

Agenda

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East Area Planning Committee

Date: **Wednesday 4 September 2013**

Time: **6.00 pm**

Place: **Oxford Town Hall**

For any further information please contact:

Sarah Claridge, Democratic Services Officer

Telephone: 01865 252402

Email: sclaridge@oxford.gov.uk

East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Michele Paule	Rose Hill and Iffley;

The quoram for this meeting is five members. Substitutes are permitted.

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AGENDA

	Pages	
1	APOLOGIES FOR ABSENCE AND SUBSTITUTIONS	
2	DECLARATIONS OF INTEREST	
3	PARKS DEPOT, BURY KNOWLE PARK: 13/01815/CT3 & 13/01814/CT3	1 - 22

The Head of City Development has submitted a report which details a:

- Planning application (13/01814/CT3) for erection of 2 x 1-bed, 7 x 2-bed and 1 x 3-bed residential units (use class C3) in 3 blocks arranged around central courtyard, together with covered cycle and bin stores, and landscaping.
- Conservation Area Consent (13/01815/CT3) for demolition of existing sheds.

Officer recommendation: That the Committee GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion, with the following conditions and legal agreement:

Conditions

13/01814/CT3:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Details of Means of Enclosure
- 5 Details of Refuse and Cycle Storage
- 6 Landscape plan required
- 7 Landscape carried out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan
- 11 Arboricultural Method Statement
- 12 Construction details of access road and turning area
- 13 Lighting plan for access road
- 14 A Site Management Plan for traffic /access arrangements
- 15 Residents Travel Plan / Information Pack
- 16 Exclusion from residents parking zone
- 17 Construction Traffic Management Plan
- 18 Sustainable Urban Drainage Scheme
- 19 Details of Biodiversity Enhancements
- 20 Details of Sustainability Measures
- 21 Contaminated Land Risk Assessment
22. Details of affordable housing

13/01815/CT3:

- 1 Commencement of works LB/CAC consent
- 2 Architectural Recording
- 3 No demolition before rebuilding contract

Legal Agreement:

Contributions of £64,353 plus the relevant admin fees

Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts.

4 GARAGE BLOCK, LEIDEN ROAD: 13/01557/CT3

23 - 32

The Head of City Development has submitted a report which details a planning application to demolish a garage block. Erection of 3 x 3-bed houses (use class C3) with associated parking and bin stores. (Reserved matters of outline permission 12/01845/CT3).

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of affordable housing
- 5 Means of enclosure
- 6 Provision of refuse and cycle storage
- 7 Landscape Plan
- 8 Landscape carried out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Details of car parking layout
- 12 Sustainable Urban Drainage
- 13 Design - no additions to dwelling
- 14 Contaminated Land Risk Assessment
- 15 Sustainability measures

**5 LAND TO THE REAR OF 1 AND 3 THOMSON TERRACE:
13/01558/CT3**

33 - 42

The Head of City Development has submitted a report which details a planning application to erect 3 x 2-bed houses (use class C3). Provision of associated parking, private amenity space and bin stores.

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of Materials
- 4 Details of affordable housing
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Tree Protection Plan (TPP) 2
- 9 SUDS
- 10 Contaminated land
- 11 Sustainability measures
- 12 Biodiversity
- 13 Design - no additions to dwelling
- 14 Amenity no additional windows east and west,
- 15 Vision splays
- 16 Pedestrian vision splays

6 LAND AT CARDINAL CLOSE: 13/01603/CT3

43 - 52

The Head of City Development has submitted a report which details a planning application to erect 3 x 2-bed units. Provision of parking and bin storage

Officer recommendation: That the Committee APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of affordable housing
- 5 Means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape plan required
- 8 Landscape carry out by completion
- 9 Tree Protection Plan (TPP) 2
- 10 Ground resurfacing - SUDS compliant
- 11 Contaminated land risk assessment
- 12 Design - no additions to dwelling
- 13 Sustainability measures

7 LAND EAST OF WARREN CRESCENT: 13/01555/CT3

53 - 72

The Head of City Development has submitted a report which details a planning application to erect 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath.

Officer recommendation: That the Committee GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion, subject to the following conditions and legal

agreement.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of all means of enclosure
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 No felling lopping cutting
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Sustainable Urban Drainage Scheme, including design, construction and maintenance schedule
- 12 Biodiversity enhancements
- 13 Method statement for preserving ecology during construction
- 14 Archaeology - Implementation of programme
- 15 Details of the proposed parking areas
- 16 Details of the allotment access
- 17 Amendments to the Traffic Regulation Order
- 18 Construction Traffic Management Plan
- 19 A Travel Plan Statement
- 20 Details of affordable housing
- 22 Secure by Design Principles
- 23 Sustainability Measures / NRA
- 24 Removal of permitted development rights for dwellings
- 25 Scheme of external lighting for dwellings
- 26 Phase II Contaminated Land Assessment

Legal Agreement:

- £148,969 plus the relevant admin fees

Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts.

8 ALICE SMITH HOUSE, ALICE SMITH SQUARE: 13/01592/CT3

73 - 86

The Head of City Development has submitted a report which details a planning application to demolish Alice Smith House. Erection of 3 x 2-bed and 8 x 3-bed houses (Use Class C3). Provision of 11 car parking spaces, cycle and bin store

Officer recommendation: That the Committee GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Subject to the following conditions and legal agreement:

- 1 Development begun within time limit
- 2 Deemed in accordance with approved plans
- 3 Samples of materials
- 4 Sustainability design/construction
- 5 Design - no additions to dwelling
- 6 Amenity no additional windows side,
- 7 Boundary details before commencement
- 8 Cycle parking details required
- 9 Details of bin stores
- 10 Drainage details - SUDS
- 11 Vision splays
- 12 Pedestrian Awareness Vision Splays
- 13 Contaminated land risk assessment
- 14 Landscape plan required
- 15 Landscape carry out after completion
- 16 Archaeology – mitigation 2 Roman remains,
- 17 Biodiversity
- 18 Construction Traffic Management Plan
- 19 Car/cycle parking provision before use
- 20 Secured by Design
- 21 Provision of Affordable Housing
- 22 Amendment of TRO
- 23 Visitor parking provision
- 24 Householder Travel Information Packs

Legal Agreement:

City requirements:

Indoor sport	£2,424
Open space/Ecology	£6,429
Play Areas	£1,376
Sports Ground	£1,728
Allotments	£ 112
Total Contribution	£12,069 plus 5% admin fee £603

County requirements:

Transport	£28,350
Traffic management/highway safety	£ 3,000
Primary schools	£43,944
Secondary schools	£37,853
SEN schools	£ 3,065
Library	£ 2,248
Waste infrastructure	£ 1,044
Museums Resource Centre	£ 131
Total contribution	£119,635 plus admin fee £1500

It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development has failed adequately to mitigate its impacts.

**9 EAST MINCHERY ALLOTMENTS, GRENOBLE ROAD:
13/01610/CT3**

87 - 104

The Head of City Development has submitted a report which details a planning application to erect 48 residential units (4 x 1-bed flats, 8 x 2-bed flats, 4 x 2-bed houses, 26 x 3-bed houses and 6 x 4-bed houses) (use class C3), 102 car parking spaces, public open space, retained allotments and access road, together with diverted right of way, landscaping and cycle and bin stores.

Officer recommendation: That the Committee GRANT planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion, subject to the following conditions and legal agreement.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of Affordable Housing
- 5 Details of all means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape plan required
- 8 Landscape carries out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Landscape hard surface design - tree roots
- 12 Landscape underground services - tree roots
- 13 Landscape management plan
- 14 The provision of the open space / allotments
- 15 Secure by Design Principles
- 16 Details of access road and parking areas
- 17 Amendments to the Controlled Parking Zone
- 18 Construction Traffic Management Plan
- 19 Biodiversity recommendation carried out
- 20 Sustainable Urban Drainage Scheme & Strategy
- 21 Archaeology
- 22 Noise Survey Recommendations
- 23 Contaminated Land Assessment
- 24 Removal of Permitted Development Rights
- 25 Details of external lighting

Legal Agreement:

- Secure the provision of the open space and allotments
- Financial contributions of £539,799 plus the relevant admin fees (as set out in report)

Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development has failed adequately to mitigate its impacts.

10 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Monday 9 September 2013 – Normal meeting

Thursday 12 September 2013 – Q&A session-Barton application

Monday 16 September (if necessary)

Tuesday 24 September _ Barton application

Wednesday 2 October 2013 (and Thursday 10 October if necessary)

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-

- (a) the Planning Officer will introduce it with a short presentation;
- (b) any objectors may speak for up to 5 minutes in total;
- (c) any supporters may speak for up to 5 minutes in total;

Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

- (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and

- (e) voting members will debate and determine the application.

4. Members of the public wishing to speak must send an e-mail to [**sclaridge@oxford.gov.uk**](mailto:sclaridge@oxford.gov.uk) giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting.
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.
6. Members of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair.
7. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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East Area Planning Committee

4th September 2013

Application Number: (1) 13/01814/CT3

(2) 13/01815/CT3

Decision Due by: 16th October 2013

Proposal: (1) Erection of 2 x 1-bed, 7 x 2-bed and 1 x 3-bed residential units (use class C3) in 3 blocks arranged around central courtyard, together with covered cycle and bin stores, and landscaping.

(2) Conservation Area Consent for demolition of existing sheds.

Site Address: Oxford City Council Parks Depot, Bury Knowle Park, London Road (**site plan: appendix 1**)

Ward: Headington

Agent: Turley Associates

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to resolve to grant planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts.

Reasons for Approval

- 1 The redevelopment of the depot site would make an efficient use of previously developed land in a manner that would preserve the existing public open space within the park. The residential development would deliver much

needed good quality affordable housing for the City and would provide a mix of units that reflects the constraints associated with the site and its location within the Headington Neighbourhood Area. The demolition of the existing buildings within the depot would not have an adverse impact upon the significance of the Old Headington Conservation Area, and the replacement buildings have been designed in a manner that would preserve the significance of the site and its relationship with the Old Headington Conservation and safeguard the amenities of the adjoining properties. The site would be in a sustainable location for a car-free development, and access to the site could be controlled by appropriate management controls to prevent any adverse impact upon highway safety and the safety and convenience of park users. Finally the proposed development would not have an impact upon the protected trees within the site, biodiversity, or sustainability subject to appropriate conditions. The proposed development would therefore accord with the relevant policies of the development plan.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

13/01815/CT3:

- 1 Commencement of works LB/CAC consent
- 2 Architectural Recording
- 3 No demolition before rebuilding contract

13/01814/CT3:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Details of Means of Enclosure
- 5 Details of Refuse and Cycle Storage
- 6 Landscape plan required
- 7 Landscape carried out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan
- 11 Arboricultural Method Statement
- 12 Construction details of access road and turning area
- 13 Lighting plan for access road
- 14 A Site Management Plan for traffic /access arrangements

- 15 Residents Travel Plan / Information Pack
- 16 Exclusion from residents parking zone
- 17 Construction Traffic Management Plan
- 18 Sustainable Urban Drainage Scheme
- 19 Details of Biodiversity Enhancements
- 20 Details of Sustainability Measures
- 21 Contaminated Land Risk Assessment
- 22 Details of affordable housing

Legal Agreement:

- Contributions of £64,353 plus the relevant admin fees

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- HE7** - Conservation Areas
- SR5** - Protection of Public Open Space

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP2_** - Accessible and Adaptable Homes
- HP3_** - Affordable Homes from Large Housing Sites
- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Planning Documents

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Natural Resource Impact Analysis Supplementary Planning Document
- Planning Obligations Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Relevant Site History:

12/02622/CT3 - Erection of 5 x 3-bed, 3 x 2-bed and 2 x 1-bed flats (use class C3) arranged around central courtyard together with cycle and bin store. (Amended plans): Withdrawn

12/02623/CT3 - Conservation Area Consent for demolition of brick shed and former mess building: Withdrawn.

Public Consultation

Statutory Consultees

Thames Water Utilities Limited

- No objection

Oxfordshire County Council

- Highways Authority: No objection subject to conditions and financial contributions towards highway measures
- Education: No objection subject to contributions to primary and secondary education and special education needs as a result of increased occupancy.
- Property: No objection subject to conditions towards libraries, waste management, and museums as a result of increased occupancy.
- Drainage: A sustainable urban drainage scheme should be used, and on-site ground investigation required ascertaining the water table and permeability of the soil.

English Heritage

- No objection the application should be determined in accordance with national and local policy guidance.

Thames Valley Police:

- The development should incorporate secure by design principles

Third Parties

Letters have been received from the following addresses whose comments can be summarised below

- 25, 63 Chestnut Avenue; 7B Dunstan Road; Emden House; 2 Latimer Road; Flat 1, 209 London Road; 69 Old High Street; 47 Staunton Road; 19 Stile Road; 50 St Annes Road; 9 Windsor Street

Individual Comments:

- New housing in the Headington area is to be welcomed
- It is important to ensure that Bury Knowle Park remains for the use of all local residents
- The proposal will lead to the rest of the park being built on and is contrary to policy CS2 which states that areas of open space will only be allocated for development if the open space is not required for the well-being of the community
- The proposal is contrary to the Councils vision for Bury Knowle Park to create a

world class vibrant and safe park that promotes biodiversity, health and learning and is accessible to all.

- The depot should be returned to the park
- The access required would have an adverse impact on the environment & safety of the users of Bury Knowle Park especially for parents with small children, joggers & dog walkers because no matter the restrictions there will be an increase in movement of vehicles through the park
- The disturbance caused by the increased use of the road will be contrary to the Core Strategy's aim to promote social inclusion and improve the quality of life as it will be detrimental to the residents of Headington and the city beyond
- The turning area within the park is dangerous, especially to children, the elderly and visually impaired.
- The turning area would breach health and safety guidance
- The access road needs bollards to confine vehicles to the roadway but this will not stop motorbikes being ridden to and from the flats. The bollards and other fortifications will be an ugly feature in a very attractive park
- The application states that vehicular access will be limited to rubbish & emergency vehicles & no parking places will be provided for future residents. There will need to be measures in place to ensure that future residents do not park in the limited parking area reserved for park & library users
- There are car-free schemes within Headington which have failed in the past
- There will be disturbance through the construction period which will impact upon the park
- North Place is exposed to heavy congestion at certain times during the day which will be made worse, and have an impact upon pedestrians and cyclists using this space
- The North Place residents already have issues with parking and access and this will be made worse
- The development will place the Parks Green Flag status at risk
- The proposal is at odds with the Oxford City Councils Green Spaces Strategy 2013-2027 which seeks to increase green spaces rather than reducing them
- The residents of Emden House would like the height of the boundary wall to be the same as the existing out building in order to ensure the privacy of the ground floor flats.
- The addition of the staircase on the northern elevation could cause overlooking issues for the flats in Emden House.
- Disabled residents should challenge the no-car policy on human rights and discrimination grounds. The documentation is silent on what would happen to able-bodied persons who became disabled while living in the flats.
- The planning and design and access statement contradict each other because the planning statement says there is no provision for a wheel-chair accessible home or parking space, but the design and access statement makes it clear that the ground floor homes are accessible and the interiors suitable for wheelchair use. If the policy is muddled at this stage how can the applicant claim the development is car-free
- The car-free status depends on the gates and bollards remaining locked. The existing coach house car park is never locked and the gate to the rear of Bury Knowle House is rarely locked. In practice the measures proposed to keep the access road and depot site clear of vehicles will not work and in time the park to

the west will need to be completely fenced off.

- The core strategy looks to promote car-use but losing green spaces will encourage people to buy cars to seek out leisure opportunities
- The transport document is misleading and inaccurate. It states that the bus journey time to Oxford Rail Station is 5minutes, but this would not be possible even as the crow flies. Also the shortest journey time from Oxford to London Paddington is not 1hour as stated, and many buses from Headington do not go to Headington. The document also states that the centre of Headington is 350m away, however, this is also inaccurate and the nearest supermarket is 450m away. The distances to bus stops is also misleading and is much longer if you use paths and pedestrian crossings.

Oxford Preservation Trust

- We are concerned to see this application for affordable houses within the park
- We understand the pressure for housing, but parks are also important to communities
- The site is allocated within the Sites and Housing DPD but it is not one that the trust can support
- The site is within the public park, so that such uses takes away from the public amenity and benefit
- The car-free scheme is not sustainable for such housing and access to these homes through the park is not compatible to the public's use and their needs
- The trust is aware that the city is selling off a number of their properties but this time there is no sale, but an attempt to take the buildings out of public use. There is no supporting evidence for why they should not remain in public use either in the short term, or that any attempt is being made to ensure that they could be available for such use in the longer term, when the economic climate improves.
- This is not a development site for housing

Friends of Bury Knowle Park

- Object to the proposal
- The access road will be wider and have an increase in traffic including additional journeys from deliveries, servicing, taxis, refuse collection, emergency vehicles
- The traffic is inappropriate for a park area. The application is an improvement in that most traffic does not drive all the way to the housing, but there is now a turning area inside the park.
- Human behaviour is often a factor in traffic accidents. People do not expect vehicles in a park setting and so are not on guard. Parents expect a park to be safe for children and not to have to watch them like a hawk. It is difficult as a driver to see a small child in reversing mirrors which makes this a hazardous situation.
- It is inappropriate to lose parkland to a wider roadway, including passing places and this could cause damage to trees
- Traffic poses a danger to children, other park users and destroys peace and tranquillity, and to disabled users of the sensory garden
- The lack of parking in the development risks the spaces in the park being blocked by residents and visitors
- The additional traffic will make North Place congested and dangerous for those entering the park on foot or cycle for the library and childrens play area both of

which are close to the street.

- We feel strongly that alternatives to the increase in park traffic to this development must be investigated and made mandatory before this permission is granted

A petition was also submitted by the Friends of Bury Knowle Park with 680 signatures objecting to the proposal on grounds that the proposed access road poses a danger to children, other park users, and destroys peace and tranquillity.

The Friends of Old Headington

- There have been some potentially beneficial adjustments to overcome the serious access problems for the development within the park. However the trust is still concerned about the practicalities of the current suggestions and the loss of public amenity resulting from the proposed access.
- It is unfortunate that the current plan still does not show the position of the sensory garden in relation to the proposed access road.
- The current proposal has still not explored all the available options for access
- An approach should be made to the board of Emden House to discuss the possibility of achieving an access route which would dramatically reduce the impact on park users and conservation area. This access could be brought in via Barton Land along the eastern edge of the Emden House site and could resolve all the access problems and also benefit Emden House should the owners wish to extend their accommodation in future.
- This could result in less trees being damaged because as the current proposal stands six mature specimens are likely to be lost by construction traffic driving over the root protection areas.
- A condition should be attached which ensures that the developments car free designation is not eroded over the years by inappropriate allocation or residents parking permits, and that realistic measures to control parking for the Library and North Place are adopted
- Visitors vehicles and delivery vans for the new households will put pressure on local residents, park users and disabled library users. The existing handful of space and North Place can only accommodate a limited number of vehicles. A residents parking scheme should be established in this area. There should also be a number of disabled parking spaces and also library users should purchase pay and display tickets.
- A condition should be attached to ensure that the restrictive bollards are a robust solution to prevent vehicles used by couriers, and workmen doing maintenance work driving into the development.
- S106 contributions should be used to fund parking control measures to provide parking controls for library and park users and ensuring that parking and deliveries are properly managed in the long term
- A condition be attached to mitigate harm to the trees during the construction period
- Bury Knowle is an excellent example of early nineteenth-century parkland and plays a very important part within both the community and the conservation area. We are extremely concerned that current proposals for bringing traffic into the park via North Place will inflict long term damage on the character, visual amenity, and general well-being of a local heritage asset.

