

Agenda

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East Area Planning Committee

Date: **Wednesday 5 June 2013**

Time: **6.00 pm**

Place: **The Old Library, Town Hall**

For any further information please contact:

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East Area Planning Committee

Membership

Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
Councillor Mary Clarkson	Marston;
Councillor Van Coulter	Barton and Sandhills;
Councillor Steven Curran	Northfield Brook;
Councillor Roy Darke	Headington Hill and Northway;
Councillor Sam Hollick	Holywell;
Councillor Ben Lloyd-Shogbesan	Lye Valley;
Councillor Michele Paule	Rose Hill and Iffley;
Councillor David Rundle	Headington;

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

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AGENDA

Pages

1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2013/14

The East Area Planning Committee elects Councillor to be the Chair for the Council year 2013/14.

2 ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2013/14

The East Area Planning Committee elects Councillor to be the Vice Chair for the Council year 2013/14.

3 START TIME OF MEETINGS

The Council and Committee programme for the Council years 2013/14 and 2014/15 was agreed by Council on 22 April 2013. The start time for the East Area Planning Committee has been assumed as 6pm.

The Committee confirms the start time of its meetings for the remainder of the Council year 2013/14 will be 6pm.

4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

5 DECLARATIONS OF INTEREST

6 FORMER COMMUNITY CENTRE, WESTLANDS DRIVE: 12/03281/FUL

1 - 18

The Head of City Development has submitted a report which details a planning application to demolish the existing building. Erect 21 flats (14 x 1-bed, 7 x 2-bed) on 3 floors, together with 21 car parking spaces, 56 cycle spaces and landscaping. (Removal of stair core to mansion block, revised landscaping and provision of foul water drainage system including on-site storage flow control device)

Officer recommendation: That the Committee GRANT planning permission subject to conditions, but defer the issuing of the decision notice until the satisfactory completion of the associated Section 106 legal agreement. and delegate the issuing of the decision notice to the Head of City Development.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Boundary details before commencement
- 5 Landscape plan required
- 6 Landscape carry out after completion

7	No felling lopping cutting
8	Tree Protection Plan (TPP) 1
9	Arboricultural Method Statement (AMS) 1
10	Landscape management plan
11	Service Plan
12	Site Arrangements
13	Contaminated land
14	Drainage works
15	Construction Travel Plan
16	Cycle parking details required
17	Car parking
18	Vision splays
19	External lighting
20	Bin stores
21	Sustainability design/construction
22	Public art
23	Details of foul drainage tank
24	Exclusion of site from CPZ
25	Sustainable drainage

Legal Agreements

A total of £395,000 Section 106 contributions over the 3 application sites [Northway Centre/Dora Carr Close, Westlands Drive and Barns Road] (which includes admin fees for city and county) will be secured as follows:

- £250,000 towards primary and secondary education
- £100,000 towards highways, £37,500 of which will be safeguarded for a possible CPZ in the Bares Road area, otherwise to be used on other highways infrastructure such as cycle city
- £45,000 towards a variety of City section106 matters, e.g. indoor and outdoor sport facilities, allotments and play areas.

A number of other matters would need to be secured by Section 106 legal agreement including the following:

- Arrangement for temporary changes to the Traffic Regulation Order in the Barns Road area (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to be paid to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to make arrangements for and meet the costs of the provision of the replacement bus shelter along Barns Road, which must be to Oxfordshire County Council's standards and specifications;
- Provision of a car club at the Barns Road site with all occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Arrangements with the county council for the provision of the landscaping scheme on either side of Barns Road to mitigate the loss of existing on-site trees, the full costs of which to be met by the developer; and if it is not possible to provide such a scheme to make arrangements with the county council and fund the provision of a similar landscaping scheme on the public highway elsewhere in the local area;

- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;
- Provision of and long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

7 NORTHWAY CENTRE, MALTFIELD ROAD: 12/03280/FUL

19 - 38

The Head of City Development has submitted a report which details a planning application to demolish the existing buildings. Erection of 47 residential units (9 x 1-bed, 14 x 2-bed, 15 x 3-bed, 4 x 4-bed, 5 x live/work units) plus community centre in 5 blocks on 2, 3 and 4 levels. Provision of 78 car parking spaces, 102 cycle parking spaces and landscaping. Relocation of hard play court, provision of newt pond, wetland habitat, Aunt Sally court, outdoor seating for the social club and playing field terrace. (Amended plans) (Amended description)

Officer recommendation: That the Committee GRANT planning permission subject to conditions, but defer the issuing of the decision notice until the satisfactory completion of the associated Section 106 legal agreement. and delegate the issuing of the decision notice to the Head of City Development.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Design - no additions to dwelling
- 4 Samples
- 5 Boundary details before commencement
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan (TPP) 1
- 11 Arboricultural Method Statement (AMS) 1
- 12 Drainage works
- 13 Contaminated land
- 14 Construction Travel Plan
- 15 Travel Plan
- 16 Car parking
- 17 Cycle parking details required
- 18 Vision splays
- 19 External lighting
- 20 Landscape Management Plan
- 21 Relocate hard play court
- 22 Bin stores
- 23 Newt Strategy
- 24 Sustainable construction/design
- 25 Public Art
- 26 Sustainable drainage
- 27 Obscure glaze side windows [terrace C]
- 28 Details of bund to wetland habitat
- 29 Details of foul drainage storage tank

Legal Agreements

A total of £395,000 Section 106 contributions over the 3 application sites [Northway Centre/Dora Carr Close, Westlands Drive and Barns Road] (which includes admin fees for city and county) will be secured as follows:

- £250,000 towards primary and secondary education
- £100,000 towards highways, £37,500 of which will be safeguarded for a possible CPZ in the Bares Road area, otherwise to be used on other highways infrastructure such as cycle city
- £45,000 towards a variety of City section106 matters, e.g. indoor and outdoor sport facilities, allotments and play areas.

A number of other matters would need to be secured by Section 106 legal agreement including the following:

- Arrangement for temporary changes to the Traffic Regulation Order in the Barns Road area (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to be paid to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to make arrangements for and meet the costs of the provision of the replacement bus shelter along Barns Road, which must be to Oxfordshire County Council's standards and specifications;
- Provision of a car club at the Barns Road site with all occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Arrangements with the county council for the provision of the landscaping scheme on either side of Barns Road to mitigate the loss of existing on-site trees, the full costs of which to be met by the developer; and if it is not possible to provide such a scheme to make arrangements with the county council and fund the provision of a similar landscaping scheme on the public highway elsewhere in the local area;
- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;
- Provision of and long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

8 FORMER COWLEY COMMUNITY CENTRE, BARNs ROAD: 12/03278/FUL

39 - 66

The Head of City Development has submitted a report which details a planning application to erect a 4 storey building comprising community room, retailing and workshop floor space on ground floor and 40 residential flats (18 x 1 bed, 22 x 2 bed) on upper floors. Provision of 5 car parking spaces, 100 cycle parking spaces, bin stores and ancillary works MP

Officer recommendation: That the Committee GRANT planning permission subject to conditions, but defer the issuing of the decision notice until the satisfactory completion of the associated Section 106 legal agreement. and delegate the issuing of the decision notice to the Head of City Development.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples Materials
- 4 Archaeology – mitigation
- 5 Suspected contamination – Phased risk assessment
- 6 Variation of road traffic order - Car Club Spaces
- 7 Car and cycle parking to be laid out prior to use of building in accordance with details to be agreed in writing by the Council beforehand
- 8 Bin storage facilities
- 9 Wheelchair accessible spaces allocated and retained
- 10 No development to commence until signage erected on Knolles Road and in application site dissuading parking by residents and visitors
- 11 Real time pedestrian information points to be installed in all flats
- 12 Drainage details required
- 13 Balcony details required
- 14 Pedestrian link required at all times between Barns Road and Knolles Road
- 15 Landscape plan required
- 16 Landscape carry out by completion
- 17 SuDS Compliant Hard surfacing
- 18 Details of boundary treatment required
- 19 Details of layout of community centre required prior to commencement
- 20 Construction Traffic Management Plan required prior to commencement
- 21 Travel Plan required
- 22 Environmental Management Plan required prior to work commencing
- 23 Public Art - Scheme Details & timetable
- 24 Details of sound proofing of workshop
- 25 Vision Splays required
- 26 Compensatory landscaping along Barns Road to be agreed with Council and Highway Authority prior to commencement of development
- 27 Wheel Washing Facilities to be agreed to prevent mud on highway
- 28 To be undertaken in accordance with the Natural Resource Impact Analysis document
- 29 Furniture construction, repair, treatment, demolition to take place only within sound attenuated building
- 30 Personal permission for use of retail/workshop restricted to Emmaus only
- 31 Details of cycle parking required prior to commencement of development
- 32 No development to take place until a replacement freestanding bus shelter on Barns Road has been erected to the County Council's standards and specifications
- 33 Prior to first occupation of the development the existing dropped kerbs allowing vehicular access to the site from Barns Road shall be reinstated to the County Council's standards and specifications

Legal Agreements

A total of £395,000 Section 106 contributions over the 3 application sites [Northway Centre/Dora Carr Close, Westlands Drive and Barns Road] (which includes admin fees for city and county) will be secured as follows:

- £250,000 towards primary and secondary education
- £100,000 towards highways, £37,500 of which will be safeguarded for a possible CPZ in the Bares Road area, otherwise to be used on other highways infrastructure such as cycle city
- £45,000 towards a variety of City section106 matters, e.g. indoor and outdoor sport facilities, allotments and play areas.

A number of other matters would need to be secured by Section 106 legal agreement including the following:

- Arrangement for temporary changes to the Traffic Regulation Order in the Barns Road area (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to be paid to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to make arrangements for and meet the costs of the provision of the replacement bus shelter along Barns Road, which must be to Oxfordshire County Council's standards and specifications;
- Provision of a car club at the Barns Road site with all occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Arrangements with the county council for the provision of the landscaping scheme on either side of Barns Road to mitigate the loss of existing on-site trees, the full costs of which to be met by the developer; and if it is not possible to provide such a scheme to make arrangements with the county council and fund the provision of a similar landscaping scheme on the public highway elsewhere in the local area;
- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;
- Provision of and long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

9 PLANNING APPEALS

67 - 70

To receive information on planning appeals received and determined during April 2013

The Committee is asked to note this information.

10 MINUTES

71 - 74

Minutes from 13 May 2013

Recommendation: That the minutes of the meeting held on 13 May 2013 be APPROVED as a true and accurate record.

11 FORTHCOMING APPLICATIONS

The following items are listed for information. They are not for discussion at this meeting.

12/01106/FUL – Cotuit Hall, Pullens Lane - Erection of 3 new buildings on 3 floors plus basement to provide teaching, residential and ancillary accommodation, together with underground common room to frontage. Refurbishment of existing Marcus and Brewer buildings, including alteration to existing elevations. Provision of new pedestrian footpath from Pullens Lane.

12/01107/CAC – Cotuit Hall, Pullens Lane - Demolition of existing upper and middle blocks of accommodation.

12/02848/OUT - Land North Of Littlemore Healthcare Trust, Sandford Road - Outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space.

13/00302/FUL – Oxford Stadium, Sandy Lane - Demolition of existing structures. Erection of 220 x residential units (37 x 1 bed flats, 43 x 2 bed flats, 24 x 2 bed houses, 90 x 3 bed houses, 26 x 4 bed houses) (use class C3 - single family dwellings), new site accesses, parking, landscaping, public open space and ancillary works.

13/00739/FUL and 13/00740/CAC – Lawn Upton House, Sandford Road, Littlemore - Erection of 24 residential units consisting of 5 x 1-bed, 9 x 2-bed and 10 x 3-bed flats. Provision of 34 car parking spaces, 58 cycle parking spaces and landscaping and demolition of existing buildings.

13/00631/FUL – Cricket Ground Barton Road, Erection of 30 residential units (8 x 4 bed houses, 17 x 3 bed houses, 2 x 2 bed flats and 3 x 1 bed flats) together with access road, 51 car parking spaces, 60 cycle spaces, public open space and landscaping

12/03234/FUL and 12/03223/FUL 6 -7 Collinwood Close – Erection of single storey garages

13/01116/FUL – Building to the rear of 44 Downside Road - Change of use of building from Business (Class B1) to 1 bed dwelling house (Class C3)

12 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Thursday 13 June 2013

Wednesday 3 July 2013 (and Thursday 11 July if necessary)

Wednesday 7 August 2013 (and Thursday 15 August if necessary)

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;

(Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

 - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application (or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,
6. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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East Area Planning Committee

5th June 2013

Application Number: 12/03281/FUL

Decision Due by: 1st May 2013

Proposal: Submission of amended proposals comprising:
Demolition of existing building. Erection of 21 flats (14 x 1-bed, 7 x 2-bed) on 3 floors, together with 21 car parking spaces, 56 cycle spaces and landscaping. Provision of foul water drainage system including on-site storage flow control device.

Site Address: Former Community Centre Westlands Drive [Appendix 1]

Ward: Headington Hill And Northway Ward

Agent: AHMM

Applicant: Green Square Group

Recommendation:

Committee is recommended to grant planning permission subject to conditions but to defer the issuing of the decision notice and delegate it to the Head of City Development following the satisfactory completion of the associated Section 106 legal agreement.

For the following reasons:

- 1 The proposed development will have a form, scale and appearance that are appropriate to the site and its setting without resulting in unacceptable harm to the occupiers of nearby residential occupiers. The proposal will provide much needed and good quality affordable and open market housing in a sustainable location and includes the provision of an appropriate number of car and cycle parking spaces together with a communal bin store. The height of the proposed mansion block has been reduced to a 3 storey building and the proposal complies with adopted policies contained in the Oxford Core Strategy 2026, the Sites and Housing Plan 2013 and the Oxford Local Plan 2001 - 2016.
- 2 Letters of objection have been received from a number of local residents and the comments made have been carefully considered. However the Council takes the view that the issues raised, either individually or cumulatively, do not constitute sustainable reasons for refusing planning permission and that the imposition of appropriate conditions will ensure the provision of a good quality

development that will relate satisfactorily to neighbouring dwellings and the street scene and will not result in any additional drainage or flooding issues.

- 3 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.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Boundary details before commencement
- 5 Landscape plan required
- 6 Landscape carry out after completion
- 7 No felling lopping cutting
- 8 Tree Protection Plan (TPP) 1
- 9 Arboricultural Method Statement (AMS) 1
- 10 Landscape management plan
- 11 Service Plan
- 12 Site Arrangements
- 13 Contaminated land
- 14 Drainage works
- 15 Construction Travel Plan
- 16 Cycle parking details required
- 17 Car parking
- 18 Vision splays
- 19 External lighting
- 20 Bin stores
- 21 Sustainability design/construction
- 22 Public art
- 23 Details of foul drainage tank
- 24 Exclusion of site from CPZ
- 25 Sustainable drainage

Planning Obligations

A total of £395,000 Section 106 contributions over the 3 application sites [Northway Centre, Westlands Drive and Barns Road] will be secured as follows:

- £250,000 towards primary and secondary education
- £100,000 towards highways, £25,000 of which will be safeguarded for a possible CPZ in the Barns Road area, otherwise to be used for other highway infrastructure such as cycle city.

A number of other matters would need to be secured by legal agreement including the following:

- Arrangement for temporary changes to the TRO governing Barns Road (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to meet the costs of the replacement bus shelter along Barns Road which must be to Oxfordshire County Council's standards and specifications;
- Car club provision at the Barns Road site with all new occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Replacement landscaping required on either side of Barns Road to mitigate loss of existing on-site trees to be implemented by the County Council with the full costs met by the developer;
- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;
- Long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

This level of contribution does not fully comply with the Planning Obligations SPD but has regard to the high provision of affordable housing [69%] of which 64% would be social rented accommodation and 36% shared ownership.

