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<b>APPLICATION NO.</b>	<a href="#">P15/V1671/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	24.7.2015
<b>PARISH</b>	CUMNOR
<b>WARD MEMBER(S)</b>	Dudley Hoddinott Judy Roberts
<b>APPLICANT</b>	Frontier Estates Ltd, Hamberle
<b>SITE</b>	Chawley Park & 195/195A Cumnor Hill, Oxford, OX2 9GG
<b>PROPOSAL</b>	70 bed care home, associated car parking, external works and landscaping (as amended by plans; planning statement addendum; arboricultural method statement; Flood Risk Assessment and contamination report received 20th November 2015.) (bat mitigation plan received 3 December 2015.) (as amended by plans received 7 January 2016 for minor design changes)
<b>AMENDMENTS</b>	Yes
<b>GRID REFERENCE</b>	447117/204345
<b>OFFICER</b>	Sarah Green

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#### SUMMARY

- This application is referred to planning committee due to objections from the parish council and local residents
- The application is for full planning permission for a 70 bed residential care home with 24 hours on site nursing and dementia care, and associated facilities. The building would be three storey, two storey and single storey. Access to the site would use the existing access to no.195, widened to allow two cars to pass. 24 car parking spaces would be provided as well as an ambulance space and cycle parking on site.
- The main objections to the scheme relate to: design and scale; out of keeping with character of area; noise from deliveries and staff; incapacity of drainage system; increase in traffic; lack of parking; existing medical centre under strain; already enough care homes in areas.
- As set out in the report, the design and impact of the development on the character of the area has been assessed by the council's urban design officer, landscape officer, and forestry officer. The resultant design is considered to be acceptable.
- Further to the amended information that was submitted, there are no objections from the highway officer, drainage engineer, environmental health officer, countryside officer or forestry officer.
- The application is recommended for approval.

#### 1.0 INTRODUCTION

- 1.1 This application is referred to planning committee due to objections from the parish council and local residents.

- 1.2 The site is located towards the top of Cumnor Hill. A location plan is **attached** at Appendix 1. The site is approximately 0.5ha and includes the residential property and curtilage of 195 Cumnor Hill and approx. 0.25ha of Chawley Park Business Park which is allocated for B1 employment use. Currently the two sites are separated by a large conifer hedge.
- 1.3 Opposite and to the west of the site are residential properties which are two storey and detached in nature. To the east is Chawley Park Business Park with car showrooms located in front along the road frontage. To the south is open countryside and the Oxford Green Belt.
- 1.4 Planning permission has recently been granted for residential development behind No 197 adjacent to the site. Two new dwellings will therefore be sited along the western boundary of the site.

## 2.0 PROPOSAL

- 2.1 The application seeks full planning permission for a 70 bed residential care home with 24 hours on site nursing and dementia care, and associated facilities. Access to the site would use the existing access to No 195, widened to allow two cars to pass. 24 car parking spaces would be provided as well as an ambulance space and cycle parking on site.
- 2.2 The building would essentially comprise of a main spine sited to the eastern side of the site with a wing to the west. The front core of the building would contain the operational elements such as office, kitchen, and laundry, with the bedrooms in the rear sections and west wing, looking over the garden/outside space.
- 2.3 The original plans proposed all of the building to be three storeys, with a pitched roof. It included a large stair tower to the front and the building to be mainly brick with render to the third floor and cladding panels.
- 2.4 Following consultation and representations to that original scheme, a set of amended plans and documents have been submitted. These include an updated arboriculture method statement, amended flood risk assessment (FRA), amended contamination report, an addendum to the planning statement and plans.
- 2.5 The proposal has been amended to reduce the size of the building and alter its design, as well as changes to the site layout. These include:
- the main ridge height of the three storey spine would be 10.5m, with the central mono pitch roof element at 10.9m. This has been reduced from 11.5m in the original scheme. The western wing has been reduced to two storeys, reducing its height from 11.4m to 7.6m.
  - the front elevation has been redesigned and reduced to remove the stair tower and has been pushed back in line with No 197. The single storey element to the side of reception has been reduced and is now further away from No 197.
  - the whole building has also been moved further east and south on the site. It is now approximately three metres further away from the boundary with No 197 and approximately two metres further south.
  - the overall design is more contemporary in style with the use of mono pitch and flat roof forms. The use of materials has been altered to reflect the vertical elements of the buildings and would use a palette of natural colours
  - the reduction in the front of the building has allowed the car parking to be moved back into the site more, enabling a deeper landscaping boundary along the frontage. A deeper landscaping edge has also been provided to the eastern side of the car park to allow for more substantial planting to be established on

this boundary. Planting has also been incorporated within the parking area to soften and break up the area.

