

APPLICATION NO.	P14/V0428/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	11.3.2014
PARISH	NORTH HINKSEY
WARD MEMBER(S)	Eric Batts Debby Hallett
APPLICANT	Albright Dene Limited
SITE	Little Dene Yarnells Hill Oxford, OX2 9BG
PROPOSAL	Demolition of existing dwelling. Erection of four-storey building containing 8 x 2 bed flats. Improved access from Yarnell's Hill including a turning area for service vehicles, parking for 12 cars, covered cycle storage and enclosed bin store.
AMENDMENTS	None
GRID REFERENCE	448848/205019
OFFICER	Martin Deans

1.0 INTRODUCTION

- 1.1 The application site is a rectangular residential plot on the private section of Yarnells Hill. The site contains a single storey bungalow. A site location plan is **attached** at appendix 1. Immediately to the west lie four detached houses, the nearest one being Appleton Dene. To the east is a detached house known as Wycliffe Lodge. To the north is the allocated housing site off Lime Road that is currently under construction.
- 1.2 There is a significant slope on the site, down towards the south-east. There is a drop of three metres from the road to the level of the existing bungalow. There is a further drop of six metres from the bungalow across the back garden. This makes a total drop of nine metres from the road to the back of the site. To the south of the application site the land rises steeply once more to the Oxford Brookes Harcourt Hill campus, which lies some distance above the site. There is a significant number of mature trees on and around the site and copious amounts of shrub and hedge planting.
- 1.3 The private section of Yarnells Hill is single width and it contains detached houses in generous plots with mature landscaping. It is excluded from the Oxford Green Belt.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the bungalow and replace it with a building containing eight two-bedroom flats. The application has been amended from its original form. The amendments have reduced the height and width of the proposed building. They have been subject to re-consultation.
- 2.2 The building makes use of the significant drop in level and is designed to appear two storeys when viewed from the road, but is in fact three storeys under a pitched roof when viewed from within the site. The main ridge height will be approximately two metres lower than the main ridge of Appleton Dene, the detached house to the west. The amended application drawings are **attached** at appendix 2
- 2.3 Levels will be changed at the front of the site to create a larger parking area with 12 spaces (1.5 spaces per dwelling). The parking area has also been designed to allow for the turning of a refuse vehicle. A retaining wall will sit in front of the proposed building to

allow light into proposed front facing windows on the lower floors, with a pedestrian bridge from the car park across the gap to the main front door.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 North Hinksey Parish Council

Original plans - object for the reasons **attached** at appendix 3.

Amended plans – any comments received will be reported to the meeting

3.2 Neighbours

Original Plans - 19 letters have been submitted raising objections to the application which can be summarised as follows:-

- The flats are out of keeping with the character of the area
- The proposed building is too large and out of keeping with the area
- Overlooking of adjacent neighbours from balconies, terraces and windows
- The additional traffic will cause danger on the single-width access lane and at the junction with Lime Road which is shared with a bridleway
- The proposed parking is inadequate and will lead to parking congestion
- There is insufficient space for vehicles to turn safely at the end of the lane and this development will exacerbate these problems – the proposed turning area will not work
- Overdevelopment of the site and loss of green space
- The loss of trees will be greater than shown
- Impact on the badger sett that extends from the neighbouring property, Wycliffe Lodge
- The proposal will set back recent improvements to foul drainage and will likely require new drainage works which will disrupt the lives of neighbours
- It sets a precedent for similar proposals in the future

The following grounds for objection are not material planning matters.

- The occupants will differ from those in the lane and damage the existing community
- The proposal is likely to contravene a covenant

Amended Plans – comments received will be reported to the meeting.

3.3 County Highways Officer

The county highways officer has carefully considered the application and visited the site. He has assessed the proposal in light of the following. The site is in a relatively sustainable location close to a bus service on Lime Road. This means that, following government guidance, parking levels should be reduced to encourage use of public transport. Research on driver behaviour has shown for some time that traffic speeds are reduced when drivers are faced with narrow, restricted roads, and limited views ahead. Following on from this, the narrow width of the lane, and the bends in the lane, will act to reduce traffic speed and minimise the danger to other road users. The NPPF elevated the threshold for an objection on the grounds of traffic impact to “severe”. In light of these factors, the county highways officer has no objection to the application.

3.4 The Countryside Officer

The countryside officer initially objected to the application due to the impact on an active badger sett that originated in the property next door, Wycliffe Lodge, but had subsequently spread onto the application site, underneath the existing house. The applicants have applied for, and received, a license from Natural England to block off

the part of the sett within the application site so that badgers will not be harmed by the proposed re-development. On this basis the countryside officer has withdrawn his objection.

3.5 Thames Water

A new sewer needs to be laid to take the foul drainage from the proposal. This work would be done by Thames Water and can be secured via a Grampian condition that will require it to be completed prior to the construction of the flats.

3.6 Forestry Officer

Based on the works proposed in the submitted arboricultural report there are no trees of public amenity value to be removed and those that are to remain should be protected from harm. No objections subject to conditions requiring the measures in the arboricultural report to be followed.

