

APPLICATION NO.	P14/V0625/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	21.3.2014
PARISH	CUMNOR
WARD MEMBER(S)	Dudley Hoddinott; Judy Roberts; John Woodford
APPLICANT	Oxford Community Land Trust
SITE	Land accessed to the south and rear of 89A - 93 Eynsham Road Botley OXFORD, OX2 9DG
PROPOSAL	Erection of 2x2 bed flats, 2x1 bed flats and 2x studio flats. (Re-submission of withdrawn application P13/V2443/FUL)
AMENDMENTS	None
GRID REFERENCE	447567/205836

1.0 INTRODUCTION

- 1.1 The settlement of Botley is located west of the A34 and lies across the parishes of Cumnor and North Hinksey. Local facilities in the settlement comprise schools, halls, public houses, a shopping parade and centre, medical services, public library and local recreation and sports facilities.
- 1.2 The 0.069ha site lies to the south of Eynsham Road in Botley. It comprises an enclosed rectangular area of land in an uncultivated, unkempt condition. It is surrounded by residential garden areas to properties fronting Eynsham Road to the north and Pinnocks Way to the south. Access is provided from an unmade drive off Eynsham Road which serves a number of properties to both aforementioned roads for rear access and garaging.
- 1.3 A location plan is **attached** at appendix 1.

2.0 PROPOSAL

- 2.1 This is a detailed full submission to consider the proposed development of 6 dwelling units comprising 2 one-bedroom flats, 2 two-bedroom flats and 2 studio flats within a single building. The building is articulated to give a visual outward appearance of a pair of staggered semi-detached houses.
- 2.2 The proposed development would take vehicular access from Eynsham Road to the north as part of a shared driveway that serves some of the surrounding properties. The access drive enters the northern part of the site from the east. The layout shows the proposal with an area of car parking to the north and front of the building and an area of communal garden space projecting back 8m from the rear of the building to the south. The driveway is in the council's ownership and control but is not a public highway.
- 2.3 In support of the application the following documents have been submitted:
- Planning Statement
 - Statement of Community Consultation

The proposal is a small major development and has been publicised on this basis.

- 2.4 Extracts from the application plans are **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Cumnor Parish Council** – Strongly support

This is a highly innovative scheme which could act as a model for other affordable housing across the Vale. The applicants have done their homework. They undertook a Housing Needs Survey in late 2012, which demonstrated a manifest need for low-cost rented accommodation for local people of the sort that this project would provide. They backed this up with extensive consultation on their proposals, and adjusted the proposals in response to that consultation.

Immense thought has gone into making the development as sustainable as possible in terms of energy and water use, materials, waste, collective gardens and transport (to encourage walking, cycling and the use of public transport).

Council gave its full support to an earlier scheme in December 2013. That application was subsequently withdrawn and amended. Council again gives its full support to this revised scheme. Council believes that the scheme contains the sort of innovative thinking that we should all be supporting and progressing, and that it will fill an unmet housing need within the parish.

Council requests that the views of neighbours be taken into consideration

3.2 **Representations from local residents** – A total of 17 representations have been received at the time of writing this report, of which 8 object to the proposal and 9 support the scheme.

The objections are made on the following grounds:

- Access onto Eynsham Road not suitable for additional traffic
- Increased traffic leading to safety issues and road congestion
- Loss of amenity through overlooking of adjacent property
- Concern on safety and security of property and risk of trespass
- Harmful impact on character of this area
- Overdevelopment of site by 6 residential units
- Unsympathetic design and use of materials out of character with the locality
- Unacceptable servicing provision in back land location
- Concern on drainage issues and potential noise and disturbance

The supportive comments reflect the following views:

- Provides the range of small affordable dwellings needed in the area
- With no right to buy these Community Land Trust properties will always be available to provide affordable rented accommodation
- Eco-friendly sustainable development

3.3 **County Highways** - No objection subject to conditions and including securing a car club pool car facility on site for use by occupiers.

3.4 **Landscape** - Boundary treatments and landscape planting need to be considered together. The bike store should be covered and secure to encourage sustainable cycle use by occupiers. Parking surface should be removed from bowl of tree to north.

3.5 **Waste Management** – The access road is not suitable for a waste collection vehicle and it is too far away from the highway to walk to make the collection. The council will make a waste collection if the waste can be presented at the end of the private road at the junction with Eynsham Road. Applicant has indicated that private waste collection from the site will take place; this would need to be made clear to occupiers to avoid future

waste concerns.