- increased landscaping is also proposed along the western boundary and in the garden area.
- Addition of PV panels to the roof

2.6 A further set of minor design changes to the amended plans have been made, following comments from the urban design officer, which include:

- Increasing the height of the front entrance by 0.2m
- Addition of small windows to the rear elevation of the three storey spine overlooking the countryside to the south
- Changing the balconies from solid wall to obscured glass panels
- Reducing the amount of glass to the western elevation of the two storey wing
- Removing the brick band around the ground floor
- Removing the close boarded fencing to the boundary with Chawley Park.

2.7 Extracts of the plans are **attached** at Appendix 2. The full plans can be viewed on the council's website.

### 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

3.1	Cumnor Parish Council	<p><i>Original plans:</i> Objection. Parish not consulted at pre-app stage; doesn't accord with policy DC9; overprovision of this type of development in Cumnor parish; cannot reclassify site to B1; doesn't meet design guide; massive and intrusive; will be clearly visible across open landscape; loss of privacy and intrusiveness to No 197; light pollution; concerned whether any care home could be made safe in event of fire; concerns over access; loss of trees totally unacceptable; concerns on drainage; essential adequate medical cover is in place before permission</p> <p><i>Amended plans:</i> Objection. "The amendment addresses some changes to the original planning application but does not address any of the concerns or matters raised by Council or the local community. Council's previous comments submitted still stand"</p>
	Oxfordshire County Council	<p><u>Transport</u> No objection subject to conditions and S106 agreement for travel planning monitoring of £1240</p> <p><u>Archaeology</u> No objections</p> <p><u>Property</u> Request £5950 contribution to Botley Library and administration and monitoring</p>
	Thames Water	No objection subject to conditions, including a Grampian condition requiring drainage strategy and on/off site works to be

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	completed and . Suggest piling method statement condition to prevent damage to subsurface water infrastructure
Drainage Engineer	Original holding objection removed subject to conditions.
Health & Housing - Contaminated Land	No objection subject to conditons
Health & Housing - Environmental Protection Team	No objections
Countryside Officer	No objection subject to bat mitigation condition
Landscape Architect (Vale of White Horse)	No objection subject to conditions
Forestry Team (Vale of White Horse)	No objection subject to conditions
Architects Panel	<p><i>Original plans:</i> Required more information – three storeys only viable against existing commercial development with two storey to south west.</p> <p><i>Amended plans:</i> Noted improvements but concerns with proximity to offices; close boarded fencing should be replaced by mesh fence within hedge; entrance has improved; balconies seem heavy; elevational treatment has been improved.</p>
Urban Design Officer (South Oxfordshire & Vale of White Horse)	<p><i>Amended plans:</i> Main entrance more obvious, glazing also create a more active frontage. Prominance could be improved still by widen and raising the roof; proposed natural colour render work well within garden setting; proposed balconies should be clear or frosted glass; need to assess impact of PV panels on long distance views; boundary treatment should not be timber fencing.</p>
Nicola Blackwood MP	On behalf of constituent – would like consideration of points raised. These include timing of application; location of development; size of scheme; overlooking of next door house
Councillor Dudley Hoddinott Local ward member	<p><i>Original plans</i> Objection based on: overdominance; design; foul drainage; surface water and flooding</p> <p><i>Amendment</i> Even though number of modifications still object on: Overdominance; parking; foul drainage; medical cover</p>
Councillor Judy Roberts	<p><i>Original plans</i> Aplication title is misleading; fully concur with drainage</p>

