

<b>Application No:</b> 12/00327/F	<b>Ward: Bicester West</b>	<b>Date Valid:</b> 14/03/2012
<b>Applicant:</b>	Charter Community Housing/Sanctuary Group	
<b>Site Address:</b>	Land adjacent to 45 George Street, Bicester,	

**Proposal:** Variation of Condition 2 of 10/00247/F

## 1. Site Description and Proposal

1.1 The application site is a garage court on the corner of George Street and Market End Way, Bicester. Full planning permission for the demolition of three garage blocks and erection of 4 no. dwellings was granted by this Committee on 23 April 2010 subject to Conditions.

1.2 The current application seeks to vary Condition 2 of 10/00247/F which states:

*Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and details:*

- 2005/1033/P02
- 2005/1033/P03
- 2005/1033/P04
- 2005/1033/P05A
- 2005/1033/P06A
- 2005/1033/P08
- EH Smith 'Brindled Red Sandfaced' bricks and Russell 'Peat Brown' roof tiles in accordance with the samples submitted with the application.

Condition 2 was applied for the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

1.3 Specifically, the application seeks consent to alter the following:

- The use of a low-level brick built wall with close boarded fence panels along the boundary adjacent to Market End Way instead of a 1.8 metre tall close boarded fence as approved.
- The use of double doors instead of a single door at ground-floor level on the rear facing elevations of the 2 no. two bedroom units.
- The use of different bricks and tiles to those specified as those approved are no longer produced.
- The omission of solar panels from the scheme as Level 3 Code for Sustainable Homes can still be achieved without them.

- 1.4 The application is submitted to Committee for determination as Cherwell District Council is the owner of the land.

## **2. Application Publicity**

- 2.1 The application has been advertised by site notice. The final date for comment is 19 April 2012. To date, no comments have been received.

## **3. Consultations**

- 3.1 Bicester Town Council – comments awaited

## **4. Policy Considerations**

- 4.1 National Planning Policy Framework – March 2012

4.2 South East Plan 2009

- Policy T4 – Parking
- Policy BE1 – Management for an urban renaissance
- Policy H5 – Housing Design and Density

4.3 Adopted Cherwell Local Plan 1996 saved policies

- Policy C28 - Layout, design and external appearance of new development
- Policy C30 – Design of new residential development

## **5. Appraisal**

- 5.1 The outcome of this application would be the issuing of a new permission for the development as a whole, incorporating the proposed amendments. As such, the principle of the erection of 4 no. dwellings in this location should be re-assessed against current planning policy.
- 5.2 Planning Policy Statements and Guidance were replaced in late March 2012 by the National Planning Policy Framework (NPPF) and this represents a material change in circumstances since the consideration of the previous application. The NPPF – *Delivering a wide choice of high quality homes* requires housing applications to be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities are expected to significantly boost the supply of housing. One of the Core Planning Principles of the NPPF is the encouragement of the effective use of land by re-using land that has been previously developed, provided that it is not of high environmental value.
- 5.3 The general thrust of the NPPF with regard to housing development of this type remains the same as that contained within Planning Policy Statements 1 and 3 and the proposal continues to accord with Government guidance. Relevant Regional and Local Planning Policies remain unchanged since the consideration of the previous application.
- 5.4 Vehicular access and parking arrangements for the site remain unchanged from

those previously considered and the previous recommendation from Oxfordshire County Council Highway Authority remains applicable.

- 5.5 With regard to the proposed alterations to the plans, it is necessary to consider their impact upon the character of the area and the amenity of local residents.
- 5.6 The proposed brick built boundary wall and close boarded fence panels would, in the opinion of the HPP&MD, serve to soften the boundary treatment along Market End Way by introducing visual breaks, thereby representing an improvement to the original scheme. The overall height and positioning would not alter from that previously approved.
- 5.7 The use of a double door instead of a single door upon the rear facing elevations of the 2 no. two bedroom dwellings would represent a minor alteration to the approved scheme that is unlikely to be clearly visible from the public domain due to intervening boundary treatments. These boundary treatments would also serve to avoid any additional loss of privacy to neighbouring dwellings as a result of the wider openings.
- 5.8 Two brick samples (Ibstock Woodthorpe Blend & Hardwicke Welbeck Red Mixture) and three tile samples (Marley Eternit Antique Brown, Smooth Brown and Smooth Grey) have been submitted for consideration with this application. Of these samples, the HPP&MD considers that the Woodthorpe Blend brick and the Smooth Grey tile would be most in-keeping with the materials found within the vicinity of the site.
- 5.9 The solar panels that were proposed as part of the previous scheme have been omitted. The HPP&MD is content that this is acceptable as the dwellings will still meet Code Level 3.
- 5.10 To conclude, it is considered that the proposed alterations are acceptable in terms of their impact upon the neighbouring properties and character of the area, in accordance with Government guidance contained within the NPPF – *Requiring Good Design*, Policy BE1 of the South East Plan 2009 and saved Policies C28 and C30 of the adopted Cherwell Local Plan.

## **6. Recommendation**

**Approval**, subject to:

1. SC1.4A Full Permission: Duration Limit (3 years) (RC2)
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
  - 2005/1033/GA01 Rev. C
  - 2005/1033/GA02 Rev. C
  - 2005/1033/GA03 Rev. D
  - 2005/1033/EXT03 Rev. C
  - Ibstock Woodthorpe Blend brick
  - Marley Eternit Smooth Grey tile

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. That prior to the first occupation of the dwellings hereby approved the proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with the specification of the means of access attached hereto, and that all ancillary works therein specified shall be undertaken in accordance with the said specification.

Reason – In the interests of highway safety and to comply with Government advice on promoting sustainable transport contained within the National Planning Policy Framework.

4. That, ***unless otherwise approved under 12/00048/DISC in the meantime (update to be provided at Committee meeting)***, before the development is first occupied, the parking and manoeuvring areas shall be provided in accordance with the plan hereby approved and shall be constructed, laid out, surfaced, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason – In the interests of highway safety and to comply with Government advice on promoting sustainable transport contained within the National Planning Policy Framework.

5. SC 6\_2AA (Permitted development restriction – no extensions/structures in the curtilage)
6. SC 6\_3AA (Permitted development restriction – no new windows or openings)
7. SC 6\_1AA (Permitted development restriction – no fences/enclosures to front)

#### **SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as the local planning authority, has determined this application in accordance with the development plan, unless material considerations indicate otherwise. Incorporating and adhering to the above conditions, the development is considered to be acceptable on its planning merits as the proposed development is of a design, size and style that is appropriate and will not unduly impact on neighbouring properties. The development proposes sufficient car parking and would therefore not harm highway safety. As such the proposal is in accordance with Government guidance contained within the National Planning Policy Framework, Policies T4 and BE1 of the South East Plan 2009 and saved Policies C28 and C30 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised including third party representations, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions as set out above.

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