

APPLICATION NO.	P13/V1476/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	28.6.2013
PARISH	CUMNOR
WARD MEMBER(S)	Dudley Hoddinott Judy Roberts John Woodford
APPLICANT	I & O Ltd
SITE	136 Cumnor Hill Cumnor Oxford, OX2 9PH
PROPOSAL	Demolition of existing flats. Erection of 5 x 1 bed and 4 x 2 bed flats. Provision of 14 car parking spaces, refuse and recycling storage and cycle storage.
AMENDMENTS	None
GRID REFERENCE	447212/204505
OFFICER	Martin Deans

1.0 INTRODUCTION

- 1.1 At the planning committee meeting of 7 November 2012, members resolved to grant planning permission for an application at no.136 Cumnor Hill to demolish the existing house and to replace it with a building containing seven flats (ref P12/V1192/FUL). This new application seeks to change the planning permission from a new building of traditional design to one of contemporary design, and to increase the number of flats from seven to nine. The original committee report and minute is **attached** at appendix 1.
- 1.2 The application site is a detached two storey house on Cumnor Hill, near to the junction with Chawley Lane. A site location plan is **attached** at appendix 2. To the west of the site is a bungalow, no 6 Chawley Lane, and the parking area for the Saab motor dealership. To the east is another bungalow, no 134 Cumnor Hill. Local land levels fall down appreciably from west to east.
- 1.3 The application comes to committee because Cumnor Parish Council objects.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the existing house and replace it with a contemporary building comprised of three-storey, two-storey, and single storey elements, containing a total of nine flats. The application drawings are **attached** at appendix 3. Five of the flats would be two-bedroom, and four would be one-bedroom. Fourteen parking spaces would be provided in the front garden, together with covered cycle parking and bin storage.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 Cumnor Parish Council – Object for the reasons **attached** at appendix 4
- 3.2 Neighbours – Nine letters of objection have been received. The grounds of objection are as follows:-

The design of the building is out of keeping with the area.

The increased size means the mass of the building is too great and is inappropriate in a residential area

The building will lead to overshadowing of neighbours
There will be overlooking of neighbours
The proposal will cause local flooding and other drainage problems
The car parking is insufficient which will lead to parking on Cumnor Hill
A tree to be lost on the roadside frontage should be retained
The density is too high and will lead to excessive noise and other forms of disturbance to neighbours

3.3 Highways Liaison Officer (Oxfordshire County Council) - No objection subject to conditions

3.4 Drainage Engineer - No objection subject to conditions

3.5 Landscape Architect - No objection subject to details of works under the canopy of the mature tree on the adjacent Saab site

4.0 RELEVANT PLANNING HISTORY

4.1 [P12/V1192/FUL](#) - Approved (07/01/2013)

Demolition of existing building. Erection of 3 x 1 bed and 4 x 2 bed flats. Provision of 12 parking spaces, refuse store and cycle store. As amended by drawing number P02b, P03b, P04b & amended plans from applicant/agent dated 29/10/2012.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse Local Plan 2011 policies;

H10 - Development in the main settlements

DC1 - Design

DC5 - Access

DC9 - The Impact of Development on Neighbouring Uses

5.2 Adopted residential design guide (RDG), December 2009, section 4.5 development in lower density areas. This is **attached** at appendix 5.

5.3 Published in March 2012 the National Planning Policy Framework replaced all previous PPG's and PPS's, and is a material consideration in the determination of all planning applications. The core principle of the Framework is the presumption in favour of sustainable development, comprised of three mutually dependent dimensions – economic, social and environmental. Where relevant local plan policies are out of date, the Framework states (paragraph 14) that planning permission should be granted "... unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.."

5.4 Paragraph 49 of the Framework states that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." Paragraph 50 supports the delivery of sustainable, inclusive and mixed communities, while paragraph 53 deals with the issue of potential harm from inappropriate development on residential gardens. Paragraph 60 states that planning policies and decisions should not attempt to impose architectural style or particular tastes, and should not stifle innovation.

6.0 PLANNING CONSIDERATIONS

6.1 Due to the current lack of a five year supply of housing sites, the saved housing supply

policies of the adopted Vale of White Horse Local Plan 2011 have little weight and are replaced by the Framework and the presumption in favour of sustainable development. Paragraph 14 of the Framework states that, where local plan policies are out-of-date, planning applications should be permitted unless the adverse impacts “significantly and demonstrably” outweigh the benefits when assessed against the Framework as a whole. Cumnor Hill forms part of a contiguous suburb of Oxford and is one of the most sustainable locations for new housing in the Vale. When compared to many parts of the Vale residents here have the potential to access employment and services, and non-car modes of travel, in ways that promise greater conservation of energy than anywhere else. Consequently, new housing in this area strongly supports the principle of sustainable development.

