

# Agenda Item 3

East Area Planning Committee

6<sup>th</sup> September 2012

**Application Number:** 12/01116/CT3

**Decision Due by:** 9th August 2012

**Proposal:** Demolition of existing buildings. Erection of 3 storey sheltered accommodation comprising 49 flats with ancillary communal space and facilities. (Additional information)

**Site Address:** Site Of 1 - 30 Bradlands Mill Lane (site plan at **Appendix 1**)

**Ward:**

**Agent:** Michael Simpson

**Applicant:** Oxford City Council

---

**Recommendation:** East Area Planning Committee is recommended to support the proposals in principle but to defer the application in order to receive a Unilateral Undertaking and to delegate to officers the issuing of the notice of planning permission subject to conditions upon its receipt.

**Reasons for Approval:**

- 1 The proposed development would make an efficient use of previously developed land, and be designed in a manner whereby the level of development suits the sites capacity and creates an appropriate visual relationship with the surrounding area. Furthermore the proposal would be sited in a manner that would not have a detrimental impact upon the residential amenities of the surrounding properties including those adjacent to the site. The residential units would have a good standard of internal and external environment which adequately provide for the living conditions of future occupants of the units. The development would therefore accord with the relevant policies of the development plan.
- 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.
- 3 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.

## **Conditions:**

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Landscape plan required
- 5 No felling lopping cutting
- 6 Landscape carry out after completion
- 7 Landscape management plan
- 8 Landscape underground services - tree roots
- 9 Tree Protection Plan
- 10 Arboricultural Method Statement
- 11 Ecological recommendations
- 12 SUDS
- 13 Cycle Parking
- 14 Sheltered/affordable accommodation only

## **Legal Agreement:**

Unilateral Undertaking for £1,801 towards library infrastructure and book stock has been requested by the County Council. It has been agreed that the contribution is to be ring fenced to Old Marston Library.

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016 (OLP)**

- 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
- CP18** - Natural Resource Impact Analysis
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HS4** - Gen Requirement - Provide Affordable Housing
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

### **Core Strategy 2026 (OCS)**

- CS2\_** - Previously developed and greenfield land
- CS9\_** - Energy and natural resources
- CS11\_** - Flooding
- CS12\_** - Biodiversity
- CS18\_** - Urban design, town character, historic environment

**CS19\_** - Community safety  
**CS22\_** - Level of housing growth  
**CS24\_** - Affordable housing

### **Sites and Housing Plan – Submission (SHP)**

**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

NB: The City Council has recently approved the Sites and Housing Development Plan Document (SHDPD) for consultation prior to public examination by an Inspector later this year. It forms part of Oxford's Development Plan Framework and although not formally adopted it does carry weight as a material consideration in determining planning applications.

### **Other Material Considerations:**

Supplementary Planning Document: Affordable Housing Nov 2006  
Supplementary Planning Document: Parking Standards, Transport Assessments and Travel Plans Feb 2007  
Supplementary Planning Document: natural Resources Impact Analysis Nov 2006  
Supplementary Planning Document: The Balance of Dwellings Jan 2008  
National Planning Policy Framework (NPPF)

NB: As of 27<sup>th</sup> March 2012 the National Planning Policy Framework replaced various Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) which are now withdrawn.

### **Relevant Site History:**

There is a long planning history for the site however as the site is going to be redeveloped it is of little relevance.

### **Representations Received:**

1 Cumberlege Close: close to adjoining properties, development too high, general dislike of proposal, increase in traffic, loss of privacy, out of keeping with character of area, overdevelopment.

