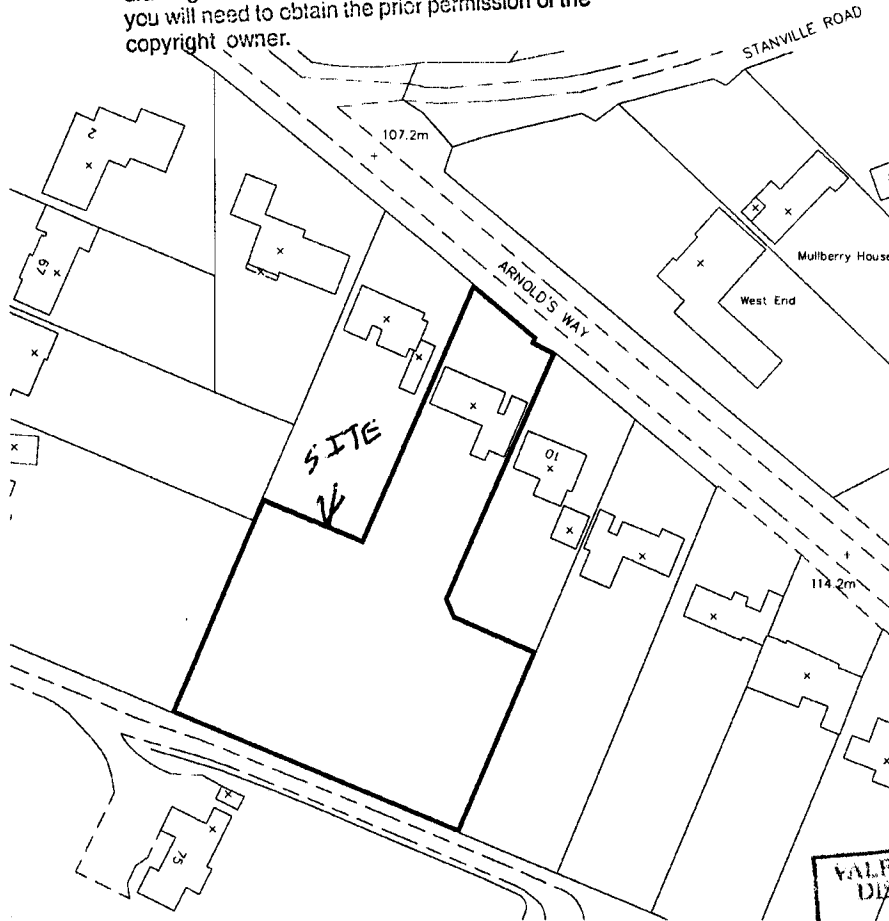


APPENDIX 1

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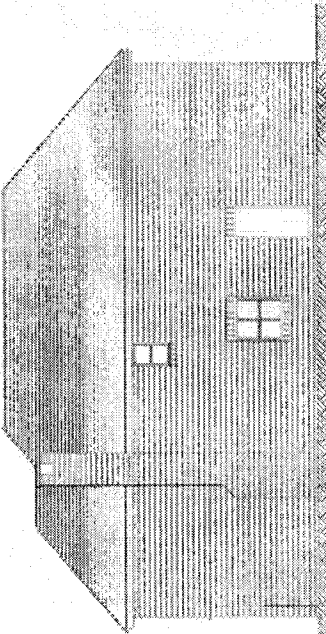
CUM/19875/1
07/01 579/FUL

Project ARNOLDS WAY OXFORD	
Drawing title <u>AL4</u> LOCATION PLAN	
Scale 1:1250	Dwg No. P.01
Date 06/12/06	Rev
Drawn N.MILLIN	

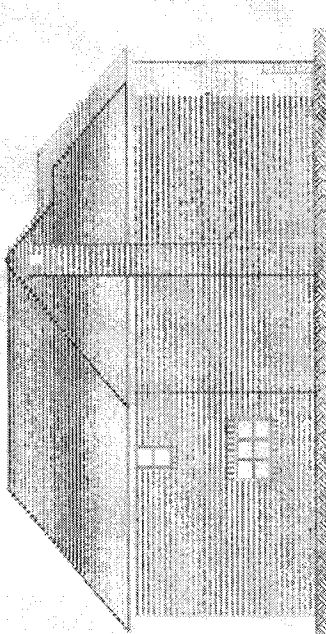
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A2

