

APPLICATION NO.	P17/S3499/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	31.10.2017
PARISH	WALLINGFORD
WARD MEMBER(S)	Elaine Hornsby Imran Lokhon
APPLICANT	Soha Housing Ltd
SITE	Oakdale Court and Meriden Court, Wallingford, OX10 0ST
PROPOSAL	Demolition of all existing buildings and erection of 16 sheltered apartments for older people and 8 houses.
OFFICER	Joan Desmond

1.0 **INTRODUCTION**

- 1.1 The application is referred to the Planning Committee because the officer's recommendation conflicts with the view of the Town Council.
- 1.2 The site is located within the town of Wallingford on the east side of Charter Way and to the south and west of Egerton Road and South View (OS extract **attached** as Appendix 1). The total site area is 0.48ha and lies adjacent to Wallingford Conservation Area which bounds the site to the east. Oakdale Court and Meriden Court were constructed in the early 1970's and provides sheltered accommodation comprises 42 units which include 14 bedsits and 27 one bed flats. A public footpath currently links Meriden Court to Egerton Road and runs along the east boundary adjacent to the properties on Egerton Road and South View. A turning head is located at the south east corner of the site that currently serves Meriden Court and is used for informal parking.

2.0 **PROPOSAL**

- 2.1 This application proposes the demolition of both Oakdale Court and Meriden Court, which are sub-standard and require significant refurbishment with 16 new assisted living flats and 8 affordable homes. A new vehicle access is proposed from Charter Way. The new development would provide a 2 and 3 storey apartment building with 16 flats and 8 two storey houses. An adopted footway that runs from Charter Way to a footway running along the eastern boundary of the site is to be stopped up.
- 2.2 The proposed scheme has been amended following concerns raised in respect of highway safety, poor layout and harm to the setting of the conservation area. The revised proposal reduces the number of housing units from 9 to 8 and relocates the new access off Charter Way. Revisions have also been made to the layout and design which are explained in more detail below.
- 2.3 Reduced copies of some of the submitted plans are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Wallingford Town Council – Original Plans** - Recommend refusal as the plans did not meet the design guide regarding the roof height nor amenities regarding the bin storage area. The plans are also not in character with the street scene in a conservation area.

Amended plans – Object on following grounds:

- Contrary to NPPF Will have a significant negative cumulative effect on local health service provision
- Drainage – Developer needs to demonstrate that drainage from the site will not increase flood risk elsewhere in Wallingford and that SUDS can be incorporated
- Location of bin store is un-neighbourly
- Will exacerbate existing problems with on-street parking as development has insufficient parking
- Loss of light to neighbouring properties and overlooking
- Will detract from the conservation area
- Lighting will intrude on neighbouring properties
- If approved, should be conditioned as social housing to remain in ownership of a social landlord.

Oxfordshire County Council Highways – Following the submission of revised plans no objection is raised subject to conditions and completion of a S278 agreement for the new access and new parking spaces along Egerton Road.

Oxfordshire County Council Archaeology – No objection subject to a condition to secure a programme of archaeological investigation.

Conservation Officer - No conservation objection to the amended plans. A condition is recommended requiring the submission of a schedule of external materials and finishes.

Forestry Officer - No objection on arboricultural grounds.

Countryside Officer – No Objection.

Health & Housing (Environmental Protection Team) – Request noise assessment and details of external lighting scheme

Flood Risk Engineer – No objection subject to drainage conditions.

Oxfordshire Clinical Commissioning Group – Need to ensure that the health needs of residents can be met effectively.

Architects Panel – The following issues should be considered:

- Parking unconnected to use
- Scheme disconnected – separate blocks
- Unresolved corner site
- Lack of communal consideration in the layout
- Review ‘external’ public-private landscape
- Resolve ‘entrance’ location
- 2/3 storey is unreasonable
- Improve ‘shared’ communal space

Local residents – (Original Plans)

16 responses objecting to the application on following grounds:

- Unacceptable height and mass
- Design out of keeping with neighbouring properties in the conservation area
- Inadequate parking
- Negative impact of construction on residents

- Noise/fumes/dust pollution
- Unsuitable location of bin store
- Unsympathetic materials
- Construction Management Plan required
- Daylight, Sunlight and Overshadowing Report required
- Height and massing unacceptable
- Unsympathetic design adjacent to conservation area
- Inadequate parking and will exacerbate existing parking problems
- Loss of sunlight
- Devaluation of properties
- Light pollution

