

Agenda

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East Area Planning Committee

Date: **Wednesday 3 February 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

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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 LAND EAST OF WARREN CRESCENT: 13/01555/CT3

11 - 90

Site Address: Land East of Warren Crescent

Proposal: Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath. (Amended plans and description)

Officer Recommendation: The Committee is recommended to approve planning permission with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples.
4. Details of all means of enclosure for the site including the erection of palisade fencing along the boundary with the SSSI to prevent fly tipping.
5. Details of refuse and cycle storage.
6. Landscape plan required.
7. Landscape carried out by completion.
8. No felling, lopping, cutting.
9. Tree Protection Plan (TPP) 1.
10. Arboricultural Method Statement (AMS) 1.
11. Sustainable Urban Drainage Scheme including detailed design, construction and maintenance plan.
12. Biodiversity enhancements.
13. Method statement for preserving ecology.
14. Arch - Implementation of programme.
15. Details of the proposed parking areas.
16. Details of the allotment access.
17. Amendments to the Traffic Regulation Order.
18. Construction Environmental Management Plan including a method statement for preserving ecology during construction.
19. A Travel Plan Statement.
20. Details of affordable housing.
21. Secure by Design Principles.
22. Sustainability Measures / NRIA.
23. Removal of permitted development rights.
24. Scheme of external lighting.
25. Phase II Contaminated Land Assessment.

4 82 NORMANDY CRESCENT, OX4 2TN: 15/03583/FUL

91 - 106

Site Address: 82 Normandy Crescent Oxford OX4 2TN

Proposal: Demolition of existing garage. Erection of two storey extension to south elevation to create 2 x 1bedroom dwellings (Use Class C3).

Officer Recommendation: to approve planning permission subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Parking area.
5. Landscaping.
6. Refuse and Recycling Storage.
7. Cycle parking.
8. PD Rights Removed.
9. SUDs.
10. Boundary Treatments.
11. Visibility splays.

5 LITTLEMORE PARK, ARMSTRONG ROAD: 14/02940/OUT

107 - 142

Site Address: Littlemore Park, Armstrong Road, Oxford

Proposal: Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings of 1 to 4 bedrooms on 2 to 5 floors to incorporate a maximum of 104 houses and 166 flats. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information)

Officer Recommendation: to grant outline planning permission subject to the following conditions and subject to the satisfactory completion of an accompanying legal agreement, and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion.

Conditions

1. Time Limit for Commencement.
2. Approved plans and documents.
3. Reserved Matters Applications.
4. Phasing of Development.
5. Details of all external materials.
6. Landscaping and Public Realm.
7. Tree Protection Plan.
8. Landscape Management Plan.
9. Site Layout to incorporate space for pedestrians.
10. Ecological Mitigation, Compensation, and.
11. Lifetime Homes Standards.
12. Car Parking Standards.
13. Cycle Parking Standards.
14. Sustainability and Energy Strategy.
15. Site Wide Drainage Strategy.
16. Archaeology – evaluation.
17. Noise Attenuation Measures.
18. Flood Risk Assessment Mitigation Measure.
19. Contaminated Land Risk Assessment.
20. Contaminated Land Verification Report.
21. Contaminated Land Unsuspected Contamination.
22. Contaminated Land Foundation Design.
23. Secured By Design Measures.
24. Highways - Details of access roads.
25. Highways - Construction Traffic Management.

26. Highways - Travel Plan.
27. Details of Electric Vehicle Charging Points.
28. Withdrawal of Permitted Development Rights.

Legal Agreement:

- Affordable housing
- Employment Land Swap – Churchill Hospital Site
- Management of Linear Park
- Bio-diversity off-setting
- Future proof pedestrian / cycle links
- Financial contribution of £50,0000 towards general sports and leisure facilities within Littlemore
- Financial contribution of £795 per dwelling towards Public Transport Improvement.

6 SOMERSET HOUSE, 241 MARSTON ROAD: 15/03001/FUL

143 - 156

Site Address: Somerset House, 241 Marston Road Oxford Oxfordshire

Proposal: Erection of timber covered area to provide external seating in rear garden. (Amended plans).

Officer Recommendation: that the application be approved subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Landscaping.
5. Hard landscaping.
6. SUDs.
7. Cycle parking.
8. Advertisements.
9. Lighting.
10. Hours of operation.
11. External Sound Amplification.
12. Use of Extension.
13. No A/C or extraction.
14. No further canopies.

7 LAND FRONTING 136 - 162 BLACKBIRD LEYS ROAD: 15/03430/CT3

157 - 164

Site Address: Land Fronting 136 to 162 Blackbird Leys Road.

Proposal: Provision of 12no. residents' parking spaces on existing grass verges.

Officer Recommendation: to approve the application subject to conditions, including those listed below:

1. Development begun within time limit.
2. In accordance with approved plans.
3. Parking in accordance with plans.
4. Tree Protection Plan.
5. Tree Replacement if Required.
6. Sustainable Urban Drainage Systems.

8	PLANNING APPEALS - DECEMBER 2015	165 - 170
	Summary information on planning appeals received and determined during December 2015.	
	The Committee is asked to note this information.	
9	MINUTES	171 - 176
	Minutes from the meetings of 6 January 2016.	
	Recommendation: That the minutes of the meeting held on 6 January 2016 are approved as a true and accurate record.	
10	FORTHCOMING APPLICATIONS	
	Items for consideration by the committee at future meetings are listed for information where these are known. This list is provisional and subject to change. Applications are not for discussion at this meeting.	
	<ul style="list-style-type: none"> • Canterbury House, Rivera House And Adams House, Cowley Road: 15/02542/OUT • Ruskin College: 15/02740/FUL • 9 Wharton Road: 15/03318/FUL • 16 Clive Road: 15/03342/FUL • 70 Glebelands: 15/03432/FUL • Clinical Biomanufacturing Facility, Churchill Hospital, Old Road: 15/03466/FUL • 72 Bulan Road: 15/03595/FUL • 1 Pullens Lane: 15/03611/FUL • 3 Sawpit Road OX4 6BD: 15/03666/CT3 • 70 Kestrel Crescent: 15/03681/FUL • 2 Margaret Road OX3 8NG: 15/03708/FUL • Barton Park: 15/03642/RES and 14/03201/RES (relating to 13/01383/OUT) • Pavilion, Recreation Ground, Margaret Road OX3 8AY: 16/00002/CT3 • Land at 2 to 36 Friars Wharf :15/03762/CT3 • Land at 2 to 12 Jasmine Close:16/00048/CT3 	
11	DATES OF FUTURE MEETINGS	
	The Committee will meet on the following dates:	
	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

3rd February 2016

Application Number: 13/01555/CT3

Decision Due by: 23rd September 2013

Proposal: Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath. (Amended plans and description)

Site Address: Land East Of Warren Crescent (**site plan: appendix 1**)

Ward: Churchill Ward

Agent: Turley Associates

Applicant: Oxford City Council

Introduction

Members of the East Area Planning Committee will recall that this application was brought to their meeting on the 4th September 2013, but was deferred to allow officers to seek further information on the following points

- Further details of the tractor access to the allotments with a clear response from the Council's Leisure and Parks department on delivery options
- Further information on the long term viability of the proposed drainage scheme and protection of the SSSI, specifically in relation to the possibility of any long term damage to the fen, underlying ground water and aquifers from the proposed development. The Committee also requested evidence of where such schemes have worked at sensitive locations
- The issue of future council tenants seeking to exercise Right to Buy of their dwellings and how leaseholds would be considered, in order to ensure long-term responsibility and protection of the SSSI and the on-going maintenance costs of the SUDS scheme.

