

APPLICATION NO.	P23/V2226/FUL
SITE	Gateways Harcourt Hill Oxford, OX2 9AS
PARISH	NORTH HINKSEY
PROPOSAL	Demolition of existing house and erection of two detached dwellings. (As amplified by additional information received 18 January 2024.)
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT OFFICER	Mr Siriwat Pinsiranon Katherine Canavan

RECOMMENDATION

That planning permission is granted subject to the following conditions:

Standard

- 1. Work to commence within 3 years**
- 2. In accordance with plans**

Prior to commencement

- 3. Drainage scheme - surface water**
- 4. Drainage scheme - foul water**
- 5. Provision of car parking**
- 6. Arboricultural Method Statement and Tree Protection Plan**

Prior to development over slab level

- 7. Schedule of materials**
- 8. Landscaping scheme**

Prior to first use

- 9. Access and vision Splays**
- 10. Provision of cycle parking**
- 11. Biodiversity enhancement**
- 12. Waste and recycling storage**

Compliance

- 13. Sill height of rooflights on north-east elevation and roof plane of Plot 1 no lower than 1.7m**
- 14. Removal of permitted development rights for upper floor openings on north-east elevation and roof plane (Plot 1)**

Advisory notes

- 15. Bats**
- 16. CIL**
- 17. Highway works**

The full wording of these conditions is **attached** as Appendix 1.

1.0 **INTRODUCTION AND PROPOSAL**

The application is referred to Planning Committee by the Planning Manager due to the planning history.

1.1 Botley and North Hinksey parish council has raised the following concerns:

- Overdevelopment – previous issues identified at appeal have not been addressed
- Character / design of dwellings out of keeping with surrounding area
- Access / egress unsafe at junction of Harcourt Rd / Stanton Rd, and poor car parking arrangement on site
- Conflict with the North Hinksey Neighbourhood Development Plan
- Additional points: measurements on plans, and lack of biodiversity information

1.2 Gateways is a detached property located on a corner plot in the residential area of Harcourt Hill, Botley. The application site is located directly opposite Harcourt Hill Campus – Oxford Brookes University. Neighbouring properties share boundaries to the NE and SE and a narrow, private road runs along the south-western edge of the site, Stanton Road. There is a noticeable slope down towards the north, which follows the slope of Harcourt Hill as it drops down towards the A34/Southern By-Pass.

1.3 The locality, known as Harcourt Hill Estate, is distinguished by its low density built form, its spacious and generally rectilinear plots, and its verdant character. Properties in the street are typically set back 15-25m from the road, and have rear gardens measuring 65-75m deep. Widths of the plots are generally 20-30m wide. The area is defined by development along the roads of Harcourt Hill, Vernon Avenue, Grosvenor Road and Stanton Road.

1.4 Area designations and site constraints:

- Harcourt Hill is inset from the Oxford Green Belt, but land directly opposite and encircling this group of dwellings is washed over by Green Belt.
- A public right of way runs along the front boundary of the site
- There are several mature trees on site, and hedging along the boundary.

1.5 The applicant seeks full permission for the demolition of existing house and erection of two detached dwellings.

1.6 There have been three previous applications for re-development of the site which were refused and subsequently dismissed at appeal.

1.7 A copy of the latest plans is **attached** at Appendix 2.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full versions of the representations can be found on the planning application pages on the council's website www.whitehorsedc.gov.uk

2.1	North Hinksey Parish Council	Objection
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Vale of White Horse District Council – Committee Report – 6 March 2024

	<ul style="list-style-type: none"> • Overdevelopment – previous issues identified at appeal have not been addressed • Conflict with the North Hinksey Neighbourhood Development Plan • Character / design of dwellings out of keeping with surrounding area • Access / egress unsafe at junction of Harcourt Hill / Stanton Rd, and poor car parking arrangement on site • Additional points: measurements on plans, and lack of biodiversity information
<i>Vale of White Horse District Council - technical consultees:</i>	
Drainage Engineer	No objection subject to conditions (foul water and surface water)
Forestry Officer	No objection Minor changes are required to the RPAs / 'no dig areas' but these can be secured by condition
Waste Management Officer	No objection There is sufficient space for bin storage for two dwellings
<i>Other technical consultees:</i>	
Highways Liaison Officer (Oxfordshire County Council)	No objection subject to conditions (vehicle and cycle parking)
Oxfordshire Public Rights of Way	No response received
SGN Plant Protection Team	Comment received Standard gas safety advice provided

