

CUM/19875/1 – Banner Homes Ltd
Demolition of No. 8 Arnolds Way. Erection of 5 detached dwellings (resubmission).
8 and land rear of 6 and 10 Arnolds Way, Cumnor Hill, Oxford, OX2 9JB

1.0 The Proposal

- 1.1 This application seeks full planning permission for the demolition of No 8 Arnolds Way and proposes the redevelopment of this property along with part of the rear gardens of Nos. 6 and 10 to create 5 detached dwellings.
- 1.2 The proposal is to replace No 8 Arnolds Way with a smaller detached dwelling and build 4 dwellings parallel to the existing properties on the land to the rear. It is a resubmission of a previous scheme of 6 dwellings that was refused permission and dismissed on appeal in July 2007.
- 1.3 The site is located on the south side of Arnolds Way, a mature residential suburban road with a mixture of house types set in predominantly long linear plots. The site is bounded to the west by the gardens of dwellings that front onto Cumnor Hill. To the south lies an access drive to Nos. 73 and 75 Cumnor Hill, two long established properties set behind the main frontage of Cumnor Hill.
- 1.4 A copy of the plans showing the location of the proposal, its design and layout together with extracts from the design statement are attached at **Appendix 1**. The plans have been amended to take into account the County Engineer's comments.
- 1.5 The application comes to Committee because several letters of objection have been received and Cumnor Parish Council objects to the proposal.

2.0 Planning History

- 2.1 In December 2006 an application was submitted for the demolition of No 8 Arnolds Way and the erection of 6 detached dwellings. The application was refused on 1 February 2007 for the following reasons:
1. In the opinion of the District Planning Authority, the proposed development by reason of the large size, inappropriate uniform style and design of the dwellings and the cramped layout proposed, would result in a visually congested development on the site which is not compatible with the form and character of the surrounding area. Furthermore the proposed development fails to take account of or to positively exploit the contextual spatial character found in the surrounding area to the detriment of the locality. As such the proposal is contrary to Policies H10 and DC1 of the adopted Vale of White Horse Local Plan 2011 and to advice contained within PPS1 Delivering Sustainable Development and PPS3 Housing.
 2. The proposed development, by reason of its juxtaposition with neighbouring dwellings, represents an unneighbourly form of development that is harmful to the amenities of those properties, in particular no.12 Arnolds Way, in terms of overshadowing, over-dominance and overlooking. As such the proposal is contrary to Policies DC1 and DC9 of the adopted Vale of White Horse Local Plan 2011.
- 1.3 The application was dismissed on appeal on 31 July 2007. A copy of the Inspector's decision letter is attached at **Appendix 2**.
- 1.4 In October 2007, a further scheme for 5 dwellings arranged in a similar layout to that dismissed on appeal was submitted. This was refused under delegated authority on 22 November 2007 for essentially the same reasons as the original application.

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 objects to the proposal. Their comments are attached at **Appendix 3**.

4.2 County Engineer – (amended plans) no objections, subject to conditions.

4.3 County Funding Officer – seeks contributions to education / library / fire and rescue provision and waste management operations.

4.4 Thames Water – no objections to honouring any existing legal flows of surface and foul drainage from the site, (i.e. flows from 1 dwelling). The additional dwellings will need to be drained by an alternative method other than the public system, until the issues in the public system have been resolved.

4.5 Environment Agency – no objections to use of cesspools as a temporary solution whilst Thames Water undertakes their area drainage study.

4.6 Drainage Engineer – no objections (subject to conditions).

4.7 Environmental Health – no objections.

4.8 Waste Management Team – no objections.

4.9 Consultant Architect – comments are attached at **Appendix 4**.

4.10 21 letters of objection have been received, which are summarised as follows:

- Over development and out of character with the area.
- Houses are of a similar design.
- Development is unneighbourly.
- No difference between this and the previously refused scheme. The only change appears to be a reduction in numbers from 6 to 5 dwellings.
- Application does not address previous reasons for refusal.
- Potential loss of trees on rear boundary.
- Development will exacerbate drainage problems in the locality.
- It will increase traffic on an already busy road.
- The applicants do not have the consent of the landowners to make this application. (This is not a material planning consideration).

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 and 5) the impact of the development on the local drainage network.
- 5.2 On the first issue, PPS 3 'Housing' makes it a priority to use previously developed land for new housing and encourages the use of innovative approaches to achieve higher densities within existing settlements. In this respect, paragraphs 9 and 10 of PPS3 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. In addition, Policy H10 of the adopted Local Plan enables such development. The principle of a development of 5 houses in the manner proposed, therefore, is 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. The parallel layout of the 4 dwellings to the rear and their individual design are in keeping with the character of Arnolds Way. A similar development is under construction at No 28 Arnolds Way. As such Officers consider this previous reason for refusal has been satisfactorily overcome.
- 5.4 The scheme has a density 18.8 dwellings per hectare. Whilst this does not accord with Policy H15, the density proposed is considered acceptable having particular regard to the established character of the area. Furthermore the reduction in the number of dwellings from 6 to 5 increases the spatial relationship between the dwellings and your Officers consider that the proposal is not an overdevelopment of the site.
- 5.5 In respect of the impact on neighbouring properties, the revised layout is considered to overcome the previous reasons for refusal in that respective 12m and 21m distances between existing dwellings and those proposed have now been achieved. Furthermore, the parallel layout ensures that no significant harm will be caused to the amenity of no 12 Arnolds Way. Officers, therefore, consider the impact on neighbouring dwellings to be acceptable.
- 5.6 On the issue of parking and access, the proposed arrangements are considered acceptable. Adequate visibility can be achieved at the proposed access point onto Arnolds Way to ensure pedestrian and vehicle safety, and the increase in traffic movements is not considered to be sufficiently harmful to users of the local footpath / cycle network to warrant refusal. Furthermore, the County Engineer raises no objection to the proposal, subject to conditions.
- 5.7 Regarding the issue of drainage, the applicants originally sought to drain the site (both foul and surface water) through the public sewerage system. However, given the objection from Thames Water in this respect, the applicants now propose to use cesspools as a temporary

measure whilst Thames Water undertakes its study into the ongoing problems with the network. The Environment Agency has confirmed that this arrangement would be acceptable as a temporary measure until such time as works to upgrade the system are undertaken.

5.8 As such, the redevelopment of the site is not considered to lead to increased risk of flooding providing cesspool drainage is installed in accordance with the relevant regulations and guidelines. It is suggested, therefore, that conditions requiring such a drainage scheme and the surface of parking areas to be permeable are imposed on any permission granted. It is also proposed that a condition is attached to any consent granted that prevents the development connecting to the public sewerage system until such time as upgrade works have been carried out (see condition 9).

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 to enable the completion of a S106 Agreement to secure the required financial contributions for social infrastructure.*

1. *TL1 – Time Limit*
2. *MC2 – Sample Materials*
3. *LS2 – Landscaping*
4. *RE7 – Boundary details*
5. *Access in accordance with specified plan*
6. *Car parking layout with permeable surfacing in accordance with specified plan*
7. *Bin storage and cycle parking to be constructed prior to first occupation.*
8. *No development shall commence until details of foul and surface water drainage scheme have been submitted to, and approved in writing by, the District Planning Authority.*
9. *The development hereby approved shall not connect to the public sewer at any time without the prior written agreement of the District Planning Authority.*