

<b>APPLICATION NO.</b>	<a href="#">P13/V2428/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	8.11.2013
<b>PARISH</b>	NORTH HINKSEY
<b>WARD MEMBERS</b>	Eric Batts Debby Hallett
<b>APPLICANT</b>	Saxonville Ltd
<b>SITE</b>	34 North Hinksey Lane, OXFORD, OX2 0LY
<b>PROPOSAL</b>	Demolition of existing dwelling. Erection of 9 x 2-bed flats with associated infrastructure and landscaping. New access from North Hinksey Lane (As amended by Drawing No: P02 Revision A accompanying agent's email dated 4 February 2014 and Site Plan Drawing P01 Revision C, Flats 5-9 Drawing P03 Revision C and Elevation/Site Section Drawing P04 Revision C accompanying agent's email dated 1 April 2014).
<b>AMENDMENTS</b>	As above
<b>GRID REFERENCE</b>	449098/205831
<b>OFFICER</b>	Mr Peter Brampton

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## 1.0 INTRODUCTION

- 1.1 The application site consists of a single detached dwelling located on the rearmost portion of the site close to the southwestern boundary. It was likely built as a pair with the adjacent No.18 Yarnell's Road.
- 1.2 Much of the remainder of the site is garden. The site rises markedly up from North Hinksey Lane. The applicants design and access statement confirms the total rise is around 5 metres from the northeastern front boundary to the southwestern rear of the site. An unsightly corrugated metal fence currently defines the front boundary of the site. Fencing defines the remaining boundaries with neighbours, although the rear boundary is dominated by a dense belt of conifer trees within the ownership of No.18 Yarnell's Road. The rear garden of this neighbour wraps around the rear of the application site. No.18 Yarnell's Road has a similar arrangement, although this front garden has been subdivided to allow the construction of a chalet bungalow known as 32 North Hinksey Lane.
- 1.3 No planning designations cover the site, but it lies adjacent to the Oxford Green Belt.
- 1.4 A location plan is **attached** as Appendix 1

## 2.0 PROPOSAL

- 2.1 The proposal is to demolish the existing dwelling and develop the site with nine two-bedroom flats. These are arranged in three apartment buildings, a pair of detached two-storey buildings at the front of the site, each containing two flats, and a three-storey building at the rear of the site, containing five flats.
- 2.2 The initial proposal was for ten flats, but, following negotiations with officers and in response to local objection, the scheme is reduced to nine. This has been achieved through reducing the second storey in size. This second storey will be in differing materials, of a similar colour to the tiled roofs of the detached properties either side. The amended plans reduce the ridge height of this larger block to a level close to the

ridge heights of these neighbours.

- 2.3 The flats have a flat roofed design, constructed of red brick, render and cladding. Each block benefits from defined amenity space. A new access is proposed to sit centrally on the front boundary, with the access road leading between the two front blocks into a central area of parking, bin stores and cycle racks.
- 2.4 Further amendments to the application have related to the positioning and size of the upper floor windows, and introduced screens to the upper floor balconies, in light of officer concerns relating to the impact of this proposal on neighbouring amenity.
- 2.5 Extracts from the applications plans, including the site layout, are **attached** as Appendix 2. All plans, and associated supporting documentation, can be viewed on the council's website.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **North Hinksey Parish Council** – Recommends refusal on a number of grounds, including the overdevelopment of the site, the out of character design, the impact on neighbouring amenity and on highway safety. The full response from the parish council to the most recent amendments are **attached** as Appendix 3.

