

Planning, Design and Access Statement

Proposal:
Demolition of existing building and erection of 3 no. attached dwellings with associated operations



Site at:
2 St Peters Road, Wolvercote

April 2020

1.0 INTRODUCTION

- 1.1 This Planning Statement supports an application seeking planning permission for the demolition of the existing building at No. 2 St. Peters Road - comprised of a ground floor shop and post office with 5 bed HMO at first floor – and the erection of a terrace comprised of 3 no. attached dwellinghouses with associated operations including access and the provision of parking, bin and bicycle storage.
- 1.2 Within this statement we will set out why the proposed development should be considered acceptable, with reference to the circumstances surrounding the site, including its previous planning history, and following an assessment of the prevailing planning policy at national and local levels and any considerations which are material to the proposals.
- 1.3 This Statement should be read in conjunction with the drawings submitted with the application produced by Aubrey King Architect; an Arboricultural report prepared by Sylva Consultancy; ecology report prepared by EcoConsult and Transport Statement prepared by HVJ Transport Ltd.
- 1.4 The application also includes a financial appraisal and marketing summary analysis, prepared by the applicant using his business profit and loss accounts and first-hand account/knowledge of the business within the local market.

2.0 SITE CONTEXT

- 2.1 The property the subject of this application, No. 2 St Peters Road, formerly consisted of a ground floor shop with post office with 5 bedroom HMO at first floor level. A second ground floor unit remained unoccupied however now all retail uses have ceased.
- 2.2 The application site is located within the built-up part of Wolvercote on the western side of the Woodstock Road, located on a corner junction with St. Peters Road and First Turn.
- 2.3 The building sits within the Wolvercote and Godstow Conservation Area.



Figure 1: site location in context of Wolvercote

- 2.4 Both the earlier building and extensions are finished in predominantly brick facings (red/orange multi). The roof finish to the original two storey element is plain tiled hipped roof and with a flat area of roof at ridge level. The single storey extensions have flat roofs with both parapet and overhanging eaves detailing.
- 2.5 The retail unit space faces onto St Peters Road with large full height roller shuttered windows together with corner pedestrian access and signage; a metal roller garage door access to the second retail unit storage area.
- 2.6 The elevation facing First Turn is of brick construction with no window or door openings. There is a wide pavement area (maximum width 4.3metres) a portion of which lies within the curtilage of the property. A further access to the ground floor and also to the first floor flat are provided through the rear garden via a timber gate in a low retaining wall to the rear opening onto the wide pavement on First Turn.
- 2.7 Wolvercote is a sustainable location with excellent access to Summertown and the Centre of Oxford.
- 2.8 The existing building is principally constructed of brick with plain tiled hipped roofs and flat roof elements.



Figure 2: site entrance and front elevation as viewed from First Turn junction

- 2.9 Whilst the existing site does not have any off-street parking it does benefit from three dropped kerbs. The surrounding streets are governed by a Controlled Parking Zone (CPZ).
- 2.10 There are in total three stretches of dropped kerb all with a width of 2.5m, two onto St Peters Road and a further at the corner of St Peters Road and First Turn.
- 2.11 Both St Peters Road and First Turn at the junction are heavily parked during the day.
- 2.12 The application site is bounded on the two further sides by the residential curtilages of the neighbouring dwellinghouses.
- 2.13 The common site boundary to Cyprus Terrace (SE) is formed by the external brick walling to 2 St Peters Road. The heights of this boundary wall are 3.42m from ground to top of the parapet section of walling and 2.85m from ground level to the flat roof eaves. Tall storage cabinets/sheds have been recently constructed positioned against the boundary wall to 2 St Peters Road by the owners of a number of houses in Cyprus Terrace. 2 St Peters Road has a right of access to the alleyway between it and the Cyprus terrace houses.
- 2.14 The boundary to number 19 First Turn (SW) is formed by both timber panels height 1.8m and the external brick wall to the flat roof single storey extension height 2.8m with projecting eaves.
- 2.15 The adjoining uses are predominantly residential with a church (St. Peter's) and school (Wolvercote Primary) facing the site.
- 2.16 Architectural design and character of the area is eclectic; comprising a range of terraced, semi-detached and detached dwellinghouses and buildings. Principal building materials in the area include red brick, stone, plain tiles, vertical tile hung bays and render finishes. Roof finishes are formed of a real mix of duo pitch, mono pitch and flat roof elements.
- 2.17 Those in St Peters Road are a mixture of terraced and semi- detached with frontage parking. Constructed in brick and rendered walling with tiled duo pitch and mono pitch roofs and flat roofed extensions. Those in First Turn are both

detached (number 19) and semi-detached constructed in stone, brick, vertical tile hung bays and render finish and tiled and slate pitched roofs.

- 2.18 Opposite the property on St Peters Road is the corner site of Wolvercote School playground and classrooms. Constructed in red brick with stone quoins, plain tiled pitched roof, stone quoins, brick chimney and roof dormers. The site boundary to Wolvercote School onto First Turn and St Peters Road is delineated by painted (green) palisade looped metal fencing height 1.5m
- 2.19 Opposite the property on First Turn is a two/three storey gable fronted office/store (The Old School) constructed in red brick and tiled pitched roof, tall windows at first floor, pedestrian and vehicular entrances and garage doors at ground level. The property faces directly onto First Turn with no frontage, boundary or road kerb treatment.
- 2.20 Facing the property on the far side of the First Turn is the approximately 2.0m high stone perimeter wall of Church Farm House. To the north of 2 St Peters Road on the north side of First Turn is the entrance to St Peters Church, and the church yard bounded by a stone retaining wall positioned at the road edge. The buildings in St Peters Road and First Turn are predominantly two storeys with pitched roofs, some of which have additional accommodation in the roof spaces.
- 2.21 A detailed photograph set of the site and its context is provided within the accompanying Heritage Statement prepared by Aubrey King Architect.
- 2.22 A wide pavement surrounds the site to the front and side, part of which falls under the ownership of the applicant.
- 2.23 The site is within Flood Zone 1 and therefore considered to be at low risk of flooding.
- 2.24 There are no trees on the site itself, and none within the vicinity of the site which are covered by a Tree Preservation Order, albeit the site is within a Conservation Area, which brings with it extra controls.
- 2.25 Whilst the application site does not contain any listed buildings, nor are any of the adjoining buildings, there are a handful of listed buildings in the vicinity (Church Farm House, Old Church House and St. Peter's Church) but none of these are considered to influence the setting of the application site.
- 2.26 The application site is in a highly sustainable location within an area with excellent access to public transport and within easy walking distance of local services and facilities as well as Oxford City Centre.
- 2.27 The commercial floor space at ground floor level is presently vacant – having ceased operations (both the shop and post office) in late summer 2018 – following a concerted marketing effort to sell the site and premises as an ongoing commercial venture. The details of this are considered in greater detail in the planning discussion section of this statement.

3.0 PLANNING HISTORY

3.1 The existing lawful use of the building comprises A1 (retail unit and post office) at ground floor level, with a flat in C3/C4 usage at first floor level. These remain the lawful uses of the site even though now dormant.

3.2 The shop originally was incorporated into the ground floor of a large residential property constructed of brick in the mid 20th century on this corner position. The earlier mid 20th century two storey dwelling has been extended at both front, side and rear with single storey flat roof additions to provide the present accommodation – the history of planning consents is discussed below.

