

Law and Governance

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To Members of the East Area Planning
Committee

01 February 2012

Our ref:

Your ref:

Dear Councillor

EAST AREA PLANNING COMMITTEE - WEDNESDAY 1 FEBRUARY 2012

I attach the following report which the Chair has agreed to certify as urgent business.

Agenda No Item

- a) Barton Pool, Waynflete Road, Oxford - 12/00195/CT3 (Pages 1 - 4)

Yours sincerely

Mathew Metcalfe, Democratic Services Officer
Democratic Services Officer
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East Area Planning Committee

1st February 2012

Application Number: 12/00195/CT3

Decision Due by: 23rd March 2012

Proposal: Installation of photovoltaic panels.

Site Address: Barton Pool Waynflete Road Oxford Oxfordshire

Ward: Barton And Sandhills Ward

Agent: Mr Inderpal Bhogal – ADP
Architects

Applicant: Oxford City Council

Recommendations:

- 1) That the committee delegate authority to officers to determine the application, in liaison with the Chair of the East Area Planning Committee, pending the expiry of the consultation period.
- 2) In the event that the committee resolves to delegate the determination of the application, Members are asked to indicate to officers the main issues arising from the application as they see them.

For the following reason:

In order that a prompt decision can be made so that, in the event that planning permission is granted, it would still be possible to implement the development within the timescales of the expiry of the higher Feed in Tariffs for renewable energy currently being offered by the government, without the need for an extraordinary meeting of the Committee.

Main Local Plan Policies:

The policies listed below are those which are considered to be relevant in the consideration of this application.

Oxford Local Plan 2001-2016

CP1 Development proposals

CP10 Siting Development to Meet Functional needs

CP16 Renewable Energy

Core Strategy

CS9 - Energy and natural resources

CS18 - Urban design, town character, historic environment

Other Material Considerations:

PPS22 – Renewable energy

Relevant Site History:

09/02718/CT3- Erection of single storey extension to pool building to provide fitness gym. Approved -02.02.2010

Representations Received: None to date but officers will carefully assess any representations that are received with a view to addressing any concerns and, if necessary imposing planning conditions to mitigate against any identified harm.

Statutory and Internal Consultees: None to date but officers will carefully assess any representations that are received with a view to addressing any concerns and, if necessary imposing planning conditions to mitigate against any identified harm.

Issues:

Sustainability

Visual Impact

Impact on Neighbours

Officers Assessment:

1 Site

1.1 The application site comprises of the Barton Pool and Leisure centre, south of Waynflete Road in Barton. Adjacent to the site on the east and west are Bayards Hill Primary and Ormerod School, with the school playing fields extending south of the site bounded by the London Road.

2 Proposal

2.1 Planning permission is sought for the installation of solar panels on the flat roof of the Main hall, pool hall and gym. The panels are proposed in a 2x2 cluster formation on the pool hall and main hall 8 x linear rows of four extending the along the width of the gym roof.

3 Sustainability:

3.1 This proposal constitutes a highly sustainable development that would increase the energy efficiency of the building by the use of renewable energy from the sun through photovoltaic technology.

3.2 Renewable energy is that which flows from naturally occurring sources and in this proposal, the sun. The Government currently offers ranges of incentives to stimulate the generation of electricity supplies through renewable sources. Policy CP16 of the OLP states that the City Council will encourage the use of photovoltaic panels where appropriate on both new and existing buildings in appropriate locations. Policy CS9 of the adopted Core strategy states that development should seek to minimise

carbon emissions and where possible include optimising energy efficiency by utilising appropriate technologies. .

- 3.3 Whilst the performance of the photovoltaic system proposed cannot be predicted with any certainty due to variability in solar radiation over the seasons, the estimate provided by the applicant's agent is that the power generated by the scheme proposed would generate 38,010 kwh/yr and reduce CO₂ emissions by 20,107 kg/yr.

4 Visual impact and impact on neighbours

- 4.1 Policy CP1 of the OLP is a central and general policy which states that development will only be granted planning permission where the proposal respects the character and appearance of the area. Policy CP10 has regard to the siting of development for functional needs. It states that planning permission will only be granted where proposals are shown to not adversely affect occupiers of the properties surrounding the proposed development.
- 4.2 The Leisure Centre and pool building, whilst fairly modern in construction, are functional and utilitarian in appearance. The building is flat roofed with a shallow parapet; it is therefore unlikely the panels would be visible from the street scene, or would cause any nuisance to neighbours through glare.
- 4.3 However, even if it were identified that the panels were visible to some of the occupants in Waynfilet Road, their properties are set back from the proposal site such that any adverse impact would be limited.
- 4.4 The site is not within a conservation area and nor is it listed, or close to affecting any listed buildings.

5 Summary

- 5.1 Officers will carefully consider and have due regard to any comments which may be received during the consultation period.
- 5.2 Officers have not yet identified any issues or constraints that would have a bearing on a recommendation but should any be identified during the consultation period these will be assessed and addressed in any recommendation or in liaison with the Chair of the East Area Planning Committee.
- 5.3 Should any adverse impacts be identified, officers will consider if any unacceptable harm could be overcome by the imposition of conditions, if planning permission is granted.

Human Rights Act 1998

Officers will consider the Human Rights Act 1998 in reaching any recommendation. Officers will also consider 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 in the event that planning permission is granted and conditions are imposed on the basis that those actions will be proportionate.

Officers will also consider the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol if planning permission is granted and conditions are imposed. In such circumstances Officers will have considered 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 would therefore be justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers will consider, 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, officers will have to consider whether the proposal will undermine crime prevention or the promotion of community safety.

Background Papers: 12/00195/CT3

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Date: 31st January 2012