



CHARTERED TOWN PLANNERS

PLANNING STATEMENT

Erection of 2 no. dwellinghouses (Use Class C3) within the grounds of 122 Banbury Road, including new access off Belbroughton Road, landscaped amenity space, car parking, bin and cycle storage. (Variation of condition 2 of planning permission 18/03113/FUL).

122 Banbury Road, Oxford

For: Oxford Homes

February 2021

1.0 Introduction

- 1.1 This statement has been produced by JPPC to accompany a S73 planning application by Oxford Homes for the erection of 2 no. dwellinghouses at No.122 Banbury Road, Oxford, and associated operations including the formation of a new access.
- 1.2 This Planning Statement should be read in conjunction with the drawings forming part of the application produced by Neil Clarke Architects.
- 1.3 With reference to the character of the application site and surrounding area, an appraisal of the prevailing planning policies and planning history and an assessment of the planning issues raised by the proposal, this statement sets out why the proposed development is deemed to be acceptable.

2.0 Site Description, Planning History and Proposals

- 2.1 It is not considered necessary to labour at great length on details of the site description because these remain unchanged from the previous planning applications. Full detail of the site description can be found within the previous Yiangou Architects Design and Access Statement and OCC Committee Report, to which this S73 application is self-evidently linked
- 2.2 In short, the application site is located on the eastern side of Banbury Road and within a short walking distance of Summertown (to the North).
- 2.3 The site is within the North Oxford Victorian Suburb Conservation Area and adjacent to 1 Belbroughton Road, which is Grade II Listed, albeit this is set 40 metres to the East of 122 Banbury Road. To the north (of the application site) is No. 128 Banbury Road (South Lodge) and terraced housing on Cunliffe Close.
- 2.4 The land is relatively level reflecting its use in the past as garden and landscaping area.
- 2.5 The site is well-screened from public view, has a private feel and enclosed by dense, mature trees. None of the trees are subject to a Tree Preservation Order (TPO) and there are no others adjoining the site (albeit protection is provided by the siting within the Conservation Area).
- 2.6 The site is not within an area liable to flooding.
- 2.7 There are no known archaeological constraints relating to the land.

Planning History

- 2.8 The most relevant planning history is planning permission LPA reference: 18/03113/FUL, which granted consent in February 2019 for the:

“Erection of 2 no. dwellinghouses (Use Class C3) within the grounds of 122 Banbury Road, including new access off Belbroughton Road, landscaped amenity space, car parking, bin and cycle storage”



Figure 1: Approved Site Layout (Application 18/03113/FUL)

2.9 Planning permission was granted subject to a number of conditions. This S73 application seeks to vary condition 2 of permission 18/03113/FUL, to allow changes to the approved plans.

2.10 The planning permission is extant and works are under way to discharge all applicable pre-commencement conditions, with a view to being in a position to commence works in early spring.

Pre-Application Discussions

2.11 Whilst not directly relevant to this revised proposal, Oxford Homes did undertake pre-application discussions with the Council in September 2020 in respect of a scheme utilising the forms already permitted and providing a flatted scheme instead.

2.12 Ultimately, due to officer advice that the scheme would be the subject of the Council's parking standards in the recently adopted Local Plan 2036, which would necessitate a car-free development, this rendered the scheme unviable and the plans reverted to the extant scheme.

- 2.13 This, therefore, was a precursor for this revised scheme, which works within the spirit of the 18/03113/FUL consent, and seeks to provide a scheme of significantly higher design quality than presently permitted.

