

**East Area Planning Committee**

5<sup>th</sup> June 2013

**Application Number:** 12/03280/FUL

**Decision Due by:** 1st May 2013

**Proposal:** Demolition of existing buildings. Erection of 47 residential units (9 x 1-bed, 14 x 2-bed, 15 x 3-bed, 4 x 4-bed, 5 x live/work units) plus community centre in 5 blocks on 2, 3 and 4 levels. Provision of 78 car parking spaces, 102 cycle parking spaces and landscaping. Relocation of hard play court, provision of newt pond, wetland habitat, Aunt Sally court, outdoor seating for the social club and playing field terrace. Provision of foul water drainage system including on-site storage tank flow control device.(Amended plans) (Amended description)

**Site Address:** Northway Centre Maltfield Road [Appendix 1]

**Ward:** Headington Hill And Northway Ward

**Agent:** AHMM

**Applicant:** Green Square Group

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## **Recommendation:**

**Committee is recommended to grant planning permission subject to conditions but to defer the issuing of the decision notice and delegate it to the Head of City Development following the satisfactory completion of the associated Section 106 legal agreement.**

For the following reasons:

- 1 The proposed development will have a form, scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to the occupiers of nearby residential occupiers. The proposal will provide much needed and good quality affordable and open market housing in a sustainable location and includes the provision of an appropriate number of car and cycle parking spaces. The proposal also includes the erection of a substantial new community centre, the relocation of an existing hard play court and the provision of a mitigation pond for the great crested newts that currently inhabit part of the site. The proposal complies with adopted policies contained in the Oxford Core Strategy 2026, the Oxford Local Plan 2001 - 2016 and the Sites and Housing Plan 2012.

- 2 Letters of objection have been received from a number of local residents and the comments made have been carefully considered. However the Council takes the view that the issues raised, either individually or cumulatively, do not constitute sustainable reasons for refusing planning permission and that the imposition of appropriate conditions will ensure the provision of a good quality residential and community development that will relate satisfactorily to neighbouring dwellings and the street scene and will not result in any additional drainage or flooding issues.
  
- 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.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Design - no additions to dwelling
- 4 Samples
- 5 Boundary details before commencement
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan (TPP) 1
- 11 Arboricultural Method Statement (AMS) 1
- 12 Drainage works
- 13 Contaminated land
- 14 Construction Travel Plan
- 15 Travel Plan
- 16 Car parking
- 17 Cycle parking details required
- 18 Vision splays
- 19 External lighting
- 20 Landscape Management Plan
- 21 Relocate hard play court
- 22 Bin stores
- 23 Newt Strategy
- 24 Sustainable construction/design
- 25 Public Art
- 26 Sustainable drainage
- 27 Obscure glaze side windows [terrace C]
- 28 Details of bund to wetland habitat
- 29 Details of foul drainage storage tank

## Legal Agreement

A total of £395,000 Section 106 contributions over the 3 application sites [Northway Centre, Westlands Drive and Barns Road] will be secured as follows:

- £250,000 towards primary and secondary education
- £100,000 towards highways, £25,000 of which will be safeguarded for a possible CPZ in the Bares Road area, otherwise to be used on other highways infrastructure such as cycle city
- £45,000 towards a variety of City Section 106 items.

A number of other matters would need to be secured by legal agreement including the following:

- Arrangement for temporary changes to the TRO governing Barns Road (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to meet the costs of the replacement bus shelter along Barns Road which must be to Oxfordshire County Council's standards and specifications;
- Car club provision at the Barns Road site with all new occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Replacement landscaping required on either side of Barns Road to mitigate loss of existing on-site trees to be implemented by the County Council with the full costs met by the developer;
- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;
- Long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

This level of contribution does not fully comply with the Planning Obligations SPD but has regard to the high provision of affordable housing [69%] of which 64% would be social rented accommodation and 36% shared ownership.

