

APPLICATION NO.	P15/V0524/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	16.3.2015
PARISH	CUMNOR
WARD MEMBER(S)	Dudley Hoddinott Judy Roberts
APPLICANT	Mr WR Abbot
SITE	45 Cumnor Hill, Cumnor, OX2 9EY
PROPOSAL	Demolition of existing dwelling. Erection of replacement dwelling with garage and associated works, parking and landscaping.(as amended by the agents email dated 27 May 2015 and the following plans A105 P1, A106 P1, A107 P1, A109 P1, which show a reduction in the height of the proposed dwelling of 1.25m and a reduction in the depth by 1m and the removal of the window in the first floor side elevation facing 43 Cumnor Hill).
AMENDMENTS	None
OFFICER	Kayleigh Mansfield

SUMMARY

The application is referred to Planning Committee as Cumnor Parish Council object to the proposal.

The application seeks full planning permission to erect a replacement dwelling and demolish the existing dwelling on the site.

The application is recommended for approval as the design proposed could be erected on the site without causing harm to the character of the area, landscape of the amenities of neighbouring dwellings. It can be accessed safely and is in a sustainable location. As such, the proposal complies with the provisions of the development plan and the NPPF.

1.0 INTRODUCTION

- 1.1 The application relates to a 0.93 acre site fronting the East of Cumnor Hill. Development surrounding the site is predominantly residential and is characterised by mainly large, but varied plots and dwelling sizes. The site location plan is **attached** as Appendix 1.
- 1.2 Access to the existing dwelling is achieved directly from Cumnor Hill and parking is provided to south east of the dwelling.
- 1.3 The application site is sloped steeply down towards the highway and is bounded on all boundaries by mature vegetation. This is particularly true of the boundary fronting Cumnor Hill.
- 1.4 The application site was granted a Lawful Development Certificate in October 2013 (P13/V1943/LDE) for the use of the first floor of an existing outbuilding as a separate self-contained dwelling.

There are no other known planning restrictions or constraints applicable to this

1.5 application.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission to demolish the existing dwelling and erect a new dwelling within the existing residential curtilage

2.2 The new dwelling will be set forward of the existing dwelling and will be larger in size.

2.3 Access arrangements will remain unchanged and the intensity of this access will not be increased.

2.4 Amended plans were submitted, which reduced the ridge height by a metre and the removal of a side facing window.

2.5 Extracts from the application drawings are **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Cumnor Parish Council OBJECTION	<ul style="list-style-type: none"> • No objection to the principle. • New dwelling should be re-sited further back. • Should be more in-line with build line. • Drainage concerns – Surface water run-off and underground water flows. • Height and bulk not acceptable. • Impact on 43 and 49 Cumnor Hill. • Over-dominance, unacceptable overlooking, significant loss of privacy and loss of light.
OCC – Highways Engineer NO OBJECTION	Subject to the following conditions and informative: <ul style="list-style-type: none"> • Car parking spaces to be shown on plan. • No drainage to the Highway. • No mud on Highway informative.
VoWH – Drainage Engineer NO OBJECTION	Subject to the following condition: <ul style="list-style-type: none"> • Submission of a sustainable drainage scheme for foul and surface water.
VoWH – Tree Officer NO OBJECTION	
Neighbour x 21 OBJECTIONS	<ul style="list-style-type: none"> • Demolition of existing dwelling is unnecessary. • Too much development in Cumnor Hill. • Replacement dwellings always bigger. • Mass, dominance and visual intrusion on adjacent neighbours. • Three storeys out of keeping with the area. • Harmful to character of the area. • Plot division suggests further development in the rear garden. • Contrary to Design Guide – Scale, form and massing. • Previous refusal in 2006 by virtue of height. • Measurement not provided on plan • Contrary to build line along Cumnor Hill. • Harmful to the character and appearance of Cumnor Hill. • Lack of slab level plans • Location of carport
Thames Water Development Control NO OBJECTION	Subject to informative regarding surface water drainage
Architects Panel	Roof massing un-necessarily bulky and detailing not

OBJECTION	considered. Opportunity for more contemporary dwelling on the site. If a more traditional design is preferred it should be carried forward with attention to detail.
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4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/V1811/PEM](#) - Other Outcome (29/09/2014)-

Demolition of existing 45 and 45a and replacement with two new family homes.

4.2 [P13/V1943/LDE](#) - Approved (30/10/2013)

Certificate of lawfulness for existing use of the first floor of the building as separate self-contained dwelling.

