

APPLICATION NO.	P16/S0942/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	23.3.2016
PARISH	FOREST HILL
WARD MEMBER(S)	John Walsh
APPLICANT	Cala Homes (Chiltern) Ltd.
SITE	Land at Bayswater Farm Road & land at & rear of 39 & 41 Waynflete Road Oxford, OX3 8BX
PROPOSAL	Demolition of existing pair of semi-detached houses (39 and 41 Waynflete Road). Erection of 52 houses and flats (including 40% of net increase as affordable homes) in single storey buildings, two storey buildings, and two storey buildings with rooms in roofs (47 dwellings proposed off Waynflete Road and 5 detached dwellings off Bayswater Farm Road). Construction of roads and footpaths including new accesses off Waynflete Road and Bayswater Farm Road. Provision of open space, parking, garages and landscaping.
	NB Demolition of existing houses, estate road and only part of new build in Oxford City District (As altered by amended plans received on 8 June 2016 and 11 July 2016)
AMENDMENTS	Amended site layout, floor plans and elevations received along with updated Transport Assessment, Flood Risk Assessment and an Air Quality Assessment
GRID REFERENCE	456148/207943
OFFICER	Phil Moule

1.0 **INTRODUCTION**

- 1.1 This application is referred to the Planning Committee as Forest Hill with Shotover Parish Council has raised an objection to the proposed development.
- 1.2 The application site is located on the edge of the district next to the boundary between South Oxfordshire and the Barton area of Oxford City Council. The site is in two parts, the largest area (referred to in this report as Site A) lies to the north-east of Waynflete Road and the smaller area (referred to in this report as Site B) lies to the east of Watermill Way and Bayswater Farm Road. Access to Site A would be achieved via Waynflete Road involving the demolition of a vacant pair of semi-detached houses (located within Oxford City Council's administrative area) and Site B would be accessed via Bayswater Farm Road. The site is located outside of the Green Belt. A plan identifying the site can be found at **Appendix 1** to this report.
- 1.3 The larger part of the site (Site A) is mostly unused at the present time, having been used in the past as part of the former farm, nursery garden and part for caravan storage. There are number of trees located on the site. The eastern boundary of the site is bounded by a row of semi-detached houses on Waynflete Road. To the north of the site is a mobile home park, Bayswater Mill (a grade II listed building) and Mill

House. To the east of the site is a band of trees and agricultural fields. The site is on a gradient, rising from north to south. The existing properties on Waynflete Road are thus at a higher elevation than the application site. There are no plans to connect the two sites with either a pedestrian or vehicular link.

- 1.4 The smaller part of the site (Site B) is an open field which is also on a gradient rising from the Bayswater Farm Road eastwards. To the west of the site is a development of two-storey houses on Watermill Way. To the south of the site are three houses accessed from Bayswater Farm Road and to the east is an open field. Separating the two application sites is a mobile home park and a group of houses.
- 1.5 The adopted Core Strategy specifies that the application site (Bayswater Farm) is to be allocated for housing development, alongside sites for the twelve larger villages within the district.

2.0 PROPOSAL

- 2.1 This is an application seeking full planning permission for 52 houses including the construction of roads and footpaths and the provision of open space, parking, garages and landscaping. The proposal would involve the demolition of an existing pair of semi-detached houses to create an access to the site and therefore would result in a net gain of 50 houses. The houses to be demolished are located within the administrative area of Oxford City Council, and are the subject of a separate application submitted to the City Council. This application is to go before the City Council Planning Committee on 3 August 2016.
- 2.2 The proposal would provide 20 affordable homes, which equates to 40% of the development. The proposed mix would comprise 75% affordable rent and 25% intermediate (shared ownership).
- 2.3 The site area measures 2.05 hectares and the proposal would provide 0.22 hectares of open space incorporating an equipped play area (LEAP). On this basis, the gross density of development would be 24 dwellings per hectare and the net density (minus the open space) would be 27 dwellings per hectare. A total of 47 houses are to be provided on the large part of the site (Site A) and 5 are to be provided on the smaller part (Site B).
- 2.4 The majority of the development would be in the form of detached and semi-detached houses at either two-storey or two-storey with rooms in the roof. Nine flats are proposed, being comprised of one block of four flats, two blocks of two flats and one flat above a garage. A total of 92 car parking spaces are to be provided. Extracts from the plans are set out in **Appendix 2**. Additional plans and supporting documentation can be viewed on the council's website, www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Forest Hill with Shotover Parish Council – object for the following reasons:

- The amended Transport Assessment still does not look at the effect of traffic on Bayswater Road and to the Headington Roundabout. Queues at the junction from Waynflete Road onto Bayswater Road are irrelevant when the traffic on Bayswater Road is stationary / crawling anyway
- Transport plan still pays no regard to immediate proximity of Green Ridges development. A survey should be done as part of the application
- The loss of trees is to be regretted
- No air quality monitoring devices on the proposed site, nearest was Risinghurst (Ringway)

- The opinions of the Flood Risk Assessment are noted, however there are many references to low risk. A risk therefore exists
- Great reliance is placed on SUDs as there are no public service water sewers on the site. Further tests are to be done on soakaway positions. Generally there seems to be many unknowns; it is noted that the intention is to avoid consequential increases in flooding elsewhere. Some properties will not have space for a soakaway; they will have to share a porous paved courtyard. This does not seem satisfactory
- The number of units proposed is excessive having regard to the pressure that would result on transportation and drainage
- 94 spaces for 54 properties is insufficient for modern development
- Any extra vehicles would have to use Waynflete Rd, resulting in dangerous parking/mounting pavements, obstructing buses and reducing visibility for pedestrians particularly children
- Due to topography of the site, properties on Northern edge of main site will dominate existing houses and mobile homes
- Plots 35-38 would be less intrusive if reoriented
- The Bayswater Farm area is not a village and has no specific facilities.
- Emergency vehicles/bin lorries may be unable to access due to narrow roads and possible parking on the road
- Not a larger village, no shop or community building
- No post office at Underhill Circus
- Buses already have difficulty along Waynflete Road

3.2 **Stanton St John Parish Council** – object for the following reasons:

- Development would impact on an area already very congested with traffic, particularly in the morning.
- Traffic is already very heavy on these roads at peak times and there was no mention of this in the transport assessment.
- Little provision for outdoor space and a lack of infrastructure around.
- Contrary to the reports there is no longer a post office nearby, there is no community building and some of the nearby shops have closed.
- Concerned for the adjoining properties who will be overlooked.
- Overall this is an example of intensification which can only lead to suffering of the community

3.3 **Oxfordshire County Council Highways** – No objection subject to conditions. The updated Transport Assessment now includes modelling which confirms the additional 30 two-way peak hour vehicle movements generated by this development will have no severe impact on the local highway network and is therefore considered acceptable in highway terms. Conditions to cover approval of detailed means of access, cycle parking a scheme for surface water drainage and Construction Traffic Management Plan and for parking provision an approved visibility splays to be provided before first occupation.

3.4 **Oxfordshire County Council Archaeology** – No objections subject to conditions to cover further investigation prior to demolition and commencement of development.

3.5 **Oxfordshire County Council Education** – No objection. Funding from CIL would be required to address impact of the development.

3.6 **Oxfordshire County Council Property** – No objection. Funding from CIL would be required to address impact of the development.

- 3.7 **Oxford City Council** – No objection in principle. To mitigate the loss of the two existing market houses, the City Council requests that nomination rights to two affordable units are provided to them.
- 3.8 **Thames Water Development Control** - No objection subject to condition requiring a drainage strategy to be submitted and approved prior to occupation.
- 3.9 **Drainage Engineer (MONSON)** - No objection subject to conditions requiring details of foul drainage strategy to be submitted and approved and more information to be provided in relation to local springs.
- 3.10 **Housing Development** – No objection provided that the unit size mix is slightly amended and a 75% affordable rent and 25% intermediate tenure split is provided. This was secured through the receipt of amended plans.
- 3.11 **Leisure & Economic Development** - No objection. Financial contributions sought towards on-site play maintenance and a management company to manage on-site open space and LEAP.
- 3.12 **Forestry Officer** – No objection based on amended plans received.
- 3.13 **Countryside Officer** - No objection subject to condition requiring a method statement for biodiversity protection and enhancement prior to the commencement of development.
- 3.14 **Environmental Health - Contaminated Land** – No objection subject to condition to ensure that any legacy of land contamination from identified sources is addressed.
- 3.15 **Environmental Health - Air Quality** – No objection subject to conditions relating to provision of electric vehicle charging points and cycle storage facilities.
- 3.16 **Environmental Protection Team** – No objection subject to conditions requiring a construction method statement, control of construction noise and exposure to dust.
- 3.17 **Urban Design Officer** - No objection. Reduction in size of the public open space compromises its functionality and quality and Plots 10-25 are still dominated by hardstanding and parking.
- 3.18 **Neighbour representations** – 25 responses were received raising the following objections and concerns:

Traffic and highways

- New access road is a blind corner in both directions
- Parking on Waynflete Road is a problem
- Increase in traffic
- Traffic problems in morning rush hour including rat running via Bayswater and Waynflete Road
- Road access to schools difficult now and will be dangerous
- Air quality issues
- Road surfaces damaged by buses and heavy traffic, construction vehicles will cause further problems
- Proposed travel plan inadequate
- Development site in South Oxfordshire but access is in Oxford City

- Reason for proposed widening of Bayswater Farm Road is unclear as not proposed to adopt it. Loss of Lime Tree Avenue could be avoided by a small adjustment to the position of houses 1 and 4 and the drive to houses 1-3 would allow retention of all but one of the limes
- Need clear strategy for the un-adopted road
- Transport survey conducted between 8am and 9am. Majority of people leave before this time.

Impact of the development

- Too many new houses, will transform tiny hamlet into a major suburban estate, impacting ecology and archaeology
- Will cause noise and light pollution
- Loss of privacy due to overlooking – if permission to be granted house no 3 should be reoriented to retain privacy
- Disruption of drainage due to springs from proposed building site flow into garden, is complex and there are already problems
- Old mill stream, now drained, should be protected
- Design and Access is full of inaccuracies and misleading statements and its validity challenged
- Muntjac deer live in the orchard on the development site and should not be harmed but should be found a new home
- Application will result in loss of wildlife and views to Forest Hill and Beckley and will destroy its character forever
- Japanese Knotweed established on development site
- Archaeological investigation needed: prehistoric hand axe certified by Ashmolean
- Electricity supplies inadequate now

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P89/N0785/O](#) - Refused (21/02/1990)

Residential development.

[P89/N0784/O](#) - Refused (21/02/1990)

Residential development.

[P88/N0617/O](#) - Approved (25/01/1989)

Outline application for 8 no. 3- bedroom houses and 12 no. 2-bedroom houses.

[P83/N0410](#) - Refused (21/09/1983)

Erection of 4 detached houses with double garages incorporating change of use of part of car and caravan parking area.

[P73/M0184](#) - Refused (13/04/1973) - Refused on appeal (04/02/1974)

Site for residential development and amenity space to pars. Nos. 13 and 15

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

5.2 **National Planning Practice Guidance (NPPG)**

5.3 **South Oxfordshire Core Strategy 2027**

CS1 - Presumption in favour of sustainable development

- CSS1 - The Overall Strategy
- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CSM1 - Transport
- CSM2 - Transport Assessments and Travel Plans
- CSQ3 - Design
- CSB1 - Conservation and improvement of biodiversity
- CSEN1 - Landscape protection
- CSEN3 – Heritage assets
- CSG1 - Green infrastructure
- CSI1 - Infrastructure provision

5.4 South Oxfordshire Local Plan 2011

- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON5 - Setting of listed building
- D1 - Principles of good design
- D10 - Waste Management
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- D6 - Community safety
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G4 - Protection of Countryside
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.5 South Oxfordshire Design Guide (SODG) 2008

Section 3,4 and 5

5.6 Emerging South Oxfordshire Local Plan 2032

5.7 Environmental Impact Assessment

Screening opinion P11/W2061/SCR determined that an EIA is not required.

5.8 South Oxfordshire Section 106 Supplementary Planning Document 2016

6.0 PLANNING CONSIDERATIONS

6.1 Principle of the development

The principle of the development of this site is established in the adopted Core Strategy. Policy CSH1 and accompanying Table 7.3 specifically identify the Bayswater Farm site to be allocated for housing development, alongside site allocations to be made to the 12 larger villages in the intended Site Allocation DPD. No specific number of houses are allocated to the site, as this is to be determined by the constraints of the

site and through design proposals bringing the site forward. The Site Allocations DPD has not been forthcoming, as it was superseded by the preparation of the Local Plan 2032. However, the principle of the development of the application site remains in accordance with the adopted Core Strategy.

