

Planning Application Comments

Planning Application Number: 23/01586/REM

Site Name: Phase 2A, Himley Village, Bicester

Planning Officer: Suzanne Taylor

Date of Comments: 25/10/2023

Comments by: Ewan Stewart

Objection

1. Proposal and policy/S106 requirements

This Reserved Matters Application, pursuant to Outline planning permission 14/02121/OUT, is for the erection of 123 dwellings, of which 37 are proposed as affordable dwellings. The policy requirement, set out in Policy BSC 3 of CDC Local Plan, is for 30% affordable housing, with 70% rented and 30% intermediate tenures.

The S106 agreement, signed in January 2020 requires the following:

P51 - Affordable Housing Tenure mix definition:

“approximately 70% shall be Affordable Rented Housing/Social Rented Housing (to be agreed between the Owner the District Council and the Registered Provider) and approximately 30% to be Intermediate Housing or such alternative mix of tenure as at any time may be submitted to the District Council for approval in writing”.

P49 - Affordable Housing mix definition:

“means a mix of tenure and dwelling types to reflect the requirements in the District Council’s administrative area which at the date hereof are required in the following form based on the indicative dwelling mix set out in the Planning Application:

Affordable Rent/Social Rent

- 1b2p maisonette with own entrance 25%
- 2b4p maisonette, ground floor with own entrance 10%
- 2b4p house 34%
- 3b5p house 24%
- 4b7p house 5%
- 2b4p bungalow 1.5%
- 3b5p bungalow 0.5%
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Shared Ownership

- 1b2p house 9%
- 2b3p maisonette with own entrance 9%
- 2b4p house 51%
- 3b5p house 25%
- 4b6p house 4%
- 2b4p bungalow 2%

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or such other tenure and dwelling mix as may be agreed in writing between the Owners and the District Council from time to time (both parties acting reasonably).”

The Design Statement for Phase 2 proposes the following affordable mix:

Rented (25)

- 1 bed flat x 6
- 2 bed flat x 9
- 2 bed house x 7
- 3 bed house x 3

Intermediate (12)

- 2 bed house x 6
- 3 bed house x 6

Strategic Housing’s response to the above proposal relevant to meeting identified housing needs and compliance with policies/S106 requirements is set out below along with the reasons for objection:

2. Housing needs in Cherwell

Recent data from Cherwell DC’s housing register highlights the following as a guide to meeting identified needs:

- The supply of 1-bed units is largely meeting demand for those who require 1-bedroom properties and who have significant or urgent housing needs. We now require 20-25% of the affordable mix to be 1-beds, and in the form of maisonettes, houses and/or bungalows.
- 2-bed provision is required in the form of houses. Flats and maisonettes of this size are not in high demand as they are usually allocated to households with children.
- The most pressing needs are for 3 and 4-bed properties, and a small number of 5 or 6-beds where possible. In the last few years, the need for 4-beds has increased, with waiting times of around 3-4 years for those with significant housing needs to secure a 4-bedroom home through our housing register.
- 10-15% of new-build dwellings are required as 4-beds to address this and approximately 35%-40% as 3-bed.
- There is a need for M4(3) wheelchair adapted dwellings, particularly for larger households, ideally bungalows.

3. Number, size, type and tenure

The overall proposed number is compliant with policy. We appreciate that this scheme is being brought forward in phases, and in our view, each phase should meet the policy requirement for affordable housing to achieve a balanced mix of tenures, distributed throughout the development.

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Regarding the tenure split, the number of rented has been rounded down from 25.9 to 25. Given the high levels of need for rented accommodation in Cherwell and the fact that the S106 requires “approximately” 70% rented we require this to be rounded up to 26. It is essential to ensure that the percentage of rented is adequately provided across the whole development. If the number remains at 25 rented on this phase, then this must be rectified on future phases.

We note that there are no 4-bed properties included in the rented mix and this must be rectified, particularly as there are 21 included in the market mix and given the pressing need for this size to meet affordable needs. The data in section 2 above shows that there is a pressing need for 4+ bedroom provision and there has been a recent increase in the need for 3-bed provision. The absence of 4+bed properties in the affordable mix also means that there are large areas of the site with solely market housing and, as set out in section 5, we cannot support this proposal until this is addressed.

A range of sizes is required on all developments, and at present the number of larger (3-bed and above) dwellings needs to be increased to address the shortfall and reduce waiting times. Current suggested mixes therefore contain less 1-beds than previously and more 3 and 4-beds.

We note that rented flats are proposed in the mix and this needs to be altered to maisonettes, particularly as the proposed flats are in blocks, concentrated in one corners of the site. As set out below, this makes the affordable housing stand out. Maisonettes allow the affordable housing to blend in more effectively with the market housing, they provide more private space as they have their own entrance and they reduce service charges for communal areas.

