

West Area Planning Committee

Tuesday 24 January 2017

Corrected report:

**16/01909/FUL: Linton Lodge Hotel, 11-13 Linton Road,
OX2 6UJ - corrected text is highlighted in yellow**

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West Area Planning Committee

24th January 2017

Application Number: 16/01909/FUL

Decision Due by: 13th September 2016

Proposal: Erection of a part one and half storey, part two and half storey rear extension to provide an additional 22 bedrooms, following demolition of existing stair core. Replacement windows to east and west elevations of existing rear three storey wing. Replacement windows and alterations to roof and facade materials of existing rear single storey wing. Replacement of front lobby extension, including formation of roofs to existing bay windows, replacement of windows, replacement of 3No. dormer windows and alterations to facade materials. Alterations to existing car parking and landscaping with provision of bin and cycle store.

Site Address: Linton Lodge Hotel 11-13 Linton Road Oxford Oxfordshire

Ward: St Margarets Ward

Agent: Ms Caroline Wilberforce

Applicant: Khanna Enterprises
(Oxford) Ltd

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

Reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately

addressed and the relevant bodies consulted.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Revised Landscape plan & long term maintenance schedule required to include living walls
- 5 Landscaping - carry out after completion
- 6 Arboricultural Method Statement – as approved
- 7 Tree Protection Methods – as approved
- 8 Car parking laid out - as approved
- 9 Cycle parking - further details required
- 10 Travel Plan - draft approved & update required post occupation
- 11 Construction Traffic Management Plan required
- 12 Ground resurfacing - SUDS compliant
- 12 Glasshouse – restoration prior to occupation of rear extension

Legal Agreement & CIL:

The development is CIL liable: £15,157.09

County:

A legal agreement required: A Travel Plan monitoring fee of £1,240 is required prior to first occupation of the additional hotel rooms to enable the Travel Plan to be monitored for a period of five years.

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP20** - Lighting
- CP21** - Noise
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- NE23** - Habitat Creation in New Developments
- TR1** - Transport Assessment
- TR2** - Travel Plans
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- TA2** - Transport & Tourism
- TA4** - Tourist Accommodation
- TR14** - Servicing Arrangements

TR1 - Transport Assessment

HE7 - Conservation Areas

Core Strategy (CS)

CS18_ - Urban design, town character, historic environment

CS12_ - Biodiversity

CS2_ - Previously developed and greenfield land

CS32_ - Sustainable tourism

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

This application is in the North Oxford Victorian Suburb Conservation Area.

Relevant Site History:

11/02916/FUL - Removal of existing entrance canopy. Erection of new entrance with glazed canopy over, tile hanging to front elevations, single storey extension to create orangery, and creations of additional car parking area to rear. Installation of new windows and doors and metal railing to front boundary wall.. Withdrawn 16th January 2012.

12/01150/FUL - Removal of existing front canopy and erection of new entrance porch. New tile hanging to front elevation. Erection of rear conservatory and installation of new windows and doors. Erection of new railings and wall to front boundary. (Amended Plan). Approved 18th July 2012.

Statutory Consultees:

Oxfordshire County Council Highways: No objection raised subject to conditions requiring a Construction Traffic Management Plan; in accordance with draft Travel Plan (updated info post occupation); SUDS measures; and cycle parking details. S106 contribution of £1,240 towards Travel Plan monitoring.

Representations Received:

A large number of comments from interested groups, neighbouring residents and residents' associations were received. Comments on the original submission can be summarised as:

Design and impact on the CA

- The size of the development is too large [rear extension]
- The architecture is not in keeping with the area or in keeping with adjacent homes and ugly
- The hotel has a deleterious effect on the aesthetic of the suburb and the proposed plans do not help this problem
- Objection to the appearance and enlargement of the porch
- The present porch was an improvement but the new design is 'grotesquely hideous' and not in keeping with the conservation area
- Unattractive, such as the blue lighting around doorway at night
- The current building fits into the area but if the building increases in size it will not
- A hotel in the area is not in keeping with the conservation area to begin with

