

CUM/19835 – Thomas Homes Ltd

Demolition of existing dwelling and garage (no 3 Dean Court Road). Erection of two detached dwellings and two blocks of six apartments (each block comprising of 4x2 bed and 2x1 bed units). Associated carports, garages, parking, cycle and bin stores. Relocation of access onto Dean Court Road. 1 & 3 Dean Court Road, Cumnor Hill. OX2 9JL

1.0 The Proposal

- 1.1 This application seeks full planning permission for the demolition of No3 Dean Court Road to be replaced with 12 apartments arranged in two blocks of 6 and 2 detached dwellings to the rear with associated parking (2 spaces per 2 bed and 1 space per 1 bed apartment with 4 spaces for each dwelling). Part of the existing rear garden of No1 Dean Court Road is included in the scheme, but the dwelling at No1 will remain unaltered, and does not form part of the application.
- 1.2 No3 Dean Court Road is sited within a large plot located on the south west side of Dean Court Road. It is bounded by similar dwellings on either side. To the rear lies substantial tree planting.
- 1.3 A copy of the submitted plans showing the location of the proposal, its design and layout together with the design and access statement are attached at **Appendix 1**.
- 1.4 The application comes to Committee because several letters of objection have been received.

2.0 Planning History

- 2.1 There is no relevant planning history in respect of these properties.

3.0 Planning Policies

- 3.1 *Vale of White Horse Local Plan 2011*
Policy GS5 (making efficient use of land and buildings) seeks to promote the efficient re-use of previously developed / unused land and buildings within settlements (provided there is no conflict with other policies in the Local Plan).
- 3.2 Policy H10 (development in the five main settlements) enables new housing development within the built-up areas of Cumnor Hill, provided it makes efficient use of land, the layout, mass and design of the dwellings would not harm the character of the area and it does not involve the loss of facilities important to the local community (i.e. informal public open space).
- 3.3 Policy H15 (housing densities) seeks net residential densities of at least 40 dwellings per hectare in the five main settlements, provided there would be no harm to the character of the surrounding area or the amenities of adjoining properties.
- 3.4 Policies DC1, DC5, DC6, and DC9 (quality of new development) are relevant and seek to ensure that all new development is of a high standard of design / landscaping, does not cause harm to the amenity of neighbours, and is acceptable in terms of highway safety.
- 3.5 PS3, "Housing", is also relevant and reiterates the presumption in favour of developing previously developed sites within urban areas for housing ahead of green field sites and making the most effective and efficient use of land.

4.0 Consultations

- 4.1 Cumnor Parish Council does not object but requests various issues to be taken into account. Their full comments are attached at **Appendix 2**.
- 4.2 County Engineer – no objections, subject to conditions and a financial contribution to the Oxford Integrated Transport Strategy.

- 4.3 County Funding Officer – seeks contributions to education / library / fire and rescue provision and waste management operations.
- 4.4 Drainage Engineer – no objections (subject to conditions).
- 4.5 Councillor Harry Dickinson has raised issues regarding the capacity of the sewer drainage system in the area and recommends refusal until the sewer problem is resolved.
- 4.6 Thames Water – no objection provided surface water is not discharged into foul sewer.
- 4.7 Arboricultural Officer – the perimeter trees on the site are extremely important. To that end specific details of the construction method of the relocated access will be required, given that the access is approximately 1 – 2m from the base of a large pine. There are other issues with the block paved parking areas and the refuse and cycle store being underneath the canopies of these trees, and details of construction will also be required prior to commencement of any development. The trees within the site are not so important, providing the perimeter trees stay, but tree protection measures will be very important and must be in place and inspected prior to commencement.
- 4.8 Consultant Architect – comments attached at **Appendix 3**.
- 4.7 6 letters of objection have been received, which are summarised as follows:
- Overdevelopment of the site with the density being too high for Dean Court Road.
 - The blocks of flats are three storey, not 2 ½ as stated by the applicant.
 - The proposed access is wrongly sited, being directly opposite the access used by 2, 4, 6, and 8 Dean Court Road.
 - The plans take no account of the recent approval for the erection of 9 flats at No.7 Dean Court Road.
 - The proposal will result in a number of trees being felled, which will further urbanise the locality.
 - The proposal will result in additional surface water and loading on the existing sewerage mains which has not been demonstrated to be able to cope with the extra houses on this site and on No.7 Dean Court Road.
 - Water pressure is low in Dean Court Road, and the extra dwellings will exacerbate the situation.
 - PPS3 seeks the building of homes for families. The proposal does not do this. The site is of sufficient size to allow family dwellings.
 - There will be an increase in cars in both Dean Court Road and onto Cumnor Hill, the junction of which is not designed for such traffic flows. Dean Court Road is also not designed for this level of traffic. It is narrow and is frequently used as a pedestrian route by children at Matthews Arnold School in Arnold's Way. The proposal will make it more dangerous.
 - Several windows in the block of flats will overlook neighbouring properties leading to a loss of privacy.
 - The proposal will lead to an unacceptable increase in noise and disturbance to neighbouring properties.

