

East Area Planning Committee

4th September 2013

Application Number: 13/01592/CT3

Decision Due by: 23rd September 2013

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

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

Ward: Littlemore

Agent: Miss Rachel Hanbury

Applicant: Oxford City Council

Recommendation:

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

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

Reasons for Approval

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

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

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

Legal Agreement:

City requirements:

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

County requirements:

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

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

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

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

Core Strategy

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

Sites and Housing Plan

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

Other Planning Documents

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

Public Consultation

Consultees

Internal - Conservation – Archaeology

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

Internal - Conservation – Biodiversity

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

Thames Water Utilities Limited

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

Environment Agency Thames Region

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

Thames Valley Police

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

Littlemore Parish Council

- no objection subject to neighbours and development control

Internal - Conservation – Trees

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

Internal – Environmental Development

- condition stipulating phased risk assessment for land contamination requested

Oxfordshire County Council – Transport Development Control

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

Oxfordshire County Council – Drainage

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

Third Parties

Letters have been received from the following addresses:

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

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

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

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

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

Officers Assessment:

Site Location and Description

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

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

Proposal

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

Principle of the Development

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

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

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

Affordable Housing

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

Balance of Dwellings

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

Design and appearance

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

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

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

Residential amenity and accessibility

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

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

Sustainability

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

Highway Matters

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

Other material considerations

Trees

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

Yews which are recommended for digging up and replanting.

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

Flooding

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

Biodiversity

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

Contaminated Land

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

Conclusion:

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

Human Rights Act 1998

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

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Fiona Bartholomew

Extension: 2774

Date: 23rd August 2013

This page is intentionally left blank