



CHARTERED TOWN PLANNERS

## PLANNING STATEMENT

**Site: Land at no's 5-7 Jack Straws Lane, Oxford,  
OX3 0DL**

**Proposed demolition of existing light industrial buildings; zero-emission housing comprising the erection of 4 pairs of semi-detached dwellings, providing 4no 3-bed and 4no 4-bed dwellings along with private gardens. Upgrade to existing vehicular access onto Jack Straw's Lane**

**For: Cantay Estates Ltd**

**January 2021**

## **1.0 INTRODUCTION**

- 1.1** This Planning Statement has been prepared in support of a planning application seeking permission for the redevelopment of the light industrial units at no's 5-7 Jack Straws Lane to provide 8 new "zero emission" dwellings (four pairs of semi-detached houses).
- 1.2** The Statement considers the planning issues that are relevant to the proposal, which has already been the subject of pre-application dialogue with Officers. This advice is referred to below.
- 1.3** This report should be read in conjunction with all plans and other documents which are submitted as part of this proposal. These comprise:
- Surface Water Drainage Strategy and Management and Maintenance Plan (Stantec);
  - Arboricultural Report (Sylva Consultancy);
  - Dust Risk Assessment (Aether);
  - Preliminary Ecological Appraisal and Bat Survey (Bioscan);
  - Energy Statement (ERS Consultants Ltd);
  - Geoenvironmental Desk Study (Aviron Associates Ltd);
  - Heritage Desk-Based Assessment (Cotswold Archaeology)
- 1.4** The proposal is consistent with all of the policies that are set out in the Council's Adopted Local Plan 2036, apart from the adopted Policy in respect of residential parking. However, it is our considered view that in the circumstances there are material considerations which weigh strongly in favour of the grant of planning permission, notwithstanding this policy conflict. These include greater levels of control with regard to vehicular movements connected to existing uses and the permanent cessation of a range of available site uses which are incompatible with the residential character of the area.
- 1.5** The proposal represents an opportunity for significant enhancement of this site and by extension its locality. For the reasons set out below, it is considered that an eight-unit scheme of dwellings makes the most efficient use of the site when other policy-based and statutory constraints are taken into account.

**2.0 SITE AND SURROUNDING AREA**

- 2.1** The site is located to the north of the houses on the northern side of Jack Straws Lane, which runs perpendicular to Marston Road at this point. It is accessed from the Lane via a private driveway, 3 metres in width between no's 3 and 9.
- 2.2** The site is around 0.24 hectares in size, including the access route. It slopes gently upwards from west to east. It has no natural features which would constrain development, or which would be worthy of incorporating into the site's layout.
- 2.3** The buildings on the site provide around 460sqm of light industrial floorspace which have previously been used by joinery and glazing businesses. They are single storey in form, mostly constructed of corrugated iron, timber or blockwork. The part of the site not covered by structures comprises hardstanding, although some ruderal vegetation has established itself owing to the absence of recent activity on the site. It is understood that the previous businesses left the site in 2019. The site is currently the subject of a short-term lease for temporary storage purposes.



- 2.4** Apart from this site, the locality is characterised by residential development, with the two-storey interwar detached and semi-detached properties of Jack Straws Lane to the south, Marston Road to the west and to the north and east, Lynn

Close, with the private garages of the properties of Lynn Close located immediately to the north of the site.

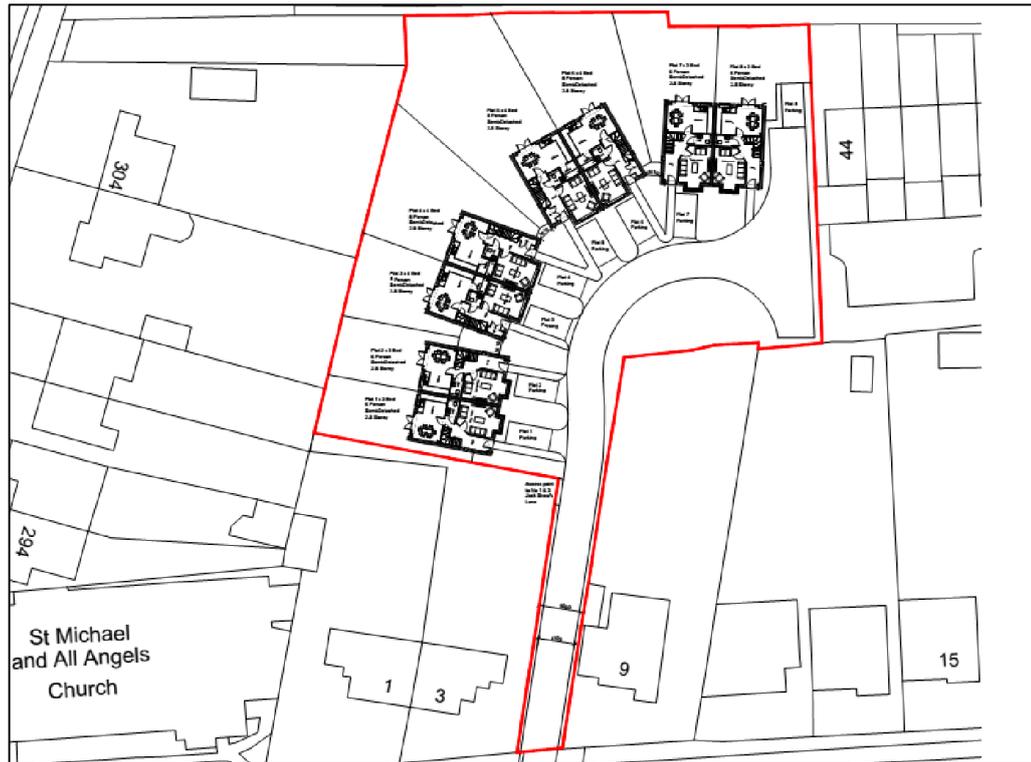
- 2.5** The site is not within a Conservation Area – the Headington Hill Conservation Area is closest but is separated from this site by a distance of 120m - and there are no listed buildings located here. None of the vegetation in the vicinity of the site is subject to a Tree Preservation Order.
- 2.6** Environment Agency mapping shows that the site is at very low risk of fluvial flooding and at low risk of surface water flooding.
- 2.7** The site falls within the Marston South Controlled Parking Zone. Typically restrictions upon on street parking here apply Monday to Friday 0900 – 1700, however it is understood that the restrictions apply on Saturdays along Jack Straws Lane.
- 2.8** The site is included on the City Council’s Brownfield Register, which lists sites considered suitable, available and achievable for residential development.
- 2.9** The site also appears within the City Council’s Housing and Employment Land Availability Assessment (its size is shown as 0.48ha, which presumably include some site area in addition to the red edged area which forms part of this application). The HELAA identifies that the site would be suitable for residential use, but not for alternative economic uses.
- 2.10** For the purposes of the recently adopted Local Plan, the site is a Category 3 employment site (all employment sites not falling within Categories 1 or 2).

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1** Most of the planning history associated with the site dates from the 1950s and 1960s and relates to the storage of caravans and building materials.
- 3.2** Permission was sought in 2014 for the demolition of the range of existing buildings and the erection of 9 houses, along with car parking, landscaping and ancillary works (**OCC Ref: 14/00595/FUL**). The application was withdrawn in April 2014. Notes on the file indicate that in Officers' view, nine units appeared to represent an overdevelopment of the site, given the inadequacy of garden sizes, the shortfall in private parking, loss of privacy to adjacent dwellings and the lack of space for acceptable landscaping. A copy of the submitted layout plan and the Officer's notes are attached as **Appendix 1**.
- 3.3** A further application was submitted for the erection of eight dwellinghouses (**OCC Ref: 14/01772/FUL**). Permission for this development was refused on 9<sup>th</sup> September 2014 – the reasons given were that no evidence had been provided to assess the value of the site to the local economy or to illustrate that it was not required for continuing employment use. The second reason for refusal hinged upon the proposal's failure to make a suitable contribution towards the delivery of affordable housing in accordance with Policy HP3 of the Oxford Sites and Housing Plan. Copies of the Committee Report and the refused site layout are attached as **Appendix 2**.
- 3.4** Permission was sought in 2019 for a redevelopment of this site (as part of a much larger site area that also incorporated no' s 1-3 Jack Straws Lane and 302, 304 and 312 Marston Road to provide five replacement dwellings, 153 student rooms and 140sqm of B1(a) office space (**OCC Ref: 19/00779/FUL**). The application was withdrawn prior to its determination.

### **4.0 PROPOSED DEVELOPMENT**

- 4.1** The current proposal seeks to remove the existing buildings from the site and to redevelop it to provide 4 pairs of semi-detached dwellings (8 units in total), each with its own garden and private parking space. All dwellings seek to maximise efficiency by using roof volume to create bedrooms.
- 4.2** The layout is dictated by the statutory requirements to provide vehicular access for refuse and emergency vehicles. A turning head is to be provided at the site's eastern end to ensure that vehicles, particularly emergency vehicles and refuse lorries, can enter and leave the site in forward gear – this would be a requirement of the Local Highway Authority.
- 4.3** The curved layout seeks to minimise the overall quantum of hard surfacing required and in turn to provide space for landscaping. The curvature of the access also draws inspiration for the local streetscape where minor distributor roads include crescent layouts which ensures that all units overlook a frontage, increasing the degree of passive surveillance of common areas. It also ensures that individual properties cannot overlook each other.
- 4.4** The decision has been taken to ensure that the built form is not located too close to the site's eastern boundary – the adjacent dwelling to the east (no. 44 Lynn Close) has a ground floor window on its western flank which is understood to serve a habitable room.



**4.5** As part of the proposed development, the access from Jack Straws Lane is proposed to be widened from three to five metres, as would be required by the local highway authority.