Proposal

- 2.14 This S73 application seeks to revise the design and layout of the 18/03113/FUL scheme, to allow for changes to the design of the houses, including some amendments to openings, orientation and building form. A detailed comparison of the approved and proposed plans is required but the key changes are discussed within this statement.
- 2.15 In being a variation of 18/03113/FUL, consent is again sought for the erection of 2 no. detached dwellinghouses and all associated works. For the large part, the proposal is consistent with the extant consent – siting the dwellings in the same sections of the site, utilising the same approved access of Belbroughton Road etc. – the key changes are internal and external changes to the design and layout of the approved houses.
- 2.16 Whilst taking nothing away from the previous permitted scheme, the architects' brief was to design and formulate a revised proposal that will be an exemplar scheme in North Oxford, constructing contemporary dwellings of the highest architectural quality whilst working with the agreed principles of the extant consent.
- 2.17 A similar theme is however taken to the architectural style, being contemporary angular houses which seek to neither compete with the host dwelling (No. 122) nor the prevalent character of neighbouring dwellings.
- 2.18 The proposal, in retaining the permitted access way off Belbroughton Road, would continue to provide allocated parking for each dwelling. This is shown to be formed of a shared courtyard arrangement off a gravel driveway.
- 2.19 Bin and bicycle storage is also shown, in accordance with Local Plan policy requirements.
- 2.20 The landscaping scheme follows a similar theme to the approved scheme; including a comprehensive planting programme and, as far as is practicably possible, the retention of mature planting and landscaping boundaries. In

relation to trees, a no dig method will again be employed to prevent undue damage during the construction process.

- 2.21 The dwellings internal area would be arranged over three floors with separate basement accommodation as well.
- 2.22 The proposed dwellings are shown as principally facing eastwards towards the rear garden of No. 1 Belbroughton Road. The gardens for each dwelling sit side by side, extending in a westerly direction towards the boundary with Banbury Road.

3.0 Planning Policy

- 3.1 Under Section 38(6) of the Planning Compulsory Purchase Act 2004 there is a statutory obligation to determine planning applications and appeals in accordance with the development plan unless material considerations indicate otherwise. Material considerations can include Government guidance and any other matters relevant to the use and development of land.
- 3.2 National planning policy – set out in the National Planning Policy Framework (**NPPF**) - is also a material consideration in determining planning applications.

National Planning Policy Framework (NPPF) February 2019

- 3.3 At the heart of the NPPF is a presumption in favour of sustainable development – for decision takers this means that where development proposals accord with an up-to-date development plan they should be approved without delay. Where no relevant development plan policies exist, or where the policies which are most important are out-of-date, permission should be granted unless the application of policies in the NPPF provides a clear reason to resist the development proposal or where adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole (Paragraph 11). However, this does not change the statutory status of the development plan as the starting point for decision taking (Paragraph 12).
- 3.4 To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing

requirements are addressed and that land with permission is developed without unnecessary delay. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (Paragraphs 59-61).

- 3.5 Paragraph 63 confirms that provision of affordable housing should not be sought for residential developments that are not major developments.
- 3.6 The NPPF also recognises the role which planning has to play in achieving healthy, inclusive and safe places which, among other objectives, promotes social interaction including opportunities for meetings between people who might not necessarily come into contact with each other (Paragraph 91).
- 3.7 The NPPF places strong emphasis upon making effective use of land to meet the need for homes and other uses – policies and decisions should encourage mixed use schemes, giving substantial weight to the use of suitable brownfield land within settlements. The development of underused land and buildings is to be promoted where this could be used more effectively to meet the need for housing (Paragraph 118).
- 3.8 Policies and decisions need to reflect changes in the demand for land, and should be informed by regular reviews of land allocated for development in plans, and of land availability. (Paragraph 120). Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans where this would help to meet identified development needs. In particular, they should support proposals to make effective use of sites that provide community services, provided this maintains or improves the quality of service provision and access to open space (Paragraph 121).
- 3.9 The NPPF also seeks to achieve development which makes efficient use of land, taking into account the identified need for different types of housing and

other types of development, as well as the availability of land suitable for accommodating it. Including the scope to promote sustainable travel modes and limit future car use, the desirability of maintaining an area’s prevailing character and the importance of securing well designed, attractive and healthy places (Paragraph 122). Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards) (Paragraph 123c).

3.10 The creation of high quality buildings and places is fundamental to what the planning and development process seeks to achieve. Good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities (Paragraph 124).