### **Main 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

**CP14** - Public Art

**CP18** - Natural Resource Impact Analysis

**CP19** - Nuisance

**CP21** - Noise

**CP22** - Contaminated Land  
**TR3** - Car Parking Standards  
**TR4** - Pedestrian & Cycle Facilities  
**NE15** - Loss of Trees and Hedgerows  
**HS19** - Privacy & Amenity  
**HS20** - Local Residential Environment  
**HS21** - Private Open Space

### **Core Strategy**

**CS2\_** - Previously developed and greenfield land  
**CS9\_** - Energy and natural resources  
**CS10\_** - Waste and recycling  
**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  
**CS20\_** - Cultural and community development  
**CS21\_** - Green spaces, leisure and sport  
**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 Material Considerations:**

National Planning Policy Framework  
Balance of Dwellings Supplementary Planning Document

### **Relevant Site History:**

None

### **Representations Received:**

8 letters of objection from the occupiers of 50 Foxwell Drive; 1, 2 and 10 Meaden Hill; 17 Maltfield Road and 2 Sutton Road. The main points raised can be summarised as follows:

- Properties in Dora Carr Close will be overshadowed
- The loss of green play space will deprive local children

- Too many car parking spaces
- Increased traffic
- Keep Northway as it is
- Sewage is a real problem now with gardens being flooded
- Lack of consultation
- No new buildings should be erected until the flooding problem is sorted out
- The development comprises tall buildings on small sites and will cause overlooking, lack of light and overcrowding
- Directing surplus water to the football pitch [Thames Water's solution] will just make the ground unplayable
- The sewage system is very old and overloaded
- There has been recent flooding in 2012

**Statutory and Other Consultees:**

Thames Water: With regard to the planning application, Thames Water requires phasing to ensure that suitable sewerage infrastructure is in place to serve the new development. To ensure sufficient lead-in time to provide such additional services, we would like phasing to be included as part of a Grampian style condition as follows: *“Development shall not commence until the essential infrastructure upgrades outlined in Impact Study SMG 1169 – Sewer Impact Study – Proposed Connection at Dora Carr Close, Headington – have been agreed with Thames Water. No discharge of foul or surface water from the site shall be accepted into the system until the drainage works referred to above have been completed”.*

*Reason: To ensure that the foul and/or surface water discharge from the site shall not be detrimental to the existing sewerage system.*

As regards water comments, Thames Water is raising no objection but recommend an informative be attached to any planning permission regarding minimum water pressure and flow rate.

Oxfordshire County Council [drainage]: The proposed SUDS [Sustainable Urban Drainage Systems] design follows Government guidelines.

Oxfordshire County Council as Local Highway Authority: No objection in principle subject to a financial contribution and the following conditions and informatives:

- Submission of a Travel Plan
- Parking areas to be retained for off street parking
- Parking areas to be constructed using porous paving [SUDS compliant]
- No discharge of surface water onto the public highway
- Cycle parking to be secure and sheltered
- Provision of vision splays and pedestrian awareness vision splays
- Submission of a Construction Traffic Management Plan

Natural England: No objection subject to a condition requiring a detailed mitigation and monitoring strategy for great crested newts.

Environment Agency: No objections – we have assessed this application as having a low environmental risk.

Thames Valley Police: No objection though a number of improvements could be made including external lighting, secure boundary treatments, enclosed and secure bin and cycle storage as well as incorporating secure entrance into the community centre and the Mansion Block.