Amended Plans

7 responses objecting to the revised plans

- Potential overlooking
- Plan required to minimise noise
- Daylight Distribution analysis should be undertaken
- Inadequate car parking
- Construction Management Plan required
- Marked bays should be provided in the Meriden Court car park/turning area
- Noise, dust and light pollution
- Unsuitable location of bin store
- Daylight/Sunlight assessment inadequate and inaccurate
- Height still a concern and would be detrimental to the conservation area
- Unsympathetic materials
- Clarification required regarding footpaths
- Light pollution
- No access for emergency vehicles
- Still a reduction in the number of affordable homes

4.0 RELEVANT PLANNING HISTORY

- 4.1 [P16/S4123/PEJ](#) – Pre-application advice for the demolition of Oakdale Court and Meridian Court and erection of 15 sheltered flats and 9 dwellings was provide in March 2017.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework

5.2 National Planning Policy Framework Planning Practice Guidance

5.3 The development plan comprises:

- The South Oxfordshire Core Strategy
- The South Oxfordshire Local Plan

5.4 The relevant development plan policies to this proposal are:

The South Oxfordshire Core Strategy

Policy No	Policy Title
CS1	Presumption in favour of sustainable development
CSS1	The overall strategy
CSM1	Transport
CSH1	Amount and distribution of housing

CSH4	Meeting housing needs
CSWAL1	The strategy for Wallingford
CSEN3	Historic environment
CSEM1	Supporting a successful economy
CSQ3	Design
CSB1	Conservation and improvement of biodiversity
CS1I	Infrastructure provision

The South Oxfordshire Local Plan

Policy	Policy Title
G2	Protection and enhancement of the environment
C6	Biodiversity conservation
C8	Species protection
CON7	Proposals affecting a conservation area
D1	Good design and local distinctiveness
D2	Vehicle and bicycle parking
D3	Plot coverage and garden areas
D4	Privacy and daylight
D6	Design against crime
D7	Access for all
H4	Towns and villages
T1	Transport requirements for new developments
T7	Cycling and walking

5.5 Emerging South Oxfordshire Local Plan 2033

This plan is not yet an adopted part of the development plan of the Council and as such can only be given limited weight. The Strategy continues to support and enhance the roles of the larger towns including Wallingford. The strategy for Wallingford seeks to allow housing on suitable infill and redevelopment sites.

5.6 Wallingford Neighbourhood Plan (WNP)

Wallingford Town Council are working towards the adoption of a Neighbourhood Plan and as such the Neighbourhood Plan has limited weight at this stage.

5.7 South Oxfordshire Design Guide 2016

5.8 Other relevant legislation

Planning (listed Building and Conservation Areas Act) 1990
 Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
 The First Protocol, Article 1 (Protection of Property)

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Impact on the character and appearance of the area and setting of the conservation area
3. Design/Layout
4. Highway considerations
5. Affordable Housing
6. Impact on the amenity of neighbouring properties
7. Trees/biodiversity
8. Infrastructure/Developer Contributions

9. Other material considerations

The principle of the development.

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of South Oxfordshire, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011. Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.
- 6.3 The National Planning Policy Framework (July 2018) (NPPF) advises that there is a presumption in favour of sustainable development. This is echoed within policy CS1 of the South Oxfordshire Core Strategy. The site lies in the centre of Wallingford, one of the towns in the district. It is a sustainable location and Policy CSWAL1 of SOCS sets out the overall strategy for the town. One of the aims of CSWAL1 is to achieve housing on suitable infill and redevelopment sites within the town. The scheme involves the redevelopment of a brownfield site which would accord with the overall strategy for Wallingford and as such the redevelopment of the site for housing is acceptable in principle. The details of the proposal as assessed against policy H4 of the Local Plan which deals with new housing is considered below.

