

Agenda

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East Area Planning Committee

Date: **Wednesday 4 December 2013**

Time: **6.00 pm**

Place: **Old Library, Town Hall**

For any further information please contact:

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East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Helen O'Hara	Cowley;
	Councillor Michele Paule	Rose Hill and Iffley;

The quorum for this meeting is five members. Substitutes are permitted.

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AGENDA

Pages

1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

3 **SPORTS FIELD, WILLIAM MORRIS CLOSE: 13/02500/OUT**

1 - 26

The Head of City Development has submitted a report which details an outline application (seeking access, appearance, layout and scale) for residential development consisting of 6 x 1-bed, 15 x 2-bed, 15 x 3-bed and 4 x 4-bed residential units, together with 55 car parking spaces, access road and informal recreation area.

Officer recommendation: That the Committee REFUSE the planning application because:

- 1 The residential element of this proposal is contrary to Policy CS2 of the Core Strategy in that it is a green field site which is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. It is not essential that the proposed housing development should take place on this particular site which it is preferable to retain as open space for the well-being of the community it serves. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site.
- 2 The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced off, it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The proposed replacement recreation facilities and financial contribution are not equal to, or better than, retaining the potential of the site to provide for open air sport and recreation. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.

4 **LAND NORTH OF LITTLEMORE HEALTHCARE TRUST,
SANDFORD ROAD: 12/02848/OUT**

27 - 50

The Head of City Development has submitted a report which details an outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space.

Officer recommendation: That the Committee GRANT outline planning permission, subject to the satisfactory completion of an accompanying legal

agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Subject to the following conditions and legal agreement:

Conditions

- 1 Reserved Matters within time limit
- 2 Commencement 5/2 years detailed approval
- 4 Approved Plans and Documents
- 5 Reserved Matters Applications
- 6 Scheme of enabling infrastructure works
- 7 Phasing of development
- 8 Materials
- 9 Landscaping and Public Realm Plan
- 10 Landscape Implementation
- 11 Tree Protection Plan
- 12 Landscape Management Plan
- 13 The provision of rail crossing area
- 14 Lifetime Homes Standards
- 15 Car Parking Standards
- 16 Cycle Parking Standards
- 17 Sustainability and Energy Strategy
- 18 Site Wide Surface Water Drainage
- 19 Foul Water Drainage Scheme
- 20 Archaeology - Preservation of Banjo enclosure
- 21 Biodiversity enhancements Habitat creation / grassland mitigation
- 22 Ground Contamination and Remediation
- 23 Details of all external lighting
- 24 Noise attenuation
- 25 Protection of the SSSI and SLINC through construction phase
- 26 Secure by Design Principles
- 27 Construction Environment Management Plan
- 28 Highways: Travel Plan
- 29 Details of access roads
- 30 Removal of PD Rights
- 31 Public Art

Legal Agreement:

A legal agreement will be required with the outline planning permission to secure the following:

Affordable housing

- A minimum of 0.5 hectares (or approximately 25 dwellings) should be developed for key worker housing which could be provided as market housing or affordable housing. If the key worker housing is provided as affordable housing, as defined in the glossary, it will contribute towards the general provision of 50% affordable housing on the site.
- A minimum of 50% affordable units (80% social rent / 20% intermediate housing) as defined by the Sites and Housing Plan and AHPOSPD
- The mix of dwelling sizes within those tenures to be Social Rent – 1 bed (0-10%), 2 bed (15-25%), 3 Bed (35-45%), 4 bed (10-20%) and Intermediate Housing - 1 bed (0-10%), 2 bed (15-15%), 3 Bed (0-10%), 4 bed (0%) in accordance with the Sites and Housing Plan and AHPOSPD
- The minimum floor space for the on-site affordable homes within the proposed development to accord with the Sites and Housing Plan and the AHPOSPD

- The phasing and distribution of the affordable housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)]

Highway Mitigation Measures

- The development is not commenced until the S278 agreement for highway works has been secured

5 69 ST NICHOLAS ROAD: 13/02898/VAR

51 - 58

The Head of City Development has submitted a report which details a planning application to vary condition 3 (non-residential education only) of planning permission 11/01906/FUL (Change of use from office (Class A2) to non-residential institution) to allow all D1 uses.

Officer recommendation: That the Committee APPROVE the planning application subject to the following condition:

- 1 Development begun within time limit

6 PLANNING APPEALS

59 - 64

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

The Committee is asked to note this information.

7 MINUTES

65 - 74

Minutes from 24 September and 6 November 2013

Recommendation: That the minutes of the meeting held on 24 September 2013 be APPROVED as a true and accurate record.

Recommendation: That the minutes of the meeting held on 6 November 2013 be APPROVED as a true and accurate record.

8 FORTHCOMING APPLICATIONS

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

13/02607/FUL- BMW UK Manufacturing Ltd, Garsington Road - To construct in two phases a single storey Test Track weather resistant enclosure adjacent the existing railway lines.

13/02697/FUL - Headington School, Headington Road - Removal of existing portacabin and temporary buildings. Extension to existing sports hall to

provide dance studio and fitness suite. Provision of replacement car parking and external works.

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.

13/01553/CT3 - Eastern House, Eastern Avenue - Demolition of Eastern House and erection of 7 x 3-bed and 2 x 2-bed dwellings (use class C3). Provision of associated car parking, landscaping, private amenity space and bin and cycle stores.

13/01555/CT3 - Land East Of Warren Crescent - Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath.

13/02410/FUL – 7 Sheepway Court - Demolition of part of existing rear boundary wall and installation of gate to create new vehicular access from Tree Lane and associated landscaping.

13/02946/CT3 – 9 Knights Road - Change of use from tattoo parlour (Sui Generis) to Use Class A1 (retail).

13/02630/FUL – land rear of 2 – 14 Jack Straw's Lane - Erection of 2 x detached, two-storey, 5-bed dwellinghouses (Use Class C3). Provision of car parking, access and private amenity space. (Call-in withdrawn?)

13/02762/FUL – The Chequers PH, Beaumont Road - Demolition of existing flat roofed porch and erection of new pitched roof porch. Erection of raised decking area over beer garden at rear of public house with provision of new access to restaurant. (Call-in withdrawn?)

9 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Thursday 12 December (if necessary)

Wednesday 8 January and (Thursday 9 January if necessary)

Wednesday 5 February and (Thursday 13 February if necessary)

Wednesday 5 March and (Thursday 13 March if necessary)

Wednesday 2 April and (Thursday 10 April 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 [**sclaridge@oxford.gov.uk**](mailto:sclaridge@oxford.gov.uk) 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 of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair.
7. 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.

Agenda Item 3

EAST AREA PLANNING COMMITTEE

4th December 2013

Application Number: 13/02500/OUT

Decision Due by: 24th December 2013

Proposal: Outline application (seeking access, appearance, layout and scale) for residential development consisting of 6 x 1-bed, 15 x 2-bed, 15 x 3-bed and 4 x 4-bed residential units, together with 70 car parking spaces, access road and informal recreation area. (Amended Description)(Amended Plans)

Site Address: Sports Field, William Morris Close, Oxford

Ward: Cowley Marsh

Agent: Mr NikLyzba

Applicant: Cantay Estates Ltd

Recommendation:

APPLICATION BE REFUSED

Reasons for Refusal

- 1 The residential element of this proposal is contrary to Policy CS2 of the Core Strategy in that it is a green field site which is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. It is not essential that the proposed housing development should take place on this particular site which it is preferable to retain as open space for the well-being of the community it serves. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site.
- 2 The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced off, it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The proposed replacement recreation facilities and financial contribution are not equal to, or better than, retaining the potential of the site to provide for open air sport and recreation. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP10 - Siting Development to Meet Functional Needs
CP11 - Landscape Design
CP17 - Recycled Materials
CP18 - Natural Resource Impact Analysis
CP21 - Noise
TR1 - Transport Assessment
TR2 - Travel Plans
TR4 - Pedestrian & Cycle Facilities
NE15 - Loss of Trees and Hedgerows
HE2 - Archaeology
SR2 - Protection of Open Air Sports Facilities
TR3 - Car Parking Standards

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS18_ - Urb design, town character, historic env
CS21_ - Green spaces, leisure and sport
CS22_ - Level of housing growth
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 Planning Documents

- National Planning Policy Framework
- Draft National Planning Guidance
- Affordable Housing and Planning Obligations SPD

- Parking Standards, Transport Assessment and Travel Plans SPD
- Natural Resource Impact Analysis SPD
- Balance of Dwellings SPD

Relevant Site History

02/02046/FUL - Demolition of sports and social club buildings, two houses, garages and outbuildings. Retention of sports ground and bowling green. Erection of new sports and social club, 63 dwellings comprising 23 x 2 bedroom flats in a 3 storey block and a terrace of 6 houses, 4 x 3 bedroom and 2 x 4 bedrooms in a 2 storey block (some with accommodation in roof space) 2 caretakers flats in the sports and social club building, accessed from Barracks Lane, with associated car parking (97 spaces). cycle parking and bin storage. Erection of 7 x 3 bedroom and 4 x 4 bedroom 2 storey terraced houses (some with accommodation in roof space) fronting Crescent Road and two 3 storey blocks of 21 x 2 bedroom flats, with associated car parking (32 spaces) accessed from Crescent Road. (Amended Plans).PERMITTED 8th December 2004.

12/02967/FUL - Construction of two all-weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc. accessed off Barracks Lane. (Amended plans).REFUSED 18th March 2013. This scheme was to be the subject of an appeal but that appeal has been withdrawn. The reasons for refusal in that case concerned:

- unacceptable development of a protected open air sports facility and local green space;
- development on a site which is not allocated for development in an adopted plan and which is not needed to meet NPPF 5 or 10 year housing land availability requirements;
- unacceptable design and layout of the housing proposals; and,
- failure to meet sustainability and resource efficiency requirements.

13/01096/FUL - Construction of two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description). REFUSED 18th September 2013. This application is to be the subject of an appeal which is due to be heard at a Public Inquiry in January 2014. The reasons for refusal in that case concerned:

- unacceptable development of a protected open air sports facility and local green space;
- development on a site which is not allocated for development in an adopted plan and which is not needed to meet NPPF 5 or 10 year housing land availability requirements.; and,
- failure to meet sustainability and resource efficiency requirements – this reason is not to be pursued at the appeal in the light of subsequent negotiations which concluded that the outstanding sustainability issues can be resolved through the imposition of a condition.

Statutory and Internal Consultees:

Sport England– objects to the loss of this playing field. They consider that because of the deficiency in the provision of playing pitches in Oxford at the present time, the Council should use all opportunities to protect playing fields including, in line with advice in the NPPF, those that are privately owned. If sites such as this are not protected there will be further pressure in existing sites that do allow community use and further shortages will eventually result. There is no additional land within the City's tight boundaries to build new sports facilities. The alternative provision proposed: two small grass pitches and a trim trail with exercise and warm up area are not equivalent in quantity or quality to the playing fields that will be lost. The proposed financial contribution will not make the proposed development acceptable in planning terms.

Leisure Services –would be in favour of the application noting that there is not enough space to install adult pitches on this site because the space has been reduced by the approval of the free school; also, the area is relatively well catered for in regards to pitches with Cowley Marsh nearby. The mitigation proposed is very good: the trim trail and flexible mini pitches; and the £250,000 financial contribution which would really help drive sport in the City against the Council's Pavilions Programme and/or with the work being undertaken with Oxford Spires on their sports facilities and in making them more accessible to community

English Heritage – no objection, determine in line with local policy.

Thames Water – no objection, subject to comments on surface water drainage and a water supply informative.

Natural England – no objection particularly in light of paragraph 5.14 of the Surface Water Drainage Strategy in relation to sustainable surface water infiltration measures. Site may be suitable for biodiversity enhancement.

Environment Agency – FRA required but Surface Water Drainage Strategy answers many of the questions

Oxfordshire County Council – subject to conditions: Highways, no objection to amended plans; Drainage, no objection; fire hydrants will be required but these can be requested by condition.

Third Party Comments

Local people have commented on the two previous applications(12/02967/FUL and 13/01096/FUL) for a similar development:residential with two all-weather pitches on the retained open space; together with the application on the adjacent site for the Tyndale Community School in the former Lord Nuffield Sports and Social Club building (12/02935/FUL) which was subsequently allowed on appeal by the Secretary of State and is now open as a free school.

In relation to the current application there have been responses from some 50 local householders many of whom have stated that their comments on the two previous residential applications still apply and have asked that they be taken into account in

the consideration of this application. The summary of public response to the first residential application (plus the free school) is therefore reproduced as **Appendix 2** to this report.

In relation to the second consultation (13/01096/FUL) additional comments were made as follows:

- the current scheme is not an improvement on the previous scheme in terms of overdevelopment, density, overlooking, loss of views, loss of privacy, loss of light, design, sense of place;
- no need or demand for additional housing in this locality as evidenced by empty properties in William Morris Close;
- insufficient parking provision in the proposed housing layout;
- once developed the open space is lost forever;
- the Supplemental Planning Statement at paragraph 2.3 refers to anti-social behaviour occurring on the playing fields – this is disputed by local residents who say they used it for informal sport and recreation;
- noise pollution from the additional housing (and school) traffic; and,
- there will be disruption during construction period particularly from heavy lorries.

In relation to this (third) consultation the additional comments are that:

- since the opening of the Tyndale Community School residential parking and traffic circulation in William Morris Close and Barracks Lane have been severely compromised (this was the overwhelming comment made by the majority of respondents). For that reason the parking shown is considered to be inadequate and the local road system is unable to accommodate the extra traffic;
- the proposed £250,000 contribution to leisure will not compensate for the loss of the protected open space and will not benefit the local area as it is to be spent elsewhere in the city.

Notwithstanding the reproduction of comments on previous applications, in this report, the current application is assessed separately on its own merits.

Officers Assessment:

THE SITE AND SURROUNDINGS

1. The site is located within a primarily residential area accessed from Barracks Lane via William Morris Close. It is bounded to the south, east and west by residential development (properties in Crescent Road, Turner Close, William Morris Close and Hollow Way); and to the north by the Tyndale Community School (a free school which officially opened on 18th October 2013 in the former Lord Nuffield Club and adjacent land) with Barracks Lane and the Southfield Golf Course beyond. The eastern boundary and part of the southern boundary are formed by mature trees.
2. The application site extends to 1.24ha. It is comprised of two elements both of which were associated with the former Lord Nuffield Sports and Social Club: a

large level playing field (fenced off since November 2011 and now effectively disused); and a disused car park.