**Issues:**

- Principle of Development
- Affordable Housing
- Balance of Dwellings
- Surface Water and Sewerage Flooding
- Form and Appearance
- Impact on Neighbours
- Trees
- Highways and Parking
- Bin Storage
- Private Amenity Space
- Residential Amenity
- Sustainability
- Biodiversity [great crested newts]

**Officers' Assessment:**

Site Location and Description

1. The application site comprises the existing Northway Community Centre together with part of the old Northway Middle School grounds. The site is accessed off Maltfield Road and leads to Dora Carr Close which comprises an affordable housing development made up of bungalows and two storey houses.
2. The site faces towards open playing fields to the south, is bounded by the rear gardens of dwellings in Maltfield Road to the east and properties in Dora Carr Close to the north. The western boundary of the site abuts Peasemore Place which is a naturalised strip of damp land containing a pond and which has wildlife significance particularly with regard to the presence of great crested newts.
3. The site is prominent in views from Westlands Drive and the community shops as it is clearly visible across the open playing fields.

The Proposal

4. The application seeks planning permission for the demolition of all the existing buildings on the site and the erection of 47 residential units [9 x 1 bedroom, 14 x 2 bedroom, 15 x 3 bedroom, 4 x 4 bedroom and 5 x live/work units]. The proposal also includes the erection of a 3 storey community centre together with the provision of 78 car parking spaces and 102 cycle parking spaces; the relocation of an existing hard play court; the

provision of a newt mitigation pond and wetland habitat, the provision of an Aunt Sally court and outdoor seating to serve the community centre.

5. The new dwellings would comprise 28 one and two bedroom flats in a new, 4 storey 'mansion block' together with 19 three and four bedroom terraced houses laid out in 3 separate blocks. The flats would all have private balconies and the family dwellings would all have private rear gardens. Car and cycle parking would be provided to serve both the flats and the new dwellings.
6. The new buildings would be erected using brickwork, timber and metal cladding and samples of these materials will need to be submitted and approved [condition 4]. The new mansion block and the new community centre would have maximum heights of 13 metres and 12.5 metres respectively and the new dwellings would have varying roof shapes and heights of between 9 – 12 metres.

### Background

7. This application forms part of a scheme of three City Council owned sites and involves two other sites in Westlands Drive and Barns Road in Cowley as a package of proposals. The overall scheme is intended to deliver a significant number of affordable homes in the City along with improved community facilities. A relatively small proportion of market housing is proposed [31%] and this is split between the Barns Road site and current application site. It is important to recognise that the three schemes are interrelated particularly in terms of the provision of affordable housing and an appropriate mix of housing across the three sites.

### Principle of Development

8. The site contains existing buildings and associated hardstanding areas such that it represents previously developed land as defined in Government guidance. The principle of development on previously developed land in sustainable locations is considered acceptable and is supported by policy CS2 of the Oxford Core Strategy and policy CP6 of the Oxford Local Plan which both seek the efficient and effective use of land.
9. In addition the site is allocated through policy SP37 of the Sites and Housing Plan for a replacement community centre and residential development. The policy acknowledges the surface and foul water flooding issues and states that a drainage strategy will need to be produced to establish the appropriate drainage mitigation measures for any new development. The policy goes on to say that planning permission will only be granted if sufficient mitigation measures are incorporated into the design of the proposals.

### Affordable Housing

10. Policy HP3 of the Sites and Housing Plan states that planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings or which have an area of 0.25 hectares or greater, if a minimum of 50% of the dwellings on the site are provided as affordable homes. It goes on to say that a minimum of 80% of the affordable homes shall be provided as social rented.
11. In the case of this application, the affordable housing provision has been calculated across all of the 3 sites and a total of 69% of all dwellings will be affordable. Of the 47 new units proposed in this development, 34 would be affordable with 5 x 1 bedroom flats and 8 x 2 bedroom flats being open market housing. 26 of the affordable units would be social rented with the remainder being shared ownership.
12. Policy HP3 of the SHP typically requires 80% of the affordable housing on a site to be social rented in tenure with the remainder being intermediate housing (including shared ownership). Were the scheme to provide 50% affordable housing (as required by policy HP3) this would translate to 40% of the overall dwellings proposed being social rented units and 10% intermediate housing. The application proposals across the three sites meet this requirement with 40% of the dwellings being social rented affordable units and 29% intermediate in tenure. The remaining 31% is proposed to be market housing. Consequently officers are satisfied that the proposals accord with the affordable housing policies set out within the Council's development plan.

