

# 154 Oxford Road, Kidlington

15/01076/F

**Ward:** Kidlington South

**District Councillor:** Cllrs Billington  
Griffiths and Prestidge

**Case Officer:** Aitchison Raffety

**Recommendation:** Refusal

**Applicant:** Mrs Nicola O'Dowda

**Application Description:** Alterations and erection of first floor side extension and conversion of dwelling to form four flats, with associated hardstanding alterations to existing access.

**Committee Referral:** Member Request

**Committee Date:** 6<sup>th</sup> August 2015

## 1. Site Description and Proposed Development

- 1.1 The site incorporates a detached rough-cast render property that is located on the western side of Oxford Road. It forms part of a row of similarly designed properties, but with the neighbouring dwellings all forming semi-detached pairs. These buildings are set back from the highway, providing parking at the front and private amenity areas to the rear. The alignment of the properties to the highway on this part of Oxford Road results in a staggered front building line. These dwellings are accessed off a service road, serving a number of properties, a shop and the West Kidlington Primary and Nursery School, located to the rear (west) of the application site, but taking access to the south.
- 1.2 No. 154 is a two storey property with a flat roof two storey front bay window. It originally formed a modest sized three bedroom hipped roof property with a single storey attached garage and porch. The dwelling has been extended such that it now incorporates a projecting front garage, single storey side extensions and a one and two storey rear extension. The loft has also been converted. These extensions and alterations have increased the property to a five bedroom dwelling.
- 1.3 Parking for at least four vehicles to the front of the application site is possible, with a horseshoe driveway providing two access points onto Oxford Road. Soft landscaping is provided in between these access points.
- 1.4 This application is seeking conversion to four flats, plus enlargement of the building through a first floor and loft side extension and associated alterations. The extension will provide a 2.7 metre wide section over the existing single storey part of the building adjacent to no. 152. This will be 12.5 metres in length and align with the existing rear elevation. This will create a new hipped roof section, with eaves at 5.1 metres and a ridge at 8.5 metres. This will create a new flat roof crown. New windows in this section will be provided in the front, rear and side elevations, along with skylights in the roof crown. All additional elements will be finished with materials to match the existing building.
- 1.5 The subdivision of the building will provide four one bedroom flats, with three incorporating a 'study'. Two flats are to be provided on the ground floor, with the third and fourth units forming duplex apartments across the first and loft

levels. No additional windows or alterations to existing apertures are proposed to enable conversion to flats, only the replacement of obscured glazed panes with clear glass in some windows, and vice versa. The exception is the garage conversion, where a new front facing window is proposed. Access to three of the units will be via the existing front entrance, whilst the fourth will take access using the side door.

- 1.6 The front parking area will be amended to provide four parking spaces adjacent to each other, with the soft landscaping area infilled to provide direct access to all the spaces. The amenity space to the rear will be subdivided to provide a private area for use in association with unit 2, the ground floor rear flat, whilst a communal garden area will be provided for the remaining three units. Access to the communal area would be along the southern side of the building, where provision has also been made for cycle parking. A bin store has been identified along the side of the building.

## **2. Application Publicity**

- 2.1 The application has been advertised by way of neighbour letter and site notices. The final date for comment is 6 August 2015.

Letters have been received from four different households. The following issues were raised:-

Material planning comments:

Proliferation of flat conversions will alter the character of the area  
Precedent for allowing other similar conversions to flats  
Loss of privacy  
Loss of light and overshadowing  
Overbearing structure  
Increased noise and litter  
Lack of bin storage  
Style out of keeping  
Loss of vegetation  
Additional parking pressures  
Highway safety  
Overdevelopment  
Communal amenity area out of character with area

Non-material comments:

Fire risk due to close proximity between buildings  
Applicant fought hard to reject similar proposal at 148 Oxford Road in 2014

## **3. Consultations**

- 3.1 **Kidlington Parish Council:** Object on the following grounds:  
Evidence Mr O'Dowda provided for objecting to conversion of 148 to flats in 2014 is relevant to this proposal: parking and highway issues; blocked driveways; huge amounts of pedestrian traffic due to the schools and church; bin storage issues.

Development not compatible with the density of existing dwellings. Already a large property and further extension will be over-imposing on neighbours.

All other flats in this area are purpose built. Allowing conversion will open up a can of worms and set a precedent.

### **Cherwell District Council Consultees**

3.2 **Ecology:** Response awaited.

3.3 **Private Sector Housing Services:** Response awaited.

### **Oxfordshire County Council Consultees**

3.3 **Highways Liaison Officer:** Response awaited.