6.2 Of relevance to this are several appeal decisions for residential development that have been allowed recently¹. For these cases the Inspector's concluded that the housing target contained in the Oxfordshire Strategic Housing Market Assessment (SHMA) should be applied to five year housing land supply calculations for the district. Consequently the council cannot currently demonstrate a five year supply of deliverable sites against this target.

6.3 In these circumstances, the council's housing supply policies are to be considered 'out of date'. Para 14 of the NPPF requires that the presumption in favour of sustainable development is applied and planning permission should be granted for the proposal unless any adverse of doing so would significantly and demonstrably outweigh benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate that development should be restricted.

6.4 So, whilst the principle of the development of this site accords with the Core Strategy, due to our five land supply position, the presumption in favour of sustainable development in the NPPF also applies. On this basis, the proposed development should be granted planning permission unless there is significant and demonstrable harm that outweighs its benefits (when compared against the policies in the NPPF and policies in Core Strategy 2027 and Local Plan 2011 that do not relate to the supply of housing).

6.5 **Affordable housing and housing mix**

Core Strategy Policy CSH3 requires 40% of the total number of dwellings on the site to be provided as affordable housing. For this proposal with a net gain of 50 units, this equates to 20 affordable homes of which 75% (15 units) should be for rent and 25% (5 units) should be for shared ownership. The application proposes to provide 20 affordable homes. The application originally proposed a tenure split of 70% affordable rent and 30% shared ownership. However, the applicant has agreed to provide a policy compliant split and this will feature in the S106 Planning Obligation.

6.6 The application originally proposed a mix of unit size for the affordable that complied with that recommended in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. This is as set out in the table below:

Affordable	1 bed	2 bed	3 bed	4 bed
SHMA	32.6%	35.5%	29.3%	2.7%
Original application proposal	30%	35%	30%	5%

6.7 However, it is recognised that individual developments may need to make some adjustments to take into account local market issues. Government Welfare reform, introduced since the production of the SHMA, has seen a significant increase in the demand for two bedroom accommodation for rent with a reduction in demand for larger rented family homes due to the changes in eligibility for Housing Benefit.

6.8 In addition, the SHMA recognises that, whilst the demand for one bedroom

¹ Land at Winterbrook, Wallingford (P15/S0191/FUL), Land North of Lower Icknield Way, Chinnor (P15/S0154/O), Land to the east of Newington Road, Stadhampton (P14/S4105/O) and High Street, Tetsworth (P14/S3524/O).

accommodation is also high, this size of accommodation provides less flexibility in meeting changing household need and that there is potential for greater turnover as a result of household moves. The requirement for councils to meet the needs of homeless families may also indicate a need for a bias away from one-bedroom to two bedroom provision.

- 6.9 There is also a high demand for 2 bedroom properties for shared ownership. In general, it is anticipated that the mix of affordable housing should reflect the significant demand for two bedroom units for both rented and shared ownership tenures with a subsequent reduction in the number of one bedroom and three bedroom units. To reflect this, and on the advice of the council’s housing officer, a revised mix was requested. This is set out in the table below:

Affordable	1 bed	2 bed	3 bed	4 bed
SHMA	32.6%	35.5%	29.3%	2.7%
Revised application proposal	20%	50%	25%	5%

- 6.10 The applicant has agreed this revised mix and this is reflected in the application plans. The site layout plan PL.02 Rev P demonstrates that the affordable units would be mixed with the market housing.

- 6.11 The proposed mix for the market housing accords with that recommended in the SHMA, and is set out in the table below. I therefore consider that the proposals for the provision affordable housing and the mix of unit size for both the affordable and market houses meets the council’s requirements

Market	1 bed	2 bed	3 bed	4 bed
SHMA	5.7%	26.7%	43.4%	24.2%
Application proposal	6.6%	26.6%	46.6%	26.6%

- 6.12 Oxford City Council have a Local Plan policy (HP1) that seeks to resist the net loss of housing within the City. To offset the loss of two existing open market dwellings in their administrative area (to create the access to the northern parcel Site A), the City Council has requested that nomination rights to two affordable units within the proposed development are provided to them. This council’s Housing team has offered the nomination rights to two of the proposed affordable ‘shared ownership’ units. The provision of these units, which would be controlled by a housing association, would mitigate the loss of the two existing open market homes for the City Council. The transfer of these nomination rights to the City Council will be set out in the S106 Agreement.