Main Planning Policies:

Oxford Local Plan 2001-2016

- 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
- CP14** - Public Art
- CP18** - Natural Resource Impact Analysis
- CP19** - Nuisance
- CP21** - Noise
- CP22** - Contaminated Land
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling

CS11_ - Flooding
CS13_ - Supporting access to new development
CS14_ - Supporting city-wide movement
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS19_ - Community safety
CS23_ - Mix of housing
CS24_ - Affordable housing
CS27_ - Sustainable economy
CS28_ - Employment sites
HP12_ - Indoor Space

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes
HP3_ - Affordable Homes from Large Housing Sites
HP9_ - Design, Character and Context
HP11_ - Low Carbon Homes
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
Balance of Dwellings [BoDS] Supplementary Planning Document

Relevant Site History:

91/00477/GT: Change of use from community centre to storage of furniture for temporary 5 year period. Approved
96/01527/GT: Continued use for storage. Approved
00/00431/GT: Continuation of use as a furniture store and ancillary offices by OCVA. Approved

Representations Received:

12 letters of objection from the occupiers of 2, 4 and 41 Sutton Road, 50 Foxwell Drive, 1 and 9 Broadhead Place, 1, 2 and 10 Meaden Hill and 17 Maltfield Road. The main points raised can be summarised as follows:

- The application states that the foul drainage from 21 flats will drain into the existing sewer in Westlands Drive – this cannot cope at the moment
- The Daylight and Overshadowing Report does not take into account the difference in ground levels of the new flat block and the houses in Sutton Road
- The proposal will exacerbate parking problems in the area
- Sutton Road properties will be overshadowed by a 3 storey building
- Traffic will increase
- Overdevelopment of the site with no green space for residents

- A living roof will lead to maintenance problems
- The balconies jut out over 2 metres and are incongruous in the area
- Aluminium faced doors and windows will also be out of character
- The bin store will be highly visible because of the removal of trees
- The development will do nothing to enhance the area
- Flooding is a problem and directing the extra water to the football pitches will just mean they are unplayable
- The proposal will result in the loss of more open, green space

Statutory and Other Consultees:

Thames Water: To date the applicant has not progressed a sewer study as required by Thames Water and TW is therefore seeking a Grampian style condition to be imposed on any planning permission to ensure that no development takes place until the required sewage study has been commissioned by the applicant, carried out by Thames Water and appropriate mitigation measures agreed.

The applicant is proposing an on- site storage tank with a flow control device but this option cannot be finalised before the sewer study is completed. The applicant is in discussion with Thames Water and it is understood that the sewage study will be undertaken shortly. Officers are therefore expecting a revised consultation response from Thames Water and Members will be updated verbally on this issue at the Committee meeting.

As regards water comments, Thames Water is raising no objection but recommend an informative be attached to any planning permission regarding minimum water pressure and flow rate.

Oxfordshire County Council [drainage]: The proposed SUDS [Sustainable Urban Drainage Systems] design follows Government guidelines.

Oxfordshire County Council as Local Highway Authority: No objection in principle subject to a financial contribution and the following conditions and informatives:

- Submission of a Construction Traffic Management Plan
- Parking areas to be constructed using permeable paving [SUDS compliant]
- No discharge of surface water onto the public highway
- Cycle parking to be secure and sheltered
- Provision of vision splays and pedestrian awareness vision splays
- The applicant will need to obtain a vehicle crossing license for dropped kerbs from Oxfordshire County Council

Thames Valley Police: No objection although a number of improvements could be made including details of external lighting and the avoidance of bollard lighting, secure boundary treatments to the car parking area, increased natural surveillance, enclosed and secure bin and cycle storage and incorporating secure entrance into the mansion block.

Issues:

- Principle of Development
- Affordable Housing

- Balance of Dwellings
- Sewerage Flooding
- Form and Appearance
- Impact on Neighbours
- Trees
- Highways and Parking
- Bin Storage
- Private Amenity Space
- Residential Amenity
- Sustainability

Officers Assessment:

Site Location and Description

1. The application site lies on the west side of Westlands Drive at its junction with Sutton Road and extends to 0.18 hectares. It currently comprises single and two storey, mainly timber buildings, that used to accommodate the Northway Community Centre but since the 1990's has housed the offices and workshops used by the charity Emmaus which renovates and sells donated furniture and employs a number of homeless people. It is proposed to relocate Emmaus to the ground floor retail and light industrial units in the new Barns Road development.
2. The site is surrounded by residential development in the form of semi-detached and terraced dwellings of a similar appearance and lies adjacent to the Plowman Tower which is Oxford's first high rise development.

The Proposal

3. The application seeks planning permission to demolish all the existing buildings on the site and erect a 3 storey 'mansion block' that would accommodate 21 one and two bedroom flats [14 x 1 bedroom and 7 x 2 bedroom]. The proposal also includes the provision of 21 car parking spaces and 56 cycle parking spaces together with a communal bin store and landscaping.
4. The flats would all have private balconies and the new building would be erected using brickwork, timber and metal cladding. The main bulk of the building would have a maximum height of 10 metres but the single skin EFTE roof to the atrium would have a maximum height of 11.7 metres. It is proposed to incorporate a living, green roof.
5. Access to the car park would be from Sutton Road and there would be 4 disabled car parking spaces accessed from Westlands Drive and Sutton Road. A communal bin store would be located opposite the entrance to Broadhead Place and this would be erected using timber boarding with a living roof.

Background

6. This application forms part of a scheme for three City Council owned sites and involves two other sites in Westlands Drive and Barns Road in Cowley as a package of proposals. The overall scheme is intended to deliver a significant number of new affordable homes in the City along with new community facilities. A relatively small proportion of market homes is proposed [31%] and this is split between the Barns Road site and the Northway Centre site. It is important to recognise that the three schemes are inter-related particularly in terms of the provision of affordable housing and an appropriate mix of housing across the three sites.

Principle of Development

7. The site contains existing buildings and associated hardstanding areas such that it represents previously developed land as defined in Government guidance. The principle of development on previously developed land in sustainable locations is considered acceptable and is supported by policy CS2 of the Oxford Core strategy and policy CP6 of the Oxford Local Plan which both seek the efficient and effective use of land.

Affordable Housing

8. Policy HP3 of the Sites and Housing Plan states that planning permission will only be granted for residential developments on sites with capacity for 10 or more dwellings or which have an area of 0.25 hectares or greater if a minimum of 50% of the dwellings on the site are provided as affordable homes. It goes on to say that a minimum of 80% of the affordable homes shall be provided as social rented.
9. In the case of this application, the affordable housing provision has been calculated across all of the 3 sites and a total of 69% of all dwellings will be affordable. All of the 21 one and two bedroom flats proposed on the Westlands Drive site will be affordable with no open market housing. In addition 100% of the affordable housing on this site will be social rented with two units having wheelchair access.
10. Policy HP3 of the SHP typically requires 80% of the affordable housing on a site to be social rented in tenure with the remainder being intermediate housing (including shared ownership). For a scheme providing 50% affordable housing (as required by policy HP3) this would translate to 40% of the overall dwellings proposed being required to be social rented units and 10% intermediate housing. The application proposals meet this requirement with 40% of the dwellings being social rented affordable units and 29% intermediate in tenure. The remaining 31% is proposed to be market housing. Consequently officers are satisfied that the proposals accord with the affordable housing policies set out within the Council's development plan.

Balance of Dwellings

11. The Balance of Dwellings Supplementary Planning Document [BoDS SPD] was approved in 2008 and seeks to ensure the provision of an appropriate mix of housing across the City. It adopts a 'traffic light' approach to identify the underlying housing pressures in a Neighbourhood area and to assess its stock of family housing.
12. As with the issue of affordable housing, an assessment of the housing mix in terms its compliance with BoDS has been calculated across all 3 sites; however officers have accepted that the Barns Road site is not suitable for family dwellings given its restricted size and depth and the required use of the ground floor for community and retail/light industrial uses and therefore this site does not form part of the BoDS assessment. Excluding the Barns Road site, the total number of new units is 68 and of these, 19 three and four bedroom dwellings are proposed on the Northway Centre. This equates to 28% of the total development and complies with the BoDS SPD.
13. In terms of the provision of flats, there are a total of 28 one bedroom flats and 21 two bedroom flats proposed on the Northway Centre and Westlands Drive sites. The percentage overall of one bedroom flats would therefore be 41% and the percentage of two bedroom flats would be 30%. The BoDS maximum target percentages are 20% and 35% respectively; therefore it is the case that the proposal complies with BoDS for the provision of two bedroom flats but exceeds the BoDS target figure for one bedroom flats. This anomaly has been discussed during the protracted pre-application discussions that have taken place over the past 3 years and officers have accepted that, given the size and shape of the Westlands Drive site, it can only reasonably accommodate a flatted development which would have no communal open space and would therefore be more appropriate for smaller, one bedroom units.
14. Overall, given the high provision of affordable housing over the 3 sites which well exceeds the Council's requirement of 50%, officers consider that the housing mix is acceptable and that the over provision of one bedroom flats reflects the constraints of the sites to provide larger units.

Sewerage Flooding

15. Discussions have been taking place between the applicant and Thames Water since the spring of 2012 with respect to the redevelopment proposals at Northway Centre and Westlands Drive. These discussions highlighted that there are known foul sewer capacity issues in the form of historic foul sewer surcharging and flooding events during periods of extreme rainfall. Subsequently the need for a developer funded study of the foul water network in the Northway area was identified.

16. Following a scoping exercise carried out by Thames Water in respect of the Northway Centre site it was determined that the existing model network for the Northway area was outdated. Subsequently a programme of drainage chamber surveys was developed along with a minimum two month period of flow monitoring to determine the systems normal foul sewerage pattern and system response to rainfall events. This enabled the model to be updated and to include the two off line foul water storage tanks at Maltfield Road and Croft Avenue.
17. Following on from the Sewer Impact Study, Thames Water has made a number of conclusions as follows:
- Under normal dry weather conditions, the foul network has adequate capacity for the increased foul flows from the proposed developments
 - Under rainfall events of 20 year return period and above, the foul network surcharges and floods downstream of these sites
 - A number of viable options exist that would result in a 'no detriment' impact for the foul flows from the sites involving provision of temporary storage within the sites.
18. Following further discussions, Thames Water has now concluded that a further Sewer Study needs to be carried out relating to the Westlands Drive site and this is now in hand. The applicant has proposed an on site storage tank in association with a flow control device which Thames Water has agreed for the Northway Centre site. It is anticipated that this will be the most appropriate option for the Westlands Drive site but this option cannot be finally agreed until the sewer study is completed. It is therefore recommended that a condition be added to the planning permission to ensure that no development takes place on the site until the sewer study is completed and appropriate mitigation measures are agreed.

Form and Appearance

19. Policy CP1 of the Oxford Local Plan 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 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 suggests the siting, massing and design of any new development should create an acceptable visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.
20. Policy CS18 of the Oxford Core Strategy and Policy HP9 of the Sites and Housing Plan both seek to ensure that new development contributes to the character of the local area, promote good urban design and contribute to

an attractive public realm.

21. The proposed 3 storey building would have a footprint of 22 x 31 metres and would be set back from the boundaries of the site with Sutton Road and Westlands Drive. It would follow the same principles of design as the mansion block at the Northway Centre, reading as a pavilion with resident access from the main entrance on Westlands Drive and also through the covered, secure external street space. It would have a 'busy' appearance with doors, windows and balconies punctuating the front and rear elevations in particular. The doors and windows would be aluminium faced timber and the balconies would be erected using PPC metalwork. The design of the mansion block has evolved through the design process and has been lowered from a 4 storey building to a 3 storey building at the suggestion of local residents. The building is now essentially two sets of flats pulled further apart and linked by access bridges which would create a dynamic, covered and secure external space, allowing natural light to pass through the atrium roof and into the 'winter garden' circulation space. Front doors to the flats would be on the inner side of the building, thereby increasing passive supervision and creating what might be described as an internal community street..
22. In terms of materials, the new flatted building would be erected using light coloured brickwork with a sedum, living roof. This would also incorporate photovoltaic solar arrays.
23. Whilst the height and bulk of the new building would be greater than the domestic properties to the north and east of the site, officers consider that it would appear relatively modest compared to the high rise flatted block to the south of the site.

Impact on Neighbours

24. Policy HS19 of the Oxford Local Plan and Policy HP9 of the Sites and Housing Plan both seek to ensure that new development does not unacceptably impact on the standard of residential amenities enjoyed by neighbouring occupiers. In this case the neighbouring properties potentially affected by the proposals are numbers 2, 4, 6, 8, 10 and 12 Sutton Road. The dwellings on the opposite side of Westlands Drive side onto the road and are sited approximately 30 metres away from the proposed building. Officers do not consider the amenities of the occupiers of these dwellings would be adversely affected.
25. The application is accompanied by a Daylight and Sunlight Report which assesses the impact of the proposed development on the dwellings in Sutton Road in terms of loss of light and an overbearing sense of enclosure. The report also considers any adverse impacts on the occupiers of certain flats in the Plowman Tower.
26. The proposed building has been pulled away from the Sutton Road boundary of the site such that the separation distance between the new

building and numbers 2- 8 Sutton Road is between 22 – 28 metres. The separation distance between the new building and numbers 10 and 12 Sutton Road is approximately 30 metres which represents a considerable distance.

27. The report is based upon the Building Research Establishment [BRE] guidelines 1991 – ‘*Site Layout Planning for Daylight and Sunlight*’. It concludes that the proposal has been sensitively designed to ensure adequate daylight and sunlight amenity is preserved to the neighbouring buildings and the overshadowing impacts are minimised. The technical analysis shows that there is excellent compliance with the daylight and sunlight criteria specified within the BRE guidelines and the only breaches relate to the Plowman Tower and are of a minor nature. In terms of permanent overshadowing, the report concludes that the proposal is wholly in keeping with the guidelines and would not adversely impact on neighbour amenity.

Trees

28. The application is supported by an Arboricultural Survey which assesses the quality and value of the existing trees on the site, identifies the constraints the trees place on site layout and assesses the impact of the proposed development on existing trees.
29. The proposal involves the removal of 7 out of the 18 existing trees. Of these, one is a moderate quality tree, 4 are low quality trees and 2 are in such poor condition that they should be removed irrespective of the development.
30. The scheme retains 11 of the 18 existing trees. Of the trees retained, 6 are of moderate quality and 5 are of low quality [although they do have some positive visual impact to external public views]. The proposal has therefore incorporated the best of the site’s tree assets within the design and further indicative planting is proposed to mitigate tree losses and to enhance the landscape quality of the site.
31. The location of the proposed building footprint has been set further back from the retained trees at the north east corner of the site than the existing building. This arrangement would create a more appropriate juxtaposition and spatial relationship between trees and buildings.
32. The site is likely to be spatially constricted during development and therefore robust tree protection measures need to be implemented prior to and during construction to prevent damage to retained trees in order to ensure successful tree retention post development. These measures can be secured through appropriate conditions.
33. Officers take the view that, although the proposal requires the removal of some trees, the resulting effect on public amenity can be mitigated by planting new trees as shown on the indicative plan and secured by

conditions.

Highways and Parking

34. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application subject to a number of conditions and informatives which are set out earlier in this report.
35. Highway Officers have commented that the site is currently used as a second-hand furniture shop with ancillary workshop and that the traffic and parking impacts of a proposed residential development at the site need to be considered in the light of the existing traffic and parking that could be generated by the existing users of the site.
36. The site currently provides on-site parking for the existing retail/light industrial use, lies within a Controlled Parking Zone in a sustainable location close to bus stops. There is considerable on-street car parking in the vicinity of the site.
37. The application is accompanied by a Transport Statement which assesses the transport impacts of the proposed development.
38. The proposal to provide 21 car parking spaces [including 4 disabled car parking spaces] which would equate to one space per flat is considered to be acceptable. Officers consider the likelihood of all the occupiers of the flats having access to cars to be low and therefore it is reasonable to expect that some of the car parking will be available for overspill and visitor car parking.
39. The cycle parking provision is shown on the plans to be sited partly adjacent to the main entrance to the building fronting Westlands Drive and partly in front of the secure entrance to the building fronting Sutton Road. The plans do not show that the cycle parking would be secure and sheltered and these details are therefore required by condition.

Bin Storage

40. A communal, free standing bin store is proposed on the northern boundary of the site opposite the entrance to Broadhead Place. This would measure approximately 6.5 x 4.5 metres and would be erected using timber boarding with a living roof. The application is not accompanied by adequate details of this bin store and therefore further details are required by condition.

Private Amenity Space

41. Policy HP13 of the Sites and Housing Plan sets out standards for the provision of private amenity space in new residential developments and states that one or two bedroom flats should be served by either a private balcony or terrace of useable, level space or in the case of ground floor

flats, direct access to a private or shared garden with some defensible space.

42. All of the upper floor flats in the new mansion block would have private balconies which would measure approximately 2 x 1 metres. The ground floor flats would all have direct access to small private, open areas which would be individually delineated.
43. It is also the case that the site lies in close proximity and easy walking distance of the open playing fields and hard play area to the north of the site and on the other side of Westlands Drive. Officers are therefore satisfied that the proposed development includes the provision of adequate and good quality private open space.