This is a supplementary report which considers the additional information that has been submitted in response to these points of deferral. It should be read in conjunction with the original committee report in **appendix 2**

Recommendation

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

Reasons for Approval

- 1 The proposal would make an efficient use of this site which has been allocated for residential use as part of the Councils five-year housing supply to provide good quality affordable housing while at the same time establishing a balanced and mixed community within the Headington neighbourhood area. The proposal has considered the potential risk to the Lye Valley SSSI and Lye Valley Nature Reserve from changes to surface and groundwater flow to these sensitive sites, and developed a sustainable urban drainage system which if implemented in accordance with the details submitted in the application would minimise the risk of adverse impacts on the SSSI or Local Nature Reserve. The overall layout, form, and appearance of the development would be appropriate for the site and surrounding area while also safeguarding the amenities of the adjoining residential properties. The proposal is acceptable in highway terms with appropriate access arrangements retained for the Town Furze Allotments, parking provision, and pedestrian linkages to the surrounding area. The development would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated by appropriate measures secured by condition or contributions. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.
- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Details of all means of enclosure for the site including the erection of palisade fencing along the boundary with the SSSI to prevent fly tipping
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carried out by completion
- 8 No felling lopping cutting
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1

- 11 Sustainable Urban Drainage Scheme including detailed design, construction and maintenance plan
- 12 Biodiversity enhancements
- 13 Method statement for preserving ecology
- 14 Arch - Implementation of programme
- 15 Details of the proposed parking areas
- 16 Details of the allotment access
- 17 Amendments to the Traffic Regulation Ord
- 18 Construction Environmental Management Plan including a method statement for preserving ecology during construction
- 19 A Travel Plan Statement
- 20 Details of affordable housing
- 22 Secure by Design Principles
- 23 Sustainability Measures / NRIA
- 24 Removal of permitted development rights
- 25 Scheme of external lighting
- 26 Phase II Contaminated Land Assessment

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
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP23** - Air Quality Management Areas
- NE13** - Water Quality
- NE20** - Wildlife Corridors
- HE2** - Archaeology

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS13_** - Supporting access to new development
- CS14_** - Supporting city-wide movement
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety
- CS22_** - Level of housing growth
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

HP1_ - Change of use from existing homes

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

SP60_ - Warren Crescent

Other Planning Documents

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing and Planning Obligations Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Public Consultation

A summary of all the comments received from statutory consultees and third parties in relation to the original submission can be found in the committee report in **Appendix 2**.

The following comments have been received in response to the public consultation undertaken following receipt of the additional information submitted to address the points raised by the East Area Planning Committee. These are summarised below.

Statutory Consultees

- Oxfordshire County Council

Highways Authority No objection to the development subject to the provision of a construction traffic management plan, and an amendment to the Traffic Regulation Order to remove the properties eligibility to residents parking permits.

The diversion of the footpath will require a separate consultation and agreement and must be in place to Oxfordshire County Council specifications and diverted before implementation

Drainage Authority: Following a review of the further information provided by the applicant, the county council is satisfied that the detail regarding drainage and Sustainable Urban Drainage issues affecting the SSSI previously highlighted by the County Council have been addressed.

- Thames Water Utilities Limited

No objection subject to a condition requiring details of a drainage strategy for any on and or/off site drainage works relating to waste water infrastructure.

- Natural England

Natural England would confirm the comments in their original response to this

application on the 2nd August 2013. There would be no objections subject to the following:

- There should not be a significant impact on the hydrology of Lye Valley SSSI, provided that the design and construction methodologies proposed in the application are implemented.
- There will be a need for the Sustainable Urban Drainage Scheme to be maintained in perpetuity, and restrictive covenants need to be put in place to ensure that the block paving and grass gardens are maintained as they have been designed and the dwellings cannot be altered should the housing be sold in the future.

Third Parties

- Friends of Lye Valley

The Friends of Lye Valley have submitted a detailed letter of objection which includes a number of appendices and a response by Dr Judith Webb. A copy of this letter is included in full **appendix 3** of this report for ease of reference.

- Oxford Civic Society

We are deeply concerned about the risk of harm to the adjacent SSSI. The particular ecological characteristics of this SSSI make it very rare if not unique in the UK. This uniqueness stems from the very particular balance of hydrological factors: moisture content, distribution, water table position, stream & spring flow volumes and profiles, and, particularly, water chemistry.

The sensitivity of the SSSI is clearly recognised by all concerned; the disagreement lies in whether or not the slightest risk to the SSI can be eliminated. The risk is especially associated with the effect of the proposed development on patterns of surface water run-off and dispersal.

Although the application includes volumes of reports and information, the essential fact is that the surface water flows from this development will disperse in a different pattern from now – different intensities, different locations, probably different chemistry. The Peter Brett Associates (PBA) engineering report on the proposed SUDS does not address all these issues; SUDS are usually merely required to mitigate peak water flows to reduce risk of flooding. The requirement here is very much more complex, and PBA do not address this complexity at all. The drainage systems have been, or will be designed to meet specified criteria for flood mitigation, but not for the maintenance of the precise and critical hydrological and chemistry conditions listed above. There is not even a proposal that any of these be monitored during or after construction, or over time, and there is no suggestion of any possible remedies in the event that the effects on the hydrology prove significant. This is a one-way street with no possibility of a ‘U’ turn.

In any event, the biggest risk factor with SUDS is maintenance and performance over time. The whole system is dependent upon controlled percolation through permeable strata (starting with the surface paving). PBA’s table of maintenance (Appendix A of their report) cites the CIRIA SUDS Manual C697, and makes

proposals for the maintenance regime reckoned to be necessary to maintain the performance of the system. However, there are two major flaws in the suggested regime.

The first flaw is that there is no proposal for any guaranteed, permanent organisational strategy to ensure that the regime is implemented in perpetuity. There seems to be a suggestion that perhaps Oxfordshire County Council will take responsibility, as if this might give reassurance. In circumstances where Oxon CC is steadily cutting back on provision of many important services, it is totally implausible that the detailed and systematic procedures specified will actually be carried out.

The second flaw is that the specified regime comprises only routine vacuum brushing of the surface, reinstatement of sand between pavements where the vacuuming has removed it, and inspection and rectification of silted up catchpits and pipework, or damaged areas of paving. There is no monitoring of performance even in terms of designed discharge rates, let alone on the effect on the local hydrology, and still less on the water chemistry, above and below ground.