- 6.13 Oxford City Council have requested that nomination rights to two ‘affordable rent’ units are provided as opposed to two ‘shared ownership’ units. This is on the basis that this would be required to also mitigate the impact the development would have on services and facilities and the local road network within Oxford City. However, there is no clear correlation between this impact being mitigated by the provision of affordable rent properties as opposed to those in shared ownership (that would necessitate the provision of affordable rent units). On this basis, I consider that the offer to provide nomination rights for two shared ownership units sufficiently mitigates the loss of two market dwellings within the City Council’s administrative area. Whilst the City Council have commented that they may pursue this requirement through their S106 Agreement as part of their application for the demolition of the two dwellings, the policy requirement and justification for this is, in my opinion, unclear.

- 6.14 **Layout, design and residential amenity**

The application is for full planning permission and was subject to pre-application advice which informed the design and layout of the site.

- 6.15 Consultation responses received have suggested that the proposal would result in an over-development of the site. At 52 houses the proposal would result in a gross density of 24 dwellings hectare and a net density of (excluding the open space provision) of 27 dwellings per hectare. This accords Core Strategy Policy CSH2: Density and is in keeping with the character of the surrounding residential area. The proposed houses have private garden areas that accord with the standards set out in the SODG and Local Plan Policy D3 and adequate provision for car parking has been provided. The proposed flats have access to communal garden areas of a sufficient size. Suitable provision has also been made for on-site open space which meets the size requirements of Local Plan Policy R6 and would provide attractive, usable and well overlooked open space for the site. On this basis, I do not consider that the proposal would amount to an overdevelopment of the site.
- 6.16 Officer concerns were raised with the agent over the layout of the development in the north-eastern corner of the site. A terrace of nine units was proposed which was located too close to existing trees and would cause problems in enabling a mix of rent and shared ownership properties amongst these plots. The communal parking provision would also have been dominated by hardstanding with little room for soft landscaping to break this up. Amended plans have been received which breaks up the terrace, overcomes the impact on the trees and provides an alternative parking arrangement which incorporates more soft landscaping. I consider that the amended proposal is sufficient to overcome these concerns.
- 6.17 The development would provide 92 car parking spaces. All of the market homes would have two off street car parking spaces, with some of the larger properties having more than this when the garages are included. A total of 28 spaces would be provided for the 20 affordable homes. Given the sustainable location of the development and the frequent bus service (service 8), I consider this provision to be acceptable.
- 6.18 On the basis of the above, I consider that the layout and design of the proposed development is acceptable when assessed against Core Strategy Policy CSQ3, Local Plan Policies D2 and D2 and the council's design guide.

Impact on neighbouring properties

- 6.19 Policy D4 of the Local Plan requires new development to secure an appropriate level of privacy for existing residents. The original plans submitted showed a first floor flat above a garage located 3 metres from the rear boundary with existing mobile home 12 Bayswater Mill, with a separation distance of 14 metres. Officer concerns were raised that at this close proximity to the boundary, the two-storey flat over the garage would have an unacceptably overbearing impact on the rear amenity area of 12 Bayswater Mill. Amended plans have been received that replace the flat over the garage with a single storey garage.
- 6.20 Plot 37 is similarly in close proximity to the rear boundary of 18 Bayswater Mill. However, this is a single storey bungalow and I do not consider that this would result in an overbearing impact upon the rear amenity area on 18 Bayswater Mill. Plot 38 is a two-storey house, however the elevation facing 18 Bayswater Mill would not contain any first floor windows so there would be no resulting overlooking or loss of privacy.
- 6.21 Plot 36 would have a separation distance of 21 metres with the existing mobile home 8 Bayswater Mill, which is below the council's standards of 25 metres. However, Plot 36 would be at an oblique (45 degree) angle to 8 Bayswater Mill as opposed to directly

facing it, and it would have a 10 metre garden depth which meets the council's minimum standards. On this basis I do not consider that there would be any undue overlooking or loss of privacy to 8 Bayswater Mill. Plots 30-35 meet the council's standards in relation to garden depth and separation distance.