Oxford Civic Society

- There have been some improvements to the proposals, but the fundamental difficulties of developing this site without damage to the park remain.
- The position of the site at the rear of the park causes access problems, which is acknowledged in the development being car-free. This imposes restrictions on design, access control, and balance of dwellings standards which is not resolved adequately
- The proposal would be contrary to the balance of dwellings policy which requires the majority of the development to be 3 and 4 bedroom units. Nevertheless the bed space distributions with 8 of the units providing 3 or more bed spaces implies that families will be housed here, in restricted accommodation, contrary to what the proper use of the site requires.
- The application agrees that the design needs to carefully consider the impact upon Emden House and the park environment. The restricted roof treatment means that no outside balconies are provided at first floor level. The ground floor flats have private gardens while the upper flats have no private amenity space and the shared garden is not much larger than the average family house in the area. The inward opening French Windows neutralise the space within crowded living/dining/kitchen rooms and reduce useful wall space.
- The access to the development will be restricted to only emergency and refuse vehicles. All other delivery vehicles have to stop and turn at a stop within the park some 40m in length and clearly visible from its quieter part. All deliveries will have to be carried the remaining distance – with the possibility that the recipient is not available to receive them. What control of the length of stay will be effective? The impact on the park will reduce the amenity of one of its most sensitive parts.
- The housing units will not be suitable for the disabled and there appears to be no provision for disabled visitor access
- The development will house families, who will have need for a car which they will keep somewhere in the vicinity adding to parking congestion in Headington.
- The separate construction routs will impact on the sensory garden and result in a loss of residential amenity.

Officers Assessment:

Site Location and Description:

1. The site is located at the northern end of Bury Knowle Park, and is bordered by residential properties to the north, west, and south-west; and Bury Knowle Park to the south and east (**appendix 1**).
2. The site has been used as a depot by Oxford City Council for the general storage of materials and equipment. The site comprises a small red brick shed, and small grey brick mess building. It is separated from the public open space within Bury Knowle Park by fencing and hedging. The site is currently accessed from North Place.

3. The site is within the Old Headington Conservation Area, and the Headington Transport District Centre.

Background to Proposal

4. In April 2013, Members of the East Area Planning Committee resolved to grant conservation area consent and planning permission for the demolition of the existing outbuildings and the erection of 10 flats on the site under references 12/02623/CT3 and 12/02622/CT3. The applications were then called-in to the Planning Review Committee over concerns about the impact of the car-free scheme and access arrangements to the site. The applications were then withdrawn and an amended application was submitted which included further details with respect to the access arrangements for the site.

Proposal

5. The proposal forms part of the Oxford City Council Affordable Housing Programme 2011-2015, and will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.
6. The development is seeking conservation area consent for the demolition of the existing brick shed and former mess building within the depot site, and planning permission for the erection of 10 flats (1x3, 7x2, and 2x1 beds). The proposal comprises the erection of a group of one-and-a-half story buildings arranged around a central courtyard with associated amenity space, refuse and cycle storage. The dwellings are designed to comply with Code for Sustainable Homes Level 4, Secured by Design, Lifetime Homes and the Housing Quality Indicators.
7. The development is to be car free with a delivery zone and turning area provided to the rear of Bury Knowle House. The existing access to the depot will be controlled by a lockable gate at the delivery zone, to restrict access to the development to emergency vehicles and refuse access. The existing boundary walls to the depot site within the park are to be retained, with alterations proposed to the boundary with Emden House.
8. Officers consider that the determining issues in this case are the principle of development; affordable housing; balance of dwellings; residential uses; impact upon a heritage asset; impact upon adjoining properties; archaeology; biodiversity; highway matters; trees; sustainability; financial contributions; and contaminated land.

Principle of Development

9. The National Planning Policy Framework encourages the effective use of previously developed land provided it is not of high environmental value. These aims are embodied within Policy CS2 of the Oxford Core Strategy. The NPPF defines previously developed land that was occupied by a permanent structure, but excludes parks and recreation grounds from this definition.

10. The depot is located in the northern corner of the park but is separated from the rest of the park by fencing which prevents public access to the site. During the consultation process concerns have been raised that the redevelopment of the depot would be contrary to the Council's Green Spaces Strategy (Feb 2007) which recommended that the Council should maintain the quality of Bury Knowle Park, while adding required features to the grounds and protecting it through the planning system. The park itself is designated within the Oxford Local Plan as protected public open space under Policy SR5, although the depot and area of land to the east of North Place are not included in this designation. Therefore despite the fact that the depot is located within the boundary of the park, it does not form part of the protected open space, and it would be reasonable to consider that the site constitutes previously developed land as defined by the National Planning Policy Framework. The Oxford Green Spaces Strategy (Feb 2007) was a background paper to the Oxford Core Strategy 2026 and not an adopted document. The park is protected through the planning system with its designation as a protected open space and the depot is not included in this designation. Therefore the proposal would not result in the loss of any of the public open space within the park.
11. Officers consider that the principle of redeveloping the depot site for housing would make an efficient use of previously developed land to deliver much needed affordable housing within the city in a manner that would preserve the existing public open space within the park and wider Headington suburb. This would accord with the aims and objectives of the NPPF and Policy CS2 of the Oxford Core Strategy 2026.

Affordable Housing

12. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which is seeking to deliver new affordable homes across a number of development sites within the city. The programme has secured funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.
13. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The Sites and Housing Plan makes clear in Policy HP3 that development sites with a capacity for 10 or more dwellings must provide 50% affordable homes on the site, and that a minimum 80% of these homes must be social rented accommodation, with the remaining as intermediate housing.
14. The proposal will provide 100% affordable housing with 7 'affordable rent' units and 3 'social rent' units. The Sites and Housing Plan does not consider 'affordable rent' to be the same as 'social rented' housing hence the requirement in Policy HP3 for a greater proportion of social rented accommodation to be provided from qualifying schemes. Therefore while the scheme would provide more affordable housing than the 50% normally sought under the policy, the tenure mix would not strictly satisfy the requirements of Policy HP3. The Affordable Homes Programme is reliant on funding from the Homes and

Communities Agency (HCA), who stipulate that a proportion of 'affordable rented' units must be provided within the programme. In real terms this means that 44 of the 112 affordable homes have to be 'affordable rent' while the remaining 68 can be provided as 'social rent'. The overall programme exceeds the policy requirements for affordable housing in that it will deliver 100% affordable homes on each of the individual sites and far more social rented housing than would normally be sought on a site-by-site basis. However in order to meet the HCA's requirements the mix of tenures has had to be allocated across each development site within the programme. Therefore although this scheme has a shortfall in social rented properties, this is compensated by the higher number of social rent homes delivered on the other sites within the programme. As a result, officers would raise no objection to the mix of affordable housing tenures proposed for the site.

Balance of Dwellings

15. Policy CS23 of the Oxford Core Strategy 2026 require residential development to deliver a balanced mix of housing to meet the projected future household need, within each site and across Oxford. The mix of housing relates to the size, type and tenure of dwellings. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Headington Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes.
16. The proposal will provide 10 flats which would comprise 1x3, 7x2, and 2x1 bed units. The mix of units would differ from that proposed within the previously withdrawn scheme (12/02622/CT3) and would not strictly meet the requirements of the BoDSPD as there would be a greater proportion of 2 bedroom units and a lower proportion of 3 bedroom units. The mix of units within the development has been amended from the previous scheme (12/02622/CT3) to take into account the concerns raised in relation to the practicalities of a car free scheme for family housing. The location of the site within the park, and the nature of the access to the depot make it necessary for any scheme to be car-free. The site is adjacent to the Headington District Centre which is deemed a sustainable location that is more suited to having a greater proportion of smaller units of accommodation and less reliance on car use. Therefore officers consider that the site and its circumstances would lend itself to providing smaller units of accommodation rather than family housing, and given the fact that the Affordable Homes Programme is providing a significant amount of family housing throughout other sites which are more suited to that type of accommodation, there would be no objection to a mix of units that does not strictly satisfy the requirements of the BoDSPD in this instance.

Residential Uses

17. The flats would be self-contained and have internal layouts that comfortably exceed the requirements of Sites and Housing Plan Policy HP12 which sets the minimum floor sizes and general living accommodation standards expected from residential development. The units are all designed to lifetime homes standards.

The proposal would therefore satisfy Policy CP10 of the Oxford Local Plan 2001-2016, and Policies HP2 and HP12 of the Sites and Housing Plan.

18. In terms of outdoor space, the ground floor flats would each have access to individual private amenity areas of suitable size for the properties they serve. The flats on the upper levels will have access to a shared amenity space in the south-west corner of the site. The residential units also have access to the public open space of the park. The level of private amenity space is considered acceptable under the requirements of Policy CP10 of the Oxford Local Plan and Policy HP13 of the Sites and Housing Plan.
19. The development will provide a communal refuse store / collection point in the south-east corner of the site which provides a secure store in a practical and accessible location for future occupants and also for refuse collections. This would accord with Policy HP13 of the Sites and Housing Plan.

Impact on Heritage Asset

20. The existing depot is not statutorily listed, but is considered to be of high local heritage significance having associations with the Bury Knowle Estate. The site is also located within the Old Headington Conservation Area which is a designated heritage asset. The National Planning Policy Framework requires proposals to be based upon an informed analysis of the significance of any heritage asset affected. A Heritage Assessment has been prepared for the site in order to inform the decisions about the building's future. The assessment states that the mess building does not have any particular architectural or historic interest and that although the brick store shed has some limited local historic and architectural interest it has been badly affected by later alterations and is in a poor condition. Having regards to these conclusions, officers raise no objection to the demolition of these buildings which given their current state would not have an adverse impact upon the conservation area. Furthermore their loss would be outweighed by the public benefit that the affordable housing project will have upon the housing stock within the city.
21. The heritage assessment identifies 6 key elements that contribute to the significance of the depot site and its wider setting. These being the survival of the high kitchen garden walls with contrasting brick and stone that continue outside the site; the use of high limestone for the rubble walls for the boundaries; the scale, materials, roof profile and decorative ridge tiles of the brick shed; the absence of domestic detailing to the shed and the unusual decorative treatment of the openings; the backland character of the development with ranges of agricultural buildings and garden walls allowing views from the park to the built up Old High Street and the village core from Old High Street to the greenery of the park; and the lack of intrusion to the tranquil, garden character of the park from the activity within the depot. The assessment has also identified opportunities for proposals to conserve or better reveal the significance of the site and its surroundings. These include maintaining the scale of development that allows views between Old High Street and parks greenery; the scale of the buildings having a domestic and rural scale and density; maintaining the character of ancillary buildings in the setting beyond the principal road frontages; and the

provision of an appropriate landscape buffer with the park, including green space, planting and definition to the edge of the park with buildings set back from this frontage.

22. The proposed development has been designed to respond to the key elements of significance and opportunities for enhancement set out within the heritage assessment. The layout follows the previously withdrawn scheme (12/02622/CT3) with the buildings arranged around a courtyard to establish a clear public and private realm relationship with active frontages, set well back from the edges of the depot site in order to appear as ancillary buildings in the park setting. The buildings are of a domestic scale and would be one-and-a-half storeys to reflect the existing buildings on site and to minimise the impact on views between Old High Street and the park. The only difference to the previous scheme is the stair tower on the northern elevation, although this does not significantly increase the scale of the buildings. The buildings would be of a traditional style, as suggested in the heritage assessment, and will use similar materials to the existing stable building. A condition should be attached to ensure that appropriate materials are used.
23. Officers consider that the proposed development has been designed in a manner that would preserve the significance of the site, and its relationship with the Old Headington Conservation Area in a manner that would be consistent with the National Planning Policy Framework, Policies CP1, CP6, HE6 and HE7 of the Oxford Local Plan, Policy CS18 of the Oxford Core Strategy 2026 and Policy HP9 of the Sites and Housing Plan.

Impact upon Adjoining Properties

24. The Council seeks to safeguard the amenities of properties surrounding any proposed development. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of existing and new homes. This is also supported through Policy CP10.
25. The properties that stand to be most affected by the proposal are the sheltered accommodation of Emden House that lies to the north, the Priory to the west, and North Place to the south. The proposed development is of a size, scale, and design that would not have an adverse impact upon the adjoining properties of The Priory and North Place in terms of loss of light, privacy or overbearing impact.
26. With specific regard to Emden House the removal of the mess building would have a positive impact upon this property as it is sited on the boundary and creates a sense of enclosure in this garden. The new building would be set 4.5m away from the existing boundary with a pitched roof that slopes away from Emden House and although the new building will be higher than the existing mess building it is considered that this will not create a significant sense of enclosure or overbearing impact to the rear of Emden House. The revised scheme includes a stairwell on the northern elevation which has a window at first floor level. The main concern would be that it establishes the perception of

overlooking between properties. As this does not serve a habitable room it would be reasonable for this to be obscure glazed to prevent overlooking. Concerns have also been raised about whether the roof lights in units 4 and 6, would overlook the flats on the upper levels of Emden House. The rooflights are set at a high level and serve a kitchen and hallway, and so officers consider that this would prevent any overlooking issues. A condition could be attached which requires them to be set at 1.7m above floor level to ensure this is the case. There is a bedroom window in Plot 8 which would look onto Emden House, however, this is only a small window and would only afford limited angles of view to the adjoining property and therefore would not lead to a material loss of privacy.

27. The residents of Emden House have requested that an appropriate boundary wall is maintained between the properties and that this should be the height of the wall of the existing mess building. This is not shown on the plans but should be secured by condition. The alterations to the existing access to the site include external lighting for the access road, which could have an impact upon the properties in North Place. It is proposed to use bollard lights which are low level so as to minimise any impact, however a condition should be attached requesting a lighting scheme to ensure that the lighting will not have an adverse impact upon the properties.

Highway Matters & Access Arrangements

28. A Transport Statement, Delivery and Servicing Plan, and Access Road Landscape Plan have been submitted that set out the access arrangements for the site. The depot site is currently located within the northern corner of the site and is accessed via a single track road that leads from North Place around the rear of Bury Knowle House and along the eastern boundary of the park. The access road is currently a shared surface for all users as it is not segregated from the park but is used by vehicular traffic accessing the depot and the front of the library. The location of this access road is set away from the more well-used areas of the park which are closer to the London Road. The entrance from North Place currently provides an entrance to the Bury Knowle Coach House and also the service access for the library and although it is currently accessible to all, it does not feel like a public area in the same way as the main public car park which is also accessed from North Place.

29. The proposed development will be a car-free scheme, with controlled access arrangements restricting vehicle access to emergency and service vehicles. The site is situated within a sustainable location, which is well located for walking and cycling with good access through the park and North Place to a range of shops, facilities and public transport links in Headington. The principle of car-free development is considered wholly acceptable in sustainable locations such as this provided that it can be realistically enforced. There is a controlled parking zone in place throughout the surrounding streets and the rest of North Place has double yellow lines which provide on-street parking controls. In order to help enforce the car-free nature of the proposal, the Local Highways Authority has recommended that the properties be excluded from eligibility to residents and visitor parking permits. In order to reinforce the car-free nature of the proposal a

resident's travel information pack should also be prepared which provides advice on the access arrangements and sustainable travel options available to them. This should be conditioned. There would also be a need to ensure that opportunities for indiscriminate parking within the existing library and park car park and area around Bury Knowle Coach house are avoided. The inability to park in these areas should be made clear in any resident's travel information pack but a site management plan should be secured by condition to detail how this will be prevented in these areas. Having regards to the location of the site, officers consider that there would be no reason to object to the provision of a car-free scheme in this location given the enforcement mechanisms that exist.

30. The 'Delivery and Service Plan' and 'Access Road Landscape Plan' make clear that the existing access road from North Place will be used in order to avoid any additional impact upon the park over and above that already experienced within this area. There would be access restrictions imposed to this area which do not exist at present, as both the depot site and front of the library are accessed by vehicles with no segregation from the park itself. The access to the depot site would be restricted to solely emergency and refuse vehicles, with other vehicles only allowed access on agreement with the management company which would be the Council. The management plan should include details of the tenancy / service arrangements to be put in place for residents to gain access to the site when needed for removals or maintenance. The Local Highways Authority considers that the traffic generation would be minimal especially when compared to the existing situation and would not have a material impact on the park. The entrance gate to the site from North Place will become controlled and be open between the hours of 7.00am and 7.00pm Monday to Friday, and 9.00am to 5.00pm on Saturdays, with access on Sundays only possible to existing key holders or through contacting the Site Management Company. The existing service area to the rear of Bury Knowle House will be reorganised to better manage the parking and traffic movement that already occurs in this area and provide a clear route through to the access road. The single track road already has a natural turning head as it splits towards the depot and library which is currently used by a number of vehicles to turn and leave the site. A designated stopping zone will be formed in this area to allow any delivery vehicles within the opening hours stated above to enter and leave in a forward gear. This arrangement would provide more clarity to this part of the site for the benefit of the proposed development and the library and Coach House. There will be lockable gates to the north of this zone which will control access to the site to the emergency and service vehicles who will gain access via a universal key. A suitable turning head is provided within the residential development to enable the emergency and service vehicles to access and leave the site in forward gear. Pedestrian access to the development will be through the existing gate during its opening hours, and out of hours access will be provided by the existing gate behind Bury Knowle Coach House. This gate will remain closed at all time, but residents will be provided with a code or key as part of the tenancy.
31. The proposed works set out in the 'Access Road Landscaping Plan' has shown how surfacing and landscape treatments will be used for the access road to prevent any conflict between park users and the access road. The road will be segregated by a boundary hedge between the road and park, which would be

maintained at a height which allows visibility between vehicles and park users. There would also be bollards and seating to create defensible space in a manner which suits the parks setting and minimises the impact upon the sensory garden. There would also be a need for a suitable lighting scheme to this road which suits the setting and also minimises the impact upon North Place. In many respects these works would improve the existing situation within the park, whereby the access road is currently open to potential conflict between vehicles accessing the depot and the library and park users. The Local Highways Authority has recommended that the works to the access road are carried out to County Council standards and specifications and provides a sustainable urban drainage scheme for the disposal of surface water. This should be secured by condition. The Local Highways Authority has also recommended that a construction traffic management plan be provided.

Trees

- 32.A Tree Survey has been submitted with the application. The proposed development would not have an impact upon the existing group of trees in the south-west corner of the site. The main concern would relate to the mature trees that are within the park, along the proposed access road. These would include a yew, lime, horse chestnut, and sycamore.
- 33.The existing access road has apparently been used by high sided vehicles which visit the depot, although given the existing condition of the crowns this would appear optimistic. That being said officers consider that the findings of the tree survey demonstrate that the access road could be used, provided that appropriate conditions are imposed on the permission to control finer details about the access road throughout the construction process. The trees that line the driveway will need to be pruned to lift their crowns to at least 5 metres above the drive and officers consider that this will have a minor effect on visual amenity in the area, but this impact would not merit refusal of planning permission. Any permission would also need to make clear that underground services should not be routed along the access drive, and appropriate methods for resurfacing the access road could be employed to prevent any adverse impact upon the tree roots. Robust tree protective barrier fencing will need to be erected either side of the drive during construction phase.
- 34.As such officers consider that the proposal would not conflict with Policy NE15 of the Oxford Local Plan, subject to conditions requiring a landscape plan, underground services plan, plan of hard surfacing and no-dig methodology; tree protection plan and arboricultural method statement to be provided.

Sustainability

- 35.Sites and Housing Plan Policy HP11 states that residential development should include an element of on-site renewable or low carbon technologies were practicable. It goes on to state that for qualifying developments (i.e.10 or more dwellings) proposals should include a least 20% of their energy needs from on-site renewables or low carbon technologies, unless it can be robustly

demonstrated that such provision is either not feasible or it makes the development unviable.