Local ward member	<p>engineers; only half of site is brownfield, the remaining 50% is residential; overdominant and three storeys are out of keeping with the area; causes loss of privacy to 197, Cumnor Hill. 24/7 organisation which will make visual intrusion, noise and external lighting unacceptable in a residential area; insufficient parking provision; will place strain on GP service already at full capacity,</p> <p><i>Amendment</i> “Amendments to these plans have been positive in some respects. They have taken into account the bat survey, the architects panel's brief comments and the VWHDC's Landscape Architect thinks that this proposal will only have "limited impact " on the view from the green belt. This opinion is not shared by Oxford Green Belt Network, myself or the local residents.” Same objections as before</p>
Oxford Green Belt Network	<p>Express concern. On edge of Green Belt and believe on account of its bulk and height, proposed building will be over prominent in views from the Green Belt. Believe scale and design would be harmful to visual amenities which Green belt is intended to protect</p>
Neighbour Objections	<p><i>Original plans – 33 responses</i> <i>Design and character</i></p> <ul style="list-style-type: none"> <li>• Height and bulk dwarf houses</li> <li>• In contrast to other buildings in area front and sides will have large expanses of glazing</li> <li>• Appearance of large office building</li> <li>• Sheer size and design of building. Three storeys will dominate this part of Cumnor Hill</li> <li>• Design not sympathetic to area</li> <li>• Overdevelopment of site, overdominance and visual intrusion</li> <li>• Contrary to design guide, NPPF. Adopted planning policies</li> <li>• Mass of single building is out of keeping with both commercial and residential</li> <li>• Inadequate screening to Cumnor Hill and green belt</li> <li>• Whilst does make sense to use site for a care home, proposal is on too large scale for area.</li> <li>• Completely change public appearance of area</li> <li>• Comparison to existing office buildings is irrelevant, these are set back</li> <li>• Loss of green space and habitat</li> <li>• Transform residential land into a car park at front, changing nature and landscaping of Cumnor Hill</li> <li>• Loss of trees and soft landscaping will significantly undermine the character of the area.</li> <li>• Adversely affect openness and setting of Green Belt</li> </ul> <p><i>Amenity</i></p> <ul style="list-style-type: none"> <li>• Overlook, overshadow No 197 and garden</li> <li>• Houses opposite will feel over-powered</li> </ul>

	<ul style="list-style-type: none"> <li>• Noise from deliveries, staff early in morning and late at night</li> <li>• 24hr operation is out of keeping with other businesses in area</li> <li>• Inconvenience, noise, disturbance, dust and dirt whilst major building works carried out</li> <li>• Advised will be a mental health care home, in an area with families is not probably appropriate.</li> <li>• Residents and staff will be able to look into properties opposite adding to loss of privacy</li> <li>• Building and car park will be lit throughout night, will have negative and intrusive</li> </ul> <p><i>Drainage</i></p> <ul style="list-style-type: none"> <li>• Incapability of current drainage system</li> <li>• Current grassed areas on site allow rainwater to seep away. Heavy rain water overflows to properties opposite.</li> <li>• Strain on water supply and sewage system</li> </ul> <p><i>Traffic</i></p> <ul style="list-style-type: none"> <li>• Increase in traffic will add to the considerable traffic accessing the offices at Chawley Park</li> <li>• Parking requirements cannot be precisely predicted before residents settled. Will be overflow parking on street</li> <li>• Widening access – increase in traffic volume and mix of vehicles will restrict access to property opposite, increase risk of accidents</li> <li>• Already congested residential area</li> <li>• Speed limit in area must be reduced before any further planning applications permitted</li> <li>• Any on street parking will pose additional dangers.</li> <li>• Pose significant additional hazard to road users, bus passengers and pedestrians</li> <li>• Current problems experienced with contractor vehicles parking on Cumnor Hill</li> </ul> <p><i>Other</i></p> <ul style="list-style-type: none"> <li>• Botley Medical centre under great strain.</li> <li>• Wrong address on application</li> <li>• Should not demolish much needed dwelling</li> <li>• Already enough care homes in Cumnor Hill and Cumnor</li> <li>• Proposal quite distant from local shops and facilities</li> <li>• Should be using land to provide more affordable housing for local people where the real need is.</li> <li>• Would reduce number of residential dwellings and re-zone residential property to B1 use</li> </ul> <p><i>Amended plans – 20 responses</i></p> <p>A number of the responses raised the same issues as for the original plans.</p> <ul style="list-style-type: none"> <li>• Only minor cosmetic changes to original building</li> <li>• Scale and mass unacceptable for residential area</li> <li>• Dominant street scene</li> </ul>
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	<ul style="list-style-type: none"> <li>• Still essentially the same, large building, encroaching on residential area, change of use</li> <li>• Out of keeping with character of Cumnor Hill</li> <li>• Not in line with design guide</li> <li>• Plans even longer than original</li> <li>• Entrance range dominant and totally disproportionate feature</li> <li>• Eyesore clearly visible from the green belt land</li> <li>• North facing bedroom at first floor of west wing will look directly into back bedroom 11m away</li> <li>• Damage amenity of neighbours – noise, light, dust, smell</li> <li>• Drainage issues not been resolved</li> <li>• Dramatic increase in noise, smell, light and traffic are unacceptable in area specifically characterised as low density</li> <li>• Number of parking spaces inadequate</li> <li>• Deleterious change from residential land use.</li> <li>• Unfair to household next to proposed development as would significantly devalue these houses</li> <li>• Plans do not take on board comments by residents or parish council. Totally ignore main objections to plan</li> <li>• No need for another care home in this area</li> <li>• Precedent for future development</li> </ul>
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#### 4.0 **RELEVANT PLANNING HISTORY**