Impact on the character and appearance of the area and setting of the conservation area

- 6.4 The site adjoins the Conservation Area on its eastern boundary (Egerton Road/South View). The Planning (Listed Buildings & Conservation Areas) Act 1990, Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.5 Core Strategy Policy CSEN3 provides that designated heritage assets will be conserved and enhanced and adopted Local Plan policy CON7 (conservation areas) echo these requirements. Core Strategy Policy CSQ3 requires that development respond positively to and respects the historic significance and heritage values of the historic environment.
- 6.6 Paragraph 193 of the NPPF provides when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Where a proposal results in less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196). Paragraph 200 provides that local planning authorities should look for opportunities within conservation areas and within the setting of heritage assets to enhance or better reveal their significance.
- 6.7 The character of the Victorian Suburbs area (set out within the Wallingford Conservation Area Appraisal 2017) is defined by C19 and C20 terraced housing. These buildings are of a domestic scale and fairly standard two storey set as terraces parallel to the road. The area is significant containing the best-preserved examples of workers housing during the 19th century phase Wallingford's expansion. The properties on Egerton Road and South View are particularly significant examples within this character area and are considered non-designated heritage assets.

- 6.8 Meridian Court and Oakdale Court have no great architectural merit or historic interest and the Conservation Officer (CO) has no objection to the proposed removal of these buildings or the principle of their replacement on heritage grounds. The original scheme was considered to be harmful to the significance of the conservation area by reason of its height and massing. The revised plans have sought to address these concerns. The apartment block has been amended to better reflect the scale of the buildings on Egerton Road. Although the proposed building would still initially be taller than the historic buildings, this difference is marginal and given also that there is a physical set-back from the building line on Egerton Road, the CO considers that this is sufficient to overcome the previous concerns raised about its juxtaposition with the terraced buildings in the conservation area. No conservation objection is therefore now raised in respect of this amended scheme.
- 6.9 The site is located in an area of archaeological interest and a programme of archaeological investigation will need to be undertaken ahead of any development. This can be secured through an appropriately worded condition.

Design and Layout

- 6.10 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creating better places in which to live. The NPPF also provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive and safe communities.
- 6.11 The NPPF goes on to advise that planning decisions should ensure that development, inter alia, will function well and add to the quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history; establish or maintain a strong sense of place and create places that are safe, inclusive and accessible and which promote health and well-being.
- 6.12 The design policies of the SOCS (particularly CSQ3) and SOLP policies (particularly D1-D4) echo these requirements.
- 6.13 Following discussions with the applicant, improvements have been made to the layout. The end housing Plot (20) now turns the corner with improved elevational treatment and entrance provided onto Charter Way which now provides an active frontage to both Charter Way and Meriden Court. The new access also includes a pedestrian route adjacent to the access road into the car park. The turning head at Meriden Court has been omitted from the scheme, following public consultation as it is regularly used for informal parking by existing neighbouring residents. The built form makes use of traditional roof pitches and proportions where possible. The external materials will make use of traditional brick and tiles but include a palette of timber effect panels finished in muted conservation colours with a combination of modern glazing features and wrap around dormer and canopy features to tie the old and new elements of the design.
- #### **Highway safety, convenience and traffic**
- 6.14 Policy T1 of the Local Plan requires all new developments to provide for a safe and convenient access to the public highway network for all users. Policy T2 requires appropriate parking, manoeuvring and turning space within all new development, including larger vehicles such as refuse lorries or emergency vehicles.

6.15 *Access*

Revised plans have been submitted to address highway concerns relating to the close proximity of the new access to the existing junction of Charter Way and Borough Avenue. The revised plans relocate the new access further to the south, which is now considered to be acceptable.

6.16 *Parking*

OCC has commented that the amended layout which provides for 32 parking spaces is acceptable for the amount and type of dwellings being proposed. The existing piece of adopted highway leading northwards off Meriden Court is being retained as existing and will be able to accommodate parked vehicles. There are also the parking spaces along the Egerton Road boundary of the site, which can accommodate visitors to the site.

6.17 Concerns have been raised that the Parking for Plot 23 is remote from the unit, being adjacent to Charter Way. The layout has been reconsidered but an additional unit would need to be omitted to accommodate more convenient parking spaces. The adjoining turning head is still however, available for informal parking and a rear pedestrian access is provided to Plot 23 so that the future occupants will have the option of parking on the turning head close to their home.

6.18 Local residents have also raised concerns about the use of the parking spaces along Egerton Road which are presently used by local residents. OCC has advised that this informal parking area is highway land which lies outside the application site. The application proposes to improve this parking area through part of a S278 agreement. It will remain highway land and cannot be allocated to any particular property or be exclusive to the application site. The residents of Egerton Road could still continue to park there.

Affordable Housing

6.19 Policy CSH3 of the SOCS specifies that 40 per cent of new homes shall be affordable, with a tenure mix of 75 per cent social rented and 25 per cent shared ownership. However in this case the applicant is SOHA, a registered social land lord and partner to the district council and they are proposing the development be 100% affordable housing.

