

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.

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Date: 21st August 2013