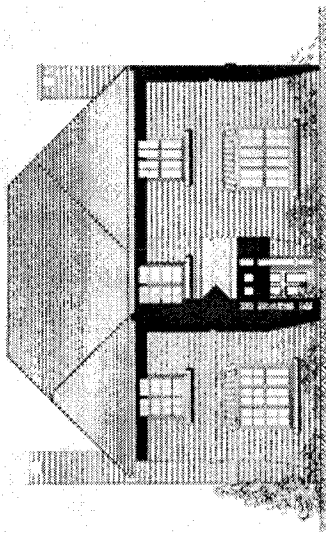
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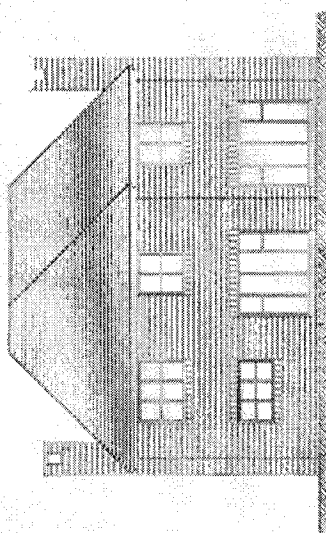
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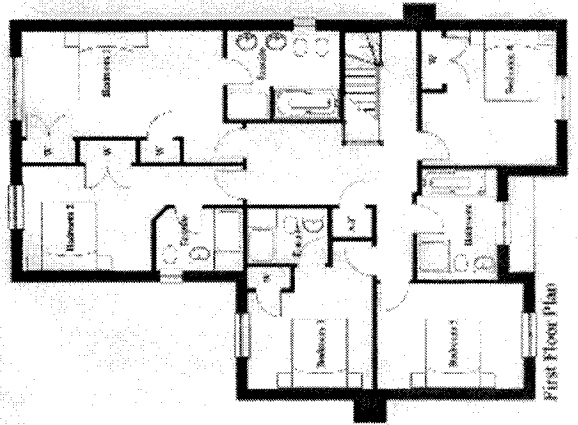
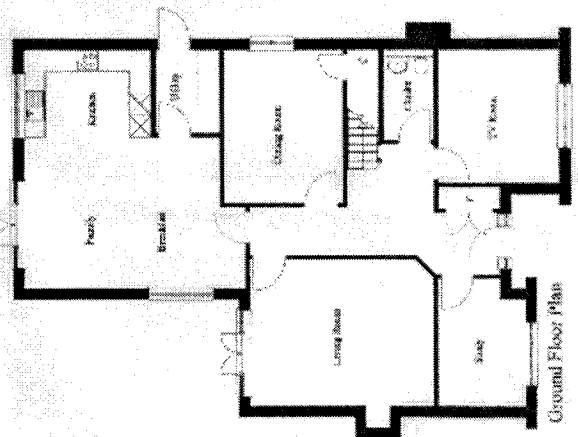
Side Elevation



Rear Elevation



Side Elevation



AMENDED PLAN
01/08/2007
02/08/2007

Rev.	Date	Description
B	24/08/07	Amended to sales comments
A	01/08/07	Amended to sales comments

BANNER HOMES
www.bannerhomes.co.uk

BANNER HOMES LIMITED
Banner Homes Limited, Banner House, Banner Way, Cumnor Hill, Oxford, OX4 1DF
Tel: 01865 200000 Fax: 01865 200001
PO: 1225 10, Woodcote Green, E-mail: public@bannerhomes.co.uk