2.2 **Neighbours** - 7 representations were received from neighbours and interested parties, as summarised below:

Design, Scale and Character	<ul style="list-style-type: none"> • The development is contrary to the development plan (design policies), Neighbourhood plan and the North Hinksey Parish Character Assessment. • While the proposed dwellings are smaller, they are bulky in design and unnecessarily deep. The dwellings still represent overdevelopment in this location and would be out of character with residential development along Harcourt Hill. • The proposals would not sit comfortably within the street scape and would be cramped and incongruous to the neighbourhood, urbanising the street scene. • The height, bulk and proximity of both houses will cause an overbearing visual intrusion to the occupiers of Southfield.
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Vale of White Horse District Council – Committee Report – 6 March 2024

	<ul style="list-style-type: none"> • Dwellings on Harcourt Hill sit in large, spacious plot with space between neighbouring properties. The houses would not sit comfortably on the site and sit unusually close to the boundary, resulting in a cramped relationship, out of kilter with the character of the area. • The two dwellings are identical and lack individuality as seen along the street. • Two dwellings / subdivision cannot be achieved on the plot while respecting the established character of the area.
Highway safety	<ul style="list-style-type: none"> • The need to retain greenery along the frontage means there is little space left for car parking and turning to the front. The remaining space would be dominated by parking and driveway. • Cars would have to reverse out onto Stanton Road – lack of visibility and harm to pedestrian and highway safety. • Any sight lines for the new access arrangements would require the removal of vegetation to both Stanton Road and Harcourt Hill, on land not in control of the applicant, and not within the red line. The removal of these trees and hedging would be detrimental to the verdant characteristics of the neighbourhood.
Residential amenity	<ul style="list-style-type: none"> • The development would have an overly dominant relationship with Six Elms (a bungalow to the south-west), and upper floor windows would overlook garden space of neighbouring dwellings, including Southfield.
Tree protection and retention of green landscape	<ul style="list-style-type: none"> • The foundations of Plot 2 will be within root protection areas, and neighbouring trees will be affected. • Insufficient detail provided to demonstrate that trees and hedging along the front will be retained. This greenery offers biodiversity benefits and is important in terms of retaining the verdant character of the area.
Ecology and Biodiversity	<ul style="list-style-type: none"> • No biodiversity survey has been provided with the application.
Additional points	<ul style="list-style-type: none"> • The current proposal does not overcome previous refusal reasons, which were subsequently dismissed at appeal. • Concerns raised over the measurements shown on plans, with reference to the Field End site. • Concerns over securing access within the land ownership / red line area. • The development is not comparable with the recent dwellings built at Field End as the

	Gateways plot is narrower and on a prominent corner plot.
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3.0 **RELEVANT PLANNING HISTORY**

3.1 [P22/V2220/FUL](#) - Refused (05/12/2022) - Appeal dismissed (27/06/2023)
Demolition of existing house and erection of two detached dwellings

[P20/V3257/FUL](#) - Refused (16/02/2021) - Appeal dismissed (08/09/2021)
Replace existing dwelling and erect additional dwelling and garage in the rear garden

[P20/V0560/FUL](#) - Refused (11/05/2020) - Appeal dismissed (01/10/2020)
Construction of a new two storey house with double garage, drive and hardstanding areas, new plot division fence. New access onto Stanton Road.

[P19/V3112/FUL](#) - Withdrawn (20/01/2020)
Construction of a new 6 bedroom house, double garage with all associated walls, fences and drive and paths. Form new access onto Stanton Road.

