

## **CUM/19879/1 – Mr A R Smith**

**Demolition of existing dwelling. Erection of 6x2 bed apartments with car parking, covered cycle store and refuse/recycling store. 61 Cumnor Hill, Oxford, OX2 9EY.**

### **1.0 The Proposal**

- 1.1 This application seeks full planning permission for the demolition of the existing dwelling and the erection of a three storey contemporary styled building comprising 6 x 2 bedroom apartments.
- 1.2 The existing property is a large 1930s detached dwelling sited to the rear of a large corner plot on the south-east side of Cumnor Hill and north-east side of Arnolds Way. The site has slopes running in two directions towards Cumnor Hill from the back of the site (south-east to north-west) and one away from Arnolds Way (south-west to north-east). It is bounded by a two storey dwelling to the north-east (no. 59 Cumnor Hill) which is set back on a similar sized plot, and a chalet style property to the rear (no. 3 Arnolds Way).
- 1.3 The proposed building is of a contemporary design, using modern materials such as zinc roofing, glazed balconies, rendered panels and cedar boarding. It is also proposed to incorporate solar panels and green screens. The building comprises three main blocks orientated around a service core with articulated elevations through the use of individual recessed balconies and recessed glazing.
- 1.4 Since the original submission, the application plans have been corrected in respect of the access gradient. A section drawing of the access has also been produced to clarify how the access road will work in terms of levels and gradients.
- 1.5 The proposal has a density of 46.2 dwellings per hectare.
- 1.6 A copy of the plans showing the location of the proposal, its design and layout together with the design statement are attached at **Appendix 1**.
- 1.7 The application comes to Committee because a large number of objection letters have been received and the views of Cumnor Parish Council differ from the recommendation.

### **2.0 Planning History**

- 2.1 An application to redevelop the site with a similar proposal was withdrawn in January 2007 in order to address concerns raised by the County Engineer in respect of parking and turning space; to address overlooking issues in respect of neighbouring properties, and to produce a flood risk assessment in respect of local drainage problems.
- 2.2 There is no other relevant planning history in respect of this property.

### **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 area 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, DC8, DC9 and DC14 (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; suitable social and physical infrastructure exists for the development or can be provided; the development is acceptable in terms of highway safety, and will not result in adverse surface water run-off.
- 3.5 PPS3, "Housing", is also relevant and reiterates the key objective of developing previously developed sites within urban areas, where suitable, ahead of greenfield sites and making the most effective and efficient use of land. It also comments on the importance of design, in that proposed development should complement the neighbouring buildings and the local area in general in terms of scale, density, layout and access. Paragraph 12 of PPS3 confirms that good design is fundamental to the development of high quality new housing, whilst Paragraph 13 goes on to state that design which is inappropriate in its context, or which fails to take the opportunities for improving the character and quality of an area and the way it functions, should not be accepted.
- 4.0 **Consultations**
- 4.1 Cumnor Parish Council has objected to the application and their comments are attached at **Appendix 2**.
- 4.2 County Engineer – no objections (subject to conditions).
- 4.3 Drainage Engineer – no objections (subject to conditions).
- 4.4 Thames Water – "with regard to sewerage infrastructure, we have no objection to this application".
- 4.5 Environmental Health – no objections
- 4.6 Consultant Architect – comments attached at **Appendix 3**.
- 4.7 Architects Panel – "Interesting solution to site redevelopment. Panel supports design intent. Good response to specific site requirements. Innovated and exciting design".
- 4.8 Arboricultural Officer – no objections, subject to tree protection measures being in place and approved prior to construction.
- 4.9 34 letters of objection have been received, which are summarised as follows:
- The proposal is an overdevelopment of the site and the density is too high.
  - A modern apartment block of this scale, height and mass is out of keeping with the surrounding houses on Cumnor Hill / Arnolds Way. It does not maintain the character of the area in any way and is inappropriate.
  - The large car park area to the front in particular would introduce a form of development completely out of character with the established historic pattern.
  - The proposed building is much larger than the house it replaces and will be highly visible on this corner plot.
  - The design reflects no local distinctiveness and introduces a number of discordant features, such as a virtually flat roof and sheet zinc roofing which are alien to the character of the area. It has no resemblance to a 'large suburban house' and looks like a student hostel or something you would find at a seaside resort. The proposal is therefore contrary to Policy DC1 and design advice contained in PPS3.

