

Agenda

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East Area Planning Committee

Date: **Wednesday 6 January 2016**

Time: **6.00 pm**

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

For any further information please contact:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

Email: democraticservices@oxford.gov.uk

As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor Van Coulter	Barton and Sandhills;
	Councillor Mohammed Altaf-Khan	Headington;
	Councillor Farida Anwar	Headington Hill and Northway;
	Councillor Ruthi Brandt	Carfax;
	Councillor Mary Clarkson	Marston;
	Councillor David Henwood	Cowley;
	Councillor Sian Taylor	Northfield Brook;
	Councillor Ruth Wilkinson	Headington;

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 OXFORD BROOKES UNIVERSITY, GIPSY LANE: 15/02341/FUL

11 - 34

Site Address: Oxford Brookes University, Gipsy Lane.

Proposal: Refurbishment of part of University campus consisting of:

1. Demolition of existing main hall and lecture theatre
2. Construction of replacement main hall.
3. Overcladding and refurbishment of Sinclair Building.
4. Removal of elevation and recladding and refurbishment of Clerici and former library buildings.
5. Replanning of forecourt, car park and landscaped area to Gipsy Lane frontage. (Amended plans)(Additional information)

Officer recommendation: to approve the application subject to the conditions below:

1. Development begun within time limit
2. Deemed in accordance with approved plans
3. Samples in Conservation Area
4. Landscape plan required
5. Landscape hard surface design - tree roots
6. Landscape underground services - tree roots
7. Tree Protection Plan (TPP) 1.
8. Arboricultural Method Statement (AMS) 1.
9. Contaminated land.
10. Car Parking.
11. Cycle Parking.
12. Drainage.
13. CTMP.

4 TRAVIS PERKINS SITE, COLLINS STREET 15/03328/FUL - WITHDRAWN FROM THIS AGENDA

This application was attached to the agenda in error. It must be considered by the West Area Planning Committee.

It is therefore withdrawn from this committee's agenda and republished as a supplementary item of urgent business for West Area Planning Committee on 5 January 2016.

5 OXFORD CITY STADIUM, MARSH LANE: 15/02476/FUL

35 - 44

Site Address: Oxford City Football Ground, Court Place Farm, Marsh Lane.

Proposal: Erection of spectator stand to provide 150 additional seats in North East corner of ground.

Officer recommendation: to approve the application with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as specified.
4. Surface Drainage Scheme as specified.

6 27 BRASENOSE DRIFTWAY, OX4 2QY: 15/02778/FUL

45 - 54

Site Address: 27 Brasenose Driftway Oxford OX 4 2QY

Proposal: Demolition of existing building. Erection of 5x1 bedroom and 1x2 bedrooms flats (Use Class C3) and communal lounge and staff/guest bedroom. Provision of car parking spaces, bin and cycle storage.

Officer Recommendation: to grant planning permission subject to the conditions below and to the satisfactory completion of a Section 106 obligation, and to delegate to officers the issuing of the decision notice following the satisfactory completion of the S106 legal agreement/undertaking.

Conditions:

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Materials as specified
4. Surface Drainage Scheme as specified
5. No felling, lopping, cutting
6. Landscape plan required
7. Landscape carrying out by completion
8. Landscape management plan
9. Tree protection plan (TPP) 1
10. Phase Risk Assessment carried out
11. Prior to Occupation contamination remedial works
12. Watching Brief on any contaminates found
13. Approved scheme of archaeology
14. Restrict occupancy to persons with learning difficulties only
15. High Level Windows and Obscure Glazing

S106 Obligation (Legal Agreement or Unilateral Undertaking)

The accommodation to be 100% social rent affordable, with nomination rights to Oxford City Council, which would normally be deferred to the County Council in this case due to the specialist nature of the residents.

7 FORMER DHL SITE, SANDY LANE WEST: 15/03260/VAR

55 - 66

Site Address: Former DHL Site, Sandy Lane West, Oxford

Proposal: Variation of condition 2 (Approved plans) of planning permission 14/02650/FUL to allow for revised heights of building. (Retrospective).

Officer Recommendation: to approve the application subject to the conditions listed, but delegate to officers the issuing of the decision notice following the completion of a legal agreement that secures the necessary financial contribution towards off-site provision of affordable housing.

Conditions

1. Develop in accordance with approved plans.
2. Materials.
3. Travel Plan.
4. Car parking.
5. SUDs.
6. Unexpected contamination.
7. Revised landscaping proposals.
8. Acoustic Fence.
9. Approved construction traffic management.
10. Revised boundary treatments.
11. Use of buildings.
12. Public art.
13. No PD Rights.
14. Noise.
15. Travel movements.
16. Tree Protection.
17. Geo-Environmental Assessment.
18. Landscaping proposals.
19. Cycle parking.
20. Showering facilities.
21. Natural Resource Impact Analysis.

Legal Agreement:

£89,356 offered as a financial contribution towards provision of off-site affordable housing.

8 LEYS SPAR LTD, DUNNOCK WAY OX4 7EX: 15/02721/FUL

67 - 72

Site Address: Leys Spar Limited, Dunnock Way

Proposal: Erection of a single storey extension to west elevation.

Officer recommendation: to approve the application subject to subject to the following conditions, which have been imposed for the reasons stated:

1. Development begun within time limit.
2. Materials – matching.
3. Drainage.
4. Ground resurfacing - SUDS compliant.
5. Car/cycle parking provision before use.
6. Cycle parking details required.

9 9 COLLINWOOD CLOSE: 15/03167/CPU

73 - 76

Site Address: 9 Collinwood Close, Oxford OX3 8HS

Proposal: Application to certify that the proposed erection of a single storey side extension and alterations to windows is lawful development.

Officer Recommendation: to approve the application.

10 PLANNING APPEALS

77 - 82

Summary information on planning appeals received and determined during November 2015.

The Committee is asked to note this information.

11 MINUTES

83 - 90

Minutes from the meetings of 2 December 2015

Recommendation: That the minutes of the meeting held on 2 December 2015 are approved as a true and accurate record.

12 FORTHCOMING APPLICATIONS

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting.

- Land East of Warren Crescent: 13/01555/CT3 (to come to the February meeting)
- William Morris Close, Oxford OX4 2JX: 15/02402/OUT
- Canterbury House, Rivera House And Adams House, Cowley Road: 15/02542/OUT (deferred from November meeting)
- 82 Normandy Crescent: 15/02578/FUL
- 23 - 25 Spring Lane, Littlemore, OX4 6LE: 15/02752/FUL
- Rear of 142 To 144 London Road Headington: 15/03091/FUL
- 16 Clive Road: 15/03342/FUL
- Ruskin College barriers: 15/02740/FUL
- Somerset House, Marston Road: 15/03001/FUL

13 DATES OF FUTURE MEETINGS

The Committee will meet on the following dates:

3 February 2016
2 March 2016
6 April 2016

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.

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;
 - (d) 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;
 - (e) 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 Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.
4. Preparation of Planning Policy documents – Public Meetings

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.
5. Public requests to speak

Members of the public wishing to speak must notify the Democratic Services Officer before the meeting starts giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.
6. Written statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated by noon, two working days before the start of the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising.
7. Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours before the start of the meeting so that members can be notified.

8. Recording meetings

Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best plan to record. You are not allowed to disturb the meeting and the Chair will stop the meeting if they feel a recording is disruptive.

The Council asks those recording the meeting:

- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

For more information on recording at meetings please refer to the Council's [Protocol for Recording at Public Meetings](#)

9. Meeting Etiquette

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.

10. 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; or
- (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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East Area Planning Committee

6th January 2016

Application Number: 15/02341/FUL

Decision Due by: 3rd December 2015

Proposal: Refurbishment of part of University campus consisting of:

1. Demolition of existing main hall and lecture theatre
2. Construction of replacement main hall.
3. Overcladding and refurbishment of Sinclair Building.
4. Removal of elevation and recladding and refurbishment of Clerici and former library buildings.
5. Replanning of forecourt, car park and landscaped area to Gipsy Lane frontage. (Amended plans)(Additional information)

Site Address: Oxford Brookes University, Gipsy Lane. Site plan at **Appendix 1.**

Ward: Churchill Ward

Agent: Mr Hamish McMichael

Applicant: Ms Sue Holmes

Recommendation:

APPLICATION BE APPROVED

Reasons for Approval

- 1 The planning application seeks to improve and integrate the majority of the remaining buildings on the Gipsy Lane campus with the John Henry Brookes development and Abercrombie extension. The proposals allow the university to maintain and develop its academic reputation by improving facilities for students and staff and will create an integrated campus, improving the student, staff and visitor experience. The buildings are of limited architectural merit and therefore their refurbishment and/or loss would maintain the character and appearance of the Conservation Area.
- 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.
- 3 The Council considers that the proposal, subject to the conditions imposed,

would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions

- 1 Development begun within time limit
- 2 Deemed in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Landscape plan required
- 5 Landscape hard surface design - tree roots
- 6 Landscape underground services - tree roots
- 7 Tree Protection Plan (TPP) 1
- 8 Arboricultural Method Statement (AMS) 1
- 9 Contaminated land
- 10 Car Parking
- 11 Cycle Parking
- 12 Drainage
- 13 CTMP

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
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- HE7** - Conservation Areas

Core Strategy

- CS9** - Energy and natural resources
- CS12** - Biodiversity
- CS18** - Urban design, town character, historic env
- CS25** - Student accommodation
- CS29** - The universities

Other Planning Documents

National Planning Policy Framework
Planning Practice Guidance
This application is in or affecting the Headington Hill Conservation Area.
Annual Monitoring Report 2014/15
Circular 06/2005 Biodiversity and Geological Conservation

Public Consultation

Statutory Consultees Etc.

Thames Water: with regards to sewerage infrastructure no objections; with regards to water infrastructure capacity no objections; with regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer; with regards to surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage

Historic England: The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

County Council:

Strategic Comments: Although this application has very little, if any, infrastructure impact, the county council is fully supportive and appreciative of Oxford Brookes' ambition to ensure that it is an attractive institution as possible, attracting students and staff from a competitive market. These proposals certainly appear to be in line with the ambition and therefore, the county council supports these proposals, subject to conditions as outlined in the transport response.

Transport: No objection subject to conditions (see below)

Environment Agency: no comments on this planning application

Pre-Application Discussions/Oxford Design Review Panel (ODRP)

The applicant undertook pre-application discussions through a series of meetings with Oxford City Council. The scheme was also reviewed by the Oxford Design Review Panel on the 26th March 2015 in the form of a workshop at Oxford Brookes University. The ODRP generally viewed the proposals positively and found many aspects compelling. They thought refurbishing the existing building and giving it a

new lease of life was commendable, both in terms of sustainability and continuity for Oxford Brookes University. The recently completed Abercrombie building and the high standards of the new outdoor spaces demonstrated the client's commitment to quality. They have a number of comments to make regarding the landscape design, the approach to upgrading the existing façades and the internal organisation. Their letter of comment can be seen at **Appendix 2**.

As part of the Design and Access Statement the applicant has responded to ODRPs comments. These have been extracted from the Design and Access Statement and can be found at **Appendix 3**.

Relevant Site History:

The planning history for Oxford Brookes University is extensive. A few relevant applications have been listed below.

07/00544/CONSLT - PLEASE NOTE THIS IS NOT A PLANNING APPLICATION. THIS IS FOR CONSULTATION PURPOSES ONLY. Masterplan for Oxford Brookes University, Gipsy Lane and Headington Hill Campus. ENDRSE 26th September 2007.

08/01268/CONSLT - PLEASE NOTE THIS IS NOT A PLANNING APPLICATION. THIS IS FOR CONSULTATION PURPOSES ONLY. Revisions to Oxford Brookes Masterplan for Headington Campus Gipsy Lane and Headington Hill Hall sites. RNO 5th February 2009.

09/02764/FUL - Erection of new library and teaching building (NLTB) consisting of lecture theatre, library, teaching accommodation and social facilities, plus linked extension to the Abercrombie building and arcaded building to new entrance piazza to Headington Road. PER 18th June 2010.

15/01590/FUL - Demolition of existing side extension. Erection of side extension. Over-cladding of the Sinclair Annexe building. PER 21st July 2015.

Also of relevance:

13/00119/FUL - Erection of a 6 storey Class D1 building as University School of Government, including double basement comprising 9,800sqm of floorspace, together with associated hard and soft landscaping (additional information). PER 23rd May 2013.

Officers Assessment:

Site Description

1. The application relates to Oxford Brookes University Gipsy Lane campus in Headington. The campus has grown over the years from its beginning as Oxford College of Technology in the 1950s with buildings being added restringing in it becoming Oxford Polytechnic in 1970 and Oxford Brookes University in 1991. In more recent years the Gipsy Lane campus has under

gone a massive programme of demolition and rebuilds resulting in the campus today. However there remains some buildings and areas that still need attention to which this current application relates.

Proposal

2. The executive summary in the Design and Access Statement describes the main elements of the overall brief and a brief reason as to why they are necessary:
 - Refurbishment of Sinclair Building and Sinclair Annexe to provide dedicated modern science/research facilities for the Faculty of Health & Life Sciences. The project is a phased internal refurbishment, and overcladding of the Building.
 - Refurbishment of Clerici and former Library Buildings to provide new entrance gateway from Gipsy Lane, academic facilities for the Faculty of Business and a new lecture theatre and pooled teaching spaces
 - Demolition of the Main Lecture Theatre to improve the circulation and connectivity around the site.
 - Demolition and re-construction of the Main Hall, to create a new facility on the original footprint, which meets the functional requirements of the University in the 21st Century.
 - Improved pedestrian access within and between buildings that exceeds current legislative requirements to meet the University's ambitions for inclusiveness for all.
 - New landscaping to Gipsy Lane entrance area to provide better pedestrian and controlled vehicular access

Assessment

3. Officers consider the principal determining issues to be:
 - planning policy
 - design
 - trees
 - biodiversity
 - transport
 - student numbers
 - contaminated land
 - sustainability

Planning Policy

4. The main planning policy considerations are policy CS29 of the Oxford Core

Strategy (OCS) which explains that planning permission will be granted for proposals at Oxford Brookes University that deliver more efficient and flexible academic buildings and high-quality urban design on the existing Headington Hill, Gipsy Lane and Marston Road campuses.

5. The application site lies within Headington Hill Conservation Area. To this end policy HE7 of the Oxford Local Plan relates. It states planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas or their setting.
6. In terms of design policy CS18 of the OCS states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1, CP6, CP8 and CP10 of the Oxford Local Plan. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. CP8 states all new and extended buildings should relate to their setting to strengthen, enhance and protect local character and CP10 states planning permission will only be granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced or created.

