

APPLICATION NO.	P11/V2515
APPLICATION TYPE	FULL
REGISTERED	18 November 2011
PARISH	CUMNOR
WARD MEMBER(S)	Dudley Hoddinott, Judy Roberts, John Woodford
APPLICANT	Sovereign Housing Association
SITE	Songers Close Botley Oxford
PROPOSAL	Provision of car parking spaces for 14 vehicles
AMENDMENTS	16 October 2012
GRID REFERENCE	447520/205546
OFFICER	Stuart Walker

1.0 **INTRODUCTION**

1.1 This is a proposal to create car parking spaces for 14 vehicles on public amenity land within Songers Close. The land is owned by the district council. Unauthorised parking currently occurs along the grass amenity areas, and the proposal has been submitted by the housing association in an attempt to regularise the problem in the interests of visual and neighbour amenity.

1.2 The application comes to committee because Cumnor Parish Council objects to the proposal.

2.0 **PROPOSAL**

2.1 Songers Close is a road located on the south side of the Pinnocks Way estate. The proposal seeks to create 13 spaces around the turning head of the close, through the use of grasscrete blocks which enable grass to grow through the hardstanding. The plans have been amended to address objections from the arboricultural officer and the county highways officer.

2.2 A copy of the plans showing the location of the proposal and its design is **attached** at appendix 1. The superseded plans are **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Original submission

3.1 Cumnor Parish Council fully supports the proposal stating “the residents themselves adopted this as the most promising way of overcoming a serious local problem.”

3.2 County Engineer: As submitted the following information has not been provided for consideration:

- SUDS compliant Drainage Strategy for the proposed car parking spaces.
- Bays nos. 3, 4, 5 & 6 are affected by a gradient – these spaces must accord with OCC standards (1:12max.) and are likely to require some form of retaining structures. Details required for consideration.
- There are a number of trees that could be impacted by the works.
- There is a telegraph pole (TP) and street lighting column no.2 in the vicinity of the proposed works. It must be demonstrated that these are not likely to be impacted.
- Given the significant number of dropped kerbs the necessary works will need to be carried out via a S278 Agreement for multiple vehicle accesses.
- There is concern that the spaces may encourage parking beyond the proposed

parking spaces to further minimise distance to property curtilages; to reduce this risk some form of barriers (post & rail fencing for example) will need to be considered and submitted for consideration.

In light of the above the recommendation is for a Holding Objection until the additional information indicated above is submitted for consideration.

- 3.3 Arboricultural Officer: objection. “The proposed parking spaces are very close to the existing trees. The use of Grasscrete would cause a lot of root damage to our (VWHDC) trees due to the excavation needed to install it. How is it proposed to minimise or eradicate the potential damage? The open space and trees belong to us and the amount of damage caused to tree roots would be unacceptable.”

Amended plan responses

- 3.4 Cumnor Parish Council: objection. “The council approves of some aspects of the proposal, for example the use of grasscrete, but has deep reservations about number of aspects of it and therefore suggests refusal of the application. The proposal to provide 14 parking spaces is insufficient for the number of vehicles currently used by residents. In reality some of the properties have multiple occupancy and have up to four or more vehicles. Council shares the opposition of most residents of Songers Close to the installation of barriers which would prevent residents from parking in their front gardens, many of which have been made into driveways, which has been the custom for many years. The council suggests that the use of grasscrete be extended to provide additional parking. No barriers should be installed. Though many aspects of this scheme are to be welcomed, overall the scheme is flawed and would benefit from being reconsidered in consultation with residents. The council requests that the variety of views of the residents be taken into the overall consideration and that all parties should continue to be consulted.”

- 3.5 County Engineer: no objection. “I have considered this in light of my original comments on consultation, dated 21 November 2011, and comment as follows: In principle the information provided is considered acceptable, subject to appropriate conditions / informatives as follows:

- The applicant will need to enter into a s184/278 agreement for the necessary vehicle crossing/dropped kerb work on the highway to facilitate access the proposed car parking spaces. Contact Oxfordshire County Council Road Agreements Team.
- The use of grasscrete or similar for the car parking bays in accordance with the manufacturers requirements/specifications.
- Where there are trees and associated roots any digging to be in accordance with the associated best practice.
- The gradient of any car parking bay(s) will need to be minimised as far as possible.
- There are likely to be services (electricity/telephone etc.) in the verge area which will need to be established and appropriately mitigated for with the relevant consent(s). (Informative).
- The suggested fencing to minimise access beyond the proposed car parking must be considered robustly.”