The documents fail to adequately demonstrate that there will be **no** risk to the ecology of the SSSI; not only is this a condition of the allocation of this site in the Sites & Housing Allocations DPD, it requires careful consideration of the importance of this particular ecology and this particular site, set against the contribution of 10 houses to the city's critical requirement for affordable homes.

The housing crisis is not going to be solved by tiny incremental developments on sites of extreme sensitivity such as this – it is going to take radical solutions. It is therefore unacceptable to embark upon a path which cannot be guaranteed not to lead to irrevocable consequences, of importance not just in Oxford, but even in a global context. Community organisations have clearly worked hard over many years to preserve, protect or improve the unique environment; knowingly putting this at any risk would constitute deliberate vandalism.

- Headington Neighbourhood Plan Green Spaces Working Group

The working group express their concern at the proposal to build on green space at Warren Crescent. The group would draw your attention to the draft green spaces policies of the Headington Neighbourhood Plan which, we suggest, should be taken into account before a decision is made. We realise that these policies are in draft only but evidence from recent legal cases in other places suggests that neighbourhood plan policies even at the draft stage should be taken into account when planning decisions are taken. The following draft policies of the Headington Neighbourhood Plan are relevant in this case:

(a) Draft Policy GSP1: Conserving and Enhancing Public Access Green Space states that:

(1) "All existing publicly accessible green space in the Headington Neighbourhood Plan area will be conserved and enhanced" and (3) "Development will not be permitted where it results in the loss of publicly accessible green space unless it can be demonstrated that development on that space is unavoidable and: i. a publicly accessible green space(s) of an equivalent size and amenity in an

identified area(s) of need in the HNPA is provided; and or ii. access to new publicly accessible green space(s) of an equivalent size and amenity in the HNPA is provided; and or iii. access to the public of existing private green space(s) of an equivalent size and amenity in the HNPA is provided.

The land at Warren Crescent is publicly accessible green space in the Headington Neighbourhood Plan area and as such should be conserved and enhanced. It is much used by the local community for informal recreation. There is no other site for informal recreation in the vicinity. The proposed development is, therefore, in conflict with draft Neighbourhood Plan Policy GSP1. It does not accord with the Oxford City Core Strategy which aims to improve the quality of the public realm for both visitors and residents or with the Core Strategy Policy CS21 which seeks to maintain the existing level of green space provision within any area of Oxford City.

(b) Draft Policy GSP3 Conserving and Enhancing Biodiversity (2) states that:

“Proposals which may result in harm, either directly or indirectly to local wildlife or ecology of a significant value² both within and beyond the proposed development will not be permitted, save in exceptional circumstances, and only then where the benefits of the development clearly outweighs the loss, and this can be mitigated against and compensated for elsewhere within the Headington Neighbourhood Plan area by providing a replacement habitat on a like for like basis.”

Our concern is that the application may result in harm to the adjacent Lye Valley SSI which is a site of significant value and of great value to the local community and to the wider Headington and Oxford communities. The circumstances of the proposed development are not exceptional. It is, therefore, in conflict with draft Neighbourhood Plan Policy GSP3 and with the Core Strategy Policy CS12 which is focussed on the protection of designated sites. It is also in conflict with the City Council’s Green Strategy Objective 21 which seeks “the “protection of important and prosaic species in all sites.” The more prosaic species may have particular value if they are rare in this area. In addition it does not conform to the NPPF Guidance (109) which seeks to minimise the impacts of development on biodiversity and provide net gains in biodiversity where possible.

(c) Draft Policy AMP1 Protecting and Enhancing Sports, Leisure and Community Facilities states that:

“in order to increase accessibility to a wide range of sports and leisure facilities and to make Headington a more sustainable place in which to live and work: (1) Existing sports, leisure and community facilities will be protected and opportunities for enhancement will be sought. Planning permission will not be granted for development that results in the loss of such facilities unless equivalent new or improved facilities can be provided within the Headington Neighbourhood Plan area as near to the existing facilities as possible”.

The proposed development would result in the loss of a valuable informal sports facility and as such is in conflict with draft Neighbourhood Plan Policy AMP1. It does not accord with Core Strategy Policy CS20 Cultural and Community Development which states that “The City Council will seek to protect and enhance existing cultural and community facilities. Planning permission will not be granted for development that results in the loss of such facilities unless equivalent new or improved facilities, where foreseeable need justifies this, can be provided at a

location equally or more accessible by walking, cycling and public transport.” It does not accord with Core Strategy Policy CS21 which states that “planning permission will only be granted for development resulting in the loss of existing sports and leisure facilities if alternative facilities can be provided and if no deficiency is created in the area.”

In summary the proposed development is in conflict with both the developing Headington Neighbourhood Plan policies and with the Core Strategy and Green Strategy policies and, in our view, should not proceed.

- Oxford Urban Wildlife Group
The Oxford Urban Wildlife Group, endorse all the points made by the Friends of the Lye Valley. The change in composition of the water feeding into this rare habitat here is bound to change as a result of the proposed new housing and the rare plants and animals found in this calcareous fen will disappear. The one remaining green play area for children - the kickabout area - will disappear and the gardens will be paved thus changing the water runoff to the fen and threatening the rare wildlife there. The affordable housing will increase the number of children living in the area and without the play area they are likely to go into the valley and disturb the drainage area and its wildlife. Please reject these plans and, although housing is needed, can it be built in a less fragile area.
- The British Entomological and Natural History Society
The society objects and supports the local conservation group in saving this important site for invertebrates from further development and damage
- Campaign for the Protection of Rural England (CPRE)
CPRE Oxford is very concerned about the impact of the proposed development for 10 homes at Warren Meadow on the adjacent Lye Valley SSSI. We support the submission by Dr Judith Webb and urge you to recommend refusal for this development as we do not believe that its hydrological impacts on this unique fen habitat can be sufficiently mitigated as proposed.

If the council is minded to recommend approval we urge you to implement the conditions as proposed by BBOWT, Natural England and Thames Water

- Plantlife
Plantlife object to this planning application as we consider it will likely have significant hydrological impacts that contravene with Policies NE 12 and 13 of the Oxford Local Plan 2001-2016.

There is no evidence that the supporting SuDS mitigation measures will ensure effective and long term protection of the groundwater flow and water quality at this site. The site adjoins the Lye Valley SSSI that has been designated for calcareous fen and the rare M13 fen vegetation that it supports. The development will have likely significant impact on the special interests and adversely affect the integrity of the Lye Valley SSSI due to changing the hydrology of the site. Fen habitats are dependent on maintaining the hydrological conditions of the catchment.

All SuDS need management in perpetuity since their effectiveness declines over time as the pore spaces block up. Fens and their rare vegetation communities, such as M13, are critically reliant on good spring flow of very high quality, low nutrient, highly alkaline waters. The development has a proposed mitigation SuDS infiltration swale with limestone base. However, this has never been used before to protect fen springs. Concentrating the rainwater that would have gone in all over the green area and passing it all into one area, a lot nearer the SSSI will change the hydrology. This will likely make the flow 'flashier', the runoff will likely contain more pollutants overtime and the chemistry of rainwater will lose the lime rich constant flow needed to keep the fen 'tufa' forming. Therefore, the Lye Valley SSSI fens are likely to be threatened by this development even with the proposed mitigation measures in place. Particularly as this SuDS design is an unproven experiment. The hydrology of a catchment is complex and SuDS in practice do not always work in the beneficial way intended. Given the rarity of the priority fen habitat and its important vegetation, you cannot afford to install unproven mitigation designs.

