

<b>APPLICATION NO.</b>	<a href="#">P19/V1804/FUL</a>
<b>SITE</b>	22 Norreys Road Cumnor Oxford, OX2 9PG
<b>PARISH</b>	CUMNOR
<b>PROPOSAL</b>	Demolition of the existing bungalow and erection of a pair of semi-detached houses. (Amended plans for revised scheme, including details of proposed garage, received 14 October 2019). (Amended plans for revised layout: revised block and site plan received 28 October 2019). (As amended by plans received 25 November 2019).
<b>WARD MEMBER(S)</b>	Alison Jenner Judy Roberts
<b>APPLICANT OFFICER</b>	Mr Wayne Lewis Susannah Mangion

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## **RECOMMENDATION**

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

### **Standard:**

- 1. Commencement**
- 2. Approved plans**

### **Prior to Commencement:**

- 3. Surface water drainage**
- 4. Foul water drainage**
- 5. Materials to be submitted and approved**
- 6. Landscaping to be submitted and approved**

### **Prior to Occupation:**

- 7. Access, parking and turning provision**
- 8. Landscaping implementation**

### **Informatives:**

- 9. CIL**
- 10. Works within public highway**
- 11. Bats**

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 The application comes to committee at the request of councillor, Judy Roberts.
- 1.2 The application site is the plot of 22 Norreys Road. A detached bungalow currently occupies the site. The plot includes a large garden to the rear of the existing dwelling. Dwellings along Norreys Road are mainly large detached or semi-detached houses, typically benefiting from long linear plots which transition to the open countryside beyond, which is within the Oxford Green Belt. A public footpath lies to the other side of the west boundary of the site.
- 1.3 The property fronts Norreys Close to the south. There are other houses to the east, west and north-east of the site. The road has a spacious character.
- 1.4 The application seeks full planning consent for the demolition of the existing bungalow and the erection of two three-bedroom semi-detached houses. One house will benefit from a two-bay garage at the rear, accessed via a drive to the side of the house. The other house will have two off-road parking spaces at the front. Each house would have a generous rear garden.
- 1.5 The houses have a traditional design with hipped roof and it is proposed that they are finished in rendered brickwork with a tiled roof.
- 1.6 Various amendments have been submitted, including the provision of elevations for the proposed garage and to reduce the bulk and massing of the building. The scheme has been further amended to change which house benefits from the garage and driveway to the side. It was unclear why this was initially changed, but the final amendment sought to address concerns about the impact of the proposed development on the solar panels on the west elevation of the neighbouring property at 18-20 Norreys Road.
- 1.7 A site plan is provided overleaf:



1.8 Extracts from the plans are **attached** at Appendix 1.

1.9 The current application follows recent appeal decision P18/V1167/O (APP/V3120/W/19/3220459) which was dismissed on 23 May 2019, whereby the demolition of the existing bungalow on this site and erection of four dwellings was proposed. This appeal decision is **attached** at Appendix 2.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1

Consultee	Response
Cumnor Parish Council	<p>Objection</p> <ul style="list-style-type: none"> <li>• Concern about double garage provided at rear of property via a 3m wide access road, which is not in-keeping with the locality which have garages to the side, integral or parking bays to the front.</li> <li>• Concern the garage and access drive represent backland development which would harm the character, and established built-form of the area.</li> <li>• Impact of garage/drive in terms of noise, disturbance, lighting and odour to adjoining properties.</li> <li>• Ecology/habitat survey not provided despite</li> </ul>

	<p>being important to wildlife, adjacent to open countryside</p> <ul style="list-style-type: none"> <li>• Scale, mass and depth inappropriate.</li> <li>• If permission is granted, a condition should prevent further development in the gardens at the rear.</li> </ul> <p>Response to further amendments received:</p> <ul style="list-style-type: none"> <li>• Maintain original objection for reasons previously stated</li> </ul>
Drainage Engineer	No objection subject to pre-commencement surface water and foul water conditions.
Highways Liaison Officer (Oxfordshire County Council)	No objection subject to condition to ensure the access, parking and turning provision accords with the details submitted and be maintained free of obstruction.
Waste Management Officer	No observations
Forestry Team	The trees on site are not protected. 3 trees would have to be removed and 2 further trees unless a No Dig construction method was used for the driveway. However, the trees are not of sufficient arboricultural quality to be considered a constraint so no objection to their loss. A landscaping condition should be imposed to secure mitigation and soften the development.
Neighbour objections (16)	<ul style="list-style-type: none"> <li>• Overshadowing to neighbour's conservatory (26 Norreys Road)</li> <li>• Overshadowing to neighbour's solar panels (18-20)</li> <li>• Building should be centralised on the plot to reduce impact on neighbours</li> <li>• Views into adjoining property from first floor</li> <li>• Provision of driveway and garage to rear will harm wildlife</li> <li>• Provision of driveway and garage to rear may allow future development at the rear</li> <li>• Provision of driveway and garage to rear does not reflect typical development within the area as per Neighbourhood plan – parking could all be provided forward of the houses</li> <li>• Driveway to garage will cause noise, light and vehicle exhaust pollution to neighbours, and will reduce enjoyment of neighbours' properties</li> </ul>