##### 4.1 [P12/V2402/EX](#) - Approved (09/01/2013)

Application to extend the time limit of planning permission P09/V2159/EX, for the erection of a two storey office unit.

##### [P09/V2159/EX](#) - Approved (21/01/2010)

Extending the time limit of planning permission CUM/19859/1-X, for the erection of a two storey office unit.

##### [P07/V1678/RM](#) - Approved (29/11/2007)

Approval of reserved matters for approved application CUM/19859/1-X for the erection of a two storey office unit.

##### [P07/V0243/O](#) - Approved (17/05/2007)

Erection of 3,437 sq metres (37,000 sq ft) of office accommodation with associated cycle and car parking. (Re-submission)

##### [P06/V1799/O](#) - Withdrawn (13/02/2007)

Erection of 3,437 sq metres (37,000 sq ft) of office accommodation with associated cycle and car parking.

##### [P05/V1685](#) - Approved (10/04/2006)

Alterations and raising of roof on existing dwelling.

##### [P05/V0797](#) - Approved (30/08/2005)

Demolish existing garage and accommodation over. Erection of a two storey front and side extension.

##### [P04/V1416](#) - Refused (14/10/2004)

Demolition of existing garage and annexe. Erection of front, rear and side extensions and re-roofing of new and existing dwelling.

**5.0 POLICY & GUIDANCE**

**5.1 Vale of White Horse District Council Local Plan 2011**

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.

CF2 - Provision of New Community Services and Facilities

DC1 - Design

DC5 - Access

DC6 - Landscaping

DC7 - Waste Collection and Recycling

DC8 - The Provision of Infrastructure and Services

DC9 - The Impact of Development on Neighbouring Uses

DC10 – Effect of neighbouring or previous uses on new development

GS1 - Developments in Existing Settlements

GS3 – Green Belt

NE7 – North Corallian Ridge Landscape Area

H10 - Development in the Five Main Settlements

**5.2 Emerging Local Plan 2031 – Part 1**

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

Core Policy 1 Presumption in favour of sustainable development

Core Policy 2 Co-operation on unmet housing need for Oxfordshire

Core Policy 3 Settlement hierarchy

Core Policy 4 Meeting our housing needs

Core Policy 7 Providing supporting infrastructure and services

Core Policy 8 Spatial Strategy for Abingdon & Oxford Fringe sub-area

Core Policy 26 Accommodating current and future needs of the ageing population

Core Policy 29 Change of use of existing employment land and premises

Core Policy 33 Promoting sustainable transport and accessibility

Core Policy 35 Promoting public transport, cycling and walking

Core Policy 37 Design and local distinctiveness

Core Policy 42 Flood risk

Core Policy 43 Natural resources

Core Policy 44 Landscape

Core Policy 46 Conservation and improvement of biodiversity

**5.3 Supplementary Planning Guidance**

- Design Guide – March 2015
- Sustainable Design and Construction – December 2009
- Flood Maps and Flood Risk – July 2006

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

The relevant sections are referred to in section 6 below.

**5.5 Planning Practice Guidance 2014 (PPG)**



**5.6 Neighbourhood Plan**

The council has not received a request for a Neighbourhood Planning Designation Area for this area.

**5.7 Environmental Impact**

A request for a screening opinion was received by the council in February 2015 as the site is just over 0.5ha in size. Taking into account government guidance on thresholds in paragraph 58 of the NPPG and having considered the potential for significant effects of the proposal in accordance with Schedule 3 of the Regulations, it was decided that in this case this proposal is not EIA development.