3.11 Planning policies and decisions should ensure that developments:

- Function well, adding to the overall character of the area over the lifetime of the development;
- Are visually attractive as a result of good architecture, layout and landscaping;
- Are sympathetic to local character and history, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change (such as higher densities);
- Establish or maintain a strong sense of place using materials to create attractive and distinctive places to live, work and visit;
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- Create places which are safe, inclusive and accessible (Paragraph 127).

3.12 In determining applications, great weight should be accorded to outstanding or innovative designs which promote high levels of sustainability, or which help to raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings (Paragraph 131).

3.13 Section 16 deals with the Historic Environment, paragraph 186 confirms that when considering the designation of conservation areas, local planning

authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

- 3.14 Paragraph 187 states that local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to, amongst other things, assess the significance of heritage assets and the contribution they make to their environment.
- 3.15 At paragraph 189 it confirms that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and later (at 192) that in determining applications, local planning authorities should take account of: the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.16 Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (paragraph 200).

Oxford Local Plan 2036

- 3.17 The Development Plan now comprises the policies of the Local Plan 2036. Those relevant to this proposal are listed below. Whilst in the intervening period (since the extant consent was granted) the new plan was adopted, in most instances the thrust of policies has not changed.
- 3.18 The following policies of the adopted Oxford Local Plan are considered to be of most relevance to the application:
 - Policy S1 – Presumption in favour of sustainable development
 - Policy H14 – Privacy, daylight and sunlight
 - Policy RE1 – Sustainable design and construction
 - Policy RE2 – Efficient use of land
 - Policy DH1 – High quality design and place-making
 - Policy DH7 – External servicing features and stores

- Policy H16 - Outdoor amenity space standards
- Policy H15 - Internal space standards
- Policy G6 - Residential garden land
- Policy M3 - Motor vehicle parking
- Policy M5 – Bicycle parking

3.19 Policy S1 reiterates the NPPF policies surrounding the presumption in favour of sustainable development and states that ‘Planning applications that accord with Oxford’s Local Plan (and, where relevant, with neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.’

3.20 Policy H14 deals with privacy, daylight and sunlight – broadly speaking it seeks to protect existing neighbouring dwellings from any proposed development that may have an overbearing effect on existing homes. The policy states that *‘Planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Proposals should demonstrate consideration of all of the following criteria:*

- a) *whether the degree of overlooking to and from neighbouring properties or gardens resulting from a proposed development significantly compromises the privacy of either existing or new homes (or existing other uses where there might be a safeguarding concern, particularly schools); and*
- b) *the orientation of windows in both existing and new development in respect of access to daylight, sunlight and solar gain (i.e. natural heating from direct sunlight); and*
- c) *existing and proposed walls, hedges, trees and fences, in respect of protecting or creating privacy, and also in respect of their impact on overshadowing both existing and new development.’*

3.21 Policy RE2 seeks to ensure that development proposals make the best use of a sites capacity, in a manner which is compatible with the site itself, with the surrounding area and with broader consideration for the needs of Oxford. The density should be at an appropriate level for the proposed use and opportunities for developing at the maximum appropriate density should be fully explored.

- 3.22 Policy DH1 also reinforces the NPPF design principles and states that ‘Planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness.’ The policy also requires applications to be supported by a constraints and opportunities plan and supporting text and/or visuals to explain the design rationale in a design statement proportionate to the proposal. However, householder applications are exempt from this and therefore we do not need to provide this additional information.
- 3.23 Policy RE1 sets out that it is the objective of all development proposals to seek to reduce carbon emissions; development proposals are expected to demonstrate how sustainable design and construction methods have been incorporated by minimising the use of energy through design, layout, orientation landscaping and materials. All development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.
- 3.24 Policy M3 relates to car parking and states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7 .3 are complied with. The new car parking standards state that a maximum of 1 car parking space will be allowed per dwelling.
- 3.25 Similarly, Policy M5 relates to Bicycle parking and sets out the minimum bicycle parking standards at appendix 7.3 which must be met in order for planning permission to be granted. The policy requires bicycle parking on new residential developments to be well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street.
- 3.26 Policy DH7 aims to ensure that bin and bike storage is provided in a way that does not detract from the overall design of the scheme or the surrounding area, whilst meeting practical needs.
- 3.27 Policy H16 seeks to ensure that dwellings that have direct and convenient access to an area of private open space. For houses of 1 or more bedrooms this should be provided in the form of a private garden, of adequate size and proportions for the size of house proposed, which will be considered to be at least equivalent in size to the original building footprint. The private outdoor areas should allow space for outside dining and/or clothes drying, with reasonable circulation, which will require a minimum dimension of 1.5 metres