- Large rear gardens are a typical feature of the area and the extension into the garden is not in keeping
 - The ugliness of the building is mitigated by the garden area, but the extension will fill most of the remaining garden
 - Amount of open spaces between buildings are being eroded. This is an essential element of the area's character
 - Edwardian sunken garden will be affected by new building and construction work
- The development would change the character and appearance of the area
 - It not preserve or enhance the character or appearance of conservation area
 - Compromises the beauty of the area
- In order to conform to national and local policies the proposal should make positive contribution/preserve/enhance the character and distinctiveness of the area.
- It will harm the conservation area even if the harm is not visible to the public
- The Victorian Group of the Oxfordshire Architectural and Historical Society urges the restoration of the conservatory which is 'some hundred years old'
- A grant of consent for this scheme will set a precedent
- The development makes no use to use an appropriate style or materials
- Windows will be replaced in PVC not appropriate timber

Highways/ Parking

- Taking place within a controlled parking zone, the additional rooms will lead to extra demands on parking.
- Parking in this area has been reduced in recent years and pressure on spaces will be worsened
- Detrimental effect on street parking which already faces capacity issues
- Increased pollution and disruption from cars
- Danger to pedestrians cyclists, reduces safety of cycle route, increased likelihood of accidents and children travelling to school.
- Increased number of coaches and taxis, many of whom leave their engines on or park overnight
- Unable to cope with the coaches on residential streets
- Contrary to the Oxford Transport Strategy
- Increased number of deliveries at all times of the day would be disruptive

Reduced Privacy and Amenity

- The new bedroom block will reduce the privacy and amenity of neighbours
- It will also reduce amount of light coming into their home and garden
- The additional occupants will increase the noise in the area
- The building work will cause noise and dirt
- Artificial light pollution from security lights

Flooding

- The rear extension has caused flooding concerns due to reduced soak away and close proximity to river

Trees

- Impact on green space and amenity
- Concerns with preservation orders on these trees
- Loss of green space between Northmoor and Charlbury Roads

Tourism

- Violates tourism policy TA4

- Large scale tourist infrastructure should be strongly discouraged from residential areas
 - Unwelcomed in the residential area

Safety Issues

- Burglaries are a problem in the area and the extension will introduce new activity to the poorly overlooked rear.
 - Feeling of insecurity as a result.
- The hotel already attracts crime ie arson attacks in the past
- Risk of greater problems with more intensive development
- Concerns regarding fire access and safety

Support

- Some commenters have welcomed the alterations
 - Cosmetic proposals soften the impact
 - The proposed new building is more attractive and more in keeping than the 1970s block attached

Comments on the revised plans and additional information can be summarised as:

- The changes made do not address previous concerns and objections still stand (as above).
- The Travel Plan published on 30th November is inadequate. Its aspiration to reduce peak time trips by motor vehicle by 25% over five years is weak: the figure of 25%, from a baseline of the increased trip numbers after extension, is arbitrary and given no justification. No target is set for non-peak trips. LTP4 is not mentioned at all.
- Incentive to actively travel (walking and cycling) is unimaginative.
- Scheme offers poor-quality cycle parking at the hotel, failure to offer cycles to guests as some hotels do, failure to promote Oxford's cycle hire schemes.
- Online and well-established journey planners apps are available to help guests find their way by bike or public transport
- Changes to proposed porch are an improvement but still sits uncomfortably in CA

Site Description and Proposals

1. The site is an existing hotel which lies within the suburban residential area north of Oxford City centre and sits within the North Oxford Conservation Area (NOCA). NOCA is characterised in part by Victorian villas, hotels and academic buildings set within generous gardens, with mature trees and planting.
2. It is proposed to demolish and replace the existing entrance lobby/ porch to the hotel and make changes to a number of existing windows and dormer windows and materials on the front façade. To the side of the hotel it is proposed to make changes to the façade and roof of an existing single storey element that faces onto the car park. The car parking spaces are to be rearranged within the car park and new entrance gates provided onto

Charlbury Road. To the rear it is proposed to erect an extension over two and three floors in a traditional Arts & Crafts style to provide an additional 22 rooms. Elsewhere to the rear it is proposed to replace the existing windows in the east and west elevations of the existing rear three storey wing. New landscaping is indicated together with the retention and restoration of the existing greenhouse.

