
APPLICATION NO.	P09/W0247
APPLICATION TYPE	FULL
REGISTERED	19.03.2009
PARISH	BERINSFIELD
WARD MEMBER(S)	Mr John Cotton Mr Philip Cross
APPLICANT	Mr Tariq Khuja
SITE	Land to the rear of 190 Fane Drive Fane Drive Berinsfield
PROPOSAL	Proposal for four one bed flats
AMENDMENTS	As amended by Drawing Nos. 04D and 05B and Noise Assessment received 1 June 2009.
GRID REFERENCE	457519/196101
OFFICER	Mrs K Gould (W)

1.0 INTRODUCTION

- 1.1 The application is referred to committee because the recommendation conflicts with the views of the Parish Council.
- 1.2 The site lies within the built up limits of Berinsfield. No 190 Fane Drive is one shop in a parade of shops. Some of the retail units are vacant and there is residential accommodation above the terrace with pedestrian access to flats via an external staircase at the rear of the premises in the parking and service yard.
- 1.3 The surrounding area is predominantly residential comprising mainly semi detached and terraced dwellings. Immediately south of the site is a small green which is surrounded by residential dwellings – some have their front elevations facing the green, others have their rear elevations facing the green.
- 1.4 Immediately north of the site is Chiltern Close which is a no through road. Attached to the rear of no 190 Fane Drive which is the Costcutter retail unit is a large brick built building which is used for storage, staff toilets, deliveries, walk in chiller and freezer units and office. An extract from Ordnance Survey is **attached**.
- 1.5 Planning permission was refused earlier this year for a development which comprised four no 2 bedroom dwellings – ref P08/W1335. The reasons for refusal related to the adverse impact the proposal would have on the economic viability of Costcutter and the inappropriate layout of the development which would provide the opportunity for crime. This current application was submitted following pre application discussions between your officers, the applicant and his agent.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the erection of a two storey building to provide a four one bed flats on land which is currently part of the car park and service yard to the rear of no 190 Fane Drive. The development would be constructed of facing brick and timber cladding with concrete roof tiles. Vehicular access to the site would be off Chiltern Close and the front of the properties would face onto the car park with the rear of the flats facing onto the green. Four of the existing parking spaces would be for the occupiers of the flats. When originally submitted, the application included a narrow pathway to the side of the flats leading to the bin store. This was viewed by your

officers as an area which could attract crime and therefore an amended plan has been received which has gated off this access.

2.2 The ridge height of the proposed flats would be some 8.1m with the block of flats being some 9.5m wide and some 11.8m deep. A copy of the submitted plans is **attached**.

2.3 This current proposal is smaller than the previously refused scheme. The main difference between the 2 proposals is that the current application does not include the demolition of the storage area to the rear of Costcutters which is an integral part of the shop.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 Crime Prevention Design Advisor – Concern relating to open space down the side of the east side of the proposed development – advised the erection of a physical barrier such as a gate or fence (now included in the proposal) Concern also regarding the limited opportunity for residents to actually see their car within the public car park.

3.2 County Archaeological Services – Recommends that if planning permission is granted, the applicant should be responsible for the implementation of an archaeological watching brief to be maintained during the period of construction.

3.3 OCC (highways) – No objection subject to conditions relating to parking and access.

3.4 Environmental Health – Originally requested an acoustic report – no objection subject to a condition relating to noise attenuation.

3.5 Berinsfield Parish Council – Objection – Overdevelopment of the site; Infrastructure in the village is unable to cope with increased use generated by additional properties; wish to ensure that the existing business operating from the premises can continue to operate efficiently including having adequate space to receive their deliveries; the development of the site will reduce the parking/ delivery area serving the shops. If deliveries cannot be made to the rear of the shop it will cause an obstruction for other road users and a potential danger for young people waiting for buses.

3.6 Monson – No objection – the existing problems relating to the private sewer system in Fane Drive to which this proposal would drain, particularly relate to the condition of the sewer.i.e the amount of grease, debris etc obstructing flows. The sewer if unobstructed would have sufficient capacity to cope with flows. I recommend a condition be added requiring clearance and camera work to be undertaken as far as the pumping station and this should be done prior to commencement of development. This is designed to bring localised improvement to , and confirmation of, the sewer condition. This is pending a more comprehensive regular maintenance regime for the sewers in the village being agreed – the subject of ongoing discussions between this council and the residents.

3.7 Neighbour Objectors (2) Inappropriate site to development, existing parking problem which will only be exacerbated by the proposal, delivery lorries to Costcutter would have reduced space to enter and turn within the car park.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P08/W1335 – Erection of 4 no 2 bed dwellings – refused.
P70/M0076 – 5 shops, 1 supermarket and 3 flats – Approved
See full list on file.

5.0 **POLICY & GUIDANCE**

5.1 Adopted South Oxfordshire Local Plan Policies

G2, G6, EP3, EP2, EP6, EP7, EP8, D1,D2, D3, D4,D6,D9, H5, CF1,CF3,T1,T2,R2

South Oxfordshire Design Guide

PPS 3

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered in the determination of this planning application are:

- The principle of residential development (policy H5)
- Policy H4 criteria
- Impact of the proposal on the economic viability of Costcutters
- Sustainability
- Housing Mix
- Drainage
- Noise

6.2 **The principle of residential development** – The site lies within the built up limits of Berinsfield which is one of the larger villages in Green Belt within the District. The settlement has a range of facilities and is located on public transport routes for both Oxford and Reading. Policy H5 of the SOLP allows for infill development within the larger villages in the Green Belt. The site is a brownfield site where redevelopment for housing is encouraged by Government Guidance in PPS3. As such, the principle of erecting a block of 4 flats is acceptable subject to the criteria within policy H4 being met.