- 3.6 Arboricultural Officer: “The principle of the proposed car parking spaces is OK. Where the bays are within the root protection areas of the existing trees then Geoweb/Cellweb or a similar material should be used – in fact it may be better to use this in all the bays. It is important that the area behind the bays is barriered off to prevent further root

damage to the existing trees.”

- 3.7 Two letters of objection have been received raising concerns over insufficient parking spaces to meet the needs of residents and the proposed barrier preventing access to residents’ properties.

4.0 RELEVANT PLANNING HISTORY

- 4.1 None

5.0 POLICY & GUIDANCE

- 5.1 Vale of White Horse Local Plan 2011 policies:

DC1 - Design
DC5 - Access
DC6 - Landscaping
DC9 - The impact of development on neighbouring uses

6.0 PLANNING CONSIDERATIONS

- 6.1 The main issues in this case are considered to be:
1) the impact of the proposal on the character and appearance of the area, and
2) highways issues
- 6.2 The original scheme, whilst fully supported by the parish council, was considered by officers to be unacceptable as several of the spaces would be very close to existing trees and their installation would have caused a lot of root damage to the detriment of local amenity. Furthermore the proposal was considered to be harmful to highway safety.
- 6.3 The scheme as amended has satisfactorily addressed the arboricultural officer and county engineer’s concerns (see their comments above). The parking spaces have been relocated in order to provide safe access onto the highway and, where spaces remain within root protection areas, their method of construction has been adapted to ensure tree roots are not damaged.
- 6.4 However, residents and the parish council have objected on the grounds of insufficient parking spaces and the inclusion of barriers preventing vehicle access to front gardens. The proposal seeks to alleviate the current parking problems and allocates one space per existing dwelling which, in planning terms, is acceptable. Furthermore, the county engineer has no objection on the grounds of insufficient parking. In respect of the barriers, both the county engineer and the arboricultural officer consider they are essential to ensure highway safety and the protection of trees from ground compaction. Despite the objections from residents, therefore, officers consider the scheme is acceptable only on this basis.
- 6.5 Whilst not material to the planning consideration of this application, members need to be aware of the following in respect of the district council’s ownership of the site. To date no formal access rights have been granted to residents to drive across the grassed amenity land to their properties. Furthermore, prescription rights are only acquired after 20 years through long use or enjoyment and at the time of writing no evidence has been provided by residents to the council to confirm such a right.
- 6.6 In response to this problem the council’s shared strategic property officer has made the following comments:

“I’m conscious the Vale Council was left with large areas of open space on estates and

these were not taken on by Vale Housing at the time of the stock transfer. I think there are probably quite a number of situations where cars are parked, occasionally or otherwise on open space and for my part this is quite difficult to police - especially when there is no income to offset the cost against. Putting up bollards or fences is a cost of course not just initially but long term maintenance also and it is not uncommon in these situations for people to remove them. Given where we are with budgets it concerns me that it could be a perpetual source of cost. The other approach would be to take action as residents have no rights to use the land for access (although some have claimed such rights exist by long use) but whether this would be effective is questionable.”

6.7 Notwithstanding these issues, based on its planning merits, officers consider there are no planning reasons to refuse permission. The concerns of the parish council and residents are largely civil matters and so cannot form the basis of reasons to withhold planning permission.

7.0 **CONCLUSION**

7.1 The proposal, as amended, will not detract from the character of the area and will not harm highway safety and, therefore, complies with the development plan.

8.0 **RECOMMENDATION**

8.1 **Planning permission subject to the following conditions:**

1 : TL1 - Time limit

2 : Planning condition listing the approved drawings

3 : HY6 - Access, parking & turning in accordance with plan

4 : LS4 - Tree protection

5 : Barrier details to be submitted

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