- 6.22 Plots 38-50 would be situated lower than the existing properties situated on Waynflete Road and would be separated by distances of between 32 and 34 metres. On this basis, I do not consider that the existing properties on Waynflete Road would experience undue overlooking or a loss of privacy.
- 6.23 Plots 20-29 meet the council's standards with in relation to garden depth and separation distance with Mill House. The closest plot (24) would have a separation distance of 30 metres. Mill House is also screened from the application by a band of trees and shrubs. Concerns were raised over proposed first floor balconies to the rear of Plots 26-28 on grounds of overlooking and loss of privacy and their removal has been secured through amended plans.
- 6.24 The rear elevation of Plots 10-13, which are two-storey in height, would have a separation distance of 21 metres from the rear elevation of 1 Bayswater Farm. This is below the recommended distance in the council's design guide. One first floor window on the rear elevation of 1 Bayswater Farm would be 21 metres from the facing windows of Plots 10-13. The other first floor windows comprise of roof lights and a gable window above the garage and these are set back a further 2 and 3 metres respectively. A row of small trees exists along the rear boundary of 1 Bayswater Farm, which would screen the amenity area immediately to the rear of 1 Bayswater Farm. Adhering to guidance set out in the design guide is obviously desirable. However, with the arrangement of Plots 10-23 and the associated parking provision as submitted, it would not appear possible to increase this separation distance. Many LPA's refer to an acceptable separation distance being 21 metres, although clearly the council's design guide recommends a greater distance. On balance, I consider the separation distance to be acceptable and that it would not result in a significant level of overlooking or loss of privacy that would warrant the refusal of the application.
- 6.25 The rear elevation of Plot 2 would face the side elevation of The Bungalow situated on Bayswater Farm Road. First floor windows of Plot 2 would not face any first floor windows in the side elevation of The Bungalow and given its positioning, I do not consider that there would be any undue overlooking or loss of privacy to the rear garden of The Bungalow. The southern side elevation of Plot 3 would face the rear garden of The Bungalow, however the side elevation of Plot 3 would not contain any first floor windows that would overlook the rear garden. The northern side elevation of Plot 3 contains first floor windows facing Bayswater Farm House, and Plot 3 would be in an elevated position given the topography of the land. However, a separation distance of 46 metres would exist between Plot 3 and Bayswater Farm House, and a distance of 10 metres would separate the front elevation of Plot 3 with southern garden boundary of Bayswater Harm. At these distances, I do not consider that Bayswater Farm House would suffer from an undue loss of privacy.

Highways and traffic

- 6.26 Policies D1, D2 T1 and T2 of the SOLP require an appropriate parking layout and that there would be no adverse on highway safety. The NPPF (Para 32) advises that all developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. Plans and decisions should take account of whether:
- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major

transport infrastructure

- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impact of development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

- 6.27 The application is supported by a transport assessment which was updated (June 2016) to take account of concerns raised by the County Council. The concerns related to the fact that the original assessment contained outdated information and the scale of delay any additional traffic wanting to exit from Bayswater Road / Waynflete Road priority junction would cause to traffic needed to be confirmed.
- 6.28 The updated transport assessment demonstrates that the development is only likely to generate 30 two-way vehicle trips in both the AM (8-9am) and PM (5-6pm) peak periods. Modelling also demonstrates that the additional vehicle trips generated by the development would not have a severe impact on the local highway network. The County Council have assessed the updated transport assessment and raised no objection.
- 6.29 It has been raised in consultation responses that the traffic counts conducted to inform the baseline conditions for the transport assessment were conducted during half term and as such may show a lower baseline situation than normal. A manual count and queue survey was conducted on Thursday 26 May 2016 and an automatic traffic count was undertaken Tuesday 24 May to Monday 30 May 2016. The County Council's website shows that the Late Spring Holiday (half term) ran from 30 May to 3 June 2016. Therefore, only one day of the automatic traffic count fell within the half term period.
- 6.30 The application is well served by public transport. The main bus route for the site is Service 8 which runs from Barton to Headington shops and to Oxford City Centre. It operates from 0511 to 2354, running every 12 minutes Monday to Saturday and every 20 minutes on a Sunday. The Arriva 280 service to the south of the site travels along the A40 and offers access to both Aylesbury and Oxford every 20 minutes.
- 6.31 Plans are provided in the transport assessment showing the proposed site access junction on Waynflete Road into the northern parcel (Site A). These plans set out the proposed visibility splays. The County Council have raised no objection in relation to these access arrangements.
- 6.32 Plans are also provided for the site access arrangements for the southern parcel (Site B) utilising Bayswater Farm Road. Bayswater Farm Road is a partly private and partly adopted public highway. The adopted section runs downhill from Waynflete Road and runs into Watermill Way. The un-adopted section continues past Watermill Way and provides access to a number of static caravans and existing houses grouped together around Bayswater Farm.
- 6.33 A short section of the access road into application site would be at a width of 3.1 metres, which then widens to 5.6 metres. This narrower section would not be wide enough for two vehicles to pass and 'give way' marking are proposed with priority to vehicles entering Bayswater Farm Road from Watermill Way. The County Council have not objected to these access arrangement but have some concern regarding the forward visibility of both vehicles exiting the access road from the 'give way' markings and vehicles turning into the access road. These would not meet the standards that would allow them to be adopted by the County Council. Given the existing access arrangements serve 11 houses and a number of static caravans and these would be