3.3 The site has been the subject of a number of planning applications, a summary of which is provided below, the most applicable being the recent application seeking to provide a similar development proposal to that now proposed:

- 18/03305/FUL | Demolition of existing building at 2 St Peter's Road. Erection of 3 x 3 bed dwellings (Use Class C3). Provision of car parking, private amenity space, bin and cycle storage. Repositioning and enlargement of existing drop kerb and enlargement of existing drop kerb. Erection of railings to property. | 2 St Peter's Road Oxford Oxfordshire OX2 8AU. This application was withdrawn.
- 13/01664/FUL Refused; Extension to create second floor and alterations to create 1x additional 4 bed flat (use class C3) Summary for reasons for refusal; 1 Bulk form and appearance...would appear intrusive and out of keeping both with the existing building and surrounding area and would neither preserve nor enhance the special character and appearance of the Wolvercote with Godstow Conservation Area 2 Lack of amenity space... 3 No provision for off street parking 4 Overbearing onto Cyprus Terrace and no. 19 First Turn
- 07/02208/FUL Refused; Alterations to building including single and two storey extensions and replacement roof to retain ground floor post office and shop and convert first floor and roof space to provide 5x1 bed flats. Summary for reasons for refusal; 1 Overbearing onto 6,7,8,9 Cyprus Terrace 2 Second floor accommodation not demonstrated as satisfactory internal living space 3 Inadequate off-street parking 4 Inadequate vision splays for proposed off street parking within First Turn. Adjoining high wall (location of sycamore tree) interfering with sight lines
- 05/01665/FUL Approved; External shutters and doors
- 04/0101/FUL Approved; Single storey extension to shop. Two storey extension to provide new entrance and additional bedroom to first floor flat
- 04/00083/FUL Withdrawn; Single storey extension to front and two storey rear extension to form enlarged shop and residential flat above
- 88/01182/NFH Approved; First floor extension to form residential accommodation
- 84/00099/NFL Approved; First floor side extension

- 82/00773/NFH Approved; Erection of single attached garage
- 73/00765/A H Approved 1st floor extension to provide additional bedroom and access
- 60/08963/A H Approved; Rebuilding and addition to store
- 60/07794AAH Approved; Extension to shop
- 59/07794/A H Approved; Outline application for extension to shop
- 54/03311/A H Refused; Caravan

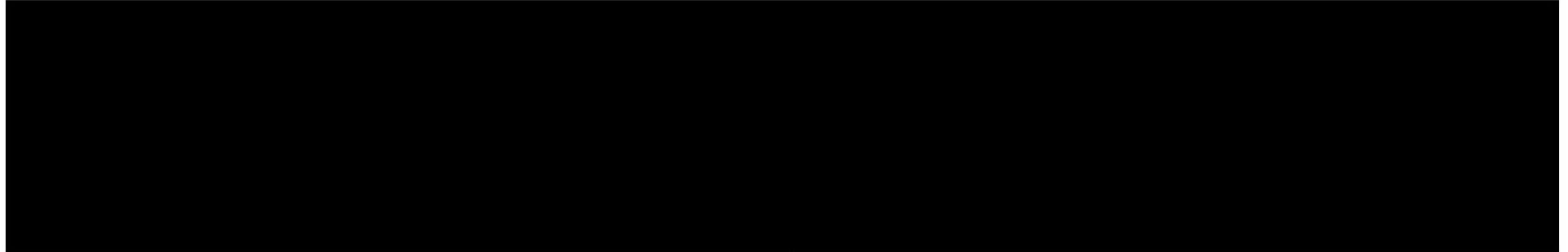
3.4 The planning history details that attempts have been made by the owner to enlarge and extend the existing accommodation within the building, in order to provide additional income from the accommodation and offset the losses experienced from the downturn in the retail business.

3.5 The most recent proposal (submitted in late 2018) sought consent for a similar proposal to that now resubmitted but has been amended in light of design advice provided by officers.

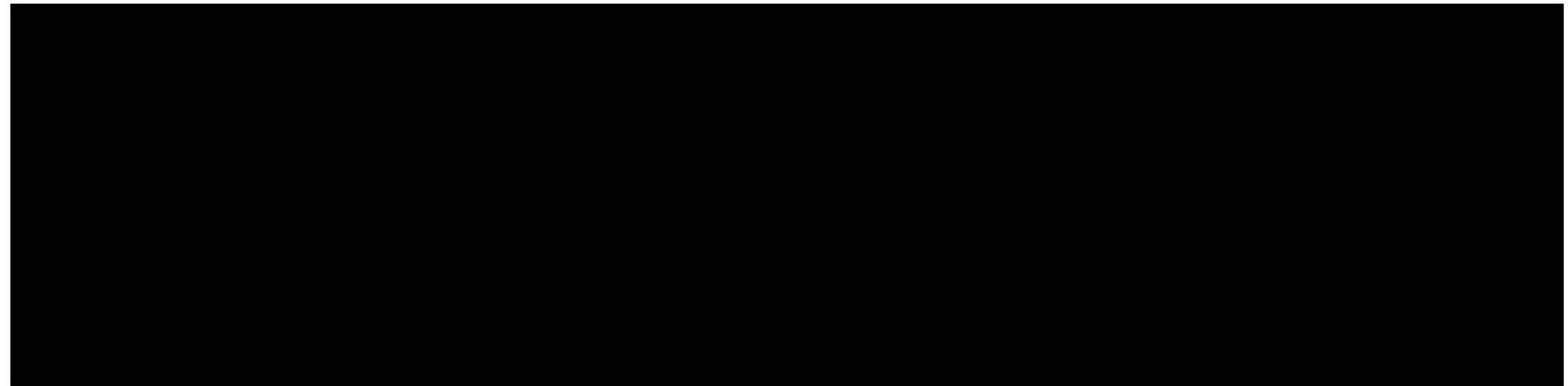
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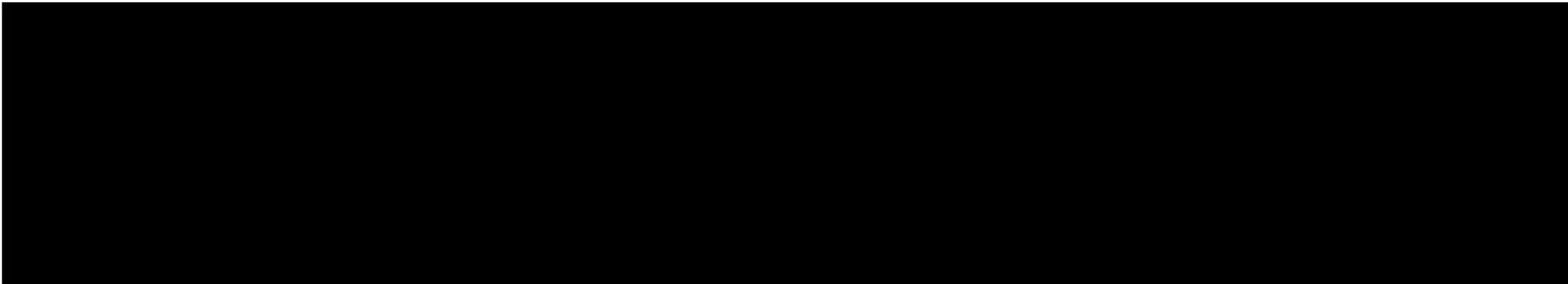


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3.9 In terms of scheme specifics, the applicant was advised to particularly address the impact of the development on adjoining Cypress Terrace, to consider the impact with respect to the 45 degree rule. Where impact already exists, the scheme would need to be no more demonstrably harmful. It was also advised that the overall building height be no higher than the facing office building and that the overall building height be similar to the existing and no higher than the office building.