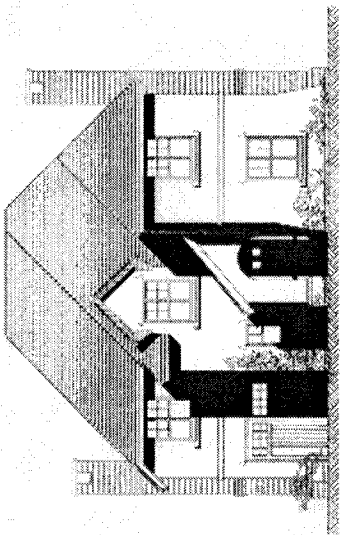
Project: Arnolds Way, Cumnor Hill, Oxford
Drawing title: Floor Plans & Elevations

Scale	1:100	Drawn	N.Miller
Date	24/08/07	Rev	A
Proj. No.	P.04	Drawn	N.Miller

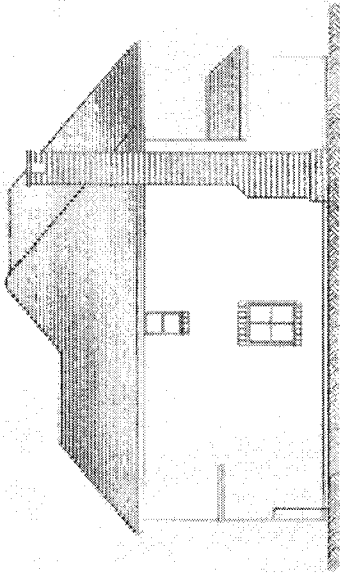
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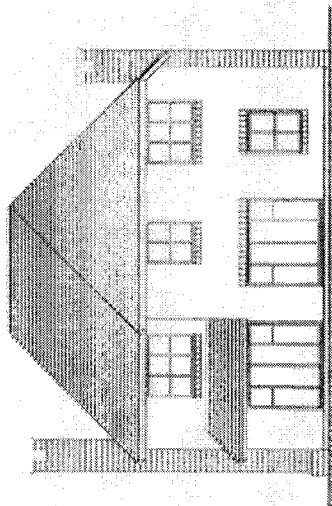
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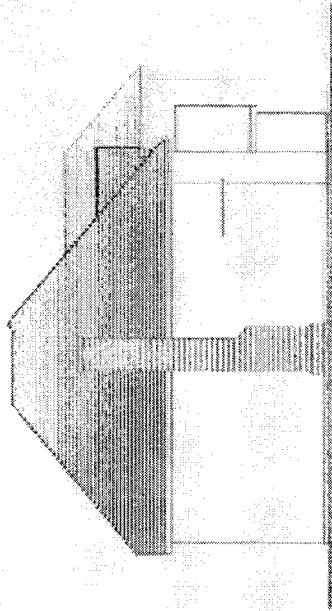
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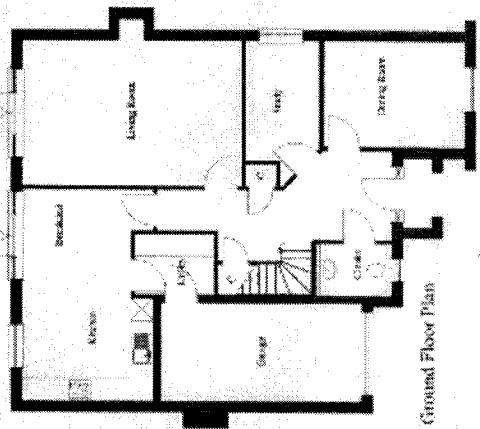
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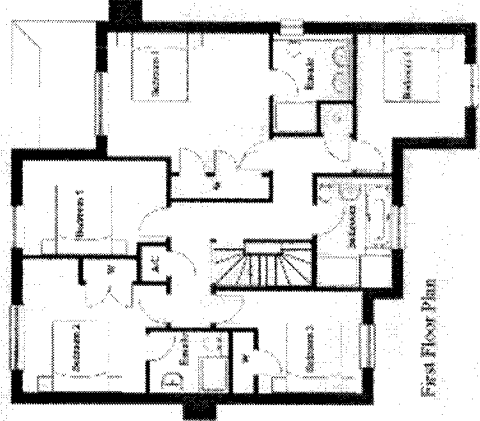
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