36. An NRIA has been submitted which states that the scheme will achieve a score of 8/11 in terms of energy efficiency, exceeding the minimum score to comply with the policy.. The accompanying statement identifies that the scheme will be designed to meet the requirements of Level 4 of the Code for Sustainable Homes, and will incorporate sources of renewable energy into the design of the buildings. A condition should be attached which requires details of the energy efficiency measures incorporated into the development to be provided before work commences.

Archaeology

37. An Archaeological Evaluation has been submitted with the application which has not identified any archaeological interest and no further archaeological work will be required.

Biodiversity

38. An Ecology & Bat Survey Report has been submitted with the application. The report has not identified any particular ecology issues in terms of bats and birds using the existing outbuildings which would prevent their removal. The report recommends that the existing trees within the site should be retained, and provides advice on suitable species for any landscaping scheme in order to provide biodiversity enhancements. It also recommends the provision of bat and bird boxes within the development. A condition is included in the recommendation requiring the recommendations of this report to be carried out

Contaminated Land

39. A phase 1 desk study and limited phase 2 site investigation have been received with the application to assess the potential for contaminated land within the site. The Phase 2 intrusive investigation concludes that further sampling is required due to the presence of a chemical storage building on the site. Officers recommend that this additional sampling and risk assessments are secured by condition.

Planning Obligations / CIL Contributions

40. In accordance with the Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposal on the City and County Services and infrastructure. The following contributions would therefore be required.

Oxfordshire County Council

- £11,217 (Primary Schools)
- £9,654 (Secondary Schools)
- £3,066 (Special Educational Needs)
- £1,574 (Library)

- £837 (Household Waste Recycling Centre)
- £90 (Museum Resource Centre)
- £29,975 (Highways & Transport)

Oxford City Council

- £1,666 (Indoor/Outdoor Sport)
- £4,431 (Open Space/Ecology)
- £1,191 (Sports Ground)
- £573 (Play Areas)
- £79 (Allotments)

41. The total level of contributions sought would be £64,353 plus the relevant admin fees. The County Council contributions will be secured by a legal agreement, and by internal mechanism for the City Contributions.

42. It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

Conclusion:

43. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation is to approve the development in principle, but defer the application for the completion of a legal agreement to secure the necessary financial contributions as set out above.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998.

In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 27th August 2013

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Appendix 1

Bury Knowle Depot (13/01814/CT3 & 13/01815/CT3)



GIS by ESRI (UK)



Scale : 1:2500

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 August 2013
SLA Number	Not Set

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East Area Planning Committee

4th September 2013

Application Number: 13/01557/CT3

Decision Due by: 19th August 2013

Proposal: Demolition of garage block. Erection of 3 x 3-bed houses (use class C3) with associated parking and bin stores. (Reserved matters of outline permission 12/01845/CT3) (Amended plans)

Site Address: Garage Block, Leiden Road, Headington (**site plan: appendix 1**)

Ward: Churchill

Agent: Kemp & Kemp Property Consultants

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to approve planning permission for the reserved matters for the following reasons:

- 1 The proposal would make an efficient use of previously developed land and deliver much needed affordable housing for the city within an existing residential area. The overall layout, size, scale and design of the proposed dwellings would be sympathetic to the site and its surrounds while also safeguarding the residential amenities of the adjoining properties. Although the development will result in the loss of a sycamore tree, it is considered that this loss could be mitigated through more appropriate replacement planting to the front of the site. The proposed dwellings would provide good quality housing for the future occupants, and be acceptable in highway terms and energy efficiency. The development would not create any adverse biodiversity, or flooding impacts. The application would therefore accord with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the Sites and Housing Plan 2011-2026. No third party objections have been received.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of affordable housing
- 5 Means of enclosure
- 6 Provision of refuse and cycle storage
- 7 Landscape Plan
- 8 Landscape carried out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Details of car parking layout
- 12 Sustainable Urban Drainage
- 13 Design - no additions to dwelling
- 14 Contaminated Land Risk Assessment
- 15 Sustainability measures

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- NE15** - Loss of Trees and Hedgerows

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP2_** - Accessible and Adaptable Homes
- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Relevant Site History:

11/03012/CT3 - Outline permission for demolition of garage block. Erection of 3x3 bed units with associated parking and bin store: Withdrawn

12/01845/CT3 - Outline planning application for demolition of garage block and erection of 3x3 bed houses with associated parking and bin stores: Approved

Representations Received:

None

Statutory Consultees:

Thames Water Utilities Limited: No objection

Oxfordshire County Council Highways Authority: No objection subject to conditions

Officers Assessment:

Site Location and Development

1. The site is situated on the western side of Leiden Road, and is bordered to the north and south by residential properties of 102 and 104 Leiden Road respectively (**site plan: appendix 1**)
2. The site comprises a block of 16 single storey garages which are accessed from Leiden Road. There is a footpath that links Leiden Road with The Slade directly to the north.

Proposal

3. In October 2012 outline planning permission was granted for the demolition of the garage block and the erection of 3x3 bedroom houses as part of the Oxford City Councils Affordable Housing Programme 2011-2015, with associated parking and refuse storage.
4. At the time outline permission was granted a number of matters were reserved for approval. This application is seeking approval of these reserved matters, which relate solely to the scale, layout, access, appearance and landscaping of the proposed development.
5. Officers consider that the principle determining issues are the principle of development; balance of dwellings; form and appearance; impact upon adjoining properties; residential uses; highway matters; trees; biodiversity; sustainability; and contaminated land.

Principle of Development

6. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed. This is supported by Policy CS2 of the Oxford Core Strategy 2026.
7. The principle of development has been established through the granting of outline planning permission for the demolition of the garage block and erection of 3x3 bedroom dwellings under 12/01845/CT3.

Affordable Housing

8. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which seeks to increase the Council's own housing stock within the city. The programme has received funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.
9. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority of the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The site itself would fall below the normal threshold to make it a qualifying site to provide affordable housing under Policy CS24 of the Oxford Core Strategy, and Policy HP4 of the Sites and Housing Plan.
10. The scheme will provide 100% affordable housing, although the tenure would be 'affordable rent' rather than 'social rent'. There are no specific policy requirements for a site of this size to provide any form of affordable housing, and therefore the proposal would support the Council's requirements to increase the supply of affordable housing within the city. This represents a significant benefit of the scheme.

Balance of Dwellings

11. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
12. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Wood Farm Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. The provision of 3x3 bedroom dwellings within the site would be wholly consistent with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Form and Appearance

13. Sites and Housing Plan Policy HP9 states that planning permission will only be

granted for residential development that responds to the overall character of the area, including its built and natural features; the form, layout and density of the scheme make an efficient use of land whilst respecting the site context; the development exploits opportunities to sustain and enhance the significance of heritage assets and makes a positive contribution to local character and distinctiveness; landscaping, and boundary treatments are provided that integrate the development, in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP9, and CP10 of the Oxford Local Plan.

14. The area is generally characterised by modest two-storey dwellings which are either in terraced rows or pairs of semi-detached properties. They follow a linear street pattern and are set back from the street by small front gardens with private gardens to the rear. There are a number of larger flatted developments, but the suburb is generally of a more domestic scale. The layout of the proposed development would be consistent with the layout shown in the outline scheme (12/01845/CT3). It would have a staggered frontage in order to respect the linear development pattern of the street and to continue the building line between 102 and 104 Leiden Road. In terms of size and scale, the terraced properties would be two-storey with pitched roofs to match the modest scale of the adjoining properties within Leiden Road. Therefore officers consider that the overall size, scale, and siting of the proposed dwellings as shown on the illustrative plans would create an appropriate visual relationship with Leiden Road street scene in accordance with the aims of the above-mentioned policies.

Impact upon the Adjoining Properties

15. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes. These aims are repeated in Policy CP10 of the Oxford Local Plan 2001-2016.
16. The siting of the proposed dwellings would respect the linear pattern of the street scene along with the staggered building line that exists between 102 and 104 Leiden Road. Therefore while the proposal would increase the built form that exists on the site, officers consider that it would not have a detrimental impact upon the residential amenities of the adjoining properties of 102 and 104 Leiden Road in terms of loss of light, overbearing impact, overlooking.

Residential Uses

17. The proposed dwellings would have a good standard of internal environment that would accord with Policy HP12 of the Sites and Housing Plan. Furthermore the design and access statement indicates that the dwellinghouse would be designed to meet lifetime Homes Standards in accordance with Sites and Housing Plan Policy HP2.
18. Policy HP13 of the Sites and Housing Plan states that new dwellings should have direct and convenient access to an area of private open space. It recognises that

family homes will require additional space, and this means that they should be provided with a private garden of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house.

19. The dwellings would each have private gardens of adequate size for the dwellings that they serve and would receive adequate levels of natural sunlight and daylight. There would also be space for suitable refuse and cycle storage to be provided in an accessible and practical location. As such officers consider that the proposal would satisfy Policy HP13 of the Sites and Housing Plan, and Policies CP10 of the Oxford Local Plan 2001-2016.

Highway Matters

20. The general principle of demolishing the existing garage block has already been established through the granting of the outline permission (12/01845/CT3).
21. The proposal would provide off-street parking for each of the units with 1 space for unit 1 and 3, and 2 spaces for unit 2. The parking provision has been designed to respond to the available space within the frontage and the need to maintain the existing street tree that lies outside the garage block.
22. The parking standards set out within the Sites and Housing Plan recommends that 3 bedroom dwellings are provided with 2 off-street parking spaces. However, these are maximum standards and the plan states that parking standards should respond to site circumstances and existing parking capacity within the vicinity of the site. Having regards to the existing site circumstances, there are parking bays adjacent to the site which offer off-street parking and there is capacity within the street. At the same time although the site lies outside the Transport District Area, there is access to public transport links on The Slade and the Wood Farm Shopping Parade is within walking distance. The Local Highways Authority has raised no objection to the parking provision within the scheme, subject to conditions requiring the parking spaces to be designed to current standards; the provision of vision splays; and all hard surfacing to be permeable and constructed to sustainable urban drainage systems.

Trees

23. There are two trees situated on the street frontage, a Silver Birch to the north and a Sycamore to the south. A Tree Survey prepared by Land and Landscape Management Ltd has been submitted with the application, which concludes that while the trees do not have particular merit they make a significant contributions to the amenity value of the road.
24. The scheme has been designed to take on board the principles established under the outline permission (12/01845/CT3). The Silver Birch to the north of the site is to be retained, while the Sycamore to the south will be removed. The loss of the tree is regrettable, however all options were considered to retain the tree but none were considered appropriate. The retention of the tree would lead to an uncomfortable spatial relationship between the tree and the proposed dwelling (unit 1) which would have an impact upon the living conditions for future

occupants and place pressures for constant pruning to the tree. The only way to retain the tree would be to reduce the number of units within the scheme although this approach would not make an efficient use of the site and result in the delivery of a lower number of affordable units. In this instance given the need for affordable housing provision within the city, and the need to make an efficient use of land in order to deliver this housing. Officers consider that there is justification in this instance to remove the Sycamore tree. In order to mitigate the harm, a more suitable replacement tree could then be provided by condition. The tree should be taken from advanced nursery stock at planting, and could be a Pyrus 'Chanticleer' which would have a narrower crown form which would be better and more sustainable in the long term. This could be secured by condition.

Biodiversity

25. The site lies within the catchment area for the Lye Valley Site of Special Scientific Interest. In accordance with Policy CS12 of the Oxford Core Strategy and Policies NE19 and 20 of the Oxford Local Plan, it is recommended that all hard surfacing within the site be permeable and any surface water and grey water from the roof be delivered to the aquifer by diversion to vegetated areas. A condition should be attached requiring the implementation of a sustainable urban drainage system
26. An ecological assessment has been included with the application which concludes that the site is of low ecological value and the development will not impact upon any designated wildlife sites or protected species. It has identified opportunities for biodiversity enhancements such as the retention of the western hedgerow and the incorporation of bat and bird boxes into the design. These recommendations should be secured by condition.

Sustainability

27. Sites and Housing Plan Policy HP11 encourages the energy efficient developments and is supported by Policy CS9 of the Oxford Core Strategy. An energy statement has been submitted which sets out the sustainability measures incorporated into the building. The units are designed to meet Code for Sustainable Homes Level 4 standards which exceed current building regulation standards for energy efficiency. The orientation of the site limits the ability to optimise solar gain, but with east and west facing elevations there will be some benefit in the morning and evenings. The housings will be provided with photovoltaic panels to the western roof slop, and a high efficiency boiler is to be used to maximise efficiency from renewable sources, and will seek to utilise grey water. The houses will be constructed in a manner that minimises carbon emissions. A condition should be attached which requires the recommendations of the energy statement to be carried out

Contaminated Land

28. The application has included a Phase 1 desk study which has identified the potential for contamination to exist on site and recommends an intrusive investigation is undertaken to determine the nature and extent of any

contamination present. A condition should therefore be attached requiring this investigation to be carried out and any remediation measures to be provided in order to ensure that the site is suitable for its proposed use.

Conclusion:

29. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, and the Oxford Local Plan 2001-2016, and therefore officer's recommendation is to approve the development.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

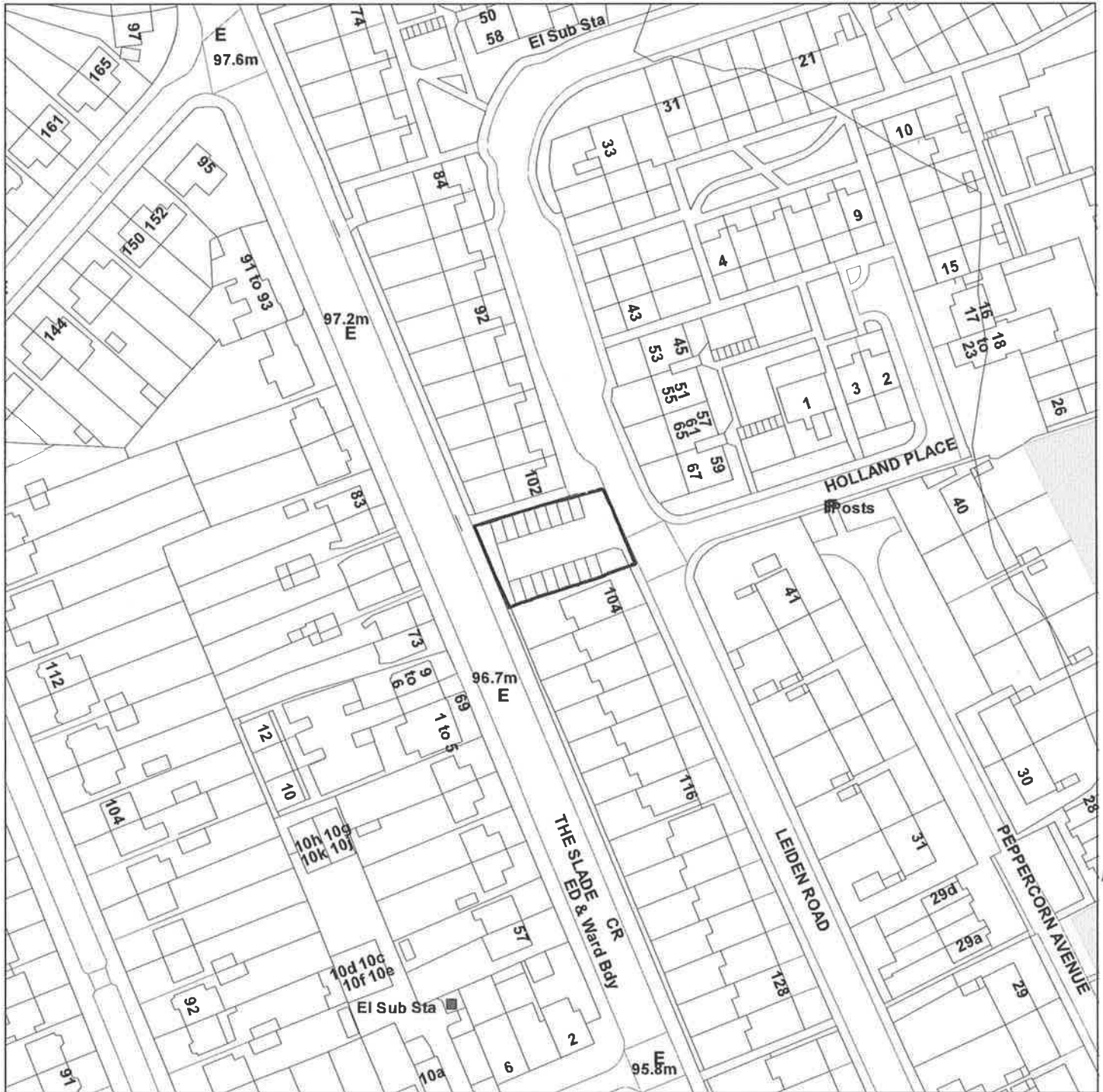
Date: 21st August 2013

Appendix 1

Garage Block at Leiden Road (13/01557/CT3)



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 August 2013
SLA Number	Not Set

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East Area Planning Committee

4th September 2013

Application Number: 13/01558/CT3

Decision Due by: 19th August 2013

Proposal: Erection of 3 x 2-bed houses (use class C3). Provision of associated parking, private amenity space and bin stores (amended plans)

Site Address: Land to the rear of 1 and 3 Thomson Terrace (site plan at **Appendix 1**)

Ward: Littlemore

Agent: Kemp And Kemp Property Consultants

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to approve planning permission for the following reasons:

- 1 The proposed development is considered to make an efficient use of land and deliver much needed affordable housing within an existing residential area. The proposed development will create an appropriate visual relationship with the built form and grain of the residential area while also safeguarding the residential amenities of the adjoining properties. The proposed dwellings would provide good quality housing for the future occupants, and be acceptable in highway terms and energy efficiency. The development would not create any adverse arboricultural, biodiversity, or flooding impacts. As such it would accord with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the Sites and Housing Plan 2011-2026. No third party objections have been received.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of Materials
- 4 Details of affordable housing

- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Tree Protection Plan (TPP) 2
- 9 SUDS
- 10 Contaminated land
- 11 Sustainability measures
- 12 Biodiversity
- 13 Design - no additions to dwelling
- 14 Amenity no additional windows east and west,
- 15 Vision splays
- 16 Pedestrian vision splays

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- NE15** - Loss of Trees and Hedgerows

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS18_** - Urb design, town character, historic env
- CS23_** - Mix of housing
- CS24_** - Affordable housing
- CS12_** - Biodiversity

Sites and Housing Plan

- MP1** - Model Policy
- HP2_** - Accessible and Adaptable Homes
- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Supplementary Planning Document: Parking Standards, TAs and TPs Adopted Feb 2007.
- Supplementary Planning Document Balance of Dwellings Adopted Jan 2008

Relevant Site History:

59/005111/M_H - Erection 24 garages on 3 separate sites - rear of 15 - 16 Northfield Close, rear of 39 Champion Way and rear of 1-3 Thomson Terrace. PER 10th June 1959.

03/01592/OUT - Demolition of 17 garages. Outline application for residential development (All matters reserved for future approval).. WDN 8th March 2010.

03/01830/DEM - Application to determine whether prior approval is required for method of demolition of 17 garages and site restoration. WDN 8th October 2003.

Representations Received:

None

Statutory and Internal Consultees:

Thames Water Utilities Limited: no objection

Highways Authority: no objection subject to conditions

Littlemore Parish Council: no objection subject to neighbours and building control.

Officers Assessment:

Site Description

1. The application site comprises a plot of land, which was formally occupied by 17 garages, to the rear of Gwyneth Road and accessed off Thomson Terrace within Littlemore. The site is currently overgrown and unkempt and enclosed by a close boarded timber fence to prevent access.