THE PROPOSAL

3. The application is in outline with all matters except landscaping to be determined.
4. The development proposal is in two parts:
 - i. to develop 40 dwellings (28 flats, 12 houses) and 70 parking spaces across the southern part of the playing field and on the disused car park in the south-west corner of the site. The residential access road will be an extension of William Morris Close. 15 dwellings are to be open market units. 25 dwellings are to be affordable homes (63%), provided and controlled by the South Oxfordshire Housing Association (SOHA) (16 social rented, 9 shared ownership); and,
 - ii. to retain the northern part of the site as a local open green space (broadly equivalent to 45% of the existing open space within the application site) to be developed by the applicant with open air recreational facilities such as a trim trail, exercise area, grass pitches and informal play. The details of the recreational provision would be determined in consultation with the Council as part of the landscaping reserved matter.
5. Further, the applicant has offered to contribute £250,000 towards leisure provision elsewhere in the City (upon commencement of the development); and to conclude a legal agreement securing the provision of the affordable houses, and a community access package for the open space (either in managed by the adjacent Free School or without it) (Financial contributions towards service infrastructure and transport infrastructure are now secured through the Community Infrastructure Levy). It should be noted that the Council's Leisure Services team has indicated that the Council will be unable to take any involvement in the ownership or running of a leisure facility on this site.

ISSUES

6. This report concludes that the design and layout of the housing and the leisure provision could be considered to be acceptable if the application were otherwise supportable. The revised proposals are however still considered to be unacceptable in principle in terms of development on an un-allocated green field site and because of the resulting loss of protected open space.
7. The report therefore covers broadly the same format as the two previous reports but has been updated to introduce and balance the new determining issues: the revised open space provision and the offer of a financial contribution of £250,000 towards leisure provision elsewhere in the City. The issues covered are:
 - the principle of housing development on this protected open space;

- impact on local highways;
- design and layout of the proposed housing; and,
- sustainability

PRINCIPLE

Open space and land allocation policies

8. There is strong national and local planning policy protection for existing recreational and open green space. The National Planning Policy Framework (NPPF) states that the Government considers that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Sport England advises that the NPPF seeks to protect all playing fields and sports facilities from development, whether in public or private ownership. The NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
9. The NPPF also indicates that urban green space may be worthy of protection as Local Green Space if it is:
 - in reasonably close proximity to the community it serves;
 - demonstrably special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character.
10. At the local level this site is identified on the Local Plan Policies Map and protected as an open space under Policy SR2 of the Oxford Local Plan. This resists the loss of open space where there is a need for the facility to be retained in its current location, or the open area provides an important green space for local residents. Exceptions to this policy can only be made where there is no need at all for the facility for the purposes of open space, sport or recreation or where there is a need for the development and there are no alternative green field sites and the facility can be replaced by equal or improved replacement facilities.
11. This site is also protected as an open space under Policies CS2 and CS21 of the Core Strategy. Policy CS2 allows the development of green field and previously developed land only if it is allocated for the proposed use or, in the

case of housing proposals it is needed to maintain a five-year housing land supply. Policy CS2 only allows the allocation of open space for development if a need for the development can be demonstrated and if the open space is not needed for the well-being of the community it serves. Policy CS21 seeks to maintain an overall average of 5.75 ha of publicly accessible green space per 1,000 people in the population. Under this policy losses of sports and leisure facilities will only be acceptable if alternative facilities can be provided of equal accessibility and if no deficiency is created in the local area.

Erosion of the extent of this open space by development

12. This application site is a part of a previously larger recreation space associated with the Morris Motors Social Club which previously owned and occupied the space (site plan prior to redevelopment attached at **Appendix 3**). The overall recreational space was reduced by the redevelopment of the Morris Motors Sports and Social Club in the mid-2000s; and the area of pitches was reduced by the creation of the Tyndale Community School in 2013. The effects of these schemes are described below.
13. In 2004 planning permission was given to demolish the Morris Motors Club buildings on Crescent Road and build a new club building (the former Lord Nuffield Club now the Tyndale Community School) and parking. Housing development on part of the open space not used as playing pitches (William Morris Close) and on the demolished club house site on Crescent Road assisted the financial viability of the club redevelopment (the block plan from that application is attached as **Appendix 4**). This was contrary to planning policy which aimed to protect recreational open space, but was regarded as acceptable given that the social club use would be relocated and upgraded on the site, and the main area of playing pitches would not be developed. Other benefits included social housing and community access.
14. In September 2013 the Secretary of State allowed the appeal for the Tyndale Community School which included use of the former Lord Nuffield Club building and building car parking, and hard and soft play areas on part of the adjacent land which had recently been in use as sports pitches. In doing so the Secretary of State agreed with the Inspector's finding that the loss of this protected open space would be "*limited*", and "*would not compromise the integrity or viability of the remaining area as open space*". The Secretary of State concluded that any open space losses would be mitigated by public access to the facilities on the school site, and would be significantly outweighed by the public benefit of "*broadening primary educational provision in an area where there is significant existing demand*".
15. The current application represents a further significant reduction in the available area of protected recreational open space. Of the existing open space which remains within the site area (that is, excluding the existing car park) some 55% is proposed for housing and 45% for open space. The applicants wish to justify this on the basis of providing 63% affordable housing and community access to the retained open space to be laid out in a manner

which meets local needs, together with a £250,000 contribution to leisure provision elsewhere in the City.

Determining issues in relation to protected open space

16. Given the open space protection policies described above and the planning history of the site, the determining issues in relation to development on this protected open space may be summarised as:
- i. whether the remaining playing field is surplus to sport and recreational requirements;
 - ii. whether the open space has value to the local community as a green open space;
 - iii. whether it is essential that the City's housing needs are met on this site; and whether meeting those needs on this site outweighs the protection of the open space; and,
 - iv. whether the proposed replacement provision would be equal to or better than the existing provision.

The need to retain this site for sports use

17. The first determining issue is whether the playing field is surplus to sport and recreational requirements. Sport England regards this as a versatile grass pitch and has identified a range of sporting uses to which the land could be put. For many years and until recently the playing field was used for formal recreation: cricket and football, in association with the sports and social club. Local people comment that they made active use of the land for informal recreation prior to its being fenced in mid-November 2012. The applicant has argued that no formal or informal arrangements exist for this informal recreational use which the applicant therefore considers is unauthorised.
18. The space is not therefore surplus to sport and recreation requirements or redundant for sports and recreation use. Although in private ownership and fenced off, the site retains the potential to be brought back as high quality provision for active formal or informal outdoor recreation.

The value of the site as Local Green Space

19. The second determining issue is whether the existing open space has value to the local community as a green open space. It meets the requirements of the NPPF to be regarded as a Local Green Space (although its formal designation as such could only occur through the Local Plan process) in that:
- it is local in character and is adjacent to and bounded by the community it serves; and,
 - it is demonstrably special to the local community: local people have commented that:
 - until recently it was in active use by local people for formal recreation in association with the Club;
 - until it was fenced when the current planning applications were submitted (mid-2012) it was in regular use for spontaneous informal recreation, and dog walking;

- it has visual amenity value as a green space, in defining the character of the area, as a relief to the density of development in the local area, and as a place for wildlife.
20. Clearly the loss of 55% of the site to housing would represent a significant reduction in its value as a local green space. It is considered however that the proposals as currently configured, with local recreational provision and public access in a 'green' setting, mean that it would continue to fulfil a significant role as a local green space in the terms set out in the NPPF. It is therefore concluded that this should no longer feature as a reason for refusal of the scheme.

Meeting housing need

21. The third determining issue is in 2 parts: whether it is essential to meet the City's housing needs on this site; and whether meeting those needs on this site outweighs the protection of the open space.
22. Housing need in Oxford is greater than the city can physically provide on sustainable sites. If all of Oxford's housing need was to be met in Oxford, it would mean having to develop on huge areas of flood plain, biodiversity designations and public open space which would be unsustainable and contrary to the NPPF. This inability of Oxford to meet its housing needs has existed for many years and will continue into the future as it is contained by intrinsic designations as well as a tightly drawn Green Belt boundary. It is not a new exceptional issue that has emerged which requires a change in approach from the recently adopted plans and policies when determining this application.
23. Through the NPPF, the government requires that local authorities take a planned approach to satisfying housing needs. In a constrained urban area like Oxford, the approach to planning for housing is one of a capacity-led approach and this approach was considered appropriate by the Core Strategy inspector. The housing target for Oxford was set by considering the constraints upon Oxford in the form of its intrinsic designations and sustainability objectives. Any housing target in the future will consider objectively assessed need and will continue to reflect Oxford's capacity to deliver housing without compromising sustainability objectives.
24. The Sites and Housing Plan (along with other identified sites in the Strategic Housing Land Availability Assessment) allocated sites to ensure that Oxford has a five and ten year supply of deliverable and developable housing sites in line with the NPPF. Through the Strategic Housing Land Availability Assessment (SHLAA) published in Dec 2012, and the draft 2013 SHLAA, the Council concludes that the 5-year NPPF requirements can be met on deliverable sites with no reliance on windfall sites. The 10-year target is also exceeded. Therefore this site is not required for the Council to meet its housing target. This greenfieldsite is not allocated for development and the Core Strategy Policy CS2 is clear that non-allocated greenfield land is only to be developed if a five year housing land supply cannot be demonstrated The

SHLAA process was considered robust by the two Core Strategy Inspectors and the Sites and Housing Plan inspector.

25. The Sites and Housing Plan was developed to determine suitable sites for housing and other uses. It conformed to the Core Strategy by focussing development on previously developed land and as such only considered allocating greenfield sites because it needed to in order to demonstrate a five year housing land supply. Each site was subjected to a rigorous and detailed assessment of its value and potential for formal and informal sport and its amenity value as green space. Each site was also subjected to public scrutiny through consultation, sustainability appraisal and examination in public. Following this rigorous process it was considered that some private sports grounds would be appropriate for allocation but were required to retain at least 25% of the site area as unrestricted publicly accessible open space, suitably located and designed for practical public use. The Local Plan Inspector was content with this approach and did not suggest that further green field sites were required. It should not be assumed that if this site had been proposed during the Sites and Housing Plan call for sites that it would be deemed suitable for allocation as we do not know what the outcome of consultation, sustainability appraisal or the examination in public would have been. The Sites and Housing Plan ensured that Oxford has a planned approach to new housing and as a result does not need to accept speculative housing proposals on unsuitable sites.
26. The applicant refers to the boost to housing supply which the NPPF aims to secure and argues that the exceptional reasons why development of the site should be allowed result in part from the lack of progress on securing affordable housing in the city in the last few years. The City Council does not dispute that affordable housing completions dipped in recent years. However, the pattern of housing delivery is cyclical and housing proposals on larger sites are noticeably increasing in number. During September 2013 the City Council approved planning permission for 1,204 residential units, with 614 of them being affordable housing. There are also some further major housing sites coming up for consideration soon including Wolvercote Paper Mill and Land North of Littlemore Mental Health Centre. The market is clearly improving and there is no need to take a reactive approach to a short term dip in the housing market.
27. The proposal includes 63% affordable housing which exceeds the Core Strategy and Sites and Housing Plan's target of 50%. Whilst this is a positive element of the proposal, the development of affordable housing should not be at any cost and this proposal would mean the potential of the site for sports use would be lost for good.
28. No other balancing reasons or mitigating circumstances are apparent which would predicate housing development on this site and it can therefore be concluded that there is no overriding need for housing development to take place on this site.
29. Given that the site is not allocated for development in the Sites and Housing Plan and there is no need to develop this site in order to meet the NPPF

housing land supply requirements, it can be concluded that any benefits arising from housing development on the site do not outweigh its qualities and justifiable protection as open space. If housing were to be allowed on this privately owned site, it would set a serious precedent for housing development on other non-allocated greenfield sites in Oxford. This is particularly relevant in Oxford because, as Sport England has noted, an unusually significant proportion of Oxford's playing fields are in private ownership (the University of Oxford Colleges) with no or restricted public access.

Replacement recreational provision

30. The fourth determining issue is whether the proposed replacement provision would be equal to or better than the existing provision and can therefore be regarded as an exception to the normal policy of protection. The 'proposed replacement provision' is the retention and laying out for public recreational use (including 2 small grass pitches, a trim trail and exercise and warm up area) of 45% of the existing open space together with a community access agreement, and a contribution of £250,000 towards leisure provision elsewhere in the City.
31. The applicants make clear that there is no public access to the site and no prospect of it. They argue that with a community access package in place, authorised community access to local purpose designed and built recreation facilities on the site will be achieved for the first time (given that such an agreement was never concluded with the Lord Nuffield Sports and Social Club) and that such access together with the off-site financial contribution to leisure in the City (£250,000) is better than existing provision.
32. It can be envisaged that the local recreational provision now proposed on the site would be well-used informally by the local community provided the community access package would allow sufficiently unrestricted public access; and formally either by the Tyndale School or through local clubs or groups who would gain access to it via any agreed management arrangements. The financial contribution would be of value to the Council in pursuing its Leisure programmes.
33. It has already been established above however, that because of the Council's sound position on housing land supply and delivery, there is no need to develop part of this site residentially. The remaining issue is therefore whether the leisure provision and financial contribution proposed in this application, and degree of community access to a privately owned site, is better than protecting the whole open space as it is: for its value, as noted by Sport England, in being a grass pitch of a relatively large size and configuration which has the potential to be brought back into use for sports which require a high quality grass pitch. Such sites with good accessibility for local communities are limited in the City and once lost to development cannot be regained.
34. It is concluded that the proposals do not outweigh the value to the community as a whole of retention of the potential of this site to accommodate high quality

grass pitches for outdoor sports. The open space proposals together with the financial contribution to off-site leisure do not represent replacement facilities of equal or improved provision.

Conclusions on the issues of principle

35. It can be concluded therefore that this application is unacceptable in that it does not accord with national and local planning policies:

- the development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. It is not essential that the need for housing development should be met on this particular site, and there are no other balancing reasons or mitigating circumstances why housing should be allowed. It is therefore preferable to retain the site as open space for the well-being of the community that it serves; and,
- it does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan in that it has not been clearly shown that the site is surplus to requirements for sport or recreation, the replacement provision is not equal to or better than the potential of the site to provide high quality grass pitches for open air sport and recreation, and it is not essential that housing is provided on this particular site.

IMPACT ON LOCAL HIGHWAYS

36. In relation to the two previous applications, many local people were extremely concerned that the proposed housing and Free School developments on this site would adversely impact on the local highway network. Most objectors to the schemes raised highways impact as their first and often principle objection. They offered much anecdotal evidence of local traffic problems and submitted a residents' survey of rat-running in the area. They considered that the Transport Assessment was flawed. A wide range of detailed comments about traffic, parking and circulation were made, the principal ones being that:

- there would be increased traffic generally on already heavily congested local roads and at junctions (Hollow Way/Barracks Lane/Horspath Road; Hollow Way/Cowley Road/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including the Business Park;
- Barracks Lane is unsuitable for access to these developments; and that,
- the access point for new developments from Barracks Lane to William Morris Close will be dangerous and will adversely affect the amenities of local residents.

37. The Local Highway Authority however regarded the submitted Transport Assessment to be robust and agreed with the assumptions used and conclusions drawn. The Authority considered the transport impacts of the housing/pitches applications together with and aside from those of the Free School application on the adjacent land. The Authority concluded that the

housing/pitches proposals were acceptable subject to conditions relating to submission of cycle parking details, and a Construction Traffic Management Plan. The footpath leading out of the site into Beresford Place would become an adopted route.