AMENDED PLAN
01/15/14/14

Rev	Date	Description
B	28/10/07	Amended to sales comments
A	18/10/07	Amended to sales comments

BANNER HOMES
www.bannerhomes.co.uk

BANNER HOMES LIMITED
Banner Homes Group
1003 WOODS, BANBURY, OXFORD OX15 0YJ
Tel: 01235 535000 Fax: 01235 535001
UK: 0224 6100000 Email: info@bannerhomes.co.uk

Project: **Arnolds Way, Currier Hill, Oxford**
Banner Homes Ltd
Date: 18/10/07

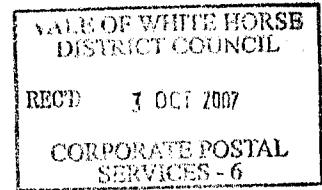
Drawing title: **Floor Plans & Elevations**
Plot 3

Scale	1:100	Dwg No.	P.06
Date	24/09/07	Rev	B
Drawn	N. Millin		

07/01579/FUL

CUM/19875/1

DESIGN & ACCESS STATEMENT
SCHEME FOR 5 HOUSES ON LAND AT
8 AND R/O 6 & 10 ARNOLDS WAY
BOTLEY



This Statement has been prepared following guidance in Circular 01/2006.

Amount of Development

The scheme comprises 5 detached houses at a density of 18.8 dwellings per hectare. Whilst this falls below the net density of 40 dph recommended in Policy H15 a judgement on density against character has to be made. In this context we believe the proposed density strikes the right balance. It is noteworthy that PPS3, whilst still containing an indicative minimum density of 30 dph, recognises that a case can be made for lower density in appropriate circumstances.

Layout

The layout has been devised having regard to the relationship of the existing houses to be retained at 6 & 10 Arnolds Way, together with that at No. 12 and those on adjoining roads. Of particular note is the existing mature conifer screen (approximately 5/6 metres high) that separates the site from No. 12 Arnolds Way. This creates an effective and enduring visual screen for the dwelling proposed on Plot 5. A fairly mature mixed species screen also exists adjoining Plot 2. A parallel layout has been conceived to respect the grain of the established development in Arnolds Way.

The parking layout has been devised to provide single garages for each of the dwellings, (except Plot 2 which has a double) together with 2 surface car parking spaces.

In terms of crime prevention, the parking area is set out in a manner where it can be given full surveillance by future residents. Each plot will be secured by fences and lockable pedestrian gates. Overall, we believe the scheme will create a safe environment where crime and disorder or fear of crime and disorder does not undermine quality of life or community cohesion.

Scale

The scale of the buildings is a maximum of 2 storeys, consistent with the general scale of development in the locality. In our view, this will fit comfortably without appearing unduly cramped or adversely affecting the amenities of adjoining properties.

Landscaping

We would ask that final details of landscaping are dealt with under the terms of the planning condition. However, there is already well established planting along the outer boundaries of the site (which is to be retained) as indicated on the proposed layout. This will be supplemented by further planting as shown indicatively. Each property owner will be responsible for maintaining the landscaping falling within their own boundaries.

Appearance

The external appearance of the buildings has been devised to reflect the character of the established housing in the area. It will create an attractive scheme that will fit sympathetically in these surroundings. The scheme will be constructed in good quality facing brick, under a plain tiled roof, final details of which can be agreed under the terms of a planning condition.

Access

Access to the site is to be taken from Arnolds Way at a position where it can be provided safely achieving 2.4m x 90m visibility requirements. The parking layout will lend itself to use by disabled people who will be able to satisfactorily negotiate the main entrance to the dwellings without undue difficulty.

Other Matters

In preparing the proposal we have obviously looked at Adopted Local Plan Policies, in particular Policy H10, H15, H16, H17, DC1, DC2, DC5 and DC6. We have also taken into account the requirements of contributions in the Oxfordshire Structure Plan and advice in PPS1 and PPS3.

Policy H10 allows for new housing in the built up area of Botley providing it makes efficient use of land and the layout, massing and design do not harm the character of the area. In our view, the proposal meet fully the objectives to this policy.