Design

Demolition of existing main hall and lecture theatre and construction of replacement main hall

7. The main hall protrudes from the main building fronting Gipsy Lane and butts out towards the main Gipsy Lane entrance. The final design proposal involves the demolition and rebuilding of the Main Hall on its existing footprint. The original proposal had been to refurbish the existing Main Hall. Investigations revealed that there were structural limitations in the capability of the existing roof structure, to be adapted to suit new purposes; it could not support new loads. It was also identified that the new hall should have effective ventilation, requiring a new (concealed) rooftop plant enclosure. It also provides the opportunity to resolve several level problems within the existing hall, making the whole hall accessible and connected. In resolving the levels issue the roof height is raised. On top of the new build and raised roof, will be a recessed lower section of roof (not visible from outside the building) which will house new ventilation plant for the Main Hall.
8. The new elevations are to be clad in bronze anodised aluminium panels. This will introduce a rich self-finished metal, to complement the rawer Cor-ten steel material used in the Colonnade and “ribbon” through the John Henry Brookes Building (JHBB).
9. There is extensive glazing to the elevation to the north which will light the foyer, providing views to the landscape and a physical connection for the opening up of the space for events such as graduations and open days. There are multiple door openings which provide good circulation and during

graduation and other events.

10. It is proposed to identify a space on the roof of the Main Hall, so that PV's could be installed in the future, subject to technical and financial feasibility studies

Overcladding and refurbishment of Sinclair Building

11. The main use of the Sinclair building is for laboratory and research work. The existing buildings façade has reached the end of its technical life span and its overall visual appearance is poor. The designs have been developed to maximise the use of natural ventilation (unusual for laboratory design) and natural daylight and refurbishing the buildings skin makes it possible to comply with current building regulations, regarding energy efficiency.
12. The building is to remain in use during the refurbishment therefore overcladding was the solution. The weatherproof elements of the current facade stay in place and remain in function until the new facade is completely finished. At this moment, parts of the existing facade that are no longer of use can be taken out, if desired.

Removal of elevation and recladding and refurbishment of Clerici and former library buildings

13. The Clerici building is the main entrance point from Gipsy Lane and will provide an arrival point, to be known as the Gateway, and will include a public area to allow visitors and students to orientate themselves within the campus. However the principle Campus arrival point and reception will remain within the new JHBB. The Gateway entrance is kept in its current location. The existing double height space is to be refurbished and the Gateway building entry is emphasised by means of a double height inset of the facade, enclosing a revolving door and side pass doors. As well as a point of entry, the Clerici Gateway also forms a link between the JHBB, courtyard and Main Hall buildings.
14. The ground and first floor of the Clerici facade is to be composed of a transparent curtain wall system. On the first and second floor where offices are located, the facade is more closed and composed of an insulated wall panel system with a regular pattern of windows. In front of these facade systems, a regular pattern of vertical and horizontal louvres is placed to give the whole of the building a coherent appearance and to emphasize the whole of the long and stretched building mass. The louvres also provide for additional sun screening and privacy.
15. There are currently issues with levels inside and outside the Clerici building main entrance point thus one of the key challenges has been to remove the level changes within the Gateway, and to rationalise all of the levels, to provide a strategy for accessible circulation both into the Clerici building, and then from the Cleric to the rest of the campus. It is proposed to raise the floor level of the Gateway to the upper level, and to raise the external landscape

levels to match. This will require external landscaping, but will provide a barrier free entrance and arrival.

16. The former library building existing distinctive feature is the use of a concrete panel facade from ground to roof. However to create the larger necessary daylight openings, it has been found that these concrete panels cannot easily be altered, therefore they are to be removed at the first and second floor. A double height transparent new facade, screened by large louvres that provide for sun and privacy screening will be inserted. The precast concrete panels at the ground floor and at the roof trim level are to be reinstated. On ground floor, the original aluminium curtain walls and brickwork infill parts are to be removed and replaced by a new aluminium curtain wall at the same perimeter line, in this way maintaining the original setback on the ground floor.
17. The former library building extension, which fronts Headington Road, is characterised by a brickwork façade which is not found elsewhere on the campus. The main issue with the current facade is the lack of openings in the form of windows which limits the amount of daylight entering the building. Therefore substantial larger glazed wall punctures are proposed and the brickwork will be replaced with aluminium anodised cladding.
18. The library element of the overall proposals is the most visually prominent from both Gypsy Lane and Headington Road. The alterations retain reference to the original concrete building but allow the building to be modernised and more effectively used. The library extension overcladding will bring this element into context with the rest of the scheme.

Replanning of forecourt, car park and landscaped area to Gypsy Lane frontage

19. The proposal is to re-landscape the area between the Clerici building and Gypsy Lane, by moving the vehicle road and parking closer to the Road, and creating a more formal area of soft landscape close to buildings. The impact on the trees is detailed below in the trees section.
20. The proposals are considered acceptable in terms of policy CS18 of the Core Strategy 2026, CP1 CP6, CP8, CP10 and HE7 of the Oxford Local Plan 2001-2016 in that they respect the character and appearance of the area, use materials of a quality appropriate to the nature of the development, the site and its surroundings and create an appropriate visual relationship with the form, grain, scale, materials and details of the site and the surrounding area and will not have a detrimental impact on the character and appearance of the conservation area in which the building stands.

Trees

21. Trees within the grounds of Cheney School and Oxford Brookes' Gypsy Lane campus make an important contribution to the area's green character, softening the outline of the large institutional buildings along both Headington Road and Gypsy Lane and in some cases representing survival of the nursery gardens and parkland planting of the Morrell's estate.

22. In the initial submission the full extent of removal of existing trees was not accurately identified and the proposed construction activities within Root protection Areas of retained trees had potential to significantly harm retained trees to the detriment of the viability. Additionally the applicant was requested to submit a BS5837:2012 compliant tree Survey and Arboricultural Impact Assessment, together with a Arboricultural Method Statement (draft) for all construction activities within the RPA of retained trees which includes details the special precautions that will be taken in the design and construction of new built elements to ensure that retained trees are not significantly damaged by construction works required for the redesign of the forecourt, car park and landscaped area to the Gipsy Lane frontage .
23. The Arboricultural Impact Statement (AIS) identifies that 11 existing trees must be removed for the proposals; the majority of these are small, low quality and value trees (BS5837:2012 C category), but others (such as the 2 hornbeams 7794 and 7796 and the Kanzan cherries 7990 and 7991) are moderate quality. On balance however, officers concur that new planting will mitigate the impact of these losses on public amenity in the area, in particular on the appearance and character of this part of the Headington hill Conservation Area.
24. 2 retained trees will need to be pruned; 5201 and 7971. This will not be harmful to public amenity or to the conservation area if carried out in accordance with good pruning practice as recommended by BS3998:2010.
25. Officers main concern as this stage is to have enough information to be able to assess the impacts of the new hard surfacing on retained trees so that these impacts can be considered in the Council's decision; new hard surfaces within the Root Protection Areas (RPAs) of retained trees are potentially very harmful and the need to avoid excavation and to ensure these areas remain air and water permeable is a significant constraint.
26. It has been agreed between the applicant and officers that an appropriate way forward would be for a plan to be produced showing the areas where new hard surfaces encroach within the RPAs of retained trees, together with a broad statement that construction of all new hard surfaces within those areas would not involve excavation into ground soil in which roots are growing and also that the finished surface would be designed to be permeable to allow air and water to reach the roots below. A typical cross section detail of the 'no-dig' hard surface using a 3-dimensional geotextile such as CellWeb or GeoWeb laid on top of existing ground levels, would be also included on the drawing. This information enable officers to conclude that retained tree should be unharmed if adequate care is taken.
27. This information can then be issued to the project arboriculturalist who should be able to add a statement to the AIS confirming that the viability of retained trees will not be adversely affect by the construction of hard surfaces within their RPAs if these details are followed subject to appropriate Tree Protection Plan and Arboricultural Method Statement.

Biodiversity

28. The development comprises internal and external refurbishing works, some demolition and external landscape works. As bats utilise buildings and trees for roosting the development could potentially have an adverse effect on bats.
29. Section 99 of Circular 06/2005 states 'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before permission is granted.'
30. In this instance it is considered that there is not sufficient reasonable likelihood of bats roosting within the buildings to trigger a survey because the building fabric does not comprise loft spaces or external features that lend themselves to be utilised by bats. The development does also not seem to comprise major tree works to trees that might have bat potential.
31. Despite this the presence of bats cannot be discounted entirely and a small risk remains. In order to account for this it is recommended that the an informative is applied to the decision so that the applicant can take appropriate measures should they or evidence of their presence be discovered during works.

Transport

32. The Headington area, within which the application is located, is currently subject to considerable congestion during peak hour periods. A number of committed and proposed county council schemes within the vicinity of the development aim to address these current issues, notably county councils current Access to Headington project, and the Oxford Transport Strategy's proposal for Rapid Transit routes along Gypsy Lane and London Road. It is important that the development has due regard both to the strategic objectives and construction schedule of these projects. In particular, the implementation of a Construction Traffic Management Plan will be important to minimise any adverse impacts on the local road network.
33. The development will not result in changes to the operation of the buildings or intensification of use of the buildings. The proposal also seeks to maintain existing levels of cycle and car parking. Therefore, the proposed development is unlikely to have a transport impact.
34. It is noted that on-site cycle parking facilities are to be relocated in some instances. A suitably worded planning condition has been recommended to

this end regarding the detail of new cycle facilities, which should be both covered and secure.

35. It is noted that chevron parking is proposed within the car parking. This is not recommended unless a one-way system is in operation, which does not seem the case in the northern end of the car park. The alignment of the car parking would thus require vehicles to manoeuvre excessively to exit. Therefore, the car parking layout should be amended. A suitably worded planning condition has been recommended to allow the county council to agree the car parking layout at a later stage.

Student numbers

36. Oxford Brookes University remains committed to hitting the below 3,000 target. Longer term, as part of its ten year estates investment programme, Oxford Brookes University is actively working to significantly expand its accommodation portfolio for future years, to a point where a rolling programme of refurbishment can be accommodated whilst still achieving the below 3,000 target for students living in the private rented sector. Current plans, which are dependent on planning permissions, will see an increase of more than 20% in the rooms available by 2019.
37. Core Strategy Policy CS25 requires each university to have no more than 3,000 full-time students living outside of university provided accommodation in the city. The policy is intended to reduce the pressures from students on the private rental market.
38. Whilst the preamble to policy CS25 says all applications for new or redeveloped academic floorspace will be assessed in this light i.e. to avoid worsening the existing situation, it is crucial that all increases in student numbers (at the two universities) are matched at least by an equivalent increase in student accommodation the actual policy says:

Planning permission will only be granted for additional academic/administrative accommodation for the University of Oxford and Oxford Brookes University where that University can demonstrate: in the first place that the number of full-time students at that University, who live in Oxford but outside of university-provided accommodation, will, before the particular development is completed, be below the 3,000 level and once that figure is reached, thereafter will not exceed that level. All future increases in student numbers at the two Universities as a result of increases in academic/administrative floor-space must be matched by a corresponding increase in purpose built student accommodation.

39. A condition could be added requiring the University to demonstrate no more than 3000 students registered at any one time are accommodated other than within serviced student accommodation provided by or managed by the University or its constituent colleges, not including students resident in the City of Oxford before commencing their studies and continuing to do so.

40. This type of condition was added to the application for the Blavatnik School of Government building (ref.: 13/00119/FUL) which had a total of 9,800sqm of floorspace therefore the condition was considered to be reasonable, necessary and relevant.
41. However in the application before Members there is an actual decrease in floorspace of 199sqm. It is acknowledged that the floorspace may be used more effectively and efficiently nevertheless given the wording of policy CS25 i.e. *planning permission will only be granted for additional academic/administrative accommodation* it is officers opinion that a condition in relation to student numbers would be unreasonable and therefore has not been added.

Contaminated land

42. Officers have considered the application with respect to contaminated land and would recommend that a condition requiring a phased risk assessment is attached to any planning permission. This recommendation has been made because this is considered a major planning application. As a minimum, a desk study and documented site walkover are required to ensure that there are no sources of contamination on or near to the site and that the site is suitable for its proposed use.

Sustainability

43. The scheme has not been registered for a formal BREEAM application, as Oxford Brookes have their own standards and targets they seek to achieve, however the aspiration is to exceed the equivalent of BREEAM and other recognised excellent standards.
44. A Building Energy Management System (BEMS) will be installed as part of the development. This will include highly automated Energy Management and Targeting software for use by the University's estates and facilities manager. This will be a necessary requirement in optimising the heating, cooling and ventilation management of the space and hence reduce running costs and CO2 emissions.
45. The design approach will aim to minimise the energy consumption of the mechanical, electrical and public health systems by implementing both best practice and innovative design. To achieve this the design has included various elements of natural ventilation, external solar shading, maximum use of natural daylight etc. Full details can be seen on page 58 of the Design and Access Statement.
46. It is proposed to connect the refurbished buildings into the existing Energy Centre, for district heating, which was constructed as part of the JHBB.

Conclusion:

74. For the reasons given above and taking into account all other matters raised Officers conclude that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore recommends Members approval the application.