Proposal

2. The proposal forms part of the Oxford City Council Affordable Housing Programme 2011-2015, and will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.
3. The application is seeking planning permission for the erection of 3x2 bedroom dwellings, associated parking spaces, refuse and cycle storage.
4. Officers consider that the principle determining issues are:
 - Principle of development
 - Affordable housing
 - Balance of dwellings
 - Form and appearance
 - Impact upon adjoining properties
 - Residential uses

- Highway matters
- Trees
- Biodiversity
- Flood risk
- Sustainability

Principle of development

5. The NPPF states planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land). This is supported by Policy CS2 of the Oxford Core Strategy 2026.
6. Previously developed land is defined as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land in built-up areas such as private residential gardens.
7. The application site is considered to be previously developed by virtue of its previous use as a garage site therefore the principle of redeveloping the site for residential use would still accord with the NPPF and Policy CS2 of the Oxford Core Strategy 2026.

Affordable Housing

8. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which seeks to increase the Councils own housing stock within the city. The programme has secured funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.
9. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority of the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The site itself would fall below the normal threshold to make it a qualifying site to provide affordable housing under Policy CS24 of the Oxford Core Strategy and Policy HP4 of the Sites and Housing Plan 2011-2026.
10. The scheme will provide 100% affordable housing, although the tenure would be 'affordable rent' rather than 'social rent'. There are no specific policy requirements for a site of this size to provide any form of affordable housing, and therefore the proposal would support the Councils requirements to increase the supply of affordable housing within the city. This represents a significant benefit of the scheme.

Balance of dwellings

11. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future

household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.

12. The Balance of Dwellings Supplementary Planning Document sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Littlemore Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. The provision of 3x3 bedroom dwellings within the site would be wholly consistent with Policy CS23 of the Oxford Core Strategy 2026 and the Balance of Dwellings Supplementary Planning Document.

Form and appearance

13. Policy HP9 of the Sites and Housing Plan 2011-2026 states that planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features; the form, layout and density of the scheme make and efficient use of land whilst respecting the site context; the development exploits opportunities to sustain and enhance the significance of heritage assets and makes a positive contribution to local character and distinctiveness; landscaping, and boundary treatments are provided that integrate the development, in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1 and CP6 of the Oxford Local Plan 2011-2016
14. The immediate surrounds display a mixture of house types, styles and ages including semi-detached, three storey blocks of flats and terraces. The proposed layout would provide a short terrace of three units, which would not be out of character with the surrounding area. The units would face the access road leading to Thomson Terrace. The units are one and half storey high with gable ends and are to be faced in brick and timber under a tiled roof. A condition will be added to request samples to ensure the quality and appropriateness.
15. Officers consider that the overall size, scale, and siting of the proposed dwellings would create an appropriate visual relationship with immediate surroundings in accordance with the aims of the above-mentioned policies.

Impact upon adjoining properties

16. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes.
17. The units are located on the site so as to minimise overlooking/loss of privacy/impact to the adjoining properties. The closest properties are those fronting Gwyneth Road with their back gardens butting up to the site. The gable end of units is set 18m from the rear elevation of the Gwyneth Road properties and a minimum of 4m from the common boundary. These distances

are considered to be adequate to prevent the building being overbearing or causing loss of light to the rear gardens and rear windows of the Gwyneth Road properties.

18. The gable end has three small windows in it which serve lounge/dining room and a wc at ground floor level and a bathroom at first floor level. The wc and bathroom windows are to be obscure glazed and the lounge/dining room will look directly onto the car parking space for that unit and onto the boundary fence. Therefore there will be no overlooking/loss of privacy to the Gwyneth Road properties.
19. The front of the units look out and across to the rear of the flats fronting Thomson Terrace. However the distance to the rear of the flats is over 30m therefore there will be very little impact. To the north east corner of the site are some relatively new build flats one of which has a bedroom and a lounge window in the end elevation at first floor. The positioning of the proposed units on the site are such that there will be no direct overlooking into these windows.

Residential uses

20. The proposed dwellings would have a good standard of internal environment that would accord with Policy HP12 of the Sites and Housing Plan 2011-2026. Furthermore the design and access statement indicates that the dwelling house would be designed to meet lifetime Homes Standards in accordance with Sites and Housing Plan 2011-2026 Policy HP2.
21. Policy HP13 of the Sites and Housing Plan states that new dwellings should have direct and convenient access to an area of private open space. It recognises that family homes will require additional space, and this means that they should be provided with a private garden of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house. The dwellings would each have private gardens of adequate size for the dwellings that they serve and would receive adequate levels of natural sunlight and daylight. There would also be space for suitable refuse and cycle storage to be provided in an accessible and practical location.

Highway matters

22. The proposal would provide each of the units with 2 parking spaces per dwelling which would accord with the maximum parking standards as set out within Policy HP16 of the Sites and Housing Plan. The Local Highways Authority has raised no objection to the parking provision for the dwellings subject to conditions requiring the parking areas to be constructed to standard and to employ sustainable urban drainage techniques.

Trees

23. The submitted arboricultural survey assesses the quality and value of trees within the site as being low. Some of the trees are considered to be unsuitable

for retention. Officers accept that such trees should not in themselves be a constraint on development.

24. However, notwithstanding this, the removal of existing boundary trees will have a significant visual impact in the area and any development should mitigate this as far as possible by providing new boundary trees. The proposals include 2 new trees planted near the entrance to the site, but these will have to be small growing species which will do little to mitigate the tree losses. It also proposes two new trees along the south west boundary to replace some of those that will be lost. Also it is proposed to provide a hedge rather than a close board fence along the rear boundary and partially along the side boundary to maintain the verdant nature of the boundary.

Biodiversity

25. An ecological assessment has been included with the application which Officers accept and it makes various recommendations including any works to trees and shrubs should be carried outside of the bird breeding season; trees along the boundaries are retained; new planting be incorporated to maintain the level of biodiversity; boundary features should ideally include native hedgerow planting; opportunities for bats and birds could be provided through the inclusion of boxes. These recommendations should be secured by condition.

Sustainability

26. Policy HP11 of the Sites and Housing Plan 2011-2026 encourages energy efficient developments and is supported by Policy CS9 of the Oxford Core Strategy 2026. An energy statement has been submitted which sets out the sustainability measures incorporated into the building. The units are designed to meet Code for Sustainable Homes Level 4 standards which exceed current building regulation standards for energy efficiency. The orientation of the site limits the ability to optimise solar gain. The housings will be provided with photovoltaic panels to the southwest roof slope, and a high efficiency boiler is to be used to maximise efficiency from renewable sources, and will seek to utilise grey water. The houses will be constructed in a manner that minimises carbon emissions. A condition should be attached which requires the recommendations of the energy statement to be carried out.

Flood Risk

27. The application site does not lie within a known area for flooding however a flood risk assessment has been submitted. It identifies that the site lies within Flood Zone 1 and is therefore at low risk from flooding. It has identified that the site lies within a critical drainage area, and that the proposed development reduces potential surface water discharge. A condition should be attached requiring the site to be drained by a sustainable urban drainage scheme.

Contaminated land

28. The application has included a Phase 1 desk study which has identified the potential for contamination to exist on site and recommends that a preliminary Phase II intrusive site investigation to be carried out to determine the status of contamination and ground gasses and to determine the geo-technical properties of the ground for foundation design. A condition will be added to ensure the recommendation is carried out.

Conclusion:

29. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, and the Oxford Local Plan 2001-2016, and therefore officer's recommendation is to approve the development.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Lisa Green

Extension: 2614

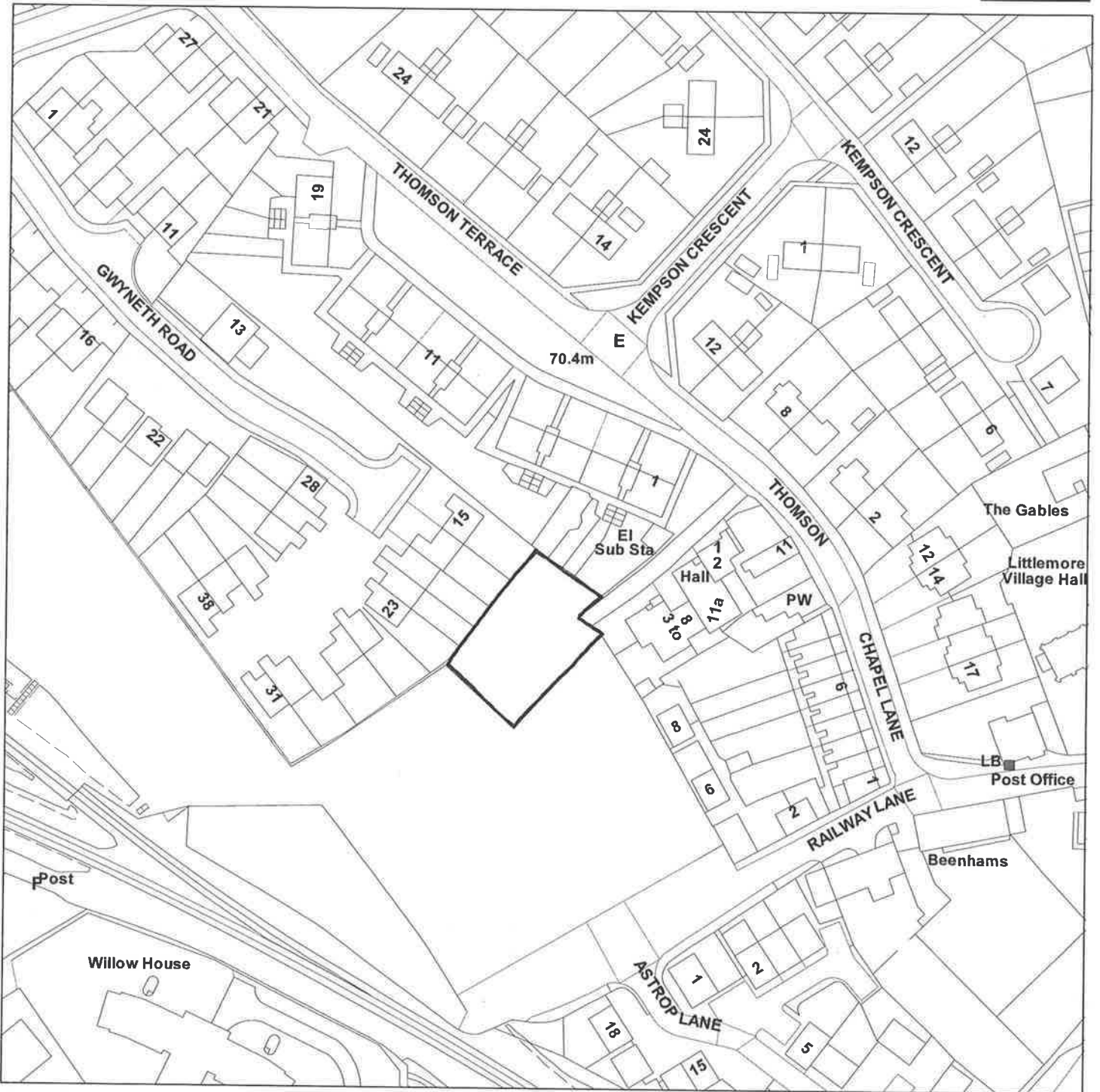
Date: 21st August 2013

Appendix 1

Land to the rear of 1 and 3 Thomson Terrace (13/01558/CT3)



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 August 2013
SLA Number	Not Set

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East Area Planning Committee

4th September 2013

Application Number: 13/01603/CT3

Decision Due by: 21st August 2013

Proposal: Erection of 3 x 2-bed units. Provision of parking and bin storage.

Site Address: Land at Cardinal Close, Littlemore (**site plan: appendix 1**)

Ward: Littlemore

Agent: Mr Robert Froud-Williams

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to approve planning permission for the following reasons:

- 1 The proposed development is considered to make an efficient use of land and deliver much needed affordable housing within an existing residential area. The proposed development will create an appropriate visual relationship with the built form and grain of the residential area while also safeguarding the residential amenities of the adjoining properties. The proposed dwellings would provide good quality housing for the future occupants, and be acceptable in highway terms and energy efficiency. The development would not create any adverse arboricultural, biodiversity, or flooding impacts. As such it would accord with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the Sites and Housing Plan 2011-2026. No third party objections have been received.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of affordable housing

- 5 Means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape plan required
- 8 Landscape carry out by completion
- 9 Tree Protection Plan (TPP) 2
- 10 Ground resurfacing - SUDS compliant
- 11 Contaminated land risk assessment
- 12 Design - no additions to dwelling
- 13 Sustainability measures

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

NE15 - Loss of Trees and Hedgerows

Core Strategy

CS2_ - Previously developed and greenfield land

CS11_ Flooding

CS18_ - Urban design, town character, historic environment

CS23_ - Mix of housing

CS24_ - Affordable housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes

HP4_ - Affordable Homes from Small Housing Sites

HP9_ - Design, Character and Context

HP11_ - Low Carbon Homes

HP12_ - Indoor Space

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Affordable Housing Supplementary Planning Document

Parking Standards Supplementary Planning Document

Relevant Site History:

11/03011/CT3: Outline application for the erection of 3x3 bed units with associated parking and bin storage (all matters reserved) (amended description): Approved

Representations Received:

None

Statutory and Internal Consultees:

Littlemore Parish Council: No objection subject to neighbours and building control raising concerns

Environment Agency Thames Region: No objection the development is considered to be low risk

Oxfordshire County Council Drainage Authority: The development should be drained using Sustainable Urban Drainage Measures including porous surfaces for car parking areas

Oxfordshire County Council Drainage Highways Authority: No objection subject to conditions

Officers Assessment:

Site Location and Description:

1. The site is located at the western end of Cardinal Close which is a cul-de-sac to the south of Newman Road. The site is bordered to the north and east by residential accommodation, and to the south and west grass embankments to the eastern by-pass and Oxford Road (**site plan: appendix 1**)
2. The site comprises an area of hardstanding between and in front of 38 and 40 Cardinal Close respectively and an area to the south of the hardstanding alongside the grass embankment. The site is accessed from the south from Cardinal Close, with pedestrian routes flanking the site to the east and north.

Proposal

3. The proposal forms part of the Oxford City Council Affordable Housing Programme 2011-2015, and will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.
4. The development is seeking planning permission for the erection of 3x2 bedroom dwellings, associated parking spaces, refuse and cycle storage.
5. Officers consider that the principle determining issues are the principle of development; balance of dwellings; form and appearance; impact upon adjoining properties; residential uses; highway matters; trees; biodiversity; flood risk; sustainability; and contaminated land.

Principle of Development

6. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed. This is supported by Policy CS2 of the Oxford Core Strategy 2026.

7. The principle of redeveloping this site for residential use has already been established through the outline planning permission 11/03011/CT3. The site would constitute previously developed land and therefore the principle of redeveloping the site for residential use would still accord with the NPPF and Policy CS2 of the adopted Oxford Core Strategy 2026.

Affordable Housing

8. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which seeks to increase the Councils own housing stock within the city. The programme has secured funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.
9. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority of the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The site itself would fall below the normal threshold to make it a qualifying site to provide affordable housing under Policy CS24 of the Oxford Core Strategy and Policy HP4 of the Sites and Housing Plan.
10. The scheme will provide 100% affordable housing, although the tenure would be 'affordable rent' rather than 'social rent'. There are no specific policy requirements for a site of this size to provide any form of affordable housing, and therefore the proposal would support the Councils requirements to increase the supply of affordable housing within the city. This represents a significant benefit to the scheme.

Balance of Dwellings

11. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
12. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Rose Hill / Temple Cowley Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. The provision of 3x2 bedroom dwellings within the site would be wholly consistent with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Form and Appearance

13. Sites and Housing Plan Policy HP9 states that planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features; the form, layout and density of the scheme make and efficient use of land whilst respecting the site context; the

development exploits opportunities to sustain and enhance the significance of heritage assets and makes a positive contribution to local character and distinctiveness; landscaping, and boundary treatments are provided that integrate the development, in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP9, and CP10 of the Oxford Local Plan

14. The site forms part of a residential development built in the 1970s. The development with the exception of the houses on Newman Road are inward facing onto a green space with the majority of the dwellings on Cardinal Close having their rear gardens turning their backs on the public street. This approach to residential development would be contrary to current best practice and urban design principles which encourages active frontages onto public realm. This part of Cardinal Close is typified by high walls enclosing rear gardens and parking forecourts.
15. The proposed layout would provide a short terrace of three units, in order to respect the form of the surrounding residential development. The units would face onto Cardinal Close in order to improve the active frontage onto this space in accordance with modern principles. In terms of size and scale, the terraced properties would be two-storey with pitched roofs to match the modest scale of the adjoining properties within Cardinal Close and Newman Road. Therefore officers consider that the overall size, scale, and siting of the proposed dwellings as shown on the illustrative plans would create an appropriate visual relationship with Cardinal Close street scene in accordance with the aims of the above-mentioned policies.

Impact upon the Adjoining Properties

16. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes. These aims are repeated in Policy CP10 of the Oxford Local Plan 2001-2016.
17. The proposed dwellings that would stand to be most affected by the proposal would be 38 and 40 Cardinal Close. Although the closest dwelling to no.38 would sit forward of the rear building line of this property, it would be sited some 7m away between buildings, and 4m away from the boundary of the rear garden. As such it is considered that the proposed building would not result in a significant loss of light or overbearing impact to this property. The dwelling would be sited 11m away from no.40 which would also be sufficient distance so as to avoid any loss of light or overbearing impact upon this property. In terms of overlooking, it is also considered that the orientation and positions of the windows in both existing and proposed properties would not create any adverse overlooking issues for the properties.

Residential Uses

18. The proposed dwellings would have a good standard of internal environment that would accord with Policy HP12 of the Sites and Housing Plan. Furthermore the design and access statement indicates that the dwellinghouse would be designed to meet lifetime Homes Standards in accordance with Sites and Housing Plan Policy HP2.
19. Policy HP13 of the Sites and Housing Plan states that new dwellings should have direct and convenient access to an area of private open space. It recognises that family homes will require additional space, and this means that they should be provided with a private garden of adequate size and proportions for the size of house proposed, for exclusive use by occupants of that house. The dwellings would each have private gardens of adequate size for the dwellings that they serve and would receive adequate levels of natural sunlight and daylight. There would also be space for suitable refuse and cycle storage to be provided in an accessible and practical location. A condition is recommended to secure this storage.

Highway Matters

20. The proposal would provide each of the units with 2 parking spaces per dwelling which would accord with the maximum parking standards as set out within Policy HP16 of the Sites and Housing Plan. The Local Highways Authority has raised no objection to the parking provision for the dwellings subject to conditions requiring the parking areas to be constructed to standard and to employ sustainable urban drainage techniques.

Trees

21. The scheme will not have any significant arboricultural implications. The proposal would require the removal of a small bird cherry tree, however, this is of poor quality and there would be no objection to its removal. The scheme does present opportunities for additional new tree planting as referenced on the site plans and as such this should be secured by condition.

Biodiversity

22. An ecological assessment has been included with the application which concludes that the site is of low ecological value and the development will not impact upon any designated wildlife sites or protected species. It has identified opportunities for biodiversity enhancements such as the incorporation of bat and bird boxes into the design of the scheme. These recommendations should be secured by condition.

Sustainability

23. Sites and Housing Plan Policy HP11 encourages the energy efficient developments and is supported by Policy CS9 of the Oxford Core Strategy. An energy statement has been submitted which sets out the sustainability measures

incorporated into the building. The units are designed to meet Code for Sustainable Homes Level 4 standards which exceed current building regulation standards for energy efficiency. The orientation of the site limits the ability to optimise solar gain. The housings will be provided with photovoltaic panels to the western roof slope, and a high efficiency boiler is to be used to maximise efficiency from renewable sources, and will seek to utilise grey water. The houses will be constructed in a manner that minimises carbon emissions. A condition should be attached which requires the recommendations of the energy statement to be carried out

Flood Risk

24. A Flood Risk Assessment has been submitted which identifies that the site lies within Flood Zone 1 and is therefore at low risk from flooding. It has identified that the site lies within a critical drainage area, and that the proposed development reduces potential surface water discharge. A condition should be attached requiring the site to be drained by an sustainable urban drainage scheme.