38. In allowing the Tyndale Community School appeal, the Secretary of State agreed with the Inspector on highway matters that *“there is no significant risk that the operation of the proposed school would result in any significant disruption to the free-flow of traffic or to the safety of highway users”*.
39. Tyndale Community School is now open and, as noted in responses to consultation on this application, local people have highlighted the highway problems currently being experienced in the area in relation to the school. In the light of this, the Local Highway Authority requested that additional parking be incorporated into the housing scheme which has been achieved by increasing the number of parking spaces along the access road. The amended proposal increased the number of parking spaces from 60 to 70 (for 40 dwellings) which is an under provision of 5 spaces when compared to the adopted parking standards. The location of these spaces on the access road is acceptable in design terms, and the Local Highway Authority raises no objection to the scheme subject to conditions.
40. In the light of these considerations and subject to conditions, this application is considered to be acceptable by the Local Highway Authority.

HOUSING MIX, LAYOUT, DESIGN AND AMENITIES

41. Balance of Dwellings: the proposed mix of dwellings is 15% 1-bed, 35% 2-bed, 40% 3-bed, and 10% 4-bed. This complies with Policy CS23 of the Core Strategy and the Balance of Dwellings SPD.
42. Affordable housing: of the 50% required to be affordable under Policy CS24 of the Core Strategy and Policy HP 3 of the Sites and Housing Plan, 80% are required to be social rented and 20% intermediate tenure. The Affordable Housing and Planning Obligations SPD specifies dwelling mixes within those categories. The proportion of affordable housing proposed in this scheme is 63% which exceeds policy requirements; and the proposed tenure mix, and the mix of dwelling sizes within those tenures meet policy requirements.
43. Accessible and adaptable homes: Policy HP2 of the Sites and Housing Plan requires all dwellings to meet the Lifetime Homes Standard and, on sites of 4 or more dwellings, at least 5% (in this case 2 units) should be fully wheelchair accessible or easily adaptable for wheelchair use. The agent for the application has confirmed that all the proposed dwellings meet the Lifetime Homes Standard and has identified 2 plots suitable for wheelchair adaptation, one social rented and one intended for the open market and this therefore meets the policy requirements.
44. Design and layout: the NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of

land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing DPD in combination require that development proposals incorporate high standards of design and respect local character.

45. The proposed residential layout is generally oriented northwards facing over the proposed pitch development with the access road running along the north side of the residential area. Plots 1-16 are arranged around a shared access and parking area in the form of a residential 'square' at the western end of the site; plots 17-20 front onto the pitches area and have south facing gardens; and plots 21-40 are arranged in two blocks facing each other at the eastern end of the site with plots 25-40 backing onto properties in Hollow Way. Car parking is generally located at the fronts of properties and a line of visitor parking is proposed on the north side of the access road. To mitigate the potential for the scheme to become overly car dominated, tree planting and landscaping is proposed adjacent to many of the proposed parking spaces. There is also some additional potential for tree planting and landscaping the site which is shown indicatively including two small areas where landscaped features may be possible. The layout is unlikely directly to affect the viability of the important amenity trees on the site periphery although this will be subject to appropriate tree protection measures and appropriate hard landscaping treatment both of which can be secured by condition. Pollarding of some of the trees on the eastern boundary has taken place and a tree management scheme submitted. It is therefore considered that Plots 25-40 will not suffer undue shading from the retained boundary trees. The proposed external appearance of the houses and flats will be in keeping with existing residential properties in William Morris Close and Beresford Place. Thus, the layout will create a degree of sense of place both from within the site and when viewed from William Morris Close and will not detract from the existing character and appearance of the area.
46. In accordance with Policy HP14 of the Sites and Housing Plan, the layout has been arranged to preserve the amenities of adjacent and nearby properties. In particular, the scheme proposes additional garden areas for the Beresford Place flats and a landscaped strip between those flats and the new development. There is a 30m gap between the existing 3-storey flats and the proposed 2-storey dwellings.
47. The amenities available to the future residents are acceptable. Gardens, shared amenity space, private balconies and bin storage are proposed to the standards required in Policy HP13 of the Sites and Housing Plan. Cycle storage conforms to Policy HP15 of the Sites and Housing Plan. Details of bin and cycle stores will be secured by condition.
48. Policy HP9 requires that in a scheme of this size, 10% of the site area should become public open space which is more than met in these proposals. The degree of public access enshrined in the community access package would be important were the scheme to be recommended for approval. If the Tyndale

Community School uses and manages the open space, community use may be restricted to times when the school does not require it. If the School does not take on the management of the space, the Council is not in a position to do so (indeed this is the case whatever recreational provision is made on the site) and there is no proposal for other private management with community use.

49. It is concluded therefore, that judging the scheme against NPPF guidelines and the Council's adopted policies on the design of residential development, the residential elements of the scheme could form the basis of an approval.

ENERGY EFFICIENCY

50. The NPPF gives a definition of sustainable development part of which is the environmental role which development plays in using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy. A core planning principle of the NPPF is to support the transition to a low carbon future. The Council's Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18 reflect the requirements of the NPPF in those regards. These policies are supported by the Natural Resource Impact Analysis Supplementary Planning Document (NRIA SPD).
51. The adopted NRIA SPD requires that a minimum of 20% of the total energy required on site should come from renewable or low carbon technologies. The drawings show PV panels on the roof slopes, and the submitted NRIA checklist (amended version) appears to achieve 7 out of 11 by asserting that 20% of energy requirements will be met by on-site renewables. This assertion is not however supported by relevant details, calculations and appropriate technical and financial appraisals to demonstrate how the NRIA SPD requirement will be met.
52. Were the scheme to be recommended for approval, a condition would be suggested requiring submission and approval of the relevant details prior to commencement of the development.

OTHER ISSUES

53. Archaeology - Policy CS18 of the Core Strategy safeguards the City's archaeological assets. This site is of archaeological interest and were the application to be approved a condition would be recommended requiring an archaeological investigation consisting of a watching brief.
54. Noise - Policy CP 21 of the Oxford Local Plan specifically protects noise sensitive developments (including residential areas and education facilities) from new development which causes unacceptable levels of noise. The Council's Environmental Development service was consulted on the previous proposals for all-weather pitches and do not raise concerns or recommend refusal on the grounds of noise given that this is already an outdoor sports area.

55. Drainage – Policy CS11 of the Core Strategy requires all developments to incorporate SUDS and preferably to reduce the existing rate of run-off. Local people in commenting on these proposals raised concerns about flooding from surface water run-off. A Surface Water Drainage Strategy was therefore submitted in relation to this application which concludes that: the site will not be at risk of flooding from fluvial sources; is able to discharge surface water via infiltration drainage techniques; and is able to employ a surface water drainage design based upon the principles of sustainable drainage. The Highways Authority as the relevant agency has reviewed this Strategy and considers it acceptable.

56. Biodiversity – Policy CS 12 of the Core Strategy protects the City's biodiversity. An ecology report was submitted with this application. The principal conclusions of this are that the site's value in biodiversity terms is intrinsically low and the loss of the site's habitats through development would not be considered to result in a significant ecological impact at local level. While badgers evidently use the site for foraging, no protected species have been confirmed as resident and as such no constraints have been identified in relation to such species that could represent an overriding constraint to development. Should the development be permitted the landscaping scheme should incorporate some species that produce fruit, such as yew, crab apple and hawthorn to provide a foraging resource for garden bird species and badgers post-development. Installation of bird and bat boxes on retained trees and/or new buildings would also offer opportunities for such species to utilise the site post development. Native species, preferably of local provenance, should be used wherever possible throughout the development.

CONCLUSIONS

57. There are fundamental objections to the development of this site for housing:
- a. it is not essential to develop housing on this site to meet housing land availability requirements, and there are no other mitigating or balancing reasons why housing should take place on this site;
 - b. the site retains the potential to help meet the City's outdoor recreational needs and is not surplus to requirements. The proposed replacement facilities and financial contribution are not of equal value to the recreational potential of the open space that would be lost through development.

58. For these reasons the scheme is not supported and is recommended for refusal.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 12/02935/FUL; 12/02967/FUL; 13/01096/FUL; 13/02500/OUT

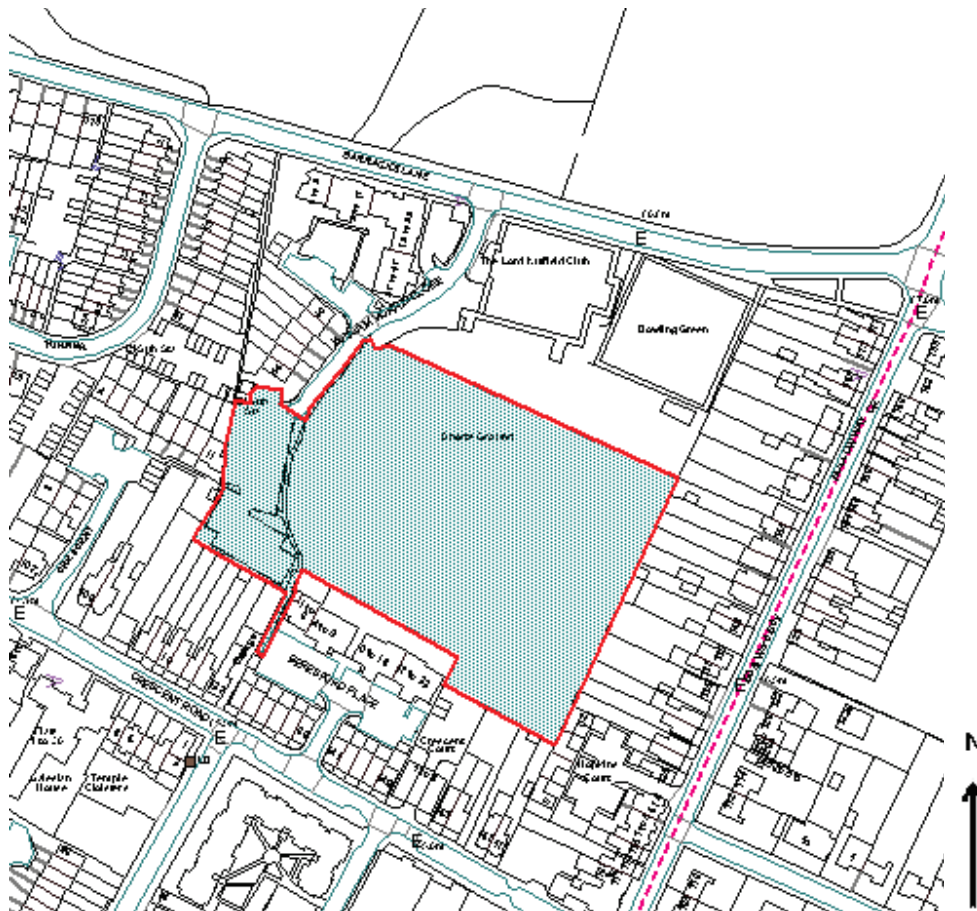
Contact Officer: Fiona Bartholomew

Extension: 2774

Date: 22nd November 2013

Appendix 1

13/02500/OUT - Sports Field, William Morris Close



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Ordnance Survey 100019348

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Appendix 2

Summary of Public Response to applications 12/02935/FUL and 12/02967/FUL

Comments of Objection
<p>Increased traffic generally on already heavily congested local roads and specifically at junctions (Hollow Way/ Barracks Lane/ Horspath Road; Hollow Way/Garsington Road; and The Slade/HorspathDriftway) with more traffic to come because of developments in the wider locality which use this route including at the BusinessPark:</p> <ul style="list-style-type: none">• Extra traffic dangerous for the many users of the local road network with narrow footways• Already suffer long waits at the traffic lights at the Hollow Way/ Barracks Lane/ Horspath Road junction – this has potential for gridlock• Restricted access for emergency vehicles• Difficult for local residents to get out of the area to go to work at peak times• The urban clearway in Hollow Way not well enforced creates extra local traffic difficulties• Already suffer from pollution from waiting traffic in the area – will get worse• The development is against Core Strategy Policy CS19 because there will be more accidents on Hollow Way
<p>Barracks Lane unsuitable for access to school/housing/pitch developments:</p> <ul style="list-style-type: none">• Will become bottleneck because Barracks Lane is dead end so people have to turn round in the access way• Poor visibility around many parked cars on Barracks Lane• Parking on both sides of Barracks Lane mean only one vehicle can pass along it• Parking on Barracks Lane will get worse and problems will arise as they did when the Club was running• Can't restrict parking on Barracks Lane because local people need it to park their cars who have no other option• Is heavily used by pedestrians, children and cyclists – access to OxfordSpiresAcademy – will become more dangerous
<p>Access point for new developments from Barracks Lane to William Morris Close:</p> <ul style="list-style-type: none">• Dangerous for children• Will adversely affect amenity of flats• There will be parents and staff school parking in nearby residential areas• There is often ice on the road at this junction• Poor visibility because of high wall at the junction
<p>Inadequacy of traffic assessments:</p> <ul style="list-style-type: none">• This will be the largest primary school in East Oxford• Wide catchment, people will come from far away – a much greater proportion will drive to school, too far for many to walk• Walking overestimated, driving underestimated• Unrealistic to expect primary school children to use alternative local transport

<p>Green Travel Plan inadequate:</p> <ul style="list-style-type: none"> • no real positive measures are suggested for achieving reduced car travel • Can penalties be introduced if the aims are not met?
<p>Transport Assessment poor:</p> <ul style="list-style-type: none"> • makes erroneous/misleading comparisons with non-free schools with a narrower catchment • Need better/more traffic surveys – one day not enough
<p>Open space should be retained:</p> <ul style="list-style-type: none"> • Has been well used by local people for 80 years and valued as an open green space, it is not redundant • Adds to the character of the area, part of green image of the city • Local and Government planning policy indicates it should be kept open • Previous planning permission (for the Lord Nuffield Club) was conditional on retention of the open space – this should be upheld • It should be safeguarded land for long term use • The all-weather pitches do not allow for the informal recreation that people enjoy on this land • No floodlighting means that public use restricted • Need to retain footpath from Crescent Road to Beresford Close • Negative impact on local wildlife
<p>Retain the former club building in community use:</p> <ul style="list-style-type: none"> • Needed locally with the closure of Temple Cowley Pools and Gym • Can find a user who will make it viable, many clubs looking for premises • A valuable local facility • Use for old people's clubs • Removal of essential local community sports facility unacceptable in view of Olympic legacy
<p>The need for the school:</p> <ul style="list-style-type: none"> • No need for a school – there are enough locally, will lead to other schools closing • Agree need for school but this is the wrong site for traffic reasons • Objection to faith based school – 40% Oxford residents not Christian
<p>The school and its site:</p> <ul style="list-style-type: none"> • Parents will also park in Crescent Road (unacceptable and dangerous) • Use of the footpath through Beresford Close is unsuitable because it goes through a car park not along a path; also not adopted and unlit, suffers anti-social behaviour • Significant impact to privacy of local residents • Inadequate on-site turning, set-down/drop-off area and parking for staff • Design unacceptable – bright modern colours and materials not appropriate • Future extensions to the school should be restricted • Noise from school will affect amenity of rear gardens to properties in Hollow Way • Loss of parking around field for residents of William Morris Close
<p>Housing:</p> <ul style="list-style-type: none"> • No need for this given developments locally and at Barton • Too high density, area already high density – this will make it worse • Poor design – windows too small, roof blank, needs to incorporate solar panels etc., question need for chimneys • Adversely affects the amenities of properties adjacent – Crescent Road, Hollow Way and Beresford Place: loss of privacy, light, outlook, overshadowing • 3-storey is out of scale and overbearing, out of keeping with locality • Access road less than 10m from ground floor bedrooms in Beresford Place, intrusive vehicle headlights.