[P19/V3019/HH](#) - Approved (06/01/2020)
Demolition of single storey extensions to front and rear, demolition of garage and outbuilding. Extend to front, rear and side with two storey extensions to form a 5 bedroom house.

[P19/V1788/FUL](#) - Approved (23/09/2019)
To demolish existing house and to construct a new larger dwelling in the same location (Replacement for current application P19/V1403/HH)

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The size of the site and the scale of the proposal are well below the EIA threshold, and are not located within an area classified as sensitive, for example, an AONB. This has informed the officer's decision that an EIA screening opinion is not required.

5.0 **MAIN ISSUES**

5.1 **The relevant planning considerations are the following:**

- **Principle of development**
- **Streetscene, design and character**
- **Residential amenity**
- **Tree protection and landscaping**
- **Access and parking**
- **Green Belt**
- **Ecology and biodiversity**
- **Floodrisk and drainage**
- **Waste and recycling collection**
- **CIL**

Vale of White Horse District Council – Committee Report – 6 March 2024

5.2 **Principle of development**

The Council's Local Plan 2031 Part 1 (adopted 2016) (LPP1) sets out the spatial strategy and strategic policies across the Council area to deliver sustainable development, including the provision to be made for housing.

5.3 Policy CP3 of the LPP1 devises a settlement hierarchy approach, steering new development to sustainable locations. Policy CP4 of the LPP1 goes on to set out how the housing needs will be met. There is a presumption in favour of sustainable development within the existing built area of Market Towns, Local Service Centres and Larger Villages in accordance with CP1.

5.4 Although the site is located in North Hinksey parish, the site lies within the spatial confines of Botley. The settlement hierarchy identifies Botley as a Local Service Centre within the Abingdon-on-Thames and Oxford Fringe sub-area, with a good level of services and facilities.

5.5 The principle of the residential development in this location is acceptable from a spatial perspective. However, the proposal must also accord with other development plan policies, as considered below.

5.6 **Streetscene, design and character**

Policy CP37 of the LPP1 states that new development must demonstrate high quality design that responds positively to the site and its surroundings, creating a distinctive sense of place through high quality townscape that physically and visually integrates with its surroundings. It adds that development must be visually attractive, and the scale, height, massing, and materials should be appropriate to the site and its surrounding context.

5.7 This is drawn through to policies HS1 and HS2 of the North Hinksey Neighbourhood Plan which require new development to respect, enhance and make a positive contribution to the identity and character of the area and reflect the predominantly low-rise character of North Hinksey Parish. Developers should ensure that sites provide an enhanced and improved local streetscape to match the existing green character of the area.

5.8 The Joint Design Guide requires development to be informed by, and to positively respond to, its context, and sets out the steps to achieve high quality design.

5.9 The site is located on the eastern side of Harcourt Hill, opposite the Oxford Brookes Harcourt Hill Campus. The area is characterised by large residential plots, where typically dwellings are set back at a good distance from the road, and are separated from neighbouring plots by long, spacious gardens. The built-form is interspersed with mature landscaping and trees, and the driveways and frontages are in most cases softened by hedges and landscaping, defining the character within the streetscene. Previous appeal decisions have confirmed this character.

5.10 While it is acknowledged that previous proposals on the site have raised issues over design, space around the buildings and character, the design, scale and

Vale of White Horse District Council – Committee Report – 6 March 2024

heights of the two proposed dwellings are much more akin to surrounding dwellings. As seen in the streetscene plans, the heights are comparable to neighbouring properties, and the scale of the roof is proportionate to the host dwelling, ie. it no longer serves as a separate floor / space for further accommodation.