improved to accommodate a further five houses, and the County Council have not raised an objection to this, I consider the proposed access to be acceptable. I do not consider that the County Council concerns warrant the refusal of the application.

Trees

- 6.34 A number of trees exist on the northern parcel (Site A) and the site is subject to an unconfirmed Tree Preservation Order. An objection to this has been made on behalf of the landowners by ACD Environmental and this is pending consideration. The application is supported by an arboricultural report which confirms that the trees to be removed from the site are limited to those of low quality or trees with limited landscape value. The council's Forestry Officer has raised no objection to this
- 6.35 Bayswater Farm Road, which will form the access to the southern parcel (Site B) has an avenue of Lime trees which create an attractive feature. The originally submitted plans showed that six of these trees would need to be removed to enable Bayswater Farm Road to be widened and the access created in to the site. Amended plans have been received that show an alteration to the alignment of the proposed footway which would maintain four of these trees in situ, thus maintaining the avenue of limes trees.

Drainage

- 6.36 A flood risk assessment has been submitted with the application, prepared by Glanvilles. The Environment Agency Flood Zone maps indicate that the site falls entirely within Flood Zone 1. The site is therefore suitable for development and the need for a sequential test does not apply.
- 6.37 There is a small ditch running east-west through the northern parcel (Site A) which runs through the adjacent Bayswater Mill Park Home site to connect with the Bayswater Brook to the north. This presents a risk of surface water flooding. The maximum depth of flood water (for the potential 1:1000 year event) would not exceed 0.3 metres. To mitigate this, the layout has been designed to provide an 8 metre wide buffer zone to the ditch. No houses would be located within this area considered to be at risk from surface water flooding. Floor levels would be at least 0.6m above the top of the bank of the watercourse, in accordance with the Environment Agency standing advice. Glanvilles conclude that with the above mitigation measures in place, the development would be at low risk of flooding from this source.
- 6.38 To manage surface water discharge from the site, the Flood Risk Assessment advises that SUDS are appropriate. Initial infiltration tests indicate that at-source SUDS techniques can be used to drain water from the majority of the proposed development.
- 6.39 The council's drainage consultant has examined the flood risk assessment and has not raised an objection to the application. However, he has advised that further information is required in relation to presence of local springs running through the site and that details of this can be secured and approved via condition.
- 6.40 Thames Water have commented that with the information provided with the application, they have not been able to determine the waste water infrastructure needs of this proposed development. They therefore suggest that a condition is placed on any planning permission requiring that development should not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker and that no discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
- 6.41 Thames Water have further commented that in order for them to determine whether the

existing sewer network has sufficient spare capacity to receive the flows from the proposed development, the submitted drainage strategy must detail both the foul and surface water strategies. This should include details of any proposed connection points or alterations to the public system, including; calculated peak foul and surface water discharge rates for both the pre and post development site, details of any pumped discharges (maximum pump rates), attenuation details with accompanying capacity requirement calculations and details of incorporated SUDS.

- 6.42 Thames Water have advised that if initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, it will be necessary for the developer to fund an Impact Study. These details can be secured through the pre-commencement condition Thames Water have requested.

Ecology

- 6.43 An Ecological Appraisal has been submitted with the application. This concludes that the site is characterised by a collection of habitats that remain common across much of lowland Britain and are considered to have limited ecological value beyond the limits of the site and immediate local level. The only protected species confirmed as having the potential to be directly affected by the proposed development are grass snake and possibly a soprano pipistrelle. In both cases mitigation has been identified in the appraisal.
- 6.44 The council's ecologist has assessed the appraisal and has commented that a very low population of grass snakes has been found on site and that appropriate mitigation recommendations have been made. Furthermore, bat surveys revealed a typical assemblage of common bat species using the site but no roosting sites have been confirmed. Our ecologist advises that the development provides opportunities for providing enhancements for roosting bats and other species / habitats and that a Biodiversity Enhancement Strategy is made a condition of any planning permission. The strategy should help to ensure that the development achieves a no net loss for biodiversity as required by Core Strategy Policy CSB1.