3.2 **Neighbour Representations** – Letters from 22 neighbours objecting to this application have been received. Many of these objections have been reiterated in response to the amendments submitted to the application. The main objections to the application can be summarised thus:

- This is an unsustainable location for this development, separate from Botley
- The proposals will have a negative impact on the appreciation of the openness of the Green Belt
- The application understates proximity to local bus stops and facilities and the frequency of the bus services in the area
- The proposal represents an overdevelopment of the site
- Scale of proposal would be overwhelming on surrounding area
- Design of flats is out of keeping with existing housing in the area
- Proposed access is unsafe
- Proposal will lead to unacceptable increase in traffic on local roads
- On site parking provision is inadequate and will lead to parking on highway
- Loss of privacy to neighbouring properties, particularly from upper floor balconies
- Loss of sunlight and light to neighbouring properties
- Over-reliance on right of way across 18 Yarnell's Road
- Increased flood risk and surface run off from new hardstanding
- Unclear where bins will be presented for collection
- Loss of trees will exacerbate negative impacts of scheme
- Lack of amenity space for new residents
- Impact of solar panels is not clear and will exacerbate height of scheme
- Increased noise disturbance

A petition of 170 signatures objecting to the application has also been submitted to the council.

3.3 **Oxfordshire County Council Highways Authority** – Requests contribution of £9,537.50 to strategic transport improvements. No objections to scheme, subject to conditions relating to access, parking, drainage, cycle storage and a construction traffic management plan

- 3.4 **Oxfordshire County Council Education and Property** – Initial requests for contributions to local infrastructure withdrawn in response to amendment to reduce total number of flats from ten to nine.
- 3.5 **Oxfordshire County Council Rights of Way** – No objections
- 3.6 **Landscape Officer** – Objects to the application as being contrary to Policies DC1 and DC6 of the Local Plan. Considers amended proposal will “*still have an urbanising effect at [the] sensitive interface*” along North Hinksey Lane. Also considers proposed planting plan should be revised to be more in character with the area and introduce larger species of tree to break up the mass of the proposed building when viewed from the east. Despite reservations over the scale, does not consider the proposal will detract from the openness of the Green Belt.
- 3.7 **Architects Panel** – Supportive of the amended proposal following objection to scale of the initial scheme
- 3.8 **Forestry Officer** – No objections to proposed tree removal, given proposed replacement planting scheme. Pre-commencement condition relating to tree protection necessary
- 3.9 **Drainage Engineer** – No objection subject to conditions relating to foul and surface water drainage strategies and a SUDS compliant scheme for the whole site
- 3.10 **Thames Water** – No objections
- 3.11 **Countryside Officer** – No objections
- 3.12 **Equalities Officer** – Highlights need for compliance with Part M of building regulations
- 3.13 **Sport England** - No comments
- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 None
- 5.0 **POLICY & GUIDANCE**
- 5.1 Vale of White Horse Local Plan 2011 policies;  
GS1 - Developments in Existing Settlements  
GS2 - Development in the Countryside  
GS3 - Green Belt  
DC1 - Design  
DC3 - Design against crime  
DC5 - Access  
DC6 - Landscaping  
DC7 - Waste Collection and Recycling  
DC9 - The Impact of Development on Neighbouring Uses  
H10 - Development in the Five Main Settlements  
H16 - Size of Dwelling and Lifetime Homes
- 5.2 **Supplementary Planning Documents/Guidance (SPD/SPG)**  
Residential Design Guide – December 2009  
Sustainable Design and Construction – December 2009  
Flood Maps and Flood Risk – July 2006

5.3 **National Planning Policy Framework (NPPF) – March 2012**

Paragraphs 14 and 29 – presumption in favour of sustainable development

Paragraphs 34 & 37 – encourage minimised journey length to work, shopping, leisure and education

Paragraph 47 – five year housing supply requirement

Paragraph 50 – create sustainable inclusive and mixed communities

Paragraphs 57, 60 & 61 – promote local distinctiveness and integrate development into the natural, built and historic environment

Paragraph 99 – Flood risk assessment

Paragraph 111 – encourage the effective use of land

6.0 **PLANNING CONSIDERATIONS**

*Principle of development and sustainability*

6.1 The Local Plan confirms that North Hinksey Lane falls within the development boundary of Botley. Botley is one of the five main settlements in the district, considered to be the most sustainable locations for new development. Therefore, policy H10 applies, which confirms that new housing will be permitted in this area provided it does not result in the loss of local facilities, makes efficient use of land and the layout, mass and design of the dwellings do not harm the character of the area.