Policy H15 – requires a net density of 40 dph providing such density does not harm the character of the surrounding area or the amenities of adjoining properties. Whilst we do not meet the net density specified, a judgement needs to be made on character against density in the context of which we believe we struck an acceptable balance. This issue is further reinforced by recent advice in PPS3.

Policy H16 – requires a variety of dwelling types but only on sites of 10 or more in settlements the size of Botley. The scheme only comprises 5 dwellings and therefore the policy does not apply in this case.

Policy H17 – requires affordable housing on sites accommodating 15 or more dwellings (or on sites of 0.5 hectares or more). The scheme does not exceed either threshold and therefore affordable housing is not required.

Policy DC1 – requires new development to be of a high quality and make a positive contribution to the character of the locality. In our view, the scheme is of a high quality and therefore will make a positive contribution.

Policy DC2 – requires new developments to give consideration to measures that conserve energy, conserve the use of water and maximise the use of recyclable and waste materials. May we confirm that we would be happy to meet any reasonable conditions the Council may wish to impose in this regard.

Policy DC5 – sets out a number of access criteria that will have to be met in new developments. These require (inter alia) adequate provision for turning of service vehicles. In this case, the road layout and turning head has been designed having regard to Oxfordshire County Council standards and will accommodate the needs of refuse and service vehicles.

Policy DC6 – requires all new development to include hard and soft landscaping to protect the visual amenities of the site and maximise the opportunities for nature conservation and wild life habitat conservation. In this case, we are retaining the majority of trees around the periphery of the site that can continue to act as wildlife habitat. Further details of soft and hard landscaping can be covered by a planning condition, but it is suffice to say at this stage that sufficient land exists within the layout to enhance the scheme by additional planting as shown indicatively on the proposed layout.

In terms of the Oxfordshire Structure Plan, the only issue to arise relates to possible transport and infrastructure contributions. However, having made enquiries on this matter, we understand it does not normally apply to schemes of less than 10 dwellings and therefore we assume no such contributions will be levied in this case.

PPS1 and 3 emphasise the need for good design and need to make better use of previously development land (which includes residential curtilage land). The design of the scheme has been designed carefully conceived to reflect the character of the locality a the density has been struck which makes better use of the land without compromising the quality of the local environment.

Conclusion

In our view the scheme represents an attractive form of development that will create not only a safe and accessible environment but also one which fits comfortably into its surroundings.



Appeal Decision

Site visit made on 4 July 2007

by **Clive Kirkbride** BA(Hons) DipTP MSc

an Inspector appointed by the Secretary of State
for Communities and Local Government

1 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Date: 31 July 2007

Appeal Ref: APP/V3120/A/07/2038887

Land at 8 Arnolds Way and rear of 6 and 10 Arnolds Way, Botley, OX2 9JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Banner Homes Limited against the decision of Vale of White Horse District Council.
- The application Ref CUM/19875 & 06/01902/FUL, dated 8 December 2006, was refused by notice dated 1 February 2007.
- The development proposed is to demolish 8 Arnolds Way and redevelop site by the erection of 6 detached houses.

Decision

1. The appeal is dismissed.

Main Issues

2. I consider these to be the effects of the proposal on the character and appearance of the area and on living conditions at 12 Arnolds Way, with respect to overshadowing, overlooking and loss of outlook.

Reasons

The Appeal Site and Proposal

3. The appeal site is located towards the north western end of Arnolds Way which is characterised by large, individually designed, detached houses standing on large plots. The site comprises 8 Arnolds Way and its curtilage together with part of the long rear gardens of properties at nos.6 and 10.
4. The proposal involves the demolition of no.8 and its replacement with a slightly smaller house, which would leave room for a new access road to be created between it and no.10 leading to a backland site which would be developed to provide 5 houses sited in 2 slightly staggered rows. One row of 3 houses would adjoin the rear boundaries of 69 and 71 Cumnor Hill, which have deep rear gardens; the other 2 houses would adjoin the side boundary with 12 Arnolds Way.