Residential Amenity

44. Policy HP12 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation. Each dwelling should include:
- Its own lockable entrance, kitchen and at least one bathroom
 - The space provides for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk based home working
 - Each dwelling provides adequate storage space.
45. The policy goes on to say that planning permission will not be granted for new dwellings if:
- Any single dwelling provides less than 39 sq. metres of internal floorspace
 - Any family dwelling provides less than 75 sq. metres of internal floorspace
 - Inadequate ceiling height, lack of natural lighting or natural ventilation or a restricted outlook prevent proper use and enjoyment of the dwelling.
46. The one and two bedroom flats contained within the mansion block all have internal floor areas of between 50 and 62 sq. metres and this is considered to be acceptable.
47. The Design and Access Statement accompanying the planning application states that the overall project has a number of key objectives and requirements as follows:
- All residential units to achieve Lifetime Homes Standards
 - The proposal is an exemplar for the Pathway to Zero Waste scheme
 - All residential units to achieve a minimum of Level 4 of the Code for Sustainable Homes
 - All housing aims to achieve Gold Building for Life Standard
48. It is considered that the proposals comply with policy as regards residential amenity. The flats have good sized rooms with acceptable internal circulation and 2 x 1 bedroom flats are wheelchair accessible.

Sustainability

49. The application is accompanied by a Natural Resource Impact Analysis and an Energy Strategy. The renewable energy strategy for the mansion block uses a large solar, PV array to provide electricity for the dwellings. The array would use the substantial roof area of the mansion block and solar/photovoltaic A frame panels at roof level are known to work more efficiently on a green roof than a conventional surface. The array would be able to contribute around 10% of the energy requirements of the building.
50. The Energy Strategy states that the alternative renewable energy options to achieve the 20% are deemed to be technically and financially unfeasible and instead the strategy focuses on improving the fabric of the new building and using high efficiency systems. The mansion block would meet the requirements of Level 4 of the Code for Sustainable Homes, including a 25% reduction in CO2 emissions over Part L1A.
51. Policy HP11 of the Sites and Housing Plan states that planning permission will only be granted for new residential development where the proposals include at least 20% of their energy needs from on-site renewables or low carbon technologies unless it can be robustly demonstrated that such provision is not feasible. The policy goes on to say that the Energy Statement must include details of how this 20% target will be achieved. The Energy Statement acknowledges that the proposed flats do not achieve the 20% target and sets out a justification as to why this is the case.
52. In more general terms, the Design and Access Statement makes reference to the following sustainable features of the development;
- The materials used will be of low environmental impact, reclaimed, renewable, recycled locally or locally sourced
 - The mansion block design has allowed the originally north facing single aspect flats to become dual aspect allowing solar gain from the north and south elevations
 - The mansion block allows for cross ventilation through the building reducing the demands on heating and cooling systems
 - A high level of glazing will benefit solar gain and general daylight levels
 - Photovoltaic solar panels are incorporated on the roof of the mansion block
 - All new hard surfaces will be constructed using permeable paving
 - The mansion block will have a living roof which will be like an 'aerial meadow' and part of the habitat mosaic of the site.

Conclusion:

53. The proposed development will have a form, scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to the occupiers of nearby residential occupiers. The proposal will provide much needed and good quality affordable and open market

housing in a sustainable location and includes the provision of an appropriate number of car and cycle parking spaces, a communal bin store and landscaping. The proposal complies with adopted policies contained in the Oxford Core Strategy 2026, the Oxford Local Plan 2001 – 2016 and the Sites and Housing Plan 2012.

Human Rights Act 1998

54. 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.
55. 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

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

Background Papers:

12/03281/FUL

Contact Officer: Angela Fettiplace

Extension: 2445

Date: 20th May 2013

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Appendix 1

12/03281/FUL - Former Community Centre, Westlands Drive



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Ordnance Survey 100019348

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East Area Planning Committee

5th June 2013

Application Number: 12/03280/FUL

Decision Due by: 1st May 2013

Proposal: Demolition of existing buildings. Erection of 47 residential units (9 x 1-bed, 14 x 2-bed, 15 x 3-bed, 4 x 4-bed, 5 x live/work units) plus community centre in 5 blocks on 2, 3 and 4 levels. Provision of 78 car parking spaces, 102 cycle parking spaces and landscaping. Relocation of hard play court, provision of newt pond, wetland habitat, Aunt Sally court, outdoor seating for the social club and playing field terrace. Provision of foul water drainage system including on-site storage tank flow control device.(Amended plans) (Amended description)

Site Address: Northway Centre Maltfield Road [Appendix 1]

Ward: Headington Hill And Northway Ward

Agent: AHMM

Applicant: Green Square Group

Recommendation:

Committee is recommended to grant planning permission subject to conditions but to defer the issuing of the decision notice and delegate it to the Head of City Development following the satisfactory completion of the associated Section 106 legal agreement.

For the following reasons:

- 1 The proposed development will have a form, scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to the occupiers of nearby residential occupiers. The proposal will provide much needed and good quality affordable and open market housing in a sustainable location and includes the provision of an appropriate number of car and cycle parking spaces. The proposal also includes the erection of a substantial new community centre, the relocation of an existing hard play court and the provision of a mitigation pond for the great crested newts that currently inhabit part of the site. The proposal complies with adopted policies contained in the Oxford Core Strategy 2026, the Oxford Local Plan 2001 - 2016 and the Sites and Housing Plan 2012.

- 2 Letters of objection have been received from a number of local residents and the comments made have been carefully considered. However the Council takes the view that the issues raised, either individually or cumulatively, do not constitute sustainable reasons for refusing planning permission and that the imposition of appropriate conditions will ensure the provision of a good quality residential and community development that will relate satisfactorily to neighbouring dwellings and the street scene and will not result in any additional drainage or flooding issues.
- 3 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.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Design - no additions to dwelling
- 4 Samples
- 5 Boundary details before commencement
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape hard surface design - tree roots
- 9 Landscape underground services - tree roots
- 10 Tree Protection Plan (TPP) 1
- 11 Arboricultural Method Statement (AMS) 1
- 12 Drainage works
- 13 Contaminated land
- 14 Construction Travel Plan
- 15 Travel Plan
- 16 Car parking
- 17 Cycle parking details required
- 18 Vision splays
- 19 External lighting
- 20 Landscape Management Plan
- 21 Relocate hard play court
- 22 Bin stores
- 23 Newt Strategy
- 24 Sustainable construction/design
- 25 Public Art
- 26 Sustainable drainage
- 27 Obscure glaze side windows [terrace C]
- 28 Details of bund to wetland habitat
- 29 Details of foul drainage storage tank

Legal Agreement

A total of £395,000 Section 106 contributions over the 3 application sites [Northway Centre, Westlands Drive and Barns Road] will be secured as follows:

- £250,000 towards primary and secondary education
- £100,000 towards highways, £25,000 of which will be safeguarded for a possible CPZ in the Bares Road area, otherwise to be used on other highways infrastructure such as cycle city
- £45,000 towards a variety of City Section 106 items.

A number of other matters would need to be secured by legal agreement including the following:

- Arrangement for temporary changes to the TRO governing Barns Road (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to meet the costs of the replacement bus shelter along Barns Road which must be to Oxfordshire County Council's standards and specifications;
- Car club provision at the Barns Road site with all new occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Replacement landscaping required on either side of Barns Road to mitigate loss of existing on-site trees to be implemented by the County Council with the full costs met by the developer;
- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;
- Long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

This level of contribution does not fully comply with the Planning Obligations SPD but has regard to the high provision of affordable housing [69%] of which 64% would be social rented accommodation and 36% shared ownership.

Main Planning Policies:

Oxford Local Plan 2001-2016

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

CP14 - Public Art

CP18 - Natural Resource Impact Analysis

CP19 - Nuisance

CP21 - Noise

CP22 - Contaminated Land
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
NE15 - Loss of Trees and Hedgerows
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS10_ - Waste and recycling
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS14_ - Supporting city-wide movement
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS19_ - Community safety
CS20_ - Cultural and community development
CS21_ - Green spaces, leisure and sport
CS23_ - Mix of housing
CS24_ - Affordable housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes
HP3_ - Affordable Homes from Large 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
Balance of Dwellings Supplementary Planning Document

Relevant Site History:

None

Representations Received:

8 letters of objection from the occupiers of 50 Foxwell Drive; 1, 2 and 10 Meaden Hill; 17 Maltfield Road and 2 Sutton Road. The main points raised can be summarised as follows:

- Properties in Dora Carr Close will be overshadowed
- The loss of green play space will deprive local children

- Too many car parking spaces
- Increased traffic
- Keep Northway as it is
- Sewage is a real problem now with gardens being flooded
- Lack of consultation
- No new buildings should be erected until the flooding problem is sorted out
- The development comprises tall buildings on small sites and will cause overlooking, lack of light and overcrowding
- Directing surplus water to the football pitch [Thames Water's solution] will just make the ground unplayable
- The sewage system is very old and overloaded
- There has been recent flooding in 2012

Statutory and Other Consultees:

Thames Water: With regard to the planning application, Thames Water requires phasing to ensure that suitable sewerage infrastructure is in place to serve the new development. To ensure sufficient lead-in time to provide such additional services, we would like phasing to be included as part of a Grampian style condition as follows: *“Development shall not commence until the essential infrastructure upgrades outlined in Impact Study SMG 1169 – Sewer Impact Study – Proposed Connection at Dora Carr Close, Headington – have been agreed with Thames Water. No discharge of foul or surface water from the site shall be accepted into the system until the drainage works referred to above have been completed”.*

Reason: To ensure that the foul and/or surface water discharge from the site shall not be detrimental to the existing sewerage system.

As regards water comments, Thames Water is raising no objection but recommend an informative be attached to any planning permission regarding minimum water pressure and flow rate.

Oxfordshire County Council [drainage]: The proposed SUDS [Sustainable Urban Drainage Systems] design follows Government guidelines.

Oxfordshire County Council as Local Highway Authority: No objection in principle subject to a financial contribution and the following conditions and informatives:

- Submission of a Travel Plan
- Parking areas to be retained for off street parking
- Parking areas to be constructed using porous paving [SUDS compliant]
- No discharge of surface water onto the public highway
- Cycle parking to be secure and sheltered
- Provision of vision splays and pedestrian awareness vision splays
- Submission of a Construction Traffic Management Plan

Natural England: No objection subject to a condition requiring a detailed mitigation and monitoring strategy for great crested newts.

Environment Agency: No objections – we have assessed this application as having a low environmental risk.

Thames Valley Police: No objection though a number of improvements could be made including external lighting, secure boundary treatments, enclosed and secure bin and cycle storage as well as incorporating secure entrance into the community centre and the Mansion Block.

Issues:

- Principle of Development
- Affordable Housing
- Balance of Dwellings
- Surface Water and Sewerage Flooding
- Form and Appearance
- Impact on Neighbours
- Trees
- Highways and Parking
- Bin Storage
- Private Amenity Space
- Residential Amenity
- Sustainability
- Biodiversity [great crested newts]

Officers' Assessment:

Site Location and Description

1. The application site comprises the existing Northway Community Centre together with part of the old Northway Middle School grounds. The site is accessed off Maltfield Road and leads to Dora Carr Close which comprises an affordable housing development made up of bungalows and two storey houses.
2. The site faces towards open playing fields to the south, is bounded by the rear gardens of dwellings in Maltfield Road to the east and properties in Dora Carr Close to the north. The western boundary of the site abuts Peasemore Place which is a naturalised strip of damp land containing a pond and which has wildlife significance particularly with regard to the presence of great crested newts.
3. The site is prominent in views from Westlands Drive and the community shops as it is clearly visible across the open playing fields.

The Proposal

4. The application seeks planning permission for the demolition of all the existing buildings on the site and the erection of 47 residential units [9 x 1 bedroom, 14 x 2 bedroom, 15 x 3 bedroom, 4 x 4 bedroom and 5 x live/work units]. The proposal also includes the erection of a 3 storey community centre together with the provision of 78 car parking spaces and 102 cycle parking spaces; the relocation of an existing hard play court; the

provision of a newt mitigation pond and wetland habitat, the provision of an Aunt Sally court and outdoor seating to serve the community centre.

5. The new dwellings would comprise 28 one and two bedroom flats in a new, 4 storey 'mansion block' together with 19 three and four bedroom terraced houses laid out in 3 separate blocks. The flats would all have private balconies and the family dwellings would all have private rear gardens. Car and cycle parking would be provided to serve both the flats and the new dwellings.
6. The new buildings would be erected using brickwork, timber and metal cladding and samples of these materials will need to be submitted and approved [condition 4]. The new mansion block and the new community centre would have maximum heights of 13 metres and 12.5 metres respectively and the new dwellings would have varying roof shapes and heights of between 9 – 12 metres.

Background

7. This application forms part of a scheme of three City Council owned sites and involves two other sites in Westlands Drive and Barns Road in Cowley as a package of proposals. The overall scheme is intended to deliver a significant number of affordable homes in the City along with improved community facilities. A relatively small proportion of market housing is proposed [31%] and this is split between the Barns Road site and current application site. It is important to recognise that the three schemes are interrelated particularly in terms of the provision of affordable housing and an appropriate mix of housing across the three sites.

Principle of Development

8. The site contains existing buildings and associated hardstanding areas such that it represents previously developed land as defined in Government guidance. The principle of development on previously developed land in sustainable locations is considered acceptable and is supported by policy CS2 of the Oxford Core Strategy and policy CP6 of the Oxford Local Plan which both seek the efficient and effective use of land.
9. In addition the site is allocated through policy SP37 of the Sites and Housing Plan for a replacement community centre and residential development. The policy acknowledges the surface and foul water flooding issues and states that a drainage strategy will need to be produced to establish the appropriate drainage mitigation measures for any new development. The policy goes on to say that planning permission will only be granted if sufficient mitigation measures are incorporated into the design of the proposals.

Affordable Housing

10. Policy HP3 of the Sites and Housing Plan states that planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings or which have an area of 0.25 hectares or greater, if a minimum of 50% of the dwellings on the site are provided as affordable homes. It goes on to say that a minimum of 80% of the affordable homes shall be provided as social rented.
11. In the case of this application, the affordable housing provision has been calculated across all of the 3 sites and a total of 69% of all dwellings will be affordable. Of the 47 new units proposed in this development, 34 would be affordable with 5 x 1 bedroom flats and 8 x 2 bedroom flats being open market housing. 26 of the affordable units would be social rented with the remainder being shared ownership.
12. Policy HP3 of the SHP typically requires 80% of the affordable housing on a site to be social rented in tenure with the remainder being intermediate housing (including shared ownership). Were the scheme to provide 50% affordable housing (as required by policy HP3) this would translate to 40% of the overall dwellings proposed being social rented units and 10% intermediate housing. The application proposals across the three sites meet this requirement with 40% of the dwellings being social rented affordable units and 29% intermediate in tenure. The remaining 31% is proposed to be market housing. Consequently officers are satisfied that the proposals accord with the affordable housing policies set out within the Council's development plan.

Balance of Dwellings

13. The Balance of Dwellings Supplementary Planning Document was approved in 2008 and seeks to ensure the provision of an appropriate mix of housing across the City. It adopts a 'traffic light' approach to identify the underlying housing pressures in a Neighbourhood area and to assess its stock of family housing.
14. As with the issue of affordable housing, an assessment of the housing mix in terms of its compliance with BoDS has been calculated across all 3 sites; however officers have accepted that the Barns Road site is not suitable for family dwellings given its restricted size and depth and the required use of the ground floor for community and retail/light industrial uses and therefore this site does not form part of the BoDS assessment. Excluding the Barns Road site, the total number of new units is 68 and of these, 19 three and four bedroom dwellings are proposed on the Northway Centre. This equates to 28% of the total development and complies with the BoDS SPD.
15. In terms of the provision of flats, there are a total of 28 one bedroom flats and 21 two bedroom flats proposed on the Northway Centre and Westlands Drive sites. The overall percentage of one bedroom flats would therefore be 41% and the percentage of two bedroom flats would be 30%. The BoDS maximum target percentages are 20% and 35% respectively;

therefore it is the case that the proposal complies with BoDS for the provision of two bedroom flats but exceeds the BoDS target figure for one bedroom flats. This anomaly was discussed during the protracted pre-application discussions that have taken place and officers have accepted that, given the size and shape of the Westlands Drive site, it can only reasonably accommodate a flatted development which would have no communal open space and would therefore be more appropriate for smaller, one bedroom units. Taken in isolation, the housing mix on the Northway Centre site with 19 three and four bedroom houses, 14 one bedroom flats and 14 two bedroom flats is virtually BoDS compliant although there is a slight over provision of one bedroom units.

16. Overall, given the high provision of affordable housing over the 3 sites which well exceeds the Council's requirement of 50%, officers consider that the housing mix is acceptable and that the over provision of one bedroom flats reflects the constraints of the sites to provide larger units.