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

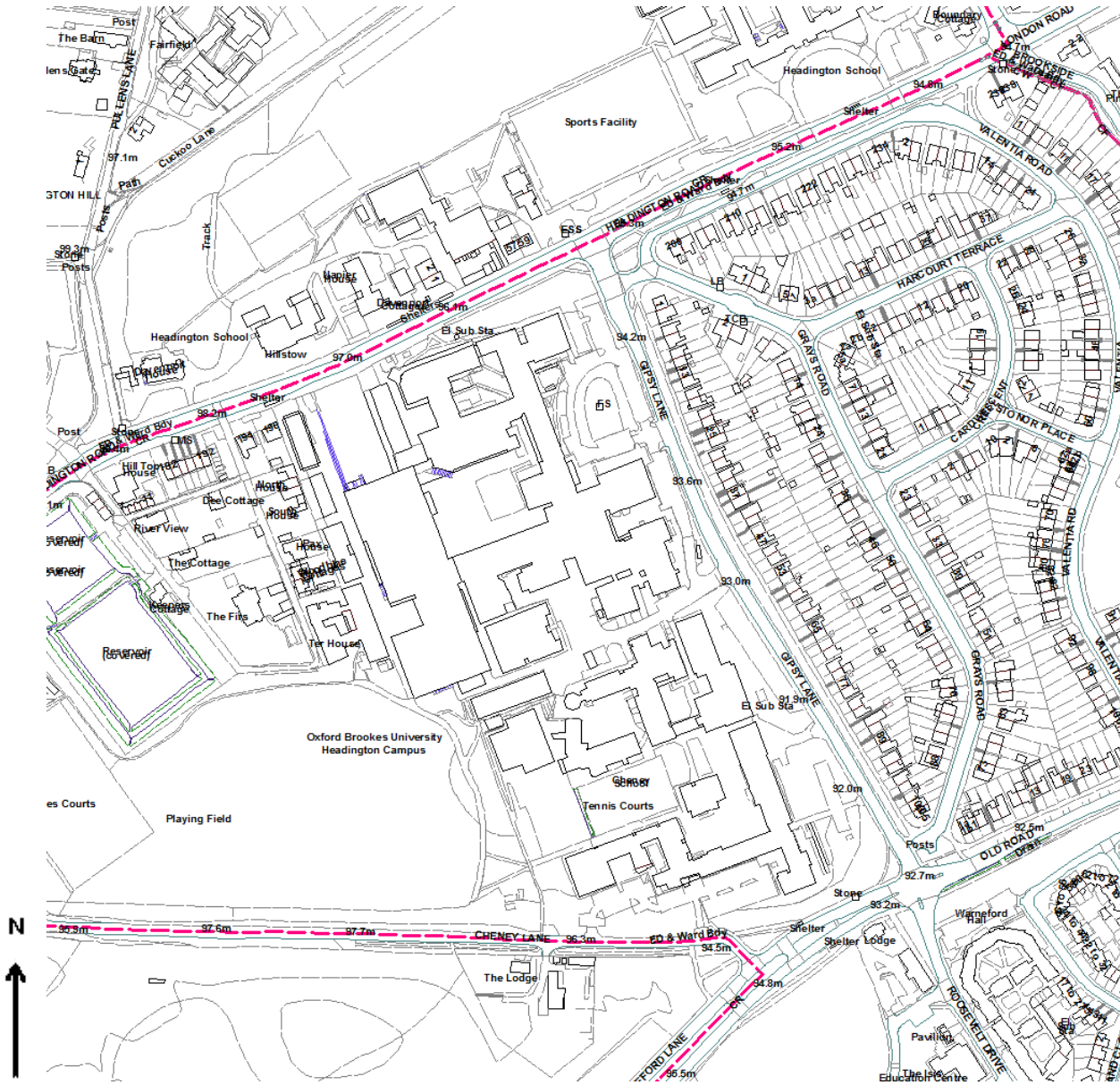
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Date: 22nd December 2015

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Appendix 1

15/02341/FUL - Oxford Brookes University



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Ordnance Survey 100019348

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Oxford Brookes University, Oxford

Design Workshop

Notes from 26 March 2015

Thank you for attending the ODRP Design Workshop on 26 March 2015. We welcome the opportunity to offer our advice at this stage of the planning process and look forward to engaging in future dialogue as the proposal develops. The general approach is promising and we find many aspects compelling. Refurbishing the existing building and giving it a new lease of life is commendable, both in terms of sustainability and continuity for Oxford Brookes University. The recently completed Abercrombie building and the high standards of the new outdoor spaces demonstrate the client's commitment to quality and we look forward to seeing the detailed design of the current scheme evolve further. We have a number of comments to make regarding the landscape design, the approach to upgrading the existing façades and the internal organisation.

Landscape design

- Think beyond the redline boundary to minimise the impact of Headington Road and improve the relationship with Gypsy Lane. Set up an enclosure to protect the campus from road noise and define zones that are private and quiet versus active and animated public spaces. Use the trees or introduce a stronger gesture, for example a curved wall, to achieve this.
- Safeguard the 1960s quality of the place and strengthen the idea by designing spaces that are both contemporary and reflect the 150 year history of the university; perhaps the horizontality of the 1960s buildings can give cues for the landscape design.
- Investigate how to improve the spaces between the buildings and back-of-house areas by giving them their own sense of place to animate them, for example use of materials, detailing, texture, colour, plants, light and sunshine, or surviving parts of history embedded in the site.
- Explore how the material palette of the outdoor spaces, signage and graphics across the campus can complete the overall appearance of the university; use this potential for branding and creating a feeling of arrival.
- Commission a landscape architect to support the design development at the earliest stage

Façades

- Explore how the refurbishment of the buildings can be used as a design generator to combine environmental improvements and a new, ambitious and bold appearance for the university while protecting the elegant 1960s horizontality of the existing façades; accentuate the horizontal feel of the Clerici building for example by addressing the plant facilities on the roof and work in a more aspirational way with the concrete frame of the buildings to retain the "1960s-ness". Repeating the approach and branding of the recent refurbishment of the Abercrombie building and new main entrance would be unfortunate.
- Investigate how to translate the aesthetic complexity of the existing façades into something new; avoid introducing new façade features that do not relate to the structure of the existing



building, for example the proposed ground floor treatment with the upper storeys floating which does not appear to be functionally or aesthetically appropriate.

- Define which elements of the existing buildings are more important than others, the entrance and the old library block for example, and prioritise expenditure here.
- Enhance the setting of the former library and work with its concrete elevations and solid, gritty character.

Building organisation

- Explore different ways to accentuate the entrances into the building from Gipsy Lane; the proposed orange frame is not fully successful.
- Safeguard the 1960s quality of the interiors including their spatial generosity, for example the double height spaces and link connections.
- Reassess the lecture hall and explore how to retain its importance, for example by preserving the ceiling height and using a landscape solution to negotiate the level differences.
- Continue to explore how to minimise noise across the buildings and create a calm acoustic environment.

Attendees

Design Workshop Panel

Joanna van Heyningen (chair)
 Dan Jones
 Deborah Nagan
 Eddie Booth

Scheme presenters

Sue Holmes	Oxford Brookes University
Adrian Stokes	Oxford Brookes University
Hamish McMichael	BGS Architects
James Roach	BGS Architects
Tim Jervis	Turner & Townsend
Rick Lee	ARUP
Neil Hooton	ARUP

Local Authority

Murray Hancock	Oxford City Council
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Cabe at Design Council staff

Thomas Bender
Victoria Lee

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We may share confidential letters with our affiliated panels only in cases where an affiliated panel is taking on a scheme that we have previously reviewed. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to designreview@designcouncil.org.uk.

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Appendix 3

Applicants' response to ODRP comments

Landscape design

- Think beyond the redline boundary to minimise the impact of Headington Road and improve the relationship with Gipsy Lane. Set up an enclosure to protect the campus from road noise and define zones that are private and quiet versus active and animated public spaces. Use the trees or introduce a stronger gesture, for example a curved wall, to achieve this.

Response

We have taken on board this feedback in the development of the Landscape plan, and in particular the zoning of space, with parking to act as a buffer, and soft landscaping to be located as close to the building.

- Safeguard the 1960s quality of the place and strengthen the idea by designing spaces that are both contemporary and reflect the 150 year history of the university; perhaps the horizontality of the 1960s buildings can give cues for the landscape design.

Response

We have used the formality of the existing 1960's buildings to create an open court, surrounded on three sides by buildings and facing east towards Gipsy Lane, with the parking area acting as buffers.

- Investigate how to improve the spaces between the buildings and back-of-house areas by giving them their own sense of place to animate them, for example use of materials, detailing, texture, colour, plants, light and sunshine, or surviving parts of history embedded in the site.

Response

Landscape proposals for the further spaces around the campus, outside of the current site proposals (demarcated by the red line), will be developed as part of the future campus redevelopment, when those spaces are considered alongside the adjacent buildings. We intend to celebrate the history of the site by retaining and celebrating most of the mature trees (refer to later section).

- Explore how the material palette of the outdoor spaces, signage and graphics across the campus can complete the overall appearance of the university; use this potential for branding and creating a feeling of arrival.

Response

It is proposed that the materials and detailing for the hard landscaping will build upon the palette established in the landscaping of the first phase, in the plaza facing Headington Road and the inner courtyard. However it is noted that all materials should be carefully specified to ensure that they are easily trafficable and avoid creating barriers to impede mobility. It is proposed by OBU to use some of the spaces created between buildings for the location of public artworks to enrich the campus.

- Commission a landscape architect to support the design development at the earliest stage

Response

The current design team have developed the design proposals for the landscape, including the hard landscaping and specification of materials. Landscape designers will be appointed to develop the proposals for the soft landscaping and any detail required.

Façades

- Explore how the refurbishment of the buildings can be used as a design generator to combine environmental improvements and a new, ambitious and bold appearance for the university while protecting the elegant 1960s horizontality of the existing façades; accentuate the horizontal feel of the Clerici building for example by addressing the plant facilities on the roof and work in a more aspirational way with the concrete frame of the buildings to retain the “1960s-ness”. Repeating the approach and branding of the recent refurbishment of the Abercrombie building and new main entrance would be unfortunate.

Response

The designs were developed to introduce a simpler aesthetic, articulating the horizontality of the original elevations with a stronger horizontal banding in the revised proposals for the Clerici. Layered upon this is a second order of substructure, with a regular banding of deep horizontal mullions, which also add some passive solar shading on the east and west elevations. These mullions also link together the different storeys and provide a sub-frame for the third layer of substructure. This third compositional layer is a horizontal band of external brise soleil, which help with reducing the solar gain to these elevations, which are more highly glazed to provide a greater sense of openness and transparency into the more public pooled teaching and social learning spaces.

The advice was quite clear that the new facades shouldn't try to copy the elevational style of the Abercrombie extension, because it was considered important that the history and the origins of the Technical College with its 1960's structures, should not be completely lost.

- Investigate how to translate the aesthetic complexity of the existing façades into something new; avoid introducing new façade features that do not relate to the structure of the existing building, for example the proposed ground floor treatment with the upper storeys floating which does not appear to be functionally or aesthetically appropriate.

Response

The Sinclair overcladding proposals have been developed to emphasise the regularity of the expressed structural grid of the existing façade of the Sinclair Building. We have celebrated this order in the new façade which has to coordinate with the retained façade beneath, eschewing the irregularity of the Abercrombie extension opposite.

We have sought to re-create the complex structural layering of the composition of the Clerici facades, articulating the strong horizontal linear form of the Clerici, whilst producing a regular rhythm with the projecting ribbed mullions, which connects the different storeys and emphasises the regularity of the grid. The treatment of solid and glazed elements is composed on each floor, in response to the new internal functions, with greater transparency required at ground level where there are more public and social functions.

- Define which elements of the existing buildings are more important than others, the entrance and the old library block for example, and prioritise expenditure here.

Response

We have developed elevations which match the complexity of the spaces they enclose, with a hierarchy of specification and detail, whereby those most visible from the public domain have a higher specification and detail.

- Enhance the setting of the former library and work with its concrete elevations and solid, gritty character.

Response

The design proposals for the former library, have been developed to seek to retain some of the materiality and form of the existing, with the aesthetic of the aggregate faced pre-cast concrete cladding, to be retained in the ground floor frame and parapet level detail. Between these two levels it is necessary to remove much of the structure to permit natural daylight and ventilation to be introduced deep into the plan, thereby opening up the existing structural form. We have therefore introduced a bold new glazed screen with vertical glazing, encapsulating the opened up facades, whilst also emulating the vertical mullions of the new Clerici cladding.

Building organisation

- Explore different ways to accentuate the entrances into the building from Gipsy Lane; the proposed orange frame is not fully successful.

Response

The design team agreed that a more subtle articulation of the entrance could be achieved, whilst also responding to the suggestion to emphasise and celebrate the original detail of the 1960's architecture. The design was developed to articulate the entrance, by creating a recessed set-back in the façade, which also reveals some of the original circular concrete structure of the original gateway, creating a more "classical" response, reminiscent of a portico.

- Safeguard the 1960s quality of the interiors including their spatial generosity, for example the double height spaces and link connections.

Response

The new design opens up the Gateway into a larger more coherent space, celebrating the original volume of the spaces, whilst also linking them to the adjacent landscape spaces.

- Reassess the lecture hall and explore how to retain its importance, for example by preserving the ceiling height and using a landscape solution to negotiate the level differences.

Response

The design of the Main Hall has been brought into the scheme, and has been developed with the creation of a foyer, which links the flexible hall space with the adjacent landscape space to the north. The landscape outside the foyer has been raised to allow the foyer space to open out, and tiered steps and ramps are proposed to resolve the level differences.

- Continue to explore how to minimise noise across the buildings and create a calm acoustic environment.

Response

The design for the refurbishment of the spaces has been to considered, with the proposed introduction of acoustic baffles suspended from the exposed existing structural soffit. Further detail is provided in the supporting acoustic reports for the buildings, prepared by Arup Acoustics.

East Area Planning Committee

6th January 2016

Application Number: 15/02476/FUL

Decision Due by: 2nd November 2015

Proposal: Erection of spectator stand to provide 150 additional seats in North East corner of ground

Site Address: Oxford City Football Ground, Court Place Farm, Marsh Lane (**site plan: appendix 1**)

Ward: Marston Ward

Agent: Mr Tom Betts

Applicant: Mr Colin Taylor

Application called in by Councillors Clarkson, Fry, Pressel, and Munkonge over concerns raised by the Old Marston Parish Council concerning parking overspill and intensification of use.

Recommendation:

The East Area Planning Committee is recommended to approve planning permission for the following reasons:

Reasons for Approval

- 1 The proposed spectator stand would seek to make an efficient use of land to meet the needs of the football club to increase the number of covered spectator seats in order to meet the specific requirements of the National League and Football Association while resulting in a minimal increase in the overall stadium capacity. The stand would be a small-scale unobtrusive essential facility for this type of outdoor sports facility which is considered an appropriate building within the Green Belt. The overall size, scale, and design of the proposed stadium would be proportionate to the other structures within the stadium and would not compromise the openness and visual amenities of the Green Belt. Although the proposal will result in a increase in the overall capacity of the stadium, it will generate minimal (if any) additional trips to the stadium beyond the existing situation which is acceptable in highway terms. The scheme would also provide satisfactory drainage measures. As such the proposed development would accord with the overall aims of the National Planning Policy Framework and the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016
- 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:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Surface Drainage Scheme as specified

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CS2_ - Previously developed and greenfield land

SR2 - Protection of Open Air Sports Facilities

Core Strategy

CS2_ - Previously developed and greenfield land

CS4_ - Green Belt

CS11_ - Flooding

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

The site has been subject to numerous applications over the years. None of which are particularly relevant to the application.