**5.8 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)

**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.

**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 relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Design and Layout
3. Wider Landscape and Green Belt
4. Residential Amenity
5. Traffic, Parking and Highway Safety
6. Flood Risk and Surface/Foul Drainage
7. Contamination
8. Ecology
9. Section 106 contributions

**6.2 Principle of development**

*Loss of employment*

Part of the application falls within an employment allocation site in the adopted local plan 2011 under policy E2 known as Chawley Park. Part of Chawley Park has been developed with the Timbmet office building. Policies E10 and E11 of the adopted local plan seek to protect employment land at certain key business sites and rural sites in the district. However these protection policies do not apply to Chawley Park.

**6.3** The NPPF at paragraph 22 states “Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose....where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

- 6.4 The application is supported by a letter and marketing material from VSL who have been marketing Chawley Park since February 2011. They also believe another agent had previously marketed the site before that. They state they have had very little interest in the site. They consider there are two reasons for this; firstly there has been a surplus of office accommodation in the Oxford area and, secondly, the location is not attractive for commercial occupiers.
- 6.5 Therefore with this evidence of lack of interest in the allocated employment site, officers consider that other uses should be considered on their planning merits, in accordance with the NPPF.
- 6.6 *Principle of care home*  
Paragraph 50 of the NPPF sets out that councils should deliver a wide choice of high quality homes. This should include a mix of housing based on demographic trends, market trends and the needs of different groups in the community, including older people.
- 6.7 An existing shortfall in provision of such care facilities in the district was identified in the public health strategy for Oxfordshire 2007 – 2012. The emerging local plan sets out that the district has an ageing population and that the age group 65+ is projected to increase by 58% between 2010 and 2030, to represent 26% of the district's total population by 2030.
- 6.8 The provision of a Class C2 residential use care home would help towards the shortfall in such facilities and contribute to a mix of types of accommodation in the district. The care home would also provide employment for a range of staff. The applicants predict this will be in excess of 70 jobs. Overall therefore the proposal is considered to be acceptable in principle.
- 6.9 **Design and Layout**  
The NPPF gives considerable weight to good design and acknowledges it is a key component of sustainable development. However it also states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation. Development should look to reflect their surroundings and developments in the vicinity.
- 6.10 A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, and DC9). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district. The guide refers to principles and to the general character of areas. At section 6.1 it refers to the general character of lower density areas such as Cumnor Hill being characterised by residential properties set in relatively large, often well landscaped grounds. The majority of the objections relate to the design of the proposal and that the building is out of scale and not in keeping with existing built form on Cumnor Hill.
- 6.11 The site is a corner site between commercial uses and residential uses. The car showrooms along the frontage are relatively large buildings of approx. 5.8m in height and between 35-48m in width across the frontage. Behind these are office buildings including the Timbmet office building which is two storeys and situated on higher ground behind the frontage development. To the west is the residential property of no.197, behind which a small development of houses has been recently permitted. There is development in depth in the vicinity. Opposite the site are residential properties situated in much smaller plots to the ones on the southern side of the road.

6.12 *Layout*

Section 5.2 of the design guide states “Corner sites are often visually prominent and buildings should therefore be specifically designed for these sites. Corner sites may provide an opportunity to accommodate non-residential uses, to aid legibility of a place or to contribute to its character through distinctive designs or increased building height.”

- 6.13 It is acknowledged that the proposed building is relatively large and its size is in part dictated by its use and operational requirements. As now proposed the higher parts of the building are closer to the commercial buildings adjacent and the lower two storey and single storey elements are nearer to the adjacent houses. The proposed building has been set back into the site so that its front elevation is 33m from Cumnor Hill. This allows for the deep landscape boundary at the frontage which will screen the parking and lessen the impact of the building from the frontage. The overall footprint would be 1493sqm which represents 28% of the site area.

- 6.14 Design guide principle DG77 encourages the retention of landscaping where possible and the use of new landscaping to help establish new development in its surroundings. The existing hedge along the front of the site will be kept except where the access is to be widened. The removal of the existing boundary vegetation on the corner of the site with Cumnor Hill and the Chawley Park entrance will open up this corner of the site to views. To counter this the proposed planting scheme includes new boundary vegetation and tree planting here. The forestry officer is satisfied that there is now enough space available on this boundary to accommodate trees of a sufficient size to help soften the impact of the development, and provide depth to the vegetation. The details can be controlled by a landscaping condition

- 6.15 The shape of the building allows for the main living areas/rooms of the home to face south and over the garden areas. The main operational areas of the home, such as kitchens, offices are located at the front and northern side of the building. Significant new landscaping would be incorporated along the western boundary with the residential dwellings and within the car parking, to soften the built form and help assimilate the building within a landscaped setting. The applicants argue that any external lighting will be low key, with low level lighting to the car park. The details of the lighting can be agreed by condition to ensure an appropriate level of illumination for the area.