3.10



were expressed in relation to the proximity of the access associated with plot 3, being too close to the junction of St. Peter's and First Turn.

- 3.11 In respect of design/heritage it was stated that a robust design approach needs to be justified on the basis of an assessment of the context of the site. It was highlighted that the modest scale of buildings, the school in particular but also more traditional domestic buildings is a key feature of this part of the conservation area. The church is the dominant building and should remain so.
- 3.12 Comments also centred on the importance of the traditional stone boundary walls and that the character of the village is of strong boundary conditions. Specifically in relation to building design, it was considered by the conservation officer that the footprint/ depth of plan is not typical and has implications for the massing of the building and in particular the form of the roof appeared contrived.
- 3.13 It was also considered that the building, sitting within the setting of a group of listed buildings, in terms of its current design, was not consistent with the traditional forms of the listed buildings or the small scale domestic buildings that characterise the conservation area.
- 3.14 This revised application seeks to address the above, including a detailed heritage assessment of the site proposals to support the design and rationale for the proposal. This should be read in conjunction with this Statement.
- 3.15 In particular in informing the scheme design, the applicant has considered the aforementioned planning history and looked for pointers in previous planning commentary with regards to scale, form and neighbour impact.
- 3.16 In granting application 07/02208/FUL, the officer delegated report stated that the proposed extensions would not have a significant impact upon the character and appearance of the building. The main range of the building would be prevalent with subservient elements attached to either side that help reduce the visual impact of its increased bulk. It further stated that, although this building is within an area considered as an entrance to the conservation area, and has listed buildings with close proximity, the increased size and scale of the building would not greatly impact upon the character and appearance of the locale, given the scale and size of the existing building - **This present submission however proposes an overall scheme which has been reduced in size from that of the existing property in both depth and size of footprint.**
- 3.17 With regards to neighbouring amenity, the officer stated that Cyprus Terrace would stand to be the most effected by the proposal. Going on to say that, although the proposal would not breach a 45degree line when measured from the NW facing habitable room windows of Cyprus terrace properties, this code is just a guideline and other factors need to be taken into consideration such as orientation, boundary treatment when assessing impact upon residential amenity - **the present submission does not breach the 45 degree rule and proposes a design in which the first floor eaves height is lower than the present eaves and parapet height facing onto the Cyprus Terrace.**
- 3.18 In refusing application 13/01664/FUL, concern was raised in respect of scale, massing and character impact in the locality.

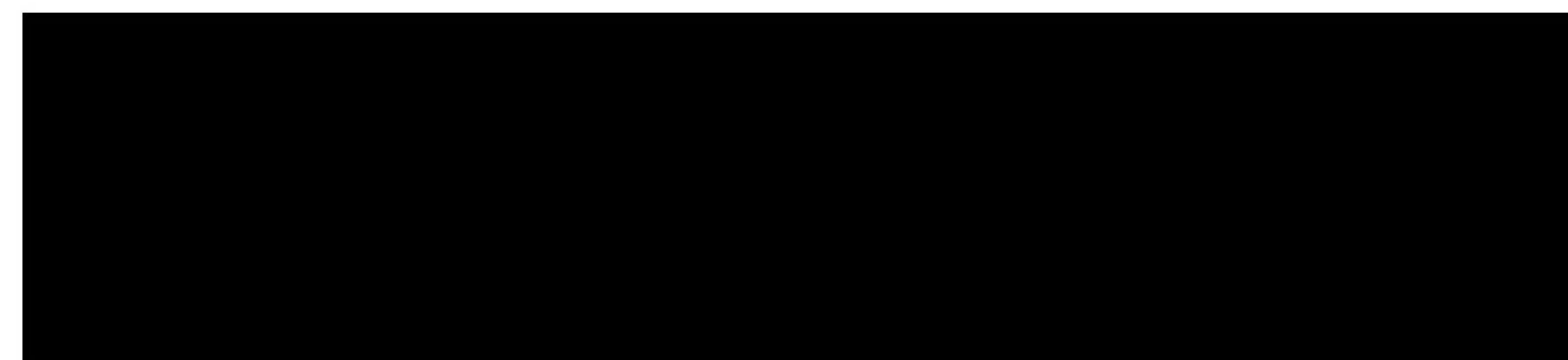
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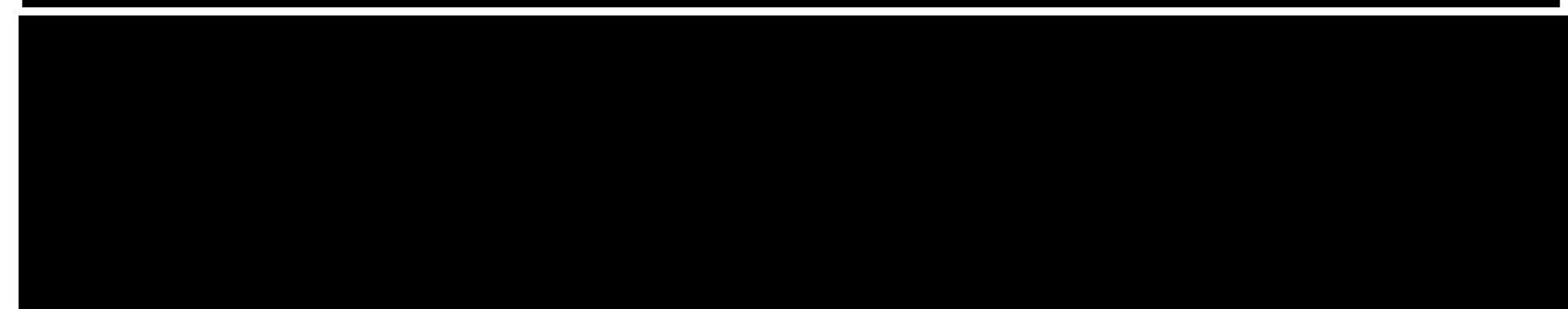
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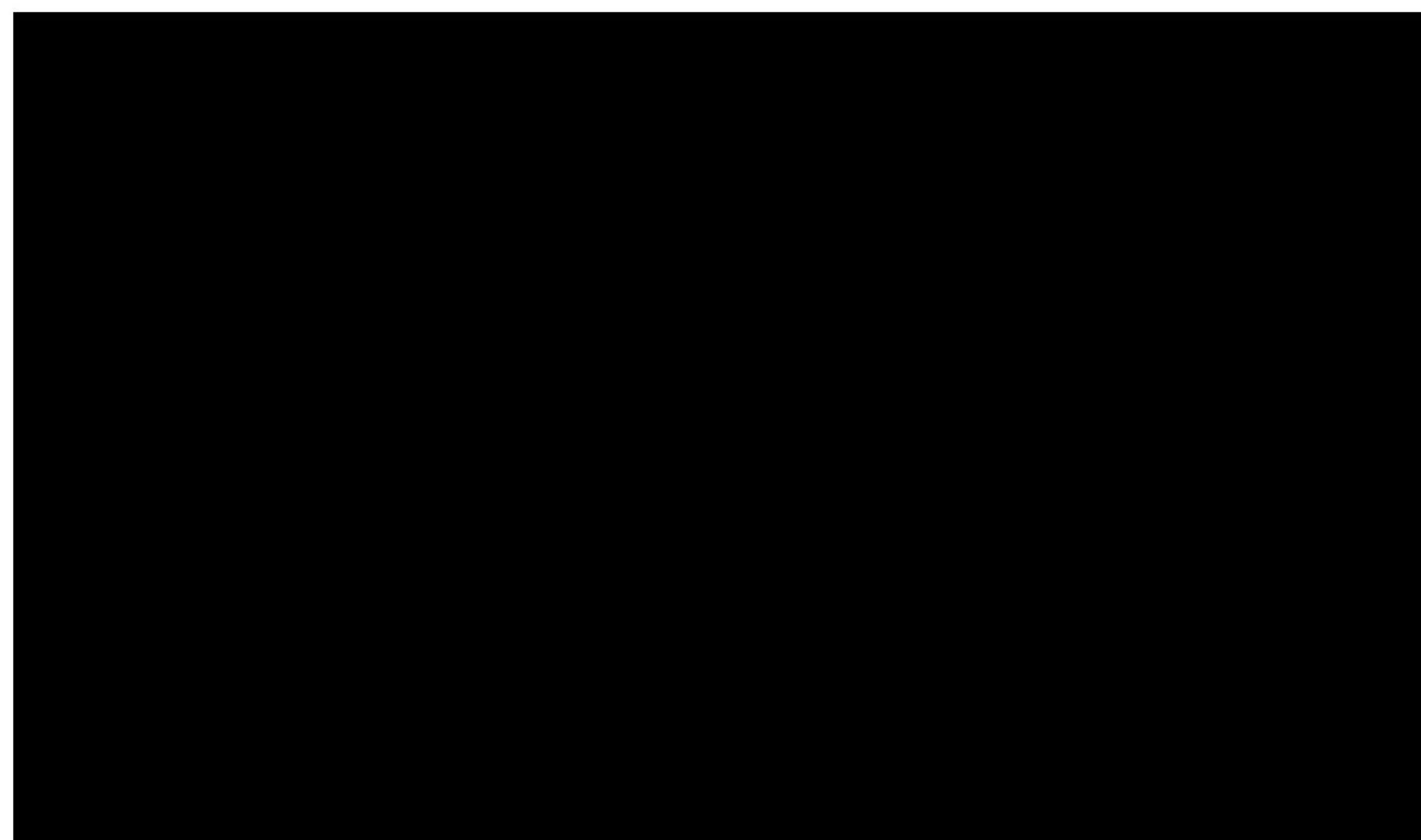