6.2 One objection has challenged whether this is truly a sustainable location for new development, highlighting the inaccuracies within the transport statement accompanying the application. These relate to the walking distances to bus stops and local facilities, and the frequency of local bus services. The objector has walked the routes in question and provided more accurate measures of the distances. It is accepted by both the applicant and the council that the transport statement understates the distances involved.

6.3 However, it remains the case that this is a highly sustainable location for new residential development due to the proximity to Oxford and the services and facilities within Botley itself. It is also important to be mindful of the shortfall in the five year supply of housing within the district. This means the definition of sustainable development within the NPPF is also relevant, and it is considered the site is a sustainable location for new housing against this national definition, for similar reasons to those underpinning policy H10.

*Character, landscape and design issues*

6.4 The scale and amount of development proposed, and the design of the apartment blocks, has been the focus of strong local opposition. Certainly, the removal of one detached dwelling and its replacement with nine flats across three blocks will have an impact on the character of the area.

6.5 There is a variety of dwelling types and sizes in the surroundings, although most use traditional brick and tile designs. There is also variety in terms of where housing sits in relation to the road. Whilst the existing dwelling on the site is set well back, further southeast and northwest on North Hinksey Lane there is housing that sits much closer to the road. This includes No.32 North Hinksey Lane, the bungalow immediately adjacent to the application site, and Fairway, a detached property to the southeast.

6.6 It is No.32 that has been used as a basis for designing the two 2-storey blocks on the front portion of the site. The amended plans stagger these blocks back behind No.32 to follow the alignment of the road and to mitigate the additional height of these blocks over No.32. The plans provided indicate that No.32 has a maximum ridge height of around 4.9 metres. The two blocks have a maximum ridge height of around 6.1 metres to the peak of the triangular roof form, with the eaves of the main block being around

5.4 metres. The intention is that these two blocks will have a slab level approximately the same as the bungalow, so that the set-back from this property will mitigate the visual impact of the additional height to the extent that, from the street, this extra height is not easily discernible. A condition is recommended relating to the slab and ridge levels of the new buildings on the site. Ensuring the new buildings relate well to the ridge levels of adjacent dwellings is crucial to the success of this scheme.

- 6.7 The contemporary form of these buildings means they will appear larger than the bungalow which has a low-reaching sloping roof. However, the application site is a few metres wider than the plot of No.32 and so can accommodate larger buildings on this portion of the site without appearing unduly cramped. A reasonable gap to site boundaries is included, allowing for new boundary planting to assimilate the buildings into their surroundings. New planting is proposed along the front boundary which will help screen the car parking that is located at the very front of the site, adjacent to the road. This mitigates the impact of these bulkier buildings, whose design is supported by the architects' panel.
- 6.8 It is accepted that the front portion of the site has enjoyed an open and spacious character that is reflected in other large gardens to the immediate south east and to the north west on the opposite side of Yarnell's Road. However, there are many examples of buildings that lie close to North Hinksey Lane. This proposal reflects this arrangement and the two blocks would be seen in the context of No.32.
- 6.9 Turning now to the rear block, this is designed to appear as two separate buildings, with a recessed, lightweight, central stairwell providing access to the five flats. Again, the amended plans make use of the gradient of the site to set the slab level of the building below that of the adjacent neighbours. This ensures the ridge of this three storey building is below that of No.36 to the southeast and the same level as No.18 Yarnells Road to the northwest. The lower slab level will not be easily appreciated from outside the site, due to the setback from the road and the intervening two-storey blocks at the front of the site.
- 6.10 The design for this building has been amended to set the second floor in some way from the lower floors, and this has served to reduce the mass. Overall, the building now proposed is not considered to be significantly larger than the properties to either side, and has the support of the architects' panel.
- 6.11 It is accepted there are no examples of flat roof buildings in the vicinity. However, the NPPF supports good design, including contemporary design, and warns against imposing individual tastes on applicants. It does not follow that to introduce this style of building into the street scene will cause material planning harm. As outlined above, the site is not covered by any planning designations that would warrant an insistence on a traditional approach. Quality of materials will be important, however, and conditions relating to materials are recommended.
- 6.12 One objection has focussed the impact of this proposal on the adjacent green belt. The council's landscape officer has visited Hinksey Meadows, which is the part of the green belt from which the new development will be most clearly seen. The landscape officer has no objections on this point stating, *"While the difference in design and form would be conspicuous from the green belt, the proposed development site is seen from the green belt as a element of the residential development to the south of North Hinksey Lane and therefore would not detract from the open nature of the surrounding countryside. Views are obtainable from the green belt to the development site, but views from publicly accessible areas to the green belt are not blocked by the proposed development."* Given this stance, it is felt the proposal does not cause material harm to