6.16 *Built form and detailing*

Principle DG79 of the design guide states that “Larger footprint buildings can often appear bulky and should be broken down to create a number of simple geometric forms.” The amendments have reduced the scale of the building. The overall height of the building would be 10.5m, with the central mono-pitch element at 10.9m. The total length of the building would be 73m however the elevations have been broken up to provide articulation and visually reduce the mass of the building. The front and rear parts of the building are off-set by three metres, providing a visual break, and the roof form has been broken up to reduce the bulky appearance of the building. The use of two storey and single storey parts also help to break down the bulk of the building. The rear part of the building is set into the rising slope of the land such that its height would be 3.3m lower than the adjacent office building.

- 6.17 The two storey wing would be set beyond the rear of no.197 and would be 7.6m in height. By comparison no.197 is 8.5m in height and the two approved dwellings behind will be 7.4m and 7.8m. Allowing for the change in levels between the sites, the proposed wing would be 0.5m lower than no.197. This element of the building is therefore proportional to the residential properties in terms of height. The siting of the front of the building over to the eastern side of the site means the three storey part will be 29m from the side elevation of no.197. The single storey reception element will be

21m away. This space between the side of No 197 and the front of the building will also help in maintaining the visual gap between buildings on the frontage. The general overall scale and siting of the building is therefore considered to be acceptable in relation to its immediate surroundings.

- 6.18 The amended scheme is more contemporary in style. The NPPF states that authorities should not be prescriptive on design but that developments should reinforce and reflect local distinctiveness. The architecture on this part of Cumnor Hill contains significant variations, from traditional tiled, brick and render houses, to the large flat roof commercial properties with cladding. This proposal whilst contemporary in style, uses a similar palette of materials to that already in the immediate vicinity. The roof would be a standing seam roof, and more of a reflection of the commercial uses adjacent.
- 6.19 Following comment from the urban design officer, the height of the entrance has been raised slightly to give it more prominence to visitors. The glazing to the reception area and entrance has been increased to provide more of an active frontage to the building. The balconies to the dining area are now to be obscure glass rather than solid wall to provide a more lightweight appearance.
- 6.20 In summary your officers consider that, although the proposal is for a relatively large building, it is sited adjacent to relatively large commercial buildings, while the scale of the building reduces towards the housing to the south-west. The improved articulation of the building does help to reduce its perceived scale and bulk. Officers also consider that the proposed set back of the building from the road together with the proposed landscaping to the frontage and the significant visual gaps to the neighbouring buildings at the front help to assimilate the proposal into the general character of this part of Cumnor Hill. It would be lower in height than the adjacent office building. Taking into account the constraint provided by the necessary size of the building officers consider the proposal would not harm the visual amenity of the area.
- 6.21 **Wider Landscape and Green Belt**  
Policy DC6 of the adopted local plan requires developments to protect and enhance the visual amenities of the site and surroundings, retaining important landscape features where appropriate and maximise opportunities for nature conservation.
- 6.22 The site is not in the green belt but the southern boundary adjoins the green belt. It also adjoins the North Vale Corallian Ridge Landscape Character Area. Although policy GS3 of the adopted local plan seeks to protect the visual amenities of the green belt from development which might be harmful by reason of siting, scale or design, this particular element of the policy is no longer supported by national planning policy. As this element of policy GS3 is not up-to-date it has little weight. Policy NE7 seeks to protect the North Vale Corallian Ridge from harmful developments unless there is an overriding need for the development and all steps are taken to minimise the impact on the landscape.
- 6.23 The application is supported with a Landscape and Visual Impact Appraisal (LVIA) and has been assessed by the landscape officer. The main visual impact will be from local views from Cumnor Hill and these have been discussed in the section above. With regards to the wider open landscape to the south the existing vegetation along the southern boundary on the site, and on all neighbouring plots on this side, forms a clear delineation between the built up area of Cumnor Hill and the open landscape and Green Belt to the south. The proposed development will increase built form further back into the plot, however the adjacent office building is already further back, and the recently permitted houses to the other side will also add to the depth of development on this side of the road. The LVIA illustrates that from the green belt the proposed building

will be seen in this context and will have a similar impact to the existing built form. The landscape officer is satisfied that the development will have a relatively low visual impact from these distance views and will have a limited impact on the green belt.

