

Case Officer: Imogen Hopkin

Recommendation: Approve

Applicant: Ms Lucy Coltman

Proposal: Variation of Condition 5 (cycle storage area) of 20/03023/F to re-site the bicycle storage to the front of the dwelling

Expiry Date: 7 March 2023

Extension of Time:

1. APPLICATION SITE AND LOCALITY

1.1. The application relates to a semi-detached two storey residential property sitting at the end of a Cul-de-Sac in an established residential area within Banbury. To the west is a block of garages with residential properties to the rear (north) and attached to the east. The existing property is finished in brick and render under a concrete tiled roof. The property has existing garden areas to side and rear, integral garage with hardstanding for parking to front.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The application seeks to vary condition 5 of 20/03023/F to amend the location of the cycle store.

2.2. Condition 5 currently reads as follows:

The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing no. 1010 FCA XX ST PL A 0011/P04, for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.

Reason: In the interests of promoting sustainable transport modes in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

2.3. The application seeks to vary the condition to position the cycle parking to the front of the dwelling. This would include extending the partially enclosed area, which was originally designated for bin stores only. The height of featherboard fencing would be 1.5m, where it was previously approved at 1.35m, and would be sited 2m from the edge of the pavement, where previously it was around 2.8m from the edge of the pavement.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

Application: 20/03023/F	Permitted	12 February 2021
Erection of a new 1 bed, two storey dwelling - It forms a side extension to the west of 10 Reid Close		

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **8 February 2023** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **8 February 2023**.

5.2. The comments raised by third parties are summarised as follows:

- Concern this application would extend the time for the development to be started
- The original application will turn the semi-detached properties into terraces
- There has never been a problem with access to rear garden up to now
- Unlikely bikes would be used in this location.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Banbury Town Council:** Some concern about the appearance of this enclosed facility at the end of cul-de-sac location.

OTHER CONSULTEES

6.3. **Local Highway Authority (OCC):** No objections, as the proposals are unlikely to adversely impact the local highway network in traffic and safety terms.

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1 – Presumption in Favour of Sustainable Development

- SLE4 – Improved Transport and Connections
- ESH13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of Development
- Design, and impact on the character of the area
- Residential Amenity
- Highway Safety

Principle of Development

8.2. The principle of the development has already been accepted as part of the previous planning permission, 20/03023/F, and therefore it is not within the scope of the application to make a wholly new assessment. The issue for assessment is whether the amended cycle parking provision is acceptable.

Design, and impact on the character of the area

8.3. Generally speaking, structures to the front of a property are not acceptable, as they may interrupt the rhythm of a street scene and appear incongruous, and the cycle store would be sited close to the pavement. As mentioned, the height would be increased from 1.35m to 1.5m and the distance from the edge of the pavement decreased from 2.8m to 2m.

8.4. However, regard is had to the position of the proposed dwelling at the end of a cul-de-sac where, from Townsend to the south looking down Reid Close No. 10 is the vista stopper rather than the approved new dwelling. In addition, the proposed cycle storage would replace the structure previously approved as a bin storage area.

8.5. Further, the location of the cycle parking would be adjacent to the communal garages adjacent to the site.

8.6. Overall, therefore, the proposed cycle store would not appear unduly prominent within the street scene and, on balance, its revised position is considered acceptable.

Residential Amenity

8.7. The position of the proposed cycle store would not result in a detrimental impact to the future occupiers of the dwelling, nor to the existing dwellings in the area. As such, the application can be supported from a residential amenity perspective.

Highway Safety

8.8. Highways Officers have assessed the proposal and not raised any objections to the scheme, as the proposal would not adversely impact the local highway network in traffic and safety terms. The inclusion of cycle parking would not alter the proposed parking provision for the dwelling. As such, the application is acceptable from a highways perspective.

9. PLANNING BALANCE AND CONCLUSION

9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.

9.2. The application and the submitted details are considered acceptable, on balance, to vary condition 5 to alter the cycle parking provision, and therefore can be approved.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years from 12th February 2021

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents: Design & Access Statement, Planning Statement and drawings numbered: 1010 FCA XX XX PL A 0001/P03 (Site Location Plan), 1010 FCA XX ST PL A 0011/P04 (Proposed Site Layout Plan), 1010 FCA XX 00 PL A 0110/P06 (Proposed Ground Floor Plan), 1010 FCA XX 01 PL A 0111/P03 (Proposed First Floor Plan), 1010 FCA XX XX EL A 0310 (Proposed Elevations) and 1010 FCA XX XX XX A 0200/P01 (Bike Storage Details). For the purpose of this consent where discrepancies exist drawing 1010 FCA XX 00 PL A 0110/P06 shall take precedence.

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to safeguard the character and appearance of the area and the living conditions of existing and future residential occupiers and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

3. The materials to be used for the external walls and roof of the dwelling hereby approved shall match in terms of colour, type and texture those used on the existing building (10 Reid Close).

Reason: To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved (Drawing No. 1010 FCA XX ST PL A 0011/P04) and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason: In the interests of highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing no. 1010 FCA XX ST PL A 0110/P06 and 1010 FCA XX ST PL A 0200/P01 for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles at all times.

Reason: In the interests of promoting sustainable transport modes and to ensure the proposal is sustainable development in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Imogen Hopkin

DATE: 22nd February 2023

Checked By: Nathanael Stock

DATE: 06.03.2023