Contaminated Land

25. The application has included a Phase 1 desk study which has identified the potential for contamination to exist on site and recommends an intrusive investigation is undertaken to determine the nature and extent of any contamination present. A condition should therefore be attached requiring this investigation to be carried out and any remediation measures to be provided in order to ensure that the site is suitable for its proposed use.

Conclusion:

26. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the Sites and Housing Plan 2011-2026 and therefore officer's recommendation is to approve the development.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

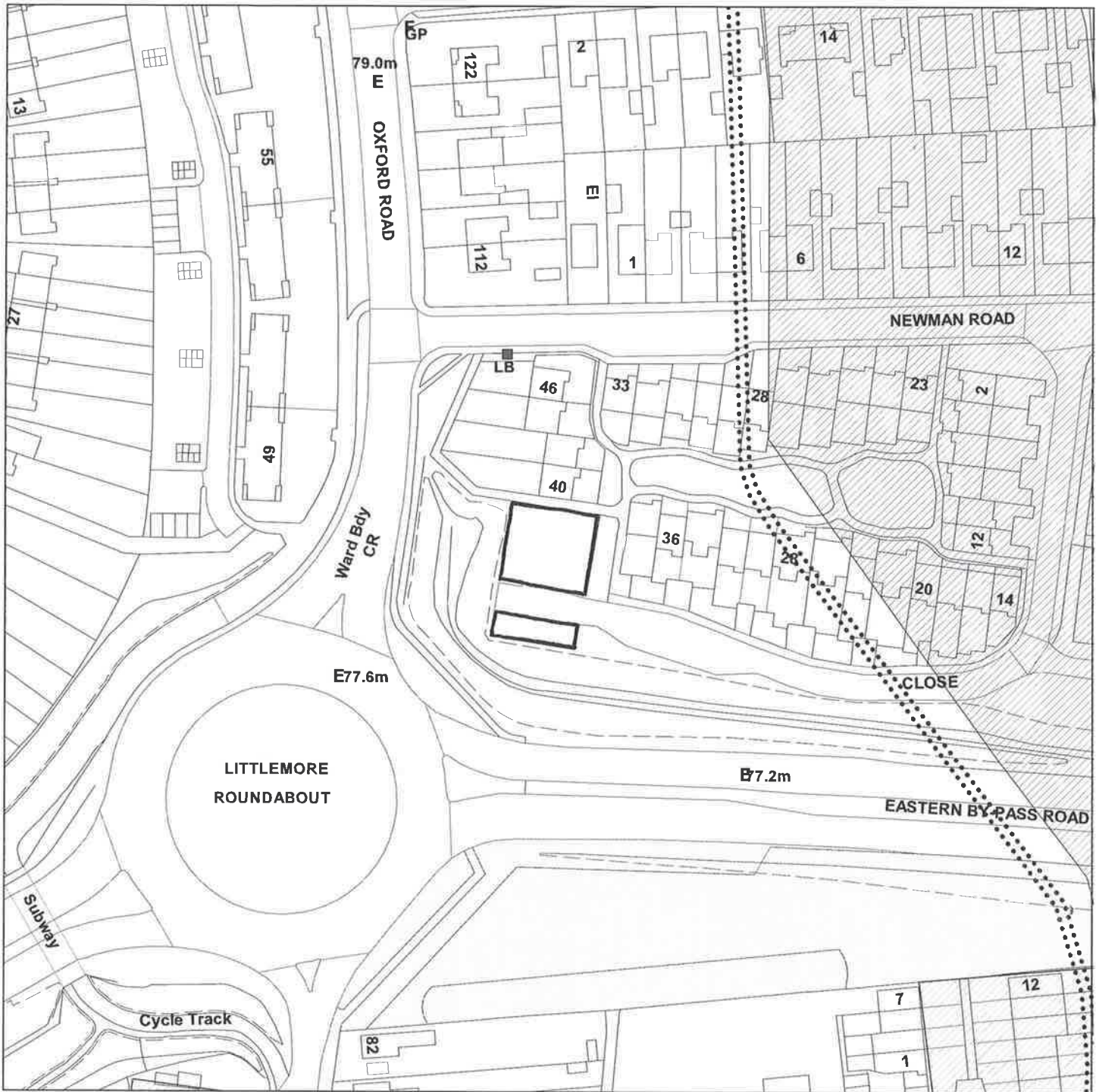
Date: 27th August 2013

Appendix 1

Land at Cardinal Close (13/01603/CT3)



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 August 2013
SLA Number	Not Set

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East Area Planning Committee

4th September 2013

Application Number: 13/01555/CT3

Decision Due by: 23rd September 2013

Proposal: Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath.

Site Address: Land East Of Warren Crescent, Oxford (**site plan: appendix 1**)

Ward: Churchill

Agent: Turley Associates

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to resolve to grant planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts

Reasons for Approval

- 1 The proposal would make an efficient use of this site which has been allocated for residential use as part of the Councils five-year housing supply to provide good quality affordable housing while at the same time establishing a balanced and mixed community within the Headington neighbourhood area. The proposal has considered the potential risk to the Lye Valley SSSI and Lye Valley Nature Reserve from changes to surface and groundwater flow to these sensitive sites, and developed a sustainable urban drainage system which if implemented in accordance with the details submitted in the application would

not be likely to have an adverse impact on the SSSI or Local Nature Reserve. The overall layout, form, and appearance of the development would be appropriate for the site and surrounding area while also safeguarding the amenities of the adjoining residential properties. The proposal is acceptable in highway terms with appropriate access arrangements retained for the Town Furze Allotments, parking provision, and pedestrian linkages to the surrounding area. The development would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated by appropriate measures secured by condition or contributions. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of all means of enclosure
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 No felling lopping cutting
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Sustainable Urban Drainage Scheme, including design, construction and maintenance schedule
- 12 Biodiversity enhancements
- 13 Method statement for preserving ecology during construction
- 14 Archaeology - Implementation of programme
- 15 Details of the proposed parking areas
- 16 Details of the allotment access
- 17 Amendments to the Traffic Regulation Order
- 18 Construction Traffic Management Plan
- 19 A Travel Plan Statement
- 20 Details of affordable housing
- 22 Secure by Design Principles

- 23 Sustainability Measures / NRIA
- 24 Removal of permitted development rights for dwellings
- 25 Scheme of external lighting for dwellings
- 26 Phase II Contaminated Land Assessment

Legal Agreement:

- £148,969 plus the relevant admin fees

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP13 - Accessibility
- CP19 - Nuisance
- CP20 - Lighting
- CP21 - Noise
- CP23 - Air Quality Management Areas
- NE13 - Water Quality
- NE20 - Wildlife Corridors
- HE2 - Archaeology

Core Strategy

- CS2_ - Previously developed and greenfield land
- CS9_ - Energy and natural resources
- CS11_ - Flooding
- CS12_ - Biodiversity
- CS13_ - Supporting access to new development
- CS14_ - Supporting city-wide movement
- CS17_ - Infrastructure and developer contributions
- CS18_ - Urban design, town character, historic environment
- CS19_ - Community safety
- CS22_ - Level of housing growth
- CS23_ - Mix of housing
- CS24_ - Affordable housing

Sites and Housing Plan

- HP2_ - Accessible and Adaptable Homes
- HP9_ - Design, Character and Context
- HP11_ - Low Carbon Homes
- HP12_ - Indoor Space
- HP13_ - Outdoor Space
- HP14_ - Privacy and Daylight
- HP15_ - Residential cycle parking
- HP16_ - Residential car parking

SP60_ - Warren Crescent

Other Planning Documents:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Natural Resource Impact Analysis Supplementary Planning Document
- Planning Obligations Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Relevant Site History:

02/02348/FUL - Demolition of garages and the erection of 18 dwellings comprising of 8x3 bed houses, 6x1bed flats in a 3 storey building, 2x1 bed bungalow and 2x2 bed bungalows. Formation of new vehicular access, provision of 18 parking spaces, erection of 12 garden sheds and a cycle store: Approved

Public Consultation

Statutory Consultees

Natural England

- No objections to the application. There should not be a significant impact on the hydrology of Lye Valley SSSI, provided that the design and construction methodologies proposed in the application are implemented.
- There will be a need for the Sustainable Urban Drainage Scheme to be maintained in perpetuity, and restrictive covenants need to be put in place to ensure that the block paving and grass gardens are maintained as they have been designed and the dwellings cannot be altered should the housing be sold in the future.

Berkshire, Buckinghamshire, and Oxfordshire Wildlife Trust

- The trust is concerned about the impact upon the special features of the Lye Valley SSSI, but support the conclusions of Natural England in their response and conditions need to be secured to maintain the integrity of the site.
- These include the long-termed management and maintenance of the SuDS scheme; permeable paving and gardens need to be maintained in perpetuity; and an action plan should be submitted for the action what will be taken in the event of pollution or contamination of the SuDs to prevent contamination of the aquifer

Thames Water Utilities Limited

- Thames Water supports the need for a sustainable urban drainage scheme to manage the surface water from this development to minimise the impact on Lye Valley Brook.

Environment Agency Thames Region

- No comment to make on the proposal as it is deemed to have a low environmental risk

Oxfordshire County Council

- Highways Authority: No objection subject to conditions and financial contributions towards highway measures
- Rights of Way: There is no objection to the diversion of the proposed footpath to that shown in the application. This will need to be agreed through a section 257 diversion application under the Town & Country Planning Act and the works for the diverted route will need to be certified by the field officer for Oxford City.
- Education: No objection subject to contributions to primary and secondary education and special education needs as a result of increased occupancy.
- Property: No objection subject to conditions towards libraries, waste management, and museums as a result of increased occupancy.

Third Parties

Letters have been received from the following addresses, and their comments are summarised below

- 43 Dene Road; 2 Dorchester Court, Kidlington; 12 Colemans Hill; 44 Courtland Road; (J Gee), Heath Close; 4 Lye Valley Road; 24 Ramsay Road; 50 St Annes Road; 12, 22, 47, (J Collins) Warren Crescent; 12 Weyland Road; Dr Rietsema; Mr & Dr Cody (allotmentees); Mr K Taylor MEP

Individual Comments:

The main points raised were:

- The need for housing is obvious, but this needs to be balanced against the needs of the community
- The previous proposals to develop this site were withdrawn and we were assured that there would be no houses built on the site
- There is too much housing in Headington and not enough green space
- The level of housing in the area is disproportionate to other areas of Oxford
- This is a green space which is used by people in the area, particularly children, dog walkers and it is loss will have an adverse impact upon the area and the health of those in the area.
- The space is used by the flats who have no garden space so it is important to them
- The arrival of 10 houses will place more pressure on the green area and the SSSI from dogs needing exercise, light pollution, fly tipping etc
- The development will create parking pressures in the area. There are already on street parking pressures in the evenings and weekends in Warren Crescent
- The houses will have an impact upon the winter sun received in the Warren Crescent properties on the opposite side of the road.
- This is already an extremely built up area and the loss of this green space will have a negative effect on the feel of the area
- The development is contrary to Local Plan Policies CP6, and CP8, Core Strategy Policies CS2,
- There is a large variety of wildlife in the space, including foxes and badgers, and bats which will be lost if this is developed
- A previous application for this site was rejected, partly because it would remove most of the essential green 'buffer' to the Lye Valley Fens
- The access to the allotments must be of sufficient size to allow deliveries
- The Lye Valley Nature Trail should be retained as is and not encroached upon

- The development will result in the loss of a scenic footpath, and running them behind the houses would have been the better option to enable access to natural surroundings and allow monitoring of any rubbish that is discarded from these properties
- The proposal will have an adverse impact upon climate change which is contrary to the aims of the Core Strategy.
- This will lead to the Lye Valley Nature Reserve being built upon.
- The council has already allowed much of the water catchment area to be eroded by channelling rainwater in the local area as far afield as Quarry into storm water drains causing deleterious flash flooding in the last 20 years, permanently damaging the eco-structure of the fens
- The proposal removes the most essential green buffer to the Local Wildlife Site and Lye Valley Fens SSSI and will have long term damage to these sites. The existing urban development in the area has been a poor neighbour to the fens
- The mitigation measures will not be as good as leaving the site undeveloped
- There is not enough evidence that the hydrological SUDS mitigation (run off water directed to a swale) associated with this housing development will actually work long term to prevent damage to the Lye Valley fen wetland SSSI and LWS areas
- The Swale would need constant management to ensure the base is not compacted, silted up or filled with leaves from overhanging trees. It would need cleaning every year.
- The planned measures for water run-off is novel and untested for this sort of area and should not be entertained until it is demonstrated for less critical environments.
- It may lead to some springs being deprived and others having too much water, and there is the potential for pollution. The development will not improve water quality as suggested
- The site is too important to be damaged and it needs all the water that currently infiltrates gently over the whole green field of the land east of Warren Crescent.
- The long term management issues with the SUDS scheme are difficult to see working. Who will ensure that the front drives are regularly vacuumed, that the steep bank to the rear will be cleared of rubbish, how will the people be prevented from erecting decking, sheds, patios in their gardens, who will forbid residents from keeping cats, or preventing oil dripping on their drive as they mend the car
- Natural England has clear provisions to prosecute those who destroy or contribute to destroying natural habitats such as Lye Valley. The Council should look to preserve an area for which it is responsible rather than be prosecuted once they have destroyed the area irretrievably.

Town Furze Allotment Association

- The association objects to the application
- The allotments are next to the proposed development and there is a concern about access
- The association need to be certain that a turning point of 6m width will be maintained to allow a 90 degree turning point for a tractor sweep to allow the delivery of compost etc to the site.
- The application states that there is sufficient turning space but does not provide dimensions.

Officers Assessment:

Site Location and Description

1. The site is located on the eastern side of Warren Crescent and is bordered by residential accommodation to the north, north-east, and south-west. To the south east lies a band of mature trees which adjoins the Lye Valley Site of Specific Scientific Interest [SSSI] and Lye Valley Nature Reserve (**site plan: appendix 1**).
2. The site comprises a tended grassed area of informal open space which fronts onto Warren Crescent. There is a small open car park with a metalled surface at the northern end along with an access to the Town Furze allotments. The Town Furze allotments are also located to the north-east, and there is a footpath (no.80) which runs from the southern side of the allotment to the north-western corner of the site
3. The Lye Valley Sites of Specific Scientific Interest [SSSI] and Lye Valley Nature Reserve adjoin the site, but are situated at a lower land level to the site. A small part of the north of the site forms part of the Lye Valley Local Nature Reserve and the non-statutory designated site, Lye Valley Scrub Site of Local Importance for Nature Conservation (SLINC).

Proposal

4. The proposal forms part of the Oxford City Council Affordable Housing Programme 2011-2015, and will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.
5. The development is seeking permission for the erection of 10x3 bedroom two-storey terraced and semi-detached dwellinghouses. The dwellings would have their own private gardens with refuse area to the rear which are accessible by a side gate and an off-street parking space per dwelling and two cycle stores. The dwellings are designed to comply with Code for Sustainable Homes Level 4, Secured by Design, Lifetime Homes and the Housing Quality Indicators.
6. The proposal also includes the diversion of footpath (no.80), and the retention of the access to the Town Furze Allotments.
7. Officers consider the principal determining issues to be:
 - Principle of Development
 - Affordable Housing
 - Balance of Dwellings
 - Residential Uses
 - Site Layout and Built Form
 - Impact upon Adjoining Properties
 - Impacts upon the Lye Valley SSSI – Flood Risk & Sustainable Urban Drainage
 - Biodiversity
 - Allotment Access

- Rights of Way
- Landscaping
- Highway Matters
- Sustainability
- Archaeology
- Planning Obligations / CIL Contributions
- Other Matters

Principle of Development

8. The site has previously been granted planning permission for residential development comprising 18 dwellings under reference number 02/02348/FUL. This permission was never implemented and lapsed on the 14th October 2008.
9. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. Policy CS2 of the Oxford Core Strategy supports this aim and makes clear that the development of greenfield sites will only be allowed where they are specifically allocated for that use within the Local Development Framework, or required to maintain a five-year rolling housing-land supply in accordance with Oxford Core Strategy Policy CS22. The site would not constitute previously developed land as defined by the National Planning Policy Framework but it has been specifically allocated for residential development within the Sites and Housing Plan as part of the Councils five-year supply of housing under Policy CS22 of the Oxford Core Strategy 2026.
10. The general principle of redeveloping this site for a residential use has been established through the sites allocation under Policy SP60 of the Sites and Housing Plan. However, the allocation policy recognises that the site is in close proximity to the Lye Valley SSSI and makes clear that any development is on the basis that it can be demonstrated that there would be no adverse impact upon surface and groundwater flow and the Lye Valley SSSI.

Affordable Housing

11. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which is seeking to deliver new affordable homes across a number of development sites within the city. The programme has secured funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.
12. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The Sites and Housing Plan makes clear in Policy HP3 that development sites with a capacity for 10 or more dwellings must provide 50% affordable homes on the site. It goes on to state that a minimum of 80% of these homes must be social rented accommodation, with the remaining as intermediate housing.

13. The proposal will provide 100% affordable housing, although the proposed tenure of this housing would be entirely 'affordable rent'. The Sites and Housing Plan does not consider 'affordable rent' to be the same as 'social rented' housing hence the requirement in Policy HP3 for a greater proportion of social rented accommodation to be provided as part of any on-site affordable provision from qualifying schemes. Therefore despite the fact that the scheme would provide more affordable housing than the 50% normally sought under the policy, the tenure mix would not strictly satisfy the requirements of Policy HP3.
14. The Affordable Homes Programme is reliant on funding from the Homes and Communities Agency (HCA), who stipulate that a proportion of 'affordable rented' units must be provided within the programme. In real terms this means that 44 of the 112 affordable homes have to be 'affordable rent' while the remaining 68 can be provided as 'social rent'. In order to meet the HCA's requirements the mix of tenures has been carefully allocated across each development site within the programme. This allocation has ensured that overall the programme exceeds the policy requirements for affordable housing in that it will deliver 100% affordable homes on each of the individual sites, and far more social rented housing than would normally be sought on a site-by-site basis. Therefore although this scheme in particular does not deliver any social rented properties, this is compensated by the higher number of social rent homes delivered on the other sites within the programme. Officers consider that the programmes contribution to affordable housing provision within the city would represent a material consideration which justifies an exception being made to this policy in this instance.

Balance of Dwellings

15. Policy CS23 of the Oxford Core Strategy 2026 require residential development to deliver a balanced mix of housing to meet the projected future household need, within each site and across Oxford. The mix of housing relates to the size, type and tenure of dwellings. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area. The site is located within the Headington Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes.
16. The proposal would provide 10x3 bedroom units which would slightly exceed the preferred mix for a scheme of this size, however, the increase in number of 3 bed units would not be so significant when it is viewed against the requirements for a scheme of 9 units. The BoDSPD would normally require schemes of 10-24 units to provide 30-75% of the total number of units as 3 bedroom dwellings, whereas a scheme of 4-9 units could provide 30-100% 3 bedroom units. Therefore although the development would not strictly satisfy the requirements of the BoDSPD, officers recognise that the difference would be marginal and given the clear benefits in terms of affordable homes provision officers would raise no objection to the provision of 10x3 bedroom units within the scheme.