Representations Received:

Cllr Upton, 13 White Hart, Oxford:

- I am writing as the Councillor who sits on the management committee of OXSRAD
- While I am very pleased that Oxford City have aspirations to qualify for promotion to the Football Conference Premier Division they must give much greater attention to the parking provision. There are already problems with football traffic filling up the OXSRAD car park to the detriment of its users. It is not good enough

simply to state in the Design and Access statement that "It is not considered that this proposal will generate additional match day traffic for regular league fixtures." Traffic is already a problem, and presumably they hope to gain more supporters if they are promoted. If permission is given for this, and in many ways I hope it is, please ensure that there are strict conditions around having a traffic plan that means Oxford City always provide enough stewards to ensure that OXSRAD's many disabled users can use their own car park.

43 Horseman Close

- This is a positive move not only for the football club but for the community. I'm not sure what impact this will have given the location of the additional seats on anyone living close, however, it will have a massive positive impact to the fifty odd football teams; girls, boys, disabled, veteran's, ladies and men's teams and the whole sporting community of Oxford City. It may be prudent for those opposing this to actually look at what Oxford City Football Club provides in sporting opportunities for the community and not just in Football? Given my address, it might have been useful for those who have made objections on my behalf to have spoken to me first!

Statutory Consultees:

Oxfordshire County Council Highways Authority:

- No objection
- Following the submission of additional information and clarification, the Local Highway Authority (LHA) is satisfied that the projected increase in stadium capacity as a result of the development, from 3,218 to 3,230 will generate minimal, if any, additional trip generation to the site.
- It is noted that the proposed development will neither remove nor add additional vehicle/ cycle parking at the development. The LHA is satisfied with this arrangement in light that the development will generate minimal additional trip generation to the site.
- It is recognised that current average attendance (279) at Oxford City Football club is significantly below ground capacity.
- The LHA notes the football clubs future aspirations to increase capacity of the ground to 4,000 spectators, set out in the accompanying Design and Access Statement. This represents a 20% increase in ground capacity and the potential to generate significant additional trip generation to the site. The applicant is advised that the LHA would require a thorough assessment of the traffic impact, including a full Transport Statement, Travel Plan and parking assessment should a proposal for significantly increasing the grounds capacity be forthcoming.
- The highway network immediately adjacent to and surrounding the development site, is currently subject to significant traffic delay and congestion for a considerable part of the day. The LHA would be concerned by a development which would appear to notably increase traffic flow within this area. Additionally the ground does not lie within a Controlled Parking Zone and as such would likely incur an increase in indiscriminate parking on the highway, as a consequence of additional car trip generation to the site.
- Following submission of additional information, the county council is satisfied with proposed drainage arrangements.

Old Marston Parish Council: Concerns regarding the overdevelopment of the site and parking issues on the site and surrounding area.

Officers Assessment:

Site Location and Description:

1. The application is situated within Court Place Farm which is owned by Oxford City Council and comprises a large open-air sports and recreation ground on the eastern side of the Marsh Lane (B4015). The site is bordered to the North by the Northern By-pass (A40), and the residential properties of the Northway Estate, and the Peasmore Piece nature reserve to the south-east (**site plan: appendix 1**)
2. The site relates to the small-scale football stadium in the northwest corner of the recreation ground which is leased to Oxford City Football Club and accessed by a small single lane road. The stadium includes a number of small scale stands and covered terraced areas, open air terraces, and other ancillary buildings (i.e club house, changing rooms, and pavilion for the adjoining artificial football pitch and netball courts). There is a vehicular and pedestrian access leading from Marsh Lane, with other pedestrian links leading from the Peasmore Piece nature reserve, Stockleys Road, and Maltfield Road.
3. Court Place Farm is designated within the Oxford Local Plan 2001-2016 as a protected open-air sport facility, and forms part of Oxford's Green Belt. The site is within one of Oxford's view cones, adjacent to the Marston Village Conservation Area and Peasmore Piece, which is a Site of Local Importance for Nature Conservation (SLINC).

Proposal

4. The proposed development is seeking planning permission for the erection of a new single storey spectator stand in the north-eastern corner of the ground which would provide a total of 150 seats.
5. Officers consider the determining issues to be the need for the development, impact on green belt, form and layout, highways matters, and drainage.

Principle of Development

6. The National Planning Policy Framework [NPPF] encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. These aims are supported through Policy CS2 of the Oxford Core Strategy 2026.
7. The stadium is situated within Oxford's Green Belt. The National Planning Policy Framework sets out a general presumption against inappropriate development in the Green Belt. In this regard the construction of new buildings are deemed inappropriate unless they provide appropriate facilities for outdoor sport and recreation, or the extension or alteration of a building provided that it does not

result in disproportionate additions over and above the size of the original building. This is supported by Oxford Core Strategy Policy CS4 which states that permission will not be granted for inappropriate development in the Green Belt in accordance with National Planning Policy.

8. The provision of an unobtrusive spectator stand could reasonably be considered an essential facility for this type of outdoor sports facility. The proposed spectator stand would be small scale and located in part of the site that would be considered previously developed being within an area of hardstanding in the north-eastern corner of the stadium. Therefore officers consider that the general principle of providing a small scale spectator stand would be acceptable provided that it does not compromise the openness and visual amenity of the Green Belt.

Need for the spectator stand

9. Court Place Farm is a protected open-air sports facility, where there is a presumption against the loss of this type of space within Policy SR2 of the Oxford Local Plan 2001-2016. Oxford Core Strategy Policy CS21 encourages improvements to indoor and outdoor sports facilities.
10. The proposed new spectator stand would offer 150 seats and is required to enable Oxford City Football Club to achieve full compliance with the stadium capacity requirements in accordance with the National Ground Grading (Category B) for Step 2 of the National League System in which they currently play.
11. The National Ground Grading Category 'B' requires that covered spectator accommodation, which should preferably be on at least two sides of the ground, must be of sound construction of timber/steel/brick/concrete or any combination of these materials. The minimum covered accommodation must be 500, of which at least 250 shall be seats located in one stand. These seats may be inclusive of Directors/Committee and press seating.
12. The club currently has in place the appropriate FA Ground Grading is Category B (NLS Step 2) following FA inspections of the stadium in 2012 and again in November 2015 where a temporary de-mountable stand had been erected. This was on the understanding that a more appropriate structure would be provided for the start of the current season. The club are currently five months late for this commitment and therefore failure to obtain permission for the stand would have an impact on the clubs ability to participate in the National League South.
13. The proposed stand will provide 150 covered seats and increase the total number of seats within the stadium to 520. This would satisfy the requirements for National League South and also meet the minimum seating requirement for Category 'A' grading should promotion be achieved to the National League (Step 1).
14. The current capacity of the stadium is 3218, of which there is space for 2848 standing spectators and 370 covered seats located alongside the southern touchline. The proposed spectator stand will be located over a proportion of the existing hardstanding in the north-eastern corner of the stadium which currently

accommodates 138 standing spectators. The new stand will replace this standing area and in real terms result in a very small increase to the stadium of 12 spectators.

15. As a result the total capacity of the stadium will be increased to 3230, with the balance of seating and standing areas altered to consist of 520 covered seats and 2710 standing spectators. As such officers would advise members that there is a clear need for the stand in order to meet the specific requirements of the current league in which the club plays and also make provision for any future promotion which would help maintain this outdoor sporting facility in accordance with the above-mentioned policies.

Form and Layout

16. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the sites capacity and surrounding area. This is supported through Policy CP8, which states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area.
17. The proposed stand would be a modest structure measuring approximately 23m (l) x 3.8m (w) x 4.3m (h). It would be brick built with a metal mono-pitch roof and would be coloured Moss Green (RAL 6005) in the external facades and Reed Green (RAL 6013) internally. In terms of site layout it would be in part of the site which is a currently under used area of spectator standing. The overall size and scale of the stand has been designed to sit comfortably in this corner and be of a height in keeping with the adjacent covered terraced along the north-eastern touchline of the stadium.
18. Therefore having regards to the above, officers consider that the stand would be of an proportionate size to the rest of the structures within the stadium and would not compromise the openness and visual amenities of the Green Belt or surrounding area and would accord with the aims and objectives of Policy CP1, and of the Oxford Local Plan and CS18 of the Core Strategy.

Highways

19. The proposal will not provide any additional vehicle and cycle parking within Court Place Farm for the stadium and neither will any be removed. During the consultation process concerns have been raised that the proposal will create traffic problems in the area and that the club should do more to manage this situation.
20. As already stated in this report, the applicant has provided further clarification about how the new stand will impact upon the stadium capacity. In real terms,

the capacity of the stadium will increase from 3,218 to 3,230 which will generate minimal, if any, additional trips to the site. The applicant has confirmed that the average attendance for first team matches at the ground is 279 spectators which is significantly below the stadium's capacity.

21. The Local Highways Authority recognise that highway network immediately adjacent to and surrounding the development site, is currently subject to significant traffic delay and congestion for a considerable part of the day. However, they are satisfied that the current proposal will generate minimal additional trip generation to the site and are raising no objection in highway terms in accordance with Oxford Local Plan Policy CP1.
22. Notwithstanding this officers would advise members that the Design and Access Statement originally submitted with the application indicated that the football club may have further aspirations to increase the capacity of the ground to 4,000 spectators. This would represent a 20% increase in ground capacity and the potential to generate significant additional trip generation to the site. As such officers would recommend attaching an informative that any such proposal for significantly increasing the ground's capacity would require a thorough assessment of the traffic impact, including a full Transport Statement, Travel Plan and parking assessment.

Drainage

23. The application includes details of the proposed method of surface water disposal to ensure that the development will not increase surface water flood risk on the site or elsewhere.
24. The surface water drainage has been designed to accommodate a critical storm event (1 in 100 years) and based on a drained area of 100m². The scheme will include a pipe laid-in between the spectator stand and the adjacent ditch abutting the north-eastern boundary where it will connect to an existing drainage system and discharge through an existing outfall into the ditch.
25. The Oxfordshire County Council Drainage Team and Oxford City Council Drainage officer have raised no objections to the proposal on the basis that the stand is located on an existing area of impermeable hard standing and the drainage solution will reduce the rate of run-off that currently occurs.

Conclusion:

26. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026 and Oxford Local Plan 2001-2016 and therefore East Area Planning Committee is recommended to approve the application.

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.

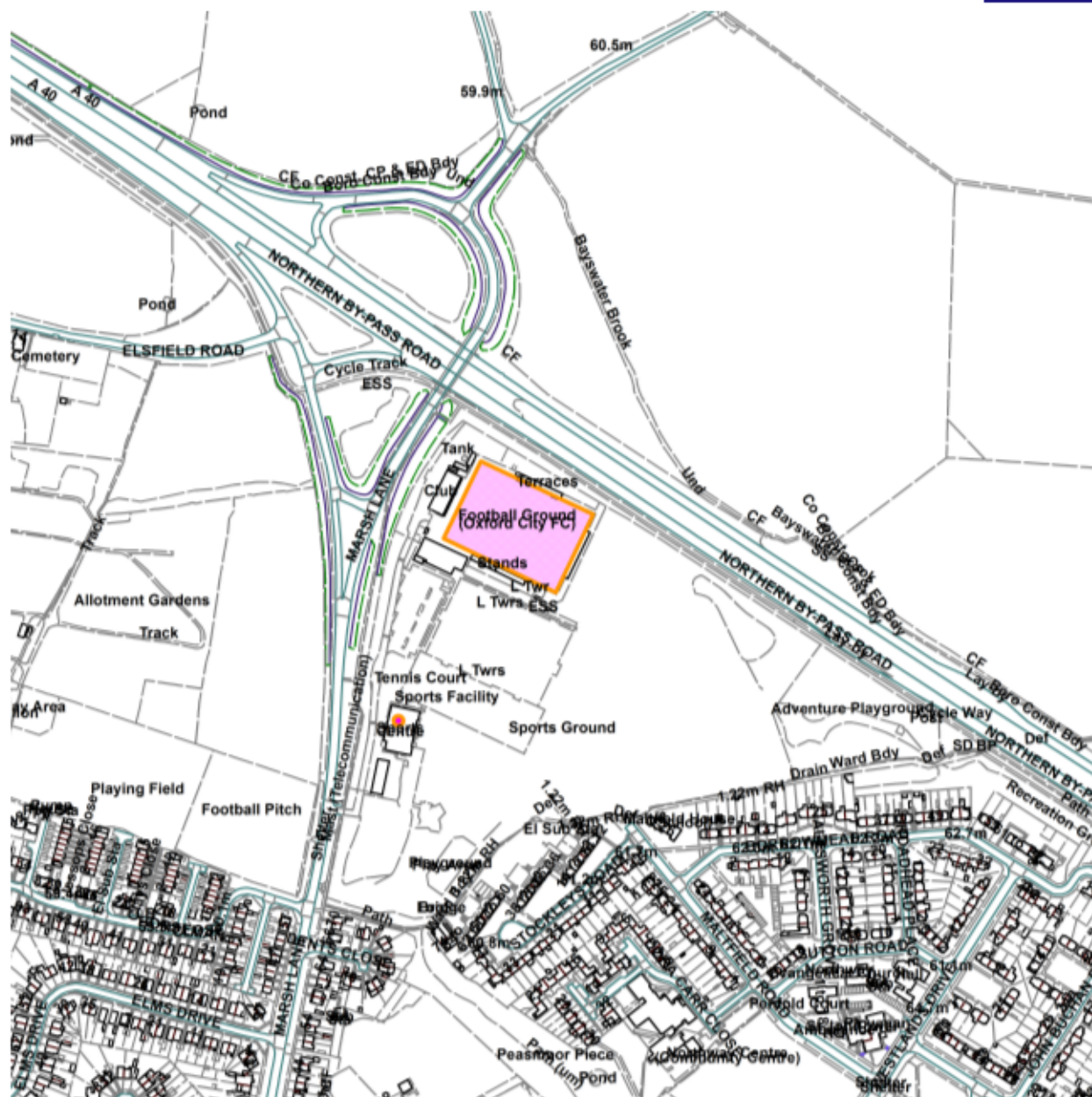
Contact Officer: Andrew Murdoch

Extension: 2228

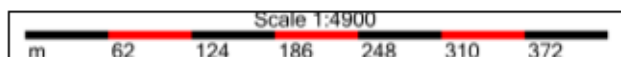
Date: 9th December 2015

Appendix 1

Oxford City Football Club (15/02476/FUL)



1:4900



Organisation	Oxford City Council
Department	City Development
Comments	
Date	21 December 2015
SLA Number	100019348

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East Area Planning Committee

6th January 2016

Application Number: 15/02778/FUL

Decision Due by: 11th November 2015

Proposal: Demolition of existing building. Erection of 5x1 bedroom and 1x2 bedrooms flats (Use Class C3) and communal lounge and staff/guest bedroom. Provision of car parking spaces, bin and cycle storage.