**4.6** The current proposal has been through pre-application dialogue with Officers – to summarise:

1. *Principle of residential development and the loss of employment on the site likely to be accepted, subject to meeting the criteria of Policy E1 of the Oxford Local Plan in respect of a Category 3 employment site;*
2. *Residential use likely to be more compatible in amenity terms compared with continued light industrial use or other employment-based activities, which could result in noise disturbance and issues of pollution which may adversely affect living conditions of adjacent residents. Biodiversity and environmental gains could result from residential re-use;*
3. *Concerns expressed as to whether the provision of eight units makes the best use of the site in terms of maximising the site’s achievable density. Additional units could be provided by tightening the layout and incorporating a terraced arrangement and by excluding private parking. A scheme of less than ten dwellings would only be acceptable if it can categorically be ruled out that this is impossible, or if a higher density is likely to be undesirable in design terms or in its amenity impacts;*
4. *Mix of three-bed and four-bed units is broadly consistent with the general housing mix within the area. However, options for higher density development should be presented, which would enable officers to make an informed judgment as to whether the development would make an effective use of the site – an arrangement of terraced houses should be tested, alongside options that include flats, albeit Officers acknowledged that an arrangement of flats may not be wholly consistent with the character of the area and could adversely affect the amenities of nearby dwellings;*

5. *The building design would be acceptable and the elevational treatment generally appropriate, although the scale of development in the context of the existing houses fronting Marston Road requires careful consideration so as not to appear incongruous and overbearing when viewed in the streetscene from Marston Road – the change in levels across the site may influence how the development appears in its context;*
6. *40% reduction in carbon emissions from a code compliant base case must be demonstrated, secured through on-site renewable energy and other low carbon technologies. Air Source Heat Pumps would be a preferable alternative to a large expanse of solar PV panels as a means of achieving the sustainability objectives required by Policy RE1. Landscaping of the site would be expected;*
7. *Policy M3 of the Oxford Local Plan requires new housing to be car-free where it is within 400m walk of frequent public services or where within 800m walk of local supermarket facilities and where the site is within a Controlled Parking Zone. The existing use on the site is non-residential and the Local Plan states that in the case of the redevelopment of an existing or previously cleared site there should be no net increase in parking from previous levels and a reduction will be sought where there is good accessibility to a range of facilities – however, officers take the view that existing parking provision for non-residential uses should not be taken into account when considering residential redevelopment. A Transport Statement would be expected to be submitted, addressing both parking provision and vehicular access;*
8. *Regard to be had for amenity of neighbouring dwellings;*
9. *Development would be required to manage surface water run-off in accordance with the hierarchy proposed by Policy RE4;*
10. *The proposal would be expected to demonstrate a 5% net gain in biodiversity;*
11. *The proposal would need to consider any possible archaeological impact associated with the site and the planning statement ought to assess whether the development would have any harmful impact upon the viewcone of the City from Doris Field Nature Reserve, located to the north-east of the site.*

## **5.0 PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS**

- 5.1 Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990) requires that applications for planning permission be determined in accordance with the development plan, including any local and neighbourhood plans that have been brought into force and any spatial development strategies produced by combined authorities or elected Mayors, unless there are material considerations that indicate otherwise.
- 5.2 The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.
- 5.3 Planning policies and decisions must also reflect relevant international obligations and statutory requirements. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.
- 5.4 Oxford City's Development Plan comprises the Oxford Local Plan 2001-2016 (adopted in 2005), the Oxford Core Strategy 2026 (adopted in 2011), the Oxford Sites and Housing Plan (adopted in 2013) and the draft Policies within the Submission Oxford Local Plan 2036, albeit the degree of weight to be accorded to the policies in the latter document depends upon the degree of outstanding

objections and potential modifications following the examination of the Draft Submission Local Plan by Inspectors appointed by MHCLG in December 2019.

### **National Planning Policy Framework**

**5.5** The National Planning Policy Framework (“the NPPF”) was revised in July 2018 and updated again in February 2019. It has, at its heart, a presumption in favour of sustainable development. Paragraph 11 confirms that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (the relevant policies are listed in a footnote in the NPPF); or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

**5.6** Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible. Paragraph 47 confirms that decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

**5.7** Good design is a key aspect of sustainable development which is indivisible from good planning and should contribute to making places better for people (paragraph 56, NPPF). Policies and decisions should ensure that development functions well, adds to the overall quality of the area, establishing a strong sense of place. It should also respond to local character and history, reflecting the identity of local surroundings and materials whilst not preventing or discouraging appropriate innovation. Planning decisions should also seek to optimise a sites potential to accommodate development (paragraph 58, NPPF).

**5.8** To support the Government’s objective of significantly boosting the supply of homes, it is essential that a sufficient amount and variety of land can come forward where it is needed (Paragraph 59, NPPF). The provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped any affordable housing contribution due should be reduced by a proportionate amount (Paragraph 63, NPPF).

**5.9** The NPPF recognises the contribution that small and medium sized sites can make in meeting an area’s housing requirement, particularly as they can be built out quickly – to promote the development of a good mix of sites, local planning authorities should identify through the development plan and through brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare, unless it can be shown that there are strong reasons why this target cannot be achieved. Councils should support the development of windfall sites through policies and decision, giving great weight

to the benefits of using suitable sites within existing settlements (Paragraph 68, NPPF).

- 5.10** In assessing specific planning applications, it should be ensured that appropriate opportunities have been taken to promote sustainable transport modes and that safe and suitable access to the site can be achieved for all users (Paragraph 108, NPPF). Applications for development should only be refused on highway grounds where there would be an unacceptable impact upon highway safety or the residual cumulative impact upon the road network would be severe (Paragraph 109, NPPF). Applications for development should prioritise pedestrian and cycle movements as far as possible addressing the needs of people with disabilities and reduced mobility, creating places that are safe, secure and attractive, allowing for the efficient delivery of goods, allowing access by service and emergency vehicles and designed to enable charging of plugin and other ultra-low emission vehicles in safe, accessible and convenient locations (Paragraph 110, NPPF).
- 5.11** Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way which optimises the use of previously developed sites (Paragraph 117, NPPF). Policies and decisions should encourage multiple benefits from urban land, including taking opportunities to achieve net environmental gains, giving substantial weight to the value of using suitable brownfield sites for homes and other identified needs, supporting appropriate opportunities to remediate despoiled, degraded, derelict or contaminated land. Decisions should also promote the development of under-utilised land and buildings, particularly where this meets the identified need for housing where land supply is constrained and where available sites could be used more effectively.
- 5.12** Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not specifically allocated for a given use in a local plan where this helps to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas where there is high housing demand, provided that this does not undermine key economic sectors and where this is compatible with other policies in the NPPF (Paragraph 121, NPPF).
- 5.13** Policies and decisions should support development where this makes an efficient use of land, taking into account the identified need for different types of housing, the availability and capacity of infrastructure and services, the desirability of maintaining an area's prevailing character and setting and the importance of achieving well-designed, attractive and healthy places (Paragraph 122, NPPF).
- 5.14** Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially critical that policies and decisions avoid homes being built at low densities, ensuring that development optimises the development potential of each site. Plans should contain policies to optimise the use of land and meet as much of the identified housing need as possible. Minimum density standards should form part of plans for locations which are well served by public transport and the standards should seek a significant uplift in the average density of residential development, unless it can be shown that there are strong reasons why this would not be appropriate. Local planning

authorities should refuse applications which fail to make efficient use of land. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme provides acceptable living standards (Paragraph 123, NPPF).

## **Local Planning Policy**

### Oxford Local Plan 2016-2036

- 5.15** For the purposes of the current application, those policies of relevance are set out below:
- 5.16 Policy S1** – There is a presumption in favour of sustainable development to improve the economic, environmental and social conditions of the area. Applications which accord with the Local Plan will be approved without delay. Where the Local Plan contains no relevant policies or where relevant policies are out of date, then the Council will grant planning permission unless material considerations indicate otherwise and unless the grant of permission would result in harm that would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole or where specific NPPF policies seek to resist development.
- 5.17 Policy E1** – This policy addresses employment sites. Proposals for residential redevelopment on Category 3 employment sites (such as the application site) will be assessed by a balanced judgment taking into account:
- The desirability of meeting as much housing need as possible in sustainable locations within the City;
  - The need to avoid loss of or significant harm to the continued operation or integrity of successful and/or locally useful or high employment businesses and employment sites and to avoid impairing business operations through the juxtaposition of incompatible residential uses;
  - The importance of creating satisfactory residential conditions in a pleasant environment with a sense of place which is connected by safe walking routes and close to shops, to schools, open space, community facilities and public transport; and
  - The desirability of achieving environmental enhancement such as land remediation, new planting, biodiversity gains, sustainable development and the improvement of living conditions for existing residents.
- 5.18** In all cases the suitability of the proposed use will be assessed against the site specific circumstances.
- 5.19 Policy H1** - Provision will be made for at least 10,884 8620 new homes to be built in Oxford over the plan period 2016-2036. This equates to a delivery of 431 dwellings per annum. To reflect anticipated delivery over the plan period the housing target per annum reflects a stepped trajectory, as follows:
- 2016/17 to 2020/21: 475 dpa
  - 2021/22 to 2035/36: 567 dpa
- 5.20** This will be achieved by promoting the efficient use and development of land, including high densities and ensuring that all new housing development

contributes to the creation and maintenance of mixed and balanced communities.

**5.21 Policy H4** – The City Council will seek to secure a strategic mix of dwelling sizes, however the specific mixes prescribed will apply only to proposals for 25 or more homes or sites of 0.5ha and larger where these are outside of the City Centre or a District Centre. Sites below the threshold are still required to demonstrate how the proposal has had regard to local housing demand.

**5.22 Policy H14** – New development must provide reasonable privacy, daylight and sunlight for occupants of new and existing homes, having regard to overlooking to and from neighbouring properties or gardens. The orientation of windows in existing and new development and the effect of existing and proposed walls, hedges, trees and fences are important considerations, both in respect of protecting or creating privacy and in terms of their potential to overshadow new and existing development.

**5.23 Policy H15** - Planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 1

**5.24 Policy H16** – This policy addresses outdoor amenity space standards – dwellings should have direct and convenient access to private open space (as well as bin and bicycle storage). 1 or 2 bedroom flats should provide access to a private balcony, terrace or direct access to a private or shared garden. Houses of 1 or more bedrooms should provide a private garden, of adequate size and proportions for the size of house proposed, which will be considered to be at least equivalent in size to the original building footprint. Where a directly accessible private outside area is provided, the remaining requirement for outdoor amenity space could be met by provision of shared private amenity space. The private outdoor areas should allow space for outside dining and/or clothes drying, with reasonable circulation, which will require a minimum dimension of 1.5 metres deep by 3 metres long. In assessing whether appropriate outdoor space has been provided, the location and context of development, the orientation of the outdoor area and the overall shape of the outdoor area.