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

### **4.1 Development Plan Policy**

Adopted Cherwell Local Plan 2031 Part 1

The following policies are considered to be relevant:-

PSD 1	Sustainable development
BSC 2	Effective and efficient use of land
ESD 1	Mitigating and adapting to climate change
Villages 1	Village Categorisation
Villages 2	Distributing growth across the rural areas

Adopted Cherwell Local Plan 1996 (Saved and retained Policies)

C28	Layout, design and external appearance of new development
C30	Design of new residential development

### **4.2 Other Material Policy and Guidance**

National Planning Policy Framework

Planning Practice Guidance

Non-Statutory Cherwell Local Plan 2011

Planning and Design Guidance: Sub Division of Buildings for Residential Use (February 2011)

## **5. Appraisal**

5.1 The key issues for consideration in this application are:-

- Relevant Planning History

- Principle of Development
- Layout
- Design & Scale
- Residential Amenity
- Highway and Parking

### **Relevant Planning History**

5.2 The following planning history of relevance to this proposal:-

#### The Application Site

- Application 01/00256/F: Two storey rear and single storey side extensions with loft conversion – Conditional Approval 09/05/2001. Implemented

#### Other Relevant Sites

- 144 Oxford Road – Applications 11/00875/F & 12/00930/F: Demolition of existing detached building (residential and retail use) and construction of a new building incorporating three retail units and 1 two storey dwelling and five flats. Conditional Approval. Implemented
- 146 & 148 Oxford Road – Application 14/01989/OUT: Demolish existing dwellings and construct 9 one and two bedroom flats. Withdrawn.

### **Principle of Development**

- 5.3 The site is located within Kidlington, a sustainable location where minor development is considered acceptable. Provision of additional dwellings in this location is therefore supported by sustainable location policies, subject to compliance with other detailed policies.
- 5.4 In terms of the sub-division of housing plots, neither the Local Plan 2031 Part 1 nor the Local Plan 1996 have policies on this matter. An assessment needs to therefore be made in respect of the individual aspects that such a proposal may bring, in respect of impact on neighbouring amenity, the wider area and highways/parking.
- 5.5 Objections have been raised in respect of the potential precedent this may set for the wider area and other properties but each application must be determined on its own merits and the site specific issues considered in turn in the absence of a particular policy.
- 5.6 The application site incorporates 660 sq m, offering a reasonably large plot for a single property. This part of the street incorporates similarly sized plots, providing some coherency along the highway. The sustainable location of the site highlights that in principle efficient use of the site would be supported, subject to the detail of the proposal to ensure the character, appearance and function of the area is protected and subject to the proposal not having a detrimental affect upon the residential amenities of nearby properties . The

approval of 144 Oxford Road in 2011 and 2012 illustrates that redevelopment schemes can be acceptable.

- 5.7 In principle, the proposal is therefore considered to accord with Policies PSD 1, BSC 2, Villages 1 and Villages 2 of the Cherwell Local Plan 2031 Part 1, Policy H23 of the Non-Statutory Local Plan and the sustainability thread of the Framework.

### **Layout**

- 5.8 The proposal seeks conversion to four flats, plus a side extension at first and loft level and a garage conversion. As part of the consideration of the proposal, the use of the internal and external space needs to be assessed in respect of the creation of a suitable residential environment.
- 5.9 The internal arrangements should provide sufficient space for each flat, with appropriately sized rooms, windows and suitable outlook. The habitable rooms in each unit are modest but functional in size and would enable occupation as one bedroom units. Three of the flats incorporate a room annotated as 'study,' with these spaces capable of being used as second bedrooms, particularly the larger studies proposed in units 3 and 4. These two upper floor units have sufficient communal space to allow occupation by three persons, but the bathroom arrangements would need to be amended. This could be easily accommodated. Unit 2 is smaller and use of the study as a second bedroom would create a cramped flat. However, at 1.8 x 2.0 metres, the likelihood of unit 2 being used as a two bedroom unit is much lower than the upper floors, and thus on balance is considered acceptable, subject to no issue being raised through a consultation response from the Private Sector Housing team. The units are however, considered to comply with the Planning and Design Guidance: Subdivision of Buildings for Residential Use.
- 5.10 The conversion reuses the existing window openings, to provide habitable room windows largely facing either over the parking area or the rear amenity space. The outlook from these windows is considered acceptable. However, subdivision of the building, coupled with the side first floor extension also results in the provision of side facing windows to habitable rooms close to the boundary, and importantly close to the flank gable of no. 152. As a result, the ground floor bedroom window to unit 1 and the kitchen/dining room window to unit 3 will be placed a minimum of 0.8 metres away from the adjoining property. These are the only windows to these rooms and as such they fail to provide suitable outlook or light to these rooms. An unacceptable internal environment will therefore be created for these two units. This occurs in part due to the over-development of the site, whereby the depth of the building does not enable sufficient amenity to be created for the middle part of the building due to the proposed extension, placing it close to the boundary.
- 5.11 The external layout allows access for all units to the front and rear of the property. Unit 2 would have a private amenity space to the rear, whilst the rest is proposed to be shared between the remaining three units. This would provide sufficient outdoor space for all units, and whilst the subdivision of the rear garden is uncharacteristic for the area, this could be sensitively achieved through planting so that it is not clearly read as separate spaces from the wider