- 5.11 Referring back to the previous scheme (Planning reference P22/V2220/FUL), the appeal identified issues in terms of the amount of development to the front of the site (in the form of garages, which obscured the frontage), and the depth of the rear section of the dwellings, particularly at 2-storey height, beyond the established building line. This also introduced amenity concerns in terms of creating an overbearing relationship with neighbouring dwellings.
- 5.12 The building lines are now similar in character to neighbouring properties, as the front and rear parts of the dwellings have now been pulled in a good distance. This has been achieved through the removal of garages to the front, reducing the depth of the rear parts of the dwellings, and dropping down the roof line. Where the dwellings do extend beyond the building line to the rear, it is staggered away from Southfield, and comparable in scale to what could be achieved as a reasonable sized extension.
- 5.13 The front elevations of the dwellings are of a scale that is proportionate to other nearby dwellings and design features seen within the row of dwellings have been incorporated into the design. This has in part been achieved by removing the accommodation in the roof, dropping the ridgeline and incorporating a cat-slide roof. The front driveways of the dwellings are much more open, as seen elsewhere along the street, and trees and vegetation frame the front when viewed from the road. Without the garages obscuring the frontage, both dwellings have a better relationship with the road and in how they sit within the existing streetscene. A suitable amount of openness between the dwelling and the road is retained.
- 5.14 Given the plot width of Gateways it is accepted that the widths of the subdivided plots would have to be narrower than neighbouring properties, and the scale of the dwellings would therefore need to be smaller. This is necessary to ensure a suitable amount of space can be designed into each and to retain appropriate distances to the boundaries, to reflect the existing character of the area. This has been achieved in the current layout. Regard has been had to the side-to-side relationship of dwellings within the area, and the distance to the boundaries for both dwellings is not considered out of keeping with the established character.
- 5.15 In conclusion the scaling down of the dwellings, and retention of a greater amount of space around the dwellings has achieved a development which responds appropriately to the established character of the surrounding area. The dwellings include design features seen within the local area, and by removing the roof accommodation and garages, and reducing the depth to the rear, are more proportionate in scale to other dwellings in the immediate area. In conclusion, the issues relating to streetscene, design, scale and character, identified in the previous appeal, have been addressed, and the development

Vale of White Horse District Council – Committee Report – 6 March 2024

accords with Policy CP37 of the LPP1, and the design policies in the emerging Joint Local Plan, the adopted Joint Design Guide SPD and policies HS1 and HS2 of the North Hinksey Neighbourhood Plan.

5.16 **Residential amenity**

Policy DP23 of the LPP2 considers the impact of development on amenity, and requires development to take into account loss of privacy, daylight or sunlight, dominance or visual intrusion, and noise.

5.17 Policy DP2 of the LPP2 sets out the required internal space standards for new residential development, and section 4.11 of the Design Guide clarifies the requirement for private amenity space.

5.18 The existing dwelling measures 7.8m in height, sitting alongside Southfields which is approximately 8.4m to the ridgeline. The proposed dwellings would be 8.3m high, but step up towards Stanton Road on slightly higher land. The height and scale of the proposed dwellings maintains an appropriate relationship with neighbouring dwellings, and is consistent with other residential properties in the local character area.

5.19 Plot 1 is set 10m from the side elevation of Southfield, with a single storey building between the two (on the Southfield plot). Plot 1 extends 5.5m beyond the established building line to the rear, at 2-storey height. The element closest to the boundary has been designed as a catslide roof, which drops to 3.3m in height alongside the boundary. These combined measures are sufficient to avoid an overbearing relationship with Southfield and to safeguard the residential amenity of future and neighbouring occupants.

5.20 A 10m separation distance would be retained to the side elevation with Southfield (with a garage / workshop in between), and a separation distance of 17m to the closest point of Six Elms, across Stanton Road. Upper floor side openings facing Southfields serve bedrooms and a bathroom; in the case of the bedrooms these are secondary windows. Amended plans have been received raising the sill heights of the rooflights on this elevation to 1.7m to ensure privacy is safeguarded. Upper floor windows facing onto Stanton Road, and towards Six Elms serve an en-suite and a hallway. Given the 17m separation distance between this elevation and the neighbouring bungalow (The Elms), and factoring in that the dwellings would be separated by a road and hedging, these openings on the side elevation are not considered to adversely affect amenity.

5.21 Ample outdoor space is provided to meet the amenity standards. The indoor space meets the internal space standards for both dwellings.