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3.23 The overall form of the proposal is now of residential two storey dwellings with rooms in the roof space with outlook both onto St Peters Road and now in addition onto First Turn. When approaching this corner site from Woodstock Road a key character of the existing buildings on both sides of First Turn are the large area of tiled roofs of St Peters Church and Wolvercote School. The simplified roof scape of the proposal therefore preserves and enhances this character within the conservation area and their settings. In addition by the removal of large shuttered windows and signage the proposal enhances the residential character of this important corner site within the conservation area.

3.24



3.25 Application 13/01664/FUL was also refused on grounds of harm to neighbouring amenity. This proposal provides a reduced overbearing aspect to the residents of Cyprus Terrace by the reduction in eaves height of the new tiled roof facing onto the alleyway. As in the existing property the scheme proposes first floor windows facing onto 19 First Turn. Due to the reduction in depth of the proposed houses and the subsequent increase in dimension to the boundary of number 19 First Turn the overlooking aspect will be reduced. Also,

only roof lights are positioned at second floor level facing onto number 19 First Turn which are positioned at high level and fitted with frosted glazing.

4.0 THE PROPOSED DEVELOPMENT

- 4.1 Planning permission is sought for the demolition of the existing buildings comprising No. 2 St. Peter's Road and the erection of a terraced formed building comprised of 3 no. attached dwellings of 2.5 storey height. The dwellings are proposed as 3 beds.
- 4.2 In demolishing the existing building permission is therefore sought to remove the existing retail uses at ground floor and HMO at first floor.
- 4.3 Allocated bin and bicycle storage would be allocated in a demarcated area to the rear of the gardens of each property (accessed via a communal path).
- 4.4 One parking space for each dwelling would be allocated to the front of each property. The existing 3 no. separate dropped kerbs would be re-positioned to provide new separate dropped kerbs to all 3 proposed dwellings.
- 4.5 Each of the dwellings would be allocated a private rear garden, partially laid to grass and a terraced area.
- 4.6 A new brick wall boundary with metal railings is proposed along the pavement edge with First Turn along with fencing.



5.0 RELEVANT PLANNING POLICIES

- 5.1 Planning law requires applications for planning permission to be determined in accordance with the relevant local development plan, unless there are material considerations which indicate otherwise.
- 5.2 Any application seeking planning permission for the site's redevelopment would fall to be considered in accordance with the City Council's Local Development Plan. This comprises the Oxford City Core Strategy (**OCS**), adopted 2011, the Oxford Local Plan 2001-2016 (**OLP**), adopted 2005 and the City's Sites and Housing Plan (**SHP**), adopted in 2013. The City Council also has a number of relevant Supplementary Planning Documents (**SPD's**) and Technical Advice Notes which assist Officers in the implementation of planning policies.
- 5.3 Regard has also been given to the Council's emerging Local Plan 2036, which has reached an advanced stage having been the subject of independent examination and presently under main modifications consultation.
- 5.4 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 (February, 2019)

- 5.5 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).
- 5.6 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 (including students) (Paragraphs 59-61).
- 5.7 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. Mixed use development is one way to achieve this (Paragraph 91).

- 5.8 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. Policies and decisions should also support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extension where this would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed and ensures safe access and egress for occupants (Paragraph 118).
- 5.9 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).
- 5.10 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).
- 5.11 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).
- 5.12 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).
- 5.13 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).
- 5.14 The NPPF states at paragraph 189 that *'in determining applications, local planning authorities should require and applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary'*.
- 5.15 Paragraph 190 requires local planning authorities to *'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal'*.
- 5.16 Paragraph 192 requires a consideration of the following:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 5.17 Paragraph 193 then advises that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*.
- 5.18 Paragraph 200 then states that *'local planning authorities should look for opportunities for new development within Conservation Areas 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 or better reveal the significance of the asset should be treated favourably'*.
- 5.19 Annex 2 to the NPPF sets out certain definitions, including the setting of a heritage asset, which is defined as *'the surroundings in which a heritage asset is assessed is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'*.