54 Mill Lane: the west elevation shows the 3 blocks to the right are two storey only whilst the 3D model shows these as three stories, close to adjoining properties, development too high, inadequate parking, more open space needed, tree screening minimal in winter,

Cross Farm, 2 Oxford Road: bulk and height out of keeping with neighbouring properties, isolated from shops, public transport,

33 Oxford Road: access, amount of development on site, effect on adjoining properties, effect on character of area, effect on existing community facilities, effect on traffic, general dislike of proposal, height, not enough info given, info missing off plans, on street parking, public transport provision/accessibility

### **Statutory and Internal Consultees:**

Highway Authority: Raise objection due to lack of parking

Old Marston Parish Council: Out of keeping due to bulk, will affect Elsfield view cone, urban design not suitable for a rural village area, uniform design detracts from the green and rural character of the village, too large so near the conservation area and green belt, infrastructure such as shops and public transport not adequate enough.

Thames Water Utilities Limited: No objections subject to informatives.

Oxford Preservation Trust: Existing buildings are of little architectural merit, support the redevelopment of the site, scale and layout not appropriate, greater consideration needs to be given to character of surrounding area in terms of design, use of materials and appearance, too urban and geometric in design, not appropriate in a semi rural setting, intensification of the site, building heights inappropriate, overbearing on neighbours.

### **Issues:**

- Principle of Development
- Affordable Housing
- Use
- Balance of Dwellings
- Design
- Residential Amenity
- Trees and Biodiversity
- Car Parking
- Cycle Parking
- Sustainability:

### **Officers Assessment:**

#### **Site Description**

1. The application site is located at end of Mill Lane within Marston village. The site is at the urban edge of the city where it gives way to open fields and countryside. Immediately to the north of the site are allotments and to the east a mobile home park with the northern by pass bordering both.

#### **Proposal**

2. The application involves the demolition of the existing sheltered accommodation which comprises 25 x 1 bed units and 5 x 2 bed units (total 30 units to be demolished) and the erection of 45 x 1 bed units and 4 x 2 bed units (total 49 units to be erected).

3. All the flats will be accessed from communal circulation areas and communal facilities are to be provided including lounge with kitchen facilities, assisted bathroom, and treatment room, guest bedroom with en-suite along with storage space for buggies, waste and recycling.
4. The current sheltered accommodation is now below current access standards and lack communal facilities and would be difficult to upgrade within the current fragmented layout of the site. The redevelopment of the site will fulfil part of an ongoing programme to replace sub-standard sheltered accommodation across the city as a whole.
5. The existing residents will be given alternative accommodation for the duration of the construction work and in particular there will be the opportunity for residents to decant into the nearby sheltered accommodation in Cumberlege Close.

## **Assessment**

### **Principle of Development**

6. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This is supported by policy CS2 of the OCS. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.
7. The site is considered to be previously developed land therefore the principle of redeveloping the site would accord with the NPPF and policy CS2 of the OCS

### **Affordable Housing**

8. The proposal is to be 100% affordable housing in the form of sheltered accommodation for the elderly. The proposal is therefore in accordance with policy CS24 of the OCS which seeks a minimum of 50% affordable housing on qualifying sites. A condition will be added to ensure the units remain as sheltered accommodation for the intended occupiers.

### **Use**

9. Bradlands is designated as sheltered housing and the flats are designed to meet the housing needs of older people in terms of adaptability and accessibility. The Councils' Allocations Policy identifies sheltered housing as suitable for people, single and couples of age 60 years and above with an identified support need.
10. Generally tenants of sheltered housing meet one or more of the following criteria
  - a support need related to a health condition

- vulnerability due to age
  - benefit from communal facilities and activities
  - benefit from added security of controlled entry
11. Many tenants receive support in the form of a daily visit from the Community Support Team and are connected to the telecare community alarm system. Others require more intensive support and receive personal care visits through the Adult Social Care Team. This allows the tenants to retain their independence while living in a secure environment.
12. Applicants for sheltered housing must also have a housing need. Generally these are
- living with relatives where the relationship is breaking down
  - living in overcrowded conditions
  - living in accommodation that is unsuitable
  - living in accommodation that is difficult to get into or get around in
  - homeless
  - under occupying a Council property
13. Current tenants have the choice to return to the new Bradlands development. Five of the fifteen households have expressed their preference to return, while the others have taken the opportunity to move to more independent accommodation, or closer to friends and family. Tenants at a nearby scheme that does not meet current design standards for sheltered housing also have the choice to move to the new development

### **Balance of Dwellings**

14. 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. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City.
15. In this case given the specialist housing need being supplied i.e. sheltered accommodation for the elderly a mix of units is not going to be sought as generally accommodation for the elderly is usually one and two bedroom accommodation with one beds being more sought after than two beds.