5.0 **Officer Comments**

- 5.1 The main issues in this case are considered to be 1) the principle of the development in this location, 2) the impact of the proposal on the character and appearance of the area, including its design and its impact on existing trees, 3) the impact of the proposal on neighbouring properties, and 4) the safety of the access and parking arrangements.
- 5.2 On the first issue, Cumnor Hill is identified in the Local Plan as an area that can accommodate new housing development providing the layout, mass and design would not harm the character

of the area. PPS 3 'Housing' also makes it a priority to use previously developed land for new housing. Previously developed land includes the curtilage of an existing dwelling. Furthermore, latest Government advice in PPS3, encourages the use of innovative approaches to achieve higher densities within existing settlements. In this respect, Paragraph 10 specifically refers to the planning system delivering 'a mix of housing, to support a wide variety of households at a sufficient quantity to take account of need and demand and to seek to improve choice'. The principle of a development mix of flats and detached dwellings is therefore considered acceptable and an appropriate form of development in this location.

- 5.3 Regarding the second issue, the development in the form proposed is not considered to be out of keeping with the locality, and has been designed to appear as four large dwellings. Whilst it is acknowledged that the new apartment blocks are larger than other neighbouring properties in Dean Court Road in terms of bulk and massing, they are not considered to be an overdevelopment of the site. They will sit comfortably within the site, together with the proposed dwellings to the rear, which will to some extent, be screened by the apartment blocks. Consequently, Officers consider the visual impact of the proposal to be acceptable.
- 5.4 In terms of density, the proposed density is just over 40 dwellings per hectare which is in accordance with Policy H15. For comparison, the approved apartment building at No.7 Dean Court Road is at a density of 46 dwellings per hectare.
- 5.5 The loss of some trees within the site is not considered to be so harmful to the locality to warrant refusal. The Arboricultural Officer has subsequently raised no objections to the proposal, but has confirmed that the trees to the front of the site that adjoin Dean Court Road are significant and must be retained and protected. As such, special measures in the method of constructing the access drive and parking areas are needed and conditions are recommended to address this issue.
- 5.6 Turning to the third issue, the impact on neighbouring properties, it is considered that no harm would be caused to those properties on either side of the site (no 1 and No7 – even taking account of the approved scheme). The new buildings are also sited to respect the amenity and privacy of each other within the site. Any impact on light or privacy to neighbouring dwellings is not considered to be sufficiently harmful to warrant refusal, particularly given the relative distances to the immediate neighbours opposite the site. Furthermore, the proposed vehicular access is not considered to lead to any additional disturbance to nearby residents that would warrant refusal of the application.
- 5.7 On the issue of drainage, the additional dwellings would not overburden the existing sewerage network. Thames Water raises no objection to the proposal, subject to the prevention of surface water from the site being discharged into the foul drainage sewer.
- 5.8 In terms of parking and access, the proposed arrangements are considered acceptable. The parking provision shown provides ample spaces for each unit. Adequate visibility can also be achieved at the new access to ensure pedestrian and highway safety. The County Engineer has raised no objection subject to conditions.

6.0 **Recommendation**

6.1 *That authority to grant planning permission subject to the following conditions is delegated to the Deputy Director (Planning and Community strategy) in consultation with the Committee Chair in order to allow the completion of a S106 Agreement to secure the required financial contribution.*

1. *TL1 – Time Limit*
2. *MC2 – Sample Materials to be submitted.*
3. *RE2 – Restriction on extensions / alterations to dwellings (PD rights removed)*

4. *RE8 – Submission of drainage details*
 5. *RE7 – Submission of boundary details*
 6. *RE14 – Garage accommodation to be retained.*
 7. *Access in accordance with specified plan*
 8. *Turning space in accordance with specified plan*
 9. *Car parking layout in accordance with specified plan*
 10. *LS4 – Submission of landscaping scheme*
 11. *HY11 – Specified vision splays (access)*
 12. *HY19 – Access road to specification before occupation of any dwelling.*
 13. *No development shall commence until tree protection measures in accordance with BS5837 (2005) have been erected and inspected by the Council's Arboricultural Officer. Such measures shall be retained as approved at all times during construction, and no storage of plant, equipment or materials or any burning of waste shall take place within the protected areas.*
 14. *No development shall commence until full details of the method of construction of the access, parking areas and foundations to the bin and cycle stores have been submitted and approved in writing by the District Planning Authority, and said access / parking areas shall be constructed only in accordance with approved method.*
- 6.2 *That authority to refuse planning permission is delegated to the Deputy Director (Planning & Community Strategy) in consultation with the Committee Chair should the Section 106 Agreement not be completed within the 13week period (which ends on 09 February 2007).*

The Reason for refusal would be based on the lack of necessary financial contributions towards improving local services and facilities.