Officers' Assessment:

3. Officers consider the following issues are relevant in determining the application:
 - Principle of Development;
 - Design and CA;
 - Highways and Parking;
 - Residential Amenities;
 - Landscaping and Trees;

Principle of Development

4. There is an acknowledged need for short stay hotel accommodation within the City. Policy CS32 of the Core Strategy (2011) seeks to achieve sustainable tourism by encouraging longer stays and greater spend in Oxford. The amount and diversity of short-stay accommodation to support this aim will be achieved by permitting new sites in the city centre (including the West End) and on Oxford's main arterial roads, and by protecting and modernising existing sites to support this use.
5. Policy TA4 of the Oxford Local Plan 2001-2016 states that permission will be granted for development that maintains, strengthens and diversifies the range of short-stay accommodation provided that a) it is located on a main route into the City; b) that it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements; c) part of any existing dwelling to be changed to short stay accommodation is retained for residential use; and d) it will not result in an unacceptable level of noise and disturbance to nearby residents.
6. The hotel is an existing hotel and therefore the criteria relating to main routes into the City and changes of use of residential properties are not applicable in this case. The additional accommodation provided would accord with both CS32 of the Core Strategy (2011) and Policy TR4 of the Oxford Local Plan 2001-2016 to strengthen and maintain existing sites. Issues relating to Highways and impact on residential amenities are set out in more detail below and subject to those being satisfactory; the principle of increased hotel accommodation is considered acceptable.

Design and the Conservation Area

7. The application site lies on the north side of Linton Road in the heart of the North Oxford Victorian Suburb Conservation Area (NOVSCA). The road and

the surrounding area is characterised by the large, detached and semi-detached Victorian villas which sit in generous gardens set back from the street behind a mixture of low walls with fences or railings and hedges or shrub planting.

8. Linton Lodge has evolved as the combination of two villas with a considerable 20th Century extension to the rear of the original buildings and alteration and extension to the front of the original houses which date from the end of the 19th Century or early 20th Century and display evidence in surviving remnants of having been designed in an arts and crafts/domestic revival architecture that is not atypical of surrounding houses built at this period. The frontage, forward of the building's street façade, is open, permitting car parking.
9. Local planning authorities have a duty to have special regard to the preservation or enhancement of designated heritage assets, (e.g. listed buildings and conservation areas). In the NPPF the government has reaffirmed its commitment to the historic environment and its heritage assets which should be conserved and enjoyed for the quality of life they bring to this and future generations. Para 132 of the NPPF advises Local Planning Authorities that great weight should be given to the asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
10. Policy CP1 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP6 of the Oxford Local Plan 2001-2016 states that development proposals should make the best use of site capacity but in a manner that would be compatible with both the site itself and the surrounding area. Policy CP8 of the Oxford Local Plan 2001-2016 suggests that the siting, massing and design of any new development should create an appropriate visual relationship with the form, grain, scale, materials and detailing of the surrounding area.
11. Policy HE7 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that preserves or enhances the special character and appearance of conservation areas and their settings. Policy CS18 of the Core Strategy (2011) emphasises the importance of good urban design that responds to its setting, draws inspiration from the historic environment and responds to its unique character and distinctiveness locally.
12. The alterations to the single storey side wing and front façade windows (including the dormers) and rear replacement windows would enhance the appearance of the building and unify previous alterations in the mid-20th

Century and harmonise its appearance. They relate well to the earlier existing buildings and it is considered they would not be harmful to the character and appearance of the existing buildings, street scene or NOVCA.