### Balance of Dwellings

13. The Balance of Dwellings Supplementary Planning Document was approved in 2008 and seeks to ensure the provision of an appropriate mix of housing across the City. It adopts a 'traffic light' approach to identify the underlying housing pressures in a Neighbourhood area and to assess its stock of family housing.
14. As with the issue of affordable housing, an assessment of the housing mix in terms of its compliance with BoDS has been calculated across all 3 sites; however officers have accepted that the Barns Road site is not suitable for family dwellings given its restricted size and depth and the required use of the ground floor for community and retail/light industrial uses and therefore this site does not form part of the BoDS assessment. Excluding the Barns Road site, the total number of new units is 68 and of these, 19 three and four bedroom dwellings are proposed on the Northway Centre. This equates to 28% of the total development and complies with the BoDS SPD.
15. In terms of the provision of flats, there are a total of 28 one bedroom flats and 21 two bedroom flats proposed on the Northway Centre and Westlands Drive sites. The overall percentage of one bedroom flats would therefore be 41% and the percentage of two bedroom flats would be 30%. The BoDS maximum target percentages are 20% and 35% respectively;



therefore it is the case that the proposal complies with BoDS for the provision of two bedroom flats but exceeds the BoDS target figure for one bedroom flats. This anomaly was discussed during the protracted pre-application discussions that have taken place and officers have accepted that, given the size and shape of the Westlands Drive site, it can only reasonably accommodate a flatted development which would have no communal open space and would therefore be more appropriate for smaller, one bedroom units. Taken in isolation, the housing mix on the Northway Centre site with 19 three and four bedroom houses, 14 one bedroom flats and 14 two bedroom flats is virtually BoDS compliant although there is a slight over provision of one bedroom units.

16. Overall, given the high provision of affordable housing over the 3 sites which well exceeds the Council's requirement of 50%, officers consider that the housing mix is acceptable and that the over provision of one bedroom flats reflects the constraints of the sites to provide larger units.

### Surface Water and Sewerage Flooding

17. Discussions have been taking place between the applicant and Thames Water since the spring of 2012 with respect to the redevelopment proposals at Northway Centre and Westlands Drive. These discussions highlighted that there are known foul sewer capacity issues in the form of historic foul sewer surcharging and flooding events during periods of extreme rainfall. Subsequently the need for a developer funded study of the foul water network in the Northway area was identified.

18. Following a scoping exercise carried out by Thames Water it was determined that the existing network model for the Northway area was outdated. Subsequently a programme of drainage chamber surveys was developed along with a minimum two month period of flow monitoring to determine the system's normal foul sewerage flow pattern and system response to rainfall events. This enabled the model to be updated and to include the two off line foul water storage tanks at Maltfield Road and Croft Avenue.

19. Following on from the Sewer Impact Study, Thames Water has made a number of conclusions as follows:

- Under normal dry weather conditions, the foul network has adequate capacity for the increased foul flows from the proposed developments
- Under rainfall events of 20 year return period and above, the foul network surcharges and floods downstream of these sites
- A number of viable options exist that would result in a 'no detriment' impact for the foul flows from the sites involving provision of temporary storage within the sites.

20. Following further discussions between the applicant and Thames Water since the issuing of the Sewer Impact Report, it is now proposed to provide

an on-site storage tank in association with flow control into the foul drainage systems for both the Northway centre and Westland Drive sites. It is considered that this will result in a 'no detriment' impact outcome in accordance with Thames Water's requirements.

21. Thames Water is not raising an objection to the application subject to the imposition of a Grampian style planning condition relating to the phased provision of the agreed infrastructure prior to the commencement of development.