Lowland Fen is recognised as being of 'principal importance' for the conservation of biological diversity in England under section 41 of the Natural Environment and Rural Communities Act 2006. Referred to as priority habitat, fens are therefore a focus for conservation action in England. Under the Biodiversity 2020 Plan, 90% of priority habitats in favourable or recovering condition and at least 50% of SSSIs in favourable condition, while maintaining at least 95% in favourable or recovering condition by 2020. Therefore, putting the Lye Valley into unfavourable condition undermines the Government's ambitions and obligations set out within Biodiversity 2020.

For the reasons mentioned above the flora downslope would also be affected by a change in volume and chemistry of the spring flow. 22 plants on the county Rare Plants Register are known in on this alkaline fen site. For example, there are large populations of Oxon RPR species Marsh lousewort *Pedicularis palustris* (only known from 3 other county sites) lesser amounts of marsh helleborine, *Epipactis palustris*, distant sedge *Carex distans*, long stalked yellow sedge *C. lepidocarpa*, marsh willow herb *Epilobium palustre*, marsh valerian *Valeriana dioica*, bog pimpernel *Anagallis tenella*, bristle club rush *Isolepis setacea*, blunt flowered rush *Juncus subnodulosus* as well as Parsley Water dropwort *Oenanthe lachenalii*, all downslope from this proposed Warren crescent development. Fourteen of the plants in the Lye Valley fens have now a national status as either Near Threatened or Vulnerable within the Red Data list for Vascular plants in England.

- Oxfordshire Geology Trust

I wish to register objection to the above application as Chair of Oxfordshire Geology Trust, and request that this objection is added to the Councils website and circulated to councillors involved in the decision making process.

The geology of the Lye Valley, including the SSSI fen, is remarkable and of such rarity that the Oxfordshire Geology Trust are currently conducting an assessment of it with a view to designating the site as a Local Geological Site (LGS) for inclusion on the list for reporting under NI197 to Natural England.

The Lye Valley's tufa-forming springs produce an outflow which is the product of many years' rainwater absorption and infiltration through the Jurassic limestone which underlies the surrounding area, including Site 60, the location of the proposed development. The springs which emerge as the chemically changed rainwater eventually hits the layer of Oxford Clay, are supersaturated with lime (calcium carbonate) and form tufa, a calcareous deposit, in effect, new rock. Tufa formation requires that the waters must emerge supersaturated with lime or tufa does not form. The formation of this new rock depends entirely on the chemistry of the emergent spring water.

The Lye Valley lies directly below the proposed development. It is certain that the tufa-forming springs would be impacted to an unpredictable degree by the changed subterranean infiltration system, resulting in the diversion of vital rainwater within the modified catchment area, and the 'mitigating' SUDS. The documentation accompanying the application provides no proof that the chemical composition of the springs flowing into the Lye Valley would be unchanged. Yet any change would be deleterious to the extraordinary geology of this valley. The proposed development and SUDS amount to an experiment on this geologically important site.

The Lye Valley's tufa-forming springs and new rock formation represent an exceptional teaching resource for students of both Universities who might wish to study this rare environment and its supporting ecology. It is an important part of Oxford's rich geo-heritage which must be preserved for future generations to both study and enjoy.

- Bioscan (UK) Ltd

I wish to object to the above planning application for the reasons given below.

I have reviewed the proposed SuDS system and agree with other commentators that it is of a simplistic design that does not provide sufficient protection to the hydrological regime supporting the critical interest features of the Lye Valley SSSI. In my professional experience, where SuDS techniques are adopted as an avoidance or mitigation measure close to sites sensitive to hydrological change, the underlying design principle is that the existing hydrological regime should be replicated as closely as possible. In this instance the SuDS proposals do not do this, nor even do they purport to do so. The rationale can be put no higher than that what is proposed aims to try and ensure that rainwater input falling on the application site is directed to the SSSI. This is a highly simplistic approach, and expecting it to secure protection of the fragile SSSI interest features in question is almost certainly a false hope. Given the importance of this SSSI, even within the context of the national SSSI series (due to the innate rarity of the habitat here), it has to be a matter of high concern that there has been scant consideration of by what route and how quickly infiltration and groundwater flow reaches the various springs within the SSSI, and the chemical properties imbued as part of that process. This approach to SuDS design as a means of prevention or mitigation is best likened to trying to predict the ending of a book merely by looking at the cover. There is consequently insufficient assurance before the Council, or indeed

Natural England, that the existing regime will continue to function without significant, and likely detrimental, change.

In terms of consequences, the likely problems with changes to the volume, flashiness, and chemistry of flows emerging from the tufa springs within the SSSI, and the likely knock-on consequences to the rare alkaline fen habitats maintained by those flows, are indicated in the forensic analysis provided by Dr Webb. I agree with Dr Webb's analysis and furthermore I note there is no evidence-based challenge to the conclusions she draws. This, and my own experiences of impacts on habitats fed by delicate hydrological regimes in restricted catchments, underlines the high level of risk of irreparable damage occurring to a nationally important site. On any analysis of the planning balance, this high degree of uncertainty over the level and magnitude of damaging impacts to a site of national importance to nature conservation cannot be held to be overridden by a development so demonstrably of local importance only. The application should be refused on that basis alone, in accordance with the NPPF, without the necessity of recourse to local policies which I observe militate against the grant of permission in any event. If it is granted, the grounds on which a legal challenge might be successful are clear merely by reference to national policy and legislation regarding SSSIs.

- Buglife: The invertebrate Conservation Trust

Buglife objects to this planning application on the grounds that the proposed surface water drainage management will adversely affect the adjacent wetland Site of Special Scientific Interest.

Lye Valley SSSI contains springs and seepages supporting M13 Alkaline Springs, of which only 19.1 hectares is left in England. The site also has a significant representation of sub-type M13b fen. Such habitat is of high invertebrate importance. Lye Valley is one of only two places in England supporting populations of the charismatic Clubbed General Soldier Fly *Stratiomys chamaeleon*. The presence of such a species is indicative of special ecological conditions able to support assemblages of other invertebrates of national importance. The area of fen adjacent to the application site is a Local Wildlife Site, and may be a contributor to maintaining viable populations of species such as the Clubbed General Soldier Fly which has been observed ovipositing eggs and nectaring here.

The proposed development, including the swale, will prevent the natural percolation of rainfall into the soil and underlying pervious geology, especially where buildings are proposed. Whilst the swale is offered as mitigation to support the hydrological within the SSSI, there are flaws which carry inherent risks to the natural ecology. The seepage fed fen adjacent to the application site will be under enhanced disadvantage by the proposed development (since buildings will act as an umbrella over part of the hydrological catchment and the position of the swale will result in a net loss to the water table here).