Surface Water and Sewerage Flooding

17. Discussions have been taking place between the applicant and Thames Water since the spring of 2012 with respect to the redevelopment proposals at Northway Centre and Westlands Drive. These discussions highlighted that there are known foul sewer capacity issues in the form of historic foul sewer surcharging and flooding events during periods of extreme rainfall. Subsequently the need for a developer funded study of the foul water network in the Northway area was identified.

18. Following a scoping exercise carried out by Thames Water it was determined that the existing network model for the Northway area was outdated. Subsequently a programme of drainage chamber surveys was developed along with a minimum two month period of flow monitoring to determine the system's normal foul sewerage flow pattern and system response to rainfall events. This enabled the model to be updated and to include the two off line foul water storage tanks at Maltfield Road and Croft Avenue.

19. Following on from the Sewer Impact Study, Thames Water has made a number of conclusions as follows:

- Under normal dry weather conditions, the foul network has adequate capacity for the increased foul flows from the proposed developments
- Under rainfall events of 20 year return period and above, the foul network surcharges and floods downstream of these sites
- A number of viable options exist that would result in a 'no detriment' impact for the foul flows from the sites involving provision of temporary storage within the sites.

20. Following further discussions between the applicant and Thames Water since the issuing of the Sewer Impact Report, it is now proposed to provide

an on-site storage tank in association with flow control into the foul drainage systems for both the Northway centre and Westland Drive sites. It is considered that this will result in a 'no detriment' impact outcome in accordance with Thames Water's requirements.

21. Thames Water is not raising an objection to the application subject to the imposition of a Grampian style planning condition relating to the phased provision of the agreed infrastructure prior to the commencement of development.

Form and Appearance

22. Policy CP1 of the Oxford Local Plan 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 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 suggests that the siting, massing and design of any new development should create an acceptable visual relationship with the form, grain, scale, materials and detailing of the surrounding area and policy CP10 states that planning permission will only be granted where proposed developments are sited to ensure acceptable access, circulation, privacy and private amenity space.
23. Policy CS18 of the Oxford Core Strategy and Policy HP9 of the Sites and Housing Plan both seek to ensure that new development contributes to the character of the local area, promote good urban design and contribute to an attractive public realm.
24. The proposed development comprises 3 distinct elements – 3 terraces of two and three storey houses [A, B and C], a new 3 storey community centre with outdoor activities and seating areas and a 4 storey 'mansion block' comprising 28 one and two bedroom flats with balconies, half of which would face towards the existing open playing fields. The proposed design is clearly contemporary with the terraced houses being broken up by different roof shapes and heights and the use of light coloured bricks and blue roof tiles, broken up by the use of contrasting metal panels. The roofs would be sharply defined by the use of PPC aluminium coping and all the windows would be PPC aluminium faced timber. Revised plans have introduced windows in the end elevations to soften their appearance.
25. The proposed 'mansion block' would be erected using the same light brickwork as the terraced houses and would therefore read as part of an integrated development. The the new 4 storey building would have a 'busy' appearance with doors, windows and balconies punctuating the front and rear elevations. The doors and windows in the mansion block would, like the terraced houses, be PPC aluminium faced timber and the balconies would be erected using PPC metalwork. The design of the mansion block has evolved through the design process and the plans now submitted

show the two sets of flats pulled further apart and linked by access bridges which create a dynamic, covered and secure external space. This would allow natural light to pass through the sedum roof and into the 'winter garden' and circulation space. Front doors to the flats on this side of the building increase passive supervision and create what could be described as an internal community street. The main entrance to the mansion block would be on the north elevation of the building which would face towards the main courtyard of the new development.

26. The 3 storey new community centre would be located adjacent to the mansion block and would extend the new built frontage along the edge of the playing fields. The same materials would be used although the new community centre would have a less cluttered appearance than the mansion block, particularly its front elevation. The extensive use of glazing would give the rear elevation a light, clean and contemporary feel and the side elevation which would be the most prominent on accessing the new development would also provide full height glazed double doors together with window panels.
27. The community centre would provide a community café and shared community space on the ground floor together with a reception area, kitchen, bar and changing facilities. On the first floor there would be a multi-purpose hall together with a committee room, ICT room and external terrace. On the second floor 3 meeting rooms would be provided together with WC's.
28. Externally and to the south of the new building would be a community square, sitting out area and Aunt Sally Courts. A further area of outside seating would be provided to the east of the building, in front of the main entrance. The community centre would be served by an existing car park.
29. Officers take the view that the development proposals would enhance the character and appearance of the site and would provide a substantial and much needed new community facility for use by the local residents.

Impact on Neighbours

30. Policy HS19 of the Oxford Local Plan and Policy HP9 of the Sites and Housing Plan both seek to ensure that new development does not unacceptably impact on the standard of residential amenities enjoyed by neighbouring occupiers. In this case the neighbouring properties potentially affected by the proposals are numbers 1, 11, 12, 31 and 32 Dora Carr Close and numbers 1, 3, 5, 7 and 9 Maltfield Road.
31. As regards the properties in Maltfield Road, these are served by generous rear gardens which have a length of some 24 metres. The new terrace of houses along the eastern boundary of the site would also have 10 metre long rear gardens and therefore the separation distance between the rear walls of the new houses and the rear walls of the properties in Maltfield Road would be approximately 34 metres and this well exceeds the

generally accepted 20 metres window to window standard.

32. The separation distance between the new end terrace dwelling of terrace B and number 1 Dora Carr Close has increased to 5 metres as a result of pre-application discussions. Although the new dwelling is sited well in front of the building line of 1 Dora Carr Close, the relationship is considered to be acceptable with no breach of the 45 degree line.
33. The side wall of the end terraced dwelling of terrace C would be sited some 16 metres away from the front elevations of the bungalows at numbers 11 and 12 Dora Carr Close. The side elevation of the new dwelling contains two slit windows, one serving a bedroom and one serving a living room. In the interests of neighbour amenity, it is recommended that these windows are obscure glazed [condition 27 refers].
34. As regards the impact of terrace C on numbers 31 and 32 Dora Carr Close, the separation distance would be some 21 metres and officers take the view that this is acceptable to ensure there would be no loss of privacy or sense of enclosure. Number 31 is also, to a certain extent, affected by the location of terrace B as it would side on to the rear gardens of the new dwellings. However again the separation distance is considered to be adequate to avoid any unacceptable adverse impact.

Trees

35. The application is supported by an Arboricultural Survey which assesses the quality and value of the existing trees on the site, identifies the constraints the trees place on site layout and assesses the impact of the proposed development on existing trees.
36. The proposals require the removal of 10 trees and 1 hedge. The loss of 2 moderate quality and value trees [T10 – a swamp cypress and T11 – a cherry plum] together with a bird cherry hedge is regrettable but the effect on public amenity of removing these and the other existing trees [T5, T6, T7, T8, T9 and T12] can be mitigated by planting new trees as part of the final soft landscaping.
37. The submitted plans show indicative tree planting which might provide adequate mitigation for the tree removals but further details regarding species and nursery stock needs to be submitted and a condition is recommended [condition 6].
38. The retained trees, which now include T13, an individual bird cherry tree, will need to be adequately protected during the construction phase of development. Hard surfaces and underground services will need to be appropriately designed and located to avoid damaging these trees and therefore appropriate conditions are also recommended [conditions 8, 9 and 10].

39. Officers take the view that, although the proposal requires the removal of some moderate quality and value trees, the resulting effect on public amenity can be mitigated by planting new trees as shown on the indicative plans and secured by condition.

Highways and Parking

40. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application subject to a number of conditions and informatives which are set out earlier in this report.

41. Highway Officers have commented that the site currently includes a number of light industrial workshops and has permitted uses for assembly and leisure which would enable the site to be used for a range of other uses including a place of worship or a school.

42. The traffic and parking impacts of a new residential development and a community centre on the site need to be considered in the light of the existing traffic and parking which could be generated by the existing or the permitted uses of the site.

43. The site currently provides off street parking for the existing uses and lies outside the local Controlled Parking Zone. Therefore occupiers or users of the site are not eligible to apply for parking permits. It is the case however that the local CPZ imposes parking restrictions only during the working week and it is possible to park on local roads in the evenings and at weekends.

44. The site lies in a highly sustainable location in terms of public transport and the application is accompanied by a Transport Statement. The proposal will clearly generate an increase in traffic from Dora Carr Close onto Maltfield Road; however the visibility splays from Dora Carr Close onto Maltfield Road accord with the required standards for highway safety and an acceptable road width together with footways are provided at this junction to cater for the increase in traffic movements.

45. The proposed number of car parking spaces to serve the community centre and the 28 flats contained within the mansion block [47 plus 4 disabled spaces] is considered to be acceptable. Officers consider the likelihood of all the occupiers of the flats having access to cars to be low and therefore it is reasonable to expect that some of the communal parking will be available for overspill and visitor parking.

46. In the context of the above, it is considered that the provision of one on-plot car parking space to serve each 3 and 4 bedroom dwelling is acceptable and complies with the maximum standards as set out in Appendix 3 of the Oxford Local Plan.

47. The cycle parking provision comprises a single rack accommodating 2 cycles for each new dwelling and this is considered to be satisfactory.

Further cycle parking is proposed adjacent to the outside seating area serving the community centre and in the new courtyard area between the community centre and terrace A. The plans do not show that the cycle parking would be secure and sheltered and condition 17 requires these details to be submitted and approved.

Bin Storage

48. The design of the 19 family dwellings includes a single storey front projection that would house both the bin stores and a cycle stand. A communal bin store is proposed to serve the occupiers of the flats contained in the mansion block and this would be free standing, would be located in front of the mansion block and would break up the line of car parking spaces. The communal bin store would measure some 6 x 4.8 metres and would be erected using timber boarding with a living roof.

Private Amenity Space

49. Policy HS21 of the Oxford Local Plan and policy HP13 of the Sites and Housing Plan both set out standards for the provision of private amenity space in new residential developments. Policy HS21 states that each new dwelling should have access to an area of private open space, possibly in the form of a balcony and that family dwellings of 2 or more bedrooms should have exclusive use of an area of private open space which should generally have a length of 10 metres. Policy HP13 states that family dwellings of 2 or more bedrooms should be served by private gardens that are proportionate to the size of the dwelling and at least equivalent to the original building footprint. It goes on to say that one and two bedroom flats should be served by either a private balcony or terrace of useable, level space or in the case of ground floor flats, direct access to a private or shared garden with some defensible space.

50. All of the 19 proposed 3 and 4 bedroom dwellings would have private rear gardens that would have lengths of at least 10 metres and this is considered to be acceptable. All of the upper floor flats in the mansion block would have private balconies which would measure approximately 2 x 1 metres. The ground floor flats would all have direct access to small private open areas that would be individually delineated.

51. It is also the case that the site abuts open playing fields to the south and there would be direct access via the playing field terrace. Officers are therefore satisfied that the proposed development includes the provision of adequate and good quality private open space.

Residential Amenity

52. Policy HP12 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that provide good quality living

accommodation. Each dwelling should include:

- Its own lockable entrance, kitchen and at least one bathroom
- The space provides for reasonable furnishing, circulation and use of household facilities in each part of the home, including for desk based home working
- Each dwelling provides adequate storage space.

53. The policy goes on to say that planning permission will not be granted for new dwellings if:

- Any single dwelling provides less than 39 sq. metres of internal floorspace
- Any family dwelling provides less than 75 sq. metres of internal floorspace
- Inadequate ceiling height, lack of natural lighting or natural ventilation or a restricted outlook prevent proper use and enjoyment of the dwelling.

54. The one and two bedroom flats contained in the mansion block all have internal floor areas of between 50 and 61 sq. metres and this is considered to be acceptable.

55. The 4 x 4 bedroom family dwellings have internal floor areas of 135 sq. metres and therefore well exceed the policy standard of 75 sq. metres. The 15 x 3 bedroom dwellings all have internal floor areas of 96 sq. metres which is also acceptable.

56. The Design and Access Statement accompanying the planning application states that the overall project has a number of key objectives and requirements as follows:

- Residential units to achieve the Lifetime Homes standards
- The project is an exemplar for the Pathway to Zero Waste scheme
- All residential units to achieve a minimum of Level 4 of the Code for Sustainable Homes
- All housing aims to achieve Gold Building for Life standard
- The community spaces to be designed to a BREEM excellent rating

57. It is considered that the proposals comply with policy as regards internal residential amenity. There is no accommodation housed within roofspaces and all of the flats and dwellings have good sized rooms with acceptable internal circulation. In addition, 2 x 1 bedroom flats in the mansion block are wheelchair accessible.

Sustainability

58. The application is accompanied by a Natural Resource Impact Analysis and an Energy Strategy. This document concentrates on the new community centre and concludes that the use of photovoltaic solar panels together with Air Source heat pumps will give an anticipated 53% renewable contribution which would result in a highly sustainable community building. The document states that the new community building would far exceed the NRIA requirements and would contribute significantly to the renewable energy provisions for the overall site.

59. The renewable energy strategy for the mansion block uses a large solar PV array to provide electricity for the dwellings. The array uses the substantial roof area and would be able to contribute around 10% of the energy requirements of the building. The document states that alternative, renewable energy options to achieve the 20% are deemed to be technically and financially unfeasible and instead the strategy focuses on improving the fabric of the new buildings and using high efficiency systems. The mansion block would meet the requirements of level 4 of the Code for Sustainable Homes, including a 25% reduction in CO2 emissions over Part L1A.
60. For the houses it has also been technically and financially unfeasible to achieve 20% contribution from renewable energy. However the document goes on to say that the strategy of low U-values and efficient systems including the use of flue gas heat recovery for gas boilers, exceeds the requirements of Level 4 of the Code for Sustainable Homes and results in 30% lower carbon emissions compared to the use of air source heat pumps which is the only real renewable energy option for the houses.
61. Policy HP11 of the Sites and Housing Plan states that planning permission will only be granted for new residential development where the proposals include at least 20% of their energy needs from on-site renewable or low carbon technologies unless it can be robustly demonstrated that such provision is not feasible. It goes on to say that the Energy Statement must include details of how this 20% target will be achieved. The Energy Statement acknowledges that the flats and houses do not achieve the 20% target and sets out a justification as to why this is the case.
62. In more general terms, the Design and Access statement makes reference to the following sustainable features of the development:
- The materials used will be of low environmental impact, reclaimed, renewable or recycled or locally sourced
 - The mansion block design has allowed the originally north facing single aspect flats to become dual aspect allowing solar gain from the north and south elevations
 - The mansion block allows for cross ventilation through the building reducing demands on heating and cooling systems
 - A high level of glazing will benefit solar gain and general daylight levels
 - Photovoltaic solar panels are incorporated onto the roof of the mansion block
 - The new hard surfaces will be constructed using permeable paving
 - The mansion block, community centre and bin stores will all have living roofs which will be like 'aerial meadows' that are part of the habitat mosaic on the site.

Biodiversity

63. The application is accompanied by a Newt and Drainage Strategy

Statement as there are great crested newts at Dora Carr Close which are part of a wider population and are reliant on the existing pond at Peasmoor Piece and the habitat around it. The pond itself is located within the wooded area of Peasmoor Piece with public playing fields immediately to the east and the old school playing fields to the west. These are all significant contributory catchments for the areas ground water re-charge, and therefore the level of the water in the pond.

64. The proposed re-development will result in the loss of some land that is currently grassed and in close proximity to the pond. In order to mitigate against any potential loss of water volume available to infiltrate back into the ground, it is proposed to direct the run-off from the community centre and mansion block roofs into a newly created wetland area where the run-off would be able to infiltrate into the ground and replicate the function of the lost grassed area.
65. It is also proposed to create a new pond for newt habitat which would be a permanent water body whose water level would be maintained and not allowed to vary with ground water levels. This would be achieved by lining the pond and keeping it 'topped up' from the surface water run-off.
66. The new pond and wetland habitat would be separated from the playing fields by a low bund which would be sown with a wild flower sward. This feature would extend the natural areas west of the playing fields to link with the existing boundary hedge to the east and south and provide basking potential for reptiles.
67. Condition 23 is recommended to ensure that the mitigation and protection measures outlined in the submitted strategy document are carried out to avoid harm to the newt population during development works and in the long term, to protect and enhance the existing pond, to mitigate for the loss of terrestrial newt habitat and the creation of an additional pond and an area of wetland habitat.