### Form and Appearance

22. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design, that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP6 states that development proposals should make the best use of site capacity but in a manner that would be compatible with both the site itself and the surrounding area. Policy CP8 suggests that the siting, massing and design of any new development should create an acceptable visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.
23. Policy CS18 of the Oxford Core Strategy and Policy HP9 of the Sites and Housing Plan both seek to ensure that new development contributes to the character of the local area, promote good urban design and contribute to an attractive public realm.
24. The proposed development comprises 3 distinct elements – 3 terraces of two and three storey houses [A, B and C], a new 3 storey community centre with outdoor activities and seating areas and a 4 storey 'mansion block' comprising 28 one and two bedroom flats with balconies, half of which would face towards the existing open playing fields. The proposed design is clearly contemporary with the terraced houses being broken up by different roof shapes and heights and the use of light coloured bricks and blue roof tiles, broken up by the use of contrasting metal panels. The roofs would be sharply defined by the use of PPC aluminium coping and all the windows would be PPC aluminium faced timber. Revised plans have introduced windows in the end elevations to soften their appearance.
25. The proposed 'mansion block' would be erected using the same light brickwork as the terraced houses and would therefore read as part of an integrated development. The the new 4 storey building would have a 'busy' appearance with doors, windows and balconies punctuating the front and rear elevations. The doors and windows in the mansion block would, like the terraced houses, be PPC aluminium faced timber and the balconies would be erected using PPC metalwork. The design of the mansion block has evolved through the design process and the plans now submitted

show the two sets of flats pulled further apart and linked by access bridges which create a dynamic, covered and secure external space. This would allow natural light to pass through the sedum roof and into the 'winter garden' and circulation space. Front doors to the flats on this side of the building increase passive supervision and create what could be described as an internal community street. The main entrance to the mansion block would be on the north elevation of the building which would face towards the main courtyard of the new development.

26. The 3 storey new community centre would be located adjacent to the mansion block and would extend the new built frontage along the edge of the playing fields. The same materials would be used although the new community centre would have a less cluttered appearance than the mansion block, particularly its front elevation. The extensive use of glazing would give the rear elevation a light, clean and contemporary feel and the side elevation which would be the most prominent on accessing the new development would also provide full height glazed double doors together with window panels.
27. The community centre would provide a community café and shared community space on the ground floor together with a reception area, kitchen, bar and changing facilities. On the first floor there would be a multi-purpose hall together with a committee room, ICT room and external terrace. On the second floor 3 meeting rooms would be provided together with WC's.
28. Externally and to the south of the new building would be a community square, sitting out area and Aunt Sally Courts. A further area of outside seating would be provided to the east of the building, in front of the main entrance. The community centre would be served by an existing car park.
29. Officers take the view that the development proposals would enhance the character and appearance of the site and would provide a substantial and much needed new community facility for use by the local residents.

### Impact on Neighbours

30. Policy HS19 of the Oxford Local Plan and Policy HP9 of the Sites and Housing Plan both seek to ensure that new development does not unacceptably impact on the standard of residential amenities enjoyed by neighbouring occupiers. In this case the neighbouring properties potentially affected by the proposals are numbers 1, 11, 12, 31 and 32 Dora Carr Close and numbers 1, 3, 5, 7 and 9 Maltfield Road.
31. As regards the properties in Maltfield Road, these are served by generous rear gardens which have a length of some 24 metres. The new terrace of houses along the eastern boundary of the site would also have 10 metre long rear gardens and therefore the separation distance between the rear walls of the new houses and the rear walls of the properties in Maltfield Road would be approximately 34 metres and this well exceeds the

generally accepted 20 metres window to window standard.