**5.25 Policy RE1** - Planning permission will only be granted where it can be demonstrated that the following sustainable design and construction principles have been incorporated, where relevant:

- a) Maximising energy efficiency and the use of low carbon energy;
- b) Conserving water and maximising water efficiency;
- c) Using recycled and recyclable materials and sourcing them responsibly;
- d) Minimising waste and maximising recycling during construction and operation;
- e) Minimising flood risk including flood resilient construction;
- f) Being flexible and adaptable to future occupier needs; and
- g) Incorporating measures to enhance biodiversity value.

**5.26** Energy Statements will be submitted to demonstrate compliance with the policy for new build residential developments. New build residential developments will be expected to achieve a 40% reduction in carbon emissions from a Building

Regulations 2013 compliant base case – this is to be secured through on-site renewables and other low carbon technologies.

- 5.27 Policy RE2** – This Policy seeks to ensure that development proposals make efficient use of land, making best use of site capacity in a manner which is compatible with the site itself, the surroundings and the needs of Oxford as a whole. Density must be appropriate for the use proposed with the scale of development, including heights and massing, conforming to other policies in the plan.
- 5.28 Policy RE4** - All development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed site.
- 5.29 Policy RE6** - Planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced. The exposure of both current and new occupants to air pollution during the development’s operational and construction phases, and the overall negative impact that proposals may cause to the city’s air quality, will be considered in determining planning applications. Where additional negative air quality impacts from a new development are identified, mitigation measures will be required to ameliorate these impacts.
- 5.30 Policy RE7** - Planning permission will only be granted for development that:
- a) ensures that the amenity of communities, occupiers and neighbours is protected; and
  - b) does not have unacceptable unaddressed transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
  - c) provides mitigation measures where necessary.
- 5.31 Policy RE9** – Planning applications on sites where contamination may present a risk to the surrounding environment must be accompanied by a report detailing the investigations carried out to assess the nature and extent of contamination and the possible impacts this may have on development and future users, as well as the natural and built environment. Detailed mitigation measures should be included, where required, as to how contamination will be removed, or treated. Validation of mitigation measures may also be required.
- 5.32 Policy G2** – Development resulting in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net biodiversity gain.
- 5.33 Policy DH1** – Planning permission will only be granted for development which exhibits high quality design.
- 5.34 Policy DH4** – Where archaeological deposits and features are suspected on a site, applications should include sufficient information to define the character, significance and extent of deposits.
- 5.35 Policy M1** – Development should minimise the need to travel and be laid out and designed in a way which prioritises access by walking, cycling and public transport. Development must make provision for high quality on-site facilities which promote cycle usage.

- 5.36 Policy M3** – In Controlled Parking Zones, where development is located within a 400m walk to a frequent (15 minutes) public transport service and within 800m walk to a local supermarket (or equivalent facility) only residential development which is car-free will be permitted. Elsewhere, regard should be had to the relevant maximum standards set out at Appendix 7 of the Emerging Local Plan (1 space per dwelling). In the case of the redevelopment of an existing site, there should be no net increase in parking on the site from previous levels.
- 5.37 Policy M4** – Planning permission for new residential developments will only be granted where provision is made for electric vehicle charging points for each residential unit with an allocated parking space and where non-allocated spaces are provided with at least 25% (minimum of 2) electrical charging points.
- 5.38 Policy M5** – Development will be expected to provide minimum bicycle parking provision which complies with or exceeds minimum standards. Bicycle parking should be well design and located, convenient secure and covered.

## **6.0 PLANNING ASSESSMENT**

### **Principle of Residential Development**

- 6.1** The Oxford Local Plan 2016-2036 seeks to ensure the delivery of at least 10,884 new homes over the plan period 2016-2036 – this will be achieved by promoting the efficient use of land and including development at higher densities and building heights in locations that are appropriate.
- 6.2** Given the relative unavailability of land within the City’s boundaries for new housing, it is critically important to deliver new housing on all appropriate sites (particularly brownfield land where this is no longer needed) at the most suitable density, having regard to those factors that are set out at Policy RE2 of the Local Plan. The site is capable of making a small yet still vitally important contribution towards meeting local housing need in the City.
- 6.3** Policy E1 of the Local Plan is supportive of residential redevelopment on Category 3 employment sites (those which are not shown on the Policies Map accompanying the Local Plan as falling within Categories 1 or 2), however it is acknowledged that a balanced judgment needs to be made taking into account this Policy’s objectives. It is clearly necessary to meet as much housing need as possible in sustainable locations within Oxford, however the Policy also seeks to avoid loss or significant harm to the continued operation or integrity of locally useful or successful enterprises. Even when the site was operating at a high intensity, the employment associated with it was never high-value, nor did it create high levels of local employment, although it generated (and still retains the potential to generate) high levels of vehicular movements and nuisance for nearby residential properties. There is no current planning control within the site that relates to how vehicles are parked on the site, nor the time of day they arrive or depart.
- 6.4** This is an appropriate location for new residential development – the closest bus-stops are within 180 metres of the application site and the site’s location provides access to pedestrian and cycle links with other areas of the City as well as convenient access to employment opportunities such as the hospitals within Headington and the Universities. The area is characterised by medium density residential development and within such a context residential use is considered a more suitable neighbour than light industrial use. As the layout illustrates, it is possible to ensure that the site creates satisfactory living conditions and a pleasant residential environment with a sense of place that is well connected to local facilities and public transport. It fits well with the established character and layout of development in New Marston.
- 6.5** Moreover, it is desirable to address the degraded appearance of the site and to ensure that a lack of surveillance does not ultimately result in incidences of antisocial behaviour while the site remains vacant. The authorised use is not considered suitable to be juxtaposed with residential development. The Council has no control over the nature or intensity of light industrial use that may take place on the site, nor its hours of operation. Equally, it has no control over the number of associated vehicular movements, using a single substandard access three metres in width. Although there is no allocated car parking on site, there is sufficient space for up to thirty vehicles to be stationed on the site at any one time. The level of vehicular movements associated with residential development would be significantly lower than that associated with the site’s authorised use, as the accompanying Transport Statement demonstrates.

## **Affordable Housing and Number of Units**

- 6.6** The total site area amounts to 0.244 hectares and this includes the vehicular access from Jack Straws Lane which is not developable. The eastern portion of the site is also considered not to be developable, owing to the proximity of a window on the western flank of no. 44 Lynn Close which serves a habitable room along with the need to provide compliant and acceptable turning and manoeuvring space for refuse and emergency vehicles.
- 6.7** The Council's adopted policy H2 seeks the delivery of affordable housing on sites which are 0.5ha or larger in size (this is not) or where the site has capacity for the delivery of ten or more units. Where ten or more units are provided, 50% of units must be provided as affordable housing on-site. The advice provided by Officers requests that alternative forms of layout should be explored to determine if there is sufficient capacity for ten or more dwellings, taking into account the constraints of the site. Policy RE2 provides that permission will be refused where proposals fail to make best use of a site's capacity, however this assessment must take account of the compatibility of development with its surroundings, the needs of the City and the scale of the built form and layout which need to be appropriate for the site.
- 6.8** The layout which comes forward with this planning application is unchanged from that which Officers considered at the pre-application stage, albeit with the dwellings shifted slightly away from the site's eastern boundary to ensure that the ground floor window on no. 44 Lynn Close retains an acceptable outlook and would not be overshadowed by development - the site plan shows this area of the site hatched in red as it is not developable and is suitable only to ensure space for vehicles to turn in. Ensuring that emergency vehicles and refuse vehicles is also essential and this requirement has been designed into the layout. The provision of hardstanding along with meeting the requirements of the MHCLG's Nationally Described Space Standard and the Council's Policy on the provision of private amenity space are all factors which place a cap upon the number of units that the site can reasonably accommodate. Given that the developable area of the site is around 0.2 hectares, this delivery equates to a density of around 40 dwellings per hectare. This is not a low density and is appropriate given the prevailing character of the area.
- 6.9** A flatted proposal was ruled out at the inception of the pre-application process. Flatted accommodation is atypical of the character of this locality and would necessitate a taller and bulkier building which would be highly visible in views through from Marston Road and Jack Straws Lane. The bulk of such a building would be particularly visible from Marston Road owing to the change in levels from the main road to the easternmost part of the site. Whilst such a building may deliver more units, without substantially increasing the height and bulk of buildings it would deliver a lower quantum of habitable floorspace – the Monitoring Framework in the Local Plan uses the delivery of built area density as an indicator of the Policy's efficacy, rather than simply the number of units delivered. More importantly, a flatted scheme would also deliver lower occupancy levels. It was for these reasons that such a layout was not considered.
- 6.10** It is also brought to Officers' attention that an earlier scheme for nine units (**14/00595/FUL**) was withdrawn, in part because Officers advised that the layout offered inadequately sized gardens, poor standards of residential amenity and little space for suitable landscaping. An alternative scheme for eight houses (**14/01772/FUL**) was then refused, however it is clear from the Officer's Report

(3<sup>rd</sup> September 2014) that it was not on the basis that it was felt that the scheme made an inefficient use of the site. The Report advises that “The site is in a backland location and surrounded by predominantly two-storey family housing within a loose-knit urban grain. In this context, a scheme of family houses is considered, on balance, to create an acceptable infill development” [as opposed to a scheme comprising smaller units where the overall number of units would be greater]. There are no reasons why this consideration ought not to apply to the current application, notwithstanding the changes to local planning policy – the development context has not changed since 2014.

- 6.11** As recommended by Officers, testing of alternative options for the site has been undertaken since the pre-application meeting. Officers recommended testing a terraced option and nine houses appears to be the absolute maximum number which the site may reasonably accommodate, having regard to statutory and planning policy-based constraints. A copy of this Efficiency Analysis is included at **Appendix 3** alongside the layout that it applies to. As with the layout submitted as part of this application it takes account of access and manoeuvring requirements as well as leaving a sufficient space adjacent to no. 44 Lynn Close for the reasons suggested above. The alternative layout takes the form of a terrace of 3 units, a terrace of four units and a pair of semi-detached properties. This would amount to a total of nine units - still below the threshold for an affordable housing contribution – with a capacity of 48 bedspaces (by contrast the current submission would provide 56). However, as the analysis shows the majority of gardens are north facing and have an unsatisfactory degree of adjacency. It fails to offer a sense of arrival nor any meaningful areas of landscaping. This alternative layout feels cramped and would be unlikely to be accepted by Officers, for the same reasons as expressed in application 14/00595/FUL.
- 6.12** Having regard therefore for statutory requirements in respect of vehicular access as well as the prevailing character of the area and the amenities of neighbouring buildings, it is considered that the submitted layout makes the most efficient use of the site and delivers an optimum quantum of usable space and capacity of accommodation. It accords with the aims and objectives of the policy in seeking the appropriate balance between optimising the site’s capacity whilst respecting the prevailing character of the area and meeting the needs of Oxford where the greatest levels of housing need (in both the affordable and market sectors) is for three bedroom dwellings, which is broadly consistent with the mix of three and four bedroom dwellings in the neighbouring streets.