Conclusion:

68. The proposed development will have a form, scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to the occupiers of nearby residential occupiers. The proposal will provide much needed affordable and open market housing in a sustainable location and includes the provision of an appropriate number of car and cycle parking spaces. The proposal also includes the erection of a substantial new community centre, the relocation of an existing hard play court and provision of a mitigation pond for the great crested newts that currently inhabit part of the site. The proposal complies with adopted policies contained in the Oxford Core Strategy 2026, the Oxford Local Plan 2001 – 2016 and the Sites and Housing Plan 2013.

Human Rights Act 1998

69. 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.
70. 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

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

Background Papers:

12/03280/FUL

12/03281/FUL

12/03278/FUL

Contact Officer: Angela Fettiplace

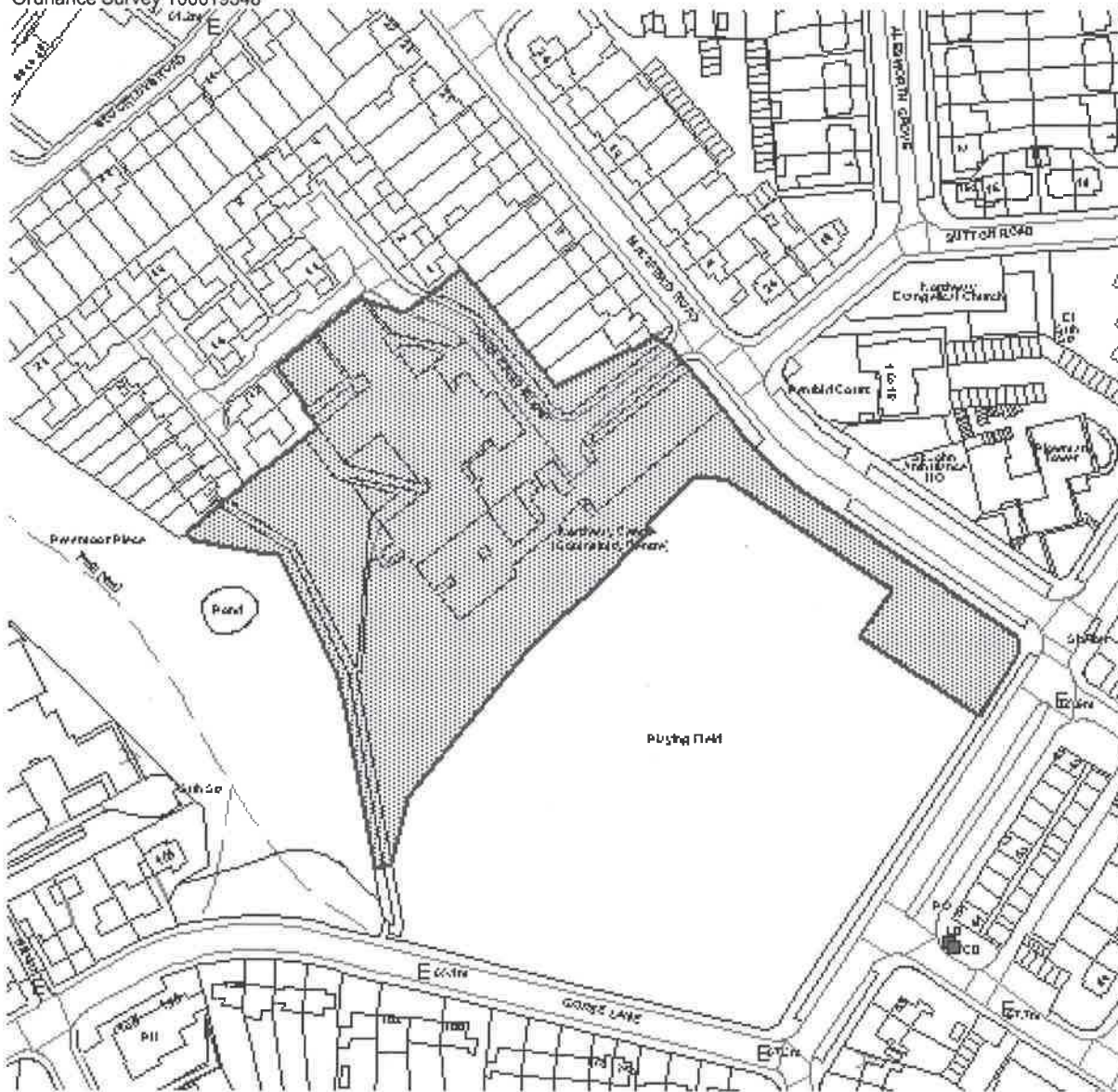
Extension: 2445

Date: 20th May 2013

Appendix 1

12/03280/FUL - Northway Centre

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Ordnance Survey 100019348



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East Area Planning Committee

5th June 2013

Application Number: 12/03278/FUL

Decision Due by: 1st May 2013

Proposal: Erection of 4 storey building comprising community centre (215 sq.m), retail and workshop unit (Emmaus) on ground floor together with 40 "car-free" residential flats (19 x 1-bed, 21 x 2-bed). Provision of 3 x customer car parking spaces and 3 x delivery spaces to serve Emmaus, 2 x car club parking spaces and 3 x disabled car parking spaces. Includes 100 cycle parking spaces, bin storage and associated landscaping works.

Site Address: Former Cowley Community Centre, Barns Road (Appendix 1)

Ward: Cowley Ward

Agent: AHMM

Applicant: Green Square Group

Recommendation:

Committee is recommended to grant planning permission subject to conditions but to defer the issuing of the decision notice and delegate it to the Head of City Development following the satisfactory completion of the associated Section 106 legal agreement.

For the following reasons:

- 1 The proposed development will have a form, scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to nearby residential amenity whilst providing much needed good quality affordable and market housing in a sustainable location. The proposals are considered to be provide a good quality community centre as replacement for the poor quality pre-existing facility as well as provide improved commercial premises for the Emmaus charity, an important local organisation. As a result of the sustainable location, the nature of the likely occupiers of the flats, access to public transport as well as sufficient on-street controls the proposals are not considered to be likely to give rise to highway safety concerns or a significant increase in parking congestion in the immediate area. Consequently the proposals are considered to accord with the

requirements of policies CP1, CP5, CP6, CP8, CP9, CP10, CP11, CP13, CP14, CP18, CP19, CP21, CP22, TR1, TR2, TR3, TR4, TR7, TR13, TR14, NE15, HE2, EC1, RC4 and RC10 of the Oxford Local Plan 2001-2016, policies CS2, CS9, CS11, CS13, CS17, CS18, CS19, CS20, CS21, CS23, CS24, CS27 and CS28 of the Oxford Core Strategy 2026 as well as policies MP1, HP2, HP3, HP9, HP11, HP12, HP13, HP14, HP15, HP16 and SP11 of the Sites and Housing Plan.

- 2 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.
- 3 The Council considers that, by virtue of the provisions to be made under the section 106 agreement, 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.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples Materials
- 4 Archaeology – mitigation
- 5 Suspected contamination – Phased risk assessment
- 6 Variation of road traffic order - Car Club Spaces
- 7 Car and cycle parking to be laid out prior to use of building in accordance with details to be agreed in writing by the Council beforehand
- 8 Bin storage facilities
- 9 Wheelchair accessible spaces allocated and retained
- 10 No development to commence until signage erected on Knolles Road and in application site dissuading parking by residents and visitors
- 11 Real time pedestrian information points to be installed in all flats
- 12 Drainage details required
- 13 Balcony details required
- 14 Pedestrian Link required at all times between Barns Road and Knolles Road
- 15 Landscape plan required
- 16 Landscape carry out by completion
- 17 SuDS Compliant Hardsurfacing
- 18 Details of boundary treatment required
- 19 Details of layout of community centre required prior to commencement
- 20 Construction Traffic Management Plan required prior to commencement
- 21 Travel Plan required
- 22 Environmental Management Plan required prior to work commencing
- 23 Public Art - Scheme Details & timetable

- 24 Details of sound proofing of workshop
- 25 Vision Splays required
- 26 Compensatory landscaping along Barns Road to be agreed with Council and Highway Authority prior to commencement of development
- 27 Wheel Washing Facilities to be agreed to prevent mud on highway
- 28 To be undertaken in accordance with the Natural Resource Impact Analysis document
- 29 Furniture construction, repair, treatment, demolition to take place only within sound attenuated building
- 30 Personal permission for use of retail/workshop restricted to Emmaus only
- 31 Details of cycle parking required prior to commencement of development
- 32 No development to take place until a replacement freestanding bus shelter on Barns Road has been erected to the County Council's standards and specifications
- 33 Prior to first occupation of the development the existing dropped kerbs allowing vehicular access to the site from Barns Road shall be reinstated to the County Council's standards and specifications

Legal Agreement

A total of £395,000 in Section 106 contributions over the 3 application sites [Northway Centre, Westlands Drive and Barns Road] will be secured as follows:

- £250,000 towards primary and secondary education;
- £100,000 towards highway improvements, £37,500 of which will be safeguarded for a possible CPZ or other traffic enforcement measures in the Barns Road area, otherwise to be used for other highway infrastructure such as cycle safety;
- £45,000 towards a variety of Oxford City infrastructure (e.g. indoor and outdoor sports provision, libraries and environmental improvements).

A number of other matters would need to be secured by legal agreement including the following:

- Arrangement for temporary changes to the TRO governing Barns Road (£3,600 to be paid to the County Council to cover the cost of this);
- £3000 to the County Council to cover the cost of a number of parking/traffic surveys on roads in the vicinity of the Barns Road site;
- Developer to meet the costs of the replacement bus shelter along Barns Road which must be to Oxfordshire County Council's standards and specifications;
- Car club provision at the Barns Road site with all new occupiers eligible for free membership of the car club scheme for a minimum of 12 months funded by the developer;
- Replacement landscaping required on either side of Barns Road to mitigate loss of existing on-site trees to be implemented by the County Council with the full costs met by the developer;
- All marketing information for the flats to clearly specify that no car parking is provided and that occupiers are expected not to own or keep a car at or close to the Barns Road site;

- Long-term maintenance of biodiversity measures including newt pond at Dora Carr Close.

This level of contribution does not fully comply with the requirements detailed in the Council's Planning Obligations SPD but has regard to the high provision of affordable housing [69%] of which 64% would be social rented accommodation and 36% shared ownership.

Main Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP5** - Mixed-Use Developments
- 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
- CP14** - Public Art
- CP18** - Natural Resource Impact Analysis
- CP19** - Nuisance
- CP21** - Noise
- CP22** - Contaminated Land

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS13_** - Supporting access to new development
- CS14_** - Supporting city-wide movement
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety
- CS20_** - Cultural and community development
- CS21_** - Green spaces, leisure and sport
- CS23_** - Mix of housing
- CS24_** - Affordable housing
- CS27_** - Sustainable economy
- CS28_** - Employment sites

Sites and Housing Plan

- MP1** - Model Policy
- HP2_** - Accessible and Adaptable Homes
- HP3_** - Affordable Homes from Large 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
SP11_ - Cowley Community Centre, Barns Road

Other Material Considerations:

National Planning Policy Framework
Balance of Dwellings SPD
Parking Standards, Transport Assessments and Travel Plans SPD
Natural Resource Impact Analysis SPD
Affordable Housing SPD
Planning Obligations SPD

Site History:

59/07771/A_H - Outline application for Cowley Community Centre - Permitted 10th February 1959.

60/08871/A_H - Community Centre - Permitted 26th January 1960.

66/17367/A_H - Additional use of foyer, dining area, and toilets on ground floor for children's play group (maximum 30) - Permitted 22nd March 1966.

72/26399/A_H - Extension to form store and entrance lobby - Permitted 12th September 1972.

74/01056/A_H - Extension to existing foyer and alterations - Permitted 28th November 1974.

91/01185/NF - Single storey extension – Permitted 31st January 1992.

11/01298/ADV - Display of non-illuminated painted advertisement hoardings (retrospective) - Permitted 12th July 2011.

Representations Received:

The proposals as submitted were subject to significant pre-application consultation with local residents where the scheme was amended across a variety of iterations to reflect concerns of local residents. Following submission of the application consultation was carried out by the Council and the applicants attended a public meeting at a local community centre to help present the proposals.

489 third party objections were then received in relation to the original proposals of which 464 were signed pro formas distributed by the local residents' association to houses in the surrounding area. The concerns raised by the objectors can be summarised as follows:

- The proposed building would dominate the streetscene as a result of its significant height and extreme mass which will only be exacerbated by the lack of meaningful street landscaping. A previous application for
- The proposed building would dominate the site and is far larger than the previous community centre;
- 16 of the flats have a single aspect eastwards so would enjoy little sunlight and provide poor living conditions for future occupiers;
- The significant height, rear facing balconies and close proximity of the building to the rear gardens of residential properties in Knolles Road will be detrimental to the privacy and pleasant outlook that these gardens currently enjoy;
- The sun path analysis undertaken is inadequate and it is clear that the rear gardens of Knolles Road properties will suffer from significant overshadowing in the afternoon and evening further exacerbating the overbearing impact of the building;
- The proposed community centre is not an adequate replacement for the previous centre both in terms of its size but also in its layout which prevents larger social functions and will primarily provide several office sized meeting rooms;
- The retail/light industrial unit is inappropriate given the residential area to the rear of the site and will result in dust, fumes and general traffic disturbance at various times of the day including at weekends;
- The proposed community centre and 40 flats would be served by just three disabled parking spaces. The surrounding roads are already congested and, with no off-street parking provision, residents and their visitors will simply park in Knolles Road, Bailey Road or Boswell Road or further afield worsening existing parking pressure. Various elements of the Travel Plan and Transport Assessment are vague and include measures that are not enforceable;
- Discussions and an informal agreement with owners of the nearby car park is not sufficient as it provides no security that such a formal arrangement will be reached prior to occupation of the flats. A car park that closes at 7pm means that residents cannot physically access their cars for a significant proportion of the day/night which would deter them from using it;
- Marketing the flats as car-free places no obligation whatsoever on future residents not bringing cars;
- The north end of the proposed building would delete an area currently occupied by the shelter and seats for a very busy bus stop which is set back from the pavement to the benefit of waiting passengers and passing pedestrians alike. The proposed building would force passengers to wait on the pavement of Barns Road competing for space with pedestrians trying to pass the bus stop. This would obstruct the pavement and make waiting for a bus uncomfortable.
- The existing school and local facilities are overburdened and cannot take additional capacity from the new flats proposed.

Revised proposals were submitted to the Council in an attempt to, primarily, elaborate on and amend the proposed car parking strategy as well as extend the proposed community centre at the expense of part of the floor area of one of the two ground floor flats. Public consultation on these amended proposals began on 22nd

April 2013 running for a period up until the 7th May 2013. Nine additional individual third party objections were received along with two petitions consisting of 77 and 250 signatures respectively. The concerns raised by the representations in response to the amended proposals are summarised as follows:

- The community centre proposed is far too small in comparison to the previous community centre and merely consists of a number of meeting rooms – “it is actually smaller in size than a tennis court!”. There is no space for weddings, birthday parties or larger community events;
- The community centre will be smaller than that in any other comparable area of Oxford and would be one-ninth the size of that proposed in Rose Hill – it would be unfit for purpose;
- The community centre proposed would be about 15% of the size of the previous one which the Council saw fit to demolish without securing an appropriate replacement;
- The parking issues have not been resolved at all. It is likely that each flat would generate at least one car and sometimes two for its residents and these cars would have to park along Knolles Road, Boswell Road and Bailey Road exacerbating existing parking problems;
- The Templars Square Car Park on the opposite side of Barns Road is not a realistic alternative as no residents of the flats will pay to park when they can park for free along Knolles/Boswell and Bailey Roads. In addition the car park is closed in the evenings and part of the weekends so it is not a viable alternative;
- Relocating the bus shelter will significantly reduce the space available for pedestrians, prams/pushchairs and wheelchairs;
- Mixing customer parking, delivery vans for Emmaus, car club vehicles as well as access to the Wolseley House Garages and Riley House flats represents an unacceptable risk for users and pedestrians;
- Refuse collection from the flats will require occupiers to move their bins manually down to the end of Knolles Road to meet the refuse vehicles which need to reverse along this length of overcrowded road;
- There is no provision for service, delivery or removal vehicles to attend the flats and there is nowhere for such vehicles to park;
- Increasing the height of the balcony fins will have no effect on overlooking or the perception of significant loss of privacy;
- The proposals make no change to the building which is still too large and overbearing to the residential properties behind it;
- The area is unsuitable for a light industrial use which will cause disruption and nuisance to occupiers of surrounding dwellings;
- The three car parking spaces in the Emmaus service yard are for customer use. The Transport Statement / Travel Plan (TS/TP) incorrectly considered these spaces as for staff use and assessed vehicle movements on that basis i.e. six per day. The reality is therefore that the spaces are likely to change hands much more frequently. The mix of customers (both in and out of cars) and reversing Luton vans in a cramped service yard is “a recipe for disaster”;
- The total height of the building to the top of the plant room has been increased, making it in excess of 20% taller than the adjacent flats. The height and proximity of the proposed building will still result in a lack of privacy, potential noise disturbance, and loss of enjoyment of sunlight for

existing residents in Knolles Road and Barns Road. This would be contrary to the Human Rights Act as residents will not be able to enjoy the peace and quiet of their homes as they do at present.