Site Address: 27 Brasenose Driftway Oxford OX 4 2QY
(site plan: appendix 1)

Ward: Lye Valley Ward

Agent: Mr Andy Trower

Applicant: GreenSquare Group

Recommendation:

The East Area Planning Committee is recommended to resolve to grant planning permission for the following reasons and subject to the conditions below and to the satisfactory completion of a section 106 obligation and to delegate to officers the issuing of the decision notice following the satisfactory completion of the S106 legal agreement / undertaking.

Reasons for Approval

- 1 The proposed demolition of the former converted dwelling house to be replaced with a flatted development is considered to be an acceptable scheme that respects the residential amenity of adjoining neighbours. The application proposal creates an appropriate visual relationship with the established form of development that is found in the surrounding area. The proposed development is not in conflict with the policy advice contained in the National Planning Policy Framework and the policies in the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016
- 2 In seeking to determine the application scheme, the comments and observation of third parties and statutory bodies have been given due consideration. These comments and observations have not resulted in any matters of material concern that could justify a refusal of the application proposal. Any identifiable material harm could be satisfactorily dealt with by way of 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:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified
- 4 Surface Drainage Scheme as specified
- 5 No felling, lopping, cutting
- 6 Landscape plan required
- 7 Landscape carrying out by completion
- 8 Landscape management plan
- 9 Tree protection plan (TPP) 1
- 10 Phase Risk Assessment carried out
- 11 Prior to Occupation contamination remedial works
- 12 Watching Brief on any contaminates found
- 13 Approved scheme of archaeology
- 14 Restrict occupancy to persons with learning difficulties only
- 15 High Level Windows and Obscure Glazing

S106 Obligation (Legal Agreement or Unilateral Undertaking)

The accommodation to be 100% social rent affordable, with nomination rights to Oxford City Council, which would normally be deferred to the County Council in this case due to the specialist nature of the residents.

CIL:

£32,740.40

Main Local Plan 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

CS2_ - Previously developed land

TR3 - Car Parking Standards

TR4- Pedestrian & Cycle Facilities

Sites and Housing Plan Policies:

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

Core Strategy

CS2 - Previously developed and greenfield land
CS11 - Flooding
CS18 - Urban design, town character, historic environment
CS24 - Affordable housing

Other Planning Documents:

National Planning Policy Framework
Planning Practice Guidance
Planning Obligations Supplementary Planning Document
Parking Standards, Transport Assessment and Travel Plans
Balance of Dwellings SPD (BODs)

Relevant Site History:

None relevant to the application proposal

Representations Received:

Oxfordshire County Council Highways Authority:

No objection

The application should be granted planning consent subject to conditions relating to space standards for car parking and, cycles, adhering to the City Council's specified requirements. The proposed provision of 6 car parking spaces is considered to be of an appropriate magnitude given the location and proposed use of the development.

Oxfordshire County Council Social and Community Services

No objection

They support the application proposal which would be funding provision of care and support staff on the site on a 24/7 basis and views the application scheme as meeting the changing needs and aspirations of people with learning disabilities.

Land Quality Officer

No objection

Prior to the commencement of the development, a phased land contamination risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. This should be submitted to and approved by the Local Planning Authority.

Archaeologist, Heritage and Specialist Services

No objection

Any planning permission should be subject to an archaeological condition to secure post-demolition trial trenching followed by further mitigation as appropriate.

Neighbour responses:

There were 8 neighbour responses raising objections on the following grounds:

- The application proposal lacks sufficient parking provision and would lead to

congestion and pose a danger to the free flow of traffic and pedestrian safety. The parking arrangements would have an adverse impact on residential amenity.

- The proposed height of the three storey building is not in keeping with the character of the local area. The application scheme would result in the loss of privacy and light to dwellings adjacent to the application scheme. The height of the proposed building would be the principal cause of this adverse impact, with windows facing too close to adjacent dwellings.
- The proposed arrangements of the bin stores are unacceptable as it would attract vermin and would be in close a proximity to neighbours rear gardens.
- The number of occupants proposed for the application scheme would lead to increase noise and disturbance and attract crime.
- The application site is contaminated and demolition of the former building would lead to a risk to health.

Officers Assessment:

Site Location and Description:

1. The application site is located in a residential area that exhibits a mix range of dwellings terraced, semi-detached and flatted developments of two and three storeys high. The site is bordered to its three sides by residential properties of varying styles and ages. Along the far North east corner of the site is small commercial site with Homebase, Carpetright and Currys that face the By Pass. **(site plan: appendix 1)**
2. The site presently has a vacant and derelict two storey structure set under a hipped roof with a red brick façade on a generous plot fronting Brasenose Driftway. The building was formerly used as housing for people with learning disabilities but is now deemed to be unfit for purpose.

Proposed Development

3. The proposed development is seeking planning permission for the demolition of the derelict building to be replaced with the erection of a new three- storey flatted development comprising 5x1 bedroom and 1x2 bedroom flats and communal lounge and staff/guest bedroom. The accommodation is to be 100% affordable social rent with on-site care to be provided 24/7 for the residents. The client group is persons with learning disabilities. Provision of car parking spaces, bin and cycle storage.

Determining issues

4. Officers consider the determining issues to be:
 - Principle of development,
 - Design and Layout
 - Impact on neighbouring dwellings
 - Highways matters, and
 - Contamination

Principle of Development

5. The National Planning Policy Framework [NPPF] encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. These aims are supported through Policy CS2 of the Oxford Core Strategy 2026.
6. The application scheme is to be situated in a residential area of mixed character and form. There is no strongly defined built form along Brasenose Driftway and the application site can be said to be in transition. The land and former building offer an opportunity for redevelopment. The site is ideally suited for residential redevelopment.
7. It is recognised that small sites make an important contribution to the supply of homes in the City. The application proposal makes a contribution to achieving a balanced community in Oxford. The Registered Social Provider GreenSquare through the development of the application site would provide 100% social rent affordable housing for persons with learning difficulties. As such they would provide for and efficiently manage the individual housing needs of vulnerable residents without having those residents in dispersed locations.
8. The proposed development brings a measure of inclusion to the housing mix found in the local area the building will read as a three storey flatted residential proposal not dissimilar to other flatted developments in the local area without any notion of institutional feel for its future occupants.
9. The proposed development differs very little in nature from the use of the former building which housed three occupants. The proposed five one bedroom and one two bedroom flats would enable seven residents to live independently. The future residents would enjoy the benefits of greater privacy, freedom and independence by having their “own front door” as opposed to house share.
10. The application proposal makes a positive contribution to the housing needs of vulnerable residents and assists in meeting the need for special needs housing in the City.
11. The proposed mix of 5x1-bed and 1x2-bed flats would not accord with the mix of units sought by the BODs SPD, which would normally seek to include a number of family size units. However in this case the previous use of the site was as special needs accommodation., the intention of the proposal is to redevelop the derelict site and use it more efficiently to provide self-contained 100% affordable accommodation, supported by staff providing 24/7 on site care and enabling independent living to a client group with very specialised needs.
12. As such it is considered that there are material considerations that a mix different than that normally required by BODs. At the same time the proposed special needs housing would contribute to the overall balance of dwellings in the local area. As a result the application proposal should be encouraged and welcomed

and it is considered that overall the proposal is in principle acceptable in accordance with adopted policies.

Design and Layout

13. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the sites capacity and surrounding area. This is supported through Policy CP8, which states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area.
14. The application scheme has undergone several revisions in order to address the objections of adjacent neighbours. The front elevation of the application scheme has undergone revision with the introduction of a second gable facing the street to provide a more interesting frontage and break up the roof line on the earlier submission. In addition the fenestration around the building has been adjusted in order to address the concerns raised over perceived overlooking.
15. The provision of a three storey residential building on a site in transition created to have a sense of local distinctiveness is in line with the advice contained at the heart of the National Planning Policy Framework (the Framework) a presumption in favour of sustainable development. Good design is a key aspect of sustainable development and the Framework indicates that new development should establish a strong sense of place and respond to local character and history, reflecting the identity of its local surroundings.
16. The proposed development provides much needed specialist housing accommodation, to a layout that is bespoke for the specific needs of the user group. It will make use of a previously developed land in a sustainable location close to services and facilities, the development would not cause harm to the character and appearance of the local area. Consequently the development would represent sustainable development as sought by the NPPF.

Impact on Residents:

17. The eastern side of the rear elevation facing No.14 Benouville Close consist of windows primarily corresponding to bathrooms and kitchens and not primary habitable rooms such as living rooms and bedrooms. To reduce the perception of overlooking of neighbouring properties, windows at first and second floor levels of the scheme have been reduced in depth and are now shown to be high level.
18. Neighbour objections had been raised relating to secondary windows on the eastern elevation facing Fletcher Road properties. These windows are in excess of 20m from the two storey rear facades of the Fletcher Road properties' In response to the perceived sense of overlooking these windows have been raised

to be high level with obscure glazing above the ground floor. The windows on the ground floor are full height to overlook the car parking spaces, in line with the principles of Secure by Design.

19. It is considered that the proposal would not have any significant adverse impact on the residential amenities of neighbouring residents.

Highway Matters

20. The proposed site layout has undergone revision. The level of onsite parking provision has been reduced from 6 spaces to 4 spaces. The Registered Housing provider who would run and operate the completed development confirmed that the proposed occupiers of these flats are unlikely to drive their own motor vehicles and the parking provision would only be used by visitors and support staff

21. The cycle parking arrangements have not been revised as a provision for future use of residents should the need arise and makes for good planning. The revised layout with reduced parking allows for the bin stores to be away from the boundary of adjoining neighbours and the provision of soft landscaping will act as a buffer to the neighbours' boundary. The scheme therefore would accord with the aims and objectives of Policy CP1, and of the Oxford Local Plan and CS18 of the Core Strategy and HP15 and HP16 of the Sites and Housing Plan.

Contamination:

22. The land Contamination officer has recommended that the land contamination issues identified on site and any future contaminants that may be found, can be satisfactorily addressed via a suite of conditions that will ensure satisfactory remediation of the site from any contaminants rendering the site usable for the proposed residential use.

Recommendation

23. The proposal is considered overall to be acceptable and to provide a sustainable form of development. It is recommended to grant permission subject to conditions and the satisfactory completion of a S106 obligation to deal with affordable housing.

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.

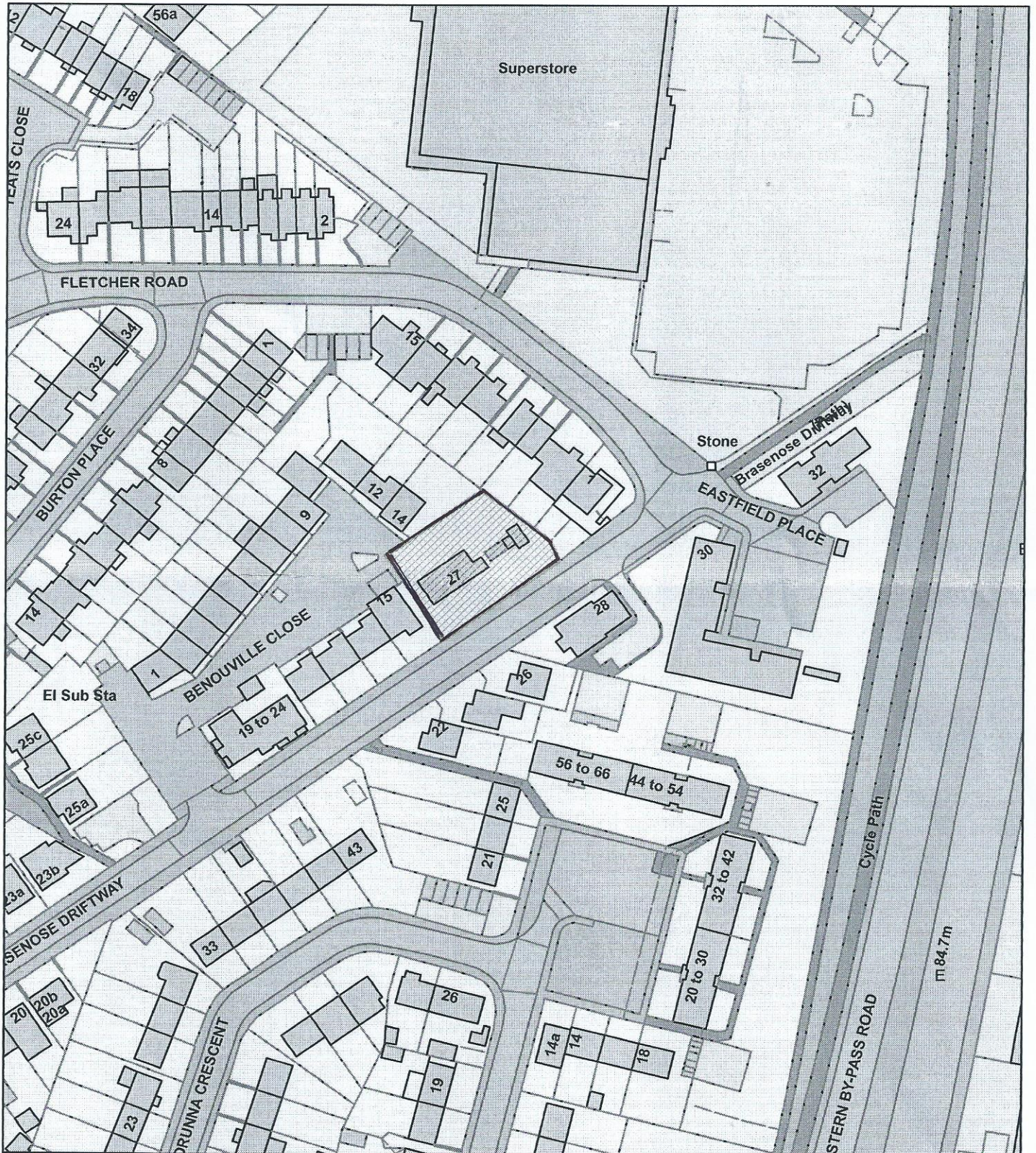
Contact Officer: Edward Oteng

Extension: 2221

Date: 21st December 2015

Appendix 1

27 Brasenose Driftway



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Ordnance Survey 100019348.