### **Design Approach**

- 6.13** The area around the application site is characterised by two-storey twentieth century dwellings (early twenty-first in the case of the extension to Lynn Close that sits immediately to the east of the application site) which often take the form of semi-detached dwellings set back from the road frontage. The pre-application advice encourages exploring a terraced typology, for the purposes of exploring capacity and efficiency, however the Efficiency Analysis explains why this is not considered beneficial in this instance as it dilutes the ability of the site to provide landscaping as well as appropriate levels of internal amenity for the proposed units. The layout has been carefully designed to avoid overlooking or overshadowing of windows on the nearest habitable accommodation which surrounds the site; furthermore, crescent layouts are far from atypical in this part of Oxford which is strongly suburban in character. The hardstanding on the site is designed not only to enable access but also to assist in the proposed surface water drainage strategy.

- 6.14** The design approach taken in respect of each of the dwellings is quite traditional, incorporating plain gables, simple patterns of openings and traditional materials such as red brick with detailing which is also typical of more recent houses in this part of Oxford – the post-2000 dwellings at Lynn Close are an example of this. The proposal represents a substantial improvement to the design quality of the site, which is presently characterised by single storey utilitarian buildings associated with the site’s authorised use.
- 6.15** The height of buildings has been carefully conceived. Each property provides accommodation within its roofspace in order to maximise levels of potential occupancy and internal floorspace in accordance with Policy RE2. At the same time, the scale has been carefully considered in the context of the existing houses fronting Marston Road, particularly given the rising of ground levels across the site. Taller and bulkier buildings would risk appearing dominant in these views – sections through the site (Drawing PL15) show how the building levels rise with the topography of the site – and are likely to overshadow or appear overly dominant in views from the gardens of no’s 300-304 Marston Road and 1-3 Jack Straws Lane.
- 6.16** Each property has its own private garden at an appropriate size, which accords with the provisions of Policy H16 of the Oxford Local Plan. Internally, each unit meets the Government’s Nationally Described Space Standards and offers an occupancy capacity of 56 persons.

### **Energy Use**

- 6.17** The application is accompanied by an Energy Statement which demonstrates how the requirements of Policy RE1 are to be met and a 40% reduction in carbon emissions achieved – this includes not only passive design and efficiency measures but integration of PV solar panels and Air Source Heat Pumps dispensing with the requirement for traditional gas boilers to generate heat and hot water. In this way emissions from the completed development will be virtually zero.
- 6.18** The Statement also sets out clearly how the objectives of the sustainable design and construction principles outlined in the Policy are to be met.

### **Highways and Access Considerations**

- 6.19** Policy M3 of the Oxford Local Plan states that in Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car) where development is located within a 400m walk to frequent (15minute) public transport services and within 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. It is understood that the purpose of this policy is to reduce congestion and improve air quality through the reduction of harmful emissions. It is acknowledged that this site is within a Controlled Parking Zone (Marston South), that the site is within 160 metres of bus stops on Marston Road and the site is within 600 metres of a local supermarket, as well as being within 800 metres of a parade of shops at the junction of Marston Road and Cherwell Drive.
- 6.20** National planning policy (and planning law) is clear, however, that the development plan is only a starting point for the consideration of applications and

that other material considerations are to be taken into consideration where relevant and appropriate to do so. In this instance it is considered that the specific circumstances of the development site, its existing use potential, and the form and nature of the proposed development do justify a departure from the adopted local plan policy.

- 6.21** The site is served by a single point of access three metres in width. Previously associated uses were light industrial (glazing and joinery businesses) There are no planning restrictions that would limit the intensity of light industrial use, nor its hours of operation. It is considered that changes to the 1987 Use Classes Order which were made in the summer of 2020 would widen the variety of commercial uses to which the site could be put without the benefit of planning permission. This would increase the intensity of use of the access. Although there are no demarcated vehicle bays on the site, drawing PL-30 illustrates that the site's current parking capacity is up to 30 vehicles, likely to include small goods vehicles and vans rather than solely private cars. There is therefore the potential for significant and frequent traffic movements together with associated uncontrolled air pollution arising from an intensified existing use.
- 6.22** Whilst Officers have advised that the site's existing parking capacity ought not to be taken into account when assessing the suitability (or otherwise) of proposed car parking provision, regard should still be had, in our view, for the likely intensity of vehicular movements associated with the authorised use, the suitability of the existing vehicular access and the impact that the resumption of a use of the site would have upon the amenities of neighbouring houses. These are benefits which only a residential redevelopment of the site can achieve and which we feel ought to be accorded significant weight. This positively contributes to objectives of the 'car free' policy by reducing substantially traffic movements and emissions through the development of this site for residential purposes rather than its reuse as a heavily-trafficked industrial operation.
- 6.23** The dwellings proposed in this instance are family sized dwellings and each is intended to be provided with one off-street space which is intended to be allocated only for occupants who have zero emission vehicles. A planning condition to that effect would be acceptable. The proposal also increases the width of the access to the site from three metres to five metres. Whilst there are a range of local facilities within walking distance of the site (local supermarket, pharmacy, vet) upon which a family would depend, journeys further afield (to leisure facilities or to destinations outside of Oxford for example) are likely to depend upon journeys by private car. The reality is that many individuals who rely upon a car or other vehicle to properly perform their employment function could not realistically consider this development as a place to live. Failure to provide even one vehicular space per unit restricts considerably the suitability of these properties for occupation by families and/or someone who relies upon a car or van for their employment.
- 6.24** The Inspector's Report on the 2036 Local Plan (Para. 139) explains that Policy M3 is consistent with the plan's overall strategy to reduce carbon emissions, to encourage the use of sustainable transport modes and to make the best use of land. The proposal is not considered to be contrary to the aims and objectives of that Policy – zero emission vehicles do not contribute to carbon emissions while the redevelopment of the site would reduce the number of vehicular movements associated with the site. This positively contributes to the objectives of the 'car free policy' by substantially reducing traffic movements and emissions through the development of this site for residential purposes, rather than re-use as a heavily

trafficked industrial operation. The proposal is considered to accord with the spirit of Policy M3.

### **Biodiversity Enhancement**

- 6.25** A biodiversity appraisal and bat survey has been undertaken in respect of this site (Bioscan, October 2020) – no significant ecological constraints have been identified. No evidence of bats was found during a bat survey of buildings on the site, which have limited scope to support roosting.
- 6.26** In order to avoid legislative constraints relating to nesting birds, the appraisal recommends that clearance work such as vegetation removal and demolition should be carried out outside of the bird nesting season.
- 6.27** The proposal represents an opportunity for the enhancement of biodiversity potential associated with the site – the precise detail of what that comprises is likely to form the subject of an appropriately worded planning condition, however a range of potential enhancements are suggested at Paragraph 4.2.3 of the appraisal including bird and bat boxes and new planting of appropriate species.

### **Archaeology and Heritage Considerations**

- 6.28** A desk-based archaeological assessment was submitted with the 2019 application for student accommodation – that document is reproduced here with the permission of the applicants who instructed it. Clearly the scale of development which forms the subject of the current application is less significant than that scheme – therefore the comments made in respect of the development and its impact upon the setting of heritage assets (setting of the Conservation Area and the view cone) can be disregarded, however this section of the Statement does address these.
- 6.29** The assessment recognises that there is potential for significant buried archaeological remains to be present with the application site. There is limited recorded archaeological evidence within the immediate vicinity of the site that can provide an indication to the potential remains to be present, however in the wider landscape evidence associated with Roman pottery production, and settlement evidence dating from the late prehistoric and Roman period is recorded which may be also present within the vicinity of the Site, and yet to be identified due to a lack of archaeological investigation undertaken within the vicinity. 19th century mineral extraction and brick production within the site is likely to have impacted upon any potential buried archaeological remains. It is considered the potential buried archaeological remains within the footprint of former buildings, associated services trenches and former landscaping will have been impacted.
- 6.30** With regard to the setting of the Headington Hill Conservation Area, the application site is situated to the west of the Conservation Area’s boundary at a distance of more than 100 metres, separated from this boundary by the houses of Lynn Close. The proposed development is considered too remote from the boundary and of too small a scale to have a harmful impact upon the setting of the Conservation Area, which is defined for the most part by modern two storey residential development.
- 6.31** The pre-application advice received advises the applicant to give consideration to the impact of the development in views towards Central Oxford from the Doris Field Memorial Park. Shown below is a winter-time view from the top end of the view-cone looking towards the application site and towards the City Centre:



Church Roof

Campanile

- 6.32** The view was taken halfway up the slope within the Memorial Park, approximately 50 metres in front of the top of the viewcone at which there is a signage board. Encircled in red is the campanile of the Church of St Michael and All Angels which stands on the corner of Marston Road and Jack Straws Lane. Immediately to the right of the campanile, the roof of the Church can be seen. One may see the roofs of the houses which sit closest to the Memorial Park – on the right hand side are dormers associated with dwellings at Hadow Road and Crotch Crescent, whilst the rooftops visible on the left of the picture belong to dwellings within Doris Field Close or the upper end of Lynn Close, further from the application site.
- 6.33** Notably, the steep gables associated with no's 37-44 Lynn Close, immediately adjacent to the application site, cannot be seen – the topography on the south-western side of the Memorial Park falls away quite considerably and the view of these roof gables is screened by the presence of intermediate vegetation. The datum levels shown on drawing ref. PL-15 show that the ridge height of units 7-8 is one metre beneath the level of the ridges of the terrace at 37-44 Lynn Close, with the levels of the adjacent pairs of semis diminishing as the site slopes towards Marston Road.
- 6.34** It is reasonable to conclude that the proposed development would not be seen from the Memorial Park view-cone and the impact of the development upon the City skyline would be a neutral one for the purposes of Policy DH2 of the Local Plan.

