

## **NHI/19724 – Saxonville Ltd Demolition of existing house and construction of a new building containing 9 flats. 29 West Way, Botley**

### **1.0 The Proposal**

- 1.1 The application site is a detached house with an existing vehicular access onto West Way in Botley. A location plan is in **Appendix 1**. The site lies opposite Seacourt Tower. To the west is a former chapel, now used as offices, while to the east are offices occupied by the Royal Agricultural Benevolent Institute (RABI). To the rear of the site is a private car park used for both of these offices.
- 1.2 It is proposed to demolish the existing house and construct a new building containing 9 flats. The development is promoted as “car-free” due to its highly sustainable location in Botley. The applicants point to the availability of very frequent buses and a cycleway into Oxford, and the proximity of Botley Shopping Precinct to serve daily shopping needs. The existing vehicular access to West Way would be closed and no off-street parking would be provided. The applicants consider that this site is comparable to other successful “car-free” residential schemes that have been granted planning permission elsewhere in the suburbs of Oxford by Oxford City Council.
- 1.3 A copy of the application drawings is in **Appendix 2**. The design of the proposed building is contemporary with a mix of render and cedar wood walls and timber railed balconies. The proposal originally included an off-street parking space for delivery vehicles, but this has been removed from the proposal because of the difficulty in restricting its use only to service vehicles in practise.
- 1.4 The application comes to Committee because North Hinksey Parish Council and 4 local households object to the application.

### **2.0 Planning History**

- 2.1 There is no history on the site.

### **3.0 Planning Policies**

- 3.1 Policy H10 of the adopted Vale of White Horse Local Plan allows for new housing development within Botley provided it would not result in the loss of important spaces, makes efficient use of land and does not harm the character of the locality. Policies DC1, DC5 and DC9 require all new development to be acceptable in terms of design, impact on neighbours and highway safety.
- 3.2 National guidance on parking is provided in PPG13, “Transport” (2001) and in PPG3, “Housing” (2000). Both stress that, in locations that are well served by alternative non-car means of transport, parking standards should be significantly reduced to encourage less use of the car, and that minimum standards should not be used. PPG13 states:-

“Local authorities should not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include, for example, where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls.” (Para 51).

### **4.0 Consultations**

- 4.1 North Hinksey Parish Council – Object for the reasons given in **Appendix 3**.
- 4.2 Local Residents – 4 letters of objection have been received, raising the following objections:-

- i) lack of parking spaces will lead to on-street parking problems
- ii) the development will worsen the existing drainage/flooding problems in the locality

4.3 County Engineer – after careful consideration of the scheme, and comparing it to schemes that have been granted planning permission elsewhere in Oxford, has no objection subject to conditions.

4.4 Consultant Architect and Architects' Advisory Panel – support the proposal subject to details of materials and landscaping – see **Appendix 4**.

4.5 Thames Water – No objections provided surface water drainage is not connected to the existing combined drainage system, which has been the cause of local flooding.

## 5.0 **Officer Comments**

5.1 The main issues for Members to consider are the impact of the proposal on the character and appearance of the area, the amenities of future residents, the effect on neighbours and highway safety. With regard to the first issue, the locality is a mixed residential and commercial area with a variety of architectural styles. The contemporary design of the proposal is considered entirely appropriate. The submitted street elevation shows the scale of the proposed building stepping down to reflect the scale of the RABI building and of the former chapel to either side. Subject to the quality of the proposed materials and to the treatment of the front garden area, which can be controlled by condition, the proposal is supported by the Consultant Architect and the Architects' Advisory Panel.

5.2 Regarding the amenities of future residents, the site lies within a mixed commercial and residential area. The adjoining commercial uses are offices, and should not cause harm to residential amenities. The residents of the flats would have access to a communal garden, or to balconies, or to a roof terrace. In view of this, the level of amenity provision is considered to be acceptable.

5.3 In terms of the impact of the proposal on neighbours, there is considerable local concern about drainage. Flooding has occurred in the Botley/Dean Court area in the past because there is a combined surface water and foul drain serving the area, which has overflowed during heavy rains. Thames Water has no objections to the application provided the surface water drainage is dealt with on site, through soakaways for example, and does not connect into the existing drain system. This can be ensured by condition (Condition 7 below).

