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<b>APPLICATION NO.</b>	<a href="#">P17/V0441/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	20.2.2017
<b>PARISH</b>	Wootton
<b>WARD MEMBER(S)</b>	Henry Spencer
<b>APPLICANT</b>	Mr & Mrs A & H Rock
<b>SITE</b>	6-8 Cumnor Road, Boars Hill, Oxford, OX1 5JP
<b>PROPOSAL</b>	Demolition of existing 2-storey building and garage and erection of new building consisting of 7 apartments and related works. Associated change of use of site from part A1 retail/part C3 residential to entirely C3 residential.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	447435/201199
<b>OFFICER</b>	Adrian Butler

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## **RECOMMENDATION**

**Grant outline planning permission subject to:**

### **Compliance**

- 1. Reserved matters (landscaping).**
- 2. Approved plans.**

### **Details to be approved prior to commencement**

- 3. Surface water drainage.**
- 4. Foul drainage works.**
- 5. Tree protection.**
- 6. Slab levels.**

### **Other compliance conditions**

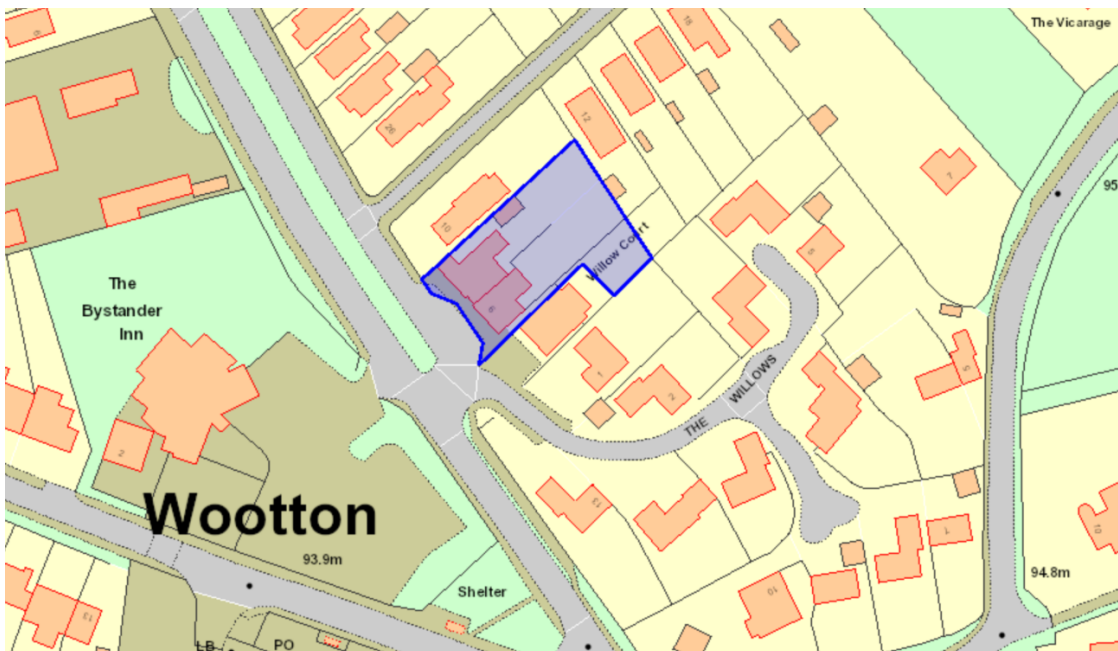
- 7. Boundary details.**
- 8. Car parking spaces (5m x 2.5m) and turning space.**
- 9. Materials as specified.**
- 10. Bicycle parking.**
- 11. Refuse storage.**
- 12. Hours of work.**
- 13. Obscured glazing for northwestern first floor window.**

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1** This application is referred to planning committee at the discretion of the Development Manager as, a previous application for 9 flats was recommended for approval but refused by the planning committee and that decision is currently at appeal.
- 1.2** This is an outline application with access, appearance, layout and scale to be considered at this stage. Landscaping is a matter reserved for future consideration. The application proposal is to demolish all existing buildings on

the site and erect a new building to provide nine flats plus bin and cycle store.

