

APPLICATION NO.	P17/V3039/FUL
SITE	8 Elms Road Botley OXFORD, OX2 9JZ
PARISH	NORTH HINKSEY
PROPOSAL	Demolition of the existing house at 8 Elms Road and creation of nine new apartments, as a development of the extant permission on the site P17/V1418/FUL (As amended by plans and details in accompanying schedule received 29 March 2018) (As amended by plan received 2 May 2018_revised bin annotation).
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT OFFICER	Box Clever Development Sarah Green

RECOMMENDATION

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

Standard

1. Commencement three years - full planning permission.
2. Approved plans.

Prior to occupation

3. Access and parking in accordance with plan.
4. Landscaping as approved under P18/V0391/DIS.
5. Refuse storage provided in accordance with plans.
6. Cycle stores provided as approved under p18/V0391/DIS.
7. Foul and surface water to be in accordance with details to be approved under P18/V0391/DIS.
8. Travel information packs to be submitted and approved.

Compliance

9. Materials as approved under P18/V0391/DIS.
10. Construction delivery times between 9.30am and 2.30pm only.
11. Tree protection as approved under P18/V0391/DIS.

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to planning committee as it was originally classified as a major application and the parish council object.
- 1.2 The site is in Elms Road, Botley as shown on the location plan overleaf.



- 1.3 To the rear and side of the site is Botley Primary School and the medical centre. The opposite side of the road is characterised by two storey residential properties being terrace, semi-detached and detached in nature.
- 1.4 Planning permission was granted last year by planning committee for the demolition of the existing house and the erection of 8 flats on the site. The flats were designed to be contained within one building of two storeys, designed to look like a series of terrace properties from the front. The site was to be accessed via the existing shared access, with 9 parking spaces to the rear of the site. Extracts of the approved scheme are **attached** at Appendix 1. Works have commenced on site.
- 1.5 This application originally sought the erection of 10 flats on the site. Following both highway and officer comments the scheme has been amended to now seek the erection of 9 flats on the site. The amendments also include reducing the building size back down to that which had previously been approved.
- 1.6 The additional flat over the approved scheme would be contained with the roofspace of the building. The rest of the roofspace would provide additional floorspace to two of the first floor flats, which would be rearranged internally to move one of the bedrooms to within the roof and therefore enlarge the living space to the flats at first floor. The building would be the same size and form as that already approved. The number and layout of the parking would be the same as that approved, albeit without the extra visitor space previously approved. Visually the main difference to the building is the removal of the dormer windows and the inclusion of rooflights. Extracts of the application plans are **attached** at Appendix 2.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1	North Hinksey Parish Council	Objection Issue with ownership of access Parking too dense, impact of parking movements on site Overdevelopment of site, lack of amenity Impact on privacy of properties opposite Design not in tune with properties opposite.
	Neighbour Object (11)	Lack of primary care infrastructure Lack of parking Increased vehicle movements Noise impact from development on school Overlooking into school
	Oxfordshire County Council Single Response	No objection subject to conditions
	Thames Water Development Control	No objection
	Waste Management Officer	Comments on bin locations

3.0 RELEVANT PLANNING HISTORY

3.1 [P18/V0391/DIS](#) -

Discharge of conditions 3(materials), 4(surface water), 5(Bin & Bike Storage), 6(Tree protection), 7(Landscaping) & 8(Traffic Plan), on [P17/V1418/FUL](#)

[P17/V1418/FUL](#) - Approved (03/10/2017)

Demolition of an existing two storey house and the creation of a two storey apartment block to accommodate seven 2 bedroom and one 1 bedroom apartments. (As amended by plans received 30 June 2017_changes include bin stores, cycle stores, design amendments) (As clarified by plans received 20 July 2017_bin and cycle store details) (Additional Information received on ownership of access on 24 July 2017.)

[P92/V1090](#) - Approved (11/03/1993)

New pitched roof over existing garage. 8 Elms Road, Botley, Oxford. BR No. 83/93

[P92/V1089](#) - Approved (17/12/1992)

Two storey extension to east elevation to provide larger hall, utility room and study.

[P80/V1235](#) - Approved (07/01/1981)

First floor extension to form two bedrooms.

[P79/V1383/RM](#) - Approved (21/11/1979)

Erection of a two bedroom bungalow. Site area 0.1 acre. Plot adjoining no. 8 Elms Road, Botley.

[P77/V1188/O](#) - Refused (17/10/1977)

Erection of a bungalow. (Site area 0.027 hectares).

Land adjoining no. 8 Elms Road, Botley. Planning Application History

3.2 **Pre-application History**

P17/V0518/PEM – (05/04/2017)

Request for further Pre-Application advice for the demolition of an existing two storey house and the creation of a two storey apartment block to accommodate seven 2 bedroom and one 1 bedroom apartments.

- Advice on design, amenity, bin storage and parking provided.

P16/V2079/PEJ - (21/12/2016)

Demolition and creation of ten new apartments

- Advice on design, amenity, bin storage and parking provided. Likely overdevelopment of plot and design not in keeping

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The site area is less than 5ha, fewer than 150 dwellings are proposed and the site is not in a 'sensitive area'. The proposal is not therefore, EIA development.

5.0 **MAIN ISSUES**

- 5.1 The relevant planning issues are the following:

5.2 **Design and layout**

The building's scale and design is the same as that approved under the previous application. Visually the difference from the street would be the addition of 6 rooflights. The half dormers that were on the rear element have been replaced by windows and rooflights. Officers consider that these changes are relatively minor and would not result in a building that looks materially different to that already approved.