32. The separation distance between the new end terrace dwelling of terrace B and number 1 Dora Carr Close has increased to 5 metres as a result of pre-application discussions. Although the new dwelling is sited well in front of the building line of 1 Dora Carr Close, the relationship is considered to be acceptable with no breach of the 45 degree line.
33. The side wall of the end terraced dwelling of terrace C would be sited some 16 metres away from the front elevations of the bungalows at numbers 11 and 12 Dora Carr Close. The side elevation of the new dwelling contains two slit windows, one serving a bedroom and one serving a living room. In the interests of neighbour amenity, it is recommended that these windows are obscure glazed [condition 27 refers].
34. As regards the impact of terrace C on numbers 31 and 32 Dora Carr Close, the separation distance would be some 21 metres and officers take the view that this is acceptable to ensure there would be no loss of privacy or sense of enclosure. Number 31 is also, to a certain extent, affected by the location of terrace B as it would side on to the rear gardens of the new dwellings. However again the separation distance is considered to be adequate to avoid any unacceptable adverse impact.

### Trees

35. The application is supported by an Arboricultural Survey which assesses the quality and value of the existing trees on the site, identifies the constraints the trees place on site layout and assesses the impact of the proposed development on existing trees.
36. The proposals require the removal of 10 trees and 1 hedge. The loss of 2 moderate quality and value trees [T10 – a swamp cypress and T11 – a cherry plum] together with a bird cherry hedge is regrettable but the effect on public amenity of removing these and the other existing trees [T5, T6, T7, T8, T9 and T12] can be mitigated by planting new trees as part of the final soft landscaping.
37. The submitted plans show indicative tree planting which might provide adequate mitigation for the tree removals but further details regarding species and nursery stock needs to be submitted and a condition is recommended [condition 6].
38. The retained trees, which now include T13, an individual bird cherry tree, will need to be adequately protected during the construction phase of development. Hard surfaces and underground services will need to be appropriately designed and located to avoid damaging these trees and therefore appropriate conditions are also recommended [conditions 8, 9 and 10].

39. Officers take the view that, although the proposal requires the removal of some moderate quality and value trees, the resulting effect on public amenity can be mitigated by planting new trees as shown on the indicative plans and secured by condition.

### Highways and Parking

40. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application subject to a number of conditions and informatives which are set out earlier in this report.
41. Highway Officers have commented that the site currently includes a number of light industrial workshops and has permitted uses for assembly and leisure which would enable the site to be used for a range of other uses including a place of worship or a school.
42. The traffic and parking impacts of a new residential development and a community centre on the site need to be considered in the light of the existing traffic and parking which could be generated by the existing or the permitted uses of the site.
43. The site currently provides off street parking for the existing uses and lies outside the local Controlled Parking Zone. Therefore occupiers or users of the site are not eligible to apply for parking permits. It is the case however that the local CPZ imposes parking restrictions only during the working week and it is possible to park on local roads in the evenings and at weekends.
44. The site lies in a highly sustainable location in terms of public transport and the application is accompanied by a Transport Statement. The proposal will clearly generate an increase in traffic from Dora Carr Close onto Maltfield Road; however the visibility splays from Dora Carr Close onto Maltfield Road accord with the required standards for highway safety and an acceptable road width together with footways are provided at this junction to cater for the increase in traffic movements.
45. The proposed number of car parking spaces to serve the community centre and the 28 flats contained within the mansion block [47 plus 4 disabled spaces] is considered to be acceptable. Officers consider the likelihood of all the occupiers of the flats having access to cars to be low and therefore it is reasonable to expect that some of the communal parking will be available for overspill and visitor parking.
46. In the context of the above, it is considered that the provision of one on-plot car parking space to serve each 3 and 4 bedroom dwelling is acceptable and complies with the maximum standards as set out in Appendix 3 of the Oxford Local Plan.
47. The cycle parking provision comprises a single rack accommodating 2 cycles for each new dwelling and this is considered to be satisfactory.

Further cycle parking is proposed adjacent to the outside seating area serving the community centre and in the new courtyard area between the community centre and terrace A. The plans do not show that the cycle parking would be secure and sheltered and condition 17 requires these details to be submitted and approved.