deep by 3 metres long. The following factors will be material in assessing whether adequate space has been provided:

- i. the location and context of the development, in relation to the layout of existing residential plots, and proximity to public open space; and
- ii. the orientation of the outdoor area in relation to the path of the sun;
- iii. the degree to which enclosure and overlooking impact on the proposed new dwellings and any neighbouring dwellings; and
- iv. the overall shape, access to and usability of the whole space to be provided; and
- v. clear delineation between public and private space; and
- vi. for communal spaces that there is a variety of space, including provision of space to sit and to play, and that space is adaptable to the changing needs of residents, being easy to maintain with resilient materials, but with opportunities for communal gardening or food growing.

3.28 Policy HP15 deals with internal space and states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 112. The National Space Standards sets out that planning permission will not be granted for new dwellings if any two-storey two bed dwelling provides less than 70sqm of floorspace (measured internally) or if there is inadequate ceiling height, lack of natural lighting or natural ventilation, or a restricted outlook which prevents proper use and enjoyment of the dwelling.

3.29 Policy G6 relates to new dwellings on residential garden land and states that planning permission will be granted provided that the proposal responds to the character and appearance of the area, the size of plot to be developed is of an appropriate size and shape to accommodate the proposal and any loss of biodiversity value on the site will be fully mitigated.

4.0 Planning Considerations

Principle of Development

- 4.1 The principle of housing has been rehearsed in detail in the granting of permission for the two houses as part of permission 18/03113/FUL. This S73 application relates solely to design changes and consequently the principle of housing and the quantum of development is therefore already established.
- 4.2 Whilst the development plan has changed in the intervening period (with the adoption of the Local Plan 2036) the thrust of the policies remains the same and the presumption in favour of developing the site for housing still applies.
- 4.3 Notwithstanding some of the reworded policies place a different requirement on development proposals (in respect of some of the technical matters), it is very relevant, and a material consideration, to consider the planning history context of this application. In this case the critical point is that permission already exists for the number of dwellings proposed and the permission is extant. This means that, save for discharging pre-commencement conditions, the development could commence at any time. This therefore acts as the frame of reference to which this revised scheme should be considered.
- 4.4 As will also be shown in regard to the assessment of the site context and development impacts, the immediate context has not changed and therefore it would not impact on the scheme coming forward now in a different manner.
- 4.5 In conclusion, the proposed development is considered to be consistent with the Council's proposed strategy for the distribution of new housing in the City, responding most appropriately to the character of the area and in accordance with the presumption in favour of sustainable development which is set out in the NPPF and Policy S1. And, having regard to the recently approved planning history on the site, this S73 application to vary the approved plans is in principle considered acceptable.
- 4.6 As referred to above, the principle changes to the scheme relate to the layout and matters relating to the design of the proposed dwellings, in terms of scale, general siting and openings. The implications of these changes are considered in the following discussion.