Oxford City Core Strategy (OCS)

- 5.20 **Policy CS1** Planning permission will be granted in the city centre for higher density development, subject to the need to protect and enhance the character of the historic core of Oxford. Development must be at an appropriate scale.
- 5.21 **Policy CS2** Development will be focused on previously developed land.
- 5.22 **Policy CS9** 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.
- 5.23 **Policy CS10** All new development will be expected to have regard to the waste management hierarchy during design, construction and occupation. The Council has produced a Technical Advice Note requiring adequate provision to be made for the storage of refuse and recycling. It is important to note that residents should not be required to carry waste more than 30m and that waste collection vehicles should be able to get within 25m of the storage point.
- 5.24 **Policy CS11** Development will not be permitted which would lead to increased flood risk elsewhere.
- 5.25 **Policy CS13** Planning permission will only be granted for development which prioritises access by means other than private car journeys.
- 5.26 **Policy CS18** Planning permission will only be granted for development which demonstrates high-quality urban design through an appropriate response to the site and its surroundings, contributing to an attractive public realm and incorporating high quality architecture.
- 5.27 **Policy CS19** New developments will be expected to promote safe and attractive environments which reduce opportunities for crime and which meet the principles of “Secured by Design”, including maximising natural surveillance and the appropriate lighting of public spaces and access routes.

Oxford Local Plan 2001-2016 (OLP)

- 5.28 A number of the Policies contained within the OLP (adopted 2005) remain part of the Development Plan and for the purposes of this planning application are material considerations:
- 5.29 **Policy CP.1** Development will be required to show a high standard of design which respects the character and appearance of the area (including landscape treatment). Materials should be of a quality appropriate to the nature of the development, the site and its surroundings. Overall, the development should be acceptable in respect of access, parking and highway safety. Safeguarding the amenities of adjoining land users is an important consideration.
- 5.30 **Policy CP.6** Development proposals will be expected to make maximum and appropriate use of land and site capacity in a manner compatible with the site itself and its surroundings. The intensity of development must be appropriate

for the use proposed and the scale of development, including building heights and massing, should be at least equivalent to the surrounding area.

- 5.31 Opportunities to develop at the maximum appropriate capacity should be explored, the layout should suit the site's capacity and parking levels must be appropriate to the use proposed. Generally, the Council seeks a density of more than 40 dwellings per hectare, with higher density development expected on appropriate sites.
- 5.32 **Policy CP.7** Planning permission will only be granted for developments which demonstrate good urban design. The applicant must demonstrate that the proposed development is appropriate for the site and the surrounding area.
- 5.33 **Policy CP.8** This policy places a strong emphasis on ensuring that design relates to its context, that the siting, massing and design of development creates an acceptable visual relationship with the form, grain, scale, materials and details of the surrounding area. That notwithstanding, innovative design is not discouraged.
- 5.34 **Policy CP.9** Policy CP.9 has a wide scope, albeit it seeks to create living and working environments which work well, including usable, safe and pleasant outdoor spaces, building frontages which define streets and where the threat of crime is designed out.
- 5.35 **Policy RC.9** states that planning permission will only be granted for the change of use of individual Class A1 (shop) use outside a centre when:
- No other suitable retail occupier can be found following a realistic effort to market the site for its Class A (shop) used;
 - Substantial evidence of non-viability has been demonstrated; and
 - Changes of use to residential use are supported by substantial proof that commercial uses are not viable.
- 5.36 **Policy TR.3** Planning permission will only be granted for development that provides an appropriate level of car parking spaces.

Sites and Housing Plan 2011-2026 (SHP)

Policy HP9 Design, Character and Context

- 5.37 Residential development will be expected to respond to the character of the area, including physical features. New development needs to be of a form, layout and density which makes efficient use of land, which makes a positive contribution to local character and distinctiveness and results in no increase in surface water run-off.

Policy HP11 Low Carbon Homes

- 5.38 Planning permission will only be granted for proposals for residential and student accommodation development if the development includes an element of on-site renewable or low carbon technologies where practicable. All development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.

Policy HP12 Indoor Space

- 5.39 Planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use if:

- each dwelling has its own lockable entrance, its own kitchen and at least one bathroom;
- the space provided within each room allows for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk-based home working;
- each dwelling provides adequate storage space, taking account of the occupation intended.

5.40 Planning permission will not be granted for new dwellings if:

- any single dwelling provides less than 39m² of floorspace (measured internally), or, any single family dwelling provides less than 75m² floorspace (measured internally), or
- inadequate ceiling height, lack of natural lighting or natural ventilation, or a restricted outlook prevents proper use and enjoyment of the dwelling.

Policy HP13 Outdoor Space

5.41 Planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space, to meet the following specifications:

- 1 or 2 bedroom flats and maisonettes should provide either a private balcony or terrace of useable level space, or direct access to a private or shared garden.

The following factors will be material in assessing whether adequate space has been provided:

- the location and context of the development, in relation to the layout of existing residential plots, and proximity to public open space;
- the orientation of the outdoor area in relation to the sun;
- the degree to which enclosure and overlooking impact on the proposed new dwellings and any neighbouring dwellings, and
- the overall shape, access to and usability of the whole space to be provided.
- Planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space.

5.42 Paragraph 3.23 of the SHP further states that balconies or private terraces provided for flats should have a minimum dimension of 1.5 metres depth by 3 metres length.

Policy HP14 Privacy and Daylight

5.43 Planning permission will only be granted for new development that provides following factors will be considered:

1. whether the degree of overlooking to and from neighbouring properties or gardens significantly compromises the privacy of new or existing homes; and
2. the orientation of windows in existing and new development in respect of access to daylight, sunlight and solar gain; and
3. existing and proposed walls, hedges, trees and fences in respect of creating privacy as well as in respect of their impact on overshadowing existing and new development.

- 5.44 Permission will not be granted for development having an overbearing impact on existing homes.

Policy HP15 Residential Cycle Parking

- 5.45 Residential properties with up to two bedrooms will be required to provide at least two cycle parking spaces.

Policy HP16 Residential Car Parking

- 5.46 The relevant maximum car parking standards are set out at Appendix 8 of the Sites and Housing Plan and are expected to be complied with. The policy further states that permission will be granted for car-free houses and flats in locations that have excellent access to public transport, are in a controlled parking zone, and are within 800 metres of a local supermarket or equivalent facilities. Appendix 8 further explains that, within the Transport Central Area, flats (of any size) will be expected to be car free.

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- 5.47 Policy S1 applies a presumption in favour of sustainable development.
- 5.48 Policy H5 states that permission will not be granted for any development that would result in the net loss of one or more self-contained dwellings.
- 5.49 Policy H14 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.
- 5.50 Policy H15 requires new dwellings to provide accommodation that complies with the MHCLG's Technical Housing Standards.
- 5.51 Policy H16 relates to standards for outdoor amenity space and states that houses should provide a private garden of adequate size and proportions for the size of the house proposed.
- 5.52 Policy RE2 relates to the proposals making efficient use of land.

6.0 PLANNING CONSIDERATIONS

Principle of proposed use and amount of development

The Principle of Loss of Existing Retail Uses

6.1 The post office and retail use at ground floor ceased on the 31st August 2018 and 29th September 2018, respectively. They have both therefore been out of use for a period close to 18 months. The closure was a last resort as the businesses had been suffering financially for a number of years.

6.2

6.3 In this regard, Policy RC.9 states that planning permission will only be granted for the change of use of individual Class A1 (shop) use outside a centre when:

- No other suitable retail occupier can be found following a realistic effort to market the site for its Class A (shop) used;
- Substantial evidence of non-viability has been demonstrated; and
- Changes of use to residential use are supported by substantial proof that commercial uses are not viable.

6.4 In respect of criterion 1, the applicant has sought to sell the shop through a specialist commercial agency (Daltons Weekly) who are commonly used to sell businesses within the commercial sector. The applicant subsequently used Central Business Agency and finally Chancellors to advertise the premises as an on-going commercial venture. This was undertaken on a continuous period of 3 years and no interest was received in relation to taking on the business to be run continually for retail purposes.

6.5 As demonstrated in the accompanying information which forms the appraisal evidence informing this Statement, the problems experienced by the business principally centred on lack of takings in the shop and no interests from persons capable of running the post office business, thus meaning no suitably qualified and/or experienced enquirers expressed an interest to maintain the post office going forward.

6.6 In respect of criterion 2 and 3, the applicant's considered and first hand view, having run the business for a number of years, is that the population catchment area serving the business is not large enough to sustain it. This problem is compounded by the availability of a further shop in Lower Wolvercote and the Marks and Spencer outlet at the BP garage in Wolvercote. The applicant noted a significant downturn in takings from the immediate opening of the M&S outlet in particular –economies of scale meant that an independent business could simply not compete.

6.7 Furthermore as a general point, the shopping habits of consumers have also changed considerably in recent years. The move to online grocery orders has severely impacted the ability of the business to remain viable – people typically no longer pop to the local shop for groceries, making much of what the premises

provided to the community surplus to requirements. Ad hoc purchases were unable to keep the business afloat.

- 6.8 Consequently, the profit and loss accounts are submitted demonstrating that, up to the point of closure the premises was only making a profit of £17k, which is clearly insufficient to sustain a business in the long term, let alone the applicant and his family, who also had to work in the shop and post office.
- 6.9 The detailed reasoning behind the closure of the premises and a financial appraisal is provided in far greater detail in the accompanying Financial Appraisal supporting documentation. Within the submitted financials there is a clear trend of ever increasing losses. Factors that have borne down on the ability of the business to remain profitable include the need for a significant upheaval and upgrade of the premises to meet modern market demands; increasing costs (staff, maintenance etc.); culminating in the liabilities of the company exceeding its assets value and, most significantly, a large downturn in sales for the reasons noted above.
- 6.10 The business has however historically had an excellent reputation and, before matters changed locally and consumer trends changed, the business was relatively successful. It could not therefore be said that the cause of reduced activity or downturn is attributed to the manner in which the property has been run.
- 6.11 It is therefore reasonable to conclude that the continuing use is not viable; nor given the length of time that the business has been on the market for sale that there is interest in potential investors taking on the site as an on-going venture. It is therefore considered that the principle of the loss of the retail uses and redevelopment are supported by Policy RC9 of the Local Plan in this instance.

Principle of Residential Development

- 6.12 The site is located in a sustainable location close to the City Centre where there is a wide range of services, facilities and job opportunities. The site has been demonstrated as currently under-utilised and superfluous to the needs of the existing uses on site, and the proposal– in providing three dwellings - represents an opportunity to provide much needed housing in a sustainable location, making the optimum use of land. The site will make a small but valuable contribution, at a level in the market where there is a defined need for mid-sized forms of accommodation.
- 6.13 Given the existence of existing sub-standard buildings (proposed for demolition) the site constitutes previously developed land and the re-use is supported by Policy CS2 of the Core Strategy. Furthermore, Policy CP6 seeks to encourage development to make best use of land density; which this proposal clearly does.
- 6.14 The proposal will also provide economic and social benefits, including a boost to the local economy during construction. It is evident therefore that the proposed development is sustainable in terms of the environmental, economic and social dimensions set out in the NPPF.
- 6.15 The site is available now, it is viable, and offers a suitable location for development. The proposal therefore meets the definition of a ‘deliverable’ site contained in the glossary to the NPPF and will therefore contribute towards the City Council’s housing targets.

- 6.16 The provision of this form of development will cater for the needs of residents who require smaller properties, as the general offer in this northern part of the city is larger properties which is beyond the reach of most first time buyers.
- 6.17 The proposal further complies with Policy CS28, which includes support for higher-density development that makes a better and more efficient use of land. Given the pressing need for housing within the City (as identified in the Oxfordshire SHMA and draft Local Plan 2036), the balance is tilted in support of this residential scheme.
- 6.18 In this location – which is predominantly residential in nature - the site use would be replaced by a use which is more ‘neighbourly’ and appropriate for a residential area.

Housing Considerations

- 6.19 The scheme proposes 3 no. dwellinghouses in an attached arrangement, each comprised of three bedrooms arranged over 2.5 storeys.
- 6.20 Whilst the Council no longer applies the housing mixes as identified in the Balance of Dwellings Supplementary Planning Document, previously in this area policy has sought to resist the loss of family (3 bed) dwellings. In this instance the proposal will provide 3 no. “family dwellings” which is considered to be an appropriate mix in this outside of City Centre location and enhances the local offer.
- 6.21 In light of a recent direction by the Planning Inspectorate, the Council no longer applies Policy HP4 relating to affordable housing. Therefore the scheme, in providing less than 9 units, would not be subject to a contribution towards affordable housing.

Design Considerations

- 6.22 The proposed building would be comprised in one single form but split vertically internally to provide the three houses.
- 6.23 The proposed houses would be comparable to the surrounding development (Cyprus Terrace) in terms of depth and height of the buildings. Each house would have a road frontage. Parking would be provided to the front of units 1 and 2 and the side of unit 3 all with access onto St Peters Road.
- 6.24 The internal gross area of the original dwelling (before extensions) was 208 sq.m. The ground floor approved extensions amounted to 136.3 sq.m. the resultant present GIA of the buildings on site is 344.3 sq.m
- 6.25 The proposed replacement would comprise three terraced dwellings each with three bedrooms with one of the bedrooms within the roof space.
- Total site area =389.52 sq m
 - Area Existing footprint =265.69 sq m 68.2% of site area
 - Proposed foot print =152.30 sq m 39.1% of site area

- 6.26 Private gardens are proposed with access from both the living area and via the rear garden gates from the proposed alleyway situated along the NW boundary which is accessed from First Turn. This is consistent with other developments in the road with the ability to access bus stops and cycle ways into and out of Oxford.
- 6.27 The scheme has been designed to ensure that the scale of the houses accords with the character of the area and would not cause potential detrimental impact to the amenities of existing neighbouring properties in terms of overbearing or overlooking.
- 6.28 The proposed dwellings would feature sloping and hipped roofed frontages with rooms in the roof space. The ridge lines of the new buildings would be similar to the existing and others in the street. They would not dominate or appear out of place and this can be seen in the street elevation drawing submitted with this application.
- 6.29 Being two and a half storey in height, the scale will relate to neighbouring buildings and from the streetscene will be viewed as a logical infill house/building. The design is largely traditional in appearance, with a red brick and render construction, incorporating more modern features such as the proposed UPVC windows. The houses will therefore be attractively detailed using good quality modern materials to complement the character of neighbouring development. The building design has been tailored to respect the forms and scales of other properties within the immediate vicinity whilst also being of a higher quality and interest – the development will be a significant improvement in relation to the existing buildings on site.
- 6.30 In seeking to adapt to the extent of the build form of neighbours, the design avoids being flat, and it will therefore include some protruding elements and some set back in order to provide the building with visual interest.
- 6.31 As referred to above, all the three houses will have their own rear private amenity space, with individual bin and bicycle storage, accessible via a ramped sloping unobstructed access way to the rear.
- 6.32 The houses are arranged over 3 floors. Unit 1 is composed of first floor bedrooms and one ensuite; units 2 and 3 are composed of two bedrooms at first floor both with ensuite and one bedroom at second floor with shower room. At ground floor a largely open plan kitchen/living/dining space is proposed.
- 6.33 All rooms will be provided with at least one opening, ensuring the habitable space benefits from good natural light.
- 6.34 The premise behind the approach is to provide a site design that will complement the height of existing forms in the immediate vicinity and, fill in an unsightly gap in the line of housing, and in doing so provide an intensified form of development that creates visual interest in the streetscene.
- 6.35 It is considered that the proposed development would, therefore, respect and reflect local distinctiveness whilst simultaneously enhancing the design quality and visual interest of the site and its surroundings. The proposal therefore accords with Policy CS18 of the Core Strategy, Policies CP1 and CP8 of the Local Plan and Policy HP9 of the Sites and Housing Plan.

Appearance

- 6.36 As the accompanying Heritage Statement and analysis confirms, there is a wide range of architectural styles in this area of Upper Wolvercote including in the St Peters Road and First Turn. The proposal incorporates building elements and design features found within the surrounding area, seeking to adopt and enhance what works successfully within the streetscene.
- 6.37 The new dwellings would have a design consistent with their surroundings. Proposed materials include pitched tiled roofs, render, facing bricks. The proposed design presents an overall appearance of the group of houses being superior to the existing.
- 6.38 The scheme provides a high standard of design which would relate well to its setting in terms of form, materials, and scale and would assist in strengthening local character and the streetscape. The scheme follows good urban design principles overall including reinforcing a sense of place, providing adequate amenity and space about the buildings, and a clear distinction between more open and private areas. It is considered that the proposal would accord with guidance in the NPPF in respect of design and with policies CP1, CP8, CP9 and CP10 of the adopted Oxford Local Plan and CS18 of the Oxford Core Strategy and thus be appropriate to this site located within a conservation area and near to listed buildings.

Amenity

- 6.39 Policy HP12 requires new dwellings to provide good-quality internal space, with space provided within each room for reasonable circulation, furnishing and use of household facilities, as well as storage space. New single dwellings will be required to provide no less than 39sqm GIFA (measured internally). The Council also refer to the national internal space standards.
- 6.40 In respect of a three bedroom property (in this case with 2 doubles and 1 single room) the national space standards require a dwelling arranged over three storeys to provide 99 square metres of internal space. Unit 1, at 99.39 sq.m is slightly smaller than units 2 and 3 (123 and 110 square metres) however all three properties comply with the requisite standard, and therefore also adopted Policy HP12).
- 6.41 It is therefore considered that the appropriate standards can be met and future occupants would benefit from a good standard of internal living accommodation and circulation space.
- 6.42 Policy HP13 requires that new dwellings have direct and convenient access to an area of private space. For a 1 or 2 bed flat or maisonette it states that provision should be made for either a private balcony or terrace of useable space, or direct access to a private or shared garden. Paragraph A3.23 of the SHP provides further clarification, stating that a terrace should be a minimum dimension of 1.5m depth by 3 metre length, per unit.
- 6.43 As proposed, each property would have a private enclosed rear garden with terraced area and are considered to be of a scale appropriate for the size of the house, being broadly comparable to each respective footprint. It is therefore considered that the standards for all the dwellings exceeds the minimum external amenity space requirements.

- 6.44 In respect of the impact of the development from being either overbearing or creating overlooking, the submitted plans detail the size and height of windows and the existing relationship with neighbouring properties. As existing there is mutual overlooking however the proposed development would improve this situation.
- 6.45 The drawings show that the proposed development would not breach the 45 code of practice for sunlight and daylight standards as set out in Appendix 7 of the Sites and Housing DPD. As stated, the proposal would have a reduced impact on those adjoining properties in Cyprus Terrace as the proposed height of the new SW (unit 1) wall facing Cyprus Terrace has been reduced and is less than that as existing.
- 6.46 The existing property has high level windows in the common boundary wall at ground floor level facing onto Cyprus Terrace. No windows have been placed in unit 1 of the proposed scheme at this level. A number of roof lights are positioned in the sloping roof over which serve the hall, 3 no. ensuites and single bedroom 3. The hall and ensuite roof lights can be opaquely glazed with limited opening and the bedroom 3 roof light positioned at high level by way of suitable imposed conditions. As a consequence no unacceptable overlooking would occur from the upper roof light windows. A planning condition could be attached to avoid the addition of windows without prior consent from the local planning authority.
- 6.47 The existing property has windows at first floor which serve bedrooms, bathrooms and living area and face the rear garden of number 19 First Turn and at a distance of approximately 6.0 metres from the boundary. This scheme proposes that the distance between the rear elevation of the three units and the boundary to number 19 be increased to 7.5-8.0 metres. Roof lights are proposed in the sloping roof at second floor which serve two ensuites and a dressing area. The ensuite roof lights can be opaque glazed with limited opening and the dressing roof light positioned at high level height to preclude any opportunity for overlooking.

Bin and bicycle storage

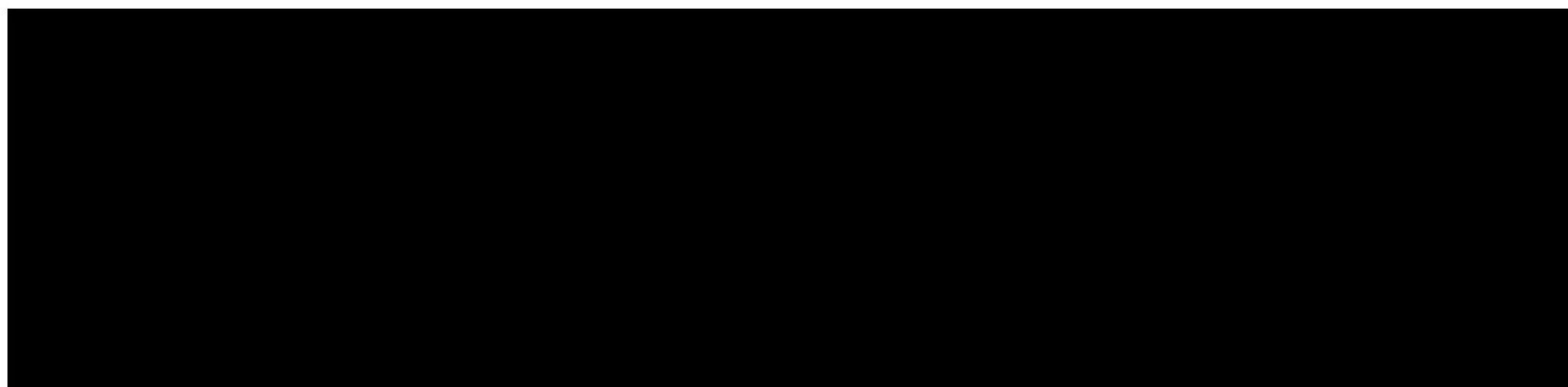
- 6.48 In accordance with Policy HP15, safe and secure cycle storage will be provided at the ground floor of each dwelling within the rear garden of each property. The size of the cycle storage (within the proposed sheds) makes provision for at least three bicycles per dwelling; therefore complying with the minimum parking standards set out in Policy HP15 of the SHP (which stipulates 3 spaces for units with up to three bedrooms).
- 6.49 As noted earlier, space has also been provided for householder waste and recycling bins with ample space for circulation. Access is level to enable movement of the bins onto the pavement on collection days.