6.2 These strong sustainability credentials have to be balanced against other material considerations, in particular the character and appearance of the locality. Cumnor Hill is recognised as a distinctive area of lower density housing in section 4.5 of the adopted RDG. This states that the established form and character of the area should provide the context for the layout and design of new development. Taking all these matters into account the main issues are:-

- The impact on the character and appearance of the area
- The impact on neighbours, including drainage
- Highway safety

6.3 In terms of the impact on the character and appearance of the area, a comparison has been made between the height, scale and space around the permitted scheme and those of the current proposal. The permitted scheme was designed to have a height and scale similar to that of an extended detached dwelling. The two schemes have a broadly similar general built form, with a main element lying to the front and a second element projecting out to the rear. In some areas the current proposal is larger or higher than the permitted scheme, whereas in others it is smaller or lower. The main difference is on the ground floor where the current proposal has a larger footprint, and on the east side, where the current proposal is approximately one metre further away from the boundary with no 134 Cumnor Hill than the permitted scheme.

6.4 When viewed from the public highway, the main impression of the scale of the building is derived from the appearance of the upper floors. Being flat-roofed, the proposed ground floor elements are largely screened by surrounding dwellings and by fencing, and are less visible. The comparison of the permitted scheme and the current proposal shows that the overall height and scale of both buildings is similar.

6.5 The current proposal is of a contemporary design, whereas the previous design was traditional. Committee will be aware of national advice about how to treat design and how decision-makers should avoid imposing individual tastes on design. The RDG also supports the use of good quality contemporary design and materials. The proposal is well articulated in terms of built form and the use of materials and is considered to be of good design quality.

6.6 The proposal includes a requirement for two more car parking spaces than those shown on the permitted scheme. There is an extensive hardstanding in the front garden of the existing flats which is well screened by the existing mature hedgerow and boundary treatment. The proposed parking area at the front will remain screened in the same way and it is considered the parking area will not harm the appearance and visual amenity of the area. There is a mature tree on the west boundary which is rooted in the adjacent site but whose canopy and root zone spread onto the application site. Two proposed car parking spaces are located under the canopy. Subject to a condition

requiring a methodology for the construction of these parking spaces it is considered there would be no damage to the tree's roots. Overall, in terms of design, height and scale of the proposed building, and the visual impact of the proposed car parking, the proposal is considered to have an acceptable impact on the character and appearance of the area.

6.7 With regard to the impact on neighbours. As with the permitted scheme the location of the proposed two storey flank wall relative to the rear garden of no. 6 Chawley Lane is similar to the existing two storey flank wall. However, a further important point is that there is a first floor window in the flank wall of the existing flats which overlooks the garden, and which will be removed as part of the proposal, a significant improvement in the amenity of the occupants of no. 6 Chawley Lane. The proposed building extends further back into the site than the existing one, but there is only one obscure glazed window in the side of no. 6 Chawley Lane so it is considered no harm will result from either overshadowing or over-dominance. There are side facing windows in the other neighbouring property, no.134 Cumnor Hill which are screened to some degree by existing boundary planting. When compared to the east elevation of the permitted scheme, the main east elevation of the proposal is one metre wider but is set one metre further away from the neighbour's windows. Given these factors the impact on these windows is considered to be acceptable. The side facing windows on the proposed building have been designed not to cause overlooking to neighbours. As in the permitted scheme first floor windows in the proposed rear elevation will be at least 20 metres from the boundary with the neighbour to the rear, no. 8 Chawley Lane. This distance is sufficient to avoid any harmful overlooking.

6.8 The final issue is access and parking. The existing access will be retained and the vision splays meet the necessary standard. 14 parking spaces are proposed which equates to one space for every one-bedroom flat and two spaces for every two-bedroom flat. Given the location of the site, which is in a highly sustainable area, this level of parking is considered to be acceptable. Covered cycle parking is proposed, which will provide encouragement for non-car modes of transport.

7.0 CONCLUSION

7.1 The proposal is considered to be acceptable in terms of impact on the character and appearance of the area. It is considered no harm to neighbours should arise, acceptable drainage can be achieved, and the proposed access and parking are acceptable. The proposal, therefore, complies with relevant policies of the adopted local plan, namely policies DC1, DC5, DC9 and DC14 of the adopted Vale of White Horse Local Plan 2011.

8.0 RECOMMENDATION

Planning Permission

1 : Commencement 3 yrs - Full Planning Permission

2 : Approved plans *

3 : HY6[!] - Access, Park. & Turn. in accord. Plan.

4 : HY7[!] - Car Parking (Full)

5 : LS4 - Tree Protection (Full)

6 : MC2 - Materials (Samples) (Full)

7 : MC29 - Sustainable Drainage Scheme (Full)

8 : RE7[!] - Bound.Details in Accord. with Spec.Plan

9 : RE17 - Slab Levels (Dwellings) (Full)

Author: Martin Deans
Contact number: 01235 540350
Email: martin.deans@southandvale.gov.uk