The hydrology supports a rare type of Alkaline Fen and tufaceous springs within Lye Valley SSSI. These habitats, together with related habitat outside of the SSSI boundary support important invertebrate populations. The consequences of

altering existing conditions impose an added risk to the wetland features and their associated invertebrate fauna.

The proposed swale will divert water to a point where existing spring flow is ecologically satisfactory in supporting tufa habitats suitable for these invertebrates. The characteristics of springs and their associated habitats are constant flow and uniform low temperature throughout the year, with any changes being very gradual. The springs are naturally fed by water which has percolated into the ground rather than flowing overground as surface water. The input of surface water channelled from the development, through the swale, and in to the springs and related fen will alter ecological conditions. Erratic spate flow from the swale will cause sudden temperature shocks, and with water of different chemistry, perhaps even carry pollutants in the absence of filtration. Whilst a bed of crushed limestone under the swale may assist water to be calcareous, chemical reactions are slow when water temperatures are low. Surface water takes considerable time to soak down into the aquifer and then travel through rocks to the spring point or seepage line. The route from the bottom of the swale, through crushed limestone to spring point would appear to be too short.

We would suggest that the outflow of the swale, if retained, should discharge in to the valley bottom stream. The exact route requires detailed consideration and should be guided by detailed habitat and invertebrate surveys to ensure that important features are not adversely affected by the works.

It is welcome that the application includes mitigation, even if flawed, but the consequences of the development overall are weighted towards a disadvantage for the ecology of this part of the valley fens. Paragraph 109 of the NPPF states that *“the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible”*. Paragraph 118 of the NPPF states that when considering conserving and enhancing biodiversity, that if *“significant harm resulting from a development cannot be avoided, mitigated, or, as a last resort, compensated for, then planning permission should be refused”*. At present this application does not meet the requirements of the NPPF as the proposed development places the ecology of the adjacent SSSI and associated habitats at risk since the outcome cannot be accurately predicted, and the outcome cannot be reversed. The only safe option is to maintain the present hydrological position, meaning no further building in the application area.

Individual properties

Letters of comment have been received from the following addresses and their comments are summarised below

2 Calcot Close; 128 Divinity Road; 47 Fairacres Road; 9 Flexney Place; 34 Flatford Place, Kidlington; 5a Girdlestone Road; 22 Henley Street; 73 Leafield Road; 4 Lye Valley; 132 Morrell Avenue; 41 Netherwoods Road; 73 Old Road; 51 Ramsay Road; 56 Raymund Road; 51 Stapleton Road; 30, 50 St Annes Road; 14, 16 Warren Crescent; No address given (Mr and Mrs Wilcox, Mr Woolliams, Mr Finch, Dr Newsome, Mr Pickering, Ms Z Whannel)

The main points raised were:

- This is already an extremely built up area and the development will have a negative effect on the feel of the area and parking provision
- The proposal will remove one of the only open spaces in the area which is used by children to play and should be maintained as an area of public amenity
- Local people now call this space Warren Meadow
- The proposal will have an adverse impact on the Lye Valley SSSI and much loved nature reserve and is a direct threat to its survival
- The open space is home to a large and diverse wildlife
- The site currently functions as a rainwater catchment for the fen and this will be compromised by the development
- The hydrology of the fen has already been affected by surrounding housing and roads
- The proposed mitigation measures for the SSSI will not be sustainable long-term and risks the loss of rare habitat in the area if they fail
- The Council has contributed so much to the Lye Valley fens recovery that they should not put this threat in the way of this work
- The construction works will disrupt the local community
- The proposal will set a precedent for development in the area which will destroy its character
- The right to buy will apply, probably resulting in an overseas purchaser and student lets and the SUDs maintenance programme and costs unlikely to be met
- Covenants on the properties cannot be policed, now or in perpetuity.
- Support the comments of the Friends of Lye Valley Committee
- The inspectors conditions and BBOWTs conditions have not been met
- Although there is need for additional housing in Oxford, the proposed dwellings could be built elsewhere and on brownfield land
- There is no evidence that the development outweighs the harm identified in Oxford Core Strategy Policy CS12

Friends of Lye Valley Petition

A written and online petition has been submitted with the following wording

'We the undersigned petition the Council to designate the land east of Warren Crescent (originally Site 60 but suggest the new name 'Warren Meadow') as Local Green Space (LGS) which would protect it for the local community by whom it is held in great affection for informal recreational use by adults and children alike. We value highly its tranquillity and setting for the adjacent Lye Valley for whose rare SSSI Ice Age tufa-forming valley-head spring fen it provides the crucial rainwater catchment and infiltration. We hold that the SUDS for the proposed development are inappropriate and have not been proved to function in perpetuity - if at all - as is required by the Planning Inspector'

As of the 19th January 2016 a total of 701 signatures had been received.

Officers Assessment:

Background to Proposals

1. The site is located on the eastern side of Warren Crescent and is bordered by residential accommodation to the north, north-east, and south-west. To the south east lies a band of mature trees which adjoins the Lye Valley Site of Specific Scientific Interest [SSSI] and Lye Valley Nature Reserve (**appendix 1**).
2. The site comprises a tended grassed area of informal open space which fronts onto Warren Crescent. There is a small open car park at the northern end along with an access to the Town Furze allotments. The Town Furze allotments are to the north-east, and there is a footpath (no.80) which runs from the southern side of the allotment to the north-western corner of the site
3. The Lye Valley Sites of Specific Scientific Interest [SSSI] and Lye Valley Nature Reserve adjoin the site, but are situated at a lower level to the site. A small part of the north of the site forms part of the Lye Valley Local Nature Reserve and the non-statutory designated site, Lye Valley Scrub Site of Local Importance for Nature Conservation (SLINC).
4. The proposed development would provide 10x3 bedroom two-storey terraced and semi-detached affordable homes which would be owned and operated by Oxford City Council. The dwellings would have their own private gardens and refuse area to the rear which is accessible by a side gate and an off-street parking space per dwelling and two-cycle stores. The dwellings are designed to comply with Code for Sustainable Homes Level 4, Secured by Design, Lifetime Homes and the Housing Quality Indicators.
5. The proposed development sought to retain access to the Town Furze Allotments and these access arrangements have been amended following further discussions with the allotment association in response to the one of the committee's reasons for deferral. The proposal also includes the diversion of footpath (no.80).
6. The principal determining issues for this scheme are identical to the ones originally presented to the East Area Planning Committee in September 2013. There has been no material change in national or local planning policy and site circumstances since this time that would alter the conclusions set out in the original committee report (**appendix 2**).
7. The purpose of this report is to consider the further information submitted to address the points raised by the committee and any other matters that have arisen through the most recent public consultation.

Allotment Access

8. The site allocation policy (SP60) recognised that the existing vehicular access and turning area is essential for the users of the adjoining Town Furze allotments

and would need to be retained to an adequate standard as part of any scheme. It went on to suggest that a width of 6m and a turning area may be required.

