

# 10 Friars Hill Flats, Friars Hill, Wroxton

14/01518/F

**Ward:** Wroxton

**District Councillor:** Cllr Douglas Webb

**Case Officer:** Caroline Roche

**Recommendation:** Approval

**Applicant:** Mr Nicholas Turner

**Application Description:** Subdivision of Flat 10 into two separate flats

**Committee Referral:** Applicant is a District Councillor **Committee Date:** 30 October 2014

## 1. Site Description and Proposed Development

- 1.1 The property is contained within a block of flats located in a remote rural location north of the village of Wroxton. The flats are just two storeys high and constructed of red/sand coloured brick with a very shallow pitched roof. One access leads to a bin storage area and associated outbuildings whilst the main access leads to a large parking area with shared amenity spaces.
- 1.2 Planning permission is sought for the conversion of flat no. 10 into two separate flats. The flat is located on the first floor of the southern wing of the building and currently accommodates three bedrooms, with separate sitting room, kitchen and bathroom. The proposed subdivision would result in two flats each with 1 bedroom and a sitting room linked to the kitchen and a separate bathroom. Both would be accessed off the existing staircase and have a storage cupboard in the hallway.
- 1.3 The site is within an area of high landscape value and a number of notable species and habitats have been identified in the area. The site is also within a mineral consultation area and within 250m of a landfill site and is potentially contaminated. However given the nature of the proposal and the fact that the proposal relates to the subdivision of an existing residential property it is not considered that any of these issues act as constraints to the application which need further consideration.

## 2. Application Publicity

- 2.1 The application has been advertised by way of site notice and neighbour notification letter. The final date for comment is the 29th October 2014. No letters have been received at the time of drafting the report but an update will be provided in the event that comments are received.

## 3. Consultations

- 3.1 Wroxton Parish Council: No comments received at the time of drafting the report.

### Cherwell District Council Consultees

- 3.2 Private Sector Housing Officer: Overall the size of the two units will be acceptable in relation to housing standards. The kitchens in the proposed units will be too small to provide a safe layout, however this could be resolved by opening up the wall between the proposed kitchens and living rooms to provide more worktop and storage space. I would also suggest leaving the existing doors into the kitchen and bathroom, so the access to the shower rooms is from the lobbies instead of directly off the kitchen.

### Oxfordshire County Council Consultees

3.3 Highways Liaison Officer: No response received at the time of drafting the report.

#### **Other Consultees**

3.4 None

### **4. Relevant National and Local Policy and Guidance**

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

C28: Layout, design and external appearance of new development  
C30: Neighbouring amenity

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance (2014)

Submission Cherwell Local Plan (January 2014)

The Submission Local Plan (January 2014) has now been through public consultation and was submitted for examination in January 2014, although this plan does not have Development Plan status, it is a material planning consideration. The plan sets out the Council's strategy for the District to 2013.

The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

ESD16: The Character of the Built and Historic Environment

### **5. Appraisal**

5.1 The key issues for consideration in this application are:

- The principle of the subdivision
- Visual Impact;
- Affect on neighbouring amenities;
- Highways Safety.

#### **Relevant Planning History**

5.2 CHN.869/87 – Reroofing with double pitched roof over existing flat roof and other alterations to flats. Approved

CHN.473/80 – Re-arrangement of partitions for flats at first floor level and other alterations. Approved

B.404/56 – The extension of existing flats to form additional accommodation. Approved

B.281/51 – Alterations to convert workers hostel into 8 self-contained flats. Approved

B.177/51 – Workers hostel and access. Approved

## **The principle of subdivision**

- 5.3 There are no policies contained within the adopted Cherwell Local Plan that address the principle of the subdivision of existing properties and other housing policies contained within the plan are also difficult to apply to this case given that it does not constitute the construction of a new dwelling. Similarly the submission local plan also remains silent on the subject of subdivisions. As such it is appropriate to consider the proposal in the context of the NPPF and the principles of sustainable development and whether or not there is any harm that outweighs the benefit of providing an additional residential unit of accommodation when the Council is currently in a position where it cannot demonstrate a 5 year housing land supply. The potential for harm is assessed in the following sections of the report.

## **Visual Impact**

- 5.4 Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 5.5 Saved Policies C28 of the adopted Cherwell Local Plan exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context as well as compatible with the existing building.
- 5.6 The proposal consists of a subdivision of an existing building and there are no external alterations proposed. As such it is considered that there is no adverse visual impact arising from the proposal and the application complies with Policy C28 of the adopted Cherwell Local Plan and guidance contained within the NPPF.

## **Neighbouring Amenities**

- 5.7 Given the nature of the development and the fact that there are no external alterations to the property there is no potential for additional overlooking between the units, loss of light or overbearing. The creation of 1 additional unit of accommodation may result in additional vehicular and pedestrian movements but the impacts from these in terms of noise and disturbance is unlikely to be greater than you'd expect from the existing residential units. It is considered that the proposal will comply with Policy C30 of the adopted Cherwell Local Plan.

## **Highway Safety**

- 5.8 At the time of drafting the report a response had not been received from the Local Highway Authority. However from visiting the site it is clear that there is a significant area of land given over to parking. It is understood from the submission that there are 30 spaces available and it would appear on site that there is no specific allocation of parking spaces. It would appear that 8 out of the 10 flats have already been subdivided and as such with this additional subdivision it would still result in a parking provision of 1.5 spaces per unit. Given that the majority of units are only one bedroom this is likely to meet the parking requirements. The existing access is good and it is not thought that the creation of one additional unit would be harmful to highway safety.

## **Other issues and Conclusion**

- 5.9 The Private Sector Housing Officer has not raised concerns about the principle of the

development but has suggested that the kitchens may be substandard due to the floor space and storage space available. Slight amendments to the internal layout would address these points. Amendments have been requested and submitted which now address the concerns raised, as such the proposal meets the appropriate standards.

- 5.10 The proposal is fairly minor in nature and is not considered to be controversial. It is not considered to result in any adverse harm and as such there are no reasons to recommend refusal at this time. However it is noted that the consultation period is still running and should any further matters need addressing this will be done by way of an update on the day of the committee meeting.

### **Engagement**

- 5.11 With regard to the duty set out in paragraphs 186 and 187 of the Framework, it is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application. No problems or issues have arisen through the assessment of this application.

## **6. Recommendation**

### **Approval subject to;**

- a) The end of the consultation period (29 September 2014)
- b) The following conditions;

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission. Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Site Location Plan, Block Plan and revised floor plan received 14 October 2014. Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

### **STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way through the timely and efficient determination of the application.