Design Considerations

- 4.7 This application seeks to make changes and improvements to the permitted scheme reference: 18/03113/FUL. In many respects the design follows the same theme and principles of the enabling consent. The concept of lower buildings centred round gardens and courtyards remains the same overarching objective (paragraph 10.15 of the committee report for 18/03113/FUL) but the use of materials and design has been fundamentally improved – most notably in terms of the architectural approach and schedule of materials.
- 4.8 The two dwellings are focused on the same part of the site with some minor deviations and amendments to footprint. The inter-relationship with properties to the rear at Cunliffe Close Gardens remains broadly the same – with development moderated to single storey adjacent to the boundary and staggered to two storey as it moves off the boundary. The composition of the stepped elevations, further breaks down the scale of the buildings. Introducing changing textures, shadows and materials adds interest and articulation to the elevations and ensures the buildings would not look bulky or bland.
- 4.9 The overbearing (consented) chimneys have been removed, to reduce the visual impact on the residents of Cunliffe Close.
- 4.10 The height of the development has been moderated to two storeys to add variety and to ease the assimilation of the houses into the context. The design is a contemporary style adopting a flat roof form (as before). The houses are therefore set into the site and, in public views (being Belbroughton and Banbury Road), the houses will be discrete and nestled into the background with existing trees and grander houses forming the frame of reference for the street scene.
- 4.11 In permitting application 18/03113/FUL, the planning officer commented that the dwellings would be beautifully crafted and respond to “the craftsmanship ethos of the North Oxford Suburb”. The Council resolved that a contemporary approach, whilst different in its architecture to adjoining buildings, would be an appropriate contextual response.
- 4.12 The applicant, Oxford Homes, has taken on this mantle. Having purchased this site, they have set about overhauling the design with a view to significantly improving the beauty of the finished houses and applying an old fashioned craftsmanship approach to the build process.

- 4.13 Oxford Homes has an excellent track record of constructing properties of exemplar design quality and the objective of the development is to provide two of the highest quality and unique dwellings constructed in Oxford. They have, over the years, won various awards for their considerate approach to construction, including an award from the Oxford Preservation Trust for their work in another part of North Oxford. They have also been featured on Channel 4 television with their work.
- 4.14 In looking to the local context, the buildings are detailed as subservient additions to the existing neighbouring dwellings. The mass and scale of the buildings reflects this and, by breaking down the plan form into blocks with a central core glazed hall/entrance way this helps to achieve a development that sits comfortably in, and compliments its surroundings. The existing landscaped setting will frame the houses exquisitely, and envelope them as new planting matures.
- 4.15 The dwellings are designed with simple forms and elements that take references from their context both in terms of appearance and materials. The palette of natural materials for both building and landscape architecture has been selected to complement the contemporary design approach but also so the buildings are both deferential and complimentary to the existing house and neighbouring properties, as well as other buildings in the Conservation Area.
- 4.16 The use of Cotswold stone is felt to be highly appropriate in Oxford, and has been used extensively over the centuries in both North Oxford homes and world famous College buildings. This relates to the proximity of the numerous Cotswold quarries north and east of the City.
- 4.17 To enhance the design interest, this application employs the use of both coursed ashlar stone and random rubble.
- 4.18 The forms and materials are typical of the area but do not seek to replicate those of the immediate adjoining dwellings as this would water down the quality of the contemporary design approach. This is a philosophy that has been accepted under the approved scheme.
- 4.19 The parapets are proposed with a powder coated metal fascia and timber soffit, which will provide a crisp finish to the buildings. The expansive use of glazing creatively opens the interiors of the buildings to high levels of natural light,

without compromising privacy and also allows for extensive views through the dwellings and provides for reflection and emphasis of the tree/landscaped setting. This design approach helps to assimilate the houses into the setting, with the primary aim being discrete and subservient to the neighbouring villa at 122 Banbury Road.