the particular qualities of the green belt or the landscape surrounding North Hinksey.

- 6.13 The landscape officer has concerns in respect of the visual impact of the central parking court. This element of the scheme has been amended by reducing the number of parking spaces and increasing the area devoted to planting. Also the combined effect of the proposed two-storey buildings located towards the front of the site, and the proposed boundary planting, will help to screen the central parking area from the public realm. Overall, officers consider that the visual impact will not be so significant as to warrant refusal of the application.
- 6.14 Concerns have also been raised with regard to the amount of amenity space for the flats. The council's residential design guide states that 15 square metres per bedroom should be provided for flatted developments. Balconies can be included in this calculation. Following the reduction in the number of units, it is considered this proposal now complies with this standard which indicates the proposal does not amount to overdevelopment of the site. Shared gardens are provided for all of the blocks, with landscaping separating these from the central parking court.
- 6.15 In conclusion, it is accepted that this proposal will bring about a more intensive form of development on the site. However, the contemporary designs are considered to be of good quality and appropriate scale, and the proposed layout, with buildings at the front of the site, reflects a form that is seen elsewhere along the lane. It is considered that the complimentary planting will assist in integrating the proposal. It is considered that the proposed parking court will not be so noticeable as to warrant refusal of the proposal. Taken in the round, recognising the highly sustainable location, it is considered that a refusal of this application on grounds relating to character and design would not be justified.

*Neighbouring Amenity*

- 6.16 Another major source of objection to this scheme has been the impact on neighbouring properties. There are four properties affected, no.18 Yarnell's Road to the west, no.16 Yarnell's Road to the south, no.36 North Hinksey Lane to the southeast and no.32 North Hinksey Lane to the north.
- 6.17 Turning first to no.18 Yarnell's Road, there are potential impacts on this property in terms of a loss of light and a loss of privacy from overlooking. In terms of a loss of light, the room most affected is a ground floor front facing living room that is used as an office by the owner. The proposed rear block will project around three metres forward of this window, at a distance of around 3.5 metres. However, it is important to note that the new flats will sit southeast of this window. Therefore, any loss of sunlight will be limited to the early part of the day. It is considered the overall amount of daylight and sunlight lost to this window would not be sufficient to warrant objection. The new building does not project sufficiently beyond the rear of no.18 to warrant objection on the loss of light to rear facing windows at no.18.
- 6.18 The rear block of flats has a similarly acceptable relationship with no.36 North Hinksey Lane. This neighbour has a deep two-storey rear wing along the shared boundary with the application site, which will help ease the impact on rear facing windows serving this neighbour. The building projects less than two metres forward of no.36 and will not cause a significant loss of light to front facing windows.
- 6.19 The main impact on the amenity of these two properties is from increased overlooking. This is particularly the case given the applicants propose to include balconies at first and second floor level. These have been reduced in size by amended plans, with two metre high screens introduced at either side to prevent a resident being able to step

out, turn and look directly down into the gardens of no.18 and no.36. The overall aim has been to ensure the amount of overlooking from these balconies would not exceed what is acceptable in a residential area such as this.

