

Application 11/00093/F	No:	Ward: Bicester North	Date 20/01/2011	Valid:
Applicant:	Henaud Developments			
Site Address:	Blue Gates, Banbury Road, Bicester			

Proposal: Erection of four x 3 bed semi-detached dwellings and four x 4 bed detached dwellings. New vehicular access to Banbury Road and individual accesses to Taylor Close

1. Site Description and Proposal

1.1 The application site is situated within an existing residential area, accessed via the Banbury Road. The site was previously occupied by a large, detached dwelling located fairly centrally on the plot, bounded by a hedge/mixed vegetation along the eastern boundary (Taylor Close frontage) and intervening grassed area. The dwelling and hedge have recently been demolished/removed and a high panel fence has been erected along the back edge of the footpath.

The Banbury Road frontage comprises a mature hedgerow, which is separated from the road edge by a grass verge. The site is not situated within a Conservation Area nor are there any listed buildings within close proximity.

1.2 The proposal involves the erection of 8 dwellings comprising, four 3 bed semi detached and four 4 bed detached dwellings. A new vehicular access is proposed to the Banbury Road and 6 dwellings (4x3 bed and 2x4 bed) are to be accessed via Taylor Close. The larger detached dwellings are provided with a garage and two off street parking spaces; plot 6 is provided with one off street space and a garage. The semi detached dwellings are each provided with two off street car parking spaces.

1.3 The application is placed before the committee for determination following a call-in request by the ward member.

2. Application Publicity

2.1 The application has been advertised by way of site notices, press notice and neighbour letters. The final date for comments is 3 March 2011.

2.2 At the date of writing this report (10/2/11), 10 letters of objection have been received. Material comments raised were as follows;

- impact on residential amenity (through overshadowing, loss of light and privacy)
- impact on highway safety (parking, increased volume of traffic, emergency access)
- Overdevelopment of site
- Loss of open space and trees/hedgerow

Non material comments raised were as follows;

- issues of ownership of the land and acquisition (in relation to the grassed area fronting Taylor Close).
- House numbering

3. Consultations

- 3.1 Bicester Town Council – no comments received at the time of writing this report. Any further comments received will be reported at the meeting.
- 3.2 *Thames Water - Waste Comments*
Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.
Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
Water Comments
On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.
- 3.3 OCC as Local Highway Authority – No objection, subject to conditions.
- 3.4 Ward Member – Objects to the proposal and raises the following material planning considerations;
⇒ Detriment to highway safety, in terms of increased use of Taylor Close and proximity of new access to bus stop on Banbury Road
⇒ Overdevelopment

4. Relevant Planning Policies

- 4.1 National Policy Guidance:
PPS1 – Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport
- 4.2 Regional Policy Guidance:
Policy CC1: Sustainable Development
Policy CC6: Sustainable communities and character of the environment
Policy T4: Parking
Policy BE1: Management for an urban renaissance

- 4.3 Local Policy in the Adopted Cherwell Local Plan 1996:
Policy C28 – Standards of layout, design and materials
Policy C30 – Standards of residential amenity

5. Relevant Planning History

- 5.1 Outline planning permission was originally granted in 2003 (application no. 03/02425/OUT refers) for the demolition of the existing bungalow and garage and erection of 6 semi detached dwellings, accessed via the Banbury Road. There have been two subsequent consents to re-new the original consent (08/00209/OUT and 10/01164/OUT refers). The original scheme is extant until 17 September 2013.

6. Appraisal

- 6.1 The key issues to consider in the determination of this application are as follows: Principle of the development, impact on neighbour amenity, impact on highway safety and impact on the character and appearance of the area. Addressing each point in turn:

6.2 Principle of the development

One of the main objectives contained in Central Government guidance in PPS3 is to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure. This should be achieved by making effective use of land, existing infrastructure and available public and private investment, and include consideration of the opportunity for housing provision on surplus public sector land (including land owned by Central Government and its bodies or Local Authorities) to create mixed use developments. The priority for development should be previously developed land, in particular vacant and derelict sites and buildings.