A further objection has been received from Stagecoach Oxfordshire which states that the loss of the existing bus shelter which serves a busy route is not shown to be adequately replaced as insufficient space would be left on the pavement leading to conflict between the various highway users to the detriment of the bus service.

A letter of support has been received from Emmaus citing the following points:

- The present premises in Northway is too far out of the city centre and not large enough for the charity to be entirely self-sufficient – the new larger premises should enable this as well as be close to where ex-homeless people are house on Oxford Road enabling staff to travel more easily to work;
- Our existing store in Northway has been much appreciated by the local neighbourhood who enjoy the facilities there and we have never had any complaints about the store's location in that area. We hope that the facility in Barns Road will also find similar appreciation;
- Whatever happens the existing premises in Northway will have to be pulled down (it is collapsing) and if we lose the existing store without a new one the charity won't be able to pay its bills which would mean that it would eventually have to close - depriving the Oxfordshire area of 28 beds for the homeless as well as 28 jobs for them.

Statutory and Other Consultees:

Environment Agency – No objection as the proposal represents low environmental risk and is not at particular risk of flooding or exacerbating flood risk elsewhere. No additional comments raised on amended proposals.

Thames Valley Police – No objection though a number of improvements could be made including ensuring secure boundary treatment along the northern boundary, enclosed and secure bin and cycle storage as well as incorporating secure entrance into the building, secure post arrangements as well as utility meters. Concern is raised about the lack of residents' and visitors' designated parking which could create conflict with existing residents. No additional comments raised on amended proposals.

Thames Water – No objection. No additional comment on amended proposals.

Environmental Development – A phased contamination risk assessment is required to be carried out prior to commencement of the development to remediate any contaminants on site and provide proof of this to the Council. No additional comments on amended proposals.

County Drainage Officer – A condition should be imposed requiring details of Sustainable Drainage techniques to be incorporated into the development to prevent surface water run-off and reduce risk of localised flooding. No additional comments on amended proposals.

City Council Developer Funding Team – Prior to the commencement of the development the financial contributions set out at the beginning of this report should be paid to Oxford City Council to offset the impact of the development on local infrastructure. This should be secured through a legal agreement completed prior to issuing of planning permission. No additional comments on amended proposals.

County Council Environment & Economy – The financial contributions set out at the beginning of this report are required to be paid via a legal agreement to ensure the proposals offset harm to local infrastructure provided by the County Council. No additional comments on amended proposals.

Highway Authority (Oxfordshire County Council) – The Highway Authority initially had concerns about the proposals and objected to the development due to the likely increase in on-street parking given that on-street parking in the area cannot currently be adequately controlled. In response to the amended proposals however the Highway Authority has withdrawn its objection and considers the scheme to be acceptable for the following reasons and subject to the following safeguards:

- Small flats in city or district centres of Oxford generally result in little car parking per unit;
- The site is located close to good bus service links and everyday amenities such that there are good alternatives available to the private car;
- Car club spaces are provided and free membership will be provided for one year at least to ensure the use of such a facility is encouraged;
- Disabled access is catered for in accordance with the County and City Council's parking standards with good level access between the spaces and the wheelchair accessible flats;
- The flats will be marketed as car-free and, whilst this would only apply to first time sales of private units, affordable units can be marketed as such thereafter by Greensquare. Providing information to all occupiers of new flats through the Travel Plan should help to alleviate this.
- There is an in-principle agreement with the owners of the neighbouring Templars Square Shopping Centre car park to allow future residents to park in public car parks. Whilst this overlooks the likely reluctance of occupiers' of the flats to use this facility after dark and that such arrangements can be terminated, as part of a package of measures it can be acceptable provision so long as not relied upon on a more permanent basis;
- Very generous cycle parking provision is provided to encourage alternative sustainable travel and an alternative to the private car – though specific details of this cycle parking provision should be submitted for approval by condition;
- Details of any proposed scheme for planting (trees/planters etc.) on or near the highway boundary would need to be agreed by the Local Highway Authority (LHA) before works began. This would need to be secured by imposition of an appropriately worded condition;
- The proposed customer and staff parking and access arrangements for Emmaus are shown to be acceptable in the amended plans
- Ordinarily Oxford City Council's Oxford Supplementary Planning Document would require the following payments of: 18 x 1 bed units @ £1,600 unit and 22 x 2 bed units @ £2,450 unit towards cycle safety measures making a total

sum of £82,700 however this is to be discounted in light of other community/social development/provisions including the highway contributions offered.

- The road traffic order governing Barns Road will need to be amended to allow the introduction of car club spaces and funding will need to cover the costs of this process. A condition as appropriate is recommended ensuring that the new flats could not be occupied until such car club spaces are in place;
- The applicant shall arrange the repositioning of the existing bus shelter and real time information installation so as not to obstruct the entrances to the proposal, or the footway. This may require alteration to the highway. Drawings must be submitted and agreed with the Highway Authority prior to implementation of the permission. The works must be undertaken prior to occupation. To carry out the works the applicant will need to enter into a s278 agreement under the Highways Act with the County Council as Highway Authority.
- The applicant will revert the current dropped kerb/ vehicular access on Barns Road to the north of the site back to the standard footway in accordance with the County Council's standards and specifications;
- A full Travel Plan to be produced and submitted for consideration and approval by the LHA prior to occupation of the development. This is required to minimise the number of car trips at the site and should include a 6 month period of free bus passes for all occupiers of the flats;
- A Construction Traffic Management Plan (CTMP) should be submitted to be approved by the LHA prior to any demolition and construction works being carried out at the site. This is required to minimise the impact of construction, for highway safety.

Despite the car-free strategy set out by the developer, the proposal may still have the potential to materially increase on-street parking and congestion within immediately roads at the expense of highway safety. In order to ensure this does not occur the following safeguards are required:

- Funding of £37,500 to the Highway Authority should be secured through a legal agreement to cover the potential cost of the introduction of a future Controlled Parking Zone (CPZ) or other appropriate parking enforcement measure if required to control any significant increase in indiscriminate parking on nearby residential roads as a result of the development. It should be noted that no CPZ would be introduced without full consultation with local residents in line with the County Council's standard practice;
- Interim parking restriction measures on Barns Road in the immediate vicinity of the site will require studies and amendments to the existing Traffic Regulation Orders (TRO) prior to occupation of the development For this the developer must pay a contribution of £3000 to fund the costs of the County Council in this respect. This funding should be secured through a legal agreement completed prior to issuing of planning permission.
- It will be necessary for the Highway Authority to use objective and quantitative measures to ascertain whether on-street parking has increased in surrounding roads during the months after the development has been occupied. This will require a number of surveys to be undertaken and the results used to inform whether parking enforcement measures are required. The developer should pay £3600 for parking studies to be undertaken by the

Local Highway Authority. Payment should be secured through a legal agreement with sufficient time for the first survey to be undertaken prior to the application of the interim TRO on Barns Road. The surveys will be 1. Prior to introduction of interim TROs, 2. Prior to first occupation of the development, and 3. Directly after last occupation. The legal agreement should ensure that first occupation of the flats proposed shall not occur until after the first and second surveys have been undertaken.

Officers' Assessment:

Site Description and Locality

1. The application site consists of an unoccupied plot at the northern end of Barns Road near to its junction with Between Towns Road and opposite the Templars Square Shopping Centre. A location plan is appended to this report. The site was, until recently, home to the Cowley Community Centre though it has in the past couple of years been cleared so that it now features just a handful of trees along its western boundary with Barns Road.

2. The site is in a prominent location on Barns Road where it curves as it runs north towards Between Towns Road. The site currently benefits from two existing vehicle entry points, one from Barns Road through Wolseley House Gardens and the other from Knolles Road at the rear. The northern end of Barns Road features mainly three storey buildings including the eastern entrance to the Templars Square Shopping Centre as well as a small parade of shop. To the north of the site lies the main office of Greensquare Housing Association (the applicant), to the east the semi-detached houses of Knolles Road and Boswell Road and to the south a row of garages connected to four storey residential buildings.

Description of Proposed Development

3. The application seeks permission for the erection of a four storey building incorporating a roof terrace garden that features a community centre and a retail/workshop facility on the ground floor along with two wheelchair accessible one bedroom flats. 38 x one and two bedroom flats are proposed on the three upper floors. The proposals also include landscaping to the rear of the building along with the provision of three wheelchair accessible parking spaces to serve both the community centre and flats as well as dedicated bin and cycle storage facilities. Two car club spaces are proposed on the adopted highway adjacent to Wolseley House Garages and it is through here that staff and customers would gain access to the proposed Emmaus facility where three van/lorry spaces are proposed as well as three customer parking/pick-up car parking spaces.

Background to the Proposal

4. The application forms part of a wider scheme incorporating three City Council owned sites and involves two other applications for development at Northway. The scheme is primarily intended to deliver a significant number of affordable dwellings in the City along with much needed and improved community facilities as part of the Council's wider objectives to improve the City's housing stock and provide an improved environment for the residents of the City. A proportion of market housing is proposed within the scheme with the majority proposed on the Barns Road site (50%) to ensure the development remains financially viable. It should be recognised

by Members that this application forms part of a package of three applications that have been designed as part of one scheme and it is on this basis that a number of planning issues should be considered.

5. Officers consider the principal determining issues in this case to be:

- Principle of Development;
- Affordable Housing;
- Mix of Dwellings;
- Planning Obligations;
- Design and Appearance;
- Amenity
- Impact on Neighbouring Properties;
- Community Facilities;
- Highway Implications/Parking;
- Trees/Landscaping;
- Energy Efficiency/Sustainability;
- Land Contamination;
- Archaeology; and
- Flood Risk.

Principle of Development

6. The site formerly comprised the Cowley Community Centre as well as associated hardstanding areas such that it represents previously developed land as defined in Government guidance. The principle of development on previously development land in sustainable locations is considered acceptable and is indeed supported by policies CS2 of the Core Strategy and policy CP6 of the Local Plan which seek greater efficiency of use of land provided it is appropriate to its context.

7. In addition the site is allocated through policy SP11 of the Sites and Housing Plan (SHP) for a replacement community facility and residential development. The policy also makes it clear that a retail use on the ground floor would also be acceptable and stresses the importance of high quality design given the prominent nature of the site. Consequently the mixed use development proposed for the site fully complies with the uses for which it is allocated.

Affordable Housing

8. The application proposals are part of a larger scheme covering three sites that are all being considered at the 5th June 2013 East Area Planning Committee. The scheme seeks to provide a significant number of affordable homes (74) on City Council owned land as well as replacement community facilities. It is on the basis of the overall scheme that officers consider the proposals should be assessed in this regard. Policy HP3 of the Sites and Housing Plan (SHP) requires proposals for residential development of 10 dwellings or greater to provide a minimum of 50% of the dwellings as affordable units on the same site. In this case the scheme as a whole provides 69% of the dwellings as affordable units with the Barns Road development in particular providing 50%. The remainder of the units will be available as market housing.

9. Therefore this application when assessed individually and the scheme as a whole

comfortably meets the Council's development plan policies in this respect and as such they will collectively make a significant contribution to meeting the high demand for affordable housing as well as market housing with the City.

10. Policy HP3 of the SHP typically requires 80% of the affordable housing on a site to be social rented in tenure with the remainder being intermediate housing (including shared ownership). For a scheme providing 50% affordable housing (as required by policy HP3) this would translate to 40% of the overall dwellings proposed being social rented units and 10% intermediate housing. The application proposals meet this requirement with 40% of the dwellings being social rented affordable units and 29% intermediate in tenure. The remaining 31% is proposed to be market housing. Consequently officers are satisfied that the proposals accord with the affordable housing policies set out within the Council's development plan.

Mix of Dwellings

11. The application site is of an unusual and elongated shape making it unsuitable to provide any meaningful number of family sized houses and therefore make a significant contribution towards meeting housing need within the City. In addition, with the requirement to deliver a community centre and an Emmaus workshop on the ground floor it was considered to be only reasonable to expect one and two bedroom flats on the upper floor flats so as to be able to continue to provide a significant number of new dwellings as part of efforts to meet the City's affordable housing need. Officers therefore considered it inappropriate to directly apply the requirements of policy CS23 of the Core Strategy or the associated requirements of the Balance of Dwellings SPD (BoDs SPD) to the application proposals. Such an approach was agreed as reasonable during extensive negotiations between officers and the applicant at pre-application stage. As a consequence the mix of 19 x 1 bedroom flats and 21 x 2 bedroom flats is considered to be appropriate given the site circumstances and the significant number of good quality sustainably located affordable dwellings that it will provide.

Planning Obligations

12. As a result of the occupation of the proposed dwellings proposed across the three sites there will be a consequent impact on local public services. Policy CS17 of the Core Strategy states that developer contributions will be sought where needs arise as a result of new development. The Council's Planning Obligations SPD sets out the financial contributions required for a development of the size and type proposed. In this case it was considered to be more appropriate for the developer to make a contribution based on the scheme as a whole (all three sites) rather than individually. Between the County and City Councils the developer has agreed to make contributions of £395k towards, primarily, primary and secondary education, highway improvements as well as sports facilities and libraries. Such a contribution will need to be secured by legal agreements prior to the issuing of any planning permission. Whilst the figure of £395k is lower than required by a strict interpretation of the Council's Planning Obligations SPD it should be recognised that the scheme provides 69% affordable housing and it would not be financially viable for the developer to provide a greater financial contribution and continue to include such a high proportion of affordable housing. In light of this, officers consider the impact of the proposals to be adequately mitigated by the financial contributions offered and find the proposals acceptable in this regard.

Design and Appearance

13. The site is highly prominent along the busy Barns Road as it curves around at its western end towards Between Towns Road. It is particularly important therefore that the design of any development enhances the public realm as required by policy CP8 of the Local Plan as well as the site allocations policy SP11 of the SHP. The design is clearly contemporary and innovative in form and appearance utilising an interesting choice of materials (glass, a variety of brick and mortar colours as well as powder coated metal balconies, windows and external stairs) as well as recessed balconies. A central glazed stair shaft helps to break up and add interest to the front façade. At ground floor level the glazed frontage to the Emmaus premises and the community centre provide an active façade with Barns Road and should generate a positive interaction with the street. The main block will be bookended by enclosed stairwells allowing additional entry/egress of the flats partly to ensure the development complies with fire safety requirements of building regulations. The amended proposals feature the extension of the lift shaft up to the roof garden to allow disabled access to the roof garden so that the wheelchair accessible flats enjoy the same standard of outdoor amenity space as all of the other flats within the building.

14. The surrounding area features a mix of building forms with the commercial buildings on the opposite side of the road and to the north of the site being predominantly three storey in scale and rather more utilitarian in form and appearance in contrast to the more contemporary approach now proposed. To the south of the site are terraces of residential flats that are four storeys in height with a flat roof. With its contemporary flat roof form which incorporates a garden terrace it will therefore be similar in height to the nearby four storey blocks of flats as well as surrounding three storey buildings that feature more traditional pitched roofs. Whilst the building will be of considerable width as it projects along the road frontage, officers do not consider this to be inappropriate given that the building arcs around the curve of the site and would not be fully appreciated in its full scale from any single viewpoint and therefore . Officers consider the site to provide an excellent opportunity to deliver a high quality development with a visual presence within the street that would visibly enhance the corner and improve upon the more tired and functional buildings of Barns Road in its immediate context. Officers are satisfied that the development proposed achieves this objective by adding interest to a fairly tired streetscene which should enhance the character and quality of its immediate environment in accordance with the relevant decision policies of the development plan.

Standard of Accommodation

15. Policies HP12 and HP13 of the SHP require all new dwellings to be of a reasonable quality both internally and externally. Each flat proposed is greater than the minimum 39 sq m in floor area required by policy HP12 (all flats are greater than 50 sq m in floorspace) with good lighting to each habitable room and a sensible, accessible layout. All flats feature a private outdoor amenity space in the form of a balcony with a number of flats having balconies at both the front and rear which comfortably exceeds the minimum requirements of policy HP13. There is also a roof garden featuring soft landscaping on the top of the building which would be available to all residents of the flats for them to enjoy as an additional outdoor space over and

above the use of the balconies. To the rear of the building there is also a soft landscaped area featuring tree planting along the site boundary between the access from Knolles Road and the Emmaus parking area. This amenity area would also be available to all residents and provide a pleasant communal environment for them to enjoy. Cumulatively therefore the quality of accommodation provided by and for the flats proposed is considered to be of a good standard.