### **Design**

16. The National Planning Policy Framework recognises that good design is a key aspect of sustainable development, contributing to making places better for people. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should

create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported in Policy HP9 of the emerging Sites and Housing Plan.

17. Mill Lane varies considerably along its length in terms of character; with the development to the west side at this point consisting mainly of semi detached housing at low density set well back from the carriageway. The trees are a significant element of this part of Marston village though the buildings in the immediate vicinity of the application site are uncharacteristic of the nearby Old Marston Conservation Area. For this reason the application site and surroundings fall outside the conservation area.
18. The design of the proposal is contemporary with a series of single pitched roofs based around a courtyard with three storey buildings to the north and west sides and two storeys along the east side. The south side is left open where it faces a detached bungalow at 47 Mill Lane. The facing materials are rendering with timber cladding to the bays. Much of the roof is to be single ply roofing. The actual choice of roofing has not been specified as it is subject to further development of construction details. A condition has been added to request samples of the materials.
19. The proposal provides a clear building frontage and building line to Mill Lane with an active frontage at ground floor level in the form of individual front spaces with doors opening out on to front gardens for each ground floor unit. This creates a positive active frontage which the current development lacks and responds positively to the general form of Mill Lane at this point.
20. Officers consider 2, 2.5 and 3 storeys on this site to be acceptable providing the building does not break the height of the existing tree canopy in order to maintain the green edge to the street. This has been achieved. This section of Mill Street is relatively open due to the layout of the properties opposite. Whilst the proposal will be relatively prominent in the street scene therefore (albeit set back and behind mature trees) three storeys is considered to be achievable and appropriate and would not appear overbearing in this context.

### **Residential Amenity**

21. Immediately to the east of the site is a mobile home park with a permanent dwelling, Parkway House, abutting the application site. For this reason the east wing has been kept at two storey so as to minimise any impact on this property. The current site has one and two storey units along the eastern boundary and the proposal is therefore considered to be acceptable given the existing relationship and the fact the development is set further away from the boundary than currently. There are minimal windows along the rear of the east wing. There will be no issues of overlooking or loss of privacy to Parkway House as these serve an internal corridor only. In summary officers have concluded that the proposed development would not appear overbearing when viewed from Parkway House, nor would there be any significant loss of light as the 45/25 degree code of practice is not breached in relation to the rear windows of that property.

22. To the south of the site is 47 Mill Lane which is a single storey dwelling. Given the presence of this property the existing access is to be relocated to the southern end of the site along with a small car parking area in order to set the development away from that property. The end elevation of the west wing is some 20m from the side of 47 Mill Lane. Officers are of the opinion that this distance is adequate enough so as not to cause the proposal to be overbearing or create a sense of enclosure. The windows within the development have been angled away from 47 Mill Lane to avoid there being any issues of overlooking or loss of privacy.
23. Therefore the proposal is considered acceptable in terms of policies HS19 and CP10 of the OLP and HP14 of the SHP in relation to overbearing, creating a sense of enclosure, overlooking, loss of privacy and sunlight/daylight in relation to Parkway House and 47 Mill Lane.
24. The Oxford Local Plan also states at policy HS21 that planning permission will not be granted for proposals involving residential uses where insufficient or poor quality private open space is proposed. In these proposals all ground floor units have access to an area of space dedicated to it to allow the occupiers to grow plants and sit out. Within the courtyard is a communal garden with a communal patio facing out onto the courtyard and landscaped grounds around the main entrance area. This level of amenity space is considered acceptable.