- 6.20 The screens do ensure that it will be difficult to look down from the balconies into the most sensitive parts of the gardens of nos.18 and 36. These areas are those immediately in front of the houses. The overall impact on the privacy and amenity of the occupants of nos. 18 and 36 is not considered sufficient to warrant a refusal of planning permission. Details of these screens will be secured by pre-commencement condition to ensure they provide an appropriate degree of privacy.
- 6.21 A number of upper floor side facing windows are proposed that look directly towards nos.18 and 36. A condition is recommended that require all these windows to be obscure glazed and fixed shut (apart from a top hunt vent). This is consistent with permitted development restrictions for upper floor side facing windows.
- 6.22 Turning now to no.16 Yarnell's Road, this property benefits from a large garden that wraps around the side and rear of the house. This garden enjoys good privacy from no.18 Yarnell's Road and the application site due to a thick belt of tall conifer trees. These trees are within the ownership of no.18 and so it is within their control to maintain them at a level to secure mutual privacy, as is currently the case. It is reasonable to assume these trees will be maintained to provide good screening in the event of planning permission being granted.
- 6.23 It is important to consider whether the increase in overlooking of this garden (regardless of the trees) is significant. It is noteworthy that, without the trees, there would be a good deal of overlooking from the first floor rear windows of the existing house. This would be comparable to the amount of overlooking from the first floor windows proposed here. In terms of overlooking from the second floor, generally the windows here are smaller secondary windows to the kitchen and bathroom. On balance, the increased overlooking from this proposal, compared to what would be expected from a two-storey dwelling as currently exists on site, would not be sufficient to warrant refusal.
- 6.24 Finally, turning to no.32 North Hinksey Lane, this would be most affected by the northeastern of the two-storey blocks. This block would project around four metres beyond the rear wall of no.32, at a distance of around four metres. Due to its size, this would have some impact on the outlook from the rear of this property, but this is not considered significant. No.32 benefits from a good sized, wide, rear garden, and only a relatively small proportion of it would be affected by this proposal. Again, only morning sunlight will be lost to the rear of no.32, and this is not considered to be so significant as to warrant refusal of the application.
- 6.25 Again, upper floor side facing windows will need to be obscure glazed and fixed shut to prevent direct overlooking of no.32.

*Highway Safety*

- 6.26 A number of objections to this scheme have focussed on perceived safety fears from the access, car parking provision and increased traffic. However, the highways authority has confirmed no objections to this scheme.
- 6.27 Turning first to the impact of additional traffic, the highways authority estimate that the development will result in around 17 additional "person trips" by car/car passenger/taxi. Three of these will be during peak hours and will impact on Oxford's road network, which is heavily congested during peak hours. To mitigate this impact, the highways authority have requested a financial contribution of £9,537.50. This money will be

spent on the strategic transport network (bus travel, cycle links, park and ride, parking zones etc). The applicant has agreed this contribution, which is considered appropriate mitigation for the impact of this development. The highways authority has raised no objections to the increased traffic on local roads from this development, despite a challenge from a resident over the assumptions made in the transport statement (using the TRICS database).

- 6.28 The highways authority also confirms that the sight lines at the point of access are acceptable, with the access wide enough for two cars to pass, which is necessary in this location. It is also confirmed that the parking and manoeuvring areas are satisfactory and to adopted standards for this location, proposing 15 spaces for 9 flats (1.67 spaces per flat). Cycle parking and bin storage is also acceptable.
- 6.29 Thus, subject to the recommended conditions, this proposal is considered to have an acceptable impact on highway safety.