- 5.3 An additional bin storage area has been incorporated behind the brick piers for flat 9.

5.4 **Residential amenity**

The relationship between the building and the neighbour at No 6 would be the same as in the approved scheme. The number of car parking spaces accessed from the shared access point is 9, the same as in the approved scheme.

- 5.5 In terms of the comments from the parish council about overlooking of the neighbours on the opposite of the road, this was considered as part of the previous scheme. It was advised that the proposed building is sited so as to follows good design principles by providing an active frontage and overlooking to the street. Elms Road is a public road and levels of privacy for front windows have to be assessed in this context. The proposed building is considered to be far enough away from neighbours opposite so as not to harm the outlook from these properties.

- 5.6 In relation to the comment from Botley Primary School, the position and size of balconies and windows to the rear is the same as in the approved scheme.

This scheme will not differ in impact from that scheme. The additional 4 rooflights would be over 11m away from the boundary with the school, the other side of which is the school car park.

- 5.7 In terms of the flats themselves, the additional flat would have a roof terrace within the roof. The terrace would be enclosed so it would not be seen from outside the site, but it would provide a small external space for the flat.
- 5.8 Eight of the flats would be provided with some external space. It is only the 1-bedroom flat, already approved, that would not. The site has relatively good accessibility to facilities in the local area and given it is only a 1-bedroom flat, officers consider this is acceptable and it is the same as that already approved.
- 5.9 **Traffic, parking and highway safety**
The site is within a sustainable and accessible location close to the local centre. Elms Road is subject to an Oxfordshire County Council traffic regulation order (TRO) which requires permits for on street parking during the daytime.
- 5.10 The amended scheme for 9 flats has been reviewed by the highway authority. The access to the site is the same as that previously approved.
- 5.11 The proposal has 9 car parking spaces, the same as the previous proposal for 8 flats, which equates to 1 space per flat. The highway officer has stated *“Nine car parking spaces will be provided on site. Given the application site’s ease of access to local bus services, local facilities, Oxford City Centre and Oxford Railway Station discussed above the Local Highway Authority are willing to accept nine off street car parking spaces for residents and visitors.”* Officers are also mindful of an appeal allowed nearby in 2015 at 26 – 28 Westminster Way (P14/V1273/O) where a development of 9 flats was allowed with 8 on-site parking spaces. The inspector accepted that the location was highly sustainable and so a lower parking provision was allowed.
- 5.12 The highway authority has requested that the applicant enters into a legal agreement to secure the costs of removing the development properties from the existing traffic regulation order for Elms Road, so they cannot apply for resident and visitor parking permits. In fact, the applicant entered into an agreement last time and paid the costs upfront. As the agreement has been secured it is not required in connection with this new application.
- 5.13 The highways officer has requested that a travel information pack condition is applied to this application. It was not to the previous application. Due to the location of the site and that, in this application, there is no dedicated on-site visitor parking proposed, officers consider it is reasonable for future occupants to be provide with travel information packs detailing alternative means of transport that are available to them in this highly sustainable location.
- 5.14 The parish council have also raised the issue of ownership of the access. The access location will be the same as in the approved scheme. As set out in the previous officer report, the neighbour at No.6 has a right of access over the

application site and this will not change as a result of this proposal. This was confirmed and clarified by the agent as part of the approved scheme.

5.15 In terms of management of construction traffic, given the scale of the proposal combined with the facts that the site is on a cul-de-sac and has a primary school adjacent, officers considered it reasonable last time to require details of construction traffic delivery times to mitigate potential conflict with peak school times. This condition on the approved scheme has now been discharged. The delivery times are to be only between 9.30am and 2.30pm. These are the hours required by the highway authority. These hours can be applied to this application. Members will be aware that planning conditions cannot be used to prevent parking on a public highway.

5.16 **CIL**

This application is liable to pay the CIL levy, approximately £56,000.

6.0 **CONCLUSION**

6.1 Sustainable development has three strands – social, economic and environmental. The site is within a sustainable and highly accessible location. The proposal would have social benefits in terms of providing additional housing and economic benefits in terms of construction and investment in the local and wider economy. There would be a change to the environment however officers consider that this change would not be significantly harmful to outweigh the balance. The application is therefore recommended for approval.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part1

CP01 - Presumption in Favour of Sustainable Development

CP03 - Settlement Hierarchy

CP04 - Meeting Our Housing Needs

CP35 - Promoting Public Transport, Cycling and Walking

CP37 - Design and Local Distinctiveness

CP42 - Flood Risk

CP44 - Landscape

Vale of White Horse Local Plan 2011

DC5 - Access

DC6 - Landscaping

DC7 - Waste Collection and Recycling

DC9 - The Impact of Development on Neighbouring Uses

National Planning Policy Framework 2012

Design Guide SPD 2015

Equalities Act 2010

The proposal has been assessed as part of the public sector equality duty under Section 149 of the Equalities Act, No recognised groups should suffer discrimination as a result of the proposal.

Human Rights Act 1998

The application has been assessed against Articles 1 and 8 of the Human Rights Act. The impact on individuals has been balanced against the public interest and officers consider the recommendation to be proportionate.

Author: Sarah Green
Email: planning@whitehorsedc.gov.uk
Tel: 01235 422600