area. Parking is kept to the front of the site, ensuring that noise is restricted to the road side of the property, whilst cycle parking is provided in the rear communal garden. A bin store is shown along the side of the building, with a screen noted to obscure them from view from the highway. At 3.5 metres wide, this space would be able to accommodate four bins .

- 5.12 Subject to consideration of the parking level (see section below), the external layout of the site is considered acceptable. However, the internal arrangement will not provide suitable environments for two of the units, reflecting the over-development of the site. The proposal is therefore considered contrary to Policies C28 and C30 of the Adopted Cherwell Local Plan 1996 and the Framework.

### **Design & Scale**

- 5.13 Design of buildings should not be prescribed by the Council, but it is recognised that any development should be of high quality and respect its location appropriately. The immediate context to the application site is one of traditional 2 storey hipped roof properties, which are mostly rendered. Fronting onto a straight section of highway, it is within this context that the proposed development will be viewed.
- 5.14 The design of the proposed extensions continues the existing palate of materials, allowing appropriate integration with the existing building. The garage conversion, plus new windows are appropriately sized in order to allow the overall design to continue that present both on the host building and the street.
- 5.15 The roof creates an additional side projection, with a ridgeline that is perpendicular to the original ridgeline. This attempts to conceal a section of flat roof which will not be readily visible from the front of the property due to the proximity of the adjacent property (no. 152), albeit that it will be discernible obliquely. However, the bulk of the roof generates a large and dominant addition to the property which changes its overall form and appearance from both the front and rear. The scale of this addition, particularly when viewed with the other existing extensions, seeks to erode the original form of the building, such that it will no longer be easily identifiable. It will create an unbalanced structure that is to the detriment of the building's appearance.
- 5.16 Although set back from the front elevation, the side extension fails to provide a subservient addition to the property. When considered in combination with the existing additions, it would result in excessive enlargement of what was originally a modest detached property. The cumulative extensions to no. 154 are therefore considered to harm the character and appearance of the dwelling and street scene, contrary to the good design ethos of the Framework and Policies C28 and C30 of the Adopted Cherwell Local Plan 1996.
- 5.17 As part of the proposal, the existing front landscaping will need to be removed, which is to the detriment of the appearance of the street scene. However, these trees are not protected and could be removed at any point without consent from the Council. It is not therefore considered possible to oppose the proposal

on the basis of the loss of these trees and the associated impact upon the street scene.

### **Residential Amenity**

- 5.17 The application site is adjoined by nos. 152 and 156 Oxford Road. To the rear are playing fields associated with the local school. The impact of the proposed extension is therefore restricted to these two adjacent dwellings.
- 5.18 No. 152 is located to the north of the application site, and is an extended semi-detached house. There are three side facing windows at ground floor level that are located on the boundary of the application site. They are obscure glazed and serve a study, toilet and a dining room. Whilst sunlight to the study's window will be reduced, the first floor side extension would be set back behind this window, limiting its impact. There is also a larger, clear glazed front window to this room, meaning that the impact upon the study's side window is considered acceptable.
- 5.19 There will be an impact upon the light reaching toilet and dining room window of no. 152, given the proximity of the proposed first floor side extension and the orientation of the extension to these windows. The impact upon the toilet is not considered to be a significant consideration as it is not a habitable room. However, the dining room window is the primary window for this room. Forming part of a through room with the rear kitchen extension, skylights in the kitchen will provide some light through to the dining room, but the height of the eaves and ridge of the extension, coupled with their proximity and projection notably beyond this window, will result in a material loss of light to the dining room. This will be to the detriment of its occupants.
- 5.20 The first floor rear facing master bedroom to no. 152 is located closest to the proposed side extension. The proposed extension will project 3.8 metres beyond this window and will have some impact upon sunlight and outlook. However, it complies with the BRE 45 degree assessment and is therefore considered on balance to provide an acceptable relationship.
- 5.21 No. 156 is located to the south of the application site. No extensions are proposed on the side adjacent to no. 156 and thus the amenity to this dwelling is not affected.
- 5.22 The proposal, although providing additional windows to habitable rooms, would not undermine the privacy of the adjacent properties. Some views would be possible, but these are not materially different to those that are already achievable from habitable rooms. Where new side facing windows are proposed, these are towards blank sections of walls on the adjacent dwellings, ensuring no loss of privacy to the neighbouring properties occurs.
- 5.23 Overall, the proposed side extension will have an excessive impact upon the amenity of 152 Oxford Road, in particular the ground floor dining room window, which will undermine sunlight to this room. The proposal is therefore contrary to Policy C30 of the Adopted Cherwell Local Plan 1996.