### **Drainage**

- 6.35** The application site is not located within Flood Zones 2 or 3 and is less than one hectare in size. There is therefore not a requirement to provide a site-specific flood risk assessment with this application.
- 6.36** The application is accompanied by a Surface Water Management Strategy – mapping shows that the site is at low risk from surface water flooding across parts of the site, which originates from the existing development only. The site is a brownfield site with only a negligible area of soft landscaping and is primarily impermeable.
- 6.37** The primary SUDS feature proposed for the site is a permeable pavement structure with controlled flow to the outfall Thames Water sewer – infiltration is

not considered suitable due to the risk that groundwater could be polluted. The control mechanism will restrict flows to no more than 2l/s in a 1 in 100 year (+40% climate change) rainfall event. Greenfield run-off rates are considered impractical. However, a betterment of 84-98% over the brownfield discharge rates has been achieved between rainfall events in the range of 1 in 1 year to 1 in 100 year (plus 40% climate change) rainfall events. It is envisaged that foul water produced by the development could be discharged to the Thames Water sewer in Jack Straws Lane via a gravity connection, following the appropriate procedure for applications to Thames Water.

### **Ground Contamination**

- 6.38** The application is accompanied by a Phase 1 ground contamination assessment, originally undertaken to support one of the 2014 applications for residential development. Following a review of desk-based sources and a site inspection, environmental and geotechnical risks were assessed – it was considered that the site presents a medium to high risk to human health in its current condition.
- 6.39** The report confirms the findings of the Surface Water Management Strategy that soakaway drainage would be unacceptable given the limitations upon the availability of development space and the impermeable nature of underlying natural geology, as well as infill associated with former brick works and clay pits on the site.

### **Trees and Landscaping**

- 6.40** The accompanying Arboricultural Report provides survey data for a total of 12 trees, 6 groups and 1 hedge. The most noteworthy trees are the Category B trees and their retention is recommended.
- 6.41** To implement a permission, 4no category C trees (T1, T2, T3 and T12) require removal along with a hedge – these are of limited merit and low landscape benefits. The Report illustrates that part of the internal access road falls within the root protection areas of two offsite category C trees and one offsite category B tree – the advice the Report provides is that a cellular confinement system should be designed to avoid an adverse impact upon these trees and to ensure they can be retained.
- 6.42** Proposed landscaping is intended to mitigate tree loss, to complement the redevelopment of the site and supplement its enhancement as well as to increase the potential for biodiversity enhancement associated with the site with appropriately chosen species and a hard landscaping scheme that is suitable for the character of the development and assists with the implementation of the proposed drainage strategy.

## **7.0 CONCLUSIONS**

- 7.1** The application proposal has been assessed in accordance with the Council's recently adopted Local Plan. It has been the subject of pre-application discussions with Officers.
- 7.2** The site has a long-established light industrial use associated with it, with the potential for a high intensity of vehicular movements which would result in more congestion along Jack Straws Lane and surrounding roads as well as activities that would cause disturbance and nuisance for neighbours. Residential use in some form is both the most appropriate use for this site and the only long-term way to ensure that harm to the amenities of neighbours in the future is avoided. At the heart of the proposal is the delivery of eight family sized homes in a City where there is a clear need for family accommodation in the market sector. The design of buildings and the choice of materials used is in keeping with neighbouring buildings, particularly those on Lynn Close.
- 7.3** Statutory considerations (such as access for emergency and refuse vehicles) alongside the Council's own policies on amenity space and internal space standards are all factors which place a limitation upon the quantum of development which the site is capable of delivering. An assessment has been made of the most efficient way for the site to be developed – flatted development has been ruled out because it would be incompatible with the prevailing character of the locality and would result in taller and bulkier buildings that would be more prominent in views from Marston Road. This conclusion appears to be shared by the City Council's Officers, both as part of the pre-application advice received and in the determination of earlier applications for development on the site. The site would be ill-suited to large buildings unless as part of a wholesale re-development including adjoining and adjacent dwellings. Even if that were not the case, levels of occupancy associated with developments of smaller units tend to be lower overall. This proposal does all that it reasonably can to provide the most efficient use of the site and the delivery of habitable floorspace, including the use of roof voids to provide habitable accommodation.
- 7.4** Officers advised exploring whether a terraced layout could ensure the delivery of a higher number of units, however the Efficiency Analysis submitted with this application demonstrates why this is neither practicable nor desirable, given the prevailing constraints highlighted above – the Efficiency Analysis considers a scheme of nine units as being the upper limit of the capacity. However, we would contend that eight units is the maximum number of units that the site is capable of delivering whilst still providing a high quality of development. This appears consistent with Officers' previous assessments of the site's capacity. For these reasons the site is not considered to be capable of delivering a level of development that would be above the Council's threshold for affordable housing (ten units or more).
- 7.5** Although Policy M3 of the Local Plan requires residential development in Controlled Parking Zones which are appropriately served by public transport and within easy walking distance of a supermarket to be car-free, we consider there are compelling reasons for departure from this Policy. Residential use is the only suitable alternative use for the site to the existing authorised use, which has potential to cause noise, disturbance and congestion along adjacent roads, as well as a diminution in air quality. The improvement of a substandard existing vehicular access should also be accorded significant weight. A residential proposal providing eight spaces which are intended uniquely for zero emission vehicles ought, in our view, to be assessed as being within the spirit of the Council's adopted Policy, if not its precise wording – the policy is there to reduce

the number of private vehicular movements, which in turn reduces congestion and improves air quality. This proposal is not at odds with those objectives; indeed, quite the opposite.

- 7.6** The provision of spaces for zero emission vehicles is one of a range of measures within the proposal which are aimed at making this a “zero emission” development, alongside the use of air source heat pumps and photovoltaic panels. The proposal also seeks to remediate contamination within the site – something which cannot readily happen if it remains in light industrial use – to improve the rate of surface water run-off to acceptable levels (even though achieving a Greenfield run-off rate is considered impractical) and to provide environmental enhancement both by softening the site’s visual appearance and also increasing biodiversity potential.
- 7.7** Viewed in the round, these considerations outweigh the limited and specific conflict with the precise wording of the adopted policy on car-free development in the Local Plan. There are no circumstances where the applicant would consider the development of car-free family housing in a location remote from the public highway and where the offer of residential parking permits is in the gift of the Councils. This form of development is un-mortgageable at reasonable rates and conditions and the development in these circumstances is therefore unfundable.
- 7.8** Technical compliance with relevant standards (in respect of transportation, drainage, ecology, trees etc) has been demonstrated via the range of supporting documents. The proposal is not of a scale where it would cause demonstrable harm to the setting of the Conservation Area, nor to the designated view of the City Centre from the Doris Field Memorial Park.
- 7.9** Overall, the proposal makes an efficient and appropriate use of the site and provides desirable remediation, removes inappropriate buildings alongside an authorised use that is ill-suited to residential neighbours. It ensures a more effective use of the site and improved surveillance which can only be of benefit to neighbouring residential properties. Local residents have already been informed of the proposal. Given the considerable range of benefits on offer in this instance, it is to be hoped that the proposal meets with Officers’ support.

**APPENDICES**

- Appendix 1**                      Application 14/00595/FUL – layout plan and Officer’s notes
- Appendix 2**                      Application 14/01772/FUL – Committee Report and refused site layout
- Appendix 3**                      Efficiency Analysis, undertaken by Cantay Estates, including alternative layout and occupancy assessment

## APPENDIX 1

## Notes for meeting 29.04.2014

### 7 Jack Straws Lane 14/00595/FUL

#### Site area

There appears to be a discrepancy between the Location Plan and drawing 1259\_PLN\_100 that encroaches onto number 3 along the access road.

Confirmation needed that the correct Certificate of Ownership has been completed – do the applicants also own number 3?

#### Principle (CS28)

This is an employment site currently in use for employment (joinery – not builders yard) that should be safeguarded for its present use (8.1.14 and 8.1.15) unless there is:

- “overriding evidence” that environmental problems have been caused by this use; or,
- substantial evidence of marketing for the current or other employment generating uses which shows that no future occupiers can be found; together with,
- analysis of job losses and impact on diversity and availability of job opportunities and small and start up businesses.

No such evidence is provided and it is difficult to justify the loss.

#### Site capacity

Given highway comments this does not appear to represent an under-use of the site, and indeed may be an overdevelopment given inadequate garden sizes, shortfall of car parking, loss of privacy to adjacent properties, and lack of room for acceptable landscaping.

Need to give further consideration to site capacity if access road widened and junction capacity with JSLane established.

#### Balance of Dwellings

Amber area requirements

	4-9 units	Submitted scheme	Revised scheme
1 bed	0-30%	0	0
2 bed	0-50%	0	0
3 bed	30-100%	0	7 = 78%
4+ bed	0-50%	9 = 100%	2 = 22%

The submitted scheme took no account of the mix of dwellings required on this site and therefore failed to meet the requirements of adopted Core Strategy Policy CS23 and the Balance of Dwellings SPD.

The amended scheme submitted 22<sup>nd</sup> April – better fit

## **Affordable Housing and Viability**

Policy HP4 applies – 15% total sale value of site calculated according to Appendix 2

First viability statement has a number of significant shortcomings: it lacks robustness, and the tests set out in the adopted Sites and Housing Plan Policy HP3/HP4 have not been complied with. The proposal therefore fails to comply with the adopted Core Strategy Policy CS24, and with Policy HP3/HP4 of the adopted Sites and Housing Plan.

Second 'open book' viability statement submitted 22<sup>nd</sup> April – under consideration.

## **Highways**

Objection to original submission:

- Access too narrow and requires neighbour's land
- 5 unallocated parking spaces required only 2 shown
- plot one parking spaces cannot meet standards for vehicular/pedestrian awareness
- no TA
- refuse – substantial increase in vehicle numbers

TA submitted 21<sup>st</sup> April, comments:

- Pedestrian awareness vision splay does not meet standards
- Revised scheme needs 4 unallocated spaces – has only 2
- Shared surface needs to be lit – not shown
- Vehicle movements – Highway Authority still believes this will be an over-intensification of the access
- Access still too narrow at 3.1m – needs to have 2 cars passing for whole length

Additional note – disabled parking required (Appendix 8 SHPlan)

Site access to JSLane –

- The access point does not allow for pedestrian vision splays to be provided as this field of vision will be over 3<sup>rd</sup> party land which at the moment is low but the applicant would not have any control over this.
- there will be a need to widen the access to allow for two vehicles to pass one another, although I note that vision is poor due to parked vehicles on either side and the fact this restricts the available width of the carriageway has the effect of slowing vehicles down and therefore a reduced vision splay is justified – it would be useful for clarity for a speed survey to be undertaken so an appropriate vision splay can be calculated.