13. The comments made by members of the public regarding the design of proposed new lobby/ porch are noted. It is considered that the revised changes are an improvement on those originally submitted and the new entrance lobby would be a considerable improvement on the existing lobby and would appear more in keeping with the character and appearance of the original Victorian Villas. The property is set back with the existing car parking area in front and the proposed lobby would not appear prominent in the street scene. Whilst it is acknowledged that the design detailing of the lobby could be more reflective of the Victorian Villa Arts & Crafts architectural style, the new proposal would not be harmful to the character and appearance of the existing buildings, street scene or NOVCA and further joinery details in order to raise the overall design quality of these elements could be secured by condition.
14. The comments made by members of the public regarding the design of the rear extension and harmful impact on the NOVCA are also noted. It is this aspect of the proposed development in terms of design, conservation area impact and highway/ parking terms that has caused much of the objections to the scheme, the latter dealt with later in this report. The character of the NOVCA is one of green spaces between buildings with mature trees and planting representative of the original Victorian suburban layout. Officers have given careful consideration to this character of the area in assessing the rear extension element. The two gardens, one sunken, that originally belonged to the two co-joined Villas are still visible within the Hotel garden, despite having been divided by previously built rear extensions, most notably the 1970's one. Nevertheless, the Hotel still retains the feeling of being set within a large garden contemporaneous to the NOVCA. Properties to the west on Northmoor Place, are a 20th Century insertion and a-typical of the general character of the suburb with short gardens backing onto the hotel garden to the east. To the east are properties on Charlbury Road, the closet two properties to the new extension would be Nos. 18b & a respectively. Both these properties have been extended in recent times and have resulted in shorter gardens that back onto the sunken garden area of the Hotel.
15. The rear extension has been carefully designed in an Arts & Crafts style and relates well to the existing Victorian house, although at odds with the existing 3 storey rear 1970's extension that it joins onto. (Officers acknowledge that the rebuilding of this 1970's section is financially unviable, which is unfortunate). Nevertheless the proposed architectural style is acceptable and the use of that architectural form to lessen its massing has been used to good effect (e.g. cat-slide roofs and dormer windows). Whilst it uses flat sections of roof in certain parts due to the depth, this would not be highly visible and the overall pitched roof form is acceptable.
16. Its position adjoining the end of the 1970's extension means that the sense of the two original gardens would still be retained. The sunken garden element

is also followed through and the retention of an old boundary wall still delineates the garden in the eastern part of the site. The glasshouse to the rear of the sunken garden, which is thought by Officers to be contemporary to the original Villa, is now to be retained and restored for use by guests. This structure adds value to the character of the Conservation Area and its retention is welcomed. Whilst it is a reasonable sized extension providing 22 rooms and is two to three storeys in height, Officers consider it would not have a significant impact on the existing footprint of the garden(s) or its relationship to adjoining properties. It would maintain approximately 15m to the rear of Northmoor Properties and 20m to the Charlbury Road properties and 19m to the end of the northern sunken garden. The existing landscaping is proposed to be enhanced, including new tree planting. Views to this extension are limited to a small angled view from Charlbury Road otherwise it sits within private rear views from adjacent properties. It responds to the character of the locality in architectural style and form and Officers consider it would not be harmful to the special qualities of the locality, and in particular to the green openness and spaces between buildings which is an important characteristic of this part of the NOVSCA.

Highway and Parking:

Car parking and Highway Impact

17. The application proposes the extension of the hotel to provide an additional 22 rooms, bringing the total number of rooms at the hotel up from 87 to 109. There are currently 27 car parking spaces on-site and the application proposes the reconfiguration of the existing parking areas to create one additional parking space, new brick piers to Charlbury Road entrance and landscaping improvements. The site lies within a Controlled Parking Zone (CPZ).
18. The provision of 28 car parking spaces for the proposed 109 rooms at the hotel is well below the maximum standard for hotel parking as set out in the Adopted Parking Standards SPD. However, the Transport Statement submitted provides evidence which demonstrates that currently it is not often that the existing car park on-site is at capacity.
19. The County Highways Authority (HA) has commented that the hotel is eligible for Guest House Parking Permits within the CPZ. The submitted Transport Statement states that these permits are not frequently issued and the HA has confirmed that in the previous year (2015) the hotel obtained two Guest House Parking Permit books containing 50 visitor permits per book. The hotel therefore only used up to 100 Guest House Parking Permits during that year. The HA does not consider this to be a significant number. However, they comment further that taking into account the increase of the hotel's capacity with just one additional on-site car parking space, the proposed extension will likely lead to an increase in the frequency in which the on-site car parking is at capacity and that on-street parking permits are issued by the hotel. Unless measures are put in place to reduce the number of vehicle trips generated by the hotel and the hotel's parking demand.