- The proposed building does not respect or reflect the character of the area, and is thus contrary to the Vale's own Planning Advisory Note on new residential developments.
- The accommodation proposed looks cramped.
- A proposal to designate this area as a conservation area has been drawn up. As this site lies within the proposed area, the view is expressed that the proposal document constitutes a material consideration in the processing of this application, and should be taken into account. (N.B. This is not a material planning consideration).
- English Heritage has recently published two position statements on '*suburbs and the historic environment*', and '*the heritage of historic suburbs*' which say "many low density suburban areas are coming under increasing development pressure. As a result, successive waves of new development, together with small-scale incremental change are in places gradually putting local character and distinctiveness at risk. Failure to address specific suburban issues on the part of LPAs could mean that many suburbs soon reach a tipping point beyond which it will be extremely difficult to bring about a renaissance".
- The proposed block will cause harm to the amenities of adjoining neighbours. It will project considerably forward of No 59 Cumnor Hill and will dominate the outlook and overshadow that property. It will also overlook both No 59 Cumnor Hill and No 3 Arnolds Way leading to a loss of privacy.
- The car parking area will also lead to noise and disturbance to neighbours.
- The proposed access point onto Arnolds Way is very close to the junction with Cumnor Hill and will cause danger to users of the public highway. Arnolds Way is a very busy road with pedestrians, cyclists and motor vehicles all using this road to get to the local school.
- The accommodation of servicing vehicles within the site is also inadequate. In practice it is likely servicing vehicles will reverse out of the site to the detriment of highway safety.
- The traffic consultant's report accompanying the application is flawed and full of inaccuracies.
- There are regular problems with the capacity of the sewerage system of the area where it frequently floods and is not able to take the existing surface water generated by properties on Cumnor Hill. Any amount of additional 'infill' development in this area will exacerbate this problem, along with the hard surfacing of the car park.
- The proposal is not sustainable, because the site is some way up Cumnor Hill where it is unlikely that residents will cycle or walk to the shops in Botley.
- The building will come closer to Cumnor Hill than the existing dwelling by approximately 6m from the nominal building line, and thus will be taller than no 59 when viewed from the road. The perspective drawings do not show this and are therefore misleading.
- The section drawing through the building shows the lower blocks, not the highest, which is misleading.
- This proposal will set a precedent for further development in the area. If this scheme is passed it will "open the floodgates" to other similar proposals.
- There are no benefits to the community from this proposal. No affordable housing is proposed and it is pure greed.
- The proposal will result in the loss of trees and shrubs, creating further damage to the wildlife habitat of the area.
- The proposal will cause substantive harm to protected species, such as badgers which are present in the area.
- The existing social infrastructure (schools, dentists & doctors surgeries) in the area was never designed for such numbers of residents and cannot take more dwellings.

4.10 1 letter of support has been received.

4.11 Any further comments received will be reported at the Meeting.

## 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, 3) the impact of the proposal on neighbouring properties, 4) the safety of the

access and parking arrangements, 5) the impact on local wildlife 6) drainage issues and 7) precedent.