## **Residential amenities**

At least one unit must be fully wheelchair accessible or easily adaptable for wheelchair use – HP2. See also disabled parking – Appendix 8 SHPlan

Lifetime Homes needs to be confirmed - SHPlan HP2. Use TAN checklist.

Private gardens – HP13 - too small, must be at least equivalent to original building

footprint – SHPlan para A3.24

Bin stores – 2 needed in addition to private garden (HP13) and must have hard surface from bin store to street.

Cycle stores – HP15 – 3 cycle spaces per dwelling in secure covered stores

Garages – dimensions must meet County standards and accommodate cycle storage (SHPlan para A3.33)

### **Impact on surrounding properties (HP14)**

Unacceptable loss of privacy and increased overlooking to properties in Marston Road from rooms in roof; also a degree of overbearing because of height on up slope. No loss of daylight or sunlight

### **External appearance / impact on the street scene (HP9)**

- House design parameters OK
- Insufficient room for good landscaping HP9(c) – scheme being considered

### **Ecology – CS12**

Enhancements required, to be secured by condition: 1 integrated bat roosting tube at each of the gable apexes on the south eastern or southern aspect of houses 1-9, and 1 swift boxes under the eaves of each property on the north western or western aspect. The boxes should be as high as possible in the brickwork, but not above a window.

Also condition regarding scrub clearance outside of nesting season

### **Geo-technical report**

Received 24<sup>th</sup> April 2014 - under consideration.

### **SUDS/Flooding – CS11**

Drainage Strategy submitted 21<sup>st</sup> April - under consideration.

### **Energy Statement – HP11**

Received 22<sup>nd</sup> April – under consideration

### **Public comments**

- 9 Jack Straws Lane – concerned about lack of on-site parking; concerned about visibility at site junction with JSLane; problems of excess groundwater; and concerns about overloaded sewerage system.
- Jack Straws Lane Association – restricted visibility at site entrance; cyclists using the route; water run-off; possible contamination.
- Oxford Civic Society – inadequacy of site junction with JSLane



© This drawing is the copyright of SHANLY HOMES  
 All dimensions and levels must be checked on site and verified  
 prior to construction

Notes

Rev.	Description	Date

Project

**Proposed Development  
 at 5 & 7 Jack Straw's Lane,  
 Headington,  
 Oxford.**

Drawing Title

**Proposed  
 Roof Plan**

**PLANNING**

**SHANLY  
 HOMES**

'Sorbon', Aylesbury End, Beaconsfield,  
 Buckinghamshire. HP9 1LW  
 Tel: 01494 671331  
 Fax: 01494 676417  
 DX 34507 Beaconsfield

Drawn By: OJM, AL	Date: 28.02.2014
Scale: 1:250	A2
Drawing No. 1259_PLN_100	Revision

## APPENDIX 2



© This drawing is the copyright of SHANLY HOMES  
 All dimensions and levels must be checked on site and verified  
 prior to construction

Notes

Rev.	Description	Dc

Project  
**Proposed Development  
 at 5 & 7 Jack Straw's Lane,  
 Headington,  
 Oxford.**

Drawing Title  
**Proposed  
 Site Plan**  
**PLANNING**

**SHANLY  
 HOMES**

'Sorbon', Aylesbury End, Beaconsfield,  
 Buckinghamshire. HP9 1LW  
 Tel: 01494 671331  
 Fax: 01494 676417  
 DX 34507 Beaconsfield

Drawn By: OJM, AL	Date: 24.06.2014
Scale: 1:250	A2
Drawing No. <b>1259_PLN_301</b>	Revisio

**Application Number:** 14/01772/FUL

**Decision Due by:** 9th September 2014

**Proposal:** Demolition of existing buildings on site. Erection of 5 x 3-bed and 3 x 4-bed houses, together with car parking, landscaping and ancillary works.

**Site Address:** 5 and 7 Jack Straw's Lane OX3 0DL **Appendix 1**

**Ward:** Headington Hill And Northway Ward

**Agent:** Mr Sam Tiffin

**Applicant:** Shanly Homes

---

**Recommendation:**

APPLICATION BE REFUSED

For the Following Reasons:-

1. The site is currently in employment use. No evidence has been submitted to demonstrate that the site has created environmental problems in the past, and no marketing of the site or evaluation of employment on the site has been undertaken to help assess its role in, and value to the local economy. It has not been convincingly demonstrated therefore that the site is not acceptable or needed for continuing employment use and its redevelopment for housing is contrary to Policy CS28 of the adopted Core Strategy.

2. The financial offer towards the provision of affordable housing elsewhere in Oxford is less than 15% of the total development value of the scheme. There are a number of significant shortcomings to the viability appraisal submitted in order to justify that lower sum: the appraisal lacks robustness and the tests set out in Policy HP4 have not been complied with. The proposal therefore fails to comply with Policy CP24 of the Core Strategy, and with Policy HP4 of the Sites and Housing Plan.

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP10** - Siting Development to Meet Functional Needs

**CP11** - Landscape Design

## **Core Strategy**

- CS2\_** - Previously developed and greenfield land
- CS9\_** - Energy and natural resources
- CS12\_** - Biodiversity
- CS13\_** - Supporting access to new development
- CS18\_** - Urban design, town character, historic environment
- CS22\_** - Level of housing growth
- CS23\_** - Mix of housing
- CS24\_** - Affordable housing
- CS28\_** - Employment sites

## **Sites and Housing Plan**

- MP1** - Model Policy
- HP2\_** - Accessible and Adaptable Homes
- HP3\_** - Affordable Homes from Large Housing Sites
- HP4\_** - Affordable Homes from Small Housing Sites
- HP9\_** - Design, Character and Context
- HP11\_** - Low Carbon Homes
- HP12\_** - Indoor Space
- HP13\_** - Outdoor Space
- HP14\_** - Privacy and Daylight
- HP15\_** - Residential cycle parking
- HP16\_** - Residential car parking

## **Other Material Considerations:**

National Planning Policy Framework  
Planning Practice Guidance  
Affordable Housing and Planning Obligations SPD (adopted September 2013)  
Balance of Dwellings SPD (adopted January 2008)

## **Relevant Site History:**

- 50/01366/A\_H - Lavatory. PDV 19th September 1950.
- 54/03428/A\_H - Use of land for storage of asphalt and plant. REF 9th February 1954.
- 54/03523/A\_H - Garage for lorry and van. PER 13th April 1954.
- 58/06935/A\_H - Siting for caravan. REF 27th May 1958.
- 60/10024/A\_H - Store for building materials. PER 25th October 1960.
- 62/11615/A\_H - Mess Room. PER 2nd January 1962.
- 14/00595/FUL - Demolition of existing buildings on site. Erection of 9 x 4-bedroom houses, together with car parking, landscaping and ancillary works.. WDN 29th April 2014.

## **Representations Received:**

Jack Straws Lane Association: We still find the visibility of exiting traffic for cyclists and drivers on JSL inadequate, because of the parking bays at the JSL roadside. This is particularly relevant for faster downhill traffic. The transport statement acknowledges that the number of "departing AM" trips will be greater than under current usage. These departures would be at the peak time for students and commuters on bikes. The estimated number of just over three "AM" departures seems low for 8 houses with two parking spaces per house - we would expect double that. Also, the proposed increase in width of the access does not change the view available to emerging drivers, which is often impeded by parked cars. Removing parking bays is not a practical alternative. We are expecting a new comment by the Highways Department. The comment accompanying the original application, with which we were in broad agreement, is no longer visible and we think a new statement is material to the new application.

## **Statutory and Internal Consultees:**

Head of Environmental Development: a number of potential sources of contamination on and off the site have been identified, and an intrusive site investigation is required to assess the risk from contamination at the site.

Oxfordshire County Council Environmental Services: to be drained using SUDs methods

Oxfordshire County Council Highways: the concerns regarding the previous scheme have been overcome. No objections to this scheme subject to conditions regarding parking permits, vision splays, SUDs and no discharge onto the highway, roads and footpaths to be provided prior to occupation, garages not to be converted to accommodation, and a Construction Travel Management Plan.

## **Officers Assessment:**

### **THE SITE AND SURROUNDINGS**

1. In the application form it is stated that the site extends to 0.24ha. However it now appears that the site is approximately 0.252ha. This has implications for the assessment of the scheme that are considered further in the section below under Affordable Housing (paragraph 21). The site slopes gently upwards west to east. It has no natural features, other intrinsic qualities or trees of note which could be integrated into the design or form a constraint to development.

2. The site is currently occupied by 461.9m<sup>2</sup> light industrial floor space. Some units are in use by Gelder Joinery Ltd. and Marston Glass, and there are several lock-up stores/garages. It is located within a primarily residential area accessed by a narrow track from Jack Straw's Lane. It is bounded to the south, west and east by existing 2 storey residential development (properties in Jack Straw's Lane, Marston Road and Lynn Close); and to the north by garages to properties in Lynn Close.

## **THE PROPOSAL**

3. Eight new dwellings are proposed: 5 x 3-bed (plots 1, 2, 3, 7, and 8) and 3 x 4-bed (plots 4, 5 and 6 each with a garage). Each plot has 2 allocated parking spaces; 5 visitor parking spaces are also proposed. Private gardens equivalent to or exceeding the plan footprints of the proposed dwellings are proposed including individual rear garden cycle stores. Communal bin storage in two brick-built stores is proposed in the south-east corner of the site. Landscaping and tree planting is proposed in the limited public areas remaining.

4. Plots 1, 2 and 3 are 2-storey; plots 4, 5, 6, 7 and 8 are 2.5-storey with an en-suite bedroom provided in the roof. The units are to be of a traditional design, brick-built with tiled roofs. Two storey gabled features are incorporated into the front elevations which are to be rendered with brick and timber detailing.

5. The applicant has also offered to make a financial contribution towards delivering affordable housing elsewhere in Oxford.