- 6.24 Officers are therefore satisfied that the proposal will not harm the visual amenities of the green belt and not harm the wider landscape character. It therefore complies with policies GS3 and DC6 in this regard.

6.25 **Residential Amenity**

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. Objections have been raised with regard to the impact of the building primarily on the residential property of no.197 which is directly to the west of the site.

6.26 *Overbearing*

The overall height of the two storey wing will be 7.6m and as set out above would be similar to the ridge height of no.197 and to those of the two new proposed houses. Allowing for the change in levels, the ridge height would be 0.5m lower than no.197. The closest property would be one of the new dwellings directly to the west. This would be approximately 14m away from the end of the wing. Officers consider that the two storey wing would not be overbearing on these properties. The three storey part of the building at the front would be 29m away from no.197 and the rear element would be over 31m away from the western site boundary. Given these distances, and the fact that the main ridge height of the three storey elements will be 10.5m, officers consider that proposal would not be overbearing on the residential properties to the west.

- 6.27 The rear portion of the building would be sited at an angle to the office building to the east, rather than parallel with it, and it would be sunk into the existing ground level. The ridge height of the proposal will be 3.3m lower than the office building, and nearest proposed wall will be between approximately 8.8 to 11.3m away. Officers consider that the proposal would not be overbearing on the users of the office building.

- 6.28 The building would be set back from Cumnor Hill by 33m, and would be approximately 60m from the front elevations from the houses opposite. Officers consider that given this distance and the level of vegetation that will exist, the proposal would not be over dominating or intrude on the occupiers of the houses opposite.

6.29 *Overlooking*

As set out above the side of the three storey elevation would be 29m from the side elevation of no.197 and the single storey reception area will be 21m away. The distance between the closest rear corner of no.197, which has a balcony, and the closest front corner of the two storey wing will be 20m, with windows 21m away.

- 6.30 The design guide states that 21m is considered an adequate minimum distance between facing habitable room windows to ensure there is no harmful overlooking. In this case the 'front' windows of the two storey wing are also offset from the rear of no.197. Given the proposed distance between windows and the off-set between them, and that new landscaping is proposed between, officers consider that rooms in the two storey wing will not cause harmful overlooking of no.197.

- 6.31 The rooms along the west side of the front part of the building would be two bedrooms, a cinema and staircase landing at first floor, and two bedrooms, a lounge and staircase

landing at second floor. There are no windows in the east side of no.197. Officers consider that, given the distance between these windows and the rear garden, and the proposed intervening landscaping, the proposal will not result in harmful overlooking towards this property.

- 6.32 The recently permitted new dwelling that would be closest to the two storey wing will not have first floor windows facing the site. The windows at the end of the two storey wing are for a corridor and lounge. Consequently there will be no overlooking between habitable rooms. However at your officers request the amount of glazing on this end of the wing has been reduced from the full height glazing originally proposed to ensure that there is no perceived overlooking by the future occupiers of this property.
- 6.33 The rear portion of the three storey would be over 31m away from the boundary and therefore would not result in harmful overlooking towards either of the recently permitted dwellings.
- 6.34 With regards to the eastern side, the windows on the proposed building would be between approximately 8.8 and 11.3m from the office building. Due to the lower nature of the proposal the windows would be off set with the office windows. There is also a landscape buffer proposed which will provide screening between the two buildings. Also it is relevant to take into account that during the day residents of such care homes will likely spend the majority of their time within the communal areas of the building rather than the bedroom, and the employees in the office building will only generally be there during the day. Officers consider that on balance, although the buildings are relatively close, given their type of uses and the proposed screening between the two, there will not be harmful overlooking between the two buildings.
- 6.35 *Other*  
The operational parts of the building, such as the kitchens, laundry and delivery entrance and refuse compound have been sited on the eastern side of the building, away from the residential properties. The council's environmental health officers have also not raised any issues in terms of noise from the proposal that would be harmful to neighbour amenity.
- 6.36 **Traffic, Parking and Highway Safety**  
Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The NPPF at paragraph 32 sets out that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.37 The application is supported by a transport assessment which has been reviewed by the county highways officer. He is satisfied with the predicted level of traffic level and acknowledges the proximity to good public transport. The bus service along Cumnor Hill is every 30 minutes during the day. Whilst there would an increase in trips, these are more likely to be spread across the day, given the 24-hour operation of the site.
- 6.38 The safety of the proposed access is acceptable with full detailed plans of its construction to be submitted by condition. The level and layout of parking and turning areas is also acceptable. A construction traffic management plan and a modified travel plan can be required by condition.
- 6.39 **Ecology**  
Paragraph 117 of the NPPF refers to the preservation, restoration and re-creation of

