

**Plot 95 Wave 2  
Graven Hill  
Circular Road  
Ambrosden**

**17/02365/REM**

**Case Officer:** Shona King

**Recommendation:** Approve

**Applicant:** Mr Martin Budd

**Proposal:** Reserved Matters to application 16/01802/OUT – Detailed plot design for plot 95 (Increase of GIA of Plot 95 from 80 sqm to 92 sqm)

**Expiry Date:** 24 January 2018

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. Plot 95 is identified on the parameter plan as being a 2/3 bedroom plot. The plot is located centrally within the development and is located within phase 1. The site was originally granted planning permission for the erection of 1900 homes under application 11/01494/OUT. This outline permission has now been varied through and application under Section 73 of the Town and Country Planning Act and the relevant planning reference is 16/01802/OUT.
- 1.2. This plot is identified in the Design Code 2017 and Masterplan as being within the 'Community Streets' character area, which does not include a materials palette or bespoke design rules.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The current application seeks reserved matters approval for a detached 3 bedroomed three storey dwelling on the site. A bedroom is proposed on the first floor and the other two bedrooms are proposed on the second floor. This dwelling would be constructed from brick to the ground floor and render above. Metal louvre panels are also proposed on the 1<sup>st</sup> and 2<sup>nd</sup> floors.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:
- 3.2. 11/01494/OUT – outline scheme for the redevelopment of MOD Bicester (sites C, D and E) to provide a mixed use development including up to 1900 homes, local centre, primary school, community hall, pub/restaurant/hotel, employment uses, and associated open space and infrastructure improvement works: APPROVED subject to a legal agreement on 8 August 2014.
- 3.3. 15/01670/LDO - Erection of up to 198 dwellings and associated outbuildings (Phase 1 reserved matters approval pursuant to 11/01494/OUT): Local Development Order ADOPTED 15 December 2015.
- 3.4. 15/02266/REM - Reserved matters (access, landscape and layout) in respect of the demonstrator plots (phases 01-A and 01-B) pursuant to 11/01494/OUT: APPROVED 4 March 2016.

- 3.5. 15/02159/OUT - Variation of Conditions 2 (approved plans), 26 (masterplan and design code), 27 (reserved matters first phase), 32, 33 (building heights), 39, 40 (construction standards), 41, 42 (housing mix), 51, 52 (highways works), 56 (lighting scheme), 58 (internal access), 68 (approved drainage strategy) of 11/01494/OUT: APPROVED 3 June 2016.
- 3.6. 16/01802/OUT – Variation of Condition 30 of 15/02159/OUT - Revised Design Code and Master Plan, and Removal of Condition 35 - Housing Mix. APPROVED 21 June 2017.
- 3.7. 16/02197/LDO - Erection of up to 198 dwellings and associated outbuildings (Phase 1 reserved matters approval pursuant to 15/02159/OUT) Local Development Order ADOPTED 18 January 2017.

#### **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. The final date for comments was 25.12.2017, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties

#### **6.0 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. AMBROSDEN PARISH COUNCIL: No comment to date

##### STATUTORY CONSULTEES

- 6.3. OXFORDSHIRE COUNTY COUNCIL: No comment to date

#### **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 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 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 2031 Part 1)

- PSD1 – Presumption in favour of Sustainable Development

- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient use of Land
- ESD 3 – Sustainable Construction
- ESD15 - The Character of the Built and Historic Environment
- Bicester 2 – Graven Hill

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

#### 7.1. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

### **8. APPRAISAL**

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

- Principle of the development and consistency with the outline planning permission
- Assessment against the masterplan, design code and requirements of the LDO.

#### Principle of the development and consistency with the outline planning permission

8.2. The application seeks to deal with the detailed design of plot 95 located within Phase 1 pursuant to the outline permission (16/01802/OUT) and includes the detailed elevations, vehicle access, parking, landscaping and layout of the plot. It is necessary at this stage to ensure that the proposal is consistent with the parameters and principles established by the outline permission.

8.3 A masterplan and design code for the site has been approved under Condition 71 of the outline permission and a phasing plan has been approved under Condition 28 of the outline permission (16/01802/OUT). The siting of plot 95 within Phase 1 and the proposed layout, vehicle access and landscaping follow the principles set by the approved masterplan and design code and so are acceptable in this respect. Furthermore, the areas covered by this application are consistent with the area of Phase 1 shown on the approved phasing plan.

8.4 A Local Development Order has been adopted covering Phase 1 of the development. Plot 95 is covered by the LDO and the principles set out within the LDO are relevant as the primary mechanism for considering and approving individual self-build plots is through the confirmation of compliance process under the terms of the LDO.