16. Policy HP2 of the SHP requires all new dwellings to be constructed to Lifetime Homes standards and for 5% of units to be fully wheelchair accessible. In this case two of the units on the ground floor are suitable for wheelchair users with good level access between the disabled parking spaces outside and the flats. The layout of the flats is also such that it is easy for wheelchair users to navigate around the flats and officers consider them to accord with the Council's technical guidance on wheelchair accessible dwellings. Similarly the remainder of the flats are all considered to comply with the main principles of Lifetime Homes standards due to their size and layout as well as there being lift access to all flats.

Impact on Neighbouring Properties

17. Policies CP1 and CP10 of the Local Plan as well as policy HP14 of the SHP state that planning permission will only be granted where proposals adequately safeguard neighbouring residential amenity. It is against this planning policy requirement that the application should be considered in this regard.

18. The site previously featured a part single part two storey community centre which ran along the eastern edge of the site abutting the rear gardens of 8-16 Knolles Road. This building projected above the existing rear boundary walls of these properties that currently separate them from the application site. Whilst this building did not feature any windows that faced out onto the rear gardens of the Knolles Road properties it did have something of a stark rear elevation that reduced the quality and openness of the outlook from the rear gardens of 8-16 Knolles Road. Whilst the community centre has now been demolished it is against the backdrop of this previous building that the current proposals should be assessed as this provided the previous context for neighbouring occupiers' enjoyment of their homes to the west side of Knolles Road and Boswell Road.

19. Following significant consultation with local residents the design of the proposed building has been altered in order to address any harm to the outlook and privacy enjoyed by occupiers of properties to the west side of Knolles Road and the northern end of Boswell Road.

20. The result is that the building has been located as far to the west of the site as possible which would result in the loss of the existing boundary trees (to be discussed later in the report). As a result of this the minimum separation distance between the building and any nearby dwelling is 25m which well exceeds that normally expected by the Council (20m) and set out as a minimum in the supporting text to policy HP14 of the SHP.

21. It was recognised by the applicant and by officers however that the building proposed is taller and of greater mass than that which the Council as planning

authority normally applies this policy to. To address the potential impact on neighbouring houses the fourth floor has been stepped back from the main rear wall by just over 4m. This ensures that the building has less immediate visual presence from the rear gardens of Knolles Road/Boswell Road properties and prevents significant levels of casual overlooking resulting from residents walking along the entrance way to the fourth floor flats.

22. Given the separation distances involved and the stepped form of the rear of the building, officers are confident that in comparison with the pre-existing community centre, the proposed new building would not result in significant harm to the outlook enjoyed by occupiers of neighbouring dwellings. In addition, given these separation distances the building proposed would not have a significant impact on the levels of light received into the rear gardens or houses of Knolles Road or Boswell Road when considered against the former community centre which directly abutted these houses. Indeed sunlight analysis has demonstrated that the impact on the majority of nearby dwellings would be less than that which previously occurred until at least the early evening when, even then, the difference would not be dissimilar. Officers therefore consider the scheme to be acceptable in this regard and in accordance with the requirements of the relevant policies of the development plan.

23. With respect to privacy, officers accept that the proposed building will feature a significant number of rear facing windows and general activity that could potentially result in a significant increase in overlooking of neighbouring rear gardens particularly since the former community centre did not result in any material loss of privacy for adjoining residents.

24. The applicant has gone to significant lengths to try to reduce the levels of both actual and perceived overlooking that may result from the development. At first and second floor levels the rear facing windows have been designed with angled bays with windows facing either north or south to ensure that there is no direct overlooking of the rear gardens of Knolles Road and Boswell Road. Similarly the balconies are proposed to feature 1.5m high balustrades with angled fins that would prevent residents directly looking out to the east over the adjoining rear gardens when seated. Whilst there would be some overlooking potential if occupiers of the flats were to stand up for prolonged periods of time this is unlikely and, in reality, the overlooking would be casual and fleeting. To ensure overlooking from balconies is adequately addressed officers suggest the imposition of a condition that requires further details of the angled fins to ensure that they are appropriately angled and of sufficient height to prevent the potential for harmful overlooking.

25. Turning to the fourth floor, as described previously this would be stepped back several metres and surrounded by a balustrade. Given that the walkway to the fourth floor flats is stepped back from the main rear wall it will prevent direct overlooking down onto the rear gardens of Knolles Road dwellings as the angle created for future residents when walking to their flats would block most casual pedestrian views. More deliberate peering over the edge may allow more significant views though this is considered to be generally unlikely to occur.

26. Finally some concern has been raised by local residents that use of the roof top terrace would result in substantial overlooking of the Knolles Road and Boswell Road

dwellings. However officers' note that this garden is set back further again from the fourth floor and will feature a wall and railings that prevents residents from walking to the eastern side of the garden. The distance of the publicly accessible areas of the terrace from the rear wall of the building again interrupts sight lines thus preventing materially significant overlooking of the rear of the Knolles Road/Boswell Road properties.

27. Some concern has also been raised by third parties about the potential for noise and disturbance emanating from the Emmaus facility and its customers to harm the quiet enjoyment of nearby houses and their gardens. Officers have however concluded that the associated vehicle movements will not be so significant as to be materially harmful to the living conditions of nearby residents particularly given that these will predominantly take place during daytime hours and not be so significant in number in the context of the site that this could reasonably be concluded to be detrimental to the living conditions experienced at adjacent dwellings. In addition the workshop element proposed for the ground floor of the building will take place in a fully sound noise attenuated room to prevent noise of machinery and tools disrupting neighbouring residents. To ensure the specification of this room is appropriate officers recommend a condition is attached requiring details of the sound proofing which can be assessed by Environmental Development officers at the Council. Officers also recommend that a condition be imposed requiring that a construction environmental management plan be agreed by the Council prior to commencement of the development. This will ensure that noise from construction traffic, machinery, working hours, emissions etc stemming from the construction phase of the development can be assessed and controlled so that it is appropriate to its setting.

28. Whilst officers consider the operation of the Emmaus charity from the site and building to be appropriate, it is possible that in the future Emmaus could cease operation from the building/site. In these circumstances it would be possible for a different organisation to have unrestricted use of the workshop which could result in significant noise and disturbance for occupiers of the flats above as well as houses in Knolles and Boswell Roads. Officers therefore consider it appropriate and necessary in these exceptional circumstances to recommend the imposition of a personal permission condition restricting the use of the retail and workshop elements to Emmaus only. In the event that Emmaus were to vacate the premises the Council would then have the ability to assess the merits of any new user and give due consideration to the potential harm to highway safety and neighbouring amenity in accordance with development plan policy. Officers consider this to be a prudent approach in the circumstances which would, in addition, help allay local residents' concerns about potential disturbance from the site.

29. For the above reasons officers are satisfied that, subject to the suggested conditions, the proposals will not result in significant harm to established residential amenity and consequently find that the proposals adequately safeguard neighbouring residential amenity in line with the requirements of policies CP1, CP10 and CP21 of the Local Plan and HP14 of the SHP.

Community Facilities

30. Policy CS20 of the Core Strategy states that the Council will seek to protect and

enhance existing cultural community facilities and that planning permission will not be granted for development that results in the loss of such facilities unless equivalent new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport.

31. The site previously featured a large community facility that had become tired in appearance and was not suited to modern community needs. In response the former community centre was demolished with the intention of constructing a new more appropriate facility as part of a mixed use development of the site. During this time the needs of the local community have been mostly catered for by using other existing facilities in the area though a Council survey of local residents by the Communities and Neighbourhoods team identified a residual unmet need for some additional community facilities in the immediate area.

32. The aforementioned surveys undertaken by the Council indicated that the former community centre was not being used efficiently given its significant size which was far in excess of similar community facilities in other areas of Oxford. However the survey did show strong demand within the local community for a more appropriate community facility with rooms suitable for smaller group events but which still had the ability to form one main hall for larger functions. When the Council's City Executive Board (CEB) then issued the site to tender it included a brief to provide a community centre of 215 sq m which was considered to be the size necessary to meet the local community's needs based on the results of the Council's surveys.

33. In response the development proposes a new community centre of 215 sq m that has been designed to meet the Council's tender requirements. Officers are consequently satisfied that adequate provision has been made to cater for the residual needs of the local community sufficiently replacing the former community centre and providing a far more aesthetically pleasing building to the benefit of the streetscene. In this regard officers consider the proposals to accord with the requirements of policy CS20 of the Core Strategy. However, in order to ensure that the layout of the community centre is appropriate to the needs of the community it will serve, officers recommend a condition is imposed requiring final details of its internal layout to be agreed prior to commencement of the development.

Highway Implications/Parking

34. The application site lies within a Transport District Area as defined in the Local Plan which indicates that it is sustainably located within close proximity to everyday amenities as well as being served by good public transport links that make an excellent and realistic alternative to the private car. Policy CP1 of the Local Plan states, inter alia, that permission will only be granted for development which is acceptable in respect of access, parking, highway safety, traffic generation and pedestrian/cycle movements. The proposals should therefore be considered against the requirements of this policy.

35. The flats and the community centre are proposed to be a car-free development. In this respect they are not proposed to be served by any on-site car parking provision other than disabled parking. Policy HP16 and its supporting text in the SHP make it clear that the Council supports car-free development where the following criteria are met:

- The new dwellings would have excellent access to public transport links;
- The site is covered by a controlled parking zone (CPZ); and
- The dwellings would be within 800m of a local supermarket or equivalent facility.

36. Policy HP16 was adopted as part of the SHP in February 2013 and differs slightly from the Council's previous car parking policy in the Local Plan which it superseded. This policy (TR3) and its supporting Parking Standards, Transport Assessments and Travel Plans SPD made it clear that car-free residential development could be acceptable even outside CPZs where the location of the development was such that car ownership would be unlikely and/or that on-street car parking could be controlled. It was on the basis of the Council's recently superseded policy that the scheme has been developed with officer input at pre-application stage.

37. Officers consider the site to be sustainably located close to local shops and a supermarket as well as being directly adjacent to a main bus route with links to the city centre and railway station. Consequently officers take the view that, even though the site is outside a CPZ, the scheme could be acceptable in highway terms if the applicant were to make a strong case setting out how car ownership would be discouraged and alternatives promoted. This view was supported by the Highway Authority at pre-application stage and continues to be their position.

38. The flats and community facility proposed would have a vehicular access from Knolles Road, a residential street behind (east of) the application site. Knolles Road leads off Boswell and Bailey Roads (also residential in nature) as they converge to the rear of the site. Many of these houses enjoy off-street parking for one or two cars though there is some overspill parking on to the highway. Such on-street parking is generally not severe though the roads can at times feature relatively significant numbers of casually parked vehicles. The roads are covered by on-street controls and feature single yellow lines to either side which restrict parking between 1-2pm and 3-4pm. At present the County Council is not actively enforcing these parking controls though they retain the ability to do so if considered necessary in the future.

39. To the front of the site (along Barns Road) the road is covered by on-street controls including double yellow lines and car parking would not be able to occur within the immediate vicinity of the site. Some residents' car parking does occur further to the south on Barns Road in parking bays though this is some distance from the site and is unlikely to be used significantly by future residents of the development or their visitors. In order to prevent visitor or resident parking in these bays stemming from the development proposed the Highway Authority recommend introducing an interim change to the Traffic Regulations Order governing Barns Road to strengthen these parking controls.

40. The flats proposed are small in size being one and two bedroom units and so might typically be expected to generate approximately one car per dwelling on average in out of city centre locations. However, the site is in the centre of a Transport District Area that allows easy pedestrian access to local shops, a supermarket and frequent bus routes into the city centre as well as being within cycling distance of the city centre. Officers would therefore expect that for these flats the level of motor vehicle ownership would be significantly lower. However it would

be inevitable that some resident and visitor car parking would take place with the likelihood, for the above reasons, that this would take place on the residential roads to the rear. In order to reduce the prospect of this scenario occurring, the applicants propose a multi-faceted approach to attempting to significantly reduce car ownership amongst future residents of the proposed flats which can be summarised as follows:

- All flats would be marketed as car-free so that it is clear to potential purchasers from the outset that no on-site parking will be provided and that they will be expected not to own a motor vehicle – this would be reinforced through documentation distributed to new occupiers of the flats and which could be required by a clause in the legal agreement;
- Signage would be erected on Knolles Road and on the entrance to the site stating that it is a residential parking area and that visitors should use the nearby Templars Square parking facilities (this is proposed to be secured by condition prior to occupation of the flats);
- Real time passenger information displays for all bus routes that stop at the adjacent Barns Road bus stop would be available in all flats (also proposed to be secured by condition prior to occupation);
- An agreement to provide a new freestanding bus shelter to the County Council's standards and specifications prior to the occupation of the flats proposed;
- Each new resident to be provided with a free bus pass covering Oxford city routes for a period of six months (to be detailed further in a Travel Plan which would be required to be agreed prior to occupation by planning condition);
- Two car club spaces to be provided just off Barns Road adjacent to Wolsey House Garages. All residents would receive a free subscription for at least a year to encourage its use (secured by a legal agreement);
- Space for 100 cycles in a secure and covered facility would be provided to encourage this more sustainable alternative transport mode (secured by condition);
- A written in-principle agreement with the operators of the Templars Square Car Park that, if required, future occupiers of the flats can purchase parking permits to allow residents and their visitors to park in the car park on the opposite side of Barns Road.

41. Officers consider it likely that cumulatively the above measures proposed by the applicant would result in a significant reduction in the number of new residents and their visitors parking in adjoining streets. However, in the event that the development does give rise to an appreciable increase in on-street parking the following measures have been agreed:

- That the applicants will provide £37,500 to the Highway Authority prior to commencement of the development which would be safeguarded so that it can be used to fund the introduction of a CPZ or other parking enforcement measures if supported by the local community following public consultation (such funding would be secured as part of a legal agreement with the County Council);
- Interim parking restrictions to be introduced covering Barns Road in the area surrounding the site which would have to be operational prior to the occupation of the development. The cost of introducing these measures (£3000) would be funded by the developer prior to commencement of the

development;

- The Highway Authority will undertake a number of independent surveys at various times of the day at set milestones (including prior to occupation of the flats as well as in the months afterwards) so that the impact of the development on local roads can be assessed. If the results of the surveys demonstrate a material increase in on-street parking and congestion then the funding towards parking enforcement measures (the £37,500 set out earlier in the report) can be used to consult existing local residents to understand the local community's preferred approach to alleviating the problem and introduce traffic control measures. A legal agreement would specifically exclude occupiers of the proposed new flats from being eligible for any new parking permits if a CPZ is introduced following consultation).

42. In addition to the above, Highway Officers at the County Council have also confirmed that the current approach to enforcement of current parking restrictions in Knolles, Boswell and Bailey Roads is potentially open to review in the future were there to be a strong demand expressed for it from local residents. Similarly, Highway Officers have stated that a CPZ would only be considered in the event that there is strong local demand and not without full consultation with the local community beforehand.

43. The proposal includes three wheelchair accessible car parking spaces; two allocated specifically to serve the two wheelchair accessible flats on the ground floor of the building and the third to allow disabled access to the proposed community centre. The spaces are proposed to meet the County Council's size standards for wheelchair spaces and have convenient level access to the building. Such provision of disabled parking accords with the requirements of policies HP16 of the SHP and TR3 of the Local Plan.

44. With respect to the Emmaus workshop/retail element, this is accessed from Barns Road and is separated at ground floor level from the flats/community centre. Three customer car parking spaces are proposed which allow customer pick up and drop off of furniture items. Highway Officers consider this to be reasonable and realistic given the existing number of customer movements to their site at Northway. Three spaces are also proposed for delivery vans to allow collection and delivery of furniture. Such spaces are considered to be sufficient in number and adequately accessible so that the movement of vans does not conflict with customer parking arrangements. No concern is therefore raised by the Highway Authority about the impact of the Emmaus facility on the functioning of Barns Road and its access through Wolseley House Garages.

45. No staff car parking spaces are proposed for the Emmaus facility as the employees will live locally and, given their nature, are very unlikely to own or use a car. Officers therefore consider this approach reasonable. In accordance with the Highway Authority's recommendation officers recommend a condition be imposed requiring the reinstatement of the current Barns Road dropped kerb to the County Council's standards and specifications to ensure the footways are returned to a more pedestrian friendly form.