- 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 although PPS3 does say that not all previously developed land is necessarily suitable for housing development. Furthermore, PPS3 encourages the use of innovative approaches to achieve higher densities within existing settlements. In this respect, paragraphs 9 and 10 specifically refer to the Government's strategic housing policy goal to create sustainable, inclusive, and mixed communities in all areas, with 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 of flats in the manner proposed is therefore considered an acceptable and appropriate form of development in this location.
- 5.3 Regarding the second issue, the development in the form proposed is not considered to be harmful to the character of the locality. Whilst it is acknowledged that the new building is larger than other neighbouring properties that adjoin the site, in terms of bulk and massing, and comes forward from the existing dwelling's front elevation by 10m, it is still set far back from Cumnor Hill. The use of three blocks surrounding a service core, with various balconies and reveals provides variety and articulation in its form, which helps to break up the mass of the building, and is of similar height to the existing house on the site. When taking account of the sloping nature of the site, and its location to the rear of the site, the proposed development will not be overly prominent in the street scene and is not considered to be out of keeping with the locality or an overdevelopment of the site.
- 5.4 The design is unashamedly modern, with the use of zinc roofing, rendered panels, glazed balconies and cedar boarding. The design is clearly different to the more traditional housing found on Cumnor Hill but this, in itself, does not make the proposal harmful.
- 5.5 Whilst objectors have stated that they find the building ugly and utilitarian in appearance, more akin to a seaside location, Officers consider the contemporary design to be wholly acceptable. Furthermore, the Consultant Architect has commented that the design is one which is capable of enhancing the character and quality of the area, and displays a design integrity which merits Members' support. The Architects Panel also positively endorses the scheme, stating that it is an interesting solution to site redevelopment and an innovated and exciting design. Your Officers consider, therefore, that there would be no justification for a design based refusal.
- 5.6 The scheme has a density of 46.2 dwellings per hectare, which accords with Policy H15 in terms of exceeding 40 dwellings per hectare. There would be some 200sqm of communal garden space for use by occupants of the flats, in addition to the private balconies on the building and the private space to apartment 1 to the rear. Officers, therefore, consider that the proposal is not an overdevelopment of the site. Furthermore, no significant trees will be lost by this proposal. The Arboricultural Officer has raised no objections to the proposal.
- 5.7 Turning to the third issue, the impact on neighbouring properties, it is considered that no undue harm would be caused to those properties opposite the site in Arnolds Way, nor to properties opposite the site in Cumnor Hill. The properties most affected are those directly adjoining the site, No 59 Cumnor Hill and No 3 Arnolds Way.
- 5.8 Whilst the new apartment building is sited forward of No 59 Cumnor Hill, it is not considered to be so harmful to warrant refusal in terms of impact upon light or outlook from this property. The element closest to this property is in the same position as the existing dwelling. The building block that is forward of it is set back 6m off the common boundary, and so will not be overly dominant. Adequate lighting from the southwest will be maintained, together with the existing tree planting in terms of reducing its impact.

- 5.9 The upper floor of the proposed building has windows facing No 3 Arnolds Way. However these are to light two bathrooms. With the inclusion of obscure glazing, the privacy of this property will be maintained. Furthermore, the individual balconies proposed are either completely enclosed to the side or have green screens at their ends to ensure overlooking of neighbours is prevented. As such, any impact on the privacy of these properties is not considered to be sufficiently harmful to warrant refusal.
- 5.10 On the issue of parking and access, the proposed arrangements are considered acceptable. The parking provision shown provides 2 spaces for each apartment. Adequate visibility can also be achieved at the new access to ensure pedestrian and highway safety, and gradients / turning arrangements within the site are acceptable. Consequently, the County Engineer has no objections to the proposal.
- 5.11 In terms of wildlife issues, no evidence has been provided with regards to either an active badger sett or badger foraging runs being identified on the site. Any impact on other wildlife (i.e. that is not protected under EU directives or UK law) is not a reason to justify refusal of this proposal.
- 5.12 On the issue of drainage, the additional dwellings are not considered to overburden the existing system. Thames Water raises no objection to the proposal and recommendations identified in the flood risk assessment submitted by the applicant are deemed acceptable by the Council's Drainage Engineer.
- 5.13 With regard to precedent, whilst this can be material where other sites suitable for similar development can be identified in the locality, Members will be aware that each proposal must be considered on its own merits. In this case, there are other potential sites in the vicinity that could be the subject of a similar proposal. However, given the thrust of Government guidance on new housing, particularly in terms of making more efficient use of land within settlements, Officers consider that the issue of precedent is not such as to warrant refusal of this application.
- 5.14 With regard to the conservation area proposal, work is at a very early stage and nothing has been formally adopted. As such, this is not considered to be a material consideration. Similarly little weight can be attached to the position statement from English Heritage which offers only broad guidance and does not constitute policy.

## 6.0 **Recommendation**

6.1 *That planning permission be granted subject to the following conditions:*

1. *TL1 Time Limit – Full Application*
2. *MC2 Sample Materials*
3. *SUDS Drainage scheme to be carried out in accordance with flood risk assessment recommendations dated February 2007, full details of which to be submitted and approved prior to commencement of development*
4. *RE7 Boundary details*
5. *Slab level*
6. *Access in accordance with specified plan*
7. *Turning space in accordance with specified plan*
8. *Car parking layout in accordance with specified plan*

9. *LS4 Submission of landscaping scheme*
10. *Full details of bin storage and cycle parking to be submitted prior to first occupation.*
11. *No development shall commence until tree protection measures in accordance with BS5837 (2005) have been erected and approved 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.*
12. *The green screens to the balconies of apartments 5 and 6 shall be erected prior to first occupation, and shall be retained at all times thereafter.*
13. *The bathroom, en-suite and kitchen windows to apartment 5 shall be obscure glazed and retained as such at all times thereafter.*
14. *MC20 Amended plans*