The numbers and sizes proposed for shared ownership are acceptable, demand is generally for 2 and 3-beds, although there is also a demand for 1-bed dwellings for low-cost sale.

Regarding tenure, we note that there is no proposed social rent provision. This tenure is the most affordable for households on our register and is also now supported by Homes England as the preferred tenure for rented affordable housing. We therefore expect at least some of the rented dwellings to be social rented and, in accordance with the S106, any affordable rents to be 80% of market rent or Local Housing Allowance rate, whichever is the lower.

4. Accessible & adaptable properties

The Developer Contributions SPD sets out CDC’s expectation that 50% of the affordable rented housing required will be built to Building Regulations Requirements M4(2) Category 2: accessible and adaptable dwellings.

We expect that all ground level dwellings (apart from any M4 Category 3) will be included in the 50% and that Level Access Showers and level access thresholds are installed from the outset. The Council’s Occupational Therapist service has advised that this is essential for ground floor properties as the

clients they assess cannot manage a step up to the property and also cannot use a bath.

In addition, the SPD requires that 1% of the affordable housing should be built to Building Regulation Requirement M4(3) Category 3: Wheelchair User Dwellings. Where 1% equates to less than one dwelling, we request that at least one wheelchair adapted dwelling is provided as there is a pressing need for this provision in a range of property types and sizes. There is an identified pressing need for larger wheelchair adapted properties which could accommodate larger households with one or more member with a disability.

This requirement is expected to be assessed on a site-by-site basis in discussion with the developer, and we welcome discussions with the applicant regarding the provision of wheelchair adapted properties ie Category 3 2(b).

5. Reasons for objection

1. The affordable mix is not in accordance with S106 requirements or the Council's recent suggested revised mix

The Planning Statement states at para 7.52 that "the affordable mix is in general accordance with that set out within the Section 106 Agreement that was completed as part of the Outline planning permission". However, as set out above, the S106 specifically requires maisonettes rather than flats and contains 4-bed provision and bungalows. The proposed mix is not in accordance with the S106 as it proposes flats and does not contain any 4+-bed provision, bungalows and/or or M4(3) wheelchair adapted provision.

The S106 states that an alternative mix can be agreed with the Council in writing from time to time. Strategic Housing comments submitted in May 2023 confirmed that a different mix does need to be agreed to address current and projected future housing need and suggested a mix that would achieve this.

The proposal does not adequately reflect either S106 requirements or Strategic Housing's recent comments, nor has the applicant approached the Council to discuss this matter.

A suggested mix, based on up-to-date data from CDC's housing register, is set out in section 6.

2. The design and layout does not promote adequate tenure distribution or integration

As outlined above, flats are not acceptable in the mix. The S106 specifically requires smaller unit sizes to be maisonettes with individual entrances. This is the Council's preferred property-type for smaller dwellings as they provide more private space, reduce service charges for communal areas, and the design enables the affordable dwellings to blend in with the market housing more effectively.

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The design of the proposed scheme, with blocks of affordable flats concentrated in one corner, is likely to make the affordable housing stand out. There are no blocks of flats proposed in the market mix and having blocks of affordable flats will make the affordable housing stand out.

This also creates concerns regarding the tenure distribution. The proposed blocks of flats enable larger clusters, and as a result, large parts of the site are solely market housing. The other part of the site has a row of mostly affordable housing with solely market houses on the other side of the road and at one end of the site, which are notably more spaced out and with better parking arrangements.

In order to support this proposal, the tenures need to be more evenly distributed throughout the site. Incorporating maisonettes rather than flats and some 4-bed houses in the affordable mix will assist with this.

6. Summary & revised affordable housing mix

Taking the above details into account, we suggest the following revised affordable mix:

Rented (26)

- 8 x 1-bed 2-person maisonettes with GF as M4(2)
- 6 x 2-bed 4-person houses
- 1 x 2-bed 4-person bungalow M4(3)*
- 7 x 3-bed 5-person houses
- 1 x 3-bed 5-person bungalow M4(3)*
- 3 x 4-bed 7/8-person houses

**required sizes may change following discussions with Housing Standards team*

Intermediate (11)

- 6 x 2 bed houses
- 5 x 3 bed houses

All rented dwellings must comply with NDSS dimensions as a minimum and the affordable housing must be adequately distributed with and externally indistinguishable from market dwellings.

We request that ground floor maisonettes are included in the 50% M4 (2) provision and that they have Level Access Showers and thresholds from the outset as they will most likely be occupied by households who have been assessed by the Occupational Therapist as requiring these features due to limited mobility.

The Strategic Housing team welcome a discussion with the applicant regarding the above details with a view to agreeing an acceptable mix on this phase and future phases, particularly with regard to how the need for larger and wheelchair adapted properties will be addressed. We are aware that this

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ties in with the proposed Design Codes and Masterplan and comments on this will follow in due course.