- 1.3 The application site amounts to 0.11 hectares within Wootton and presently consists of a pair of two-storey buildings that have been linked to create one larger building which is now used as a beauty salon (known as “Head to Toe”), with two flats above. There is parking to the front of the site, with a drive and garage to the northern side and a garden behind. The buildings are of brick and tile construction.
- 1.4 Immediately surrounding the site are residential properties with bungalows to the immediate north and northeast, a two-storey building containing flats to the immediate south east and houses beyond the flats. Many of the facilities of the village are nearby, including a small parade of shops and the community centre.
- 1.5 A location plan is provided below and a layout plan is **attached** at Appendix 1:



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the responses received is below. A full copy of all the comments made can be seen online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

<p>2.2 Wootton Parish Council</p>	<p>No objection.</p> <ul style="list-style-type: none"> <li>• Welcome the improved design</li> <li>• Welcome the reduction in flats although the increased number of bedrooms may increase parking requirements</li> <li>• Parking may remain a problem. Recognise that parking is at the upper limits recommended by the County Council</li> <li>• Bike shed is too close to the building</li> <li>• Dust, noise and contractors traffic needs to be</li> </ul>
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	<p>managed</p> <ul style="list-style-type: none"> <li>• Acknowledge local resident concerns including those relating to bulk at the rear of the proposal and impact on neighbours and sewerage adequacy. The Parish Council understand the latter has been addressed</li> </ul>
Neighbours	<p>Letters of objection from 15 local addresses have been received. Their concerns may be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Similar proposal to that previously refused and objections have not been satisfactorily addressed.</li> <li>• Inappropriate design – out of keeping</li> <li>• No precedent for 2½ storey residential building in the area</li> <li>• Lack of a main entrance to the street is out of keeping</li> <li>• Increased bulk of the building</li> <li>• Loss of privacy through overlooking</li> <li>• Fewer flats proposed but they are of increased size compared to the previous scheme; the floor area of the building has increased</li> <li>• Noise disturbance and increased pollution from the rear parking area</li> <li>• Inadequate parking leading to increased parking in nearby roads and exacerbating existing parking problems</li> <li>• Frontage parking does not seem to belong to the applicant</li> <li>• Insufficient width for access to the rear parking area</li> <li>• Potential danger for residents using the main door which is on to the vehicular access to the rear car park</li> <li>• Increased noise and disturbance from use of the communal garden</li> <li>• Potential antisocial behaviour use of the rear parking and cycle parking areas</li> <li>• Existing building should be retained</li> <li>• Lack of security – easy access to the rear area making neighbours more vulnerable</li> <li>• Inadequate sewers</li> <li>• Inadequate communal space</li> </ul>
Oxfordshire County Council Highways	<p>No objection.</p> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• <i>Parking to be 5m long x 2.5m wide</i></li> <li>• <i>Frontage parking to be wholly off the highway</i></li> <li>• <i>Sheffield stands needed for cycle parking</i></li> <li>• <i>SUDs drainage needed and no surface water drainage to the highway</i></li> </ul>
Drainage	No objection

Engineer	<p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• <i>Foul drainage details to be approved</i></li> <li>• <i>Surface water drainage details to be approved</i></li> </ul>
Waste Management	<p>No objections Confirms required capacity of bins to be stored in communal store. General comments on council waste collection contract provided.</p>
Forestry Officer	<p>No objection The proposal will result in the loss of five semi-mature trees with the three trees adjacent to the rear boundary being retained. The loss of the trees would not significantly affect visual amenity particularly as those retained have the potential to be visible from outside the site. <i>Condition</i></p> <ul style="list-style-type: none"> <li>• <i>Tree protection plan</i></li> </ul>
Countryside Officer	<p>No objections Bat survey which found no evidence indicating the buildings provided roosting opportunities.</p>
Urban Design Officer	<p>Comments: The scale, massing bulk and design and siting of the current proposal is not materially different from the previous proposal in terms of the impact it will have on the character of the area or in relation to the impact on residential amenity to No. 10 Cumnor Road. <i>Conditions</i></p> <ul style="list-style-type: none"> <li>• <i>Details of all external materials</i></li> <li>• <i>Details of hard and soft landscaping including boundary treatments</i></li> </ul>
Contaminated Land officer	No objection
Air Quality Officer	No objection
Environmental Health Officer	No objection