### Bin Storage

48. The design of the 19 family dwellings includes a single storey front projection that would house both the bin stores and a cycle stand. A communal bin store is proposed to serve the occupiers of the flats contained in the mansion block and this would be free standing, would be located in front of the mansion block and would break up the line of car parking spaces. The communal bin store would measure some 6 x 4.8 metres and would be erected using timber boarding with a living roof.

### Private Amenity Space

49. Policy HS21 of the Oxford Local Plan and policy HP13 of the Sites and Housing Plan both set out standards for the provision of private amenity space in new residential developments. Policy HS21 states that each new dwelling should have access to an area of private open space, possibly in the form of a balcony and that family dwellings of 2 or more bedrooms should have exclusive use of an area of private open space which should generally have a length of 10 metres. Policy HP13 states that family dwellings of 2 or more bedrooms should be served by private gardens that are proportionate to the size of the dwelling and at least equivalent to the original building footprint. It goes on to say that one and two bedroom flats should be served by either a private balcony or terrace of useable, level space or in the case of ground floor flats, direct access to a private or shared garden with some defensible space.

50. All of the 19 proposed 3 and 4 bedroom dwellings would have private rear gardens that would have lengths of at least 10 metres and this is considered to be acceptable. All of the upper floor flats in the mansion block would have private balconies which would measure approximately 2 x 1 metres. The ground floor flats would all have direct access to small private open areas that would be individually delineated.

51. It is also the case that the site abuts open playing fields to the south and there would be direct access via the playing field terrace. Officers are therefore satisfied that the proposed development includes the provision of adequate and good quality private open space.

### Residential Amenity

52. Policy HP12 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that provide good quality living

accommodation. Each dwelling should include:

- Its own lockable entrance, kitchen and at least one bathroom
- The space provides for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk based home working
- Each dwelling provides adequate storage space.

53. The policy goes on to say that planning permission will not be granted for new dwellings if:

- Any single dwelling provides less than 39 sq. metres of internal floorspace
- Any family dwelling provides less than 75 sq. metres of internal floorspace
- Inadequate ceiling height, lack of natural lighting or natural ventilation or a restricted outlook prevent proper use and enjoyment of the dwelling.

54. The one and two bedroom flats contained in the mansion block all have internal floor areas of between 50 and 61 sq. metres and this is considered to be acceptable.

55. The 4 x 4 bedroom family dwellings have internal floor areas of 135 sq. metres and therefore well exceed the policy standard of 75 sq. metres. The 15 x 3 bedroom dwellings all have internal floor areas of 96 sq. metres which is also acceptable.

56. The Design and Access Statement accompanying the planning application states that the overall project has a number of key objectives and requirements as follows:

- Residential units to achieve the Lifetime Homes standards
- The project is an exemplar for the Pathway to Zero Waste scheme
- All residential units to achieve a minimum of Level 4 of the Code for Sustainable Homes
- All housing aims to achieve Gold Building for Life standard
- The community spaces to be designed to a BREEM excellent rating

57. It is considered that the proposals comply with policy as regards internal residential amenity. There is no accommodation housed within roofspaces and all of the flats and dwellings have good sized rooms with acceptable internal circulation. In addition, 2 x 1 bedroom flats in the mansion block are wheelchair accessible.

### Sustainability

58. The application is accompanied by a Natural Resource Impact Analysis and an Energy Strategy. This document concentrates on the new community centre and concludes that the use of photovoltaic solar panels together with Air Source heat pumps will give an anticipated 53% renewable contribution which would result in a highly sustainable community building. The document states that the new community building would far exceed the NRIA requirements and would contribute significantly to the renewable energy provisions for the overall site.