9. The initial layout sought to provide a 3m wide access road from Warren Crescent with a turning area that allowed a 90° turn at the end. The access was to be gated to enable pedestrian access. During the determination of the application the allotment association suggested that the access would not allow a large tractor to enter the site for deliveries. The committee therefore requested that the access arrangements were considered further to ensure that there was sufficient space for deliveries.
10. Since that time, the applicant has engaged with the allotment association to understand their requirements. As a result the allotment access has been revised to create a 4.2m wide gated vehicular access with turning area to the rear. The access would be formed from a geotextile reinforced grass and would maintain pedestrian access. The revised access arrangements were physically tested on site on the 17th November 2014. The access was pegged out and two tractor and trailer combinations were tested with the Council and Allotment Association providing their own independent drivers and vehicles who were both able to manoeuvre into the access and turning space successfully.
11. The revised access arrangements has resulted in a reduction of garden lengths for plots 1 and 2 respectively, however, the remaining garden size for these properties would still be acceptable for the type of house proposed under the requirements of Sites and Housing Plan Policy HP13.
12. Therefore officers would recommend that the revised access arrangements would maintain appropriate access arrangements for the allotment under the terms of the allocation policy SP60.

Impact upon the Lye Valley SSSI – Flood Risk & Sustainable Urban Drainage

13. The site is located adjacent to the Lye Valley SSSI which is recognised for its rare valley calcareous fen habitats that are dependent on special local hydrological conditions. The site lies within the hydrological catchment area of Lye Valley. In terms of surface area, the site is a small proportion of the wider catchment area which stretches across the residential suburb of New Headington. Nonetheless, the site allocation policy (SP60) makes clear that permission will only be granted for development if it can be proven there would be no adverse impact on the surface and groundwater flows and the SSSI from increase in hard surfacing. The policy also makes clear that any development proposals must incorporate sustainable drainage measures with an acceptable management plan in order to address this issue.
14. In accordance with these policy requirements, a number of assessments were undertaken to understand the potential impact of the proposed hydrology of the Lye Valley SSSI. The assessments were then used to develop a robust drainage strategy for the development which included a sustainable urban drainage system in order to manage the risks to the SSSI.

15. The East Area Planning Committee requested the following additional information with respect to the drainage strategy for the site.

- Further information on the long term viability of the proposed drainage scheme and protection of the SSSI, specifically in relation to the possibility of any long term damage to the fen, underlying ground water and aquifers from the proposed development. The Committee also requested evidence of where such schemes have worked at sensitive locations
- The issue of future council tenants seeking to exercise Right to Buy of their dwellings and how leaseholds would be considered, in order to ensure long-term responsibility and protection of the SSSI and the on-going maintenance costs of the SUDS scheme.

Long term viability of the Drainage Scheme

16. At the outset officers would make the committee aware that Sustainable Urban Drainage Systems are a recognised method for managing surface water and water quality and guided by national standards. The National Planning Policy Guidance states that these systems are used to control surface water run off close to where it falls and mimic natural drainage as closely as possible, whilst providing opportunities to remove pollutants from urban run off at source. These benefits are recognised within the site allocation policy which states that any residential development must incorporate sustainable urban drainage into the scheme.

17. The land at Warren Crescent is sited within the surface and groundwater catchment areas for the Lye Valley SSSI which themselves cover a wide area across the residential suburbs of New Headington. The site is an area of tended open land which currently drains through infiltration to groundwater and through the SSSI to the Lye Brook. The site also has a small surface level car park. The unsecured nature of the site makes it already open to potential misuse (i.e. fly tipping) and risk of contamination from hydrocarbons and other materials being dumped on the site. The SSSI is sensitive to changes in the surface and groundwater flows, and hydrological studies suggest that the construction of houses and gardens across the wider catchment have increased water run-off and led to erosion of the stream channel, also altering conditions locally within the fen areas. However there are also other factors within the SSSI affecting the fen, such as, the growth of reed, scrub and tall vegetation due to years of neglect. The site is now in active management, and the condition of the SSSI is officially assessed as unfavourable, but recovering.

18. With regards to the long term viability and protection of the SSSI, the proposed drainage scheme has been specifically designed for this purpose. It was developed in conjunction with Natural England, who is responsible for the protection of the natural environment and designating Sites of Special Scientific Interest. Natural England has raised no objection to the development and are satisfied that the scale and nature of the proposal will not be likely to have an adverse impact upon the features of special interest for which the SSSI is known provided the development is constructed in accordance with the proposed design

and construction methodologies and there is on-going maintenance of the sustainable drainage system. This view is supported by Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), and also Oxfordshire County Council Drainage Authority.

19. The site layout retains a large amount of undeveloped land in the form of gardens and open space which would retain the current drainage relationship and rate of infiltration to ground water systems. The drainage strategy then seeks to mimic the existing drainage regime for this area of open land and provides a water quality management sequence to limit the risk of adversely affecting the quality of the ground and spring water feeding into the Lye Valley SSSI. The strategy includes the following:

- The access roads, pavements and parking bays will drain via permeable paving, providing the first tier of storage and treatment
- The treated water from the permeable paving will then pass through catchpits and be conveyed to a swale (with underlying limestone base) bounding the edge of Lye Valley. The swale would act as the second tier of water quality treatment.
- Roof drainage, access paths to the bike sheds and patio areas will be directed, via a pipe network, to the swale such that this relatively clean water would receive two levels of water quality treatment.
- The scheme would include a bund between the edge of the Lye Valley and the development site to allow for a design exceedance flows from entering the Lye Valley.
- The water management sequence will delay water entering the swale from the above such that the increase in rate and volume of infiltration to underlying groundwater is not considered high enough to significantly influence the natural base rich chemistry of the groundwater feeding the SSSI.

20. The applicant has provided details of the methodologies used to develop the drainage scheme and the additional assurances during and post construction that will seek to mitigate any impact upon the SSSI.

- A tier 2 contaminated land risk assessment has been carried out to understand what contamination exists on site and the requirements to mitigate and remediate any impacted soil and/or groundwater identified to ensure that this does not discharge through to the SSSI during construction
- At construction stage basic mitigation measures including health and safety for workers and protected water supply pipes will be operated.
- A detailed design strategy developed at the detailed design stage to ensure water is primarily discharged to landscaped areas, reducing the risk of flooding in the built areas during extreme events.
- To mitigate any potential adverse impacts of surface water run off through the use of a sustainable drainage system and run off collected through permeable paving and discharged to groundwater via a swale in the south east corner of the site.
- The flashiness of the springs on the west side of the fen would not be materially affected by the proposed infiltration drainage since the residency time within the ground will be similar due to the design of the SUDS system

mimicking the existing greenfield run off. The quantum of groundwater flow from the catchment would also not be adversely impacted.