Character and Appearance

5. With the exception of the proposed access road and new dwelling fronting Arnolds Way, the proposed development would be largely hidden from views from the road. The site also has established trees and hedges along 3

boundaries such that the proposed houses on the rear part of the site would be partially screened against views from most of the surrounding houses.

6. However, unlike the backland development currently under construction at 28 Arnolds Way, these proposed houses would be sited against the grain of established development which runs parallel to Arnolds Way. I also consider comparisons with the established backland development at Scholars Place are not valid as this is much larger than the proposal before.
7. I also note that the proposed houses account for a relative large proportion of their plots when compared to other detached houses in the area. For example, plot ratios do not compare favourably with those at 28 Arnolds Way, which has a housing density of 17 dwellings per hectare (dph), compared to the 22 dph proposed under the appeal scheme. The proposed houses on plots 3 and 6, in particular, would have small rear gardens for their size and relatively shallow frontages such that they would appear cramped on their plots.
8. Whilst I accept that making more efficient use of land may lead to smaller than average gardens, I do not consider that the proposal adequately reflects the layout and pattern of existing housing in the area.
9. Furthermore, of the 5 houses proposed on the rear part of the site, 4 would, essentially, be of the same design. Although the use of different external materials would add some variety and interest, I consider that the proposal would have a relatively uniform appearance. This would not reflect the character of most of the established housing in the area or meet the design advice set out in Planning Policy Statement 3: *Housing*. This advocates that design which 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.
10. Consequently, I conclude that the proposal would harm the character and appearance of the area, contrary to policies G2 and GS5 of the Oxfordshire Structure Plan 2016 (SP) and policies DC1 and H10 of the Vale of White Horse Local Plan (LP).

Living Conditions at 12 Arnolds Way

11. The appeal site boundary with 12 Arnolds Way is defined by a 3-4m high, dense, ornamental conifer hedge. The evidence before me indicates that, if this were to be maintained at its current height, which could be required by a condition, the hedge would prevent any direct overlooking towards no.12 from the proposed houses on plots 5 and 6.
12. However, I note that these houses would have family rooms on the ground floor, and that their main windows and glazed doors would directly face, and be sited only some 5-7m from the hedge. In my opinion, it is likely that future occupants of these particular houses would wish to increase natural daylight to these rooms by reducing the height of the hedge, which would otherwise be likely to restrict morning sunlight. Under these circumstances, I consider that a condition requiring the hedge to be maintained at its present height would be unreasonable.

13. Any such reduction in the height of the hedge, however, would reduce its value in preventing overlooking from the rear first floor windows in these particular houses. 3 first floor bedroom windows would directly overlook the rear garden area of no.12, resulting in an unacceptable loss of privacy, if the hedge were to be reduced in height.
14. Whilst the proposed houses on plots 5 and 6 would also reduce the level of afternoon light to the rear garden of no.12, I do not consider that this would cause any significant harm. I also accept that there would be a change in outlook from the rear of no.12 as a result of the proposed development. However, I do not consider that this would be so overbearing or result in such a loss of outlook as to significantly harm living conditions at no.12.
15. Nevertheless, these matters do not outweigh my conclusion that the proposal would be likely to unacceptably harm living conditions at 12 Arnold Way, by reason of loss of privacy, contrary to LP policy DC9. I have also considered all the other matters raised but none outweighs my conclusions on the main issues.

C.S. Kirkbride

INSPECTOR

CUMNOR PARISH COUNCIL RESPONSE FORM

The observations of Cumnor Parish Council.

Computer No. 07/01579/FUL Officer: Mr Stuart Walker
Application Number: CUM/19875/1 Amended plans: Yes – re-submission
Address of Proposal: 8 and land rear of 6 and 10 Arnolds Way, Cumnor Hill, Oxford, Oxon, OX2 9JB
Proposal: *Demolition of No 8 Arnolds Way. Erection of five detached dwellings. (Re-submission.)*

Please select the response that most accurately reflects your views on this application by ticking one box and providing the relevant reasons where this is requested, using a separate sheet if required.

1. Fully support for the following reasons:

2. No objections.

3. Do not object but request the following issues be given consideration:

4. Object for the following reasons:

Although the proposed properties are not identical they are, nevertheless, not dissimilar and are out of keeping with the surrounding area.