Drainage:

- Steep hill, surface water run-off already a problem causing flooding down Barracks Lane to Boundary Brook
- More hard surface area will exacerbate this

Local house prices will fall

Statement of Community Involvement misleading

Comments of Support

Need for school:

- Desperate need for primary places, other schools full, many people have to travel out of the area to school, pressure will increase due to population growth,
- educational underachievement leads to poverty: need a good school to raise achievement

A good re-use of a redundant building with the added bonus of community use of the building and grounds

A good site for a school, well connected to transport and for walking

Extended school hours will spread the traffic implications. Can monitor traffic problems and adjust as the school grows.

Great need for new housing

There will be better use of the open space if developed for all-weather pitches

13/002500/OUT

Appendix 3

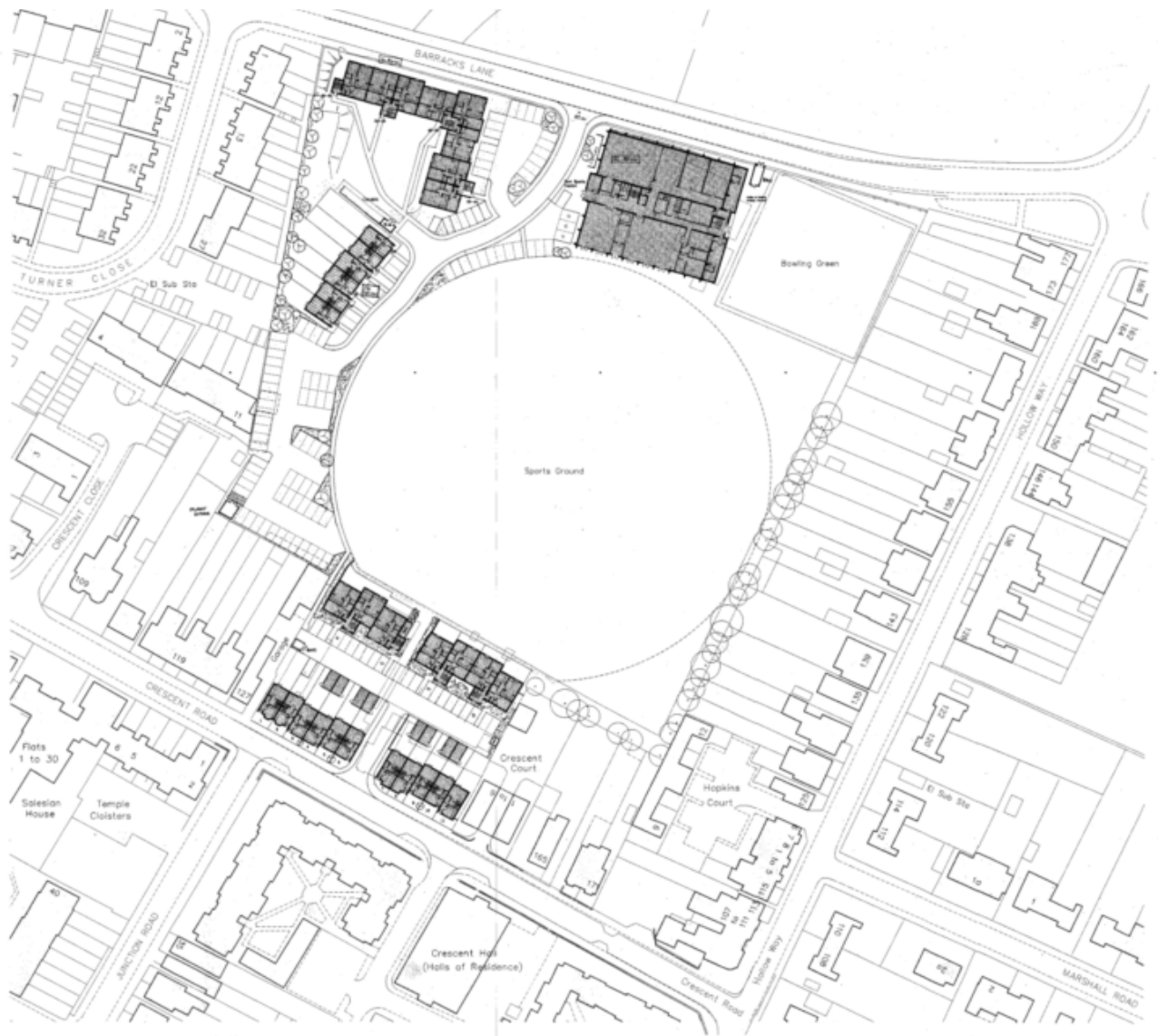
Original Morris Motors Club site



13/02500/OUT

Appendix 4

Block plan of the 2004 permission showing housing development on part of the previous open space and the re-sited Lord Nuffield Club building



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East Area Planning Committee

4th December 2013

Application Number: 12/02848/OUT

Decision Due by: 30th January 2013

Proposal: Outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space. (Additional Information) (Amended access arrangement)

Site Address: Land North of Littlemore Healthcare Trust, Sandford Road, Littlemore (**site plan: appendix 1**)

Ward: Littlemore

Agent: Kemp & Kemp

Applicant: The Donnington Hospital Trust

Recommendation:

The East Area Planning Committee is recommended to resolve to grant outline planning permission, subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion.

Reasons for Approval

- 1 The proposed development is submitted in outline form with only the means of access fixed, and matters such as landscape, scale, appearance, and layout reserved for a later date. The proposed development would make an efficient use of a site which has been allocated for housing as part of the Councils five-year housing supply in order to provide much needed good quality affordable and market housing while at the same time establishing a balanced and mixed community within the Littlemore Neighbourhood Area. The application has demonstrated that it would not have an adverse impact in highway safety terms and could provide sufficient off-street cycle and car parking. Furthermore given the constrained nature of the site the proposed access arrangements would be the most appropriate in terms of enabling better links to shops, services, and public transport for modes of transport other than the private car and to ensure that the site is not entirely segregated from the local area. The outline application contains sufficient supporting information to demonstrate that it would be of a suitable scale and appearance for the site and its setting without having an adverse impact upon the adjacent neighbouring areas, Green Belt or Sites of Special Scientific Interest and

would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated through the reserved matters applications and appropriate measures secured by condition or associated legal agreements. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 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.

Conditions

To include the following:

- 1 Reserved Matters within time limit
- 2 Commencement 5/2 years detailed approval
- 4 Approved Plans and Documents
- 5 Reserved Matters Applications
- 6 Scheme of enabling infrastructure works
- 7 Phasing of development
- 8 Materials
- 9 Landscaping and Public Realm Plan
- 10 Landscape Implementation
- 11 Tree Protection Plan
- 12 Landscape Management Plan
- 13 The provision of rail crossing area
- 14 Lifetime Homes Standards
- 15 Car Parking Standards
- 16 Cycle Parking Standards
- 17 Sustainability and Energy Strategy
- 18 Site Wide Surface Water Drainage
- 19 Foul Water Drainage Scheme
- 20 Archaeology - Preservation of Banjo enclosure
- 21 Biodiversity enhancements - Habitat creation / Grassland mitigation
- 22 Ground Contamination and Remediation
- 23 Details of all external lighting
- 24 Noise attenuation
- 25 Protection of the SSSI and SLINC through construction phase
- 26 Secure by Design Principles
- 27 Construction Environment Management Plan
- 28 Highways: Travel Plan

29	Details of access roads
30	Removal of PD Rights
31	Public Art

Legal Agreement:

A legal agreement will be required with the outline planning permission to secure the following:

Affordable housing

- A minimum of 0.5 hectares (or approximately 25 dwellings) should be developed for key worker housing which could be provided as market housing or affordable housing. If the key worker housing is provided as affordable housing, as defined in the glossary, it will contribute towards the general provision of 50% affordable housing on the site.
- A minimum of 50% affordable units (80% social rent / 20% intermediate housing) as defined by the Sites and Housing Plan and AHPOSPD
- The mix of dwelling sizes within those tenures to be Social Rent – 1 bed (0-10%), 2 bed (15-25%), 3 Bed (35-45%), 4 bed (10-20%) and Intermediate Housing - 1 bed (0-10%), 2 bed (15-15%), 3 Bed (0-10%), 4 bed (0%) in accordance with the Sites and Housing Plan and AHPOSPD
- The minimum floor space for the on-site affordable homes within the proposed development to accord with the Sites and Housing Plan and the AHPOSPD
- The phasing and distribution of the affordable housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)]

Highway Mitigation Measures

- The development is not commenced until the S278 agreement for highway works has been secured

Principal 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
- CP17** - Recycled Materials
- CP18** - Natural Resource Impact Analysis
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP22** - Contaminated Land
- TR1** - Transport Assessment
- TR2** - Travel Plans

TR5 - Pedestrian & Cycle Routes
TR8 - Guided Bus/Local Rail Service
NE14 - Water and Sewerage Infrastructure
NE15 - Loss of Trees and Hedgerows
HE2 - Archaeology
SR9 - Footpaths & Bridleways
SR10 - Creation of Footpaths & Bridleways

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
CS22_ - Level of housing growth
CS23_ - Mix of housing
CS24_ - Affordable housing

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
SP25_ - Land North of Littlemore Mental Health Centre

Other Planning Documents

National Planning Policy Framework
Balance of Dwellings Supplementary Planning Document
Affordable Housing and Planning Obligations Supplementary Planning Document
Natural Resource Impact Analysis Supplementary Planning Document
Community Infrastructure Levy (CIL) Charging Schedule

Public Consultation

Statutory Consultees

Oxfordshire County Council

- Highways Authority: The Local Highways Authority comments have evolved over the period of the application although they have maintained an objection

throughout this process. The principal concern is that the site is isolated and not accessible on foot. The proposed footway and cycle links to the proposal is still not considered sufficiently attractive and sustainable to encourage end occupiers of this development on a regular basis to access local facilities and services including schools by other means than that of a private car. It is considered that the applicant has not successfully investigated all potential routes into the site to improve this relationship.

The provision of a signalised junction would not have a detrimental impact upon the Heyford Hill Roundabout. The junction would need to have full-sized bus stop laybys to enable use by the X39/40 bus service. There would also need to be an extension of the 50mph speed limit to encompass the new junction and approaches. The pedestrian crossing over the junction and all associated paths should be designed for cycle use but the route on the east side of the A4074 is very narrow. It is recognised that safety audits have been carried out for the junction and all associated footpaths and laybys which have not raised serious safety concerns.

The Transport Statement identifies that the peak hour traffic generation would be between 80 and 90 trips in the peak hour which would have a marginal impact on the road network. The level of parking (258 spaces for 140 dwellings) would be acceptable.

- Drainage Authority: The proposed drainage strategy as outlined in the Flood Risk Assessment is acceptable in principle. However as part of a full application drainage design and construction details supported by ground investigation and infiltration testing results are to be submitted for checking and approval. Details are required for checking and approval of any new surface water drainage system or changes to the existing drainage system where the new access off the A4074 into the site is proposed. No increase in surface water run-off is permitted to enter onto or into the existing highway and highway drainage system without prior determination that the existing system has capacity.

Environment Agency Thames Region:

- The site is located within Flood Zone 1
- A Flood Risk Assessment has been submitted in accordance with the requirements of the NPPF.
- In order for the development to be acceptable in flood risk terms the following points in the standing advice should be considered
- Any surface water should not increase flood risk to the development or third parties. A Sustainable Drainage Scheme should be employed to attenuate to at least pre-development run off rates or where possible achieve a betterment in surface water runoff regime
- An allowance for climate change needs to be incorporated into the drainage scheme which means allowing an extra amount for peak rainfall
- The residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event

Thames Water Utilities Limited

- Thames water has identified an inability of the existing waste water infrastructure

to accommodate the needs of this application. A condition should be imposed requiring a drainage strategy should permission be granted.

- An informative should be added which advises the developer of the minimum water pressures for the scheme.

Natural England:

- The scale and nature of proposal would not have an adverse impact upon the SSSI provided it is carried out in accordance with the details submitted in the application.
- The Local Planning Authority should consider the potential impacts from the proposal upon local sites (biodiversity and geodiversity); local landscape character; and local or national biodiversity priority habitats and species
- The applicant may wish to provide opportunities to incorporate features into the design which are benefit to wildlife.

Highways Agency South East

- No objection

Network Rail

- No objection in principle
- Network Rail does not agree with the statement in the transport assessment that those procedural and legal difficulties with crossing live railway lines prohibit the delivery of a crossing via the northern boundary of the site. The provision may not be financially viable for a scheme of this size, but this is a matter for the developer to demonstrate and would be subject to the necessary legal agreement, final technical engineering approval with Network Rail being achieved.

Third Parties

Letters have been received from the following addresses. Their comments are summarised below

- 80 St Georges Manor; 1, 47 Mandlebrote Drive

Comment:

- No objection to the general idea of building more houses on the site, but a number of key issues have not been addressed in the planning documentation.
- The proposed transport access is grossly inadequate for such a large development.
- The north-west access path will leave pedestrians / cyclists in a tricky spot on a busy roundabout. Their only option being to turn into Sainsbury's and into the west side of Littlemore. The roundabout is lethal for cyclists and pedestrians.
- The links to Sandford and Littlemore need to be improved
- The A4074 is a busy road and the proposed slip road system will be dangerous.
- The open space on the site seems minimal given the number of houses. There should be more green space as there is very few areas of green space within walking distance.
- The noise from the A4074 will be significant for residents and the buffer zone is not that big in size. Are there plans for a tree barrier to screen the development from road noise. The houses should be set back further from the road.
- Is there a cycle storage facility

- The transport statement pretends that the site is well located, when in actual fact it is not and it is incorrect to state that the rest of the town is within walking distance is incorrect.
- The left in left out arrangement will put pressure on the surrounding roads.
- There is not any proper pedestrian access for the development
- There is no new public transport provision as part of the plan the nearest bus stop in Littlemore is at least 10mins walk.
- The site will be cut off from all amenities apart from the supermarket.
- The current access arrangements will increase traffic along the Sandford Road which is already busy. This traffic will put pedestrians and patients of the hospital and children from the school at risk during the morning rush hour.
- The proposal should have proper access to the A4074 with a junction that enables a right and left turn. It would not increase road safety risks and would be more convenient to residents of the proposed development

Community Consultation

A Statement of Community Involvement has accompanied the application. It sets out that pre-application discussions were held with the Council prior to submission and a public exhibition held for the local community.