## Highways

- 5.24 The proposal is seeking to create four flats. The applicant has described the proposal as four one bedroom flats, but due to the size of the studies and the fact that they would be capable of being used as second bedrooms, the parking and highway impact has been considered on the basis of the provision of 2 one bedroom units and 2 two bedroom units. Views from the OCC Highways on this basis are awaited and will be reported at the meeting.
- 5.25 The site is accessed off a slip road that runs parallel to Oxford Road. Traffic levels along such slip roads would typically be expected to be low, but in this instance, access is provided to the local primary school/nursery and three shop units. Traffic movements are therefore relatively high. The level of additional movements will not generate a material level of additional traffic that would affect highway movements. The intensification of the use is therefore acceptable from this perspective.
- 5.26 The existing access arrangement provides a horseshoe access drive, with connection points adjacent to both side boundaries. The site frontage would be opened up, to provide a dropped kerb along its full width. The arrangement provides parallel parking spaces, whereby each vehicle needs to reverse onto or out of the site, as no manoeuvring space is provided. The level of vehicle movements would not preclude the acceptability of vehicles reversing onto the highway for four flats. There is a high level of pedestrian movements along the adjoining pavement, given the proximity of the school and nursery to the south and convenience store and church to the north. However, the side boundaries of the site are bounded by 1.0 metre high closed board fences, which allows views in both directions. Sufficient visibility is therefore provided in both directions in order to ensure highway safety for all is maintained.
- 5.27 For this development, a maximum parking requirement of 6 parking spaces is required (1 space for one bed units and 2 spaces for two bed units). The application site is sustainably located to a range of facilities and is located on a public transport route. Whilst it is recognised that there is relatively high on-street parking demand, the provision of four parking spaces is considered sufficient to meet the needs of this development in this sustainable location. As part of the alterations to the highway to allow access, one on street parking space will be lost. Whilst this is unfortunate, it is not considered sufficient to warrant refusal.
- 5.28 In addition to the vehicle parking, provision is also shown in the rear amenity area for cycle storage. This would further the transport options available to occupants. As part of any proposal, details of this facility would be required, to ensure secure facilities are available to encourage cycle ownership and use.
- 5.29 The proposed parking and highway arrangements, subject to any late comments from OCC Highways providing technical views, are considered to protect highway safety and meet the needs of the development, in accordance with Policies TR5 and TR11 and Appendix B of the Non-Statutory Cherwell Local Plan.



### **Consultation with Applicant**

- 5.30 There are significant concerns in respect of this planning application, which cannot be resolved through amendments to the current proposal. Discussion was undertaken with the agent to this effect, indicating that the proposal would be recommended for refusal if it was not withdrawn.

### **Conclusion**

- 5.31 The proposal is considered to represent an overdevelopment of the site, creating an unacceptable internal layout does not provide suitable amenity for future occupants.
- 5.32 The proposed development is considered to be excessive in scale and mass, such that it will not appear subservient to the original building. This will harm the overall setting and appearance of the building. The proposed extension, due to its scale and proximity to the northern boundary also results in harm to the amenity of 152 Oxford Road.
- 5.33 The proposal is therefore considered unacceptable and contrary to Policies C28 and C30 of the Adopted Cherwell Local Plan 1996 and the National Planning Policy Framework.

## **6. Recommendation**

**Refuse**, for the following reasons:-

1. The proposed layout represents overdevelopment of the site, leading to a poor residential amenity due to a lack of outlook and sunlight to the bedroom in Unit 1 and kitchen/dining room in Unit 3. The current layout is contrary to Policies C28 and C30 of the Adopted Cherwell Local Plan 1996.
2. The proposed extension would have an unacceptable impact upon sunlight and daylight to the side facing dining room window in 152 Oxford Road. The proposal is thereby contrary to Policy C30 of the Adopted Cherwell Local Plan 1996.
3. The proposed extension, due to its height, scale and mass would appear as an overdominant structure that fails to be subservient to the original building, to the detriment of the street scene appearance. The proposal is considered contrary Policies C28 and C30 of the Adopted Cherwell Local Plan 1996 and 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 as set out in the application report.