

Application No:09/01740/CDC	Ward: Banbury Ruscote	Date Valid: 14 December 2009
Applicant:	Cherwell District Council	
Site Address:	Verge To Front Of 2 to 12 Braithwaite Close Banbury, Oxfordshire, OX16 0WN	

Proposal: Creation of 6 parking spaces on existing grass area

1. Site Description and Proposal

- 1.1 Braithwaite Close is situated within a residential area of Banbury which is characterised by semi-detached, two storey brick properties. Nos. 2 to 12 Braithwaite Close face onto a large park area which serves the surrounding residential area.
- 1.2 The proposal is for 6 parking spaces, surfaced with permeable block paving, to be created on a section of the grass immediately adjacent to the road.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice, neighbour letter and press notice. The final date for comment was 14 January 2010.
- 2.2 No letters of representation have been received as a result of this notification.

3. Consultations

- 3.1 Banbury Town Council – Comments Awaited
- 3.2 Oxfordshire County Council Highways – no objections, subject to a condition

4. Relevant Planning Policies

- 4.1 PPG13: Transport
- 4.2 South East Plan Policies: BE1 and T4
- 4.3 Adopted Cherwell Local Plan 1996 Saved Policy: C28

5. Appraisal

- 5.1 The proposal stands to be assessed mainly against issues relating to visual amenity and highway safety.
- 5.2 At present, the grassed area directly adjacent to Braithwaite Close is regularly used for the parking of cars. It is clear that local residents use this area for parking and there is significant evidence of this on site, with rutted grass and mud.

- 5.3 With regard to the impact of the proposal upon visual amenity, the proposed parking areas would comprise a very small percentage of the amenity area. There is evidence that residents frequently use the grassed area for the parking of vehicles, therefore it is not considered that the parking of a row vehicles adjacent to the road (once the hardstanding has been laid) would be detrimental to visual amenity. Furthermore the extent of the loss of amenity area would be minimal; the park area is of a substantial size and this minor encroachment will not have a detrimental impact on its use. It is considered that the proposal will be an environmental enhancement.
- 5.4 The proposal will provide a properly surfaced and accessible parking area which will improve the current unsightly parking problem. Permeable concrete blocks to cover the parking areas are proposed, which will provide a sustainable drainage system.
- 5.5 There are no highway safety issues arising from the proposal, and it is considered that the creation of the spaces will improve the situation on Braithwaite Close. The proposal is as a result of parking issues in this area and consequently designated parking area will resolve this problem for the residents.
- 5.6 Given the above assessment, it is considered that the proposal would not cause undue harm to visual amenity or highway safety. The proposal complies with the relevant development plan policies.
- 5.7 The application is brought before Members of the Committee due to the fact that Cherwell District Council is the applicant.

6. Recommendation

Approval; subject to conditions

1. **S.C.1.4A (RC2) [Time]**
2. **S.C 4. 13CD (Parking and manoeuvring area as plan, specification to be submitted and approved)**
3. **Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans: Drawing 'E4613' and the details outlined in the Design and Access statement, submitted with the application dated 14/12/09. Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Policy BE1 of the South East Plan 2009.**

Planning Note(s)

1. **The applicant is advised that they may be required to enter into a Section 38 Agreement with the County Council in relation to the adoption of the parking spaces within the highway.**

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

The Council, as Local Planning Authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposed work is of an appropriate scale and will not unduly impact on amenities of neighbouring properties, the character of the locality or highway safety. As such the proposal is in accordance with government guidance contained within PPG13 – Transport, Policy BE1 of the South East Plan, Policy C28 of the adopted Cherwell Local Plan 1996 and Policy TR5 of the Non Statutory Cherwell Local Plan 2011. For the reasons given above and having regard to all other matters raised, 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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