4.0 RELEVANT PLANNING HISTORY

4.1 None

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework, 2012

The NPPF replaced all existing PPG's and PPS's. It introduced the presumption in favour of sustainable development. Sustainable development has three inter-related dimensions, economic, social and environmental. The following paragraphs are considered to be relevant to this application:-

17 – core planning principles

49 – relevant housing supply policies are out of date where there is no five-year supply of housing land

50 – the delivery of a wide choice of homes and the creation of sustainable, inclusive and mixed communities

53 – inappropriate development of residential gardens that causes harm to the local area should be resisted

58 – the design of new buildings should be high quality, inclusive and reflect the identity of local surroundings

5.2 Planning Practise Guidance, 2014

This provides supplementary advice to the NPPF

5.3 Adopted Vale of White Horse Local Plan 2011

The policies of the adopted local plan relevant to the application are:-

DC1 – the design of new development

DC5 – highway and public safety

DC7 – waste collection

DC8 – the impact on local infrastructure

DC9 – the impact of development on neighbours

These policies are considered to be fully consistent with the NPPF and should be given full weight.

5.4 Residential Design Guide 2009

This is an supplementary planning document (SPD) adopted in 2009

6.0 PLANNING CONSIDERATIONS

- 6.1 Following the NPPF the proposal needs to be assessed as to whether or not it is sustainable development. Sustainable development has three mutually dependent dimensions, economic, social and environmental.
- 6.2 With regard to the economic and social dimensions, the site is located in Botley which, being a suburb of Oxford, has relatively good opportunities to use modes of transport other than the private car, to local access services and facilities, and to use rail connections at Oxford to go further afield. There is a regular bus service along Lime Road and the proposal includes on-site secure cycle parking. These factors have informed the assessment of the county highways officer. In view of the relatively good opportunities to use non-car modes of transport, and in line with national policy, he considers the proposed parking provision to be acceptable.
- 6.3 The area is comprised of family housing and the proposal represents the introduction of flats into the area. However, the NPPF continues previous national guidance in supporting the creation of mixed communities and, in light of this, officers consider a refusal of planning permission could not be based on this issue. Overall, the development scores relatively well in the economic and social dimensions.
- 6.4 The environmental dimension also needs to be examined. It includes the impact of the proposed development on the character and appearance of the area, the quality of the environment for future residents, the impact on neighbours, the issue of highway and public safety, waste collection, the issue of foul drainage, and the impact on the local badger population.
- 6.5 With regard to the impact on the area, the reduction in the height and width of the proposed building means that it is closer in scale and bulk to the larger detached houses in the locality. Objectors argue that the proposed building is completely out of scale with buildings in the area. The applicants argue that, due to the use of levels, the only public view of the development from the road will be restricted to the upper two floors and that it will appear relatively modest in scale. They also argue that views of the sides and rear of the proposed building will be restricted by the significant mature planting on the boundaries which is to be retained. Where views are obtained, they argue that the building as now amended will look little different to the houses to the west, which are split-level and are three storeys in height when viewed from the much lower back gardens.
- 6.6 Officers acknowledge that the site is relatively unusual in terms of the significant fall in levels and the degree of mature landscaping around it. It is accepted that, due to the use of level changes within the site, it is likely that an observer from the road will only be aware of the upper two storeys, and that the apparent scale of the building will be similar to the surrounding houses. The main ridge line of the proposed building will be approximately two metres lower than that of Appleton Dene next door. Thus, when viewed from the lane, it will appear similar in scale to neighbouring houses.
- 6.7 Officers consider the amendments that have been made do mean that, from the viewpoints that are likely to be available from the side and rear, it will have an apparent scale that is similar to the larger detached houses in the vicinity, particularly those that have a split-level and are three storeys at the rear. Consequently, due to the particular circumstances that pertain to the application site, officers consider that the scale and bulk of the proposed building does not harm the character or appearance of the area.
- 6.8 A further issue to be considered is the impact of the proposed parking area to the front. The site has a total frontage of approximately 32 metres, but approximately 20 metres

of this is taken up by a mature hedge. Currently there is a gravelled parking area at road level, some of which is visible through the existing gate, but the rest of which is screened by the hedge. The proposal retains the existing access and hedge, and increases the parking area. Some of the larger parking area will be screened by the hedge. When viewed from the road, the seven parking spaces proposed on the east side of the parking area will be visible. The remaining five spaces on the west side are unlikely to be visible. A number of the detached houses in the vicinity have parking areas in front gardens that are large enough to accommodate four or five cars. In view of this context, officers do not consider that the proportion of the parking area that is likely to be visible as part of the development is sufficient to justify refusal of the application.