	<ul style="list-style-type: none"> <li>• Will add to on-road congestion as Norreys Road is narrow and there is already insufficient on-road parking.</li> <li>• Insufficient space to accommodate construction vehicles/equipment</li> <li>• Dust/dirt during will harm neighbour amenity during construction process</li> <li>• Bulk, depth and overall footprint of new houses too large and overbearing – too big for plot and contrary to Neighbourhood Plan</li> <li>• Garage building is adjacent to garden boundary and will be visually intrusive/cause light loss</li> <li>• Ecology/wildlife survey should have been provided as garden open to fields at rear and deer and bats are present</li> <li>• Any permission should prevent access to the rear and prevent development within the rear gardens and require on-site contractor parking</li> <li>• Development within the area impacts on road safety on Cumnor Hill</li> </ul>
Council's Ecologist	There appears to be limited potential for protected species (bats) as the existing house appears well maintained externally and there are no obvious entry/exit points for bats. A bat informative is recommended.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 [P18/V1167/O](#) - Refused (12/11/2018) - Appeal dismissed (23/05/2019)  
Demolition of existing bungalow and erection of four new dwellings and associated works.

### 3.2 **Pre-application History**

[P17/V1352/PEM](#) - Other Outcome (29/06/2017)  
Demolition of existing bungalow and replacement with one pair of semi-detached houses fronting Norreys Road, new access and erection of three detached houses and garages to the rear. Outline. **\*\*SITE MEETING\*\***Planning Application History

### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposed development is neither of a sufficient scale, nor within a location of sufficient environmental sensitivity, to require an EIA.

### 5.0 **MAIN ISSUES**

5.1 The relevant planning considerations are the following:

- Principle of the development
- Design, appearance and impact on character

- Highways and access considerations
- Neighbour impact including on solar panels
- Biodiversity considerations
- Sustainable design and construction
- CIL
- Other - drainage

**5.2 Principle of the development**

The Local Plan 2031 Part 1 focuses housing growth at the market towns, local service centres, and larger villages. Botley is identified as a local service centre within the Abingdon and Oxford Sub Fringe Area.

- 5.3 Policy CP4 confirms the presumption in favour of sustainable development within the existing built areas of local services centres. The application site is within the main built up area of the settlement and therefore the principle of additional residential development at this sustainable location is acceptable, subject to being in accordance with other relevant development plan policies.

**5.4 Design, appearance and impact on character**

Policy CP37 requires development proposals to be of a high-quality design which responds positively to the site and surroundings and creates a distinctive sense of place which physically and visually integrates with its surroundings. It requires development to be visually attractive and the scale, height, density, grain, massing, type, details and materials to be appropriate for the site and surrounding area.

- 5.5 The Council's Design Guide encourages new housing to accord with its context. The proposed layout seeks two traditional semi-detached houses with hipped roofs, set in plots with large rear gardens with plenty of scope for appropriate landscaping.

- 5.6 The proposed eastern house (adjoining 18-20 Norreys Road) will have a detached garage building located 15.5 metres to the rear of the house and accessed via a private driveway. The proposed western house (adjoining 24 Norreys Road) benefits from two off-road parking spaces forward of the dwelling, which reflects the grain of development on Norreys Road, whereby many homes benefit from off-road parking within the front garden area.

- 5.7 Concerns have been received from neighbouring residents and from the Parish Council concerning the provision of the driveway and garage to the rear of the eastern house. In particular, there are concerns that the driveway and garage could lead to future backland development and that it does not reflect the character of the area, and in respect of the neighbour impact (vehicle exhaust fumes, visual intrusion, and disturbance from noise and lights).