Trees/Landscaping

46. As a result of public consultation (where concern was raised about the overbearing impact of the development on houses in Knolles Road), the proposed building was relocated to the far west of the site so that it directly abuts Barns Road. As a result the existing six trees along the western boundary (Norway Maple and Lime) would need to be removed which is regrettable as they are prominent in public views. In addition, as a result of the building effectively extending across the entire width of the site the proposals do not allow for any replacement tree planting on the site that would have similar public amenity benefits.

47. In such circumstances policy NE15 of the Local Plan indicates that planning permission would not normally be granted though in this case it is possible to plant trees in raised planters within the pavement adjacent to the site to help mitigate the visual effect of tree losses on Barns Road. It is also proposed for similar planting to be inserted within the pavement on the opposite side of the road which would help to create something of boulevard feel to this section of the street. Whilst such trees would not have the same visual presence of the existing trees as their size would be constrained by their location and planting within a raised box, officers consider this approach to be acceptable particularly in light of the overwhelming benefits of the scheme which improves the appearance of the site as a whole and provides important affordable housing for the City's residents. The Highway Authority has confirmed that they have no objection to tree planting along the pavements as the walkways are considered to be of sufficient width to prevent any impediment to pedestrians and would not reduce visibility for drivers so that there is no risk to highway safety. Officers have recommended a condition that development should not commence until a detailed landscaping plan has been agreed which may involve financial contributions being paid to the County Council to cover the costs of carrying out works to the highway to facilitate the landscaping.

Energy Efficiency/Sustainability

48. Policy CS9 of the Core Strategy requires all developments to seek to minimise their carbon emissions and that proposals should demonstrate how sustainable design and construction methods will be incorporated into the scheme. It also states that planning permission will only be granted where a Natural Resource Impact Analysis checklist has been submitted demonstrating how a range of sustainability approaches have been taken. Policy HP11 of the SHP further states that for schemes of 10 or more dwellings at least 20% of their energy needs must come from on-site renewable or low carbon technologies unless shown to be unviable.

49. The development incorporates the following sustainability measures to ensure that the flats achieve a Code for Sustainable Homes level 4 rating:

- Photovoltaic solar panels will be located on the roof of the building;
- High levels of insulation;
- Maximisation of daylight and sunlight;
- An air tightness of 3m³/m²/hr is targeted to prevent heat loss from the building;
- Daylight dimming lighting in all main rooms;
- Automatic presence detecting lighting in communal areas;
- High efficiency gas boilers;
- Use of 60% recycled aggregate for construction materials which would be locally sourced;
- Use of water meters, low flush WCs, low flow taps and rainwater harvesting

- via water butts;
- Incorporation of a green roof to contribute towards carbon reduction.

50. In addition to the flats the community centre and Emmaus workshop facility would be served by an air source heat pump ensuring at least 20% of their energy needs are met on site.

51. The use of solar panels on the roof of the building will not, by itself, result in the flats generating 20% of their energy use on site as required by policy HP11 of the SHP. Other methods of on-site energy generation have been assessed and found to be inappropriate due to the space available, the proximity of surrounding residential properties and the potential to cause noise nuisance to them as well as the financial costs associated with them. Therefore whilst the Council's policy requirement is not quite met with respect to the residential element of the scheme, this is partially offset by the community centre and Emmaus workshop elements which exceed the planning policy criteria and, additionally, it should be recognised that the predominantly affordable housing make-up of the scheme means that significant financial returns will not be generated thus making more expensive solutions unviable. Of course the development is also essentially car-free and in a sustainable location further improving the environmental credentials of the scheme. Officers therefore find the proposals acceptable in this regard and are recommending a condition to ensure that the proposals incorporate all of the energy efficiency measures set out in the energy statement submitted as part of the application.

Land Contamination

52. The history of the site suggests that from approximately 1900 the site has featured a variety of commercial uses including a box factory, steam plough works and warehouse though these were all replaced by the community centre during the 1960s. There is the possibility of some limited contamination of the soil in the site as a result of these uses and the applicant is in the process of undertaking on-site investigation works to establish the extent of contamination and the remediation measures necessary. To ensure that the findings of the contamination assessments can be reviewed and the remediation methods approved officers recommended the imposition of a condition requiring a phased contamination risk assessment to be carried out prior to commencement of development on the site. The Council's Environmental Development officers are satisfied with this approach.

Archaeology

53. The application site lies to the west of an important former Roman pottery production site at St Lukes Road. In order to assess whether there are deposits of archaeological significance on the site in accordance with policy HE2 of the Local Plan an archaeological evaluation has been undertaken at the site by Avon Archaeology and an interim report submitted. The evaluation identified a series of features across the footprint of likely Roman, medieval and post-medieval date including pottery, wall foundations and intercut pits. Given the deposits a condition is recommended as suggested by the City Council's Archaeologist that prior to commencement of any works a scheme of archaeological mitigation of the full engineering impact of the development is approved by the Council in order to preserve the deposits in-situ.

Flood Risk

54. The application site is not located with an area identified by the Environment Agency as being susceptible to flooding. Nevertheless as a result of the size of the site a flood risk assessment has been submitted though this concludes that the development will not increase the risk of flooding either at the site or elsewhere. The Environment Agency concurs with these findings. Sustainable drainage systems are however to be included as part of the development and officers recommend a condition requiring approval of drainage details prior to the commencement of the development.

Other Matters

55. Policy CP14 of the Local Plan requires developments of greater than 20 dwellings to make provision for public artwork. The applicant intends to construct this artwork on the application site rather than make a financial contribution to the City Council to commission the work for siting elsewhere. Officers therefore recommend a condition be attached to any planning permission that ensures details of the public artwork and a scheme for its implementation are agreed by the Council prior to occupation of the development.

Conclusion:

56. The proposals provide good quality housing for Oxford that makes a significant contribution towards meeting the City's affordable housing need whilst providing a development that will improve the appearance of a redundant site, provide improved community facilities and provide a more appropriate base for an important local charity and social enterprise, Emmaus. The proposals are not considered to result in significant harm to established residential amenity or be likely to have a materially adverse impact on the functioning and safety of surrounding roads. Consequently Committee is, on balance, recommended to resolve to grant planning permission subject to the conditions set out at the beginning of the report though delegate to officers the issuing of the decision notice once the necessary legal agreements are completed.

Human Rights Act 1998

57. 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.

58. 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

59. 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:

59/07771/A_H

60/08871/A_H

66/17367/A_H

72/26399/A_H

74/01056/A_H

91/01185/NF

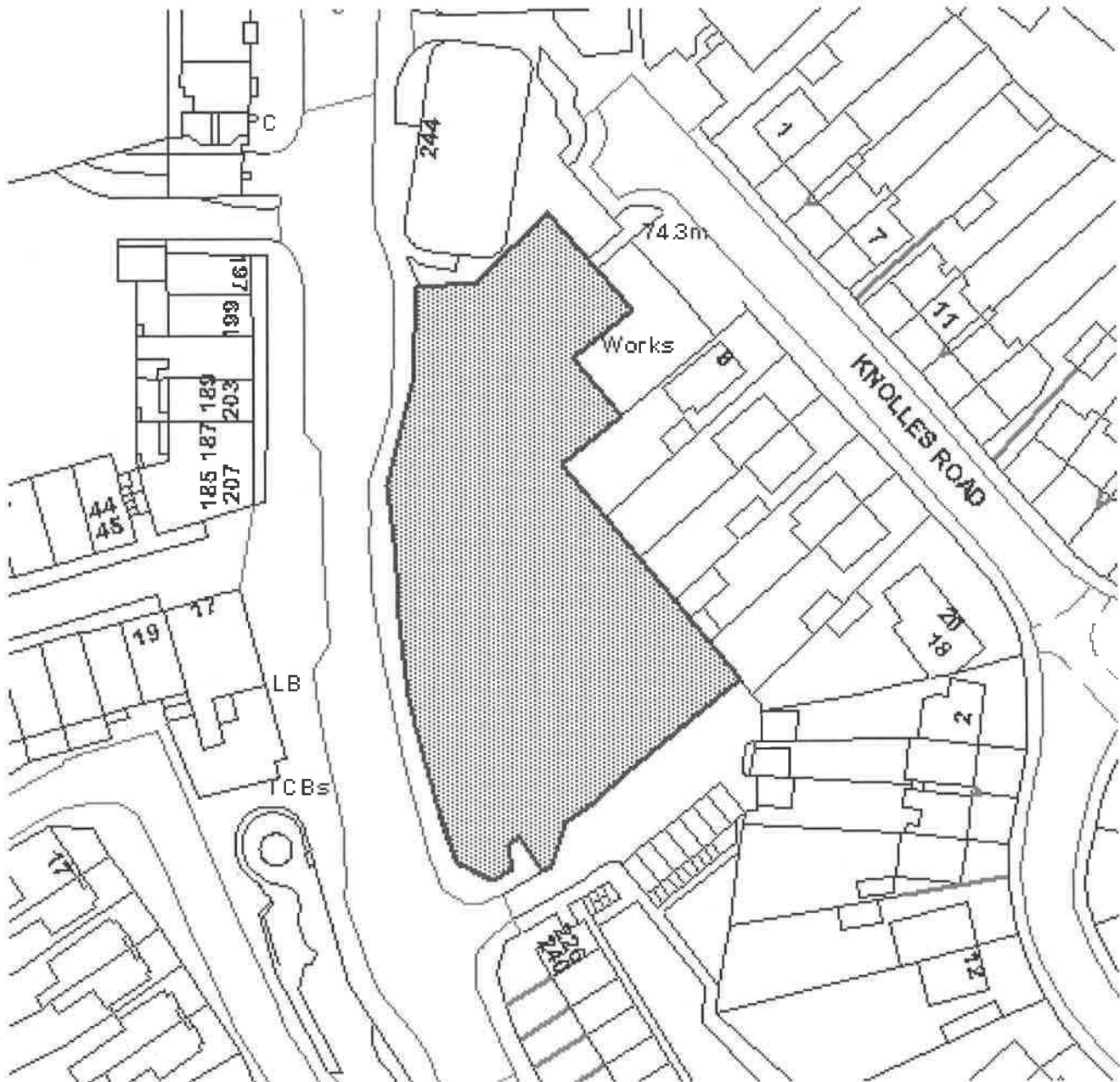
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12/03278/FUL

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Appendix 1

12/03278/FUL - Former Cowley Community Centre



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Ordnance Survey 100019348

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Agenda Item 9

Monthly Planning Appeals Performance Update – April 2013

Contact: Head of Service City Development: Michael Crofton-Briggs.
Tel 01865 252360.

1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 April 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 April 2013.

Table A. BV204 Rolling annual performance (to 30 April 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(36%)	4 (44%)	12 (33%)
Dismissed	29	64%	5 (56%)	24 (67%)
<i>Total BV204 appeals</i>	45		9	36

Table B. BV204: Current Business plan year performance (1 April to 30 April 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	1	(25%)	0(0%)	1 (33%)
Dismissed	3	75%	1 (100%)	2 (67%)
<i>Total BV204 appeals</i>	4		1	3

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C. All planning appeals (not just BV204 appeals): Rolling year to 30 April 2013

	Appeals	Percentage performance
Allowed	19	(36%)
Dismissed	33	64%
All appeals decided	52	
Withdrawn	0	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during April 2013.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during April 2013. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D

Appeals Decided between 1/4/13 and 30/4/13

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/02113/FUL	12/00050/REFUSE	DELCOM	PER	DIS	02/04/2013	WOLVER	37 Meadow Prospect Wolvercote Oxford OX2 8PP	Demolition of existing outbuildings. Erection of part single, part two storey, side and rear extensions and insertion loft rooflights to front and rear roofslopes. (Amended Plans)
12/02084/FUL	13/00002/REFUSE	DEL	SPL	DIS	22/04/2013	STMARY	City Arms 288 Cowley Road Oxford OX4 1UR	Installation of 3 jumbrella's, two external television screens and bamboo fencing to outside seating area. (Retrospective).
12/02964/FUL	13/00010/REFUSE	DEL	REF	DIS	25/04/2013	HINKPK	30 Weirs Lane Oxford Oxfordshire OX1 4US	Provision of dropped kerb for vehicle access from highway.
12/02904/FUL	13/00009/REFUSE	DEL	REF	ALC	25/04/2013	NORBRK	34 Tarragon Drive Oxford Oxfordshire OX4 7XT	Erection of front porch and conversion of existing garage to form gym room.

Total Decided: 4

TABLE E Appeals Received between 1/4/13 and 30/4/13

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
12/01978/FUL	13/00016/REFUSE	DEL	REF	W	295-301 London Road Headington Oxford Oxfordshire OX3 9HL	BARTSD	Change of use of existing ground floor office to provide 1x5 bed house of multiple occupancy (Use Class C4 HMO). (Retrospective)
12/02821/FUL	13/00017/REFUSE	DEL	REF	W	66 Cricket Road Oxford Oxfordshire OX4 3DQ	COWLY	Erection of 1-bed detached bungalow (use class C3). Provision of car parking, bin and cycle stores and private amenity space.
12/02935/FUL	13/00014/REFUSE	COMM	PER	I	The Lord Nuffield Club William Morris Close Oxford Oxfordshire OX4 2JX	COWLY	Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping. (Amended plans) (Amended description).
12/03104/FUL	13/00013/REFUSE	DELCOM	REF	W	47 Jeune Street Oxford Oxfordshire OX4 1BN	STCLEM	Change of use from a dwelling house (use class C3) to a House of Multiple Occupation (use class C4)
12/03282/PA11	13/00015/PRIOR	DELCOM	PER	W	Hinksey Lake Footbridge Lake Street Oxford Oxfordshire	HINKPK	Application seeking prior approval for development comprising demolition of existing and erection of replacement footbridge under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (Amended plans) (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)

Total 5

Total Received: 3

EAST AREA PLANNING COMMITTEE

Monday 13 May 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Rundle (Vice-Chair), Altaf-Khan, Clarkson, Coulter, Curran, Lloyd-Shogbesan, Sinclair and Benjamin.

OFFICERS PRESENT: Matthew Parry (City Development), Niko Grigoropoulos (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

157. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor Sam Hollick (substitute Councillor Elise Benjamin).

158. DECLARATIONS OF INTEREST

There were no declarations of interest.

159. FORMER COWLEY COMMUNITY CENTRE, BARNES ROAD: 12/03278/FUL

DEFERRED until the Committee meeting on 5 June 2013

This application was DEFERRED because of the large volume of third party responses that were received after the Committee report was published

The deferral will allow for the report to be updated and any issues addressed, to assist all parties with representations and discussion at the committee meeting.

160. NORTHWAY CENTRE, MALTFIELD ROAD: 12/03280/FUL

DEFERRED until the Committee meeting on 5 June 2013

This application was DEFERRED because of the large volume of third party responses that were received after the Committee report was published

The deferral will allow for the report to be updated and any issues addressed, to assist all parties with representations and discussion at the committee meeting.

161. FORMER COMMUNITY CENTRE, WESTLANDS DRIVE: 12/03281/FUL

DEFERRED until the Committee meeting on 5 June 2013

This application was DEFERRED because of the large volume of third party responses that were received after the Committee report was published

The deferral will allow for the report to be updated and any issues addressed, to assist all parties with representations and discussion at the committee meeting.

162. LAND TO THE REAR OF 1-2 COLLINWOOD CLOSE: 12/03245/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish the existing single storey outbuildings. Erection of 1 x single storey, 1 bedroom detached dwelling with provision for parking, cycle and bin storage to the rear of 1 and 2 Collinwood Close.

In accordance with the criteria for public speaking, the Committee noted that Huw Mellor and Neil Gordon spoke in favour of the application.

The Committee resolved to APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Material Samples
- 4 Details of means of enclosure
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape underground services - tree roots
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Historic record of existing outbuildings
- 12 Details of low level lighting, parking area and pedestrian access
- 13 Sustainable Urban Drainage Scheme
- 14 Details of Sustainability Measures
- 15 Design - no property development rights
- 16 Preventing vehicular access to the new house along the side access
- 17 Construction Management Plan

163. PLANNING APPEALS

The Committee resolved to NOTE the report on planning appeals received and determined during March 2013

164. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 16 April 2013 as a true and accurate record.

165. FORTHCOMING APPLICATIONS

The Committee resolved to NOTE the list of forthcoming applications.

166. DATES OF FUTURE MEETINGS

The Committee resolved to NOTE that the next meeting would be held on Wednesday 6 June 2013.

The meeting started at 6.00 pm and ended at 6.35 pm

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