Residential Uses

17. The proposed dwellings would all be self-contained and have internal layouts that exceed the requirements of Sites and Housing Plan Policy HP12 which sets minimum floor sizes and general living accommodation standards expected from residential accommodation. The dwellings have been designed to comply with Lifetime Homes Standards in accordance with Sites and Housing Plan Policy HP2.
18. In terms of outdoor space, Sites and Housing Plan Policy HP13 states that new dwellings should have direct and convenient access to an area of private open space. It recognises that family homes should be provided with a private garden of adequate size and proportions to the size of house proposed. The dwellings would each have access to sizeable private gardens to the rear which would be adequate for the family accommodation that they serve. They would also have refuse and cycle storage to the rear which would be accessible via a side passageway. As such the proposal would accord with the aims of Policy HP13.

Site Layout and Built Form

19. Sites and Housing Plan Policy HP9 states that residential developments should respond to the overall character of the area, including its built and natural features; the form, layout and density of the scheme should make an efficient use of land while respecting the site context and making a positive contribution to local character. It should also ensure that landscaping, and boundary treatments integrate the development into the street scene in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP8, CP9, and CP10 of the Oxford Local Plan.
20. The site layout has been designed to follow the arc of Warren Crescent in order to respect the linear development pattern throughout the street and a continuous building line with the existing properties on this side of the road. The layout would also establish a clear public and private realm relationship with active frontages that allow for natural surveillance onto the public realm. The built form would be of an appropriate residential scale for the location, with two-storey dwellings with pitched roofs that are arranged as a terraced row of four dwellings, and three pairs of semi-detached properties. The dwellings would have a contemporary appearance within a traditional residential form, which would not look out of place in the street scene. The units will have a rendered finish with an interlocking clay plain tile which would also help integrate the dwellings into the street scene. As such the overall layout, form and appearance of the proposed development would make the best use of the site, while also suiting the sites context within the existing residential suburb, which officers consider would accord with the aims and objectives of the above-mentioned policies.

Impact upon Adjoining Properties

21. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes.
22. The location of the site and the orientation of the properties would mean that the proposal would not create an adverse impact upon any of the adjoining properties adjacent to the new dwellings, or on the opposite side of Warren Crescent in terms of loss of light, outlook, overbearing impact or privacy and would therefore be consistent with the aims of Policy HP14.

Impacts upon the Lye Valley SSSI – Flood Risk & Sustainable Urban Drainage

23. The site is located adjacent to the Lye Valley SSSI which is very sensitive to changes in surface water run-off and groundwater flows. The allocation policy (SP60) makes clear that permission will only be granted for the development of the site if it can be proven that there would be no adverse impact upon surface and groundwater flows and the SSSI from increase hard surfacing.
24. In accordance with these policy requirements, the following assessments have been undertaken to understand the potential impact of the proposal upon the hydrology of the SSSI and Local Wildlife Site of Lye Valley.
 - Flood Risk Assessment [April 2013]
 - Phase 1 Ground Condition Report [Dec 2012]
 - Geotechnical Engineering Ground Investigation Report [June 2012]
 - Assessment of the Potential Impacts of the Proposed Development on the Lye Valley SSSI [June 2013]
25. These documents have carried out an assessment of the existing ground conditions on site; a hydrological study of the groundwater flows and levels; and an assessment of the impact risk to the SSSI should the site be developed. They support the concerns raised during the consultation process that any changes to the current rate of the surface water and groundwater could have an adverse impact upon the SSSI. These assessments have been used to develop a robust approach to drainage and water quality treatment to ensure that the surface water runoff from the proposed development does not degrade the quality of the receiving ground and stream water in order to mitigate the impact on the SSSI. The assessments have been developed in conjunction with Natural England and the Oxfordshire County Council Drainage Authority.
26. The Flood Risk Assessment identifies that the site is located within Flood Zone 1 and confirms that the soils are deemed suitable for infiltration techniques such as a sustainable urban drainage system [SUDS] to be used for the disposal of surface water without any negative impact on the SSSI. The groundwater monitoring shows that the water levels are sufficient distance below ground level to employ a robust SUDS scheme, but that this would need to have suitable water quality treatments to ensure that surface water runoff does not degrade the receiving groundwater and stream water.

27. The assessment establishes that the existing drainage regime in the catchment area of the valley appears to be having a negative impact on the features of the SSSI. These impacts being lowering the bed of the Lye Brook because of erosion (caused by increase run-off through land drains into the stream); lowering the water table of the fen; and the reduction of rain water feeding the springs vital to the SSSI. Both cause the drying out of parts of the fen. The proposed development would not significantly alter the ground water flow on the basis that large areas of the site would be soft-landscaped or open space (i.e. gardens) and the buildings foundations would be designed to avoid any impact. The SUDs scheme ensures there will be no significant change in the amount and timing of water feeding into the springs of the SSSI. It will collect surface water run-off through permeable paving and discharge to the groundwater via a swale in the south-east corner of the site. The use of swales are identified in national guidance as a suitable method for the attenuation of surface water run-off and the removal of pollution as part of a 'treatment train' to ensure that the quality of water discharged from a site does not significantly impact upon a wider environment. The swale is designed to accommodate a 1 in 100 year storm event plus 30% for climate change, and the excavated soils will be placed adjacent to the slope to the SSSI to ensure that a more extreme flood event does not lead to water running down the slope to the SSSI. The drainage strategy would also include water quality protection and enhancement through its design such as permeable paving with oil separation treatment to absorb hydrocarbon pollutants reducing the risk of pollution from surface water run-off. The use of calcareous aggregates to line the swale will stop the acidification of the water as it slowly feeds into the SSSIs springs.
28. It is clear from the consultation process that concerns have been raised about the suitability of the SUDs scheme to mitigate any potential impact upon the Lye Valley SSSI. However, officers consider that the proposed scheme would ensure that the indirect impact on the SSSI, and direct erosion from drainage, would be reduced to an insignificant level. Importantly Natural England is also satisfied that there should not be a significant impact upon hydrology of the Lye Valley SSSI provided that the drainage strategy is developed in accordance with the details set out within these assessments. Notwithstanding this, both Natural England and officers share the view that the SUDs scheme would need to be maintained in perpetuity. This would include fencing off the swale to prevent access and therefore compaction of the soils, as well as rubbish entering the system. The swale would also need to be checked regularly and cleaned where necessary. Similarly the block paving within the development would need to be maintained to ensure that it remains porous in the future. There would also need to be restrictions on the properties so that the paving and grass gardens are maintained as designed and especially if the properties are sold in the future. It would be important to ensure that the properties cannot be extended without examining the potential impacts upon hydrology.
29. The long term management and maintenance could be secured by a condition which requires details of the maintenance schedule for the properties. The dwellings will remain in the ownership of Council who would also be responsible for maintaining the infiltration drainage system and it would be expected that this would be incorporated into the general maintenance of these properties. A

condition should also be attached which removes all permitted development rights for the properties to ensure that consideration is given to any changes, although tenants of the properties would also need to seek permission from the Council as landowner. Therefore it is considered that reasonable controls could be put in place to ensure that long term maintenance of the SUDs scheme and also to consider any potential changes to the properties.

30. Therefore on the basis of the information provided, and given the fact that Natural England have raised no objection to the proposal, officers consider that the development would not have a significant impact upon the hydrology of the nearby SSSI subject to the provision and maintenance of the proposed sustainable urban drainage system.

Biodiversity

31. An Ecological Desk Study and Phase 1 Habitat Survey have been submitted with the application. This has identified that the site only supports habitats of limited intrinsic ecological value with the exceptions of limited potential to support breeding birds. This SSSI and Local Nature Reserve will be protected throughout the proposed development. The survey proposes mitigation measures and enhancements to minimise any possible impacts on species that may be present on site and in the surrounds. These would include retaining areas of importance for reptiles and common toads within the site; the protection of the field maples on the eastern boundary throughout the process for breeding birds and the introduction of native species and bird boxes to encourage breeding opportunities; specific site safety measures during construction to prevent harm to badgers who may be using the outlier sett to the east of the site within the SSSI, and the provision of suitable shrubs and trees in the open spaces to improve their foraging habitat; and the introduction of a lighting scheme to reduce the potential impact on bats and other species within the SSSI, along with the planting of native species and bat boxes to provide roosting opportunities.
32. Officers consider that the direct biodiversity impact of the development would not be significant, as the site only supports habitats of limited significance and its use by species of biodiversity significance is minimal or would be protected through the recommended mitigation measures. Natural England has also confirmed that the proposed development would be unlikely to affect European Protected Species and that the impact upon other species should be considered in line with standing advice. Therefore subject to a condition being attached requiring the recommendations of the ecological survey to be carried out in full, the proposal would accord with the aims of Policy CS12 of the Oxford Core Strategy 2026.

Allotment Access

33. The site allocation policy (SP60) recognises that vehicular access and turning area is essential for the allotment users. It goes on to say that a width of 6m and a turning area may be required.
34. As with the previously approved scheme, the proposal would provide a 3m wide access road from Warren Crescent which leads into a turning area which allows a

90° turn. The access road would be gated albeit to a design that allows pedestrian access to the public footpath. The access road and turning area are considered adequate to enable a tractor and trailer to access the site and leave in a forward gear according to the vehicle tracking diagrams included with the application. As such officers consider that the proposal would maintain appropriate access arrangements for the allotment.

Rights of Way

35. There are currently two footpaths (nos.79 & 80) that cut across the site from the south-west corner to the allotments in the north. The site allocation policy states that the public right of way should be either retained or diverted. An alternative location was agreed for these footpaths as part of the previous development proposal for the site (02/02348/FUL).
36. The proposal would provide the same diversion to this previous scheme whereby, the footpath will lead through the site and around the front of the proposed dwellings and then down through the allotment access to join up with its current position at the north. The diverted route as shown on the plans would maintain part of this as a countryside footpath, but also encourage natural surveillance of the footpath from the new residential dwellings.
37. The Oxfordshire County Council Countryside Access Team has raised no objection to the general principle of the footpath being diverted but requires more information about the intended route. The diversion will require a formal application for a public right of way diversion to be submitted to the county council and therefore the proposed route will be determined by that means.

Landscaping

38. A Tree Survey has been submitted with the application. This identifies the requirement to remove a large proportion of trees within the site. The manna trees at the rear of the site (T8-T18) are of a low quality and value and so not objection would be raised to their loss.
39. The proposal does require the removal of a number of the trees to the front of the site, which make an important contribution to the visual amenity in the area. It is regrettable that these have to be removed, however, the loss could be adequately mitigated in accordance with Local Plan policies CP1, CP11 and NE15 by the planting of new *Pyrus Chanticleer* trees being planted at the front of each of the pair of the new houses i.e. 5 new trees to ensure that the harm to amenity in the area is adequately mitigated.
40. The hedge along the SW boundary, which forms a barrier to Lye Valley is to be reduced in height and spread. This work should be undertaken at an appropriate time of year i.e. during the winter, to minimise potentially harmful effects on the health of the trees and disturbance of nesting birds. The ecological appraisal has recommended that these trees should be protected during the construction process and also that any landscape strategy should include the planting of native species to improve wildlife. Officers would therefore recommend that

conditions should be attached which secure a landscape plan which includes the new planting recommended above and that suggested in the ecological appraisal.

Highway Matters

41. A Transport Statement has been submitted with the application. The proposed dwellings would be provided with 1 off-street parking space per dwelling, and 2 secure cycle parking spaces.
42. The site is situated within an existing residential area, and has reasonable access to public transport links and a small parade of shops on Girdlestone Road although the majority of shops and public transport would lie beyond in Old Road, Wood Farm and the Headington District Centre. The proposed development would not generate significant levels of traffic and is certainly less than the 18 units previously approved for the site under 02/02348/FUL.
43. The provision of 1 off-street parking space for the 3 bed units would accord with Sites and Housing Plan Policy HP16 which sets the required parking standards for residential developments in specific locations. The Local Highways Authority have raised no objection to this, but have indicated that the proposal would result in the loss of 5 on-street parking bays from the controlled parking zone. The Local Highways Authority has stated that it would be necessary to remove the development from eligibility to residents parking permits to ensure that no further pressure is placed on the controlled parking zone. This would require amendments to the order at a cost of £3,000 which would also cover the need to extend existing on-street parking bays in the vicinity to provide five additional spaces.
44. The Highways Authority have queried the potential impact from the loss of unrestricted car parking on site which they consider is likely to be used by allotment holders. The existing car park on site was formerly a garage block which was demolished following the grant of the previous permission (02/02348/FUL). Any parking within this small car park is currently informal and so officers consider that the loss of this space should not represent a constraint upon the development of the site. The proposal will provide a direct access to the allotments for users including a small number of informal spaces in the area to the rear for use by allotment users.
45. The Highways Authority has also recommended conditions which require the provision of a sustainable urban drainage system; a travel plan statement which includes travel information packs for each residential unit to be provided, and a construction traffic management plan to avoid potential disturbance to the local area from construction traffic.
46. The Oxford City Council Planning Obligations SPD has a requirement for a contribution of £26,250 towards transport infrastructure improvements from the development. The Highways Authority have also requested a further £5,000 towards public transport traffic management improvements at the Girdlestone

Road/The Slade junction, which impacts buses using this route and will be used by residents of the proposed development.

Sustainability

47. Sites and Housing Plan Policy HP11 states that residential development should include an element of on-site renewable or low carbon technologies were practicable. It goes on to state that for qualifying developments (i.e. 10 or more dwellings) proposals should include a least 20% of their energy needs from on-site renewables or low carbon technologies, unless it can be robustly demonstrated that such provision is either not feasible or it makes the development unviable.
48. An NRA has been submitted with the application which reflects the need to achieve 20% of the development's regulated and unregulated energy requirements from renewable sources and is therefore considered to be acceptable. The NRA scores 7/11 which exceeds the minimum score required to comply with the policy. The proposed scheme is designed to achieve the Code for Sustainable Homes Level 4 which exceeds the minimum requirement of Level 3 for open market homes. The buildings will use solar photovoltaic tiles, high energy boilers, energy efficient and thermally efficient glazing, and be built to Building Regulations 2010 standards. Officers would recommend a condition requiring the details of the NRA to be implemented.

Archaeology

49. An archaeological desk based assessment has been submitted which identifies that the site is of interest because it is located around the corner from a nationally important pottery production site at the Churchill Hospital and on level ground close to a water course. A Roman kiln is recorded 50m away on the other side of the valley in a similar location (HER3616, MOX11526). Subsequent to the desk based assessment a geophysical survey was undertaken at this site by Northamptonshire Archaeology which did not pick up any strong anomalies that may be potential kiln sites. Furthermore the details of previous borehole investigations have been submitted demonstrating that much of the proposed development footprint is modern made ground of considerable depth. However part of the site does not appear to have been substantially landscaped and a targeted archaeological investigation would be warranted given the archaeological context.
50. Therefore given the likely level of previous disturbance on site and the scale of the proposed development, a condition should be attached requiring an archaeological investigation to be carried out. This should consist of either targeted trial trenching followed by further mitigation as appropriate or watching brief depending on the detail of foundation design and servicing work.

Planning Obligations / CIL Contributions

51. In accordance with the Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposal on the City and County Services and infrastructure. The following contributions would therefore be required.

Oxfordshire County Council

- £51,690 (Primary Schools)
- £44,530 (Secondary Schools)
- £3,065 (Special Educational Needs)
- £2,224 (Library)
- £990 (Household Waste Recycling Centre)
- £130 (Museum Resource Centre)
- £26,250 (Highways & Transport)
- £8,000 (Pub Transport Improvements / Amendments to Road Traffic Order)

Oxford City Council

- £2,400 (Indoor/Outdoor Sport)
- £6,360 (Open space/Ecology)
- £1,710 (Sports Ground)
- £1,510 (Play Areas)
- £110 (Allotments)

52. The total level of contributions would be £148,969 plus the relevant admin fees. The County Council contributions will be secured by a legal agreement, and by internal mechanism for the City Contributions.

53. It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

Other Matters

54. A Phase 1 Ground Condition Assessment has been carried out comprising a desk study, site walkover, ground stability assessment and risk assessment for contamination. The site has been identified as having a low potential for ground contamination, has recommended a Phase II survey to determine the extent of made ground and to mitigate or remediate impacted soil and groundwater. A condition should be attached requiring a Phase II survey to be conducted before development commences.

55. An air quality screening assessment has been submitted which identifies that air quality within the site is very good, and the traffic generated by the development is

unlikely to have significant air quality impacts. Officers would agree that there is not likely to be a significant impact on air quality from the development.

56. A Noise Survey has been submitted with the application which assesses the suitability of the site for its proposed use. The survey identifies that the dominant noise source is local road traffic and the anticipated noise and vibration impact on occupants would be negligible.

Conclusion:

57. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation is to approve the development in principle, but defer the application for the completion of a legal agreement to secure the necessary financial contributions as set out above.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 27th August 2013

Appendix 1

Land East of Warren Crescent (13/01555/CT3)



Scale : 1:2500

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	27 August 2013
SLA Number	Not Set

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East Area Planning Committee

4th September 2013

Application Number: 13/01592/CT3

Decision Due by: 23rd September 2013

Proposal: Demolition of Alice Smith House. Erection of 3 x 2-bed and 8 x 3-bed houses (Use Class C3). Provision of 11 car parking spaces, cycle and bin stores.

Site Address: Alice Smith House, Alice Smith Square (**Appendix 1**)

Ward: Littlemore

Agent: Miss Rachel Hanbury

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to resolve to grant planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development has failed adequately to mitigate its impacts.

Reasons for Approval

- 1 The proposed dwellings are considered to make an efficient use of land, and deliver much needed affordable housing within an existing residential area. In their height, scale, and external appearance they form an acceptable visual relationship with adjacent and nearby properties in Alice Smith Square. The proposed dwellings offer an acceptable level of sustainability and energy efficiency; they will not detract from the residential amenities of adjacent or nearby properties; and they provide an acceptable standard of internal and external amenity for future residents. The scheme is therefore considered to be acceptable in relation to the National Planning Policy Framework and the relevant adopted policies of the Core Strategy, Sites and Housing Plan and the Oxford Local Plan.

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Deemed in accordance with approved plans
- 3 Samples of materials
- 4 Sustainability design/construction
- 5 Design - no additions to dwelling
- 6 Amenity no additional windows side,
- 7 Boundary details before commencement
- 8 Cycle parking details required
- 9 Details of bin stores
- 10 Drainage details - SUDS
- 11 Vision splays
- 12 Pedestrian Awareness Vision Splays
- 13 Contaminated land risk assessment
- 14 Landscape plan required
- 15 Landscape carry out after completion
- 16 Archaeology - mitigation 2 Roman remains,
- 17 Biodiversity
- 18 Construction Traffic Management Plan
- 19 Car/cycle parking provision before use
- 20 Secured by Design
- 21 Provision of Affordable Housing
- 22 Amendment of TRO
- 23 Visitor parking provision
- 24 Householder Travel Information Packs

Legal Agreement:

City requirements:

Indoor sport	£2,424
Open space/Ecology	£6,429
Play Areas	£1,376
Sports Ground	£1,728
Allotments	£ 112
Total Contribution	£12,069 plus 5% admin fee £603

County requirements:

Transport	£28,350
Traffic management/highway safety	£ 3000
Primary schools	£43,944
Secondary schools	£37,853
SEN schools	£ 3,065
Library	£ 2,248
Waste infrastructure	£ 1,044
Museums Resource Centre	£ 131
Total contribution	£119,635 plus admin fee £1500

It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

Principal Planning Policies:**Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP22** - Contaminated Land
- NE15** - Loss of Trees and Hedgerows
- NE20** - Wildlife Corridors
- HE2** - Archaeology

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS13_** - Supporting access to new development
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS22_** - Level of housing growth
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP1_ - Changes of use to existing homes
- HP2_ - Accessible and Adaptable Homes
- HP3_ - Affordable Homes from Large Housing Sites
- HP9_ - Design, Character and Context
- HP11_ - Low Carbon Homes
- HP12_ - Indoor Space
- HP13_ - Outdoor Space
- HP14_ - Privacy and Daylight
- HP15_ - Residential cycle parking
- HP16_ - Residential car parking

Other Planning Documents

- National Planning Policy Framework;
- Oxford Core Strategy 2026;
- Oxford Local Plan 2001-2016;
- Sites and Housing Plan 2026;
- Balance of Dwellings Supplementary Planning Document (BoDSPD)
- Planning Obligations Supplementary Planning Document

Public Consultation

Consultees

Internal - Conservation – Archaeology

- the site is of interest because of the possibility of Roman remains and a condition is requested securing an archaeological investigation

Internal - Conservation – Biodiversity

- bat survey has accurately assessed the situation, support the inclusion of bat tubes and bird boxes in the construction of the houses to be secured by condition, and the landscaping to include plants to encourage bat foraging.