- 4.20 Being similar to permission 18/03113/FUL, the layout plan demonstrates that the development proposed can be accommodated on the site while incorporating best practice urban design principles; providing future occupiers with a high quality living environment and respecting the character of the surrounding area.
- 4.21 The plan form and arrangement of spaces has taken account of the access points, orientation and privacy. Where possible, the principal living accommodation benefits from double aspect windows which ensure high levels of natural light, views out to the terraces and gardens and generally better integration with the garden at ground floor level. On this point, the scheme actively seeks to integrate the external and internal spaces to the new dwellings, with the principal living accommodation opening out onto the amenity space effectively bringing the outside in and inside out. The large expanses of openable glazing to these spaces ensure maximum solar gain internally whilst creating a light and airy feel so lacking in period houses. The large open plan spaces fulfil modern lifestyle requirements with kitchen, dining and living opening out on to the private terrace.
- 4.22 The dwellings would be well set back from the highway creating generous parking and turning areas that accord with LPA standards. The new parking/turning areas will be surfaced in a mix of local gravel and semi-permeable setts which will have an attractive appearance. The dwellings also benefit from car lifts which allow vehicular storage within the proposed basements – at ground level this feature will help reduce visual impact.
- 4.23 Each dwelling will be served by a generous private garden which extends to the boundary with the Banbury Road, which is bound by mature and extensive tree coverage/screening. The space around the dwellings and general density of the site is considered to continue to be reflective of densities on neighbouring sites.
- 4.24 The proposed new dwellings will be able to demonstrate low energy use over their entire life cycle. To assist in minimising energy consumption and to provide

more comfortable conditions internally, the building fabric will be used to enhance the environmental performance of the building wherever possible. Internally, walls and floors will be fabricated from dense, thermally stable materials and the dwellings will therefore be less susceptible to variations in temperature, as well as requiring less energy to heat. This will be complimented by high performance 'A' rated windows and doors, creating a built envelope that conserves energy wherever possible.

- 4.25 The principal living accommodation will have larger expanses of openable glazing to allow for controlled ventilation. The central axis of the dwelling also has a beautiful triple height glazed void to allow large amounts of natural light into the main body of the property. It is a key objective to maximise the use of natural light and form links to the outside. This has been achieved through this design feature, as well as the orientation of the new dwellings and the careful consideration of the floor plan layout. The basements each benefit from two discrete lightwells which will flood the living accommodation with natural light and colour.
- 4.26 Whilst there has been a slight re-positioning of house 1 in respect of its relationship with South Lodge, the impact will remain neutral due to the use of recessed/louvered windows serving an en-suite with natural light.
- 4.27 The existing conifer hedge on the northern boundary will be retained and supplemented by additional hedgerow screening in line with the approved scheme.
- 4.28 Ecology and biodiversity value will be enhanced on the site. Unlike the last application it is proposed that a detailed scheme of hard and soft landscaping be the subject of a planning condition. The scheme will seek to deliver planting to complement the existing character of the site, utilising a range of evergreen, native and flowering trees, for example. The general ethos is a beautiful, softer, more natural scheme layout.

Housing Matters

- 4.29 Policy RE2 seeks to ensure that development proposals make the best use of a sites capacity, in a manner which is compatible with the site itself, with the surrounding area and with broader consideration for the needs of Oxford. The density of the development and its compatibility with the character of the area has been assessed previously (see paragraphs 10.4 to 10.5 of the committee

report relating to application 18/03113/FUL) and remains unchanged with this application. As identified on the submitted site layout and floor plans, the siting and floor area of the dwellings is largely unchanged.

- 4.30 In terms of housing mix, the proposed development will again comprise 2 no. large detached dwellings providing, as described in the previous committee report as “*an acceptable luxury quality living environment*”. This type of housing, which will cater to the upper end of the housing market, has been accepted as appropriate for this site as part of the extant planning consent. It is important that planning provides housing that meet all market needs, including the executive end of the market.
- 4.31 Given the size of the dwellings the internal floor areas exceed the minimum space standards and would provide a good quality internal living environment for future occupants. The dwellings have been redesigned since granting 18/03113/FUL with the objective of further enhancing the design and living arrangements to provide houses of the highest quality.
- 4.32 The external space for each dwelling has not changed in any significant way. Both properties will have large, conveniently accessible garden areas which, by utilising existing landscaping and additional hard and soft landscaping measures, would ensure the areas are private and preserve the occupants’ and neighbour’s amenity.
- 4.33 As noted in the officer commentary there would be a small element of mutual overlooking –as is normal in these circumstances – the overlooking would be principally between South Lodge and plot and 128 Banbury Road and plot 2. This level of overlooking has however been assessed as being within an acceptable tolerance and not harmful to the new or existing houses. This new development – due to the siting of the dwellings remain consistent – will not be in any way more harmful.
- 4.34 As before, provision has been made for waste and recycling storage. A bin storage area will be adjacent to the main entrance way for ease on collection days.