20. In line with requirements set out in the County's Oxford Transport Strategy where an increase in on street parking is proposed, a parking survey has been submitted which demonstrates that there is currently a degree of spare capacity within the existing provision of on street parking bays. The HA also accepts that the hotel is currently eligible to issue on street parking permits to guests. However, the HA would not wish to see those spaces filled entirely by vehicles associated with the extended hotel as this could restrict the availability of those on street parking spaces for other users.
21. While accepting that the parking survey indicates that there is currently some spare capacity in the provision of on street parking which could accommodate a modest increase in parking demand associated with the proposed development, the County Council considers that on street parking should not be wholly relied upon by the applicant to accommodate this demand. Therefore, efforts should be made to increase the mode share of sustainable transport to and from the hotel by both guests and staff. This is also required to help ensure that opportunities for sustainable travel are taken up, as required under the NPPF.
22. Accordingly, the HA recommended that a Travel Plan (TP) be produced which outlines the measures that the hotel will take to promote the use of sustainable transport to and from the hotel for all users of the site. The HA does not consider that the increase in vehicle trips associated with the increase in the hotel's capacity is likely to be severe or detrimental to the safety or operation of the highway. However, as outlined above, the number of additional vehicle trips to the hotel should be minimised through the use of a TP and Travel Information Packs (issued to staff and guests). Through the TP the travel demand for staff can be better managed and the parking demand for staff can be reduced. This would free up some additional space within the hotel car park to accommodate some of the potential increase in parking demand from visitors.
23. In other circumstances this would be conditioned, as suggested by the HA, but in this case Officers requested a draft Travel Plan prior to determination to be assured that the impact could be satisfactorily mitigated. Residents and the HA were re-consulted on this document.
24. The HA commented that the submitted Draft TP is acceptable but would need updating, as is the usual course of events, once the extension is occupied. It is also stated that in view of the fact that they only issued two books of 50 guest house permits to the hotel in 2015 on-street parking was not used frequently by visitors to the hotel. The submitted information demonstrates that the area around the hotel was not under any significant pressure for parking demand, and that currently the hotel's car park often has spare capacity. Therefore although there may in reality be a slight increase in the frequency with which the hotel issues on-street permits to visitors, given additional capacity within their car-park from the reduction in staff parking demand gained through the TP measures together with the current spare capacity on-street, the additional demand for on-street parking is not likely to

be high, have any significant detrimental impact on the operation of the highway or restrict availability of on-street parking for residents. No objection is therefore raised by the County HA to the proposal subject to conditions.

- 25.** Residents' concerns that there would be an adverse impact on on-street parking and increased traffic generation as a result of the extra 22 rooms are understood. Together with suggestions how the hotel could improve the submitted TP. However, the evidence submitted by the Applicant together with the information and comments of the HA indicate that whilst there is likely to be an impact this would not be significant and therefore harmful and could be satisfactorily mitigated by the TP measures, which can be secured by condition. Therefore Officers raise no objection and the proposal accords with Policies CP1, TR1, TR2, TR3 and TA2 of the OLP.

Cycle parking

- 26.30** Cycle parking spaces are proposed within the site for use by staff and visitors.; 20 in two locations within the rear car park area, and 10 to the front car park area. The HA welcomes the addition of a number of cycle parking spaces proposed. The number of spaces accord with the minimum standard based on 1 space per non-resident staff (total of 31), which is equivalent 6.5 spaces. Further details of these cycle parking spaces, which should be secure and covered, can be secured by condition. The proposal accords with Policy TR4 of the OLP.