Air quality

- 6.45 The whole of Oxford City was declared as an Air Quality Management Area (AQMA) for nitrogen dioxide in 2010. The proposed development site would be located adjacent to the AQMA. The application is supported by an air quality assessment. This shows that existing conditions within the study area show good air quality away from busy roads, with background pollutant concentrations well below the relevant air quality standards and objectives. Measured nitrogen dioxide concentrations close to the busier roads to the south-west of the proposed development have been close to the air quality objectives in recent years and have exceeded them in the past.
- 6.46 The houses proposed through the application will be located well away from the busy roads and pollutant concentrations for new residents would be at or close to background levels which are well below the air quality objectives and would thus constitute good air quality. The additional traffic generated by the proposed development would be small and the increase in pollutant concentrations at sensitive locations resulting from emissions would similarly be small and is judged to be negligible in the assessment.
- 6.47 The council's air quality officer has reviewed the assessment and raised no objection the application. She has requested that two conditions are placed on any planning permission which relate to the on-site provision of electric vehicle charging points and cycle storage facilities.

CIL and S106

- 6.48 The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, the development would be CIL liable at a rate of £150 per square metre. If the exemption for the proposed affordable housing is applied, this equates to around £543k. The money collected from CIL can be pooled with contributions from other development sites to fund a wide range of infrastructure to support growth including schools, transport, community, and leisure and health facilities.
- 6.49 A draft S106 Legal Agreement has been prepared to secure the following:
- delivery of the affordable housing,
 - delivery of the on-site equipped play area (LEAP),
 - delivery of a scheme for on-going SUDS maintenance
 - a contribution of £7,733 towards the maintenance of the on-site play area
 - a contribution of £8,500 towards wheeled bins for each house

7.0 CONCLUSION

- 7.1 The principle of the development of this site is established within the adopted Core Strategy which states that this site is to be allocated for housing development. Given the council's five year land supply position, the presumption in favour of sustainable development (set out in the NPPF) also applies to the proposal, and planning permission should be granted unless the harm of doing so would significantly and demonstrably outweigh the benefits.
- 7.2 The proposal would make a valuable contribution to the council's housing land supply and would provide 20 affordable homes (at 40% provision). The site access, layout and design are acceptable and the proposal would not result in a significant level of harm to the local road network, neighbouring properties or local wildlife. The proposal would be a low risk from surface water flooding, would be located outside of the flood zone and would not raise any issues in relation to air quality. On this basis, I consider the proposal to be acceptable.

8.0 RECOMMENDATION

- 8.1 **To delegate authority to grant planning permission to the Head of Planning subject to:**
- i. **The prior completion of a Section 106 agreement to secure the affordable housing, other obligations and financial contributions listed in paragraph 6.49 of this report; and**
 - ii. **The following conditions:**
 - 1. **Commencement three years – full planning permission.**
 - 2. **Approved plans.**
 - 3. **Sample materials to be agreed.**
 - 4. **Full details of means of access to be approved.**
 - 5. **Approved visibility splays to be provided.**
 - 6. **Scheme of electric vehicle charging points to be approved.**
 - 7. **Provision of car parking prior to first occupation.**
 - 8. **Detail of cycle parking to be approved.**
 - 9. **Construction traffic management plan to be approved.**
 - 10. **Surface water drainage scheme to be approved.**
 - 11. **Drainage strategy detailing any on/off site works to be agreed in consultation with Thames Water.**

12. Archaeology (submission and implementation of written scheme of investigation).
13. Method statement for biodiversity protection and enhancement to be approved (including removal of Japanese Knotweed).
14. Contaminated land (site investigation, remediation works and validation) to be approved.
15. Construction method statement to be approved.
16. Control of noise – ensure appropriate provisions.
17. Hours of operation (demolition / construction) restricted.
18. Exposure to dust – ensure appropriate provisions.
19. Arboricultural method statement with detailed tree protection measures to be approved.
20. Waste collection vehicle access and turning to be approved.
21. Refuse and recycling storage to be approved.
22. Provision of fire hydrants.

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