6.3 **Policy H4 criteria**

- i. **An important open space of public, environmental or ecological value is not lost or an important public view spoilt;** The site is currently a tarmac area used for parking and a service yard to the shops. It is unattractive in appearance and there have been problems with anti social behaviour on this site. It is not a public open space and has no environmental or ecological value.
- ii. **The design, height, scale and materials of the proposed development are in keeping with its surroundings;** The surrounding development is predominantly semi detached and terraced dwellings. The proposed development would comprise of one block of 4 no 1 bed flats which would be designed to appear as a pair of semi detached dwellings. As such, the design of the development and the scale would be in keeping with its surroundings. The ridge height of the proposed flats would be 8.1m which would be in keeping with surrounding development which has a ridge height of some 7.3m.
- iii. **The character of the area is not adversely affected;** Although the site is commercial in its use, the predominant surrounding use is residential. There are existing flats above the retail units and established residential areas to the north, south and west. The redevelopment of part of the car park/service yard to the rear of the shops would not adversely affect the established character of the area. The proposed density of the development would be very similar to that of the established residential development in the surrounding area.

- iv. **There are no overriding amenity, environmental or highway objections;** Letters from local residents have highlighted concerns relating to the loss of parking/turning area which may result in congestion in Chiltern Close or in delivery vehicles having to park in front of the parade of shops. However, no objection has been raised from OCC (highways) on these issues subject to a number of conditions relating to access and parking which are listed below in paragraph 8.0. The site is currently untidy and is used sometimes for anti social behaviour. The proposed development would help to tidy up this site. When originally submitted, the proposed layout included an area which could not be naturally surveyed and could lead to antisocial behaviour. Following consultation with the police crime prevention design advisor, an amended plan has been received which has now included a gate which would restrict access to the bin storage area. The flats are orientated so that their rear gardens back onto the green area to the south of the site. This is considered preferable to the dwellings backing onto the car park and turning area which would give rise to more noise, disturbance. As such, there are no amenity, environmental or highway objections to the proposed development.
- v. **If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.** The proposal does not constitute backland development and therefore this criteria does not need to be considered.

- 6.4 **Economic viability of Costcutters** Costcutters is a local supermarket and occupies the largest unit in this parade of shops. It appears to be well used by local people. Attached to the rear of the shop is a large, brick built building which is used for storage. 4 to 5 deliveries of pallets are made in the course of a week. In addition this building accommodates a walk in chiller, a walk in fridge, staff toilets, kitchen and small office. The previously refused scheme (P08/W1335) involved the demolition of this storage building. Without this building your officers consider that the retail unit could not function effectively and its loss would adversely affect the economic viability of the store and ultimately in its closure. This current application retains the large storage area and only the smaller, lean to building which is under utilised by the shop is to be removed. As such, the economic viability of Costcutters store is not considered by your officers to be at risk from this proposal.
- 6.5 **Sustainability** The site is located in a sustainable location which is served by public transport. The South Oxfordshire Design Guide advises that on all new residential development of 4 units and under up to April 2010 a one star Code rating is required. The applicants have provided information in the Design and Access statement which would result in the new dwellings meeting current Building Regulations. Features which are intended to be incorporated in the development are high levels of insulation, energy efficient lighting, energy efficient appliances and low water wcs. As such the proposed development would accord with the advice set out in the South Oxfordshire Design Guide.
- 6.6 **Housing Mix –** Policy H7 of the adopted SOLP seeks to gain a mix of dwelling types and sizes in new housing development. The proposal proposes 4 no 1 bed flats which are appropriate to satisfy local housing needs.
- 6.7 **Drainage** The Parish Council has objected to the proposal on the grounds that the existing sewerage infrastructure in Berinsfield would be unable to cope with the increased use generated by 4 additional units of accommodation. Whilst it is acknowledged by your officers that there is an existing problem with existing sewer in this part of Berinsfield, they are advised by Monson engineering that the existing

sewers would have sufficient capacity to cope with any additional flows which would result from this development. Any difficulties experienced at present relate to the state of the sewer rather than its capacity and this can be addressed by the condition recommended in section 8.0 of this report..

6.8 **Noise** Following the original submission of this planning application, the Council's officer for Health and Housing requested that additional information on the noise environment of the locality of the proposed development was required. The applicant therefore commissioned and submitted a noise assessment which was received towards the end of May. The Health and Safety Officer has now considered this report and concludes that subject to a noise attenuation condition being added to any permission, he has no objections to the application. As such, no objection is being raised on noise grounds.

7.0 **CONCLUSION**

7.1 The principle of residential development is acceptable in this sustainable location. The details of the proposal comply with the criteria set down in policies H4 and H5 of the SOLP. The concerns raised by the Parish Council and local residents regarding the loss of turning area for lorries and the problems experienced with the sewers are understood. However, the advice your officers have received from Monson Engineering and the Local Highway Authority confirm that there are no technical reasons to refuse this planning application.

8.0 **RECOMMENDATION**

8.1 **That Planning Permission be granted subject to the following conditions:**

1. **Commencement 3 yrs - Full Planning Permission**
2. **Sample materials required (walls and roof)**
3. **Parking & Manoeuvring Areas Retained**
4. **Turning areas and parking**
5. **Turning areas and parking**
6. **Contamination (investigation)**
7. **Contamination (remediation and validation)**
8. **Sustainable Design Features - as approved**
9. **Archaeological Watching Brief**
10. **Ambient noise levels**
11. **Condition of sewer to be investigated**

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