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 P16/V2253/O - Refused (13/12/2016)

Demolition of existing 2-storey building and garage and erection of new building consisting of 9 apartments and related works. Associated change of use of site from part A1 retail/part C3 residential to entirely C3 residential. An appeal has been lodged against this decision.

#### 3.2 The reason for refusal was:

*“Having regard to the scale, bulk, massing, design and location of the building, the proposal will have a materially harmful impact on the character of the area*

*and on the amenity of the occupants of No.10 Cumnor Road. This is contrary to Core Policy 37 of the adopted Local Plan 2031 Part One, Saved Policy DC9 of the Local Plan 2011 and advice within the Vale of White Horse Design Guide 2015 and the NPPF. This harm outweighs the benefits of the proposal and no material considerations exist to warrant a departure from the Development Plan.*

#### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 This proposal does not exceed 150 dwellings, the site area is under 5ha and is not within a 'sensitive area' as defined by the EIA Regulations. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended and this proposal is not EIA development.

#### 5.0 **MAIN ISSUES**

The main issues relevant to the determination of this planning application are:

- Principle of the development
- Design
- Residential amenity
- Flood risk and drainage
- Traffic, parking and highway safety
- Trees

#### **Principle of the development**

5.1 Core Policy 4 of the Local Plan 2031 Part 1 confirms there is a presumption in favour of sustainable development within the built limits of larger villages including Wootton. As the site is within the village the proposal is compliant with core policies 4 and 8 of the adopted Local Plan 2031 Part 1. The principle of development is acceptable.

5.2 This proposal is for 7 flats on a site of 0.11 hectares. Whilst the beauty salon is understood to be a popular local business, the adopted Local Plans do not specifically protect A1 retail uses in village locations, nor are they considered a community facility.

5.3 Given the above, the principle of this proposal can be accepted.

#### **Design**

5.4 A number of Local Plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (saved policies DC1, DC6, and DC9 of the Local Plan 2011 and Core Policy 37 of the Local Plan 2031 Part 1). The council's adopted Design Guide is also relevant. The NPPF attaches great importance to design and advises that good design is a key aspect of sustainable development.

5.5 This application seeks approval for the access, appearance, layout and scale of the proposals. The Design Guide advises that the height and location of apartment buildings should respond to its context and that care should be

taken to prevent buildings appearing bulky. It states larger buildings “*should be broken into a hierarchy of simple rectangular elements each with its own pitched roof.*”