59. The renewable energy strategy for the mansion block uses a large solar PV array to provide electricity for the dwellings. The array uses the substantial roof area and would be able to contribute around 10% of the energy requirements of the building. The document states that alternative, renewable energy options to achieve the 20% are deemed to be technically and financially unfeasible and instead the strategy focuses on improving the fabric of the new buildings and using high efficiency systems. The mansion block would meet the requirements of level 4 of the Code for Sustainable Homes, including a 25% reduction in CO2 emissions over Part L1A.
60. For the houses it has also been technically and financially unfeasible to achieve 20% contribution from renewable energy. However the document goes on to say that the strategy of low U-values and efficient systems including the use of flue gas heat recovery for gas boilers, exceeds the requirements of Level 4 of the Code for Sustainable Homes and results in 30% lower carbon emissions compared to the use of air source heat pumps which is the only real renewable energy option for the houses.
61. Policy HP11 of the Sites and Housing Plan states that planning permission will only be granted for new residential development where the proposals include at least 20% of their energy needs from on-site renewable or low carbon technologies unless it can be robustly demonstrated that such provision is not feasible. It goes on to say that the Energy Statement must include details of how this 20% target will be achieved. The Energy Statement acknowledges that the flats and houses do not achieve the 20% target and sets out a justification as to why this is the case.
62. In more general terms, the Design and Access statement makes reference to the following sustainable features of the development:
- The materials used will be of low environmental impact, reclaimed, renewable or recycled or locally sourced
  - The mansion block design has allowed the originally north facing single aspect flats to become dual aspect allowing solar gain from the north and south elevations
  - The mansion block allows for cross ventilation through the building reducing demands on heating and cooling systems
  - A high level of glazing will benefit solar gain and general daylight levels
  - Photovoltaic solar panels are incorporated onto the roof of the mansion block
  - The new hard surfaces will be constructed using permeable paving
  - The mansion block, community centre and bin stores will all have living roofs which will be like 'aerial meadows' that are part of the habitat mosaic on the site.

### Biodiversity

63. The application is accompanied by a Newt and Drainage Strategy



Statement as there are great crested newts at Dora Carr Close which are part of a wider population and are reliant on the existing pond at Peasmoor Piece and the habitat around it. The pond itself is located within the wooded area of Peasmoor Piece with public playing fields immediately to the east and the old school playing fields to the west. These are all significant contributory catchments for the areas ground water re-charge, and therefore the level of the water in the pond.

64. The proposed re-development will result in the loss of some land that is currently grassed and in close proximity to the pond. In order to mitigate against any potential loss of water volume available to infiltrate back into the ground, it is proposed to direct the run-off from the community centre and mansion block roofs into a newly created wetland area where the run-off would be able to infiltrate into the ground and replicate the function of the lost grassed area.
65. It is also proposed to create a new pond for newt habitat which would be a permanent water body whose water level would be maintained and not allowed to vary with ground water levels. This would be achieved by lining the pond and keeping it 'topped up' from the surface water run-off.
66. The new pond and wetland habitat would be separated from the playing fields by a low bund which would be sown with a wild flower sward. This feature would extend the natural areas west of the playing fields to link with the existing boundary hedge to the east and south and provide basking potential for reptiles.
67. Condition 23 is recommended to ensure that the mitigation and protection measures outlined in the submitted strategy document are carried out to avoid harm to the newt population during development works and in the long term, to protect and enhance the existing pond, to mitigate for the loss of terrestrial newt habitat and the creation of an additional pond and an area of wetland habitat.

**Conclusion:**

68. The proposed development will have a form, scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to the occupiers of nearby residential occupiers. The proposal will provide much needed affordable and open market housing in a sustainable location and includes the provision of an appropriate number of car and cycle parking spaces. The proposal also includes the erection of a substantial new community centre, the relocation of an existing hard play court and provision of a mitigation pond for the great crested newts that currently inhabit part of the site. The proposal complies with adopted policies contained in the Oxford Core Strategy 2026, the Oxford Local Plan 2001 – 2016 and the Sites and Housing Plan 2013.

### Human Rights Act 1998

69. 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.
70. 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

71. 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.

#### **Background Papers:**

12/03280/FUL

12/03281/FUL

12/03278/FUL

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**Date:** 20th May 2013