5.0 **POLICY & GUIDANCE**

5.1 The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009

- 5.2 DC1 - Design
DC5 - Access
DC6 - Landscaping
DC9 - The Impact of Development on Neighbouring Uses
DC14 - Flood Risk and Water Run-off
GS1 - Developments in Existing Settlements

5.3 **Supplementary Planning Guidance**

- Design Guide – March 2015

5.4 **National Planning Policy Framework (NPPF) – March 2012**

5.5 **National Planning Practice Guidance 2014 (NPPG)**

5.6 **Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Equality Act 2010
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)

5.7 **Human Rights Act**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

5.8 **Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010

6.0 **PLANNING CONSIDERATIONS**

6.1 The applicable material planning considerations in the determination of this application are whether the development of this proposal will result in:

1. A high quality design which positively contributes to the character of the area
2. Unacceptable harm to the amenity of adjacent neighbours

3. Severe harm to highway safety

6.2 **Design**

Local Plan Policy DC1 ensures that the scale, mass, height and layout of the development and the materials used do not harm the character and appearance of its surroundings and that wherever possible new development will enhance the local area.

6.3 The existing dwelling is of buff brick with concrete roof tiles and the materials proposed are to be a mixture of brick, render, timber board, and clay tiles for the roof. The new dwelling will be larger than the existing, increasing the height to provide attic space. Other works include a detached garage.

6.4 The dwellings on the side of Cumnor Hill facing North West are on much more of an elevated ground level. However properties along this side of Cumnor Hill are heavily screened by mature vegetation and cannot be viewed from the street scene.

6.5 The immediate area of Cumnor Hill is of varied architectural styles, typically of two storeys and materials used match those proposed for the replacement dwelling. The increase in height is acknowledged, however due to repositioning further down the sloped site, it is not considered this increase will cause significantly greater harm to area.

6.6 The existing dwelling is presently sited approx. 55.0 metres from the Highway and the proposed relocation of the dwelling will be distanced approx. 32.0 metres. Dwellings along this side of Cumnor Hill are distanced anywhere between approx. 29.0 to 55.0 metres.

6.7 There appears to be two separate build patterns either side of the application site as demonstrated in Drawing Number –A104 of the application. The new location of the 45a is a continuation of the build line North East of the site and 45b a continuation of the building line South West of the site.

6.8 Overall the proposal demonstrates an acceptable design incorporating features found locally such as traditional dormers and timber boarding, and is therefore considered acceptable in this varied context. The proposed scale, mass, height, layout and materials used are therefore considered to respond well to the characteristics of the area and the proposal can be developed without causing harm to the locality.

6.9 Whilst the architect's panel have stated a preference for a more contemporary approach, it is not considered by officers that the current approach could be refused in this varied location and given the screened nature of the site. Refusal on design grounds could not therefore be justified.

Residential Amenity

6.10 Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Protecting amenity is a core principle of the NPPF. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.

6.11 Given the position and orientation of the proposed development, it is not considered in the officers' opinion that the proposal will have an adverse impact on the residential amenities of neighbouring properties in terms of sunlight, daylight, dominance and overlooking.

- 6.12 Furthermore amended drawings have been submitted to reduce its impact and address neighbour objections. All habitable windows in the proposed dwelling are in excess of 21.0 metres from neighbouring habitable windows therefore the proposal meets the requirements of the adopted Design Guide. The proposal is considered to have an acceptable relationship with neighbouring properties.

Highway Considerations

- 6.13 Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 6.14 Paragraph 32 of the NPPF advises that development should only be refused on transport grounds where the impact on the highway network is “severe”. The vehicle movements associated with this development are not (which only consists of one single dwelling) are considered to be negligible. The existing access is suitable for the new dwelling.

- 6.15 The highways officer has no objections, due to the established principle of a access and development in this part of the site. Reasonable and relevant conditions have been applied to this application to mitigate concerns regarding highway safety.

Drainage

- 6.16 Concerns have been raised by neighbours relating to drainage. In order to ensure that the proposed drainage connection would not have an adverse impact on the surroundings, an appropriate condition will be imposed to require full details of sustainable foul and surface water drainage to be submitted and approved in writing by the local planning authority, prior to development commencing. No objections have been received from the Council drainage engineer subject to conditions.

8.0 CONCLUSION

- 8.1 The proposed development will not adversely harm the visual amenity of the area, or the amenities of neighbouring properties. It can be accessed safely, and is in a sustainable location. As such, the proposal complies with the provisions of the Development Plan in particular with policies DC1, DC5, DC9, and GS1 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

9.0 RECOMMENDATION

It is recommended that planning permission is granted subject to the following conditions:

- 1. Three year commencement date.**
- 2. Development to accord with approved plans.**
- 3. Submission of materials – details.**
- 4. Submission of detail: car parking.**
- 5. Submission of detail: slab levels.**
- 6. Submission of detail: sustainable drainage scheme.**
- 7. No drainage to highway.**
- 8. Landscaping protection.**