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East Area Planning Committee

-6th January 2016

Application Number: 15/03260/VAR

Decision Due by: 11th February 2016

Proposal: Variation of condition 2 (Approved plans) of planning permission 14/02650/FUL to allow for revised heights of building. (Retrospective)

Site Address: Former DHL Site Sandy Lane West Oxford Oxfordshire

Ward: Littlemore Ward

Agent: Mr Thaddaeus Jackson-Browne

Applicant: Mr Shahab Ahmad

The application is before the committee because it is a variation of a major planning application

Recommendation:

That Committee resolves to approve the application subject to the conditions listed but delegate to officers the issuing of the decision notice following the completion of a legal agreement that secures the necessary financial contribution towards off-site provision of affordable housing.

Reasons for Approval

- 1 The proposed increased in height to the buildings as identified in the approved plans are considered acceptable in planning terms having taken into account the impact on the streetscene and the amenity of local residential occupiers. Any material harm arising from the development can be adequately addressed by the conditions listed below. The development is considered to meet the Council's adopted planning policies, specifically Policy CP1, CP6, CP8, CP10 and CP11 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

Conditions

- 1 Develop in accordance with approved plans
- 2 Materials

- 3 Travel Plan
- 4 Car parking
- 5 SUDs
- 6 Unexpected contamination
- 7 Revised landscaping proposals
- 8 Acoustic Fence
- 9 Approved construction traffic management
- 10 Revised boundary treatments
- 11 Use of buildings
- 12 Public art
- 13 No PD Rights
- 14 Noise
- 15 Travel movements
- 16 Tree Protection
- 17 Geo-Environmental Assessment
- 18 Landscaping proposals
- 19 Cycle parking
- 20 Showering facilities
- 21 Natural Resource Impact Analysis

Legal Agreement:

£89,356 offered as a financial contribution towards provision of off-site affordable housing. The development is liable for CIL to the value of £83,660.

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
CP9 - Creating Successful New Places
CP11 - Landscape Design
CP13 - Accessibility
CP14 - Public Art
CP17 - Recycled Materials
CP18 - Natural Resource Impact Analysis
CP21 - Noise
TR1 - Transport Assessment
TR2 - Travel Plans
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
NE23 - Habitat Creation in New Developments

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS10_ - Waste and recycling
CS12_ - Biodiversity
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS24_ - Affordable housing
CS28_ - Employment sites

Public Consultation

Statutory Consultees Etc.

Highways: No objections

Third Parties

19, 27, 29, 34, 39, 46, Spring Lane objections:

- Amount of development on site
- Effect on character of area
- Flooding risk
- Height of buildings
- Ground level has been raised
- Unacceptable impact on neighbours
- Fire risk
- Impact on pollution
- Effect on privacy
- Loss of vegetation
- Impact on ecology
- Noise and disturbance
- Loss of existing boundary
- Impact on daylight and sunlight
- Incorrect information on plans/insufficient information

Relevant Planning History

07/02809/FUL - Redevelopment of the existing employment site to provide 18 x B1(c), B2, B8 industrial units and warehouse units (8 with ancillary trade sales) and one builders merchant (Sui Generis), and a parking area for Stagecoach vehicles. Floodlighting. **Permitted 18th June 2008.**

11/01550/FUL - Change of use from class B8 (storage and distribution) to a builders merchant (sui generis) for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage and associated external alterations, together with the demolition of adjacent redundant buildings (Amended Plans). **Permitted 21st September 2011.**

11/02492/VAR - Variation of condition 10 (Hours of deliveries and fork lift truck activity) of planning permission 11/01550/FUL to enable activity from 07:30hrs to 17:00hrs Monday-Friday and 08:00hrs to 12:00hrs on Saturdays. **Permitted 20th December 2011.**

12/01981/VAR - Variation of condition 4 of planning permission 07/02809/FUL to allow limited trade counter for unit 2 for the hire of construction tools and equipment. **Permitted 26th October 2012.**

13/01119/FUL - Erection of 3 units providing 3509sqm of accommodation for Class B1 (Business), Class B2 (General Industrial) or Class B8 (Storage or Distribution) use. Provision of 31 car parking spaces and 15 cycle parking spaces. **Permitted 18th October 2013.**

14/02650/FUL - Erection of nine industrial units for Class B1 (C) (Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) use and including 70 car parking spaces and 20 covered cycle parking spaces. (Amended description) – **Permitted 05.03.2015**

14/02650/CND - Details submitted in compliance with condition 8 (Surface water scheme) of planning permission 14/02650/FUL – **Permitted 14th April 2015**

14/02650/CND2 - Details submitted in compliance with condition 11 (Construction Management Plan) of planning permission 14/02650/FUL. – **Permitted 19th May 2015**

14/02650/CND3 - Details submitted in compliance with conditions 9 (Landscape Plan), 12 (Boundary treatment) and 18 (Tree Protection Plan) of planning permission 14/02650/FUL – **Permitted 19th May 2015**

14/02650/CND4 - Details submitted in compliance with conditions 4 (Travel Plan), 12 (Boundary Treatment), 21 (Cycle Parking) and 22 (Showering Facilities) of planning permission 14/02650/FUL – **Permitted 14th December 2015**

Officers Assessment:

Site Description

1. The site is accessed from Sandy Lane West through the main industrial estate though it borders onto Spring Lane to its eastern side. To the south and east of the site lie residential properties on Spring Lane; until recently, there was vegetation and a wooden fence along this boundary. Some vegetation remains, including a number of trees. To its northern and western boundaries the site links in to the wider industrial estate accessed from Sandy Lane West.
2. The site can be seen within its context on the site location plan attached as Appendix 1.

Proposed Development

3. The originally approved application (14/02650/FUL) sought planning permission for the erection of two buildings to provide nine industrial units within Class B1(c), B2 or B8 use. The proposals included provision of 70 car parking spaces and 20 cycle storage spaces in addition to associated landscaping works and the erection of an acoustic fence inside part of the site's eastern boundary. As already outlined above, the scheme has been implemented. When built, the development was constructed with a thicker steel frame and a thicker layer of insulation; as a result the development is higher than approved. In addition there are variations between the approved plans and the development as constructed in terms of the ground levels. A detailed explanation sets out the differences below.
4. The development comprises two halves, Units 1-5 with the roof ridge running parallel to Spring Lane (at the northern end of the site) and Units 6-9 with the roof ridge running perpendicular to Spring Lane (at the southern end of the site).
5. With regards to Units 1-5, the approved height (14/02650/FUL) was 7550mm to the eaves and 8850mm to the top of the ridge. The as built height of these units is 7700mm to the eaves and 9010mm to the top of the ridge.
6. In relation to Units 6-9 the approved height (14/02650/FUL) was 7550mm to the eaves and 9400mm to the top of the ridge. The as built height of these units is 8000mm to the eaves and 9950mm to the top of the ridge.
7. There are variations in the ground levels that have arisen during the construction of the development. The applicant's agent has referred to their own survey of the site before and after the construction of the development. It is stated that the original construction drawings of the site prior to its development identified a variation in ground levels from the northern end of the site on the eastern boundary (Spring Lane) of 66.50 down to 65.89 at the southern end. It is implicit that as part of the approval

of the development that there would be some levelling work that would take place involving variations to the ground levels. The applicant's agent has indicated that the finished floor level of the development is 66.30; they have also pointed out that this is approximately 200mm lower than the highest ground levels on the site. Officers have had regard to this, as well as the concerns that have been raised by local residents, specifically that ground levels have been raised. Officers do not consider that the changes in ground level would be sufficiently material to make the development unauthorised as they are fairly minor and fall within the identified ground levels that existed prior to the construction of the development.

Regardless of this however, the changes in ground levels have contributed to the impact on the Spring Lane properties, in making an assessment of the development Officers have considered the ground levels cumulatively with the increased height of the buildings as outlined above; particularly when dealing with the impact on neighbouring properties.

8. The application has come about following an enforcement investigation which found that the development had not been built in accordance with the approved plans. As a result, this variation application was submitted. Officers recommend members that there is still an extant approval for the scheme, albeit with a reduced overall height. Because the application relates only to this particular matter this report focuses on the design of the development as built and the impact on living conditions (particularly on properties in Spring Lane). However, Officers advise that if members are minded to approve the application then it would be a re-issue of the planning application which means that conditions have been presented that relate to all the relevant matters; where changes to the conditions (above and beyond the original requirements) have been recommended these are mentioned in the report below.

Assessment

Site Visit

9. In light of the concerns surrounding the variations from the approved plans, Officers have carried out their own site visit to check the height of the buildings against the development that was approved. The site visit took place on 24th November 2015 and involved the use of a laser measuring tool; Officers took measurements from six locations on Spring Lane to check both the height of the buildings and their position relative to the road. The outcome of the site visit was that the buildings were located in their correct position against the approved (and submitted) plans and this application accurately presents their revised height.

Principle

10. As already outlined above, the principle of development has been established. This application only deals with variations in the design of the building, specifically its height.

Affordable Housing

11. Policy CS24 of the Core Strategy requires affordable housing from both new residential and commercial developments where these are over specified thresholds. It was a requirement of the extant planning permission to provide a Section 106 legal agreement to secure a contribution towards affordable housing; because this application seeks the re-issue of the application it would require the submission of a new legal agreement.

Design

12. The alterations to the design have not significantly impacted upon the streetscene other than to slightly increase the visual prominence of the development, particularly along the eastern (Spring Lane) elevation and the south elevation. In design terms, the development is acceptable. However, given the overall increase in height a landscaping condition has been suggested to ameliorate the increased prominence of the building and soften the impact of the buildings.

Impact on Neighbours

13. There has been considerable local interest in this application and a number of objections have been received. Officers have had regard to the objections that have been raised but consider that, on balance, the increase in height of the development does not materially cause harm to surrounding residential occupiers. Despite this, Officers are of the view that the increased height does mean that the buildings are more prominent and overbearing on residential properties. The originally approved development carefully addressed the impact on the surrounding residential properties, specifically those in Spring Lane through a landscaping condition to ensure that the buildings were screened and to preserve the semi-rural character of the Lane. Officers have recommended that a condition of the approval of this application is that enhanced landscaping is provided, as outlined in more detail below.
14. Officers have considered the impact of the building's revised heights on neighbouring properties in terms of loss of light. The separation between the buildings on the site and properties on Spring Lane is between approximately 20m and 15m; though in the south east corner of the site there is a distance of only approximately 14m. Officers consider that this separation, together with the low pitch of the roofs of the buildings means that there would not be a detrimental impact on light even with the revised building heights. No. 34 Spring Lane lies to the south of the application site and is only approximately 12m from the building (Units 6 and 7); the light impact on this property is acceptable because of the orientation of the building being to north of dwelling meaning there would be minimal impact on light. The outlook from No. 34 Spring Lane would be improved if additional landscaping is required by condition as recommended by Officers.

Noise and Disturbance

15. These matters were previously dealt with when the development received planning permission. Officers have recommended conditions be carried forward from the previous permission with regards to the hours of operation and other measures.

Landscaping

16. Previous planning permissions granted on this site detailed the importance of the semi-rural character of Spring Lane, which despite being adjacent to an established industrial site had the appearance of a country lane due to the presence of mature vegetation in the form of a hedge along the lane's western boundary. To the south of the application site there was also mature vegetation, although most of this was outside of the application site boundary and was within the curtilage of No. 34 Spring Lane. It was a condition of the extant planning permission that landscaping details had to be provided, it was envisaged that these would involve the retention of much of the existing vegetation on the site as well as new landscaping to soften the impact of the proposed buildings. When the details were submitted they involved the removal of the hedge, which was in fact mostly overgrown shrubs that had climbed the dilapidated timber fence on the eastern edge of the site. However, the submitted landscaping scheme did involve the creation of a new native species hedge as well as new trees along the Spring Lane elevation. This scheme of landscaping was approved in May 2015.
17. Officers consider that the landscaping of the site is very important in terms of ameliorating the visual impact of the buildings. The revised height of the buildings has increased their visual prominence to the detriment of the character of Spring Lane and the outlook from properties on Spring Lane. Officers have therefore included in the recommendation that a new landscaping scheme be sought within three months of the date of the decision, if members are minded to approve the application. The landscaping scheme would include not only a hedge (as originally approved) but a greater number of semi-mature trees to soften the appearance of the building and to partially obscure it when viewed from Spring Lane. Additionally, landscaping will be required along the southern edge of the site to reduce the impact of the building from that direction and particularly from No. 34 Spring Lane.
18. The applicant's agent has indicated that they would comply with a condition requiring a revised landscaping scheme.

Access and Parking

19. There are no changes to the access or parking arrangements. Conditions that were previously attached to the original planning permission have been carried forward as part of the recommendation.

Biodiversity

20. The increased height of the development would not have a detrimental impact on biodiversity requirements or the habitats of protected species.

Other Matters

21. Some concerns have been expressed by local residents that despite the approved development being described as 'single storey' all of the units contain a mezzanine level. The application description for the extant planning approval on the site (14/02650/FUL) did not mention 'single storey'. Officers have checked the photographic archive and the site notices that were displayed around the site did not mention single storey either. On this basis, the previous consultations relating to the site were not misleading and the development has been lawfully constructed in this regard.
22. Some concerns have been raised about the potential fire safety impacts of the buildings. Officers have had regard to this issue but do not consider that the revisions in height have led to an increased risk of fire or danger to local residents. The buildings have been constructed to modern safety principles and building regulations which will have addressed these issues.

Conclusion:

23. On the basis of the above and having taken into account the concerns raised by local residents, Officers recommend that the application should be approved subject to conditions. An improved landscaping plan is sought by condition as part of the recommendation.

