

**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

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## **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 Council's 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 Council's 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

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**Date:** 27<sup>th</sup> August 2013