Thames Water Utilities Limited

- no objections in relation to water infrastructure but an informative recommended in relation to water pressure

Environment Agency Thames Region

- the site is in a low environmental risk area and therefore detailed comments were not provided

Thames Valley Police

- no objections but requests a condition relating to submission of details to ensure Secured by Design standards

Littlemore Parish Council

- no objection subject to neighbours and development control

Internal - Conservation – Trees

- two trees on the western side of the site have merit for retention, landscape and tree retention/protection conditions suggested

Internal – Environmental Development

- condition stipulating phased risk assessment for land contamination requested

Oxfordshire County Council – Transport Development Control

- car parking provision substandard and visitor parking disregarded;
- legal agreement required to secure transport contribution and amendment of TRO

Oxfordshire County Council – Drainage

- no objection subject to hard surfaces being porous, SUDS compliant

Third Parties

Letters have been received from the following addresses:

- 5A, 10, 20, 33, 46, 57, 71, 79, 92, 93, 99, and 103 Alice Smith Square

The main points raised in support (11 identical letters) were:

- the houses make a vital contribution to much needed affordable housing in the City;
- they will be a visual improvement on the existing houses;
- the existing accommodation is of a poor standard.

One letter of objection was received expressing the views (in summary) that:

- the increased population and greater numbers of children will mean that the quiet ambience of the Square will be destroyed;
- overdevelopment;
- parking provision is inadequate – there are considerable parking problems in the locality at the moment;
- the wider infrastructure is inadequate;
- the site is within a CPZ;
- the existing housing is not inferior or inadequate;
- consultation by the Parish Council omitted some residents.

Officers Assessment:

Site Location and Description

1. Alice Smith House is a brick-built, two storey development of residential flats in three short blocks, dating from the late 1960s. It is owned by Oxford City Council and currently operated as 20 units of temporary accommodation for homelessness.
2. Alice Smith House is located on Alice Smith Square accessed off Northfield Close: the 'square' being formed by a loop road serving only the houses that border it (site plan at **Appendix 1**). These houses are generally two-storey family housing laid out as detached and semi-detached units and in short terraces.

Many properties have well-tended front gardens and front boundary treatment, and some have front garden parking. It is a largely level site although it slopes gently from south-east to north-west.

Proposal

3. The proposal is for the demolition of Alice Smith House and the construction of eleven new 2-storey houses to be owned and operated by Oxford City Council. There will be eight 3-bed, 5-person houses, and three 2-bed, 4-person houses. Five of the units will be for social rent and six for affordable rent.
4. Each house has a private garden, 1 parking space and secure refuse and cycle storage. The dwellings are designed to comply with the Code for Sustainable Homes Level 4, Secured by Design, the Lifetime Homes Standard and the Housing Quality Indicators.
5. The principal determining issues are considered to be: the principle of the development; affordable housing; balance of dwellings; design and appearance; residential amenity; highways and parking.

Principle of the Development

6. Residential redevelopment of the site would accord with the aims of the National Planning Policy Framework and Policy CS2 of the Oxford Core Strategy 2026, which seek to encourage the re-use of previously developed land for development.
7. The existing buildings provide 20 units of accommodation: the proposal for 11 dwellings would therefore result in the net loss of 9 units of accommodation. That would be contrary Policy HP1 of the Sites and Housing Plan, which prevents the net loss of dwellings. This is a long standing policy, crucially important to maintaining the existing housing existing stock. Exceptions to it can only be justified in very special circumstances. In this case there are two reasons, which, together may be considered to provide such a justification.
8. First, Alice Smith House falls below the current standards of accommodation: the proposals therefore replace out-dated, single bed units with much needed good quality family housing and this represents a qualitative improvement to the local housing stock.
9. Second, the site is part of the Oxford City Council Affordable Housing Programme 2011-2015 and it may be considered, aggregating all the sites in the Programme together, that there are cumulative public benefits that would outweigh the concerns over the loss of the dwellings on this particular site. The Programme has secured funding from the Homes and Communities Agency (HCA) to provide a total of 112 new build affordable homes of mixed social and affordable rented tenure across a number of development sites by March 2015. Funding for the Programme is dependent upon all the sites coming to fruition – the sites are interdependent in those terms, and the Alice Smith House site is an important and integral part of the Programme. While there will be a net loss of 9

units (of substandard accommodation) on this site, and a further net loss of 6 units on another site in the Programme, there will be a net gain of 97 units (112 minus 15) to the city's housing stock from the Programme as a whole.

10. On those two grounds together it is considered that there is justification for the loss of residential units on this site.

Affordable Housing

11. Policy CS24 of the Core Strategy and Policy HP3 of the Sites and Housing Plan recognise that the provision of affordable homes is a key priority for the Council. Policy HP3 stipulates that development sites with a capacity for 10 or more dwellings must provide 50% affordable homes on the site of which a minimum of 80% must be social rented, with the remaining as intermediate housing.
12. The current application is proposing 100% affordable housing within the site: 5 of the units are for social rent and 6 for affordable rent. This exceeds the policy requirements and is secured through the imposition of a planning condition.

Balance of Dwellings

13. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected range of future household needs. The BoDSPD sets out the appropriate housing mix for each Neighbourhood Area within the City.
14. In terms of the BoDSPD, the application site is located within the Littlemore Neighbourhood Area where, in schemes of 10 or more units, a mix of unit sizes is required. The proposal includes 8 x 3-bed (73%) and 3 x 2-bed units (27%), which meets the BoDSPD guideline for Littlemore.

Design and appearance

15. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan together with Policy CS18 of the Core Strategy and policies HP9 and HP14 of the Sites and Housing Plan require that development proposals incorporate high standards of design and respect local character.
16. Alice Smith Square is an area of established family housing dating from the 1970s/80s. While it is an attractive, well maintained area it is not distinguished by a particularly special overall character or specific architectural or landscape features. Similarly Alice Smith House itself is a plain building with an unbroken roofline and a regular alignment of windows.
17. The proposed scheme comprises 11 x 2-storey houses set out as 3 pairs of semi-detached houses, a row of 3 houses, and 2 detached houses. They are

aligned generally to conform to the existing street pattern and building lines, more or less replicating the existing building footprint. Thus the proposal reflects the general character of Alice Smith Square and also serves to add variety and interest to the visual appearance of the area when compared to Alice Smith House which lacks architectural or visual interest. The style of architecture of the proposed houses is more contemporary than existing houses in the Square but is intended to blend with the prevailing street scene.

18. The proposed houses have greater ridge heights and generally greater width and depth than the existing building. The proposal does therefore represent a marginal increase in the scale, massing and bulk of development compared to Alice Smith House although this is counterbalanced by parts of the previous building footprint which is not to be built upon. It is considered that, even though the appearance of the area will change, in particular giving it a more dense feel at the entrance to the Square, this will not be to a degree which is unacceptable:
 - a. the difference in ridge heights is greatest, 1.34m, between Plot 1 and 18 Alice Smith Square but there is sufficient separation between the existing and proposed buildings for the difference to be acceptable visually;
 - b. Plot 8 is 1.32m higher than the existing building: this 'end' plot however is end on to the rear garages and parking spaces of properties on the north-east side of the Square and will be acceptable in that view; and in its front view from properties on the north-east side of the Square (nos. 97 and 99) which are set obliquely to it;
 - c. the total building width of the units facing the entrance to the square is greater than the existing building but is broken up into 2 semi-detached units and a row of 3 units. It is considered that this will create a more distinctive visual character at the entrance to the Square enhanced by the increased activity along that frontage resulting from a greater number of front door entrances, side gates and on-plot parking.
19. Policy HP14 seeks to preserve the residential amenities of properties adjoining new development. The proposal conforms to all the guidelines set out in that policy.
20. Overall therefore it is considered that the proposed scheme will have a positive impact on the character and appearance of the area and will not be detrimental to the amenities of adjacent and nearby properties. In those respects therefore the scheme conforms to adopted policy and guidance.

Residential amenity and accessibility

21. Policy HP12 of the Sites and Housing Plan requires that any new dwelling should provide adequate internal living space and good quality internal living conditions. Policy HP2 requires that all new dwellings meet the Lifetime Homes standard and, on sites of 4 or more dwellings, at least 5% are either fully wheelchair-accessible or easily adaptable for wheelchair use. Policy HP13 of the Sites and Housing Plan requires that all new dwellings have direct and convenient access to an area of private open space of acceptable amenity. Covered, secure cycle and bin stores are required

22. The proposed dwellings meet and in some cases exceed those standards and requirements. The wheelchair accessible/adaptable unit is provided within the overall 112 units proposed within the Affordable Housing Programme.

Sustainability

23. The NPPF gives a definition of sustainable development part of which is the environmental role which development plays in using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy. A core planning principle of the NPPF is to support the transition to a low carbon future. The Council's Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18 reflect the requirements of the NPPF in this regard. These policies are supported by the Natural Resource Impact Analysis Supplementary Planning Document (NRIA SPD).
24. The proposed scheme is designed to achieve the Code for Sustainable Homes Level 4 which exceeds the minimum requirement of Level 3 for open market homes. An NRIA has been submitted with the application which reflects the need to achieve 20% of the development's regulated and unregulated energy requirements from renewable sources and is therefore considered to be acceptable.

Highway Matters

25. The Local Highway Authority gave informal pre-application advice to the effect that 1 on-plot parking space per house would be acceptable in this relatively sustainable location. This was reassessed as part of consideration of the formal application and 'out-of-hours' site visits carried out by County officers on two occasions when most residents would have been at home. An amount of on-street and on-pavement parking was found which had the potential to adversely affect highway safety and convenience. The Highway Authority considers that the Transport Assessment gives insufficient consideration to the need for visitor parking in the scheme and the capacity of the area to provide it. It has asked that this be reassessed by means of a planning condition.
26. A local resident has also objected to the scheme on the basis of increasing the difficulties of parking in the Square.
27. Given that there may be scope to adjust the parking provision for the scheme it is considered prudent to include such a condition to enable the situation to be reassessed.

Other material considerations

Trees

28. There are very few trees on the site and in the Square generally. While they are attractive garden features within the site none are of significant or wider amenity value. All are recommended for removal with the exception of 3 fastigiate Irish

Yews which are recommended for digging up and replanting.

29. While the loss of any trees is to be regretted it is considered that in this case the loss of the trees can be adequately mitigated by replanting with suitable species, which should also aim to help soften the appearance of the wider area. A landscaping condition is therefore recommended.

Flooding

30. A Flood Risk Assessment has been submitted which locates the site within Flood Zone 1 and is therefore at low risk of flooding although it may be susceptible to groundwater flooding. To address any residual risk of flooding from surface water and groundwater sources finished floor levels should be set at a minimum of 300mm above the final external development levels. SUDS drainage systems will control surface water discharges, this is recommended to be secured through a condition.

Biodiversity

31. A desk study and extended Phase 1 habitat survey were carried and concluded that the habitats present on site were not of intrinsic ecological value. No mitigation for the presence of bats is required although habitat enhancements are recommended to be secured by condition.

Contaminated Land

32. Whilst the site is not known to be contaminated, it is important that the developer demonstrates that the site is suitable for use. As a minimum, a desk study and documented site walkover are required to ensure that there are no sources of contamination on or near to the site and that the site is suitable for its proposed use. This is secured by condition.

Conclusion:

33. The proposal is considered to be acceptable in terms of the National Planning Policy Framework and the relevant policies of the Oxford Core Strategy 2026, the Sites and Housing Plan 2011-2026, and the Oxford Local Plan 2001-2016.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance

with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Fiona Bartholomew

Extension: 2774

Date: 23rd August 2013

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Appendix 1

Alice Smith House (13/01592/CT3)



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 August 2013
SLA Number	Not Set

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East Area Planning Committee

4th September 2013

Application Number: 13/01610/CT3

Decision Due by: 26th September 2013

Proposal: Erection of 48 residential units (4 x 1-bed flats, 8 x 2-bed flats, 4 x 2-bed houses, 26 x 3-bed houses and 6 x 4-bed houses) (use class C3), 102 car parking spaces, public open space, retained allotments and access road, together with diverted right of way, landscaping and cycle and bin stores.

Site Address: East Minchery Allotments, Grenoble Road, Oxford (**site plan: appendix 1**)

Ward: Littlemore

Agent: Turley Associates

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to resolve to grant planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should, however, the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with regulation 123 of the CIL regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts

Reasons for approval

- 1 The proposal would make an efficient use of this disused allotments which has been allocated for residential use as part of the Councils five-year housing supply to provide good quality affordable housing while at the same time establishing a balanced and mixed community within the Littlemore neighbourhood area. The overall layout, form, and appearance of the development would be appropriate for the site and surrounding area while

also safeguarding the amenities of the adjoining residential properties and providing suitable public open space. It would be acceptable in highway terms with appropriate access arrangements, parking provision, and pedestrian linkages to the surrounding area. The development would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated by appropriate measures secured by condition or contributions. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of Affordable Housing
- 5 Details of all means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape plan required
- 8 Landscape carries out by completion
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Landscape hard surface design - tree roots
- 12 Landscape underground services - tree roots
- 13 Landscape management plan
- 14 The provision of the open space / allotments
- 15 Secure by Design Principles
- 16 Details of access road and parking areas
- 17 Amendments to the Controlled Parking Zone
- 18 Construction Traffic Management Plan
- 19 Biodiversity recommendation carried out
- 20 Sustainable Urban Drainage Scheme & Strategy
- 21 Archaeology
- 22 Noise Survey Recommendations
- 23 Contaminated Land Assessment
- 24 Removal of Permitted Development Rights
- 25 Details of external lighting

Legal Agreement:

- Secure the provision of the open space and allotments
- Financial contributions of £539,799 plus the relevant admin fees (as set out in report)

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP22** - Contaminated Land
- CP23** - Air Quality Management Areas
- TR1** - Transport Assessment
- TR5** - Pedestrian & Cycle Routes
- NE15** - Loss of Trees and Hedgerows
- NE20** - Wildlife Corridors
- HE2** - Archaeology
- SR8** - Protection of Allotments
- SR10** - Creation of Footpaths & Bridleways
- TR8** - Guided Bus/Local Rail Service

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS13_** - Supporting access to new development
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety
- CS22_** - Level of housing growth
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP2_** - Accessible and Adaptable Homes
- HP3_** - Affordable Homes from Large Housing Sites
- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space

HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking
SP15_ - East Minchery Farm Allotments, Priory Rd

Other Material Considerations:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Natural Resource Impact Analysis Supplementary Planning Document
- Planning Obligations Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Public Consultation

Statutory Consultees

Littlemore Parish Council

- No objection subject to neighbours comments and planning control

Environment Agency Thames Region

- The Agency refer to their standing advice for development proposals over 1ha in Flood Zone 1
- The scheme should deal appropriately with surface water run off to ensure it uses sustainable urban drainage measures, and allows for climate change in any design. The residual risk of flooding should also be considered where the drainage features fail or are subject to an extreme flood event.

Thames Water Utilities Limited

- Thames Water has identified an inability of existing waste water infrastructure to accommodate the needs of this application. A condition should be secured requiring a full drainage strategy detailing on and off site drainage works to be provided before development commences. This is because the development may lead to sewage flooding and so sufficient capacity needs to be demonstrated in the area.
- With regards to surface water it is the responsibility of a developer to make proper provision for surface water drainage.

Oxfordshire County Council

- Transport & Planning Strategy: There is a need to ensure appropriate perimeter fencing alongside the railway to prevent trespass and vandalism, and this should be discussed with Network Rail. The development will not affect the upgrading of the branch line, should that proposal be taken forward
- Highways Authority: No objection subject to conditions and contributions towards highway infrastructure
- Rights of Way: The route of the diverted footpath needs to be agreed. This will need to be agreed through a section 257 diversion application under the Town & Country Planning Act
- Drainage: The scheme should use a Sustainable Urban Drainage System

- Education: No objection subject to contributions to primary and secondary education and special education needs as a result of increased occupancy.
- Property: No objection subject to conditions towards libraries, waste management, and museums as a result of increased occupancy.

Natural England

- No objection as the proposal is unlikely to affect any statutorily protected sites, landscapes, or European protected species

Third Parties

Letters have been received from the following addresses whose comments can be summarised below

- 4 Oxford Road; 3, 4 Minchery Farm Cottages

Individual Comments:

- The increase of traffic will inevitably adversely affect the conservation area, by adding pressure to the Oxford Road which is already overloaded and causes noise and disturbance to residents.
- The development will be further divisive of the Littlemore community as a whole
- The three-storey properties on plot 38 will exceed the height of the railway line and overlook the Minchery Farm Cottages. This was originally shown as a two-storey building at the public consultation event and this would be preferable.
- The new access road will lead onto an area busy with pedestrians and cyclists and the junction between Minchery Road and Priory Road lies on a sharp bend. The layout needs to be carefully considered so as not to have an adverse impact upon the local highway.
- There are concerns about sewage capacity. There is a sewage problem in the area, and it is not clear if the system will handle the extra sewage

Officers Assessment:

Site Location and Description:

1. The site is an area of open land approximately 1.3ha in size within the south eastern edge of the Littlemore Neighbourhood Area. It is bordered by residential accommodation on Priory Road to the west, the railway line to the south with the Minchery Farm Cottages, Falcon Close, and Ozone Leisure Complex beyond, and the sports pitches of the Oxford Academy to the north (**appendix 1**).
2. The site is classified as an allotment under the Allotments Act, although it has lay vacant for a number of years and is now overgrown. The site is accessed from Priory Road via an existing vehicular access and a pedestrian crossing over the railway line to the north east from Falcon Close. There is also a public footpath which runs west to east along the northern boundary of the site.

Proposal

3. The proposal forms part of the Oxford City Council Affordable Housing Programme 2011-2015, and will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.

4. The development is seeking permission for the erection of 48 residential units (4x1 bed flats, 8x2 bed flats, 4x2 bed houses, 26x3 bed houses, and 6x4 bedroom houses). The dwellings would have access to their own private open space, and secure refuse and cycle storage. The dwellings are designed to comply with Code for Sustainable Homes Level 4, Secured by Design, Lifetime Homes and the Housing Quality Indicators.
5. The scheme will provide a total of 102 car parking spaces which will comprise 82 allocated parking spaces (1 space per flat, 2 spaces per dwellings) and 20 unallocated spaces.
6. The development will also include an area of new public open space in the form of a green in the centre of the development, and the retention of an area of open space to be used as allotments. The scheme would also include the diversion of the footpath to the north.
7. Officers consider the principal determining issues to be:
 - Principle of Development
 - Affordable Housing
 - Balance of Dwellings
 - Residential Uses
 - Open Space provision
 - Site layout and built form
 - Impact upon Adjoining Properties
 - Landscaping
 - Highway Matters
 - Biodiversity
 - Flood Risk and Drainage
 - Sustainability
 - Archaeology
 - Planning Obligations / CIL
 - Other Matters

Principle of Development

8. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. Policy CS2 of the Oxford Core Strategy supports this aim and makes clear that the development of greenfield sites will only be allowed where they are specifically allocated for that use within the Local Development Framework, or required to maintain a five-year rolling housing-land supply in accordance with Oxford Core Strategy Policy CS22.
9. The site would not constitute previously developed land under the definition within the National Planning Policy Framework. However, it has been specifically allocated for residential development within the Sites and Housing Plan as part of the Councils five-year supply of housing and to meet the overall housing contributions set out within Policy CS22 of the Oxford Core Strategy 2026.