- 3.6 Housing Services – The principle of the development for affordable housing is supported.
- 3.7 Environmental Health – No comment received on noise or air pollution issues – comment will be updated at committee.
- 3.8 Thames Valley Police Liaison Officer – No comment received – comment will be updated at committee.
- 3.9 Drainage Engineer - No comment received – comment will be updated at committee.
- 3.10 Thames Water - No comment received – comment will be updated at committee.
- 3.11 Architects Panel – Still concerned on span of building which could be reduced and accommodation provided within a steeper roof pitch. Design of building as terrace or a single block would avoid the uncomfortable step between the units. Materials to be used are acceptable.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P13/V2443/FUL](#) - Withdrawn (24/01/2014)
Erection of 2 two-bedroom maisonettes and 4 one-bedroom flats with access from Eynsham Road
- 4.2 [P13/V0968/PEM](#) – Pre-application advice offered (12/06/2013)
Erection of 3 affordable two-bed houses and 4 one-bed flats.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan**

The local plan was adopted in July 2006. The following relevant policies have been considered to be saved by the Secretary of State's decision of 1 July 2009 whilst the Core Strategy is being produced.

- 5.2 Policy GS1 of the adopted local plan provides a general location strategy to concentrate development within the five main settlements
- 5.3 Policy DC1 requires new development to be of a high design quality in terms of layout, scale, mass, height, detailing, materials to be used, and its relationship with adjoining buildings.
- 5.4 Policy DC5 requires safe and convenient access and parking and suitable access from the public highway.
- 5.5 Policy DC6 requires hard and soft landscaping to protect and enhance the visual amenities of the site and surroundings and to maximise nature conservation and wildlife habitat creation.
- 5.6 Policy DC9 seeks to ensure development will not unacceptably harm the amenities of neighbouring properties and the wider environment.
- 5.7 Policies DC13 and DC14 relate to the water environment and require flood risk identification, assessment, and appropriate mitigation; and to limit surface run-off of water

into the surrounding water system.

- 5.8 Policy H10 allows development in the five main settlements such as Botley subject to design, appropriate character, efficient use of land and no loss of open space
- 5.9 Policy H14 allows for the subdivision of properties to form additional dwellings subject to no harm to character, no harm to neighbouring amenities and dwellings to provide adequate living spaces both inside and outside.
- 5.10 Policy H15 seeks net residential density of development dependant on the location of the proposal, 50dpha close to main settlement centres, 40dpha within the five main settlements of Abingdon, Botley, Faringdon, Grove and Wantage,

Supplementary Planning Guidance (SPG)

- 5.11 **Residential Design Guide** – December 2009
Provides guidance on design and layout. Section 4.2 of the adopted Residential Design Guide (December 2009) states that the key factor in the sub-division of plots to provide one or more additional dwellings is that the site's context should dictate the approach for designing and laying out the new buildings.
- 5.12 **Sustainable Design and Construction** – December 2009
Code for Sustainable Homes guidance to achieve code level 3 and working to code level 4 by 2013.
- 5.13 **Open Space, Sport and Recreation Future Provision** – July 2008
Advice for the provision and maintenance requirements for open space areas.

Other Policy Documents

- 5.14 **National Planning Policy Framework (NPPF)** – March 2012
Paragraph 56 confirms that *“good design... should contribute positively to making places better for people.”* Paragraph 64 states: *“Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions”.*
- 5.15 Paragraph 59 of the NPPF states: *“Local planning authorities should...concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”.*
- 5.16 The NPPF also confirms the change made to the status of garden land in that gardens are no longer classified as “previously developed land”. While the change does not rule out the development of garden land, it is clearly intended to prevent harmful forms of development on garden sites and gives increased recognition to gardens as an environmental asset.

6.0 PLANNING CONSIDERATIONS

Policy Situation

- 6.1 At the heart of the new National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Within the context of the NPPF, planning permission should be granted where the development plan is absent, silent or relevant policies are out of date, unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF taken as a whole (para.14).

6.2 The current lack of a five year supply of housing sites in the district is due to the lack of delivery of new housing by developers rather than an under-supply of allocated housing land. This has primarily been caused by delays in progressing some major allocations due to the economic downturn and the delay in bringing forward the council's local plan.

6.3 Botley is one of the 5 main settlements within the district. The location of the residential site is sustainable as it is close to the range of services and facilities available within the area. The principle of the proposal is considered to be acceptable in policy and there is no policy objection against this proposal.

Site Specifics

6.4 The key issues in relation to the current application are whether the proposed separate building is acceptable in terms of the location, its positioning on the site, the design treatment, the impact of the building and the use on neighbour amenity, and highway access and safety concerns.

Visual impact - layout, design and appearance

6.5 Good design in layout is a key aspect of sustainable development and the NPPF is explicit in seeking a high quality outcome. The layout and arrangement of the development gives rise to a density of 87dpha (6 units on 0.069ha) which is significantly above the specifications of policy H15 of the local plan. In practical terms, the 6 dwelling units offer the physical appearance of a couple of semi-detached properties with suitable amenity and circulation space surrounding the building to be comparable to similar developments within urban environments.