- 5.8 Officers have regard to the recent appeal decision P18/V1167/O for the demolition of the existing bungalow and erection of four dwellings. The Planning Inspector concluded that backland development would be harmful to the spacious character of the area. However, having regard to the proposed scheme, this would probably have been for a minimum of two dwellings within

the rear garden area. Officers do not consider the erection of a two-bay detached garage building and driveway would be harmful to the character of the area, taking account of a number of properties on Norreys Road which benefit from outbuildings in the rear garden areas. In many instances, these are likely to have been erected under permitted development rights. With regard to the Planning Inspector's comments on the impact on living conditions of neighbours from the four-home scheme, the Inspector concluded it would not give rise to undue harm. Officers therefore conclude similarly in respect of the garage and driveway serving the current proposal.

- 5.9 Local concerns have also been expressed about the bulk of the proposed dwellings. However, the scheme has been amended to reduce the bulk of the dwellings and simplify the roof form to better integrate the houses into the street scene. The proposed dwellings would be 8 metres in height, comparable with the adjoining properties, with an eaves height of 5 metres. The proposed dwellings would be a total of 15 metres in depth at two storey level with a single storey element of 3.5m depth behind. The development remains towards the front of the site, and public views from the highway of the proposed houses is in-keeping with the prevailing character of Norreys Road.
- 5.10 Officers have recommended planning conditions to control the materials to be used in the external construction of the development and the hard and soft landscaping, to ensure the development integrates well into the street scene.
- 5.11 A public footpath runs at the rear of the site. The site is currently perceived as relatively undeveloped and officers consider this will remain the case with no development proposed to the rear section of the site which adjoins the open countryside. Officers consider this will maintain a gentle transition between the countryside and the proposed built development.
- 5.12 **Highways and access considerations**  
Each of the proposed semi-detached dwellings benefits from two off-road parking spaces which accords with adopted parking standards. Accordingly, the Highways Officer has no objection to the proposal, subject to the parking, turning and visibility splays being provided in accordance with the submitted details.
- 5.13 Although local concerns have been expressed regarding road safety issues, contractor parking and the impact on traffic congestion, officers consider the proposal provides acceptable access and parking arrangements and there are considered to be no sustainable highways grounds for refusal of the scheme.
- 5.14 **Neighbour impact, including impact on solar panels**  
In accordance with policy DP23, new development is required to ensure there is no significant adverse impacts on the amenity of neighbouring uses, when considering individual and cumulative impacts including loss of privacy, daylight and sunlight; dominance or visual intrusion; noise and external lighting.
- 5.15 The neighbours at 18-20 Norreys Road had expressed concern that the development would give rise to significant loss of light to their solar panels. A

recent High Court judgment, dated 10 July 2019, has confirmed that the impact of development on solar panels is a material planning consideration. The applicant responded by amending the proposal to increase the gap between the proposed development and 18-20 Norreys Road by re-positioning the driveway and garage. The proposed development would be further from the site boundary than the existing bungalow.

- 5.16 In addition, the Council commissioned a report from the Building Research Establishment Ltd (BRE), an independent national body of many years' standing, into the impact of the proposed development on the solar panels on the side of 20 Norreys Road. The report is **attached** at Appendix 3. The report analyses the loss of solar radiation to photovoltaic panels of the side-facing roof slope of 18-20 Norreys Road.
- 5.17 There are eight panels on the side roof. With the new development in place the solar radiation received by the six lower panels would drop by around 10% once reflected radiation is taken into account. The solar radiation received by the upper two panels would drop by around 3%. However, there is no guidance on what constitutes an acceptable reduction in this situation, although the BRE report, 'Site layout planning for daylight and sunlight: a guide to good practice', suggests that a reduction of up to 20% in daylight and sunlight to windows could be considered acceptable.
- 5.18 The report concludes, 'the lower solar panels are in an unusual situation, because they are installed fairly low down on the roof and close to the site boundary. This makes loss of solar radiation to the panels inevitable if the development at number 22 is to match the size and proportions of other houses on the road.' A photograph of the solar panels is included overleaf.



- 5.19 Concerns have also been expressed about loss of light to the conservatory at 26 Norreys Road. The proposed development is to the east of this neighbour and there will be an increase in light loss compared with the impact of the current bungalow on site. However, the loss of light will not be unreasonable as



the two-storey element of the development is sufficiently set-in from the boundary.