10. Therefore the site's allocation under Policy SP15 of the Sites and Housing Plan establishes the general principle for providing residential development on this site, and would also accord with the aims of Policies CS2 and CS22 of the Oxford Core Strategy 2026.

Affordable Housing

11. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which is seeking to deliver new affordable homes across a number of development sites within the city. The programme has secured funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.

12. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The Sites and Housing Plan makes clear in Policy HP3 that development sites with a capacity for 10 or more dwellings must provide 50% affordable homes on the site. It goes on to state that a minimum of 80% of these homes must be social rented accommodation, with the remaining as intermediate housing.

13. The proposal is providing 100% affordable housing within the site, with 21 of the total number of units being 'social rent' (43.7%) and 27 of the units being 'affordable rent' or 'intermediate housing' (56.25%). This would comfortably exceed the requirements of Sites and Housing Plan Policy HP3 and Oxford Core Strategy Policy CS24.

Balance of Dwellings

14. Policy CS23 of the Oxford Core Strategy 2026 require residential development to deliver a balanced mix of housing to meet the projected future household need, within each site and across Oxford. The mix of housing relates to the size, type and tenure of dwellings.

15. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being within the Littlemore Neighbourhood Area. The development would provide 48 units with a mix of flats (8x2 and 4x1 beds) and dwellings (26x3 and 6x4 beds). The proposed mix would be consistent with the preferred mix for a scheme of this size within the Littlemore Neighbourhood Area as set out within Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Residential Uses

16. The development would allow for a range of dwelling types across the scheme each with varying layouts. The units would be self-contained and have internal layouts that exceed the requirements of Sites and Housing Plan Policy HP12 which sets minimum floor sizes and general living accommodation standards expected from residential accommodation. The dwellings have been designed to

comply with Lifetime Homes Standards and include three wheelchair accessible apartments in accordance with Sites and Housing Plan Policy HP2.

17. In terms of outdoor space, Sites and Housing Plan Policy HP13 states that new dwellings should have direct and convenient access to an area of private open space. It recognises that family homes should be provided with a private garden of adequate size and proportions to the size of house proposed. In terms of flats 1 or 2 bedroom flats should be provided with a balcony or terrace of usable space, or direct access to a private or shared garden. The policy also makes clear that adequate provision should be made for the safe, discrete and conveniently accessible refuse and recycling areas.
18. The dwelling houses would have private gardens of adequate size and proportions to the properties they serve. The flats within the scheme would have areas of communal space to the rear of each block (85m² for Plot 38 and 91m² for Plot 21), and would also have use of the central open space as a shared communal area. The dwellings would each be provided with cycle and refuse storage within the rear gardens that are accessible via the side passageway, whilst the apartment blocks would have their own communal stores also to the side of the blocks. As such the proposal would accord with the aims of Policy HP13.

Open Space Provision

19. The site allocation Policy SP15 states that any residential development within the site should retain at least 30% of the gross site area of the site as public open space, with 10% as communal public open space including space for young people, and 20% as allotments.
20. The site layout has incorporated a central area of open space which is intended to act as the heart of the development. The space will be a landscaped area that includes a play space suitable for a range of ages. In addition there will also be improvements made to the existing open space at the entrance to the site from Priory Road which is currently underused and will provide a more visually appropriate entrance to the site.
21. The layout also retains an area of land at the eastern end of the site for allotment use. This was considered the most appropriate location as it allowed the best use to be made of the triangular plot, and was easily accessible from the site and also the pedestrian access from Falcon Close, enabling better links to the surrounding area. The final layout and management framework is yet to be determined, however, the requirement for this part of the site to provide a proportion of allotment space including the management framework should be secured by planning obligation.

Site Layout and Built Form

22. Sites and Housing Plan Policy HP9 states that residential development should respond to the overall character of the area, including its built and natural features; the form, layout and density of the scheme should make an efficient use

of land while respecting the site context and making a positive contribution to local character. It should also ensure that landscaping, and boundary treatments integrate the development into the street scene, in a way that defines public and private space and maintains natural surveillance of the public realm. The site allocation policy (SP15) also makes clear that the development should be designed to ensure that there are active frontages onto the open space. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP8, CP9, and CP10 of the Oxford Local Plan.

23. The site layout responds well to the awkward shape of the site, by providing a linear street pattern which uses the constraints of the railway line and school playing fields to establish a clear public and private realm relationship. The dwellings have active frontages that allow for natural surveillance onto the public areas within the site. The street layout also enables a clear line of sight between the entrance on Priory Road through to the allotments at the eastern end and access onto Falcon Close which improves the permeability for the site and links to the wider area such as between Priory Road and Falcon Close. The layout has also been designed to achieve 'Secure by Design' accreditation.
24. The built form would be of an appropriate residential scale for the site and the surrounding residential suburb. The dwellinghouses would be two-storey with pitched roofs that are laid out in a terrace form with seven terraces of 4 houses, and a terrace of 8 houses. The gaps between the terraces help to provide a break in the massing of the terraced blocks. The two apartment blocks are two-and-a-half storey as flats are provided in the roofspace, and they have a pitched roof with dormer windows. They would be sited at either end of the main road leading from Priory Road and would also suit the residential scale of the development as a whole. The buildings have been designed to have a contemporary appearance albeit within a traditional residential form and it is intended to use a buff brick, clay plain tiles for the roof, and aluminium windows which would sit comfortably within the context of the local area.
25. The overall layout, form and appearance of the proposed development would make the best use of the site, while also suiting the sites context within the existing residential suburb, which officers consider would accord with the aims and objectives of the above-mentioned policies.

Impact upon Adjoining Properties

26. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes. The properties that stand to be most affected by the proposal would be the Minchery Farm Cottages on the southern side of the railway line, and the flats to the west of Priory Road.
27. The Minchery Farm Cottages are three pairs of two-storey semi-detached properties which face onto a small private road which is accessed from Priory Road and have private gardens that face towards the railway embankment which separates them from the application site. During the consultation process concerns have been raised that the apartment block will overlook the rear of

these properties as its height exceeds the railway embankment. The apartment blocks would be two-and-a-half storey and would have dormer windows that face towards the Minchery Farm Cottages, however although the height of the building would exceed the embankment they would be sited approximately 28m from the rear boundary of these properties and approximately 47m from the rear of the cottages. This would be sufficient separation distance to prevent any significant overlooking occurring between the two sites, and the raised railway embankment would also obscure views between properties. The orientation of the cottages to the application site would also mean that the proposed development would not have an overbearing impact or create a loss of light to these dwellings. As such officers consider that the apartment blocks would not have a material impact upon the residential amenities of these properties.

28. Turning to the three-storey flats on Priory Road, these are separated from the site by their communal washing areas and stores. The dwellinghouses within the scheme would have rear gardens that abut the boundary. The rear of the Priory Road apartments would be approximately 18m from the boundary of site and so there would be no adverse impact upon these adjoining properties in terms of loss of light or overbearing impact. There would be some overlooking between the apartment blocks and dwellinghouses on the western boundary of the site, however, there is sufficient separation distance between both properties (26m) to ensure this does not significantly affect the amenities of either properties. It would be important to provide sufficient means of enclosure for the rear boundary of this dwellinghouse so as to ensure the gardens have suitable privacy and this should be secured by condition.

Landscaping

29. The application is supported by a tree survey which accurately records the quality and value of the trees that will be affected by this development. Most of the trees that need to be removed are low quality and value, but the proposals also require the removal of an early mature Norway maple (T22), and a young wild cherry (T12) which are of moderate quality and value. The loss of these trees is to be regretted, but since they are relatively small it will not have a significant harmful effect on amenity in the area. The new planting that can be secured by condition would mitigate their loss.

30. The proposal also results in the loss of part of the hawthorn hedgerow along the northern boundary of the site. The hedgerow currently marks the line of the footpath, and the Oxford City Council Archaeologist has indicated that it is unlikely to have any significance in terms of the historic boundary to the site. The loss of the hedgerow would have a harmful visual impact in itself, but given the fact that the footpath is to be removed and the gardens of the dwellings extended to the site boundary so that this will no longer be marked by the hedgerow, it would not be reasonable to seek to retain the hedgerow within the gardens of the proposed houses. However, the landscape plan shows that this will be retained alongside the allotment area, which would be welcomed.

31. The layout shows that there would be potential for the group of hybrid black poplars (G47) to overhang plot 08 in the north-eastern corner of the plot. The

trees stand outside the site in the grounds of the site in the adjacent school grounds. The plans show the crown spread of these poplars overhanging the garden and part of the roof of plot 08. The trees have significant growth potential so this could cause problems for the property in terms of safety, as these trees have inherent structural characteristics which make them prone to shed branches in late maturity. The applicant has considered the spatial relationship between the plot and the tree further and has identified that the relationship could be improved by the lateral reduction of the tree by 2-2.5m on the southern and eastern sides of the poplars which currently overhang the application site. The limited pruning would improve the relationship to the proposed plot whilst avoiding the need to seek removal of the tree. The pruning works would have a negligible impact on the visual amenity as the tree forms part of a large continuous belt that leads northwards. The works could also have benefits in terms of improving the relationship between the trees and the flats on the Priory Road. There would also be further pruning carried out within five years as part of an on-going maintenance regime by the Council on this and the other trees within the site and surrounding area. The other option would be to explore the removal of the tree, which would not have a significant impact upon visual amenity given it sits alongside a belt of poplar trees on the school boundary.

32. A condition should be attached requesting a landscape plan for the site, along with a tree protection plan, arboricultural method statement for the protection of retained trees, and details of all hard surfacing and underground services design and locations to ensure no impact upon the retained trees.

Highway Matters

33. A Transport Statement has been submitted with the application. This anticipates that in terms of traffic generation, the development is likely to result in an increase of around 23 extra vehicle movements in the morning peak hours and 26 extra movements in the afternoon peak hour which equates to 1 extra vehicle every 3 minutes and an increase in 247 vehicles on the local highway network over a 24 hour period. The Local Highways Authority considers that this increase will be satisfactory and will have no material impact upon the adjoining highway network.
34. In terms of access, the use of the existing entrance onto Priory Road is considered acceptable for pedestrians, cyclists, and vehicles although suitable site lines will need to be provided at the entrance. The width of the carriageway would be 6m with a 4.8m carriageway width and service strip of 1.2m. This would be considered appropriate. There is a concern that the parking spaces at the entrance to the development could interfere with movements at the access point and therefore these should either be removed or relocated within the development. A condition is to be sought which provides further details of the layout of the access road, street lighting, parking areas and so clarification on the relocation of this small number of parking spaces could be secured through that condition.
35. The proposed site is considered to be in a relatively sustainable location. The proposal seeks to provide 102 parking spaces in total comprising of 82 allocated spaces at a ratio of 1 space per flat, and 2 spaces per dwellings, and 20

unallocated parking spaces. The level of parking would accord with the standards for residential developments set out in Sites and Housing Plan Policy SP15. The local area is covered by a timed only controlled parking zone which comes into effect on match-days at the nearby Kassam Stadium. The site would need to be included within this zone and this could be secured by condition.

36. The Oxford City Council Planning Obligations SPD has a requirement for a contribution of £121,900 towards transport infrastructure improvements from the development. These monies would go towards improving the frequency of times for public transport to the area and also weekend service² and also improvements to the actual rail crossing which links to Falcon Close.

Biodiversity

37. An extended Phase 1 Habitat Survey has been included with the application which identifies the potential ecological constraints and opportunities for enhancement within the site. The survey has identified that the development will not have a direct or indirect impact upon the nearest non-statutory designated site – Minchery Farm Meadow Site of Local Importance for Nature Conservation Area which is 105m to the south of the site, and that the habitats on site are of limited intrinsic ecological value. The previous survey work carried out for the site allocation policy identified common species such as slow worm's present, although further investigations from April to June 2013 identified a low population within the site. The site has also been identified as containing potential nesting habitats for common species of birds, in the form of scattered broadleaved trees, dense scrub and the species poor hedgerow. The impact of the loss of this potential habitat as a result of the development has been identified as being low given the proximity to the Minchery Farm Meadow SLINC. The site also contains potential habitat for foraging and commuting bats. There was no evidence of badgers.

38. Having reviewed the contents of the survey, officers consider that the proposed development will not have a significant impact upon any species or habitats of importance for biodiversity, and this is supported by Natural England. The scheme will involve the removal of a boundary hedge, which although classed as a UKBAP priority habitat and Habitat of Principle Importance in England, has been assessed as being species poor and has no conservation importance beyond the site, and is proposed to be replaced by a more suitable species. With respect to the slow worms, these species are considered sufficiently common to not receive protection for their habitats. A translocation strategy has been provided to facilitate the safe removal of the slow worms, with potential receptor sites surveyed and identified in consultation with the City Council ecologist and will mitigate any impact. This should be secured by condition.

39. The survey has identified potential biodiversity enhancements for birds and bats through the provision of nesting opportunities through new landscaping within the site. The landscape scheme should include native species with a known wildlife benefit including nectar rich plants. The tree strategy will need to protect the line of trees on the South West Boundary. The external lighting scheme should minimise light spillage to minimise the potential impacts upon bats so as not to

interfere with bat flyways and feeding. These measures should also be secured by condition.

Rights of Way

40. Policy SP15 makes clear that the public right of way along the northern boundary should be retained or provision made for it to be diverted. This footpath currently enters the site at the north-eastern corner from the railway crosses and then follows the boundary with the school playing fields before exiting onto Minchery Farm Road. It is an informal footpath.
41. The proposal will divert the footpath so that it aligns through the proposed allotment area and into the heart of the development via the pedestrian footpath with an option for it to lead either out through the main entrance onto Priory Road or to join the other footpath at the north-western corner of the site. The proposed diversion would create a more safe and secure footpath than currently exists within the site, which also improves general links between Priory Road and Falcon Close. As such no objection would be raised to this aspect of the proposal.
42. The Oxfordshire County Council Countryside Access Team has raised no objection to the general principle of the footpath being diverted but requires more information about the intended route. The diversion will require a formal application for a public right of way diversion to be submitted to the county council and therefore the proposed route will be determined by that means.

Sustainability

43. Sites and Housing Plan Policy HP11 states that residential development should include an element of on-site renewable or low carbon technologies where practicable. It goes on to state that for qualifying developments (i.e. 10 or more dwellings) proposals should include a least 20% of their energy needs from on-site renewables or low carbon technologies, unless it can be robustly demonstrated that such provision is either not feasible or it makes the development unviable.
44. An NRA has been submitted with the application which reflects the need to achieve 20% of the development's regulated and unregulated energy requirements from renewable sources and is therefore considered to be acceptable. The NRA scores 7/11 which exceeds the minimum score required to comply with the policy. The proposed scheme is designed to achieve the Code for Sustainable Homes Level 4 which exceeds the minimum requirement of Level 3 for open market homes. The buildings will use solar photovoltaic tiles, high energy boilers, energy efficient and acoustic glazing, and be built to Building Regulations 2010 standards. Officers would recommend a condition requiring the details of the NRA to be implemented.

Flood Risk and Drainage

45. A Flood Risk Assessment has been submitted with the application which states that the proposed development will be located within Flood Zone 1, and recommends that in order to mitigate against any risk from surface water and groundwater flooding that finished floor levels should be set a minimum of 300mm above existing site levels and a surface water drainage strategy should be prepared to ensure that the development does not create any additional flood risk beyond the site.
46. The Environment Agency have raised no objections to the proposal subject and provided guidance for the surface water scheme. Thames Water has identified an inability of existing waste water infrastructure to accommodate the needs of this application. A condition should be secured requiring a full drainage strategy detailing on and off site drainage works to be provided before development commences. This is because the development may lead to sewage flooding and so sufficient capacity needs to be demonstrated in the area.

Archaeology

47. This site is of interest because it is located within a landscape of dispersed Roman pottery manufacturing sites associated with the nationally important regional pottery industry that was orientated the Dorchester-Alchester Road. An amended Archaeological Desk Based Assessment (July 2013) has been submitted for this site, and notes that archaeological investigations at Peers School recorded a number of pits of Roman date c.310m north of the study site and that Roman pottery and coins have been recorded c.250m to the west of it. Furthermore in 2011 the East Oxford Archaeology & History (Archeox) Project excavated a test pit within the allotments and recorded possible fragments of abraded Roman pottery.
48. The potential biodiversity constraints of the site have had a bearing on the extent of pre-determination archaeological evaluation that has been carried out. However, considering the contents of the desk based assessment a conditioned approach is therefore recommended so that appropriate measures can be taken to secure access for trial trenching without harming the biodiversity value of the site prior to translocation work of the slow worms. The archaeological investigation should consist of trial trenching followed by further mitigation as appropriate. The work should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves.

Planning Obligations / CIL Contributions

49. In accordance with the Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposal on the City and County Services and infrastructure. The following contributions would therefore be required.

Oxfordshire County Council

- £183,528 (Primary Schools)
- £181,100 (Secondary Schools)
- £12,262 (Special Educational Needs)
- £10,317 (Library)

- £4,468 (Household Waste Recycling Centre)
- £606 (Museum Resource Centre)
- £121,900 (Highways & Transport)

Oxford City Council

- £11,114 (Indoor/Outdoor Sport)
- £7,932 (Sports Ground)
- £6,572 (Play Areas)

50. The total level of contributions would be £539,799 plus the relevant admin fees. The County Council contributions will be secured by a legal agreement, and by internal mechanism for the City Contributions.

51. It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

Other Matters

52. A Noise Survey has been submitted with the application which assesses the suitability of the site for its proposed use. The survey identified that the highest noise levels on site were due to railway noise, and the existing day and night time noise measurements exceed the desired internal noise levels without any mitigation. The survey recommends that proposing acoustically treated glazing with alternative ventilation in the buildings will reduce the noise impact to achieve the British Standards (BS8233) 'good design range' required by the Council and therefore the recommendations of the survey should be conditioned.

53. An air quality screening assessment has been submitted which identifies that the level of traffic generated by the site is below the threshold for an air quality assessment and significant affects are not anticipated. Officers would agree that there is not likely to be a significant impact on air quality from the development.

54. In terms of contaminated land, a Phase 1 and limited Phase 2 site investigation have been submitted. This concluded that the only potential sources of contamination on site were due to the site's former allotment use. It recommends that further intrusive works are necessary to adequately characterise the nature and extent of potential contamination on site as a result. While there is potential for some contamination to be present on site, officers are content that it is unlikely that any contamination would be significant but that a condition should be placed to ensure that the further survey work is carried out and appropriate remediation measures are provided if required.

55. The Planning Obligations Supplementary Planning Document (POSPD) identifies that contributions would be required from the scheme towards the provision of public art and environmental improvements. This could be provided by way of a condition or contribution. Although public art has not been specifically detailed in the proposed scheme, this could be provided and as such appropriately secured by condition.

Conclusion:

56. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation is to approve the development in principle, but defer the application for the completion of a legal agreement to secure the necessary financial contributions as set out above.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 27th August 2013

Appendix 1

East Minchery Farm Allotments (13/01610/CT3)



GIS by ESRI (UK)



Scale : 1:2500

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 August 2013
SLA Number	Not Set

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