

GFA/4905/6-X – Cover Construction Co Ltd
Demolition of existing house and construction of 9 houses with revised access
The Willow House, 18 Coxwell Road, Faringdon

1.0 **The Proposal**

- 1.1 Members may recall a previous outline application on this site for 9 houses (ref GFA/4905/4-X) which was presented to the Meeting on 31 August 2005. Members resolved to refuse the application, and the refusal was agreed on 27 September 2005. Details of that application are in **Appendix 1**. The applicant has lodged an appeal against the refusal, which is due to be heard by public inquiry on 18 October 2005.
- 1.2 This new application is in outline for the same number of houses using the same access but has been supplemented by additional information aimed at addressing the concerns expressed about the previous application. The differences between the previous proposal and the new one are:-
1. An acoustic fence, 1.8 m in height, is proposed alongside both neighbouring houses, Nos. 6 and 20 Coxwell Road.
 2. An “acoustic gate” is proposed in the fence alongside No 16 to allow the occupants to exercise their right of access from the driveway – details of this gate are in **Appendix 2**.
- 1.3 In addition, a noise report has been produced by an acoustic consultant. This uses continuous measurements taken between a Friday evening and Tuesday morning in February 2005 from a recording meter attached to the rear of No 20 Coxwell Road to establish the background noise level in the rear garden area. The report then applies predicted noise levels from national standards for cars using the proposed access, modified to take account of the presence of the proposed acoustic fence, to give predicted noise levels in the rear garden and inside each neighbouring house. A copy of this report is in **Appendix 3**.
- 1.4 This application comes to Committee due to objections being received from the Town Council and local residents.

2.0 **Planning History**

- 2.1 In addition to the previous application mentioned above, an application for the redevelopment of No 18 using an access from Elm Road was presented to Committee on 9 May 2005 (ref GFA/4905/5-X). Members resolved to delegate authority to grant planning permission to the Chief Executive in consultation with the Chair subject to the completion of a Section 106 Obligation for financial contributions. This application still awaits determination.

3.0 **Planning Policies**

- 3.1 Policies D1, D2 and D3 of the adopted Vale of White Horse Local Plan require all new development to be acceptable in terms of issues such as plot coverage, layout, relationship to nearby properties, overlooking, noise, and access. Policies DC1, DC5 and DC9 from the Second Deposit Draft Local Plan 2011 are similar.

4.0 **Consultations**

- 4.1 Faringdon Town Council – “Object for the following reasons:-
- The proposed access is too narrow – concern was also expressed regarding accessibility by emergency vehicles
 - Over-development of the site with an excessive number of houses which are out of character with the surrounding area

- The environmental impact of the site on its neighbours
- It is a backland development.”

4.2 Local Residents – 7 local households have written objecting to the application, and 2 have written to support the application. The grounds of objection are:-

- i) noise and disturbance from traffic using the access
- ii) increased traffic onto Coxwell Road
- iii) the proposed driveway is inadequate
- iv) the drawings appear inaccurate
- v) over-development of the site / out of keeping with the locality
- vi) the acoustic fence will block a right of way to No 16 Coxwell Road
- vii) the acoustic gate will allow noise to penetrate the garden
- viii) additional strain on local services
- ix) loss of security

4.3 County Engineer – no objection subject to conditions.

4.4 Assistant Director (Environmental Health) – no objection subject to conditions.

5.0 **Officer Comments**

5.1 When the previous application (GFA/4905/4-X) was considered at Committee, Members had no objection to the impact of the proposal on the character and appearance of the area or to the safety of the access. As the number of proposed dwellings and the proposed access are identical in this new application, Officers will consider only the issue of impact on traffic using the driveway on the amenities of Nos 16 and 20 Coxwell Road.

5.2 The applicants argue the acoustic fence will provide important protection to both adjacent properties. The occupiers of No 16 state they have a right of way from the drive to their property. This issue in itself is not material to the consideration of the planning application, and the applicants propose to provide an access via a proprietary “acoustic gate”. It is understood that this gate, if installed correctly, will provide a tight acoustic seal. Officers have no reason to assume it will not be installed correctly.

5.3 The applicant’s acoustic report shows that the average ambient noise level in the rear garden area of Nos 16 and 20 is approximately 50 dB during daylight hours, even on Sunday, due to vehicles passing on Coxwell Road. At night, the average drops to approximately 35 dB, although individual noise spikes of 55 dB or more do occur several times at night, again caused by passing vehicles.

5.4 Calculations have been made for cars from the proposed houses using the driveway with the acoustic fencing in place and travelling at 15 mph. It is argued that 15 mph is a reasonable speed to take given the low-speed design of the driveway. These calculations show average noise figures in the busiest hours of 25 dB in the rear gardens of Nos 16 and 20. This is well below the average ambient noise level. Noise levels inside the houses will be reduced – national standards state that even a part open window acts to reduce average noise levels inside by 15 dB. It is estimated an individual car using the driveway at night travelling at 15 mph would create a noise spike of 59 dB at the nearest first floor rear window in No 16, which is similar to the measured overnight noise spikes from the faster traffic on Coxwell Road.

5.5 Unlike No 16, No 20 has side facing first floor windows facing the driveway, which cannot be protected by the acoustic fence. The noise levels at these windows will be greater. The applicant owns No 20 and proposes to acoustically treat these windows. This can be controlled by condition (Condition 9 below).

5.6 The Assistant Director (Environmental Health) has examined the acoustic report and considers it reasonable and well-argued, and has no objection with its conclusions. In the face of this new evidence, Officers consider that an objection to the proposal on the grounds of noise from vehicles using the drive cannot be sustained. Although the refusal reason for the previous application included smell and other forms of disturbance in addition to noise, Officers consider that noise is the primary concern. Without an objection on noise grounds, Officers would not recommend refusal of the application.

6.0 **Recommendation**

6.1 *Permission subject to the following conditions:-*

1. *TL2 Time Limit - Outline Application*
2. *OL2 Standard Outline Condition (Excluding Access)*
3. *This planning permission is for no more than 9 dwellings*
4. *HY3 Access in accordance with Specified Plan*
5. *HY4 Access to Specification (3m) (Commencement of Development)*
6. *HY18 New Estate Roads*
7. *Prior to the commencement of development, details of the means of lighting on the driveway shall be submitted to, and approved in writing by, the District Planning Authority. The lighting shall be installed, and thereafter maintained, in accordance with the approved details.*
8. *Prior to the commencement of development, the acoustic fencing and acoustic gate shall be installed in accordance with details which shall have been first submitted to, and approved in writing by, the District Planning Authority. The fencing and gate shall be maintained in good repair at all times thereafter*
9. *Prior to the first occupation of the development, the existing first floor side facing windows in No 20 Coxwell Road shall be acoustically treated in accordance with a scheme that shall have been first submitted to, and approved in writing by, the District Planning Authority*