- The proposed system does present an opportunity to slightly increase the overall quantity of groundwater along the southern part of the western boundary nearest to the area of SSSI where restoration through reed cutting is occurring. This is because slightly less of the incident rainfall on the equivalent area of the proposed roof and hard surfacing will be lost to atmosphere through evapotranspiration. This additional water will be diverted to the swale for infiltration. Further, lining the swale with limestone will help to beneficially modify the infiltrating surface water in line with passage through the natural calcareous geological strata which currently does not occur to the incident rainfall that currently percolates through made ground materials.
- The proposed storage facilities will be designed to accommodate the 1 in 100 probability storm event and include a 30% allowance for climate change. In addition, the size of the bund around the swale will be increased so there is no foreseeable risk of overland spillage.
- The swale will not be available for public access and will be enclosed by boundary treatments. The materials for use in the swale will also be selected to ensure that the appropriate ph value of infiltrating water is maintained or improved
- The parking areas will be constructed using permeable paving with sub-base storage. This will mean that any oil drips from vehicles and exhausts will become trapped within sub-bas storage and broken down by biological action, which will safeguard the water quality of groundwater.
- An emergency action plan will be developed detailing the actions that will be taken in the event of pollution of the SUDS.
- A SUDS management plan will be implemented and managed in-perpetuity by Oxford City Council housing department to ensure the planned SUDS system is maintained to a fully operational standard.
- The removal of permitted development rights for certain developments and restrictions in tenancy agreements for certain developments.
- The diversion of the public surface and foul water sewers running underneath the site to the front of the properties.

21. The committee also requested evidence of where these types of Sustainable Urban Drainage Schemes have worked in sensitive locations. The applicant has provided a number of examples where such schemes have been used, and these can be found within **appendix 4** of this report.

22. The case studies that have been presented by Peter Brett Associates demonstrate that Sustainable Urban Drainage Systems are being used successfully to manage surface water and water quality at ecologically sensitive locations elsewhere in the UK. It is fair to say that the environmental conditions of the Lye Valley SSSI and Warren Crescent differ from those at the case study sites. However, the varying features of interest of these sites mean they have to have bespoke solutions and this has been recognised in the designed drainage system with the addition of calcareous aggregates both within the formation of the permeable paving and as a basal lining to the swale to modify the groundwater chemistry.

23. Having regards to the above, officers would share the view of Natural England that the implementation of the proposed drainage strategy would be unlikely to have an adverse impact upon the special features of the SSSI subject to conditions securing the works and on-going management and therefore the scheme would accord with the requirements of the site allocation policy SP60.

Long Term Management of SUDS

24. It is recognised that the Sustainable Urban Drainage System will require regular inspection and maintenance to ensure that it functions as designed. A Management Plan (**appendix 5**) has been prepared by Peter Brett Associates to demonstrate the long term maintenance provision to support the proposed drainage strategy.

25. The Management Plan has been prepared in accordance with the industry standard (The SUDS Manual, CIRIA C697) and sets out a comprehensive maintenance and monitoring schedule, which if implemented, gives confidence that the system will continue to operate as designed.

- Regular Maintenance: The brushing and vacuuming of the permeable paving, and inspection of catchpits and pipework twice a year; the inspection of the Swale (including the limestone base and weir), removal of litter and debris twice a year, and monthly grass cutting (during growing season) of the Swale and bund.
- Occasional Maintenance: Removal of weeds from permeable paving, and sediment removal from the catchpits and pipework as required; the removal of unwanted vegetation growth and reseeded of grass in the swale annually
- Remedial Maintenance: the rehabilitation of the permeable paving and geotextile membranes and repair of any damage to catchpits and pipework as required; repair of any erosion or other damage to the swale (including weir and limestone base) as required
- Monitoring: Initial inspections after three months of installation and then at varying times across the different elements.

26. Although no costings of the on-going maintenance have been provided, the plan makes clear that the maintenance will be undertaken by Oxford City Council Leisure and Parks department.

27. The committee also requested details of how 'Right to Buy' legislation and leaseholds would be considered in order to assist with the long term responsibility to maintain the sustainable Urban Drainage Scheme.

28. The planning permission will withdraw permitted development rights to prevent future occupiers from carrying out hard surfacing, extensions to the dwellings and erecting outbuildings on their plots. In addition tenancy agreements for the properties will require tenants to obtain agreement from the Council before installing additional hard landscaping or structures within the gardens. In the event that any properties were sold through 'right to buy' or any other means the removal of permitted development rights would still apply to the property and could be reiterated through covenants.

29. In addition to the above, officers would also recommend that palisade or other permanent fencing should be installed along the northern boundary of the fen (in addition to the proposed hedge laying) to prevent fly tipping from continuing in this area and therefore having a continued impact upon the fen.

Other Matters

30. A further consultation period has been carried out with respect to the additional information that was requested by the committee and the resultant amendments with respect to the allotment access. The comments received have raised issues that have already been considered as part of the original committee report (**appendix 2**) and therefore the following points will deal with matters that raised that were not dealt with in that report.

31. Loss of Open Space: During the consultation process it has been suggested that the loss of this open space would be contrary to the paragraph 74 of the National Planning Policy Framework which states that *'existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'*; Oxford Core Strategy Policy CS21 which seeks to maintain 5.75ha of green space per 1,000 population; and also the draft policies of the Headington Neighbourhood Plan which seek to retain open space.

32. In response officers would advise Members that this area of land is not designated as protected public open space within the development plan. Instead the site has been allocated for residential development as part of the Council's five-year housing land supply within the Sites and Housing Plan. The Sites and Housing Plan is an up-to-date development plan document that demonstrates how the aims of the Oxford Core Strategy will be achieved. This was adopted in January 2013 in accordance with the National Planning Policy Framework following a lengthy adoption process which included public consultation and an examination in public. The background papers associated with the development of the Sites and Housing Plan set out what assessments took place in the allocation of the specific sites within the plan. These were accepted by the planning inspector at the examination.

33. Therefore in terms of the general principle of developing this site for residential purposes, officers recognise that it is a greenfield site as defined by the National Planning Policy Framework. However, it is a strategic site that has been specifically allocated for residential development within the Sites and Housing Plan as part of the council's five-year housing land. Oxford Core Strategy Policy CS2 makes clear that the development of greenfield sites will only be allowed where they are specifically allocated for that use within the Local Development Framework, or required to maintain a five-year rolling housing-land supply in accordance with Oxford Core Strategy Policy CS22. Therefore officers consider

that the redevelopment of this area of land would accord with the aims of the National Planning Policy Framework and the Oxford Core Strategy.

34. With regards to Headington Neighbourhood Plan, officers understand that the draft policies seek to retain the existing publically accessible green space within Headington. However, whilst consideration can be given to emerging neighbourhood plans, the weight that needs to be attached to their draft policies depends on their stage in the adoption process. The Headington Neighbourhood Plan is a draft document which has not been subject to an examination in public, or yet submitted to the City Council, and therefore would have little weight when weighed against the current up-to-date adopted policies of the Core Strategy and Sites and Housing Plan. Moreover, the National Planning Policy Framework makes clear that a neighbourhood plan should support the strategic development needs set out within local plan and that includes policies for housing and economic development. This means that a Neighbourhood Plan could not effectively de-allocate an already allocated site as has been suggested in the public consultation. Weight should not be given to an emerging, untested neighbourhood plan policy that diverges from policies of an adopted Local Plan document. Therefore officers would advise members that the draft policies of the Headington Neighbourhood Plan would have no weight in the determination of this application.

