required to exclude boundary screening from individual garden areas to ensure long term safeguarding of these important and established landscape features.
- 6.11 The scheme has been considered in line with the advice in NPPF and on the basis of the proposed site layout, arrangement and relationship with surrounding land and uses, it is considered that this scheme is acceptable in terms of the principle of development considered on site specific grounds.

Access and parking arrangements

- 6.12 The site would be accessed off West Way which is shown with acceptable vision splays. Pedestrian access to the site and routes to local facilities would be obtained from the footpath along West Way.
- 6.13 The proposed vehicle parking arrangements are considered acceptable. The parking provision shown is for 8 spaces in a shared parking area with the adjoining property 104 West Way which would retain 6 parking spaces and use a shared access into the two sites. Given the sustainable location of the site (200m from West Way shopping district, and with high frequency local bus services), this level of car parking is considered to be acceptable for the proposed 6 flats.
- 6.14 There are existing open parking spaces fronting the adjacent property 104 West Way. The current proposal seeks to reconfigure the site to enable a shared point of access between the two properties and a joint parking area fronting the site. This enables private rear garden amenity spaces to be vehicle free and with appropriate boundary landscape treatment, the frontage parking area to be adequately screened and kept private and secure from the public street fronting the site.

Impact on neighbours residential amenity

- 6.15 The layout of the proposed residential development would not have any harmful impact on residential amenity of adjacent houses in terms of overshadowing, light pollution,

over-dominance or loss of privacy. Properties along Seacourt Road to the rear are screened by existing boundary hedgerow and tree planting. The red-line plot excludes the rear part (25m depth) of the rear garden area of the original plot

- 6.16 The proposal respects the amenity and privacy of adjacent dwellings as all side-facing windows in the new building are high level and the stair wells are recessed and any outward looking views will be constrained by the projections on either side. Upper windows on the rear elevation face down the garden, similar to the existing arrangement of the dwellings, and balconies are either recessed or have privacy screens at their ends to ensure overlooking of neighbours is prevented.
- 6.17 Amenity standards within the council's residential design guide have been observed and the plans are considered to have no impact on existing adjoining properties to the north, east or west. Waste facilities (recycle bin storage and collection points) throughout the site will be conditioned.
- 6.18 The loss in property values is not a planning consideration and would not have a bearing on the assessment of the planning merits of this proposal.

Drainage and flooding issues

- 6.19 The site is considered large enough to deal with surface water without causing surface water runoff to the highway or onto neighbouring properties. Details of the drainage scheme will be conditioned as they were for the development of the adjoining flatted scheme.

7.0 CONCLUSION

- 7.1 The proposal would result in development in a sustainable location close to the services and facilities available in Botley local centre and therefore would be in accordance with the requirements of the national planning policy framework (NPPF). The proposal will not be harmful to heritage assets, the character of the immediate area, adjacent residential amenity or highway safety and therefore complies with the NPPF.

8.0 RECOMMENDATION

- 8.1 **That planning permission is granted subject to the applicant entering into a Section 278 Agreement for off site highway works to the central reserve on West Way fronting the site, and to the following conditions -**

- 1 : TL1 Full timing
- 2 : Planning condition listing the approved drawings
- 3 : Materials
- 4 : Shared TV ariels
- 5 : RE18 - Slab level
- 6 : RE6 - Boundary details
- 7 : Landscape scheme – submission and subsequent implementation
- 8 : HY6 - Access, vision splays, parking & turning, cycle storage details
- 9 : Sustainable Travel Information Pack shall be provided
- 10 : Construction Traffic Management Plan
- 11 : MC24 - Drainage details (surface and foul) pre-commencement of works
- 12 : MC29 - Sustainable urban drainage scheme pre-commencement of works
- 13 : limprovement works to the public sewerage network
- 14 : Balcony privacy screens to be erected prior to first occupation
- 15 : Refuse storage facilities

Vale of White Horse District Council – Committee Report – 5 March 2014

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