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 subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

15/03260/VAR

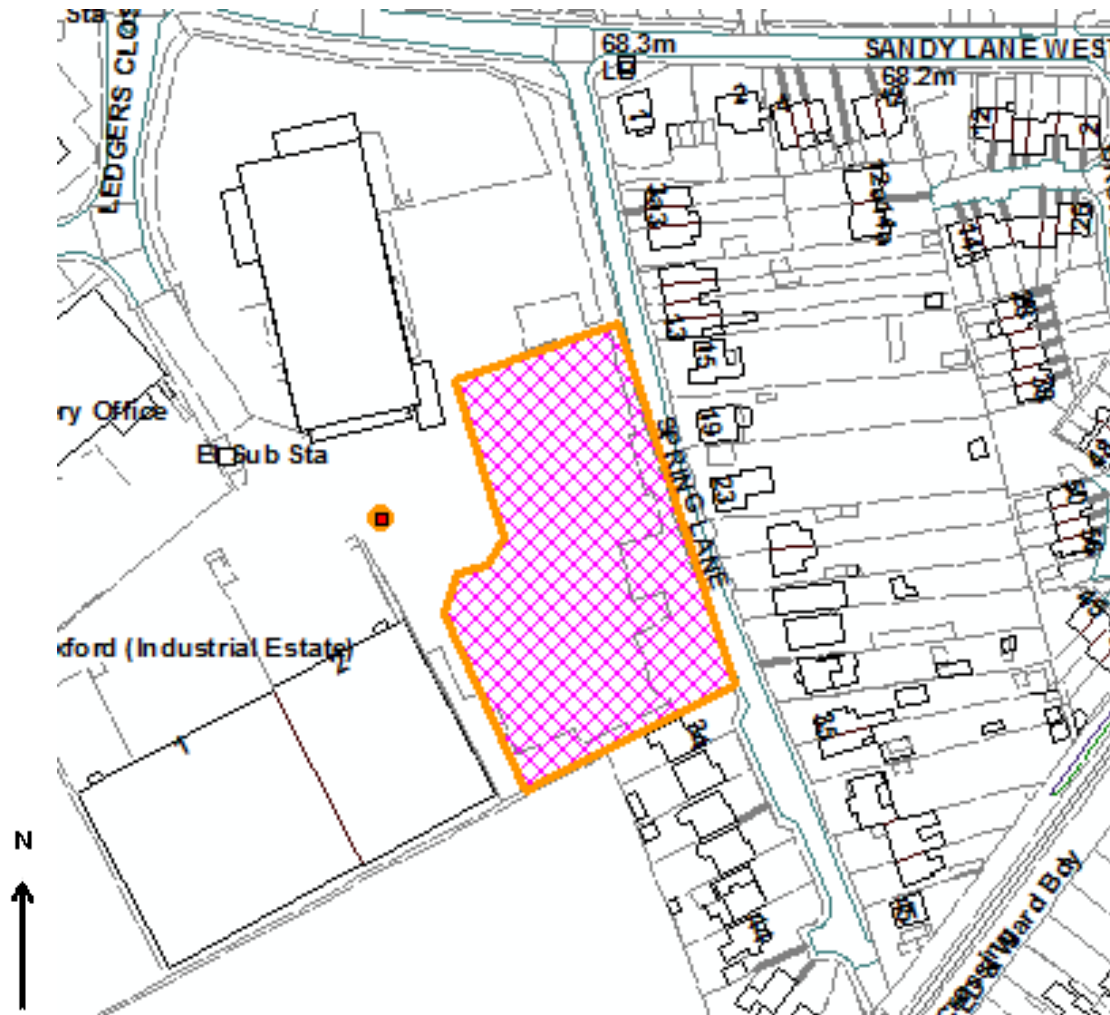
Contact Officer: Robert Fowler

Extension: 2104

Date: 22nd December 2015

Appendix 1

15/03260/VAR - Former DHL Site



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Ordnance Survey 100019348

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-2nd January 2015

Application Number: 15/02721/FUL

Decision Due by: 21st December 2015

Proposal: Erection of a single storey extension to west elevation.

Site Address: Leys Spar Limited Dunnock Way Oxford Oxfordshire

Ward: Northfield Brook Ward

Agent: Mr Aidan Lynch

Applicant: Mr R Hutchings

Application Called in – by Councillors -
for the following reasons -

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The proposed extension is considered to create an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area. The proposed development provides sufficient car parking. Cycle and drainage details can be dealt with via condition.

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

- 1 Development begun within time limit
- 2 Materials - matching
- 3 Drainage
- 4 Ground resurfacing - SUDS compliant
- 5 Car/cycle parking provision before use

6 Cycle parking details required

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Developmt to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Developmnt to Meet Functionl Needs
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities

Core Strategy

CS11_ - Flooding
CS31_ - Retail
CS2_ - Previously developed and greenfield land
CS18_ - Urb design, town character, historic env

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

84/00348/SON - Outline application for 40.6 ha housing (approximately 1200 dwellings) with community facilities including first school, shops, meeting hall and public house. 10.5 ha of landscaped public open space. 21.4 ha of recreation land which could include pitches, cricket green and golf course. 11.3 ha of industrial land. Development to be served by new peripheral road between B480 and A423 – Permitted

87/00188/PW - Northfield Brook from B480 to junction with Littlemore Brook - General widening, regrading, realigning of the brook – Permitted

88/00513/PN - Sites B and C The Farmstead, City Farm and sites to north and west - Outline application for housing sites B and C, community facilities, community first school, public open space and road layout – Permitted

89/00019/PN - Site B1 - Layout of roads and sewers – Permitted

89/00796/PW - Site C1 - Roads and drainage to serve future housing development. (As amended by drawing accompanying letter from agent dated 5 January 1990) – Permitted

92/00216/NO - Sites B and C, City Farm and land to north and west - Outline

application for residential development, roads (including part of peripheral road) and public open space (previously approved under ref. P88/NO513/0) but excluding B1/2, B1/3, B1/4 and part B1/1 – Permitted

92/00398/NF - Sites B1/1, B2/1, B2/2, B2/6 and C1/1-13 - Erection of 446 dwellings, communal facilities, public open space and road infrastructure including part of peripheral road and car parking – Permitted

93/01333/NF - City Farm - Change of use to 'City Farm' (for public education & leisure). Aisled barn & granary to provide animal pens, storage, teaching/display room, ancillary office & WC's Septic tank, fencing & car park accessed off Dunnock Way – DMD

98/01967/NF - Single storey building for lock-up shop, incl. perforated shutter to front. Alterations to service road & access to Dunnock Way & customer parking spaces at front, 5 staff parking & servicing area plus fenced compound at rear – Permitted

03/02390/FUL – Single storey side extension for use as shop (Class A1). Two additional parking spaces - Withdrawn

04/00093/FUL - Single storey side extension for use as shop (Class A1) or food and drink (Class A3) unit. Two additional parking spaces - Permitted

04/01971/FUL - Two storey building with A1 or A3 use on ground floor and 2 bed flat on upper floor - Permitted

Representations Received:

None

Statutory and Internal Consultees:

Environment Agency Thames Region – no comment

Blackbird Leys Parish Council – no comment

Internal drainage – no objections subject to conditions

Issues:

Design

Highways

Drainage

Officers Assessment:

Site description

The site consists of an existing Spar retail unit located on the northern side of Dunnock Way. To the east of the retail unit there is an Indian takeaway. There are areas of parking to the front and rear.

Proposed development

The proposed development consists of an extension to the existing A1 retail unit. The extension is single storey and positioned on the eastern side of the existing building. The original planning application documents referred to a proposed A5

use. However, it has been clarified that the proposal is for A1 use only and the plans and other supporting documents have been amended to reflect this.

Design

Policies CP1 and CP8 of the Oxford Local Plan 2001-2016 require new development to form an appropriate visual relationship with the surrounding area in terms of form, scale, layout and design detailing. Policy CS18 of the Core Strategy reflects these requirements by requiring high quality urban design.

It is considered that the proposed extension respects the local context and forms an appropriate visual relationship with the existing building. The proposals therefore comply with policies CP1 and CP8 of the Oxford Local Plan 2016 and policy CS18 of the Core Strategy 2026.

Highways

Policy TR3 of the Oxford Local Plan 2001-2016 requires that an appropriate level of car parking is provided as shown in Appendix 3. The proposed development consists of 81.8sq.m additional A1 floor space bringing the overall floor space of the building to 371sq.m. Appendix 3 requires that one parking space is provided per 50sq.m of floor space. This means that eight car parking spaces are required. 22 car parking spaces are provided on the site which includes 7 staff parking spaces. Although the site is shared by a restaurant/takeaway it is considered that sufficient space is provided. The proposal therefore complies with policy TR3 of the Local Plan.

Policy TR4 of the OLP states that planning permission will only be granted for development that provides good access and facilities for pedestrians and for cyclists and complies with the minimum cycle parking standards shown in Appendix 4. For A1 shops (other than non-food retail units, financial and professional services) one cycle space per 113sq.m is required. It is considered that two cycle spaces are provided on site and two further cycle spaces will be provided as part of the proposal development. The details of this cycling provision will be dealt with via condition. The proposal is considered to comply with policy TR4 of the Oxford Local Plan.

Drainage

Policy CS11 of the Core Strategy relates to flood risk and states that development will not be permitted that will lead to increased flood risk. The site is within flood zone 2 and a Flood Risk Assessment has been submitted as part of the application. Additional information was requested from the flood mitigation officer regarding the drainage strategy. The FRA has been updated and the flood mitigation officer is now happy that this matter can be dealt with via condition. The proposal therefore complies with policy CS11 of the Core Strategy.

Other matters

On the proposed plans there is a potential area for wall/floor services plant shown to the rear of the proposed extension. It should be noted that this plant is not included within the current application and a separate planning application will need to be made in relation to this.

Conclusion:

The proposed extension is considered to create an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area. The proposed development provides sufficient car parking. Cycle and drainage details can be dealt with via condition.

For these reasons it is considered that the proposal accords with the relevant policies of the Oxford Local Plan 2016 and Core Strategy 2026. As such it is recommended that the application is approved.

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

Background Papers:

Contact Officer: Caroline Longman
Extension: 2152
Date: 21st December 2015

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East Area Planning Committee

- 14th December 2015

Application Number: 15/03167/CPU

Decision Due by: 28th December 2015

Proposal: Application to certify that the proposed erection of a single storey side extension and alterations to windows is lawful development.

Site Address: 9 Collinwood Close, Oxford Oxfordshire OX3 8HS

Ward: Quarry and Risinghurst Ward

Agent: Mr Christopher Helsby

Applicant: Ms Pauline Hull

Recommendation:

APPLICATION BE APPROVED

Reasons for Approval

- 1 The proposed side extension and alteration to an existing window is development permitted by Class A of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and does not, therefore require planning permission to be obtained from the local planning authority, provided that the proposal is carried out as described, and is within the curtilage of this property.

Other Planning Documents

The Town and Country Planning (General Permitted Development)(England) Order 2015

Officers Assessment:

1. This application has come before the committee in view of the fact that the applicant is a member of the Council's staff.
2. Officers have considered the proposed development and have determined

that it is permitted development by virtue of Class A Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015. The proposed development complies with all the requirements and restrictions of Class A in that the proposed side extension to the property will not exceed 4.00m in height; will not have more than one storey and will not have a width greater than half the width of the original dwelling house. The relocated side window (at first floor level) will be obscure glazed and will be fixed shut.

Conclusion:

3. On the basis of the above, Officers recommend that members grant the Lawful Development Certificate in respect of the development as described in the application.

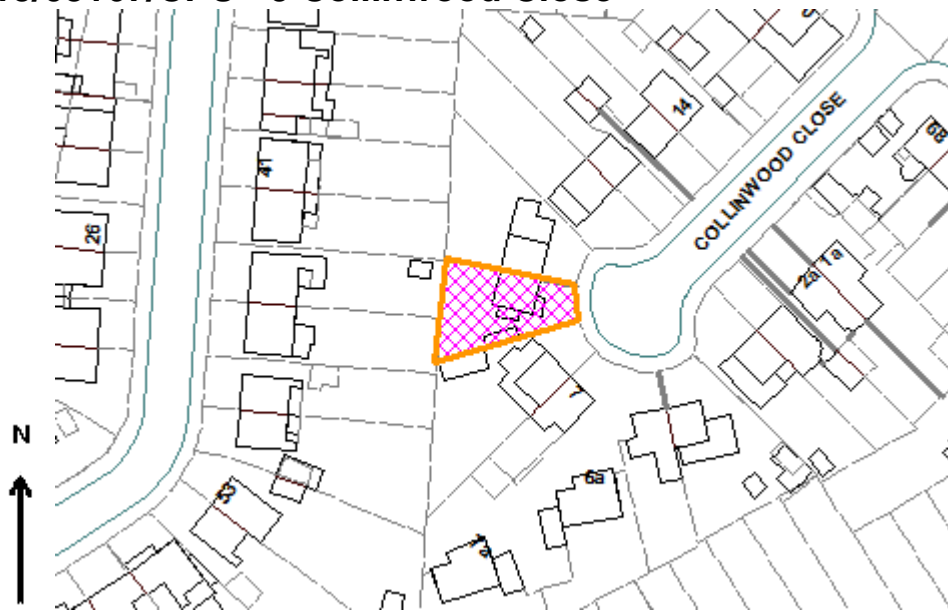
Contact Officer: Paul Townsend

Extension: 2252

Date: 14th December 2015

Appendix 1

15/03167/CPU - 9 Collinwood Close



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Monthly Planning Appeals Performance Update – November 2015

Contact: Head of Planning & Regulatory Services: Patsy Dell

Tel 01865 252360

1. The purpose of this report is two-fold:
 - i. To provide an update on the Council's planning appeal performance; and
 - ii. To list those appeal cases that were decided and also those received during the specified month.

Best Value Performance Indicator BV204

2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 November 2015, while Table B does the same for the current business plan year, ie. 1 April 2015 to 30 November 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	34	3	7
Dismissed	19	66	2	17
Total BV204 appeals	29	100.0	5	24

**Table A. BV204 Rolling annual performance
(01 December 2014 to 30 November 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	7	47	3	4
Dismissed	8	53	1	7
Total BV204 appeals	15	100.0	4	11

**Table B. BV204: Current business plan year performance
(1 April 2015 to 30 November 2015)**

All Appeal Types

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	Appeals	Performance
Allowed	21	43%
Dismissed	28	57%
All appeals decided	49	100.0%
Withdrawn	2	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 01 December 2014 to 30 November 2015**

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during November 2015.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during November 2015. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D

Appeals Decided Between 01/11/2015 and 30/11/2015

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
15/00670/ADV	15/00039/REFUSE	DEL	REF	DIS	13/11/2015	HEAD	72 London Road, Oxford Oxfordshire OX3 7PD	Display of 1No internally illuminated totem sign.
15/00121/FUL	15/00040/REFUSE	DEL	REF	DIS	13/11/2015	QUARIS	79 Downside Road, Oxford Oxfordshire, OX3 8JJ	Erection of entrance gate. (Retrospective)
14/03118/FUL	15/00022/REFUSE	DEL	REF	DIS	18/11/2015	RHIFF	50 Ashhurst Way, Oxford Oxfordshire, OX4 4RE	Erection of two storey side extension

Total Decided: 4

Enforcement Appeals Decided Between 01/11/2015

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS – Dismissed

EN CASE	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
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Total Decided: 0

Table E

Appeals Received Between 01/11/2015 And 30/11/2015

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
15/01082/FUL	15/00053/REFUSE	DELCOM	REF	W	238 Headington Road Oxford Oxfordshire OX3 7PR	CHURCH	Erection of 1 x 3-bed dwellinghouse (Use Class C3) Provision of private amenity space, bin and cycle store.
15/01224/VAR	15/00054/REFUSE	DEL	REF	H	16 Liddell Road, Oxford, Oxfordshire OX4 3QT	COWLEY	Variation of condition 3 (shed and conservatory – demolish) of planning permission 11/02072/FUL (single storey side Extension, two storey rear extension and new pitched roof over part of existing flat roof) to retain shed/workshop after commencement of development
15/01745/FUL	15/00052/REFUSE	DEL	REF	W	364 Banbury Road, Oxford Oxfordshire, OX2 7PP	SUMMTN	Demolition of existing building. Erection of new building to provide 2 x 4-bed dwellings (Use Class C3) (Amended plans)
15/01857/FUL	15/00059/REFUSE	DEL	REF	H	70 Wilkins Road, Oxford, OX4 2JB	LYEVAL	Erection of part single, part two storey side and rear Extension.
15/02631/FUL	15/00055/REFUSE	DEL	REF	H	6 Templar Road Oxford Oxfordshire OX2 8LT	WOLVER	Erection of part single, part two storey side and rear extension.