Residential amenities:

Overbearing

- 27.** As stated above the extension has been designed to reduce the mass and limit the impact on neighbouring amenities. There is a distance of approximately 15m to the rear of 5, 6 & 7 Northmoor properties to the **west** and 20m to the rear of No.18b Charlbury Road. The side elevations facing these properties are proposed to have living walls to help mitigate against the impact of a new part of the hotel in this location and encourage a sense of green garden. The **western** elevation has also been reduced to single storey in response to Officer's concern that this would appear overbearing at two storey to these properties. Overall it is considered that the extension would not appear overbearing or significantly visually intrusive given its height(s), massing and visual appearance and would not harm neighbouring residential amenities in these terms. Details of the living wall and future maintenance could be secured by condition.

Sunlight and overshadowing

- 28.** In terms of impact on light, the application submitted a light study assessment based on the BRE guidance which shows that there would be no significant harm to light received to the windows of neighbouring properties as a result of the rear extension. Other alterations would have no adverse impact on light. The study also assessed overshadowing from the proposed extension and

found it would not have any significant impact on adjoining gardens. The results of this submitted study show that overall the impact on neighbouring properties is in line with the criteria set out in the BRE guidance and therefore acceptable. Officers consider that overshadowing would not be significantly more than currently exists due to proximity of existing buildings and structures, and trees on the shared boundaries. No objection is therefore raised in terms of impact on light and overshadowing.

Overlooking & loss of privacy

29. In terms of overlooking and loss of privacy, the rear extension has windows at first floor in the **east** elevation to staircases and these could be conditioned to be obscure glazed to mitigate any overlooking towards 18b Charlbury Road. At roof level there are two dormer windows; one facing **east**, also to the staircase, could be conditioned as obscure glazed and one facing **west** to Northmoor properties. This latter dormer is to a bedroom and it sits 11.5m back from the edge of the **west** façade of the extension on the two storey element. In front of the dormer is a section of flat roof that nestles between the two gables of the **western** façade. It would be approximately 21m to the boundary with Northmoor properties and 27m to the rear façade of no.7 Northmoor which sits directly opposite. Officers consider that whilst this dormer would introduce a window in this location there would be sufficient distance between the properties and the flat roof in front would obscure views down to the ground floor and garden, maintaining privacy. The transitory nature of hotel room occupation means that occupants are unlikely to be in the room all day, every day. On balance therefore Officers raise no objection to this window.

30. In summary it is considered that there would be no significant harm to residential amenities as a result of the proposal and it accord with Policies CP1 and CP10 of the OLP.

Trees and Landscaping:

31. The most significant tree, in terms of individual quality, in the vicinity of the proposed development is a silver pendant lime (T35) situated in the north west corner of the **sunken** garden and is visible from views into and out of the site. The other trees are located along the eastern boundary wall that encloses the garden from adjacent properties along Charlbury Road; these include 5 Eucalyptus trees of varying sizes; the contribution that they make to the conservation area is considered to be neutral. A semi-mature yew tree is also situated at the southern end of this wall. None of the trees are visible to significant public (street) views but provide elements of visual separation between properties.

32. It is proposed to re-model and re-landscape the rear sunken garden through extensive additional shrub and herbaceous planting. It is also proposed to remove 12 low quality (C) Category trees (BS.5837;2012) within the sunken garden area; this will have a negligible impact on public visual amenity or to the character and appearance of the conservation area. A further low quality

ash tree (T39) situated on the frontage with Charlbury Road at the entrance to the car park is also proposed to be removed and replaced by shrubs more appropriate to the raised planter where the tree stands and which it has outgrown. It is also proposed to create two living walls of the west and east elevations of the rear extension. The proposed landscaping is considered acceptable and there would be no harm to the significant lime tree of the NOVSCA. Suitable tree protection measures and further details and management of the living walls can be secured by conditions. The proposal accords with Policies CP1, CP11, NE15 and NE16 of the OLP.

Conclusion:

33. The proposed development would not harm the character and appearance of the existing hotel or harm the character and appearance, and in particular the openness, of the NOVSCA. There would be no harm to residential amenities or the highway, both in terms of parking and highway movements. The West Area Planning Committee is recommended to approve the proposal for the reasons set out above and subject to and including the conditions listed at the beginning of the report.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Felicity Byrne

Extension: 2159

Date: 12th January 2017

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