## **DETERMINING ISSUES**

6. The determining issues are:
- loss of an unallocated existing employment site;
  - highways;
  - site capacity and dwelling mix;
  - design and layout; and,
  - affordable housing contribution.

## **LOSS OF AN UNALLOCATED EXISTING EMPLOYMENT SITE**

7. Core Strategy Policy CS28 (Employment sites) identifies key employment sites the loss of which is to be resisted. The loss of non-protected sites such as this application site, is also to be resisted unless:

- there is “overriding evidence” that environmental problems have been caused by this use; or,
- substantial evidence of marketing for the current or other employment generating uses which shows that no future occupiers can be found; together with,
- analysis of job losses and impact on diversity and availability of job opportunities and small and start-up businesses.

8. The Economic Impact Assessment presented in support of this application states erroneously that no-one is currently employed on the site but goes on to state that previously some 7 people were employed. The site has been observed by the case officer to be in active use for two firms and there may be storage activity in some of the buildings. No evidence has been submitted to show that this site has caused an environmental problem in the past; no marketing has been undertaken; and no comparative employment study has been submitted in the terms of Policy CS28.

9. In these circumstances a convincing case has not been made to justify the

loss of this employment site. The proposal is therefore contrary to Policy CS 28 of the adopted Core Strategy.

## **HIGHWAYS**

10. The Local Highway Authority does not object to this development subject to the imposition of conditions. The residential parking proposed accords with the Council's adopted policies and the existing access way is proposed to be widened to include a passing bay. There are no highway grounds therefore to resist this proposal.

11. The Highway Authority has also commented on the concerns raised by the Jack Straws Lane association in the following terms:

- the proposal will result in similar overall vehicle movements from the site compared to the current usage. Even if a worst case scenario was taken and an extremely high rate of 1 trip per dwelling for the proposal was assumed, this would result in an increase of only 4-5 trips in the peak hour, equating to one additional trip every 12-15 minutes. Such an increase is considered negligible, and the vehicle movements associated with the proposal in terms of the previous/existing usage of the site does not present "severe harm" as required by the National Planning Policy Framework. On that basis a recommendation for refusal is not warranted;
- further, in respect of the personal injury accident data for the last five years, the Road Safety Team reports that whilst unfortunately there have been two slight and one serious accident within the vicinity of the site, none of these was at the junction of the proposed residential site. According to the data it appears driver error was the main reason behind the accidents; finally,
- it is acknowledged that the presence of the parked cars creates a temporary obstruction to visibility along Jack Straws Lane, but in accordance with current guidance, reduced visibility brings about more cautious driving.

## **SITE CAPACITY AND DWELLING MIX**

12. The proposal for 8 dwellings is acceptable as it overcomes one of the highway objections to the previous scheme for 9 dwellings which was thought to represent an over intensification of use of the narrow access and junction with Jack Straws Lane. Consideration has been given to a development of flats or smaller dwellings which would possibly give a higher site capacity with similar traffic generation and thus allow the site to contribute to meeting housing needs to a greater extent. The site is effectively however in a back-land location, surrounded by predominantly 2 storey family housing within a loose-knit urban grain. In this context a scheme of family houses is considered, on balance, to create an acceptable in-fill development.

13. Balance of Dwellings: the proposed mix of dwellings is 37.5% 4-bed, and 62.5% 3-bed. This is consistent with the Balance of Dwellings SPD and complies with Policy CS23 of the Core Strategy. Officers take no issue with the development in these terms.

## **DESIGN AND LAYOUT**

14. 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 DPD in combination require that development proposals incorporate high standards of design and respect local character.

15. The external appearance of the scheme is acceptable in complementing existing properties in the local area; it will improve the character and quality of the area and will not detract from local distinctiveness. It would be desirable to increase the level of landscaping in the scheme which would be pursued if the scheme were to be recommended for approval.

16. The layout of the scheme is acceptable in that 2 and 2.5 storey houses are proposed with suitably sized gardens and acceptable relationships between them and the adjacent properties. The scheme does not create unacceptable overlooking or loss of privacy, nor do the proposed units overbear adjacent properties.

17. Cycle storage is located within each garden area or garage and details of this would be required as part of a condition. The scheme is unacceptable in not providing individual secure and conveniently located bin storage for the properties. Such provision should be capable of being provided within these plots and would be pursued through negotiation and the imposition of conditions if the scheme were to be recommended for approval. Similarly, biodiversity enhancements would also be sought were the scheme to be recommended for approval.

18. Accessible and adaptable homes: Policy HP2 of the Sites and Housing Plan requires all dwellings to meet the Lifetime Homes Standard and, on sites of 4 or more dwellings, at least 5% should be fully wheelchair accessible or easily adaptable for wheelchair use. The application does not supply these details but in the judgement of officers, properties of this size would be able to meet these requirements and would be pursued and the imposition of conditions if the scheme were to be recommended for approval.

19. Subject therefore to further adjustments to accommodate individual bin stores, additional landscaping, biodiversity enhancements, and the provision of further information on how the scheme meets the 'Lifetime Homes' standard, the scheme is judged generally to meet the Council's adopted policy requirements for design and layout.

## **AFFORDABLE HOUSING**

20. Policy CS24 of the adopted Core Strategy states that planning permission will only be granted for residential development that provides generally 50% of the proposed dwellings as affordable housing. Lower percentages may be justified by

open-book viability appraisals; and in appropriate cases an off-site financial contribution may be acceptable.

21 In paragraph 1 above it was explained that the submitted application form states that the site area is 0.24ha. but that it now appears that the site area might be above 0.25ha. Officers are seeking clarification on this because if it transpires that the site area is 0.25 ha or greater then Policy HP3 of the Sites and Housing Plan will apply which will bring to bear the requirement for on-site affordable housing and that needs to be reflected in the reason for refusal. Officers are hoping to be in a position to update members prior to the meeting in order to clarify this point. In the event that it has not been satisfactorily demonstrated that the site area falls below the 0.25ha threshold then officers will be recommending that the second refusal reason be removed and substituted by one that refers to Policy HP 3 and its requirement to provide on-site affordable housing.

22. If it is satisfactorily demonstrated that the site area as stated in the application form is correct at 0.24ha then Policy HP4 will apply. Policy HP4 of the adopted Sites and Housing Plan (SHP) states that on sites with a capacity for 4 to 9 dwellings the affordable housing contribution will be financial and equivalent to 15% of the total sale value of the development. Subject to an open-book viability appraisal it may be possible to justify a lower contribution.

23. In this case, a contribution significantly lower than 15% has been offered. Officers have assessed the viability study submitted with the current application and concluded that it contains a number of significant shortcomings and lacks robustness. In particular, the following are not supported (this is not an exhaustive list):

- the approach to calculating profit;
- the conclusion on Gross Development Value;
- the robustness of the analysis of build costs including external works and abnormal sums;
- the conclusion on threshold land value (erroneously equated to 'land cost') which is not robust, lacks justification and fails to reflect the Council's guidance quoted;
- the design fees which are not sufficiently robust; and,
- the assumptions about interest rates.

24. The level of affordable housing contribution is not therefore justified by the submitted viability appraisal and fails to comply with Policy CP24 of the Core Strategy and Policy HP4 of the Sites and Housing Plan.

## **SUSTAINABILITY**

25. The National Planning Policy Framework states that there are three dimensions to sustainable development: economic, social and environmental, and that these require the planning system to perform associated roles which are mutually dependent and should not be undertaken in isolation. This application site falls under the definition of previously developed land as set out in the Framework.

26. The housing needs of Oxford are severe but adopted plans are in place to

address the situation within the plan-led context. On employment grounds therefore, this report has argued that there should not be an automatic assumption that the site's development for housing constitutes sustainable development. In this case, taking the relevant economic, social and environmental considerations together, in the absence of convincing evidence as set out in Policy CS28, it is considered that greater weight should be applied to its protection as an existing employment site than to its contribution to meeting local housing needs.

### Energy efficiency

27. A core planning principle of the National Planning Policy Framework is to support the transition to a low carbon future. The Council's Core Strategy Policy CS9, and Policy HP11 of the Sites and Housing Plan reflect the requirements of the National Planning Policy Framework in those regards.

28. An energy statement has been submitted in relation to these proposals: flue-gas heat recovery systems are to be provided in each unit and solar hot water heating panels onto the south-facing roofs at plots 4-6. This will result in a reduction of 11.70% from low carbon and/ or renewable technologies. This complies with Policies CS9 and HP11.

### **Conclusion:**

29. There are fundamental objections to these proposals:

- the site is an existing employment site: no evidence has been submitted to demonstrate that the site has created environmental problems, and no marketing of the site has been undertaken to help assess its role in and value to the local economy. The proposals are therefore contrary to Policy CS28 of the adopted Core Strategy.
- there are a number of significant shortcomings to the submitted viability appraisal, such that the appraisal lacks robustness and the tests set out in Policy HP4 have not been complied with. The proposal therefore fails to comply with Policy CP24 of the Core Strategy, and with Policy HP4 of the Sites and Housing Plan.

30. The proposal cannot therefore be supported and is recommended for refusal.

### Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### 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 refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 14/00595/FUL and 14/01772/FUL

**Contact Officer:** Fiona Bartholomew

**Extension:** 2774

**Date:** 21st August 2014

## APPENDIX 3

**Land to Rear of 5-7 Jack Straws Lane**

**Site Efficiency Analysis**

**January 2021**



## **LAND TO REAR OF 5-7 JACK STRAWS LANE , OXFORD – SITE EFFICIENCY ANALYSIS**

### **Introduction**

Following the Pre-application consultation, it was requested by the Officers to assess whether the preferred site layout this was the most efficient form of development for the site and that a terraced option (Alternative 1, attached as Appendix 1) should be considered as an alternative.

Any alternative should take account of the same limitations as are imposed on the preferred option such as access, turning facilities, and other limiting factor such as adjacency to nearby dwellings etc.

It was agreed with officers that this is an inappropriate location for a flatted development and in fact is consistent with their assessment of this site with previous applications. In summary a flatted development would be an inappropriate form of development here as:

- a) It would be out of character for this immediate locality.
- b) There would be no material increase in efficiency for a flatted development without a significant increase in bulk and height with consequential material adverse impact on adjacent dwellings and the view cones.
- c) The geometry of the site and location of the access and distribution roads would limit footprints to that for the proposed dwellings without creating severe overlooking issues.
- d) Occupancy capacity and usable areas for a flatted scheme would be significantly less than that proposed without breaching other material planning considerations

The objective conclusion therefore is that a flatted development is not an appropriate form of development for this site and the focus for alternative forms of layout is shown in Appendix 1.