*Drainage*

- 6.30 Local objectors have correctly identified this proposal would significantly increase the built portion and hardstanding of the site, which will have impacts on surface and foul water drainage. The council's drainage engineer has identified the need for a detailed surface and foul water drainage strategy to be agreed prior to work commencing on site, and a condition can secure this. Given the increase in hardstanding and built form, a SUDS compliant drainage scheme is necessary and again a condition can secure this.
- 6.31 Thames Water has confirmed no objections to the scheme.

*Other issues*

- 6.32 The application plans include a pedestrian link along the back of No.18 Yarnell's Road. This link, defined by two brick walls would allow quicker access from the rear of the site to Botley, but the difference is marginal. It is understood there is some dispute over whether the residents of the new flats would have a right of access along this path, so the benefits it may bring have been discounted from the assessment of this scheme.
- 6.33 Details of bin storage will need to be secured by condition. Bins cannot be presented on collection day on Yarnell's Road as this is a private road. Therefore, the applicant will need to demonstrate bins can be collected safely from North Hinksey Lane, without compromising highway safety.
- 6.34 Some objectors have raised concern about the proposal to use solar panels on the flat roofs of the flats and the associated visual impact. This concern is acknowledged and details of the panels will need to be secured by condition to ensure the quality of the development. It is important to note that other sustainable measures could be used in the construction of the flats to ensure compliance with relevant building regulations. As discussed, a comprehensive landscaping scheme is proposed, although some of the proposed plant species are inappropriate in terms of size and location, as identified by the landscape architect. Detailed landscaping conditions are proposed that can secure more appropriate plants that will play a more active role in assimilating the development into its surroundings.
- 6.35 There are no objections to the proposal from the countryside officer in terms of protected species, whilst the forestry officer endorses the above comments about landscaping and requires a tree protection condition to be agreed prior to work commencing on site.



7.0 **CONCLUSION**

- 7.1 This is a sustainable location for new housing, as defined by Policy H10 of the Local Plan. The proposal to erect three blocks of apartments, providing nine two-bed flats, will have quite an impact on the character of the area, in terms of an increase in the scale of the development and the flat-roofed design which is not reflected in the vicinity. The design of the flats will also cause some loss of privacy to neighbours, particularly No.18 Yarnell's Road and No.36 North Hinksey Lane.
- 7.2 The harm this causes must be weighed against the benefits this proposal will bring in terms of providing smaller housing in a sustainable location. On balance, these benefits outweigh the harm. The impact on neighbouring amenity can be effectively mitigated through the use of obscure glazed fixed shut windows and screened balconies.
- 7.3 The proposal will, subject to the relevant conditions, have no material impact on highway safety, flood risk, waste collection, trees and important species. It complies with national and local planning policies and should be approved.

8.0 **RECOMMENDATION**

**It is recommended that authority to grant planning permission is delegated to the head of planning in consultation with the committee chairman and vice-chairman subject to:**

**1. A S106 agreement with the County Council in order to secure contributions towards the provision of public transport**

**2: Conditions as follows**

**1 : Commencement Three Years**

**2 : Approved plans**

**3 : Samples of all materials to be agreed**

**4 : Sample panel of materials to be provided on site and agreed**

**5 : Slab and ridge heights to be agreed**

**6 : Landscaping Scheme to be agreed**

**7 : Implementation of landscaping scheme to be agreed**

**8 : Tree protection to be agreed**

**9 : Surface and Foul Water Drainage Strategy to be agreed**

**10 : Sustainable Drainage Scheme to be agreed**

**11 : Details of boundary screening to be agreed**

**12 : Construction Traffic Management Plan to be agreed**

**13 : Details of solar panels to be agreed**

**14 : Access as approved**

**15 : Car parking as approved**

**16 : No Drainage to Highway**

**17 : Bicycle Parking as approved**

**18 : First and second floor windows to be obscure glazed**

**3. If the required section 106 agreements are not completed, and planning permission cannot be granted by 21 July 2014, it is recommended that authority to refuse planning permission is delegated to the head of planning in consultation with the chairman and vice-chairman.**

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