Total Received: 5

MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 2 December 2015



COUNCILLORS PRESENT: Councillors Darke (Chair), Coulter (Vice-Chair), Altaf-Khan, Anwar, Brandt, Clarkson, Henwood, Taylor and Wilkinson.

OFFICERS PRESENT: Fiona Bartholomew (Principal Planner), Robert Fowler (Senior Planner), Tim Hunter (Planner), Michael Morgan (Lawyer), Andrew Murdoch (Development Control Team Leader), Edward Oteng (Principal Planner) and Jennifer Thompson (Committee Services Officer)

72. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies.

73. DECLARATIONS OF INTEREST

Minute 66 - Councillor Wilkinson declared that she was an employee of Oxford Brookes University but this did not create a disclosable interest in this application.

74. ASHLAR HOUSE ADJACENT TO 2 GLANVILLE ROAD: 15/00955/FUL

The Committee considered an application for the demolition of existing builder's yard; erection of 3 x 3 bed dwellinghouses (Use Class C3) and 3 x4 bed dwellinghouses (Use Class C3); and provision of private amenity space, car parking, cycling and bins storage.

at Ashlar House, adjacent 2 Glanville Road, Oxford.

This application was deferred from the meeting on 4 November to clarify a number of points, set out in a supplementary report.

The Committee resolved to grant planning permission for application 15/00955/FUL, subject to the conditions and a S106 Legal Agreement in the terms outlined below, and delegate to officers the completion of that legal agreement and the issuing of the notice of permission subject to these conditions:

Conditions:

1. Development begun within time limit.
2. Development in accordance with approved plans.

3. Samples of materials.
4. Landscape plan required.
5. Landscape carry out after completion.
6. Boundary details - development commencement.
7. Sight lines.
8. Details of cycle parking, waste & recycling storage areas.
9. Suspected contamination - risk assess, Phase 2 and Phase 3 assessment required.
10. Bat & Bird Boxes integrated into building.
11. Surface drainage scheme.

Legal agreement: to secure affordable housing contributions for the delivery of off-site affordable housing provision.

75. 36, 38 AND 40 LONDON ROAD AND 2 LATIMER ROAD:15/00858/FUL

The Committee considered an application for planning permission for the demolition of residential houses at 36, 38 and 40 London Road and 2 Latimer Road; erection of 167 student study rooms and ancillary facilities on 4 and 5 levels plus basement, together with 2 x 2-bed and 2 x 3-bed maisonettes; and provision of 4 car parking spaces, 88 cycle parking spaces, landscaped areas and ancillary works on a site at 36, 38, 40 London Road and 2 Latimer Road, Headington.

The planning officer corrected the address in paragraph 7 to 'The Brambles' and confirmed that comments received after the close of the formal consultation period could legitimately be taken into account. She proposed and the committee accepted a revised recommendation 'to approve the application, subject to the conditions and a S106 Legal Agreement in the terms outlined below, and delegate to officers the completion of that legal agreement and the issuing of the notice of permission subject to these conditions'.

The Chair extended the speaking time on this application to ten minutes for each group.

Tony Joyce, Gareth Jones, Richard Couzens, Richard Burden and Jeremy Burgess, representing local residents, Headington School and St Luke's, spoke objecting to the application.

Roger Smith and David Maddden, representing the applicants, and Sarah Reynolds, representing Unite students, spoke in support of the application.

The Committee asked questions of the officers and the speakers to clarify a number of matters

The Committee considered that:

- Trees should be a mixture of evergreen and deciduous species to ensure all year round screening.
- parking spaces that are resident only should be preserved

- Cycle storage should be increased and electric bike charging points provided; students should not be permitted to bring motorbikes.
- The ward councillors should be consulted on construction travel plans given the busy location and multiple large building works planned
- There were concerns about the overlooking Headington school playground and the council's safeguarding officer should be consulted.
- A parking barrier should be installed to prevent parking at Latimer Grange.
- The ratio of disabled parking spaces to disabled rooms (1:9) was inadequate; and Brookes Disability Service should be consulted on likely numbers of disabled students needing parking space for vehicles/carers.
- The siting of the development would exacerbate dangers for cyclists, pedestrians and motorists in this congested area. There was anecdotal evidence of a concerning number of accidents and near-misses in this area.
- The height and mass of the building, on a raised site, were of concern, and was considered to be overbearing and adversely impact the adjacent lower buildings. Given this, the design was not considered of sufficient quality for this site.
- The building did not sit well in this location and did not form appropriate relationships with nearby buildings. It did not preserve the privacy, outlook and amenity of these.

A motion to approve the application on the terms recommended; with additional conditions (to prevent overlooking by screening the western elevation and approval of any CCTV scheme) and informatives (provide parking barrier; electric bike charging point; and protection of residents parking) was lost on being put to the vote.

A motion to refuse the application for the reasons set out below was carried on being put to the vote.

The Committee resolved to refuse permission for application 15/00858/FUL for the following reasons:

1. The height mass and bulk of the main building is overbearing and does not form an appropriate relationship to the street. The design does not appropriately relate to the context of its surroundings and does not show the high standard required for a building of this size on this prominent key location. The height and design has a significant adverse impact on the privacy, outlook and amenity of neighbouring buildings. This is contrary to policies CP1, CP6, CP8, CP10 and CS18 of the adopted local plan.
2. The development has an unacceptable adverse impact on community safety by reason of overlooking of the adjacent school playground and because of traffic movements and which seriously reduces the safety of pedestrians and cyclists, contrary to policy CS19.

76. JACK RUSSELL PUBLIC HOUSE, 21 SALFORD ROAD: 15/02282/OUT

The Committee considered an application for the demolition of the public house and outline planning permission (with all matters reserved) for the erection of 16 flats (6 x 3bed, 8 x 2 bed, 2 x 1 bed) on 3 floors and provision of 19 car parking spaces at the Jack Russell (Public House), 21 Salford Road.

Martin Smith, local resident, and Councillor Mick Haines spoke objecting to the application.

Matthew Baalam, representing the applicant, spoke in support of the application.

The Committee resolved to grant outline planning permission for 15/02282/OUT, subject to the following conditions and satisfactory completion of an accompanying legal agreement, and to delegate to the Head of Planning and Regulatory Services the issuing of the Notice of Permission with these conditions upon its completion:

Conditions

1. Outline application.
2. Time limit.
3. Reserved Matters Required.
4. Landscape Plan.
5. Complete landscaping scheme.
6. Management of landscaping.
7. Car parking.
8. Cycle Parking.
9. Vision Splays and Access.
10. Travel information pack.
11. Construction Traffic Management Plan.
12. Energy Statement.
13. Drainage strategy.
14. Biodiversity Enhancement.
15. Refuse and Recycling.
16. Piling method statement.

Legal Agreement:

A legal agreement will be required with the outline planning permission to secure the acceptable arrangements relating to affordable housing:

- A minimum of 50% affordable units (80% social rent / 20% intermediate housing) as defined by Policy HP3 of the Sites and Housing Plan (2013).
- The mix of dwelling sizes to be provided as affordable units will include 3 x 3 bedroom flats, 4 x 2 bedroom flats and 1 x 1 bedroom flats.
- The minimum floor space for the on-site affordable homes within the proposed development to accord with the Sites and Housing Plan and the AHOSPD.
- 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)].

**77. HAMPTON BY HILTON HOTEL, GRENOBLE ROAD (THE PRIORY):
15/02836/VAR**

The Committee considered an application for the variation of condition 3 (Repairs to The Priory) of planning permission 14/02243/VAR to allow an additional six months to undertake facade repairs after opening of new hotel at Hampton By Hilton Hotel, Grenoble Road.

The Committee resolved:

a) to vary condition 3 of planning permission 14/02243/VAR to read as follows:

Notwithstanding the scheme of repair works set out within the External Façade Condition Survey approved under condition 5 of planning permission 05/00287/FUL on the 11th October 2007, a further survey of the external condition of the Grade II Listed Building (The Priory) which sets out a written scheme for the repairs of the building shall be submitted to and approved in writing by the Local Planning Authority. The written scheme of repairs shall be undertaken in accordance with these approved details and written confirmation provided to the Local Planning Authority that they have been carried out within 6 months of the date of this permission unless otherwise agreed in writing by the Local Planning Authority.*

b) Attach the following relevant conditions from 05/00287/FUL & 14/02243/VAR

1. Built in accordance with approved plans.
2. Detailed design drawings.
3. Repair works to Priory Public House (as recommended above).
4.
 - (i) Implement recommendations of Flood Risk Assessment.
 - (ii) Details to reduce Crime and Disorder.
 - (iii) Emergency Vehicle Access.
 - (iv) NRA.
5. Archaeological Scheme of Investigation.
6. External Materials.
7. Scheme for treatment of cooking fumes.
8. Details of extraction plant and machinery.
9. Refuse Storage.
10. Green Travel Plan.
11. Access Road details and other related items (surface water drainage, street lighting).
12. Parking Areas constructed in accordance with approved details.
13. Vision Splays.
14. Cycle Parking.
15. Lighting Scheme.
16. No vehicular access onto Minchery Farm Track.
17. Construction Vehicle Routeing.
18. Construction Vehicle Wheel Cleaning.

19. No Tree felling, topping or lopping.
20. Tree Protection.
21. Landscape Plan.
22. Landscaping Completion.
23. Means of enclosure.
24. Details for accessibility.
25. No raising of ground levels.
26. No spoil deposited on land liable to flood.
27. Permeable walls and fencing.
28. Land contamination.

78. 8 JERSEY ROAD: 15/00192/FUL

The Committee considered an application for retrospective planning permission for the conversion of existing two storey side and single storey rear extension, to incorporate into the existing 4 flats to create 2x 1 bed flats and 2x 2 bed flats; provision of bin and cycle stores and additional landscaping at 8 Jersey Road: 15/00192/FUL.

Anne Pallant and Terry Kirkby, local residents, spoke against the application.

The Committee resolved to refuse application 15/00192/FUL for the following reasons:

1. Because of the cramped and cluttered provision of refuse and recycling storage, the three regimented and dominant car parking spaces and the limited amount of landscaping, the proposed development would result in a cluttered and chaotic site frontage, that would appear out of character with the surrounding area and visually jarring in the street scape, to the detriment of visual amenity and contrary to Policies CP1 and CP8 of the of the adopted Oxford Local Plan 2001 - 2016 and CS18 of the Core Strategy and Policy HP9 of the SHP Sites and Housing Plan.
2. The continued provision of four flats, coupled with their increased size and number of bedrooms over the current flats, would lead to an intensification of activity and use that would be out of character with surrounding uses and in excess of the capacity of the site, resulting in an unacceptable level of activity, increase in noise and disturbance contrary to Policies CP6, CP8, CP9, CP10, CP19, HP12 CP21 of the Oxford Local Plan 2001 - 2016 and HP9 of the Sites and Housing Plan.
3. The site has capacity for four dwellings and no contribution to affordable housing has been agreed. The proposal is therefore contrary to Policy HP4 of the Sites and Housing Plan.

79. 103 COLLINWOOD ROAD, HEADINGTON: 15/02711/FUL

The Committee considered an application for the erection of a detached single storey 1 x 1-bed dwellinghouse (Use Class C3); provision of car parking, private amenity space; bin and cycle store with formation of new vehicle access at Land to the Rear of 103 and 105 Collinwood Road, OX3 8HW.

The Committee resolved to approve application 15/02711/FUL subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as specified.
4. Drainage details.
5. Ground resurfacing - SUDS compliant.
6. Design - no additions to dwelling.

80. 27 LAWN UPTON CLOSE: 15/02614/FUL & 15/02615/LBC

The Committee considered part-retrospective applications for planning permission and listed building consent for the insertion of a roof light into east-facing roof slope; erection of trellis above and espalier frames behind existing boundary wall forming south-east boundary; demolition of existing stone wall to west boundary; erection of stone boundary wall incorporating 3 gates to west boundary at Lawn Upton House, 27 Lawn Upton Close, OX4 4QF.

Margaret Willis, a local resident, spoke against the application.

The Committee debated the impact of the removal of the wall on the character of the conservation area, the setting of the listed building. The legal adviser confirmed it was possible to give a partial approval and partial refusal for this application.

The Committee resolved to approve all relevant elements of application 15/02614/FUL subject to the following conditions:

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Sample panel
4. External walls - mortar as approved
5. Roof light
6. Proposed gates and trellis

The Committee resolved to:

approve only the elements of application 15/02615/LBC relating to insertion of a roof light into east-facing roof slope and erection of trellis above and espalier frames behind existing boundary wall forming south-east boundary subject to the following conditions:

1. Commencement of works LB/CAC consent

2. LBC approved plans
3. Sample panel
4. External walls - mortar as approved
5. Roof light
6. Proposed gates and trellis

And refuse listed building consent for the demolition of existing stone wall to west boundary (and as a consequence did not permit erection of a stone boundary wall incorporating 3 gates to west boundary) for the following reason:

Removal of the low wall (a special and historical feature of the listed Lawn Upton House in its own right) was detrimental to the character of the conservation area and the proposed new wall detracted from the open setting and views of the listed building, contrary to policy.

81. PLANNING APPEALS

The Committee noted the report on planning appeals received and determined during October 2015.

82. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

83. MINUTES

The Committee resolved that the minutes of the meeting held on 4 November 2015 were a true and accurate record.

84. DATES OF FUTURE MEETINGS

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 9.15 pm