- 6.9 Regarding the quality of environment for future residents, the level of amenity space will far exceed the council's adopted minimum standard of 15 sq.m. per bedroom. A retaining wall is to be used in front of the lower two floors of the proposed building. This wall will sit in front of the proposed bedroom windows for the flats on the lower two floors. The flats are all designed with bedrooms at the front and lounges at the rear. One bedroom window in each of the two flats on the east side of the building will be approximately three metres from the wall. The six other bedroom windows on the lower two floors will be between 4.5 metres and 7.5 metres from it. In view of the dual aspect of the proposed flats, with all lounges facing the relatively large open communal garden to the rear, officers consider that the overall quality of living environment within the flats for residents will be acceptable.
- 6.10 Turning to the impact on neighbours, the proposed building is approximately 12 metres from the flank wall of Appleton Dene to the west and approximately 40 metres from Wycliffe Lodge to the north-east. These distances are such that there will be no harm caused to either neighbour by overshadowing. In terms of potential overlooking the proposed building includes side-facing windows serving bathrooms and kitchens. The bathroom windows will be obscure glazed and the kitchen windows can be made high-level to avoid harm from overlooking. Rear balconies are proposed with integrated privacy screens to prevent direct views to the sides. Angled views will be possible from the balconies towards the lower part of the back garden to Appleton Dene, but similar views can be obtained from windows in the rear of the house to the west of Appleton Dene. Overall, subject to appropriate conditions, the proposal is not considered to be harmful to the amenities of neighbours.
- 6.11 The issue of public safety for both future occupants and neighbours has been carefully assessed by the county highways officer. The main focus of this has related to the likely impact of traffic serving the proposal. This part of Yarnells Hill is a single-width road with verges and three sharp bends, two of which lie just outside the application site. Neighbours are concerned that the narrow width and sharp bends mean that additional traffic will create danger. The county highways officer considers that the geometry and width of the road means that drivers are likely to proceed at relatively low speeds in general, and with appropriate caution around the bends, while vehicles can pull into existing accesses to allow opposing vehicles to pass safely. These factors will also allow for safe interaction between drivers and other road users.
- 6.12 The proposal includes on-site waste storage and has been designed to allow a turning space for a refuse vehicle or other larger vehicle within the site. The latter provides an opportunity to significantly improve the existing refuse service for all local residents which is provided by the refuse vehicle reversing along the road. A condition is recommended to obtain a scheme of signage to enable the turning area to be reserved for the turning of large vehicles.

- 6.13 The proposed foul drainage has been assessed by Thames Water. A new sewer has been recently installed in the road to provide improved foul drainage for the four houses to the west of the site. It has been agreed that this sewer will be upgraded to cater for the drainage from the application site.
- 6.14 There is a large badger sett in the lower half of the garden at Wycliffe Lodge to the east of the site. Site investigation has revealed that badgers from the sett have burrowed across the boundary and under the existing patio of the bungalow. Negotiations with the council's countryside officer have led to a proposal to close off the tunnels at the boundary. This can be done without harm to the badgers and will leave the substantial sett remaining to cater for their use. The countryside officer has no objections subject to appropriate conditions.
- 6.15 The environmental considerations of the proposal raise a number of matters. Overall the proposal is considered to have an acceptable impact on the area, and on neighbours. The proposed living environment for future residents is considered to be acceptable, and the public safety element is also considered to be satisfactory. The proposal can be adequately drained, has adequate waste storage, and can be designed not to cause harm to the local badger population. In terms of environmental factors the proposal is also considered to be sustainable.

7.0 CONCLUSION

- 7.1 The proposal is considered to be a sustainable form of development in terms of economic, social and environmental dimensions. It accords with relevant policies of the adopted Vale of White Horse Local Plan 2011 and with the NPPF and the PPG.

8.0 RECOMMENDATION

It is recommended that planning permission is granted subject to the following conditions:-

1. TL1 – Time Limit
2. Approved Drawings
3. MC2 – Samples of Materials
4. RE6 – Boundary Details
5. RE17 – Slab Levels (Dwellings)
6. RE21 – Window Sill Height (Kitchens)
7. RE28 – Obscure Glazing (Opening)
8. RE29 – Refuse Storage
9. HY2 – Access in Accordance with Specified Plan
10. HY7 – Car Parking
11. HY20 – Bicycle Parking
12. Prior to the commencement of development a scheme of signage to prevent residents and visitors cars parking in the turning area hereby permitted, and to reserve its use for refuse vehicles and other commercial vehicles calling at the site, shall be submitted to, and approved in writing by, the local planning authority. The approved signage shall be installed prior to first occupation of the development and, at all times thereafter, shall be permanently retained and maintained.
13. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town & Country Planning (General Permitted Development) Order, 1995, as amended, no gates or other means of enclosure shall be installed across the entrance without the prior grant of planning permission.
14. No development shall commence until a scheme of works to the existing badger tunnels on the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for the implementation of the works and details of how the badgers will be protected during the works. The approved

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scheme shall be implemented in accordance with the agreed timetable, unless otherwise first agreed in writing by the local planning authority.

15. LS4 – Tree Protection

16. LS5 – Retain Existing Hedgerow/Trees on Boundaries

17. MC29 – Sustainable Drainage Scheme

18. MC26 – Drainage Details (Foul Water)

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