

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.

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Date: 21st August 2013