### **Trees and Biodiversity**

25. The proposal involves the loss of approximately 14 of the 25 trees on the site. Most of these are semi-mature trees including fruit trees in the interior of the existing site, and which have little wider landscape relevance. The trees to be lost were planted contemporaneous with the existing development. The loss of these trees is considered to be an acceptable and can be replaced by tree planting.
26. The proposal recognises the importance of trees along the western boundary of the site along the Mill Lane frontage however, which include the most significant mature specimens of birch and lime. These trees are retained and the proposed design affords them sufficient space for successful retention. A secondary line of two hollies and one birch tree, set back from the Mill Lane boundary would be lost to the development but this is considered acceptable as the frontage trees provide sufficient cover. Overall Officers advise that in principle the development is acceptable in arboricultural terms subject to conditions.
27. The application site does not fall within any designated area in terms of protected species etc. However an ecological appraisal was carried out and the ecological value of the site was concluded to be low in accordance with policy CS12 of the OCS a condition can be added to ensure the implementation of its findings i.e. any works affecting trees and scrub be undertaken outside of the bird nesting season. Enhancement of the site is



also recommended including at the northern part of the site through the planting of native trees and scrub and the erection of log piles and compost piles within the landscaping proposals. Nesting boxes for birds can also be required by condition.

### **Car Parking**

28. The maximum car parking standard, as defined within the OLP, for retirement homes/sheltered housing is 1 space per 2 units plus 1 space per 2 staff, or a maximum of 24 car parking spaces in this case. 14 spaces are in fact provided which includes 2 disabled spaces. Despite its edge of village location Officers are not seeking the maximum car parking standards which are not felt to be required due to the nature of the use where it is unlikely that other than a very few residents would be car owners. The development does not lie within an area of particular parking pressure.

### **Cycle Parking**

29. The minimum cycle parking standard for residential use, as defined within the OLP, is 2 spaces per residential unit. However this requirement is applied flexibly dependant on the type of accommodation proposed. No cycle parking provision has been shown in view of the specialist nature of the accommodation. Instead a dedicated buggy store has been provided near the entrance and there is space to park and re-charge a motorized wheelchair in the entrance hall to each flat. It is suggested however that a small number of visitor cycle stands be provided. This can be secured by condition tom the permission.

### **Sustainability**

30. In accordance with policy CP18 of the OLP a Natural Resource Impact Analysis (NRIA) has been submitted with the application. The NRIA should evaluate the use of natural resources and the environmental impacts and benefits arising from a proposed development, both at the construction phase and through the subsequent day-to-day running of the buildings. It must demonstrate how the building is designed to minimise the use of natural resources over its lifetime.
31. The development is above the minimum standard required scoring above six overall. In addition the Council has stipulated that the minimum standard of Code for Sustainable Homes Level 5 is to be achieved along with sustainable construction technologies. There is the potential for the use of solar panels and PV given the south facing roof design which is supported. The development would also meet all the current standards in terms of access and sustainability and the Council's Design Guide for New Build Homes, including 'Building for Life', 'Secure by Design', 'Lifetime Homes' and the 'Code for Sustainable Homes'.

## **Conclusion:**

32. 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 emerging Sites and Housing Plan. Committee is recommended to support the proposals accordingly.

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and unilateral undertaking. 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.