5.22 In light of the reduction in scale, height and massing, and the introduction of a catslide roof adjacent to Southfield, the dwellings retain an appropriate relationship with neighbouring dwellings, and the changes have overcome the previous concerns of an overbearing impact. Subject to conditions controlling openings on the north-east side of the Plot 1, the residential amenity of neighbouring occupants is safeguarded. Given the separation distances

Vale of White Horse District Council – Committee Report – 6 March 2024

between the proposed dwellings and neighbouring properties overlooking is not an issue, and privacy will not be affected. For these reasons the development complies with policy DP23 of the LPP2 and the amenity policies in the emerging Joint Local Plan.

5.23 **Tree protection and landscaping**

Policy CP44 of the LPP1 safeguards landscape character, including trees, hedgerow and woodland that contribute positively to the landscape character of the area.

5.24 Trees, mature planting and hedging are an important characteristic of the local area, and in defining the character of the streetscene. There are trees on and adjacent to the site that contribute positively to the wider landscape and character of the area. This includes mature trees in the existing property frontage that are prominent on the street scene.

5.25 A tree survey has been provided to demonstrate that the trees and hedging along the front and south-western edge can be retained alongside the proposed development. To facilitate the development proposals four low quality trees and one hedge will be removed. However their loss will not be of significant detriment to the site and can be mitigated with better quality replacement planting, which can be secured as part of a landscape condition. Trees shown as retained can be adequately protected as part of a requirement for a detailed tree protection condition. It is recommended that a no-dig construction technique is used to create the driveway to the front, to protect the trees during construction.

5.26 **Access and parking**

The NPPF promotes sustainable transport modes, whilst seeking to ensure that safe and suitable access to the site can be achieved for all users.

5.27 Policy DP16 of the Local Plan: Part 2 requires adequate provision to be made for loading, unloading, circulation, servicing and vehicle turning. Parking should also be provided in accordance with Oxfordshire County Council's published standards.

5.28 The site is considered to be in a sustainable location, and within walking distance of public transport, services and amenities at Westway Square and the centre of Oxford.

5.29 The Oxfordshire Parking Standards require 3 spaces for dwellings with 5 bedrooms, although given the site's edge of city location and public transport links this could be reduced to 2 spaces per dwelling. Sufficient space is available on site to meet the parking requirements. The car parking and cycle storage detail, along with detail of electric charging points, are to be secured by condition.

5.30 There is sufficient space to the front of the dwellings to accommodate parking and turning to allow vehicles to exit in forward gear. Access and egress are onto roads where traffic moves at relatively slow speeds but are also used by

pedestrians. Subject to visibility splays being secured by condition, officers are satisfied that the access points would not pose a risk to highway safety or pedestrians.

5.31 Green Belt

Harcourt Hill is inset from the Oxford Green Belt, but land directly opposite and encircling this group of dwellings is washed over by Green Belt. The application site is not within the Oxford Green Belt and development of the site would not have a harmful impact on the openness of the green belt.

5.32 Ecology and biodiversity

Policy CP44 of the Local Plan: Part 1 requires no net loss of biodiversity as a result of development. The site is characterised as a large residential plot, grassed over to the rear. The site is not considered to comprise high valued habitat, and there are not known to be protected species on site, although bats have been identified in the local area. Having regard to the current condition of the building, there is a low risk of the roof being suitable as a bat roost.

5.33 There is scope for enhancement of the site, and a scheme of biodiversity enhancements is to be secured by condition, eg. bat and bird boxes. An advisory note is also recommended to outline the legal protection of bats, in the event that bats are found during the demolition process.

5.34 Flood risk and drainage

The site is not located in an area at risk of flooding. Foul and surface water conditions are recommended to appropriately manage water and waste associated with the dwellings.

5.35 Waste and recycling collection

There is sufficient space to the front of the properties to store, and wheel to the highway, wheelie bins for waste and recycling. On the basis that a suitable store should be designed into the scheme, which integrates appropriately into the streetscene, details of waste and recycling storage are to be secured by condition.