- 5.20 With regard to loss of privacy and overlooking there are proposed to be two rear-facing bedroom windows to each dwelling. These will give rise to rear-facing views, but this is typical of the pattern of development on Norreys Road and is not regarded as unreasonable.
- 5.21 The flank elevations to the proposed dwellings are broken up by the varying width of the homes and which creates visual interest and, together with the hipped roof form, prevents a dominating appearance.
- 5.22 **Biodiversity considerations**  
Concerns have been expressed about the impact of the development on wildlife, particularly bats and deer, having regard to the boundary onto open fields beyond. However, the Council's Ecologist has indicated there appears to be limited potential for protected species (bats) as the existing house appears well-maintained externally and there are no obvious entry/exit points for bats. A bat informative can be imposed to ensure the developers are aware of their responsibilities with regard to protected species, were bats found to be present.
- 5.23 Deer are not a protected species and it is unlikely the proposed development will have any significant impact on deer in the locality. There are no known protected habitats on the site. Overall, the development complies with the relevant policies and is unlikely to have an adverse effect on the biodiversity of the site, taken as whole. Furthermore, the proposed conditions controlling landscaping will ensure an appropriate level of planting is present on site to sustain wildlife.
- 5.24 **Sustainable design and construction**  
In accordance with paragraphs 153 and 154 of the NPPF, officers have regard to the position of the proposed development with regard to the solar panels to the neighbouring property, recognising the impact of even small-scale schemes.
- 5.25 In terms of the proposed homes, the Design and Access statement indicates the intention to use passive design measures (such as fabric thermal performance) and active design measures (including efficient boilers, light fittings etc).
- 5.26 **CIL**  
As the scheme creates additional residential floor space, the Community Infrastructure Levy will apply to the development and the relevant notice would be sent upon issue of the grant of planning permission.
- 5.27 **Drainage**  
Officers are satisfied that sustainable drainage can be secured at the site by means of pre-commencement surface water and foul water drainage conditions.

## 6.0 CONCLUSION AND PLANNING BALANCE

- 6.1 In this case, the application site is in a sustainable location and accords with the Council's spatial housing policies for growth. The design has taken a traditional approach, which is broadly in keeping with the character of the area and which provides acceptable access and parking arrangements, subject to conditions identified where necessary.
- 6.2 In terms of neighbouring amenity, there will be inevitably be some impact in terms of loss of light when compared to the existing bungalow on site. However, having regard to scale, layout, orientation and position of the proposed homes, the impact is unlikely to be so significant that it would warrant refusal on this basis. Similarly, there will be some overlooking towards the rear of the neighbouring gardens from rear-facing bedroom windows in the proposed homes, but this is typical of the local pattern of development and not a significant adverse impact.
- 6.3 When weighed in the planning balance, officers consider the impacts on neighbour amenity are outweighed by the benefits in providing an additional unit of housing options in a highly sustainable location, in line with the Framework. Having regard to the relevant policies in the Development Plan, the Framework and its objectives in achieving sustainable development, and relevant guidance, on balance, the development is considered to be acceptable and to be in accordance with the Development Plan, subject to conditions to secure necessary landscaping and drainage schemes, (amongst other matters), it is recommended that the application is approved.

The following planning policies, guidance and legislation have been taken into account:

### **Vale of White Horse Local Plan 2031 Part 1 policies**

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP07 – Providing Supporting Infrastructure and Services
- CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP23 – Housing Density
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP40 – Sustainable Design And Construction
- CP42 - Flood Risk
- CP44 – Landscape
- CP45 – Green Infrastructure

### **Vale of White Horse Local Plan 2031 Part 2 policies**

DP02 – Space Standards  
DP16 - Access  
DP23 - Impact of Development on Amenity  
DP25 – Noise Pollution  
DP28 – Waste Collection and Recycling  
DP29 – Settlement Character and Gaps  
DP31 – Protection of Public Rights of Way

### **Neighbourhood Plan**

Cumnor Parish Council are working on a neighbourhood plan. The neighbourhood area was formally designated on 12 January 2017. The parish council has started the process of gathering evidence and engaging with the local community. This is to give the plan a direction and draft policies that will form the neighbourhood plan. In accordance with paragraph 48 of the NPPF, very limited weight can be given to the neighbourhood plan at this stage.

### **Vale of White Horse Design Guide (March 2015)**

### **National Planning Policy Framework, 2019**

### **Planning Practice Guidance**

### **Equality Act 2010**

The application has been assessed against section 149 of the Equality Act. It is considered that no recognised group will suffer discrimination as a result of the proposal.

### **Human Rights Act, 1998**

The application has been assessed against Articles 1 and 8. The impact on individuals has been balanced against the public interest and the officer recommendation is considered to be proportionate.

Author: Susannah Mangion

Email: [susannah.mangion@southandvale.gov.uk](mailto:susannah.mangion@southandvale.gov.uk)

Tel: 01235 422600