35. Community Infrastructure Levy: The planning obligations listed in paragraph 51 of the original committee report (**appendix 2**) have now been superseded by the Councils' Community Infrastructure Levy Charging [CIL] Schedule. The level of development would result in a CIL charge of approximately £100,925.47. However Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges.

Conclusion:

36. The proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, 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.

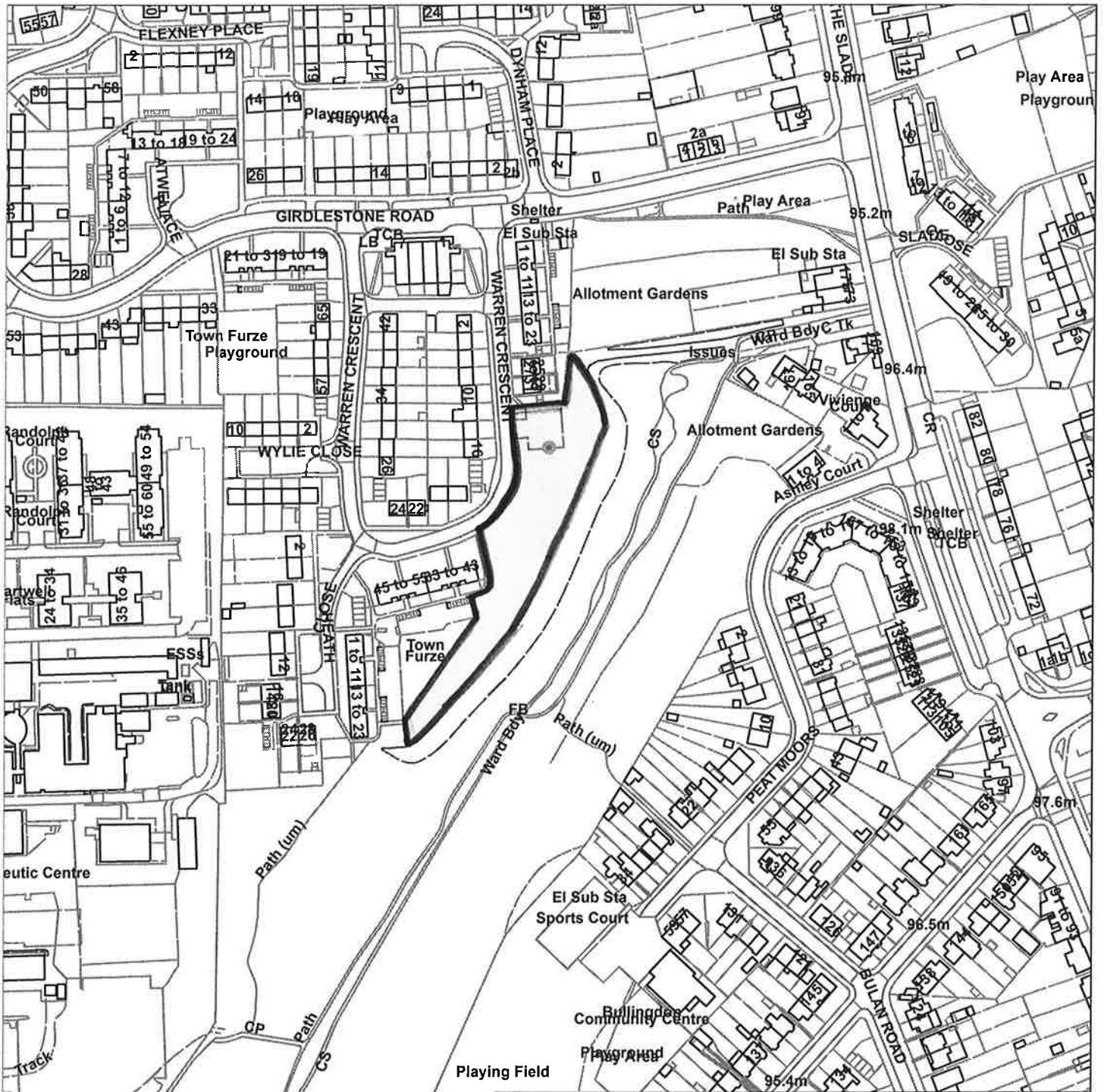
Contact Officer: Andrew Murdoch

Extension: 2228

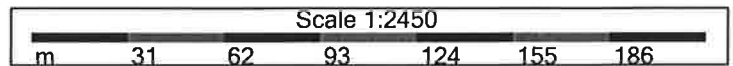
Date: 7th December 2015

Appendix 1

13/01555/CT3 Land adj to Warren Crescent



1:2450



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	25 January 2016
SLA Number	100019348

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East Area Planning Committee

4th September 2013

Application Number: 13/01555/CT3

Decision Due by: 23rd September 2013

Proposal: Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath.

Site Address: Land East Of Warren Crescent, Oxford (**site plan: appendix 1**)

Ward: Churchill Ward

Agent: Turley Associates

Applicant: Oxford City Council

Recommendation:

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

If the required legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Head of City Development, on the grounds that the development has failed to adequately mitigate its impacts

Reasons for Approval

- 1 The proposal would make an efficient use of this site which has been allocated for residential use as part of the Councils five-year housing supply to provide good quality affordable housing while at the same time establishing a balanced and mixed community within the Headington neighbourhood area. The proposal has considered the potential risk to the Lye Valley SSSI and Lye Valley Nature Reserve from changes to surface and groundwater flow to these sensitive sites, and developed a sustainable urban drainage system which if implemented in accordance with the details submitted in the application would

not be likely to have an adverse impact on the SSSI or Local Nature Reserve. The overall layout, form, and appearance of the development would be appropriate for the site and surrounding area while also safeguarding the amenities of the adjoining residential properties. The proposal is acceptable in highway terms with appropriate access arrangements retained for the Town Furze Allotments, parking provision, and pedestrian linkages to the surrounding area. The development would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated by appropriate measures secured by condition or contributions. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

- 2 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 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.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Details of all means of enclosure
- 5 Details of refuse and cycle storage
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 No felling lopping cutting
- 9 Tree Protection Plan (TPP) 1
- 10 Arboricultural Method Statement (AMS) 1
- 11 Sustainable Urban Drainage Scheme, including design, construction and maintenance schedule
- 12 Biodiversity enhancements
- 13 Method statement for preserving ecology during construction
- 14 Archaeology - Implementation of programme
- 15 Details of the proposed parking areas
- 16 Details of the allotment access
- 17 Amendments to the Traffic Regulation Order
- 18 Construction Traffic Management Plan
- 19 A Travel Plan Statement
- 20 Details of affordable housing
- 22 Secure by Design Principles

- 23 Sustainability Measures / NRIA
- 24 Removal of permitted development rights for dwellings
- 25 Scheme of external lighting for dwellings
- 26 Phase II Contaminated Land Assessment

Legal Agreement:

- £148,969 plus the relevant admin fees

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- CP23** - Air Quality Management Areas
- NE13** - Water Quality
- NE20** - