

APPLICATION NO.	11/00966/OUT
APPLICATION TYPE	Outline application
REGISTERED	5 May 2011
PARISH	Cumnor
WARD MEMBER(S)	Dudley Hoddinott, Judy Roberts, John Woodford
APPLICANT	Mr Richard Wilsden
SITE	Cotswold House Cotswold Road Cumnor Hill Oxford OX2 9JG
PROPOSAL	Outline application for demolition of existing detached dwelling. Erection of three detached dwellings. (Resubmission of withdrawn application CUM/6163/1-X)
AMENDMENTS	-
GRID REFERENCE	447680204929
OFFICER	Stuart Walker

1.0 **INTRODUCTION**

- 1.1 This application seeks outline planning permission for the demolition of the existing dwelling and the redevelopment of the site with three detached two storey dwellings. Only access is due for consideration under this application, with layout, scale, external appearance and landscaping being reserved matters.
- 1.2 The application comes to committee because a number of objections have been received.

2.0 **PROPOSAL**

- 2.1 Cotswold House is located on a corner plot bounded by Cumnor Hill to the north west and Cotswold Road to the north east. The site area is 0.4 hectares, and it comprises a single dwelling with extensive gardens. The dwelling is situated towards the east boundary of the plot. The site itself sits on an embankment above both roads which is heavily planted with significant trees and shrubs to the extent that the existing dwelling cannot be seen from the public highway during the spring and summer months. Access is taken from Cotswold Road through an established gate which cuts through the embankment. To the south and east, the site is bounded by detached dwellings set within smaller plots.
- 2.2 The proposal to erect three dwellings is shown illustratively with new dwellings positioned on similar sized plots fronting onto Cotswold Road. A new joint access serving two dwellings is proposed with the third dwelling reusing the existing access. The majority of the existing landscaping on the boundaries with Cumnor Hill and Cotswold Road is shown to be retained, although some vegetation will need to be removed to provide the new access. The plans showing the location of the proposal and the illustrative layout and design are **attached** at appendix 1.

3.0 **CONSULTATIONS & REPRESENTATIONS**

- 3.1 Cumnor Parish Council: "The Council recommends that VWHDC should impose a Grampian condition until Thames Water has completed and tested its proposed remedial works in the local area."
- 3.2 Environment Agency: No objection, subject to a condition restricting occupation until off site improvement works to the public sewerage system have been completed.
- 3.3 County Engineer: No objections, subject to conditions.

- 3.4 County Funding Officer: Contributions are required to offset the impact of the proposal on education / library / fire and rescue provision and county waste management operations.
- 3.5 Drainage Engineer: No objections, subject to conditions.
- 3.6 Environmental Health: No objections.
- 3.7 Waste management Team: No objections.
- 3.8 Five letters of objection have been received from local residents raising the following issues:
- Proposal is an overdevelopment of the site
 - Proposal will be over-dominant to the neighbour.
 - Loss of light / outlook.
 - Loss of privacy.
 - Noise and disturbance arising from additional dwellings.
 - Proposal will create a precedent.
 - Traffic generation.
 - Proposal will exacerbate existing drainage problems.
 - A Grampian condition is not an effective safeguard. Until improvements to the sewerage system are carried out, the application is premature and should be refused.
 - Loss of private views (this is not a material planning consideration).

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 In November 2010, an outline application to redevelop the site with three dwellings was withdrawn due to the unresolved drainage situation at the time.

5.0 **POLICY & GUIDANCE**

Vale of White Horse Local Plan

- 5.1 Policy H10 (development in the five main settlements) enables new housing development within the built-up area of Cumnor Hill / Botley, provided it makes efficient use of land, the layout, mass and design of the dwellings would not harm the character of the area and it does not involve the loss of facilities important to the local community (i.e. informal public open space).
- 5.2 Policy DC1 states that development will only be permitted where it is of a high quality and inclusive design such that the layout, scale, mass, height, detailing, materials used, and its relationship to adjoining buildings and open space do not adversely affect those attributes that make a positive contribution to the character of the locality.
- 5.3 Policy DC5 states that development will only be permitted where safe and convenient access both within the site and to and from the public highway can be provided; and the existing network can accommodate traffic arising from the development, along with adequate and safe parking (vehicle and cycle) being provided within the site.
- 5.4 Policy DC8 states that development will only be permitted where necessary infrastructure and the service requirements of future occupiers are provided or secured through a financial contribution.
- 5.5 Policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties or the wider environment.
- 5.6 Policy DC13 confirms that new development will not be permitted if a risk from flooding is identified unless an adequate assessment has been made, and flood risk, storage capacity and proposed mitigation measures are acceptable.

- 5.7 Policy DC14 states that development creating surface water run-off will not be permitted unless the proposed surface water management system accords with sustainable drainage principles and the system will effectively control and mitigate any adverse effects.
- 5.8 The following Planning Policy Statements are also relevant: PPS 1 “Delivering Sustainable Development”; PPS 3, “Housing”; PPS 9 “Biodiversity and Geological Conservation”; PPS 25 “Development and Flood Risk”.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 Cumnor Hill is identified in the Local Plan as an area that can accommodate new housing development providing the layout, mass and design would not harm the character of the area (Policy H10).
- 6.2 The revision of Planning Policy Statement 3 (PPS 3) in June 2010 removed the national indicative density and deleted gardens from the classification of “previously developed land”. While this change does not rule out the development of garden land, it means such schemes can no longer be regarded as beneficial in terms of the clear aim within PPS 3 of directing the majority of residential development towards previously developed land. The change is clearly intended to prevent potentially harmful forms of development on garden sites and gives increased recognition to gardens as an environmental asset.
- 6.3 Officers, therefore, are mindful of the need to give careful consideration to the character of the immediate area in terms of layout and density when considering proposals for development on garden land.
- 6.4 Cotswold Road branches off Cumnor Hill and leads to Clover Close, a modern estate development. The majority of the dwellings in Cotswold Road are individually designed, laid out parallel to each other and fronting onto the road with individual accesses. This results in a linear pattern of development that has a reasonably low density with the dwellings set within spacious surroundings but within similar sized plots. In contrast, Cotswold House is an uncharacteristically large plot.
- 6.5 The development in the form proposed is not considered to be harmful to the character of the area. The illustrative drawings show a layout and scale that could be designed to fit with the grain of the area, and at a density of 7.5 dwellings per hectare such an approach cannot be considered to be an overdevelopment of the site. The new dwellings could be set well back from Cumnor Hill / Cotswold Road whereby their impact on the character of the area would be minimal given the depth of the site and existing planting on the roadside boundaries. The proposed two storey height of the new dwellings is also considered acceptable as other two storey dwellings already exist in the locality. The development in the form proposed, therefore, is not considered to be out of keeping or harmful to the character of the area.
- 6.6 Regarding the potential impact on neighbouring properties, those properties most directly affected will be those that adjoin the site. Whilst the detailed layout and design of the proposal are reserved matters, it is considered that a scheme could be designed to avoid any harmful overlooking, overshadowing or overdominance of adjacent dwellings.
- 6.7 On the issue of parking and access, the proposed arrangements are considered acceptable. Adequate visibility can be achieved at the new access to ensure pedestrian and highway safety and parking and turning arrangements within the site as shown on the illustrative plan are acceptable. Consequently, the County Engineer has no objections to the proposal.
- 6.8 With regard to precedent, whilst this can be material where other sites suitable for

similar development can be identified in the locality, each proposal must be considered on its own merits. In this case, there are other potential sites in the vicinity that could be the subject of a similar proposal. However, any other proposals will also need to be carefully considered in the light of their impact on the character of the immediate area and, as such, possible precedent is not considered sufficient reason to refuse planning permission.

6.9 The remaining issue, therefore, is drainage. The site lies in an area which has known sewage overflow problems. Thames Water considers that in order to remedy the situation an upgrade of the foul sewerage system is required. Whilst previous work on identifying the problem was being undertaken, Thames Water would not allow any new dwellings to connect to the public foul sewer until the necessary improvement works had been identified and undertaken.

6.10 On 20 July 2011, Thames Water revised its position and published a programmed timetable for undertaking the necessary sewerage upgrade works, with completion anticipated by September 2012. As a result, a negatively worded condition can now be imposed on any permission granted. This will prevent occupation of the new dwellings until the programmed off site sewerage improvement works have been completed. Whilst some objectors have queried the effectiveness of such conditions in preventing an exacerbation of the flooding problems, officers consider their use in the context of Thames Water's published programme of improvement works is appropriate and meets the tests for the validity of conditions as set out in circular 11/95.

7.0 **CONCLUSION**

7.1 The proposal to demolish the existing dwelling and erect three detached dwellings is considered to be acceptable. It will not harm the character of the area, and will not harm residential amenity, flood risk, or highway safety. The proposal, therefore, complies with relevant development plan policies.

8.0 **RECOMMENDATION**

8.1 **It is recommended that the decision to grant planning permission is delegated to the head of planning in consultation with the chairman of the planning committee subject to the completion of a legal agreement to secure financial contributions to offset the impact of the development on social and physical infrastructure and subject to the following conditions:**

1. **Time limit**
2. **Reserved matters**
3. **Prior to the first use or occupation of the new development, the vehicular access hereby approved and shown on approved drawing number 0828 010 shall be provided.**
4. **Provision of visibility splays**
5. **Car parking**
6. **Surface water and foul water drainage**
7. **Prior to the occupation or use of the development, surface water drainage works shall be carried out in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the local planning authority. Before the drainage scheme is submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in**

Annex F of PPS 25 (or any subsequent version), and the results of the assessment shall be submitted to the local planning authority. Where a sustainable drainage system is to be provided, the submitted scheme shall include the following:

- 1. information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site, and measures taken to prevent pollution of the receiving groundwater and/or surface watercourses;**
 - 2. a timetable for its implementation;**
 - 3. a management and maintenance plan for the lifetime of the development – i.e. arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of system throughout its lifetime.**
- 8. No dwelling hereby approved shall be occupied until the programmed off site works to the public sewerage network have been completed.**

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