The housing density would be greater than other developments, including flats, in the vicinity. The proposed site is considered to be too cramped with no front gardens and restricted space for manoeuvring vehicles.

The houses and gardens of Nos 12, 10, and 6 will be directly overlooked by the four new properties and will be on higher land than the existing houses on Arnolds Way. They are also likely to impact on some neighbouring houses on Cumnor Hill in terms of privacy and overlooking.

There are concerns that the building work could severely damage the mature trees of 73 Cumnor Hill and it is recommended that TPOs are put on these trees.

The Council again wishes to reiterate its concerns regarding sewage and surface water run off in the area and that it has become a very serious local issue.

It appears that the drive is not wide enough to accommodate two cars passing. The Council recommends that the drive should be built of a porous material to aid surface water run-off. There are also safety concerns regarding the access onto Arnolds Way in view of the increase in vehicular traffic and the number of pedestrians associated with Matthew Arnold School. The Council understands that Banner Homes is no longer proceeding with the consent of all the original landowners, some of whom have registered their objections with VWHDC. The Council recommends that the views of the neighbours should be taken into account. Apart from removing one house from the site, this proposal does not address the reasons for dismissal by the Planning Inspectorate. The Inspector's reasons for dismissal are also relevant for this application. The Council believes that this application is very similar to the previous application and does not address the adverse points and, therefore, the Council's original objections still stand.

Signed by ...*J B Bock*.....
Clerk to Cumnor Parish Council

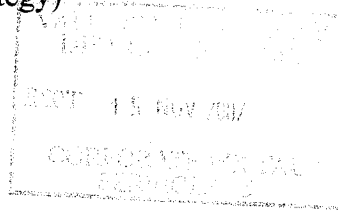
Dated 6 November 2007

McCoy Associates Chartered Town

54 New Street • Henley on Thames • Oxon RG9 2BT •
Fax: 01491 410852 www.mccoyassociates.co.uk email denis

APPENDIX 4

For the attention of Alison Blyth
Deputy Director (Planning & Community Strategy)
The Vale of White Horse District Council
PO Box 127
The Abbey House,
ABINGDON OX14 3JN



email and post

Dear Sir

Demolition of 8 Arnolds Way. Erection of 5 detached dwellings 8 and land rear of 6 and 10 Arnolds Way, Cumnor Hill

Thank you for the drawings of the above project received on 5 November which was discussed at the Architects Panel meeting on 7 November and on which you have requested design comments.

This is a proposal for a site the subject of an appeal earlier this year. The most obvious way in which this proposal takes account of the Inspector's reasons for upholding the Council's earlier refusal is the way in which the proposed four houses at the rear of the land are set in a row. As noted in the design and access statement this layout respects the vein of the established development in Arnolds Way.

Plots 3 and 5 propose the same house type, with the drawings suggesting (albeit not confirming) that one is to be rendered. My own view is that that solution would, with the different house types on plots 2 and 4, provide sufficient variety to harmonise with the mixed character of the locality.

There is to my eye an uncomfortable contrast between the degree of variety and picturesque quality provided on the front elevations of the four houses and the plainer other elevations. This however falls a long way short of a reason for withholding planning permission. Initially I thought the 15m deep plan of the house proposed on plot 2, close to the boundary, would have an unattractive impact on the adjoining property. However bearing in mind the extent of its garden I think that this too would not justify a refusal.

As before the house proposed on the frontage would relate acceptably to the townscape, and the shared access alongside it is not dissimilar from that which the Inspector found acceptable.

With all these thoughts in mind I consider that in design terms this proposal is acceptable.

I shall post your various drawings and papers to you shortly.

Yours faithfully


McCoy ASSOCIATES

encs

This letter refers to drawing nos P.01-8 inclusive; design and access statement

Denis F McCoy DiplArch(Oxford) ARIBA FRTPi FRIAI

Christopher R Baker Company Secretary

McCoy Associates Limited, company registered in England no 4457420
VAT No. 363 3525 59