#### Assessment against the masterplan, design code and requirements of the LDO

8.5 Plot 95 is identified on the approved masterplan, drawing number 1982 A-L-011 Rev U, as being within the 'Community Streets' character area. The Community Streets area has limited design controls set out within the design code; the items that area controlled in this area are as follows:

- Build zone and Maximum GIA 80m2
- Passive design standards

- Building height maximum 8.1m
- Boundaries – front no higher than 0.9m, front includes any boundary forward of the principle elevation. Side and rear no higher than 1.8m. The use of Close-board/lap timber fencing along public boundaries is not permitted.
- Location of vehicle access
- Vehicle and cycle parking
- Waste management

8.6 In terms of assessing the build zone, the location plan (shown on drawing P04) submitted with this application shows the build zones for the dwelling. The proposed dwelling is sited within the build zone for Plot 95 and the façade facing the street contains windows. Regard has been paid to the application on the neighbouring plot (Plot 94 application 17/00022/CC) and it is considered that the proposed dwelling on Plot 95 complies with the requirements of the LDO in this respect.

8.7 The building height does not exceed 8.1m.

8.8 The Gross Internal Area stated for this plot on the approved parameter plan (drawing number A-L-742 Rev K) is shown as a maximum of 80m<sup>2</sup>. The proposed design comprises a dwelling which is laid out over three floors and has a total Gross Internal Area (GIA) of 92m<sup>2</sup>. The proposed GIA therefore exceeds the GIA set out on the approved parameter plan. The proposed dwelling however is located within the build zone and within the maximum build height for the plot and therefore the proposed dwelling would sit within the scale parameters approved and would sit comfortably within the development.

8.9 The application includes confirmation that the approved passive design standards will be met in the construction of the proposed dwelling.

8.10 All boundaries forward of the principal elevation are 0.9m and the side and rear boundary measure 1.8m. The boundaries which do not face the public realm are timber slatted fencing. There is no boundary treatment proposed to the front boundary however a planter is proposed to delineate the front boundary.

8.11 The vehicle access is positioned to the side of the plot with access from the highway in accordance with the parameter plan and provides parking for two vehicles. This is considered acceptable in highway safety terms.

8.12 Provision for 2 cycle storage spaces is located to the side of the dwelling they are not covered but the cycles will be secured by a hoop bolted to the brick elevation. The hoops are located behind the gated access to the rear garden and will not be visible in the public realm. A space for bin storage is proposed to the side of the dwelling and this will be visible in the public realm however if the side gate is repositioned on the plot the bins will be obscured from public views.

8.13 Details submitted with the proposals have indicated that the parking adjacent to the highway is to be made up of a permeable material and will drain within the plot and not run into the highway. The remainder of the frontage of the site is to be laid to permeable block paving. It is considered that there are sufficient areas within the site for surface water to drain to without run off flowing into the highway and into the wider development. It is therefore considered, having regard to what is required under the confirmation of compliance process, that a condition is not required to seek further drainage details for this plot.

8.14 Windows in the side elevations of the upper floors are to open but the opening is to be restricted to 150mm. The plot to the east of the site (Plot 94) has received confirmation of compliance and as such normally such windows should be obscurely

glazed and non-opening unless the opening part is more than 1.7m above floor level. In this instance it is considered to be acceptable in terms of overlooking for the first floor window in the eastern elevation to be opening as submitted but it needs to be obscurely glazed due to a first floor window in the side elevation of Plot 94.

## 9. PLANNING BALANCE AND CONCLUSION

9.1. This reserved matters proposal, which seeks permission for the detailed design of Plot 95 demonstrates that the proposal complies with the requirements of the outline planning permission 16/01802/OUT and with the approved Masterplan and Design Code. The proposed increase in GIA does not breach the approved scale parameters shown on the approved parameter plan and the proposed dwelling is therefore considered acceptable. Therefore the proposed changes are considered to be acceptable and in accordance with the documents set out above permission should be granted.

## 9. RECOMMENDATION

That reserved matters approval is given, subject to the following conditions:

1. The development hereby approved shall be carried out strictly in accordance with the following plans and documents so far as they relate to the reserved matters for which this approval is sought:
  - Application form
  - Drawing Nos: L01(Site Plan), P01, P02 and P04

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 Government guidance contained within the National Planning Policy Framework.

2. Prior to the occupation of the dwelling, a plan showing a revised location for the gate into the rear garden to the east side of the dwelling to screen the bin storage area from public views shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved plan.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

3. Prior to the first occupation of the dwelling hereby approved, the first floor window in the east elevation of the dwelling shall fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Planning Notes:**

1. In accordance with Regulations 3 and 9 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Cherwell District Council as Local Planning Authority in this case, is satisfied that the

environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this reserved matters application.

Case Officer: Shona King

DATE: 24/01/2018

Checked By: Emily Shaw

DATE: 24/01/2018

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