- 5.6 The surrounding area is characterised by two and single storey buildings. The amended plans propose a 2 ½ storey building that is marginally taller than the highest point of the existing buildings on the site. The overall building has a greater mass than the existing buildings. The second floor flat is set within the roof of the building and set back from the front building line, so, when approaching from either direction, the two gables either side will be the dominant feature, much as with the existing arrangement. To the rear, the building is broken up into three individual gables, which reduces the impression of a single mass.
- 5.7 Officers accept that the contrast in scale between the proposed flats and the chalet bungalow at 10 Cumnor Road, to the immediate northwest, will be obviously apparent. However, this contrast already exists with the existing buildings and at the closest point, the proposed flats will be set further away from No.10 than the existing buildings (by around 1.2 metres). Similarly, the new flats sit around 2 metres further away from 4 Cumnor Road than the existing building. Whilst the proposal has a greater mass than the existing that will alter the appearance of the area, that impact is localised.
- 5.8 The amended design of the proposal is acceptable, reflecting the pitched roof, brick and tile character of the local area. There is a good variety of building types, materials and designs in the area, including the recent flatted development at 4 Cumnor Road, to the immediate southeast of this site. The area is not within, nor close, to any designated areas. The contemporary approach to a pitched roof development is acceptable and will add to the variety of building designs in the area. In terms of materials, the applicant has specified buff coloured bricks with lime mortar, plain red clay roof and hanging tiles and stone grey aluminium doors and windows. These materials are reasonable.
- 5.9 In terms of layout, the footprint of the proposal is not significantly different to that shown with the previous application for nine flats. In comparison the front elevation has been moved forward by a maximum of 0.5m but this is at least a 0.9m set back compared to the existing building. At the rear the proposal in comparison to the previous application, has been recessed some 0.9m at its point closest to 10 Cumnor Road and some 0.35m closest to 4 Cumnor Road. The relationship with neighbours is therefore, improved. The internal space is greater than the previous scheme for 9 flats due to the upper floor flat extending further into the eaves space.
- 5.10 Amenity space is provided at the rear of the proposal. Two ground floor flats will have their own private amenity space directly adjoining them. The remaining space is shared between the remaining five flats. The amount of amenity space provided accords with guidance in the adopted Design Guide.
- 5.11 The layout also allows for separate bin and cycle stores. These are beside the

boundary with 10 Cumnor Road and will be available for use by the proposals and the existing flats at 4 Cumnor Road. This is because the existing bin and cycle stores for 4 Cumnor Road are lost to provide vehicular access and nine parking spaces at the rear. By moving the building back, six further parking spaces can also be accommodated to the front of the site. Subject to conditions relating to boundary treatments, parking provision and turning space, cycling provision and bin storage, officers are satisfied that the layout of the site is acceptable.

- 5.12 The Design Guide encourages apartment buildings to incorporate an active street frontage and that entrances to central stairwells should be directly from the street. As noted by some local objectors, this design proposes an entrance to the side of the building, contrary to this advice. The arrangement of the flats provides large “feature” windows serving the living rooms of two apartments on the front elevation, which will allow for some natural surveillance of the street, which is the primary purpose of an active frontage. The side entrance is a weaker element of the scheme but not one that warrants refusal.
- 5.13 Officers are concerned that the layout leaves little scope for new planting within the development, potentially leaving the site with an unduly harsh urban appearance. This is particularly the case around the front and rear parking areas. Given that landscaping is a reserved matter, this does not represent a reason for resisting this outline application. However, officers expect that the reserved matters application will have to incorporate noticeably more additional planting than is shown on the current plans.
- 5.14 Overall, officers are satisfied that the layout, scale and appearance of the proposal is acceptable and largely accords with the Design Guide advice on apartment buildings and with Local Plan design policies.

### **Residential Amenity**

- 5.15 Saved Local Plan 2011 policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring residents or that would cause dominance or visual intrusion for neighbouring residents 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.
- 5.16 The most directly affected neighbour is 10 Cumnor Road. This property is a chalet bungalow sitting in a shallow wide plot with its rear elevation facing across the application site. This rear elevation includes dormer windows facing the flank wall of the existing building and its rear space at a distance of around 4 metres. Officers’ note there is no planning application for these dormer windows and presume they were added under permitted development rights. The manner in which they overlook the application site at such close proximity would be unacceptable had permission been required. However, they exist as part of the built environment and so the impact on them and No.10 in general from this proposal is a material consideration for this application.
- 5.17 Given that No.10 sits northwest of the application site, the additional height,

depth and bulk of this building will have some impact on the amount of light and direct sunlight that the rear of No.10 receives. However, officers consider that this impact will be offset by the greater distance between the two buildings relative to the existing situation. Thus, the overall change in the amount of light and sunlight received to the rear of No.10 from this proposal will, in officers' opinion, not be significant and so the harm to the amenity of the occupants of this property will not change materially.