The public exhibition was held on the 22nd November 2012 and was attended by 10 local residents and representatives of the Hospital Trust. The statement indicates that few concerns were raised during the exhibition with most members of the public please to see the site redeveloped for residential purposes.

Officers Assessment:

Background to Proposals

1. The planning application relates to an area of open land approximately 3.72ha situated on the southern edge of the city and within the Littlemore Neighbourhood Area. It is bordered to the west by the A4074; to the north-east by a railway line with Sainsbury's beyond; and Littlemore Hospital to the south (**site plan: Appendix 1**).
2. The site lies adjacent to Oxford's Green Belt whose boundary is on the opposite side of the A4074. In addition there is the Littlemore Railway Cutting Site of Special Scientific Interest (SSSI) and Site of Local Importance to Nature Conservation (SLINC) to the north. The site is currently accessed from the A4074.
3. The application is seeking outline planning permission for the erection of up to 140 dwellings with access on this open land, together with 258 car parking spaces, 356 cycle parking spaces, landscaping, and open space.
4. The application is made in outline form with only the proposed access arrangements fixed at this stage. The proposed access arrangements have been amended since initially submitted in order to improve accessibility to the site. All other matters such as appearance, landscaping, layout, and scale of the development are to be reserved for a later date if the outline permission is

granted.

5. Officers consider that the principle determining issues in this case to be as follows
 - Principle of Development
 - Residential Development
 - Site Layout and Built Form
 - Highways, Access, and Parking
 - Archaeology
 - Landscaping
 - Biodiversity
 - Flood Risk and Drainage
 - Sustainability
 - Community Infrastructure Levy
 - Other Matters

Principle of Development

6. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed provided it is not of high environmental value. Policy CS2 of the Oxford Core Strategy supports this aim and makes clear that the development of greenfield sites will only be allowed where they are specifically allocated for that use within the Local Development Framework or required to maintain a five-year rolling housing-land supply in accordance with Oxford Core Strategy Policy CS22.
7. The site would not constitute previously developed land under the definition within the National Planning Policy Framework. However, it has been specifically allocated for residential development within the Sites and Housing Plan as part of the Councils five-year supply of housing and to meet the overall housing contributions set out within Policy CS22 of the Oxford Core Strategy 2026.
8. Sites and Housing Plan Policy SP25 states that planning permission will be granted for the residential development within the site, and sets out the following criteria that would need to be provided within any proposal.
 - A minimum of 0.5 hectares (or approximately 25 dwellings) should be developed for key worker housing which could be provided as market housing or affordable housing. If the key worker housing is provided as affordable housing, as defined in the glossary, it will contribute towards the general provision of 50% affordable housing on the site.
 - Planning permission will not be granted for any other uses
 - Pedestrian and cycle access from the site to nearby local facilities in Littlemore should be improved to ensure that the site is not segregated from surrounding neighbourhoods.
 - Opportunities should be explored to create a new access across the railway. Improvements should be made to access to public transport. The key worker housing should have good pedestrian and cycle access to Littlemore Mental Health Centre (SP29)

- A buffer zone should be provided during the construction period to avoid disturbance to the nearby Littlemore Railway Cutting SSSI.
9. The way in which the outline application has responded to these points will be discussed in more detail throughout this report. However the site's allocation under Policy SP25 of the Sites and Housing Plan establishes the general principle for providing residential development on this site, and accords with the aims of Policies CS2 and CS22 of the Oxford Core Strategy 2026.

Residential Development

10. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being within the Littlemore Neighbourhood Area. The BoDSPD would class this as a 'strategic site' because it would exceed 25 residential units.
11. The application is seeking permission for 140 units, which the illustrative site plan indicates would be made up of the following dwelling types - 1 beds (16%), 2 beds (30%), 3 beds (47.5%), and 4 beds (6.5%). This would be an appropriate mix of units for a residential development of this size and would satisfy the aims of Core Strategy Policy CS23 and the BoDSPD.
12. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The Sites and Housing Plan makes clear in Policy HP3 that development sites with a capacity for 10 or more dwellings must provide 50% affordable homes on site. It goes on to state that a minimum of 80% of these homes must be social rented accommodation, with the remaining intermediate housing. The Affordable Housing and Planning Obligations Supplementary Planning Document (AHPOSPD) specifies the preferred mix of dwelling sizes for the social rented and intermediate housing within this on site provision.
13. The planning statement makes clear that the scheme will provide 0.5ha or approximately 25 dwellings as key worker housing and will seek to provide 50% affordable housing (70 units) as required by Policy HP3 at a mix to be agreed with the Council. The affordable housing provision would need to be secured by a legal agreement which agrees the proportion, tenure mix, and dwelling sizes within those tenures under the above-mentioned policy requirements. This would need to specify the following
- A minimum of 0.5 hectares (or approximately 25 dwellings) should be developed for key worker housing which could be provided as market housing or affordable housing. If the key worker housing is provided as affordable housing, as defined in the glossary, it will contribute towards the general provision of 50% affordable housing on the site.
 - A minimum of 50% affordable units (80% social rent / 20% intermediate housing) as defined by the Sites and Housing Plan and AHPOSPD

- The mix of dwelling sizes within those tenures to be Social Rent – 1 bed (0-10%), 2 bed (15-25%), 3 Bed (35-45%), 4 bed (10-20%) and Intermediate Housing - 1 bed (0-10%), 2 bed (15-15%), 3 Bed (0-10%), 4 bed (0%) in accordance with the Sites and Housing Plan and AHPOSPD
- The minimum floor space for the on-site affordable homes within the proposed development to accord with the Sites and Housing Plan and the AHPOSPD
- The phasing and distribution of the affordable housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)]

14. The Sites and Housing Plan sets out the required standards for residential accommodation. Policy HP2 requires all residential development to be designed to Lifetime Homes Standards, with at least 5% of all new dwellings in schemes of this size to be fully wheelchair accessible or easily adaptable for full wheelchair use and at least 50% of these to be provided as open market dwellings. Policies HP12, HP13, and HP14 then set the indoor and outdoor space requirements for dwellings. This is an outline application which has sought to reserve the layout of the development for a later stage, and so details of the internal layouts for the proposed dwellings within the scheme are not included. The planning statement recognises that any reserved matters application will need to ensure that the dwellings satisfy the relevant housing policies of the Sites and Housing Plan.

Site Layout and Built Forms.

15. The outline application seeks to reserve all matters relating to the appearance, landscaping, layout, and scale of the development for a later date. Nevertheless, the application is accompanied by an indicative masterplan and design and access statement which sets out how the development is anticipated to be laid out through the reserved matters application.

16. The application site is an area of open land on the outskirts of the city and is separated from the closest residential areas by the adjacent hospital and Sainsbury's superstore. This means that there are limited contextual cues for the development to respond to within the design. The site allocation policy does acknowledge the proximity of the site to the Green Belt and that any development should attempt to enhance its landscape character.

17. Layout: The illustrative masterplan has shown a residential development at an appropriate density of 46.6 dwellings per hectare. The dwellings consist of semi-detached and terraced properties with a small number of apartment buildings that are generally laid out around cul-de-sacs accessed from the main thoroughfare which leads from the A4074. The layout demonstrates that a good public / private realm relationship could be achieved, with active frontages onto public spaces and although the scheme includes cul-de-sacs the streets are generally linked by footways and open space. The dwellings will all have private rear gardens which are either back to back or enclosed by boundary walls. The development will have landscape buffer zones to the A4074 and along the boundary with the hospital in order to maintain the green character of the site and its relationship with the green belt. There would also be a central area of public open space

which provides a green core to the development.

18. It would be imperative for any layout proposed at reserved matters stage to follow good urban design principles in order to help establish a safe and secure environment. The main concern officers have with respect to the layout relates to the housing in the north-western corner where the frontages of the terraces face onto the landscape buffer to the A4074 but rear gardens and parking areas face onto the main public realm. This would lead to the backs of these properties becoming their fronts, which is contrary to basic urban design principles as it does not encourage the active frontages and passive surveillance which is exhibited throughout other parts of the scheme. Similarly, the road layout in the northern section has a large cul-de-sac which could potentially be opened up to provide perimeter blocks that then improves access throughout this part of the development. These points will certainly need to be designed out in the reserved matters application as officers will require the applicant to demonstrate how the layout is informed by basic urban design principles. It would also be important to ensure that the scheme follows Secured By Design principles as promoted by Thames Valley Police Crime Prevention team, particularly in view of its proximity to the Hospital site.
19. Scale of Development: The design and access statement assumes the buildings to have a residential scale of two-storeys which would be an appropriate for the site and thereby a suitable parameter for the outline permission. The statement suggests that there may be potential for 2.5 and 3 storey buildings within certain areas of the site. This may be the case, however, officers would expect any reserved matters application to include a character assessment for the development which justifies any increase in scale beyond this two-storey parameter and identifies the appropriate locations for these larger scale buildings within the scheme.
20. Appearance: The dwellings are to have a contemporary appearance while using traditional materials such as brick, stone, and render with pitched tiled or slated roofs. The design and access statement recognises that there is no clear vernacular pattern throughout the area which would influence the appearance of these units however, officers would expect any reserved matters applications to include a rationale behind the chosen palette of materials.
21. Officers consider that the illustrative masterplan has demonstrated that a residential development of the proposed density could be accommodated within the plot and designed in a manner that could follow basic urban design principles and establish a clear sense of place for the development. Any reserved matters applications would need to demonstrate that the development would satisfy the requirements of Policy CS18 of the Oxford Core Strategy 2026, Policy HP9 of the Sites and Housing Plan 2011-2026, Policies CP1, CP8, CP9, and CP10 of the Oxford Local Plan 2001-2016.

Highways, Access & Parking

22. The site allocation policy recognises that the site has inherent constraints which could leave any residential development segregated from the wider residential suburb. The policy makes clear that it is essential for any scheme to improve accessibility through considering the following:
- The provision of pedestrian and cycle access from the site to nearby local facilities in Littlemore
 - The provision of pedestrian and cycle access from the Key Worker Housing to Littlemore Mental Health Centre
 - Opportunities to create a new access across the railway
 - Opportunities to improve access to public transport
23. The outline application seeks to fix the access arrangements at this stage in the process in order to provide a base for the development of the reserved matters applications. A Transport Statement has been included with the application which sets out the general strategy for improving access to the site in order to meet the aims of the policy. This strategy has been amended through the application process following discussions between the applicant, officers and other agencies in order to ensure that all options were investigated.
24. Context: The application site is located to the south of the A4074 which is a dual carriageway that forms a local strategic route between Oxford, Wallingford, and Reading. This road connects to the Heyford Hill Roundabout to the north which provides links to Oxford's ring road and Sainsbury's superstore. The site is bordered to the north by a railway line which separates the site from Sainsbury's and the residential area of Littlemore beyond. To the south-east lies Littlemore Hospital which separates the site from Sandford Lane beyond.
25. Traffic Generation: The Transport Statement has forecasted that the residential development would generate between 80 and 90 trips (total in plus out) in the peak hours. The distribution of traffic onto the road network has been estimated using the journey to work data in the 2001 census. The statement concludes that the additional traffic falls within the daily variation of traffic flows on the existing network and would not have a significant impact on the wider network. The Local Highways Authority has raised no objection to the traffic generation modelling within the Transport Statement.
26. Access: The Transport Assessment Addendum sets out the following site access strategy for the development in order to integrate the site into the surrounding community:
- The provision of an all-movements traffic signal junction to the A4074 for vehicles incorporating a pedestrian and cycle crossing to the south-western side of the road
 - The provision of bus laybys on each side of the A4074
 - The provision of a new footpath link for pedestrians and cyclists on the south-western side of the A4074 into Heyford Hill Lane
 - The provision of a new footpath link for pedestrians and cyclists on the north-eastern side of the A4074 providing a route from the site to Sainsbury's superstore and the pedestrian and cycleway along the eastern bypass.

27. The Transport Assessment has provided capacity studies and modelling data to assess the impact of the signalised junction upon the A4074 and the Heyford Hill Roundabout, along with independent road safety audits for the proposed bus laybys and pedestrian/cycle links. These have confirmed that there would be no material impact on the existing road network from the signalised junction and that there would be no significant safety implications to the proposed routes. The Local Highways Authority has accepted the findings of the junction modelling and the road safety audits. In doing so they have made clear that full-sized bus stop laybys will be required to accommodate the buses which operate on this route, and that the 50mph speed limit would be needed to encompass the new junction and approaches. The pedestrian crossings and associated new paths will need to be designed for cycle use and recognise that the route on the eastern side of the A4074 is very narrow. In their view though there would be no serious safety implications with these routes provided the recommendations in the road safety audits are followed during the Section 278 works which will be required to provide these highway improvements.
28. The Local Highways Authority's main concern with the proposal relates to the accessibility and sustainability of the site. In their view the pedestrian and cycle links to and from the proposal are not sufficiently attractive and sustainable to encourage end occupiers of this development to access local facilities and services including schools by modes of transport other than the private car. The footway link across the field to Heyford Hill Lane would be a long and counter intuitive detour that would not resolve the segregation issues for the site because of the length of the route and distance to facilities. They consider that the best option to integrate the development into the area would be to provide a route through the Littlemore Hospital grounds along the A4074. This would require negotiations with the Mental Health Trust, but it would give direct access to Sandford Road and provide a more direct route to Littlemore and its schools and services/shops other than Sainsbury's and to additional bus services.
29. Notwithstanding these objections, the applicant considers that their site access strategy meets the aims of the site allocation policy in terms of ensuring that the site is not segregated from the wider area. In developing their strategy they have discarded the originally proposed left-in left-out access onto the A4074 because it did not provide the same benefits of improving connectivity for pedestrians, cyclists and public transport links than the signalised junction. The applicant owns the open space on the south-eastern side of the A4074 and so is able to provide a footway link through to Heyford Hill Lane without having to negotiate with other landowners and this is a route currently used by residents in Sandford on an informal basis to presumably access Sainsbury's. The applicant considered providing a bridge across the A4074 to link through to Heyford Hill Lane but the land levels on both sides made the costs prohibitive which placed further emphasis on the benefits of the signalised junction. Similarly the provision of a footpath from the north-western corner of the site to Sainsbury's would enable access to the wider pedestrian and cycleway network beyond and reinforces another informal footpath which is apparent in this area. It is fair to say that the applicant has not discussed the possibility of providing a pedestrian link through the Littlemore Hospital site to Sandford Road with the Mental Health

Trust. However, this is primarily because there would be security issues with such an arrangement. Therefore they consider that they have exhausted all of the available options to comply with the aims of the policy.

30. Having reviewed the strategy, officers fully appreciate the Local Highway Authority's comments with regards to the sites accessibility and sustainability issues. However, the site has been allocated as part of the Councils five-year supply of housing in order to meet the overall housing contributions set out within Policy CS22 of the Oxford Core Strategy 2026. The site constraints are not ideal in terms of integrating the development into the wider area, but at the same time there is a shortage of land to provide housing within the city and all these factors would have been material in deciding whether to allocate the site within the Sites and Housing Plan. In many respects peripheral sites such as this will always be less sustainable in terms of access to local facilities and services than more centrally located sites. In this case the applicant has made best attempts to provide links that will encourage access to the wider area, and it is difficult to envisage what more could be done other than relying on agreements with third party landowners to enable other links to the surrounding area. The site access strategy would be deliverable and would have additional benefits to the wider area in terms of providing more formal access arrangements across existing well-used desire lines. Therefore on balance officers take the view that the proposed access arrangements would ensure that the site is not completely segregated from the surrounding area and enable the site to provide much needed affordable and market housing within the city. Although these access arrangements would be fixed in the event that outline permission is granted, this would not preclude the applicant from investigating the potential to provide an additional link through the Hospital site with the Trust. As such an informative could be added to encourage the applicant to discuss this matter with the Trust and ascertain whether such a link would be feasible and achievable.

31. Public Transport: The site allocation policy also requires the provision of public transport opportunities for any development to be examined. Having regards to the site constraints and the general issues with respect to improving access to local facilities, officers consider that the provision of a bus link to the site would be critical. The proposed off-site highway works show two bus laybys either side of the signalised junction and road safety audits have been provided which demonstrate that they would not create any serious highway safety issues. The Local Highways Authority has recommended that bus stops would require full-sized off carriageway laybys and that the construction details would need to be agreed through a S278 agreement. However they have not raised any objection to the principal of providing the proposed laybys.

32. The current operator of the Thames Travel X39/X40 service that runs from Wallingford to Oxford City Centre has confirmed that they would be happy for the service to stop immediately outside the site to pick up and drop off passengers subject to the safety of the bus stop configuration. Therefore the proposed access strategy would provide suitable public transport links to the site to further improve its accessibility.

33. Rail Crossing: The site allocation policy also suggests that the potential for the

creation of a new access across the railway into Littlemore should be explored. The applicant has discussed the matter with Network Rail, but their technical requirements would have made a bridge link prohibitively expensive, and they also required a payment from the uplift in value of the site as a result of providing this link. In addition to Network Rail, the applicant would also need to gain access across adjacent third party land on the opposite side of the railway line in order to link into the surrounding area. Therefore the provision of a link over the railway line is not feasible at the present time. That said officers recognise that the Railway Lane site on the opposite side of the railway is also an allocated site for residential use. The site allocation policy (SP48) states that the design of any development on this site should allow for pedestrian and cycle access to be created from this land into the application site. As residential developments on both sites would be liable for a Community Infrastructure Levy charge, then it may be that such monies could be pooled to fund for a bridge link between the sites in future years. In order to future proof such an option, officers would recommend a condition be attached to any outline permission requiring the site layout put forward in any reserved matters application to make allowance for a potential link across the railway line to one of the adjoining sites at a later stage whether the Railway Lane site or Sainsbury's.

34. The Oxford Local Plan also identifies the railway line as a potential route for an Eastern Arc Rapid Transit system [EART] and Policy TR8 states that permission will not be granted for development that would prejudice the implementation of this EART. The Sites and Housing Plan states in the implementation section that opportunities should be taken to improve linkages to a future EART station or include space for an EART transport interchange or station if required. This may require a parcel of land to be identified at the Reserved Matters stage and kept free of built development until such time as it may be required.
35. Car Parking: The required parking standards for residential development are set out in Policy HP16 of the Sites and Housing Plan. The supporting text to this policy makes clear that large scale housing development in areas such as this should provide allocated and unallocated parking spaces. Allocated spaces should generally have at least 1 allocated space per dwelling, although in certain areas it may be necessary to achieve the maximum standards which is 1 parking space for a 1 bed house or flat and 2 spaces per 2-4 bed house or flat. Unallocated provision should be totalled according to the number and mix of dwellings. These spaces must be available to be shared between all residents and visitors in the development.
36. The planning statement accompanying the application states that a total of 258 parking spaces would be provided within the development. As this is an outline application, this would be an indicative figure, and the actual numbers of spaces per unit will come forward in the reserved matters application. The planning statement suggests that this level of parking would accord with Policy HP16, although no breakdown of allocated and unallocated spaces have been provided.
37. A condition should be attached to any outline permission which requires full details of all parking provision to be included at reserved matters stage and that

this should be provided at a level which reflects the parking standards set out in Policy HP16 in terms of defining allocated and unallocated spaces.

38. Cycle Parking: The required cycle parking standards for residential development are set out in Policy HP15 of the Sites and Housing Plan. The minimum provision would be at least 2 spaces for houses and flats up to 2 bedrooms, and 3 spaces for houses and flats up to 3 bedrooms. All cycle storage must be secure, under cover and preferably enclosed and provide level unobstructed external access to the street.
39. The planning statement states that a total of 356 spaces would be provided which would accord with these minimum standards. Again a condition should be attached which requires details of the cycle parking provision to be provided at reserved matters stage and that this should reflect the requirements of Policy HP15.
40. In summary officers recognise the difficulties with access to the site, but consider that the proposal has responded to the requirements of Sites and Housing Plan Policy SP25 in terms of ensuring that it is not entirely segregated from the wider area and improving accessibility for future occupants in accordance with Oxford Core Strategy Policy CS14 which encourages city wide movement. The site is in a peripheral location which has inherent constraints in terms of providing a fully accessible site with better links to shops and services in Littlemore. The application has made best attempts to respond to these constraints and as far as possible encourage cycling, walking and public transport as an alternative to the use of the private car. The signalised junction would enable access into the site from the surrounding road network for vehicles without having an adverse impact upon the adjoining road junctions and also enable the provision of bus laybys to increase public transport opportunities. The proposed pedestrian and cycle links would help integrate the site into the wider area and formalise existing desire lines in the surrounding area for the benefit of the occupants of the application site and also the wider residential community. While it is not ideal that a more direct link into Littlemore could not be provided through either a bridge link across the railway or a pedestrian / cycle link through the Littlemore Hospital site, it is considered that the potential exists to provide such routes through the reserved matters stage or beyond in future years. Therefore on balance officers would raise no objection on highways, access and parking grounds to the outline proposals as now submitted.

Archaeology

41. An archaeological field evaluation report by Thames Valley Archaeological Services (2013) has been submitted for this site. The evaluation confirmed the presence of an Iron Age 'banjo' enclosure, previously suggested by geophysical survey. A ditch of medieval date, a possible Roman cremation burial, a single struck flint and small quantities of Roman, Saxon and medieval pottery were also recovered. The enclosure ditch and related pits survive as features cut into the natural sand and limestone geology, located approximately 400mm below the current ground surface.

42. The banjo enclosure is the only one of its kind recorded in the local authority area and is the easternmost recorded example of a likely subgroup of such enclosures on the Thames gravels which have been interpreted as outlying examples of more tightly defined cluster of banjo enclosures recorded in the Cotswolds. Other such clusters are recorded on the Berkshire Downs and in Hampshire and Wiltshire. The enclosure is likely to be related to stock management, its location perhaps influenced by the presence of Calcareous grassland. The enclosure is an asset of local and regional interest and the indicative development layout submitted presents the opportunity of preserving the bulk of this asset within open space.
43. A condition should therefore be attached to secure the substantive preservation of this asset within the layout proposed in any reserved matters application, noting the requirements for additional archaeological recording on surrounding archaeological features that may be impacted by development.

Landscaping

44. A Landscape Statement has been included with the application which sets out the masterplan key objectives for landscaping and open space provision within the site. The total green space provision on the site equates to 25.6% of land area. About 8% of the site is proposed as formal open space including play areas, green verges with seating and a larger, so-called 'village park'. Informal open space equates to 17.5% and involves a proposed woodland belt along the south-western boundary and a habitat belt combined with attenuation ponds along the south-eastern boundary. Further green infrastructure landscaping is proposed in the form of street tree planting along the central site access road and in parking areas.
45. Officers consider that the landscape strategy has identified appropriate objectives and the proposals generally meet these objectives. However, the following recommendations would be made for the reserved matters stage. The proposed woodland buffer along the south-western boundary is unlikely to mitigate traffic noise because vegetation performs poorly in this regard but does provide visual screening. The aim of providing residences with adequate screening from the A4074 is laudable but the proposals risk resulting in the development being excessively enclosed by dense belts of tall tree cover on all sides which conflicts with the aim of creating an attractive environment in harmony with the surrounding green belt. Whilst officers recognise that screening from the main road is vital, consideration should be given in the planting design to the possibilities for preserving some views of the countryside beyond the road to the south (at least from facing properties) the balance might be achieved by restricting dense planting to woodland shrub mixtures and medium height-attaining trees. Taller growing woodland trees could be planted more sparingly at close to final spacing density. The provision for wildlife connectivity would be improved by creating a stronger link at the north-eastern tip of the site, between the hedgerow/ proposed habitat belt along the south-eastern boundary and the railway embankment vegetation beyond the northern boundary.

46. The remnant hedgerow along the south-eastern boundary within the site is seriously blighted by Dutch elm disease. Detailed landscape proposals will need to address the situation and involve reinforcement planting with alternative native species. A green-field site provides an opportunity to plan for the successful integration of street tree planting and green verges into the development. Officers would recommend that corridors for utility services that are accessible and segregated from verge and street tree root zones should be designed at the reserved matters stage. Identified zones for undisturbed tree root growth should be protected from the outset and throughout the construction phase using a combination of fenced construction exclusion zones and temporary ground protection materials as appropriate.
47. The outline application seeks to reserve landscaping for a later stage, and so officers would expect these comments to be taken into consideration in accordance with Oxford Local Plan Policies CS18, CP1, CP11 and NE16.

Biodiversity

48. The NPPF makes clear that new developments should minimise the impacts upon biodiversity and take the opportunity to incorporate biodiversity enhancements. There is also legislation and European directives to avoid harm to biodiversity interests and to have regard to conserving habitats. At a local level Oxford Core Strategy Policy CS12 states that
- Sites of Special Scientific Interest (SSSI) must be protected from any development that would have an adverse impact.
 - No development should have an impact upon a site that is designated as having local importance for nature conservation or as a wildlife corridor; and
 - Species and habitats of importance for biodiversity are protected from harm, unless the harm can be properly mitigated
49. An Ecological Survey and Evaluation Report has been submitted with the application. The site is in close proximity to the Littlemore Railway Cutting which is a Site of Special Scientific Interest (SSSI) and Site of Local Importance to Nature Conservation (SLINC). Natural England has stated that the proposal would not have an adverse impact upon the SSSI or SLINC. However, they have indicated that the Local Planning Authority would need to satisfy itself that the proposal would not have an impact upon local biodiversity, landscape character or national biodiversity priority habitats.
50. The Phase I Habitat Survey identified that the site is formed principally from species rich, neutral, semi-improved grassland with some calcareous grassland in the north-west corner. It also concluded that no protected species were expected to inhabit the site but that the development would result in the loss of habitat for a range of common invertebrates, birds and small mammals. The survey recommends mitigation measures to preserve the biodiversity interest of this grassland, through creating some of the sites species rich grassland in the sites boundary habitats primarily along the south-eastern and south-western edges of the site and within the public open space.

51. The Landscape Statement has been amended to provide clarity on the extent of the calcareous grassland to be provided within the development to compensate for its loss. It makes clear that this will be located on the western boundary of the site with the tree planting and ground preparation of this area designed to maximise its potential for the habitat to develop. This would also provide a link to the adjacent SSSI and SLINC. The linear park will also include this grassland and be managed to optimise its biodiversity value. There will also be a new area of calcareous grassland located in the form of a linear strip to the north, directly adjacent to the SSSI in order to ensure its connectivity with this adjacent site of importance. Officers consider that this indicative layout is acceptable and would represent adequate biodiversity compensation for this type of priority habitat with the caveat that on the western boundary a continuous belt of trees would not be provided but groups with longer grass cut on a three year rotation to provide invertebrate habitat including over wintering.
52. A Great Crested Newt & Reptile Survey Report has also accompanied the application. The report did not identify the presence of any such amphibians or reptiles but recommends that any site clearance is carried out in a careful and controlled manner which remains vigilant for their presence and for the provision of a reptile-proof fence around the site boundary to prevent any translocation from adjacent areas during the construction phase. These recommendations should be conditioned.
53. Having regards to the details of these reports officers are satisfied that the full mitigation measures proposed within the revised landscape masterplan and the Ecological Surveys would be sufficient to ensure that the biodiversity of the locality can be maintained and represents adequate compensation for the loss of any priority habitat within the site in accordance with the aims of Oxford Core Strategy Policy CS11.

Flood Risk and Drainage.

54. A Flood Risk Assessment has been submitted with the application. The site is located within Flood Zone 1 which is considered an area where there is a low probability of flooding.
55. The Oxfordshire County Council Drainage Authority has indicated that the proposed drainage strategy as outlined in the Flood Risk Assessment is acceptable in principle. However as part of any reserved matters application drainage design and construction details supported by ground investigation and infiltration testing results will need to be submitted. These details will also need to include the drainage for the new access onto the A4074.
56. The Environment Agency has made clear that the surface water drainage scheme should utilise Sustainable Drainage Systems and should be developed so as not to increase flood risk to the development or third parties. There should also be allowance for climate change within any design. These matters will need to be addressed during the detailed design stage of the development through the reserved matters application.

Sustainability

57. Oxford Core Strategy Policy CS9 has a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve zero carbon developments. The Sites and Housing Plan Policy HP11 then goes on to state that a development of this size will need to include at least 20% of its total energy needs from on-site renewables or low carbon technologies.
58. A full energy statement which demonstrates how the development would achieve the 20% target would only be possible at the reserved matters stage in this process through the detailed design of the development. The Design and Access Statement acknowledges this, but has included an initial Natural Resource Impact Analysis which identifies some fundamental aims which they anticipate will be incorporated into the scheme in order to achieve this. These would be through using renewable technologies where appropriate; improving energy efficiency through the layout, design and construction of the development; achieving Code 3 or 4 energy performance levels or the prevailing building regulations for all dwellings at the time of construction; achieving a 'very good' grade under the 'Building for Life' criteria; enhancing natural features on site to improve their ecological value and the use of sustainable urban drainage techniques; limiting waste production during construction through a waste management scheme; and incorporating secure by design principles into the scheme.

Community Infrastructure Levy / S106 Agreements

59. The Council introduced a Community Infrastructure Levy on the 21st October 2013 in order to fund the provision of infrastructure needed to support development. As a result the S106 contributions previously sought through the Planning Obligations Supplementary Planning document have been scaled back to cover the provision of affordable housing and site specific measures to mitigate the impact of the development.
60. The Oxfordshire County Council originally requested financial contributions towards Education, Libraries, Waste, Highways and Transport, and Museums in accordance with the previous Planning Obligations Supplementary Planning Document. However, these matters are now covered through the Community Infrastructure Levy. The proposed development would be liable for a CIL charge, but this would not come into effect until the reserved matters application.
61. In accordance with the recently adopted Affordable Housing and Planning Obligations Supplementary Planning Document, a S106 agreement will be required for the provision of the affordable housing in the terms set out in the report. The application is proposing direct highway mitigation through the provision of the off-site highway works. These will be provided at their expense and would be secured through a S278 agreement with the Local Highways Authority. As the proposal is reliant on the provision of these works then the S106 agreement should require the S278 works to be carried out before development commences.

Other Matters

62. Noise: A Noise Assessment has been included with the application. The survey identified that the primary source of noise at the development site is road traffic from the A4074 and the nearby Eastern bypass (A423/A4142). The railway branch line to the north is only used for occasional freight transport to the BMW factory. The survey recommends that appropriate noise mitigation measures could be incorporated at detailed design stage through the reserve matters application to make this suitable for residential development. The recommendations in the report should be secured by condition.
63. Contaminated Land: It would be necessary for a phased risk assessment to be carried out before any development commences. The site is adjacent to a dismantled railway and part of the site has been used for mineral extraction. The pit that existed may have been filled in with contaminated materials. A residential use on the site would be sensitive to potential contamination and therefore it is important that the developer demonstrates that the site is suitable for use. As a minimum this would require a desk study, with a documented site walkover to ensure that there are no sources of contamination on or near to the site in order to demonstrate its suitability for the proposed use. This should be secured by condition.
64. Public Art: The Planning Obligations Supplementary Planning Document (POSPD) identifies that contributions would be required from the scheme towards the provision of public art. This could be provided by way of a condition or contribution. Although public art has not been specifically detailed in the proposed scheme, this could be secured by condition.
65. Air Quality: Oxford Local Plan Policy CP23 states that permission will not be granted for development that would have a net adverse impact upon the air quality in the Air Quality Management area, or in other areas where air quality objectives are unlikely to be met. The principle of a residential development on the site has been established through the site allocation policy. A condition should be attached to require the applicant to undertake a scheme of air quality monitoring upon completion of set phases of the development.
66. Construction: In the event that outline permission is granted for the proposed development, it should be subject to a Construction Environmental Management Plan (CEMP) which would address issues such as working hours, signage, site hoardings, site security measures, piling methods, earthworks, routing arrangements, arrival and departure times for construction vehicles, control of dust and emissions, vibration, materials storage, waste management, and complies with the British Standard BS5228: Noise and Vibration. This should be secured by condition with the principal contractors and plot developers also registering with the considerate contractor's scheme.

Conclusion:

67. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation is to approve the development in principle, but defer the application for the completion of a legal agreement as set out above.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

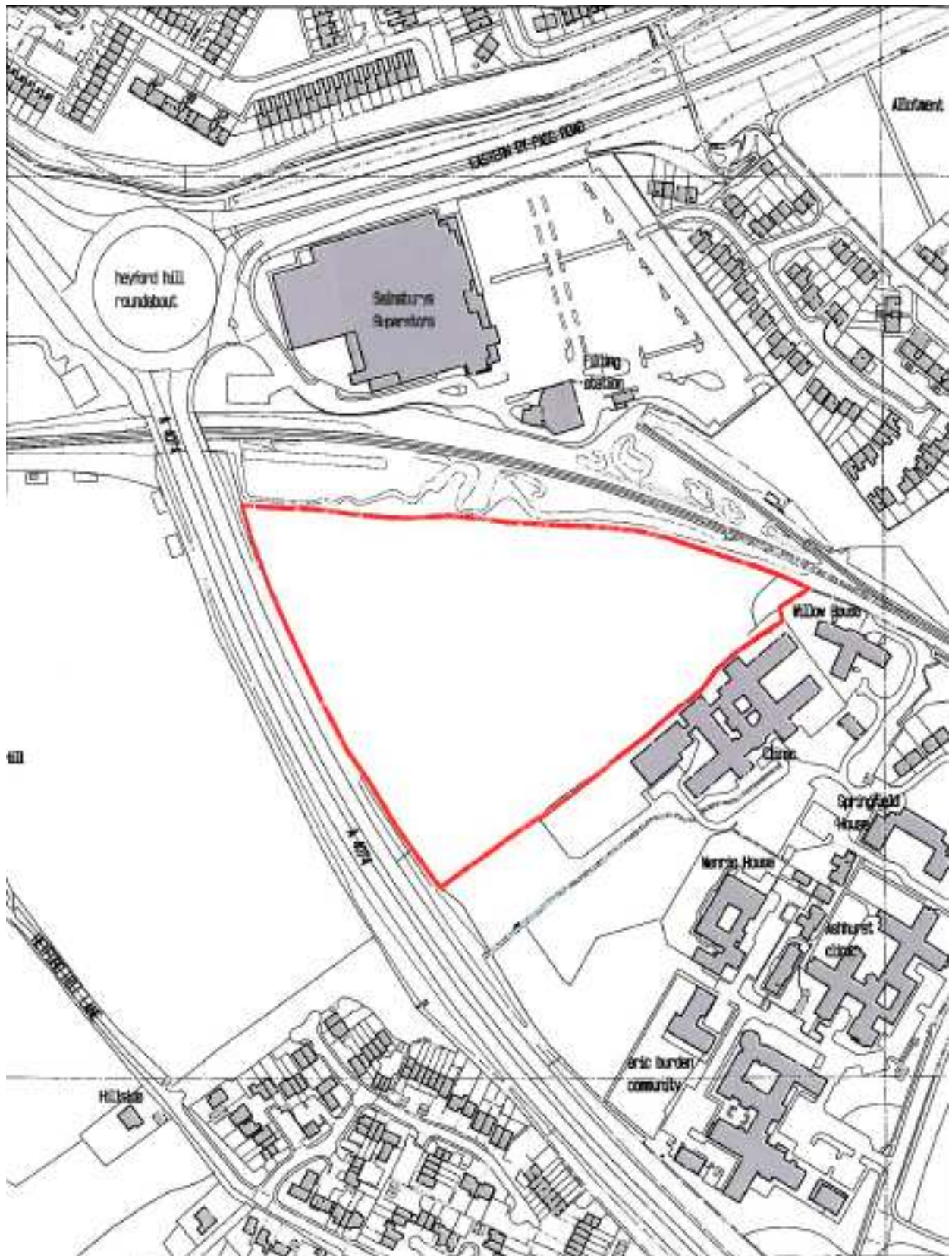
Contact Officer: Andrew Murdoch

Extension: 2228

Date: 23rd October 2013

APPENDIX 1

SITE PLAN



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East Area Planning Committee

4th December 2013

Application Number: 13/02898/CT3

Decision Due by: 20th December 2013

Proposal: Variation of condition 3 (non-residential education only) of planning permission 11/01906/FUL (Change of use from office (Class A2) to non-residential institution) to allow all D1 uses.

Site Address: 69 St Nicholas Road Oxford site plan at **Appendix 1**

Ward: Littlemore

Agent: N/A

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal would not adversely affect the vitality of the Neighbourhood Shopping Centre or the employment opportunities in the City and given the small size of the building its uses with D1 use class will be limited.
- 2 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

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

RC8 - Neighbourhood Shopping Centres

TR3 - Car Parking Standards

Core Strategy

CS1 Hierarchy of centres

West End Area Action Plan

Barton AAP – Submission Document

Sites and Housing Plan

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

56/00822/M_H - Erection of five shops with maisonettes over, garages and yards at rear, with single storey surgery building adjoining with access. PER 6th November 1956.

97/00328/NF - Change of use from Doctors Surgery to Hot Food Takeaway. REF 4th June 1997.

07/02741/FUL - Change of use from surgery (class D1) to office (class A2). PER 29th January 2008.

11/01906/FUL - Change of use from office (Class A2) to non-residential institution. PER 12th October 2011.

Representations Received:

No representations had been received at the writing of this report. However should any be subsequently received they will be reported verbally to members.

Statutory and Internal Consultees:

No comments had been received at the writing of this report. However should any be subsequently received they will be reported verbally to members.

Issues:

Unrestricted D1 use
Parking

Officers Assessment:

Site Description

1. The application site comprises No 69 St Nicholas Road, a single storey building located to the southeast of No 49 – 67 St Nicholas Road. The site

stands on an open corner with grass and vegetation.

2. Planning permission was granted in 2007 to change the use from a doctors clinic to an A2 office and again in 2011 for a change the use of the building from an office to a non-residential institution (use class D1).

Proposal

3. As part of the 2011 permission a condition was added which restricted the use of the building to non-residential education and training. The condition states:

Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 the building/land shall only be used for non-residential education and training and for no other purpose (including any other purpose in Class D1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class revoking or enacting that Order).

Reason: To ensure that the Local Planning Authority can properly consider any alternative use of the premises.

4. This current application is seeking permission to allow the building unrestricted D1 (Non-residential institutions) uses.

Assessment

5. D1 (Non-residential institutions) uses include any use not including a residential use:
 - a. for the provision of any medical or health services except the use of premises
 - b. attached to the residence of the consultant or practitioner,
 - c. as a crèche, day nursery or day centre,
 - d. for the provision of education,
 - e. for the display of works of art (otherwise than for sale or hire),
 - f. as a museum,
 - g. as a public library or public reading room,
 - h. as a public hall or exhibition hall,
 - i. for, or in connection with, public worship or religious instruction,
 - j. as a law court.
6. There is no permitted change from a D1 use to any other use.
7. The reason for the condition was there was a known end user (Family Health Concern) however now the property is vacant and the removal of the condition will allow other potential users within a D1 use. Whilst there is a range of uses defined under D1 the small size of the building (56sqm) will limit its actual practical use within D1 use class.
8. The site is adjacent to but not in the St Nicholas Road Neighbourhood

Shopping Centre. The proposed change of use to a non-residential institution would not adversely affect employment opportunities or the vitality of the shopping frontage due to its small scale.

9. The building is small and therefore it is not anticipated to generate a significant amount of traffic. The previous A2 use would be expected to be similar to the non-residential institution and although some traffic may be generated, the area does not suffer from such levels of parking pressure that this small scale use would give rise to adverse impacts.

Conclusion:

10. In the light of the above officers recommend that planning permission be granted.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Lisa Green

Extension: 2614

Date: 20th November 2013

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Appendix 1

13/02898/CT3 - 69 St Nicholas Road



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Ordnance Survey 100019348

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Agenda Item 6

Monthly Planning Appeals Performance Update – October 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 31 October 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 31 October 2013.

Table A. BV204 Rolling annual performance (to 31 October 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(38%)	6 (67%)	10 (30%)
Dismissed	26	62%	3 (33%)	23 (70%)
<i>Total BV204 appeals</i>	42		9	33

Table B. BV204: Current Business plan year performance (1 April to 31 October 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	6	(30%)	3(60%)	3 (20%)
Dismissed	14	70%	2 (40%)	12 (80%)
<i>Total BV204 appeals</i>	20		5	15

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 31 October 2013

	Appeals	Percentage performance
Allowed	18	(37%)
Dismissed	30	63%
All appeals decided	48	
Withdrawn	2	

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 October 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 October 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 1/10/13 And 31/10/13

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	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
13/01386/TPO	13/00057/REFUSE	DEL	REF	ALC	04/10/2013	QUARIS	16A Trinity Road Headington Oxford OX3 8LQ	Prune 3 No. Ash trees (crown reduce all the trees by 4 meters) subject of Oxford City Council Spring Lane (No.1) Tree Preservation Order
13/00127/FUL	13/00024/REFUSE	DEL	REF	DIS	07/10/2013	MARST	33 William Street Marston Oxford OX3 0ES	Erection of 1 x 2 bedroom dwelling (Use Class C3) in rear garden of no.33 William Street. Provision of 1 parking space. (Amended plans)
12/01970/FUL	13/00018/REFUSE	COMM	REF	ALC	10/10/2013	CARFAX	44 St Thomas Street Oxford Oxfordshire OX1 1JP	Alterations and conversion of existing building to provide 6 x 1 bedroom dwellings (Amended plans)

TABLE E Appeals Received Between 1/10/13 And 31/10/13

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	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
12/03121/EXT	13/00066/REFUSE	COMM	PER	W	190 Iffley Road Oxford Oxfordshire OX4 1SD	IFFLDS	Application to extend time limit for implementation of planning permission 09/01036/FUL (Rehabilitation of 190 Iffley Road and erection of 3 storey side and rear extensions. Conversion of extended building to form student hall of residence with 27 study bedrooms, re-landscaping of forecourt. Cycle parking and refuse storage to rear).
13/00640/FUL	13/00059/REFUSE	DEL	SPL	H	38 St Bernard's Road Oxford Oxfordshire OX2 6EH	NORTH	Rear dormer window
13/01096/FUL	13/00062/REFUSE	COMM	REF	P	Sports Field William Morris Close Oxford Oxfordshire OX4 2SF	COWLYM	Construction of two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description)
13/01208/FUL	13/00064/REFUSE	DEL	SPL	H	5 Iffley Turn Oxford OX4 4DU	RHIF	Erection of single and two storey rear and side extension. Alterations to roof including insertion of dormer window and rooflight to rear to provide Erection of single and two storey rear and side extension. Alterations to roof including insertion of dormer window and rooflight to rear to provide additional loft room floorspace.
13/01544/FUL	13/00058/REFUSE	DEL	REF	H	103 Fern Hill Road Oxford Oxfordshire OX4 2JR	LYEVAL	Installation of dormer window to the side elevation.
13/01928/FUL	13/00055/REFUSE	DEL	REF	W	68 Hollow Way Oxford Oxfordshire OX4 2NH	LYEVAL	Change of use from Sui Generis Use Class (tattoo parlour) to Use Class A5 with a provision for the consumption of food and drink on the premises (retrospective).
13/01948/FUL	13/00061/REFUSE	DEL	REF	W	14 Blandford Avenue Oxford OX2	WOLVE	Demolition of existing dwelling. Erection of 2 x 4-bed

13/02084/FUL	13/00065/REFUSE	DELCOM	REF	H	8DY 81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	dwelling (use class C3). Erection of a single storey side and rear extension.
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Enforcement Appeals Received Between 1/10/13 And 31/10/13

TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

EN CASE	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
13/00253/ENF	13/00063/ENFORC	W	22 Wilkins Road Oxford Oxfordshire OX4 2HX	LYEVAL	Alleged erection of an outbuilding without planning permission
13/00461/ENF	13/00056/ENFORC	W	68 Hollow Way Oxford Oxfordshire OX4 2NH	LYEVAL	Alleged unauthorised change of use from tattoo parlour (sui generis) to hot food take away (A5)

Total Received: 3

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EAST AREA PLANNING COMMITTEE

Tuesday 24 September 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Clarkson, Coulter, Curran, Lloyd-Shogbesan, Cook, Gotch, Wilkinson and Williams.

OFFICERS PRESENT: Murray Hancock (City Development), Nick Worledge (City Development), Michael Crofton-Briggs (Head of City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

67. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Hollick (substitute Councillor Williams), Councillor Paule (substitute Councillor Cook), Councillor Altaf-Khan (substitute Councillor Gotch) and Councillor Rundle (substitute Councillor Wilkinson).

68. DECLARATIONS OF INTEREST

There were no declarations of interest made.