The principle of residential development on this site is considered to be acceptable. The site is within the built up limits of Bicester, within an existing residential area. It is also located on a main bus route into the town centre. It is considered to be a suitable and sustainable location for residential development.

6.3 Impact on neighbour amenity

Six properties are proposed along the Taylor Close frontage, two detached and the remainder semi detached. These properties face onto the existing bungalows along Taylor Close, whose frontages (closest part) contain a garage door and window. Given the distance of over 20 metres between the dwellings, proposed landscaping and parking along the frontages, it is not considered that the proposal would cause demonstrable harm to resident's amenity by way of overlooking, overshadowing or overbearing.

- 6.4 The proposed detached dwellings accessed via the Banbury Road are not considered to be detrimental to neighbour amenity, given their position on the plot and orientation. Plot 1 is positioned ~8 metres from the side elevation of 'Gamlingay', but is set forward towards the Banbury Road frontage and orientated such that the windows in the neighbouring property will not be overshadowed or overlooked to a detrimental extent. The distance between the side elevation of plot

2 & no.5 Taylor Close and intervening landscaping is such that it will not result in detriment by way of overlooking or overshadowing.

- 6.5 Similarly, the relationship between the proposed dwellings is considered acceptable, given their orientation, position of windows and distances involved.
- 6.6 The two storey element of plot 3 is ~6 metres from the side elevation of no. 5 Taylor Close, with the single storey element being 3.4m away. The side elevation of plot 3 is blank, as is the first floor side elevation of no. 5. As such, it is considered that the proposal would not result in detriment to the occupant's amenity by way of overbearing, overshadowing or overlooking.
- 6.7 Plot 8 has an ensuite window proposed at first floor level on the north facing (side) elevation and the side elevation of no.7 Taylor Close is blank at first floor level. An access to 'Gamlingay' separates no. 7 from plot 8, with its side elevation positioned ~4.9 metres away. Given the distances involved, the respective positions of the dwellings on the plot and existing boundary treatment along the northern perimeter (~2 metre high close boarded fence) it is not considered that the proposal would cause detriment to the amenities of no's 7 and 9 Taylor Close.
- 6.8 In summary, it is considered that the proposal would not cause harm to the residential amenity of both existing and proposed occupants.
- 6.9 Impact on highway safety
The Local Highway Authority raises no objection to the proposal, subject to conditions controlling the details & vision splays associated with the new accesses, implementation & retention of parking and manoeuvring areas and removal of permitted development rights for garage conversions.
- 6.10 The frontage footpath and wide grass verge along the Banbury Road would provide a suitable vision splay, the details of which are required by condition. Turning areas have also been provided to enable vehicles to enter and leave the site from the Banbury Road in a forward direction.
- 6.11 The larger detached dwellings are provided with a garage and two parking spaces, as is the smaller detached dwelling along Taylor Close (plot 3). The remaining detached dwelling (plot 6) is served by a garage and one off street car parking space and the semi detached dwellings each have two off street car parking spaces.
- 6.12 Given the central location of site and good public transport links, the level of parking provision accords with central Government guidance contained in PPG13 and Policy T4 of the South East Plan.
- 6.13 Concern has been raised with regard to the proximity of the access to the existing bus stop on the Banbury Road. However, the proposed access would still be ~16 metres away from the stop and the extant scheme positions the proposed access closer to the stop (~8 metres away).
- 6.14 Given the nature of Taylor Close, being a small cul-de-sac within an existing residential area and the proximity of the dwellings to the Blake Road/Taylor Close junction, vehicular speeds are likely to be very low. Therefore, whilst the use of

Taylor Close will increase, it is not considered that it will be detrimental to highway safety given the latter points. Furthermore, the Local Highway Authority is satisfied with the proposal, subject to the conditions mentioned in paragraph 6.9 above.

It is therefore considered that the proposal would not be detrimental to highway safety, subject to conditions.