### **Assessment of Alternative 1**

Having taken account of the access and manoeuvring requirements, Alternative 1 layout has been prepared in a terraced format as requested. It also takes account of the side window in 44 Lynne Close which applies the 45 degree vertical rule as it is a secondary and not a primary window – all in accordance with Planning Policy, although there is doubt that the layout would conform to the requirements of the highways authority using latest requirements for swept path analysis and taking into account the appropriate sizes of refuse vehicles and emergency vehicles. This has not been formally assessed as it requires further design and cost commitment which is not deemed necessary at this stage.

Alternative 1 takes the form of a terrace of 3 units comprising 2 x 3 bedroom and 1 x 2 bedroom units, a terrace of 4 units comprising 2 x 3 bedroom and 2 x 2 bedroom units, and a pair of 4 bed units. This totals 9 units, with a capacity for 48 bedspaces. This form of development would extend to some 893 sq m of usable space.

However, the majority of gardens are north facing, the development comprises long terraces and an unsatisfactory degree of adjacency between the terrace of four units to the West and the pair of semi detached 4 bed units to the South. Extensive hardstanding areas are required to service the dwellings in the form and overall it is a rather cramped and unsatisfactory solution.

This Alternative 1 is therefore discounted as being of insufficient quality and openness, does not offer meaningful areas of high quality landscaping and misses an opportunity to create a high quality environment for its residents.

### **Assessment of Preferred Option**

The preferred option for the development of this site is to adopt a crescent form to provide a mix of house types the majority of which will have westerly orientated gardens and offers a high quality environment. This crescent form not uncommon in this area.

The proposed arrangement provides a notional continuation of the Lynne Close development in a curved form through to Jack Straws Lane. Whilst not a continuous streetscape, in plan form this successfully blends the development into the local vernacular.

The proposed option comprises 4 x 3 bed houses (6 person) and 4 x 4 bed houses (8 person). This equates to a total capacity of 56 bed spaces and a usable area of 952 sq m. The extent of open space and landscaping is maximised and efficiency does not suffer. Notwithstanding this form of development is one unit less than Alternative 1, it is 17% more efficient by bedspace capacity, and 7% more efficient by usable area.

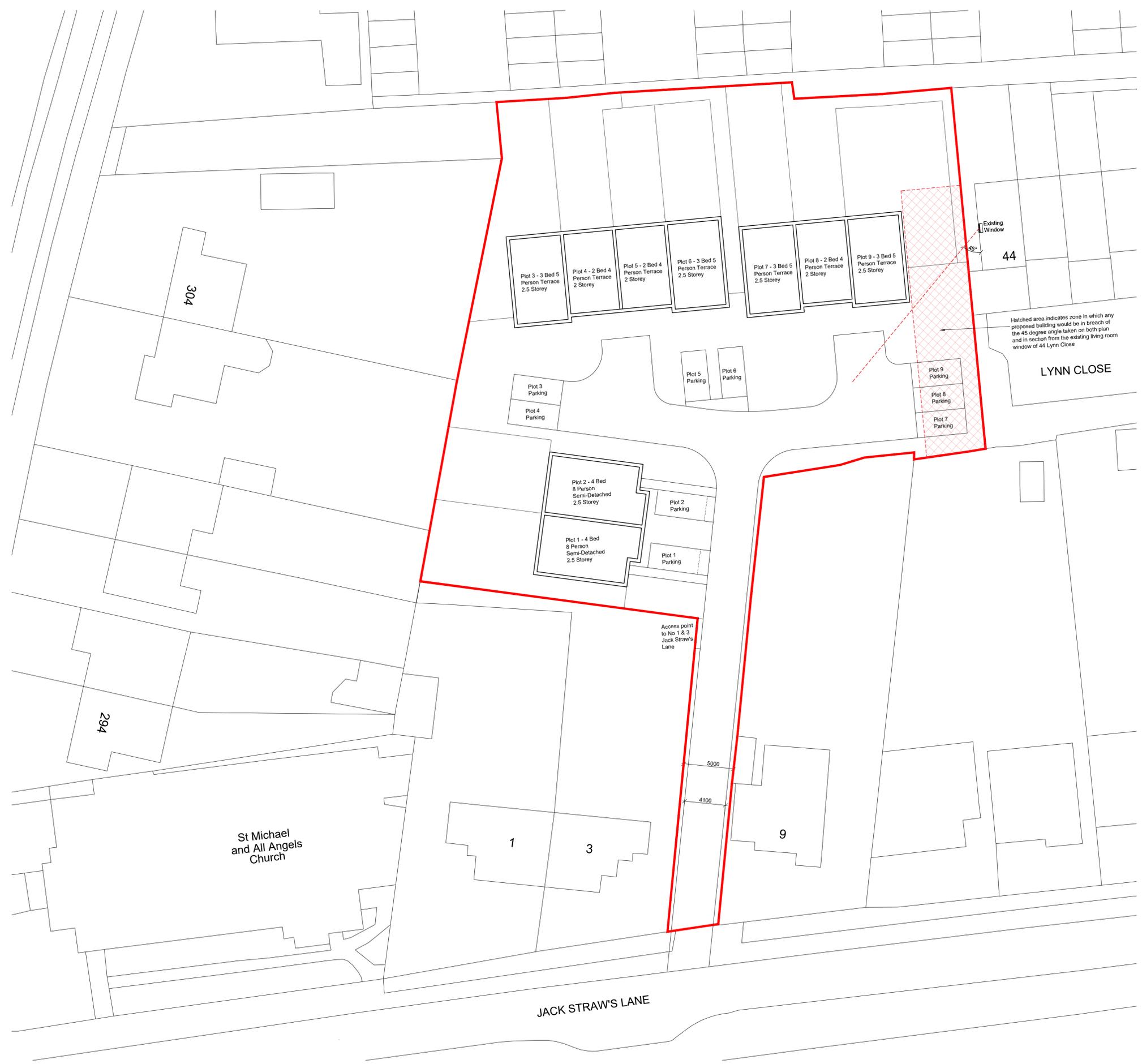
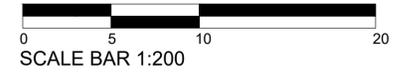
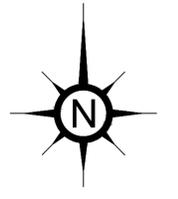
### **Conclusion**

The fixed entry point and the geometry of the site has a significant impact upon the site layout. The requirement to provide access for emergency vehicles, bin lorries, and delivery vehicles to a standard that complies with statutory standards has a significant impact on the layout. This is further compounded by the presence of a side window in 44 Lynne Close where the 45 degree rule on the vertical is applied. Whilst this reduces the area of the site which can be developed, it can be sensibly utilised as a compliant turning area, as is required by the Highways Authority and Building Control/Fire Officer in order to provide a compliant and deliverable development.

It is clear that the Alternative 1 'terraced' option has a capacity of no more than 9 units, whether or not car parking is included. The requirement for access to all properties at all times needs to be respected and full compliance with Part M of the building regulations is a vital objective. The result is a cramped layout with little or areas of common landscaping and a scheme that is inferior in quality. In addition this proposed Alternative 1 has a capacity for 48 bedspaces (8 fewer than the Application) and 893 sq m (59 sq m less than the application).

It is a reasonable conclusion that the application scheme represents a more efficient use of the land than an workable alternative that fully respect Planning Policy RE2 and other relevant planning policy considerations where a site is surrounded on all sides by low rise and low density residential accommodation.

NOTES:  
 ANY DISCREPANCIES IN DRAWINGS OR DETAILS TO BE REPORTED TO MIAKODA DESIGNS LTD FOR CLARIFICATION  
 © COPYRIGHT MIAKODA DESIGNS LTD.



Hatched area indicates zone in which any proposed building would be in breach of the 45 degree angle taken on both plan and in section from the existing living room window of 44 Lynn Close

REV	DATE	DESCRIPTION	INITIALS
-	-	-	-

Suite 3  
 Rectory House  
 Thorne Road  
 Haddenham  
 Buckinghamshire  
 HP17 5DA  
 T 01844 299101  
 E info@miakodadesigns.co.uk  
 W www.miakodadesigns.co.uk

CLIENT:  
**CANTAY ESTATES LTD**

PROJECT:  
**Former Builders Yard,  
 Jack Straws Lane,  
 Oxford.**

TITLE:  
**Alternative Site Layout Option**

DRAWING No: <b>MDL-1348-PL20</b>	CLIENT JOB No: ---	ISSUE ---
STATUS: <b>Planning</b>	SCALE: <b>1:200</b>	
DRN: AW	CHK: XX	DATE: Dec 2020

50mm  
100mm  
150mm  
200mm  
250mm  
SHEET SIZE: A1

## Accommodation Schedule - Alternative Scheme

CANTAY ESTATES LTD

Former Builders Yard, Jack Straws Lane, Oxford - MDL-1348

Date: 14-01-2021

Plot No	House Type	No. of Storeys	Tenure	Plot Type		No. of Bathrooms & En-Suites	GIA M <sup>2</sup>			
				Bedrooms	Persons		Ground Floor	First Floor	Second Floor	M <sup>2</sup> Total
1	Semi-Det	2.5	Private	4	8	3	51	51	28	130.00
2	Semi-Det	2.5	Private	4	8	3	51	51	28	130.00
3	End-Terrace	2.5	Private	3	5	2	42	42	15	99.00
4	Mid-Terrace	2	Private	2	4	2	39.5	39.5	0	79.00
5	Mid-Terrace	2	Private	2	4	2	39.5	39.5	0	79.00
6	End-Terrace	2.5	Private	3	5	2	42	42	15	99.00
7	End-Terrace	2.5	Private	3	5	2	42	42	15	99.00
8	Mid-Terrace	2	Private	2	4	2	39.5	39.5	0	79.00
9	End-Terrace	2.5	Private	3	5	2	42	42	15	99.00
<b>Total Bedrooms/Persons</b>				<b>26</b>	<b>48</b>		<b>Total GIA M<sup>2</sup></b>			<b>893.00</b>

Any area with a ceiling height of less than 1.5m (except under stairs) excluded.