Car parking and Highways

- 6.50 The development is proposed as relatively low parking in nature, given its sustainable location. SHP Policy HP16 requires that new residential development complies with the Council's parking standards. In this instance, because the site falls within an area accessible to the City by alternative means to the private car, the parking provision has been minimised to one per property.

6.51 Access to each property will be viable an amended dropped kerb arrangement, resulting in the closure of the existing 3 accesses and provision of three new and separate dropped kerbs.

6.52



6.53 Whilst no turning space is provided within the curtilage itself, therefore meaning that the ability to enter and exit in a forward gear is restricted, the accesses have been set away from the junction – thereby benefiting from excellent visibility – and the road does not have significant traffic issues such that a harmful highway safety impact would arise.

6.54 Further analysis of the transport impacts of the proposed development are considered in the accompanying Transport Statement prepared by HVJ Transport Ltd.

Access

6.55 As discussed above, access to the houses would be taken both from the front and rear alleyway access for pedestrians.

6.56 The provision of the three additional off street parking spaces will prevent casual parking in front of the development on St Peters Road and also provide a safer and visually more attractive setting for the houses and the neighbourhood.

6.57 On street parking was previously the only option available until recently for both the residents of the 5 bed roomed flat and for the shop staff and customers at 2 St Peters Road. The removal of vehicles from the street will help to reduce local parking pressures.

6.58 As discussed under the earlier highways commentary, the existing vehicular accesses will evidently be closed off and, if highways requirements deem necessary, the existing dropped kerb raised and re-instated.

6.59 The dwellings would have a level access to the front doors, meeting the needs of those with disabilities in accordance with Policy CP10 of the Local Plan. The proposal would meet all other elements of Part M of the Building Regulations such as doorway and corridor widths and the provision of a ground floor WC

Drainage

6.60 There is no indication from the EA or SFRA that this site has suffered from flooding from any sources. There is no indication that the site is vulnerable to localised risks of flooding.

6.61 The ground floor finished floor level will be set no lower than existing levels and existing levels will be maintained across the site.

- 6.62 All the external surfaces will be permeable, e.g. porous paving, gravel similar. Only the roof will be positively drained.
- 6.63 The incorporation of modern sustainable drainage techniques will result in a net benefit to the site and reducing the risk of surface water flooding. Methods will be employed to reduce the existing rate of run-off, which could include discharge of rain water from the roof at an attenuated rate.
- 6.64 The foul water will be discharged to an existing outfall into First Turn; and the surface water will be managed by means of a soakaway within the rear gardens.
- 6.65 Details of the drainage of the site can be confirmed by means of a pre-commencement condition attached to any consent.
- 6.66 The flood risk of the application site and the neighbouring vicinity will not increase as a result of the development. It is therefore considered that this development will comply with the NPPF.

Ecology

- 6.67 The application is supported by an ecology surveyed prepared by Ecoconsult. The assessment finds that the existing buildings have negligible potential to supporting bat roosts. Consequently no further survey work is recommended nor required.
- 6.68 Recommendations are made for future mitigation and enhancement, thereby enabling the development to result in a net biodiversity gain.

Trees

- 6.69 The application is supported by an Arboricultural Report prepared by Sylva Consultancy. The report assesses the existing trees on the site and those that would be subject to development pressure.
- 6.70 There are no trees within the site and no significant trees would be affected. The existing single storey extension built up to the boundary of 19 and Cyprus Terrace is to be demolished. The rear garden of 19 First Turn is heavily planted with both trees and shrubs. The rear face of the proposed dwellings is positioned at a greater distance from the boundary with number 19 First Turn than the existing property and consequently the proposal will have a reduced effect on the planting and trees within 19 First Turn.
- 6.71 The frontage to St Peters Road and First Turn will be landscaped and planted. Parking and paved areas to be constructed in a SUDS compliant method. Tree and low level growth shrubs type can form part of a landscaping scheme to be approved by planning condition.
- 6.72 It is concluded that adequate juxtaposition exists between the retained tree stock and the proposed building footprint, which it is concluded will reduce any post development pressures i.e. to remove or prune retained trees. In any event, being within a conservation area the trees will be protected under legislation and consent would be required from the LPA to undertake works.
- 6.73 Hardstanding for the bin and cycle storage to the rear will be described as no dig with concrete slabs laid onto a permeable gravel base.

Energy efficiency

- 6.74 Oxford Core Strategy Policy CS9 seek to encourage the use of renewable energy sources and to promote energy efficiency.
- 6.75 Site design & layout: the proposal does not infringe the acknowledged daylight angles of adjacent neighbours' windows. All new habitable rooms are provided with adequately sized double glazed windows, sometimes on more than one elevation, allowing them to enjoy acceptable levels of daylight.
- 6.76 Overheating: All habitable rooms will be served by adequately sized windows including trickle head vents, allowing natural ventilation in compliance with Building Regulations.
- 6.77 Low carbon/renewables: construction materials will be sourced for their low carbon energy use. The location of the building within a densely developed urban environment allows limited potential to incorporate renewable energy, but in addition to the incorporation of pv cells on the sloping roofs, photo voltaic panels on some inconspicuous flat roof areas will be investigated as well.
- 6.78 Building Regulations: thermal performance and air tightness will be detailed to exceed the levels required by Building Regulations to keep energy use low. There are no large expanses of glazing.
- 6.79 CO2 emissions: the aim will be to reduce CO2 emissions to below the target set in approved document Part L1A and also energy use by passive means including within the building fabric.
- 6.80 Climate conditions: the site is not located in a flood zone so safe and dry access can be assured.
- 6.81 Recycled materials: the BRE Green Guide will be used to assist in the selection of materials and construction for both lower embodied energy and recyclability.
- 6.82 Future adaptability: the focus for detailing will be to achieve a high standard for the building fabric.
- 6.83 Carbon neutrality: good fabric performance to keep energy use low, meaning the future use of renewable energy (and the acquisition of A+ rated electrical appliances) would see a move towards carbon neutralit

7.0 CONCLUSIONS

- 7.1 A modern redevelopment providing 3 much needed medium sized-properties is proposed as a replacement for an under-utilised brownfield site in a sustainable City location.
- 7.2 The scheme has been found be a good neighbour to neighbouring development within a highly sustainable locality.
- 7.3 The existing retail uses have been found to be unviable and unable to be sustained going forward.
- 7.3 The provision of bin and cycle storage is adequate for this location.
- 7.4 The quality and quantity of amenity space and indoor useable and habitable space accords with the Council's standards.
- 7.5 Low level parking is proposed but given the accessible location and reduced parking demand from the redevelopment, this is considered to be acceptable.
- 7.6 The proposals accords with the development plan and should therefore be approved without delay.