5.36 Community Infrastructure Levy

The proposed development results in the provision of new residential floorspace and would therefore be liable for a Community Infrastructure Levy (CIL) charge, as set out in the Vale of White Horse CIL Charging Schedule (November 2021). With an element of existing floorspace being offset against the CIL calculation, the development would result in 366sqm of CIL chargeable residential floorspace. This amounts to £108,877.

6.0 CONCLUSION

6.1 The key issues identified in the previous appeal decisions related to the height, scale and design of the dwellings, which resulted in a cramped development and conflicted with the established character of the area. The depth of the dwellings and significant bulk to the rear resulted in a design that extended beyond the front and rear building lines and highlighted the extent of overdevelopment on the plots. Insufficient information was provided to

Vale of White Horse District Council – Committee Report – 6 March 2024

demonstrate that trees and vegetation on and close to the site, which contribute positively to the area's character and the streetscene, would not be harmed or lost as a result of the development. Garages to the front of the site created a poor relationship with the road, obscuring the frontage and cluttering the otherwise open front gardens seen elsewhere within the street.

- 6.2 By virtue of the reduced scale, height and massing, and removal of the garages to the front, and removal of the bulk to the rear, a suitable amount of separation space has been secured around the dwellings and to the front of the plots. The development is in keeping with the spacious character of neighbouring development, and the dwellings are of a design and scale that integrates appropriately with the surrounding area and streetscene. As demonstrated in the tree survey, and subject to the tree protection plan, important trees and landscape can be retained as part of the development. Subject to conditions controlling openings on the north-east side of the Plot 1, the residential amenity of neighbouring occupants is safeguarded.
- 6.3 The principle of residential development in this location conforms to the spatial strategy. For the above reasons the current proposal has addressed the issues set out in previous refusal reasons. Subject to the conditions, the proposal is in accordance with highway safety, sustainable drainage and biodiversity policy. The development accords with the policies of the development plan, the emerging Joint Local Plan and the NPPF and is recommended for approval on these grounds.
- 7.0 The following planning policies have been taken into account:
- 7.1 Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:
CP01 - Presumption in Favour of Sustainable Development
CP03 - Settlement Hierarchy
CP04 - Meeting Our Housing Needs
CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
CP35 - Promoting Public Transport, Cycling and Walking
CP37 - Design and Local Distinctiveness
CP40 - Sustainable Design and Construction
CP42 - Flood Risk (and drainage)
CP43 - Natural Resources
CP44 - Landscape
CP46 - Conservation and Improvement of Biodiversity
- 7.2 A Regulation 10A review (five-year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.
- 7.3 Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:
DP02 - Space Standards
DP16 - Access
DP23 - Impact of Development on Amenity

Vale of White Horse District Council – Committee Report – 6 March 2024

7.4 The Council is preparing a Joint Local Plan covering Vale of White Horse and South Oxfordshire, which when adopted will replace the existing local plans. Currently at the Regulation 18 stage, the Joint Local Plan Preferred Options January 2024 has limited weight when making planning decisions. The starting point for decision taking will remain the policies in the current adopted plans.

7.5 **Neighbourhood Plan**

The North Hinksey Neighbourhood Plan was made as part of the district council's development plan on 18 May 2021.

Policy HS1 - Characteristics of New Housing

Policy HS2 - Low-rise Housing Design

Policy HS3 - Housing Density

Policy HS4 - Flexibility, Future-Proofing, and Sustainable Design

Policy TR1 - Cyclists, Pedestrians & Public Transport Policy

Policy TR2 - Parking, Access and Electric Vehicle Charging Policy

Policy UT1 - Flooding & Groundwater Policy

Policy UT2 - Sustainable Design, Energy Efficiency and Renewable Energy Policy

Policy GS2 - Biodiversity, Wildlife Corridors, TPOs and Tree Canopy Cover

7.6 **Supplementary Planning Guidance/Documents**

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

7.7 **National Planning Policy Framework and Planning Practice Guidance**

7.8 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

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