6.20 The existing site provides for 30 affordable units. The proposed development is proposing 24 units resulting in a net loss of 6 affordable units in a central location. The Housing Development Officer has previously advised that as this scheme is an improvement over the existing accommodation then there is no objection on the basis of a reduction in the overall number. The provision of affordable housing could be secured through a Section 106 agreement.

Impact on the Amenity of Neighbouring Occupiers

6.21 Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers.

6.22 Concerns have been raised by neighbouring properties in respect of overshadowing, loss of sunlight and daylight. A Daylight, Sunlight and Overshadowing Report has been submitted which concludes that the proposed scheme would have a negligible impact on adjoining properties.

6.23 The Environmental Health Officer (EHO) had expressed concern that noise from any mechanical ventilation plant may affect existing adjacent residential property and had

requested a noise assessment to be submitted. The agent has confirmed that the only mechanical ventilation will be domestic extractor fans to the bathrooms and kitchens as found in normal single dwellings. There will be no MVHR plant, the building ventilation will be normal background ventilation via trickle vents and the like.

Trees/Bio-diversity

- 6.24 The proposed development would require the removal of 6 trees, none of which are of sufficient arboricultural quality to be considered as a constraint to development. The proposed layout would provide space for replacement planting, and a suitable landscaping scheme has been submitted. The Forestry Officer has no objection to the application on arboricultural grounds.
- 6.25 Policy CSB1 of the Core Strategy, Policy C8 of the South Oxfordshire Local Plan and NPPF paragraph 109 require that developments minimise impacts on biodiversity and provide net gains where possible.
- 6.26 The Countryside Officer has commented that the site is of a relatively low ecological value. No bats were noted during the required activity surveys, as such a European protected species licence is not created. House sparrows and house martins were noted nesting at the site and both are of conservation concern in the UK. As such, a condition is recommended to ensure that there is no net loss of biodiversity resource.

Infrastructure/Developer Contributions

- 6.27 Policy CSI1 of the Core Strategy requires that new development must be supported by appropriate on and off-site infrastructure and services. The Council has adopted a Community Infrastructure Levy (April 2016). The CIL charge would apply to new residential development. As the development provides affordable housing the applicants are able to apply for a social housing exemption.
- 6.28 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended). The S106 would secure the following:
- delivery of the affordable housing
 - a contribution of £170 per unit towards new recycling/refuse bins
 - a contribution of £321.60 towards street naming and numbering
 - The sum of £470 towards the Council's S106 monitoring fee
- 6.29 I consider that these contributions / obligations would accord with policy CSI1 of the SOCS. They would also accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development.

Other Matters

- 6.30 Some concerns have been raised in respect of the location of the bin store to serve the apartment block. The bin store is an enclosed building located convenient to both the apartments and roadside for waste collection. It is not considered that the location and use of this store would give rise to significant levels of noise/smell nuisance, particularly given that other bins would be placed by the roadside on waste collection day.

7.0 CONCLUSION

7.1 The proposal will create 24 new dwellings in a sustainable location and accords with paragraph 11 of the NPPF which sets out the presumption in favour of sustainable development. The revised scheme addresses the concerns raised in relation to the scale and massing of the apartment block and is now considered to have an acceptable impact on the setting of the conservation area. It is considered that there would be no significant harmful impact on the amenity of neighbouring properties. Overall the proposal accords with development plan policies and is thus recommended for permission.

8.0 RECOMMENDATION

8.1 **To delegate authority to grant planning permission to the head of planning subject to:**

i) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and

ii) The following conditions:

- 1 : Commencement three years - full planning permission.**
- 2 : Approved plans.**
- 3 : Schedule of materials.**
- 4 : New vehicular access.**
- 5 : UNIQUE - access and vision splays.**
- 6 : Turning area and car parking**
- 7 : Cycle parking facilities.**
- 8 : Construction traffic management.**
- 9 : Vehicle tracking plan.**
- 10 : Landscaping scheme (trees and shrubs only).**
- 11 : Travel information pack.**
- 12 : Archaeology (submission and implementation of a written scheme of investigation).**
- 13 : External lighting – specific.**
- 14 : Surface water drainage works (details required).**
- 15 : Foul drainage works (details required).**
- 16 : Ecology – bird nesting boxes.**

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