5.4 The neighbours mainly affected by the proposed building are the RABI offices to the east and the former chapel to the west. Both properties are commercial, and as such cannot be protected from loss of light to the same degree as residential properties. Given the relationship of the proposed building to these neighbours, and the windows, Officers consider no harm should arise. Flats have no permitted development rights, so there is no need to restrict these rights to prevent new windows from being inserted at a later date.

5.5 The final issue is highway safety. The proposal is “car-free” and the applicants believe the site compares well to other car-free residential schemes that have been permitted in Oxford. They argue that, as a suburb of Oxford city, Botley is a highly sustainable location in which to locate housing, and that the other examples in Oxford show that car-free schemes are acceptable to certain residents who are prepared to manage without a car provided there is sufficient choice in terms of alternative modes or travel. Moreover, they believe such a scheme, provided it is realistically located, is entirely in accordance with the Government's desire to reduce reliance on the car.

5.6 They consider the site is well suited to a car-free development for these reasons –

- Passing in front of the site is a bus every 5 minutes and a dedicated cycle route into and out of Oxford along Botley Road.
- Botley Shopping Centre, which contains some 40 shops including a supermarket, restaurant, two banks and library, lies only 250 metres from the site, within easy walking distance.
- There are on-street parking controls in the area that will restrict the ability to park on-street.

5.7 With respect to the last point, the advice in PPG13 makes it clear that if parking controls are in place it must be assumed that they are enforced. West Way has double yellow lines and is a “clear way” at peak hours (at which times even loading and unloading is prohibited). Much of North Hinksey Lane has either single yellow or double yellow lines. The single yellow lines prevent parking between 8.00am and 6.00pm on Mondays to Saturdays. Outside of these hours, these parts of North Hinksey Lane are available for parking.

5.8 There is an unrestricted area of street within Old Botley. Officers have made visits to this area at various times to determine how much on-street parking there is. From observation, there is regularly some on-street parking on the narrow street outside the houses known as No 1, 3, 5, Greystones and South View. The rest of the street, with capacity for 4 – 5 cars, has parking on it during the day but not at night, which suggests it is not used to meet the demands of local residents but is used either by employees of the nearby businesses or by commuters.

5.9 Consequently, the evidence available is that there is capacity on-street to cope with 4 – 5 cars that may be associated with the proposal without causing loss of parking for local residents. The large area of single yellow lines on North Hinksey Lane also appears completely available for parking outside the hours prescribed on the parking restriction.

5.10 It should be noted that the permitted car-free schemes in Oxford have been located in areas where on-street parking is controlled by residents parking schemes rather than yellow lines, and the residents of the car-free housing have been excluded from obtaining permits to park on the street. By denying residents the ability to park on street, the residents parking schemes act like an on-street parking restriction.

5.11 In terms of servicing (deliveries and refuse collection), this would have to take place from West Way. However, this practise currently appears to occur without causing incident for the terrace of 5 houses to the other side of the former chapel (Nos 33 – 43 West Way). The designation of West Way as a “clear way” should prevent servicing at peak hours. The proposal originally included on-site parking for a service vehicle, but this was deleted due to concerns about how effectively this restriction could be controlled.

5.12 Members need to given this issue very careful consideration. Officers consider the very sustainable qualities of this site together with the considerable extent of parking controls in the vicinity give this proposal a rare set of criteria that distinguish it from much of Botley. Given the highly sustainable location, the complete lack of parking spaces on site (which will affect the type of occupant who will be prepared to live there to some degree) and the self-policing on-street capacity that appears to exist in the locality, Officers consider that an objection to the proposal based on highway safety grounds would be difficult to sustain at appeal. The lack of objection of the County Engineer is significant in this regard.

## 6.0 **Recommendation**

6.1 *Permission subject to the following conditions:-*

1. TL1            *Time Limit – Full Application*
2. MC2           *Submission of Materials*
3. CN8           *Submission of Full Details*

4. *HY8*      *Closure of Existing Accesses*
5. *LS4*      *Implementation of Landscaping Scheme (Incorporating existing tree(s)) – to be submitted*
6. *RE7*      *Submission of Boundary Details*
7. *RE9*      *Submission of Drainage Details (Surface Water)*