- 5.18 In terms of overlooking primarily in the rear elevation, this overlooking will be comparable to the overlooking possible from first floor windows in the existing building. There is no direct overlooking window to window but views into the garden of 12 Cumnor Road will be available and partially screened by existing vegetation and an outbuilding at 12 Cumnor Road. The Design Guide advises that "back-to-side" distances between properties should be at least 12m. At the closest point, the rearmost gable of the proposal sits around 15.5m from the shared boundary with No.12 Cumnor Road, the property to the immediate rear of the site.
- 5.19 Officers recognise that the increased parking manoeuvres alongside neighbouring rear gardens, and the increase in population itself, could lead to a general increase in noise disturbance affecting existing residents. However, officers do not consider this increase will be so large as to warrant objection and it is noted this was not a concern in refusing the previous application.
- 5.20 Overall, officers are satisfied that, following the submission of amended plans, this proposal will not result in unreasonably impact on residential amenity.

### **Flood Risk and drainage**

- 5.21 The site is within flood zone 1 which are the preferred areas for housing development. As commended by the drainage engineer a sustainable surface water drainage scheme can be required by planning condition and this can ensure there is no increased flood risk.
- 5.22 A number of local objectors have raised concerns about the impact on foul sewer capacity. Thames Water has not commented on this application. Previously Thames Water requested a Grampian condition that will require any necessary sewer upgrades to be identified prior to commencement and for those upgrades to be implemented prior to occupation. A planning condition can require the approval and implementation of an appropriate foul water drainage scheme.

### **Traffic, parking and highway safety**

- 5.23 Paragraph 32 of the NPPF states: "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*" Saved policy DC5 of the Local Plan 2011 relates to parking provision, turning and circulating space and access.
- 5.24 The Highway Authority has no objection on traffic generation grounds.
- 5.25 The level of parking has been a strong concern locally, and officers understand



that the current beauty salon use can lead to parking on local streets. The proposal provides 15 spaces for the 7 flats which at least accords with this council's parking standards. Some of the frontage parking spaces extend outside the application site on to land understood to be highway land. The applicant advises he has County Council agreement to this arrangement. A condition can require the parking spaces at the rear to be extended to 5m in length. There are bus stops a short walk from the site and local facilities within walking distance. This is an accessible location. Cycle parking is to be provided on site. Residents do not need to be reliant on cars for their journeys.

- 5.26 In terms of the access point, there are no objections from the Highway Authority. Given the above, and the recommended conditions, there are no objections to this proposal on grounds of highway safety.

### **Trees**

- 5.27 As noted by the council's forestry officer, this proposal will result in the loss of some trees. Three trees along the rear boundary will be retained. Further tree planting can be secured through the reserved matters application for landscaping. These can provide some softening of the proposal and further screening for neighbours. To ensure tree retention, a condition requiring a tree protection plan is recommended.

## **6.0 CONCLUSION**

- 6.1 This application has been determined against policies in the development plan unless material considerations indicate otherwise. The principle of the development is acceptable being in accordance with core policies 4 and 8 of the Local Plan 2031 Part 1.

- 6.2 The bulk, massing and scale of the building is not significantly different to the last application for nine flats on this site. The amendments compared to the previous scheme do improve the relationship for neighbours. The proposal is considered to reflect the mixed form and appearance of buildings in this part of Wootton and does not unreasonable harm the appearance or character of the area.

- 6.3 The proposal does have some economic, environmental and social benefits in terms of investment in the new building, opportunity for planting and provision of housing. These benefits are limited in consideration against loss of the beauty salon use and creation of hardstanding at the rear of the site. Nonetheless, this is a sustainable development that is considered to accord with development plan policy.

The following planning policies have been taken into account:

VALE OF WHITE HORSE LOCAL PLAN 2031 PART 1 – CORE POLICIES Vale 1, 2, 3, 4, 7, 8, 22, 23, 24, 33, 35, 37, 39, 42, 43, 44, 46, 47

VALE OF WHITE HORSE LOCAL PLAN 2011 – SAVED POLICIES DC3, DC5, DC6, DC7, DC9, H23, NE9

VALE OF WHITE HORSE DESIGN GUIDE 2015

NATIONAL PLANNING POLICY FRAMEWORK

PLANNING PRACTICE GUIDANCE

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