**Background Papers:** 12/01116/CT3

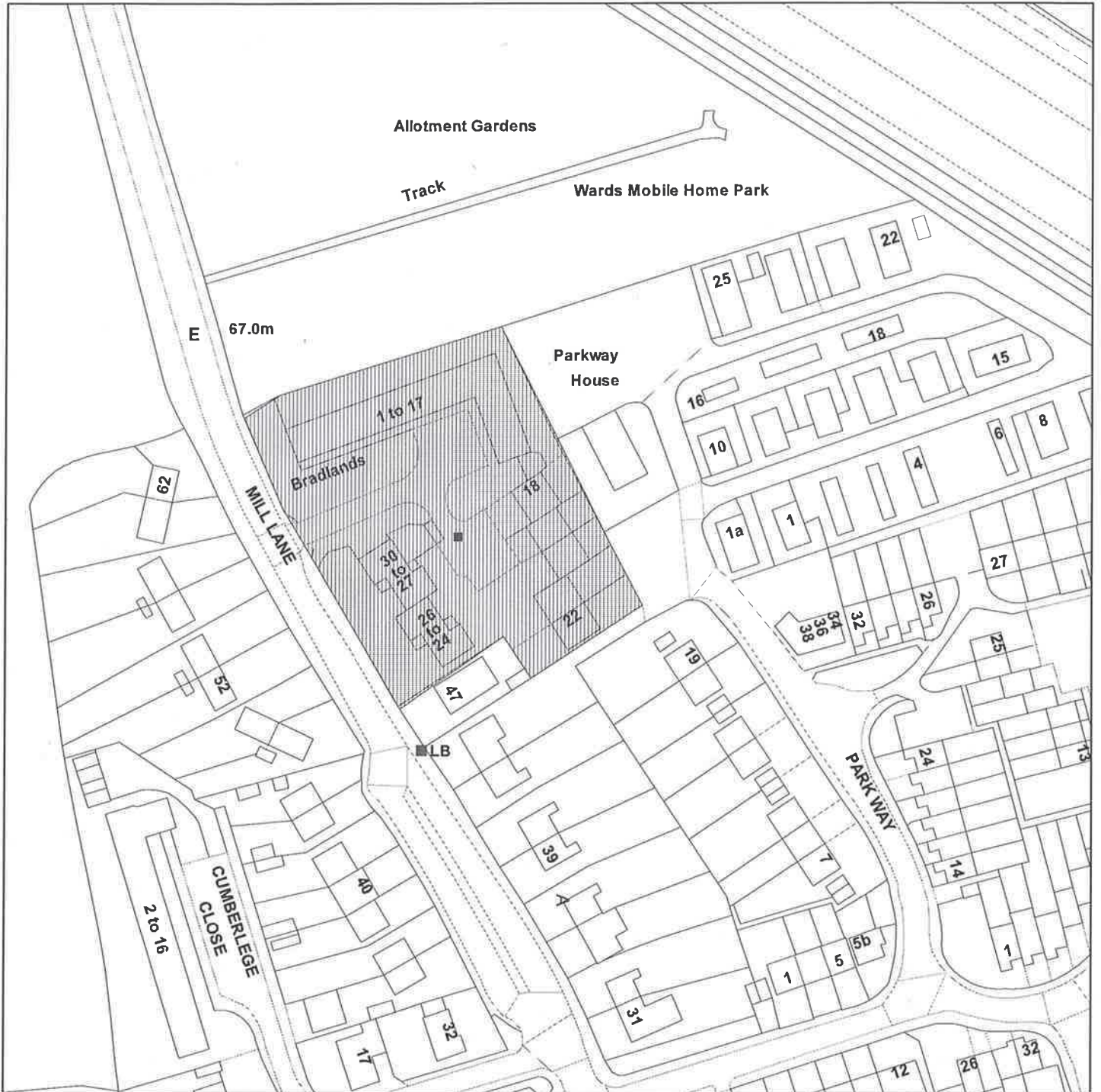
**Contact Officer:** Lisa Green

**Extension:** 2614

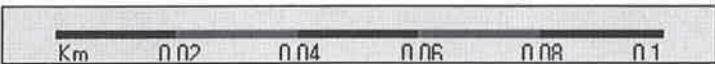
**Date:** 22<sup>nd</sup> August 2012

# Appendix 1

12/01116/CT3 1-30 Bradlands, Mill Street



Scale : 1:1250



Organisation	Not Set
Department	Not Set
Comments	
Date	31 July 2012
SLA Number	LA100019348

© Crown Copyright and database right 2011.  
Ordnance Survey 100019348.