69. FILMING OF THE MEETING

The Chair received a request from a member of the public to film the meeting.

The Committee resolved NOT to allow the meeting to be filmed as the Council was still discussing whether filming committee meetings was appropriate.

70. LAND WEST OF BARTON NORTH OF A40 AND SOUTH OF BOUNDARY BROOK: 13/01383/OUT

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application (seeking means of access) for the erection of:

- a maximum of 885 residential units (Class C3)
- a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1)
- a maximum of 50 extra care housing units
- a maximum of 7,350 sqm GEA hotel (Class C1)
- a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school)

In development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works.

In accordance with the criteria for public speaking, Frank Chesman, Nigel Gibson, Betty Fletcher, Elaine Bennett and Councillor Mick Haines spoke against the application, and County Councillor Glynis Phillips and Edward Skeates (Barton Oxford LLP) spoke in favour of it.

The Committee resolved to GRANT planning permission subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should however the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with Regulation 123 of the CIL Regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee is recommended to delegate the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development is not adequately mitigated.

Subject to the following conditions, legal agreement and informative.

Conditions

1. Time limits for commencement.
2. Approved plans and documents
3. Reserved matters applications.
4. Scheme of enabling infrastructure works.
5. Phasing of development.
6. Materials
7. Amendment to Design Code.
8. Design Code Review
9. Restrict non - food sales at supermarket
10. Landscaping / public realm.
11. Landscaping implementation.
12. Tree protection plan.
13. Landscape management plan.
14. Dimensions to sports pitches
15. Withdrawal of householder permitted development rights.
16. Lifetime homes standards.
17. Car parking standards.
18. Cycle parking signage.
19. Servicing and deliveries.
20. Access.
21. Highways: Travel Plans.
22. Public transport provision.
23. Construction Environmental Management Plan.
24. Sustainability and energy strategy through district heating system.
25. Site wide surface water drainage, to include SUDs.
26. Phased surface water drainage scheme.
27. Foul water drainage scheme.
28. Flooding.
29. Ground contamination and remediation.
30. Air quality: monitoring.
31. Piling.
32. Petrol / oil interceptors.
33. Noise and vibration: attenuation.

34. Mechanical plant.
35. Cooking smells.
36. Protection of Sidlings Copse
37. Grassland mitigation.
38. Training and employment strategy.
39. Repeat ecological surveys.
40. Habitat creation.
41. Archaeology.
42. Linear park
43. Adult and school pitches to be constructed and maintained to Sport England guidelines.

Legal Agreement

A comprehensive legal agreement would accompany the planning application if granted permission. The main elements of the agreement are:

1. Minimum of 40% of all residential units to be affordable housing to rent, with a minimum of 35% affordable in each phase of development.
2. Management of public open spaces by Barton Oxford LLP, (or adoption by local authority).
3. Financial contribution of £7,390,000 to Oxfordshire County Council for the provision of buildings to accommodate 1.5 form entry primary school academy, (or to be delivered direct by applicant).
4. Joint use agreement for use of school buildings and shared use of playing fields as “community hub”.
5. Transfer of 1.48ha. of land to Oxfordshire County Council on 125 year lease for provision of primary school.
6. Financial contributions of up to £519,750 plus £10,000 costs to Oxfordshire County Council for the provision of temporary primary school facilities within the catchment area of the development, plus £220,000 for transport facilities if located outside catchment area.
7. Financial contribution of £3,104,595 to Oxfordshire County Council towards secondary school and sixth form facilities to serve the development.
8. Financial contribution to Oxfordshire County Council of £146,390 towards Special Education Needs (SEN).
9. Provision of “early years” facilities either with the community hub, or as a financial contribution of £69,350 to Oxfordshire County Council.
10. Financial contribution of £88,500 to Oxfordshire County Council for improvements to Headington Library.
11. Provision of day care facilities either within the community hub, or as a financial contribution of £163,500 to Oxfordshire County Council.
12. Financial contribution to Oxfordshire County Council of £38,500 towards waste recycling facilities.
13. Transport improvements to A.40 access and A.40 corridor works to value of £1,867,758.
14. Financial contributions for other highways works to the value of: noise reduction surfaces, £391,644; A.40 traffic calming, £34,187; improvements to existing Barton underpass, £110,000; access to Barton Village Road, £305,598; access to Harold Close, £105,133.
15. Financial contribution to Oxfordshire County Council of £82,600 to promote Controlled Parking Zone across site.
16. Financial contribution to Oxfordshire County Council of £3,000 to promote traffic Regulation Order (TRO) for 50mph speed limit to A.40.
17. Financial contribution to Oxfordshire County council of £709,722 for junction improvements at Headley Way / Marston Road / Marsh Lane / Cherwell

Drive.

18. Financial contribution to Oxfordshire County Council of £15,727 to amend road markings at Green Road roundabout.
19. Financial contribution to Oxfordshire County Council of up to £850,000 to subsidise new / extended bus services.
20. Financial contribution to Oxfordshire County Council of £30,000 towards bus shelters.
21. Financial contribution of £203,161 to City Council for indoor leisure facilities.
22. Provision of public rights of way (as foot / cycle route) along southern side of development site; along linear park to link to Play Barton; and as diversion of existing right of way east of electricity sub station.
23. Financial contribution of £10,000 to City Council towards link between linear park and Play Barton.
24. Administration and monitoring costs.
25. Management and maintenance responsibilities for synthetic pitch and school pitch.

All sums are index linked and returnable to applicant if not spend within specified time periods.

Informative

To encourage further investigation into self-build plots on the development

The Committee thanked the Officers for the work put into the application, the development will be a significant boost to the housing stock in Oxford.

71. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 4 September 2013 as a true and accurate record.

The Committee resolved to APPROVE the minutes of the meeting held on 9 September 2013 as a true and accurate record.

Officers tabled a report which further outlined Planning Officers' responses to the questions asked at the meeting held on 12 September 2013.

The Committee resolved to APPROVE the minutes of the meeting held on 12 September 2013 as a true and accurate record including the additional officers' comments.

72. DATES OF FUTURE MEETINGS

The Committee resolved to NOTE the next meeting would be held on Wednesday 2 October 2013.

The meeting started at 6.00 pm and ended at 7.45 pm

EAST AREA PLANNING COMMITTEE

Wednesday 6 November 2013

COUNCILLORS PRESENT: Councillors Darke (Chair), Clarkson, Coulter, Hollick, Lloyd-Shogbesan, O'Hara, Paule, Gotch and Fooks.

OFFICERS PRESENT: Martin Armstrong (City Development), Rona Knott (Planning Officer), Michael Morgan (Law and Governance) and Sarah Claridge (Trainee Democratic and Electoral Services Officer)

84. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Rundle (substitute Councillor Fooks) and Councillor Altaf-Khan (substitute Councillor Gotch).

85. DECLARATIONS OF INTEREST

28 Abberbury Road 13/01792/FUL

Councillor Paule declared she had visited the site and spoken to the applicant but was approaching the application with an open mind.

34 Mill Lane 13/01796/FUL

Councillors Clarkson and Hollick both declared they had been in contact with the applicant but were approaching the application with an open mind.

86. 23 NOWELL ROAD: 13/01792/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to erect a two storey side and rear extension. Creation of 2 bed dwelling house to the side (use class C3) with associated parking and self-contained garden. (Amended Plans)

In accordance with the criteria for public speaking, the Committee noted that no one spoke against the application and Shamsia Hoque and Syed Hoque spoke in favour of it.

The Committee resolved to REFUSE planning permission for the following reasons:

- 1 The proposed two-storey side extension would be of a size, scale and design that would create an inappropriate visual relationship with the built form of the existing dwelling creating a discordant feature that would be not be successful in terms of providing a subservient extension to the main dwelling, nor in creating a terraced row across the three properties. As such it would have a detrimental impact upon the character and appearance of the street scene and be detrimental to the visual amenities of the surrounding residential area. This would be contrary to Policy CP1, CP6, CP8 and CP9 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan 2011-2026

- 2 That by reason of its overall size, scale, and proximity to the common boundary with nos.2, 2a, 4, and 6 Wynbush Road, the proposed two-storey extension would create a sense of enclosure that would have an overbearing impact and loss of light to the rear gardens and windows of these adjoining properties. Furthermore the provision of a first floor bathroom window in the side elevation would create a loss of privacy within the rear gardens of these properties. As a result, the proposed extension has not been designed in a manner that would safeguard the residential amenities of these adjoining properties which would be contrary to Policies CP10 of the Oxford Local Plan 2001-2016, and Policy HP14 of the Sites and Housing Plan 2011-2026.
- 3 That the proposed development would fail to provide good quality living accommodation for a single family dwelling of this size given its internal floor area would fall below the minimum 75sqm threshold and therefore would not make adequate provision for the future occupants of this dwellinghouse. As such the proposal would be contrary to Policies HP2 and HP12 of the Sites and Housing Plan which seek to ensure the provision of good quality housing which is accessible to all.

87. 28 ABBEBURY ROAD: 13/02419/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application for the erection of a 3-bedroom detached dwellinghouse (Use Class C3) to rear of existing house.

In accordance with the criteria for public speaking, the Committee noted that Simon Sharp spoke against the application and Christine Noble and Nicholas Kidwell spoke in favour of it.

The Committee resolved to REFUSE the planning application for the following reasons:-

- 1 As a result of its inappropriate siting within established spacious rear gardens of houses that exhibit a strong building line, the proposals represent a backland form of development that is, in principle, unacceptable. Furthermore the proposals would set a precedent for similar development that would result in the long term fundamental loss of the open, verdant and semi-rural character of the area contrary to the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016 as well as policies HP9 and HP10 of the Sites and Housing Plan 2011-2026.
- 2 As a result of its diminutive height, awkward combination of flat and mono-pitched roof forms as well as contrived design detailing, the proposed dwelling represents a building of alien appearance that contrasts with the established traditional scale, form and style of housing within the immediate locality to the detriment of the character and appearance of the area. The proposals therefore fail to accord with the requirements of policies CP1 and CP8 of the Oxford Local Plan 2001-2016, policy CS18 of the Oxford Core Strategy 2026 as well as policy HP9 of the Sites and Housing Plan 2011-2026.

88. LAND FRONTING 33 TO 61 BLACKBIRD LEYS ROAD: 13/02285/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to provide 18 residents' parking spaces on existing grass verges.

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 Tree Protection Plan to be approved
- 4 Ground resurfacing - SUDS compliant
- 5 Landscaping shall be carried out in accordance with the details shown on plan
- 6 Details of verge protection measures to be approved

89. LAND FRONTING 1 TO 21 MONKS CLOSE: 13/02286/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to provide 19 residents' parking spaces on existing grass verges.

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 Ground resurfacing - SUDS compliant
- 4 Details of verge protection measures to be approved

90. LAND AT NORMANDY CRESCENT: 13/02287/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to provide 30 residents' parking spaces on existing grass verges.

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 Ground resurfacing - SUDS compliant
- 4 Tree Protection Plan to be approved
- 5 No dig technique to be used within Root Protection Areas
- 6 Details of verge protection measures to be approved
- 7 Details of boundary hedging including integral fence

91. SITES OF VERGES AT 34 TO 56 AND 106 TO 128 CHILLINGWORTH CRESCENT: 13/02508/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to provide 16 residents' parking spaces on existing grass verges.

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 Tree Protection Plan to be approved
- 4 Ground resurfacing - SUDS compliant
- 5 Landscaping to be carried out in accordance with plans
- 6 Amendment to Traffic Regulation Order required
- 7 Details of verge protection measures to be approved

92. SITE OF VERGE AT 1 TO 15 REDMOOR CLOSE: 13/02507/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to provide 13 residents' parking spaces on existing grass verges.

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 Tree Protection Plan to be approved
- 4 Landscaping to be carried out in accordance with plan
- 5 No dig technique to be used within Root Protection Areas
- 6 Details of verge protection measures to be approved

93. 34 MILL LANE: 13/01796/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a retrospective planning application for a change of use from dwellinghouse (use class C3) to HMO (use class C4).

In accordance with the criteria for public speaking, the Committee noted that no one spoke against the application and Nigel Cowell spoke in favour of it.

The Committee resolved to REFUSE the planning application for the following reasons:

1. The use of the property as two self-contained flats would be unacceptable by virtue of the loss of a family dwelling. In addition the existing dwelling is below the threshold of 110 square metres in area which is the minimum permissible for subdivisions. As such the proposal is contrary to Policy CS23 of the adopted Core Strategy and the Balance of Dwellings Supplementary Planning Document.

2. The development does not provide an adequate level of private amenity space for use by the occupiers of the first floor unit, which would have a detrimental impact upon the living conditions of the current and future occupiers of this dwelling. This is contrary to policy HP13 of the Sites and Housing Plan 2013.
3. The ground and first floor flats do not provide an adequate level of good quality living accommodation which would have a detrimental impact upon the living conditions of the current and future occupiers of this dwelling. This is contrary to Policy HP12 of the Sites and Housing Plan 2013.

94. OXFORD CITY COUNCIL DEPOT: 13/02281/CT3

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to insert a new roller shutter door, relocation of fire exit, and installation of 2 new extraction flues.

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

95. 255 MARSTON ROAD: 13/01502/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed a planning application to demolish the existing three storey building and redevelop the site to create a retail unit on the ground floor (use class A1) and 1 x 2 bed maisonette above (use class C3) and erection of 2 x 2 storey, 2 bed flats (use class C3). (Amended description). (Amended plans)

In accordance with the criteria for public speaking, the Committee noted that no one spoke against the application and Neil Parry spoke in favour of it.

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 Materials
- 4 Bins and Cycle Stores
- 5 Reinstate dropped kerb
- 6 Contaminated Land
- 7 Variation of Road Traffic Order Marston South CPZ,
- 8 Sustainability design/construction

96. 72 ROSE HILL: 13/02549/ADV

The Head of City Development submitted a report (previously circulated now appended) which detailed an application for a display of 1 x internally illuminated fascia sign, 2 x non-illuminated fascia signs and 1 x non-illuminated totem sign.

In accordance with the criteria for public speaking, the Committee noted that Michael Goldacre spoke against the application and no one spoke in favour of it.

The Committee resolved to APPROVE the application for advertisement consent for 1 x internally illuminated fascia sign and 2 x non-illuminated fascia signs subject to the following conditions

- 1 Develop in accordance with approved plans
- 2 Illumination levels - fascia sign 200cd/m,
- 3 Five year time limit
- 4 Advert - Statutory conditions
- 5 Times of illumination: Trading hours only
- 6 Removal of existing advertisements and illumination

But to REFUSE the application for 1 x non-illuminated totem sign because it would clutter the residential environment.

97. PLANNING APPEALS

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

98. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 2 October 2013 as a true and accurate record.

99. FORTHCOMING APPLICATIONS

The Committee resolved to NOTE the list of forthcoming applications.

100. DATES OF FUTURE MEETINGS

The Committee NOTED the next meeting would be held on Wednesday 4 December 2013.

The meeting started at 6.30 pm and ended at 8.45 pm