6.6 Eynsham Road and Pinnocks Way lie in an area of Botley that consists of a variety of buildings, ranging from semi-detached / detached dwellings and mews courts with blocks of flat accommodation. In this context the back-land development does not have an adverse impact in terms of the appearance of the area and would generally be in keeping with nearby surrounding buildings. The proposal, whilst separate from other properties and without a road frontage boundary would reflect an acceptable style and form of building and therefore would not be harmful to the character of the locality.

6.7 The proposal retains and maintains the existing boundaries to the garden areas abutting the site. Additional landscaping to the boundaries would be needed to strengthen the landscaping screening to adjacent properties. This could be secured through a suitably worded landscape condition which is suggested. The indicated layout arrangement shows that adequate outdoor space is provided for the buildings setting and for the use of occupiers. Planning conditions can secure the retention of hedgerows and trees.

Access and parking arrangements

6.8 The site would be accessed off a private driveway that runs to the rear of 89A and 91 Eynsham Road and which also serves the rear of properties fronting Pinnocks Way. Pedestrian access to the site and routes to local facilities would be obtained along this route. The access is in existing use and would for highway safety require minor works to close off the eastern access lane of the Y-shaped access which could be retained for pedestrian use only.

6.9 The proposed vehicle parking arrangements are considered acceptable. The parking provision shown is for 5 spaces and a disabled space in a shared parking area fronting and north of the building. One of the spaces would be reserved for use by a car club which the applicants are willing to sign up to for at least a 10 year period. This would be secured through a legal agreement for the benefit of the occupiers of the proposed building as well as for other car club registered users within the local area. Given the

sustainable location of the site from Botley shopping centre and with high frequency local bus services the level of car parking is considered to be acceptable for the proposed 6 flats.

- 6.10 The layout also makes provision for a cycle storage rack to the entrance into the site from the shared driveway. The cycle store is shown to provide at least 6 spaces. Although not shown as part of the application, planning conditions can secure a covered and secure enclosure for the cycle store to ensure that this would be a practical and sustainable option for the occupiers of the proposed development.

Impact on neighbours residential amenity

- 6.11 The layout of the proposed residential development would not have any harmful impact on residential amenity of adjacent houses in terms of overshadowing, light pollution, over-dominance or loss of privacy. Properties along Pinnocks Way to the rear are at least 15m from the common boundary and 22.5m from the rear of the building. The first floor accommodation offers habitable rooms to the south (living rooms and a kitchen) which would look across the intervening garden areas of this site and neighbouring properties fronting Pinnocks Way. This has been of concern to some local residents and is appreciated, however this is not an unsatisfactory arrangement for flat developments adjacent to dwelling houses, and given the spatial separation of 22.5m or more, the arrangement is not considered to result in significant adverse harm to existing properties.

Waste Servicing arrangements

- 6.12 Recycle and refuse bin storage and collection point is shown within the site. This location is too remote from the public highway and the access drive too restricted to enable waste collection by the councils refuse and recycle collection vehicles. The applicant has indicated that a private waste collection service will be in place when the building is occupied. The alternative would have the wheelie bins moved by occupiers to the rear of the public highway, which is not ideal and unlikely to be a realistic option. Waste collection arrangements will need to be confirmed in a legal agreement for clarity for all parties concerned.

Drainage and flooding issues

- 6.13 Details of the drainage scheme will be conditioned.

7.0 CONCLUSION

- 7.1 The proposal would result in a sustainable development located within an established and clearly defined residential area; and within an existing settlement with close availability of services and facilities. The proposal in this back-land location would not be harmful to the character of the area, residential amenity or highway safety. The assessment is therefore that the scheme would be in general accordance with the requirements of the national planning policy framework (NPPF).

8.0 RECOMMENDATION

- 8.1 **It is recommended that the decision to grant outline planning permission be delegated to head of planning in consultation with the committee chairman subject to:**

- 1 **Completion of section 106 agreement to secure:**
- **car club provision arrangements on site**
 - **clarification of off-site facilities and services (waste collection)**
 - **off site highway works to junction (close off eastern arm)**

2 **The following conditions including, the requirements for receipt of a reserved matters application or a detailed scheme within six months and that scheme to be available for implementation within 18 months from the date of the outline permission to help address the immediate housing land shortfall:**

1 : Full timing

2 : Approved drawings

3 : Materials

4 : Shared TV ariels

5 : Slab level

6 : Boundary details

7 : Landscape scheme – submission and subsequent implementation

8 : Tree protection

9 : Access (inc closure of east access lane), parking and turning, cycle storage

10 : Sustainable Travel Information Pack shall be provided

11 : Drainage details (surface and foul)

12 : Sustainable urban drainage scheme

13 : Refuse storage facilities

Author / Officer: David Rothery - Major Applications Officer
Contact number: 01235 540349
Email address: david.rothery @southandvale.gov.uk