priority habitats, whilst Paragraph 118 sets out the basis for determination of planning applications. Paragraph 118 states that “if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”

- 6.40 Initial daytime bat surveys and an ecological appraisal have been carried out and support the application. A bat mitigation plan has been submitted and the countryside officer is satisfied with this and requests the suggested condition that requires development to not commence until either a licence from Natural England is granted, if required, or if a licence is not required, that the exact details of mitigation are submitted for approval, be imposed.

**6.41 Section 106 contributions**

The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and
- iii) Fairly and reasonably related in scale and kind to the development.

- 6.42 Policy DC8 of the adopted local plan provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.

- 6.43 The county council has requested a travel plan monitoring fee of £1240 to cover on-going monitoring of the travel plan for a period of 5 years. The fee is derived from their transport assessment and travel plans document and covers the initial checks and set up and monitoring in years 0,1,3, and 5. This is acceptable.

- 6.44 The county council has also requested a financial contribution towards Botley library including book stock of £5,950 and administration and monitoring of £100. They state this amount is based on an average cost per square metre of extending a library. However as there is currently no costed scheme to extend the current library this request does not meet the legal tests and cannot be supported.

- 6.45 Comments were sought from the NHS with regards to the impact on local medical facilities. They comment that the proposal may have the potential to add significant pressure on the local practice due to its size, as patients will have the choice to register there. However they have not sought a contribution towards local services. Officers are aware that local health service provision, including GP practises, receive funding through central Government and it is a basic tenet of the planning gain process that funding from developments should not be sought to pay for services where there are existing alternative financial mechanisms in place. Consequently financial contributions from this proposal towards local health care provision cannot be sought.

**7.0 CONCLUSION**

- 7.1 Under the NPPF there is a presumption in favour of sustainable development). Paragraph 7 of NPPF identifies three mutually dependant dimensions to sustainable development; it should fulfil an economic role, a social role and an environmental role.

- 7.2 The proposed development would perform an economic role, in that it would provide employment during the construction phase and also employment within the care home. The scheme would have a social role as it will contribute towards the shortfall of such facilities and the mix of housing provision within the district. The proposal will result in some change to the local environment and localised visual amenity, but mitigation can

be put in place to address these, such as landscaping. This limited harm is considered to be outweighed by the benefits of the proposal.

- 7.3 Overall, and in view of the NPPF, the development is considered to amount to sustainable development, and whilst there will be some effects, these do not outweigh the benefits. Consequently, the application is recommended for approval subject to conditions and a legal agreement to secure the travel plan contribution.

8.0 **RECOMMENDATION**

**It is recommended that authority to grant planning permission is delegated to the head of planning, subject to:**

- 1. A legal agreement or unilateral undertaking being entered into in order to secure the travel plan monitoring fee; and**
- 2. The following conditions:**
  - 1. Commencement three years - full planning permission.**
  - 2. Approved plans.**
  - 3. Slab levels.**
  - 4. Samples of materials to be approved.**
  - 5. Details of access and vision splays to be approved and implemented.**
  - 6. Details of cycle storage to be approved and implemented.**
  - 7. Construction traffic management plan to be approved and implemented.**
  - 8. Parking to be provided as plan.**
  - 9. Updated travel plan to be approved and implemented.**
  - 10. Fully detailed sustainable surface water drainage scheme that is in accordance with flood risk assessment to be approved and implemented.**
  - 11. Drainage strategy and on/off site works before development commences.**
  - 12. Piling method statement.**
  - 13. Contaminated land risk assessment phased condition.**
  - 14. Bat mitigation works.**
  - 15. Landscaping scheme (submission).**
  - 16. Landscaping scheme (implement).**
  - 17. Tree protection in accordance with arboricultural method statement.**
  - 18. Details of all boundary treatments/fencing to be approved and implemented.**
  - 19. Details of external lighting to be approved.**

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