6.15 Impact on the character and appearance of the area

The existing properties to the north of the site along the Banbury Road frontage typically comprise large, detached dwellings set within spacious plots that are set back a significant distance from the highway. Plots 1 and 2 reflect the layout, form and scale of the properties along the Banbury Road. The hedge along the road frontage is to be retained (except for the new access), which will effectively screen the dwellings from views along the Banbury Road.

6.16 Plots 3 to 8 inclusive (Taylor Close frontage) comprise 2 x detached dwellings and 4 x semi detached, two storey dwellings. This reflects the surrounding street scene which contains a variety of sizes, heights and designs of properties, (in particular, two storey houses either side along Taylor Close and a dormer bungalow to the north of the site).

6.17 The materials for the dwellings would be buff facing bricks to ground floor window head level, above an engineering brick plinth. Render is proposed above, with an interlocking concrete tile roof. All windows and doors are proposed to be white upvc. The final schedule of materials and finishes will be required to be submitted and approved in writing by condition.

6.18 The submission of a landscape proposal, to include soft and hard landscaping along the Taylor Close frontage and Banbury Road frontage will be required as a condition of consent.

6.19 It is considered that the proposal is of an appropriate scale, form, layout and design which is compatible with the street scene and surrounding residential development.

6.20 Other matters raised

Several residents have strongly objected to the removal of the hedgerow/trees along the Taylor Close frontage, prior to the submission of this application. However, the hedgerow/trees were not protected by any TPO nor was there any requirement to notify the Council of the removal of the trees, given their location outside of a Conservation Area.

Whilst the original consent made reference to the retention and reinforcement of this boundary on the site location plan, it was not specifically covered by a planning condition. The removal of this boundary did not require consent.

The developers have also erected a high panel fence (~2 metres) along the Taylor Close frontage, presumably to safeguard the site. Whilst the erection of the fencing along the Taylor Close frontage is unauthorised, it is not considered to be expedient to take enforcement action at this time, in light of the current pending application.

7. Recommendation

Approval, subject to the expiration of the 21 day consultation period and the following conditions;

- 1. SC 1.4A (RC2) [Time limit]**
- 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: Drawing no's P01, P02, P03, P04 and P05.**

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.

- 3. SC 2.0A (RC4A) 'dwellings and garages' [Materials and finishes]**
- 4. SC 3.0A (RC10A) [Submit landscaping]**
- 5. SC 3.1A (RC10A) [Carry out landscaping]**
- 6. SC 3.4AA (RC11A) 'west' '2.5m' [Retain tree/hedgerow]**
- 7. SC 3.7AA (RC12AA) [Boundary enclosure details]**
- 8. SC 4.3AA (RC13BB) (Banbury Road) [Access details for approval]**
- 9. SC 4.8AA (RC13BB) 'Banbury Road' 'full faced kerb, reinstatement of path and verge' [Close existing access]**
- 10. That prior to the commencement of the development, the proposed means of access to the dwellings fronting Taylor Close, 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. '3 metres' (RC13BB)**
- 11. That before the development is first occupied, in relation to plot 3, a turning area and three car parking spaces shall be provided within the curtilage of the site so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, and as such the turning area and parking spaces 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. The turning area and car parking spaces shall be retained for the parking and manoeuvring of vehicles at all times thereafter. (RC15AA)**
- 12. SC 4.13CD (RC13BB) [Parking and manoeuvring area retained]**
- 13. SC 6.1AA (RC30) [Open fronts]**

14. SC 6.2AA (RC32A) [No extensions]

15. SC 6.6AB (RC35AA) [No garage conversion]

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 proposal pays proper regard to the character and appearance of the site and surrounding area and has no undue adverse impact upon the residential amenities of neighbouring properties or highway safety. As such, the proposal is in accordance with Central Government guidance contained in PPS1, PPS3 and PPG13, Policies CC1, CC6, T4 and BE1 of the South East Plan 2009 and Policies C28 and C30 of the Adopted Cherwell Local Plan 1996. For the reasons given above and having proper 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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