Amenity Considerations

- 4.35 The main change to the floor areas/massing of the houses relates to the marginal movement of the house at plot 1 towards South Lodge. Officers have

previously considered this relationship (in so far as it impacts on the first floor bedroom balcony of South Lodge) and opined that the distance of separation was acceptable. Whilst in this instance the building at plot 1 will move closer, it is considered that the distance remains sufficient and the mitigation designed into the building, including reductions in glazing surface area and angling the windows in a south-westerly and north-westerly direction, will avoid undue overlooking between the two properties.

- 4.36 In addition, the existing identified landscaping on the mutual boundary – consisting of a Conifer screen – will be retained and maintained and supplemented by further landscaping. This will be of particular benefit to the upper ground floor window on the western elevation of plot 1.
- 4.37 The separation, as described above, has changed but not significantly. Consequently the slight reduction in distance between South Lodge and plot 1 would not result in a perceptible increase in noise, activity or general disturbance. The dwellings will be designed using the highest levels of insulation and, because the dwellings are not notably increasing in size, the large majority of the site will remain as garden land (as it has done for a significant number of years).
- 4.38 The access into the site is shown in the same location. The noise and disturbance (to neighbouring amenity at No. 1 Belbroughton Road) has previously been assessed and confirmed as acceptable due to the extensive garden size and existing screening separating the two sites.
- 4.39 In all other instances there are no further alterations that would prejudice the conclusions that were previously reached in approving application 18/03113/FUL. It is therefore not considered necessary to labour on these points within this statement.

Heritage Considerations

- 4.40 OLP 2036 heritage policies require that development should not be permitted within the setting of listed buildings unless it has been shown that the siting, scale, design, form, finishes and materials of the proposal respect the characteristics of the building in its setting, including any visual, functional, historic or architectural relationships it has.

- 4.41 Similarly, development within a Conservation Area should be designed and formed to respect the intrinsic qualities of the reasons for the heritage designation.
- 4.42 In this regard a detailed analysis of the significance of heritage assets, design considerations and levels of harm was set out within the committee report for application 18/03113/FUL.
- 4.43 The application site sits within the North Oxford Victorian Suburb Conservation Area. The site and its surroundings is characterised by large, detached dwellinghouses set in plots with mature vegetation. Large gardens and tree filled boundaries are a typical characteristic of the area; dwellinghouses are generally afforded glimpsed views through existing vegetation.
- 4.44 The proposed houses – as before - would be set into the site, preserving the Banbury Road tree screening and are design and sited to be ‘discrete’. The design is unashamedly contemporary and intentionally designed as such to avoid ‘competing’ with the architectural style and forms of 122 Banbury Road and 1 Belbroughton Road.
- 4.45 As noted by the planning officer previously, the design has a form and style appropriate for a garden setting, being a broadly simple design, with broken up massing and lowered ridge height.
- 4.46 It can only therefore be concluded – given the context and setting has not changed – that the proposal is still a sympathetic addition to the area and acceptable in respect of impacts on heritage assets. There is considered to be no impact on the Conservation Area which would amount to either substantial or less than substantial harm.
- 4.47 No. 1 Belbroughton Road is a Grade II listed building and an assessment was undertaken of the impact on its setting previously. The design of the dwellings remain the same distance from No. 1 and moderated to the same height. Trees of importance will continue to be retained and protected as part of this scheme and glimpsed views of the site (with 1 Belbroughton Road) will remain but be seen as simple building forms with the garden landscape of the area.
- 4.48 It is therefore concluded that the proposal remains acceptable on these matters and would not be harmful to the setting of No. 1 Belbroughton Road; neither resulting in substantial or less than substantial harm to the setting of a listed

building, thereby complying with Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Highways

- 4.49 The access arrangements onto Belbroughton Road are the same as those already consented. The site planning history establishes that the access to the site benefits from adequate visibility in both directions. The layout of the site also provides for cars to easily enter and exit the site in a forward gear.
- 4.50 The bedroom numbers of each respective dwelling have not changed and therefore highways impacts of the development are both the same as previously agreed and negligible. There will be no harmful impact on local highway safety.
- 4.51 Each property is provided with allocated parking to OCC standards. These are formed of garages which are to appropriate standards to be classified as parking spaces, along with ample space on the driveway/hardstanding for vehicles.
- 4.52 In the period since planning permission was last granted the Council has adopted parking Policy M3. This states that, in normal circumstances, this site would be expected to be 'car-free' in nature. However given the extant consent that exists, and that this S73 is linked to that permission, seeking only to make design changes, it is considered that the previous parking arrangements would still apply.
- 4.53 In the unlikely outcome that the LPA finds this revised proposal unacceptable, the applicant would revert to building out the existing permitted scheme, which should act as an appropriate frame of reference for assessing this proposal on parking grounds, also known as the 'fallback'. In other words, the likelihood of the alternative scheme being implemented is beyond doubt should this alternative be refused.
- 4.54 Both properties will have cycle provision within a secured and covered storage arrangement.

Energy

- 4.55 Recently adopted Local Plan Policy RE1 states that it is the objective of all development proposals to seek to reduce carbon emissions; development proposals are expected to demonstrate how sustainable design and

construction methods have been incorporated by minimising the use of energy through design, layout, orientation landscaping and materials. The policy goes on to say that all development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.

- 4.56 This requirements is noted however it is considered that, given the enabling consent, it would be unreasonable to place this expectation onto this scheme. As self-evident from the submitted plans and design work, it is proposed to construct dwellings of exceptional quality. Following on from the principles agreed in the previous design, it is intended, by nature of its design, that the dwellinghouses would exceed Building Regulation requirements and achieve a development which is low carbon in its energy use and through its control of heat loss.
- 4.57 The contemporary design, employing glazing and focusing on the use of natural light, ensures that through the orientation of the dwellings, the use of lightwells and generally openings, that the proposal is acceptable with regards to Policy RE1.

Trees

- 4.58 No further changes are proposed in respect of previously agreed tree removal. Recognising the importance and value that mature trees add to this site and the locality, the site design/layout has been led by the value these trees add to the scheme.
- 4.59 As before, tree protection will be ensure through an appropriate combination of 'no-dig' forms of design and construction and other means to tree protection during and post construction. The details of which can be secured (as before) by means of planning condition.
- 4.60 Details of landscaping are set out on the updated site layout plan and can be secured in perpetuity through a planning condition.

Ecology

- 4.61 An updated Ecological Appraisal has been prepared by Windrush Ecology.
- 4.62 None of the trees that were included in the survey exhibit any potential roost features, and all trees are assessed as having 'negligible' potential to offer shelter to roosting bats.
- 4.63 In summary, the updated study reaches the same conclusion as the study undertaken in 2018. Those trees identified for removal have no foreseeable impacts on bat or the places that they use for breeding, shelter and/or protection (roosts) and no specific compensation measures are considered necessary.
- 4.64 Therefore since no significant impacts on bats are predicted under The Conservation of Habitats and Species Regulations 2017, a European Protected Species (bat) licence will not be required for the proposed works to proceed.

5.0 Conclusion

- 5.1 This Statement has examined the planning background of the site and the relevant national and local planning policy framework in respect of the proposed redevelopment of land at 122 Banbury Road, Oxford.
- 5.2 The proposed development comprises a sustainable development in a sustainable location in accordance with policies in both the NPPF and the Oxford Local Plan 2036.
- 5.3 The proposed development will make best use of the site given the site context and character of the area and not cause harm to occupiers of neighbouring dwellings or the character and appearance of the local area.
- 5.4 The above confirms that there is no conflict with relevant planning policy and the Council is therefore respectfully requested to approve the application.

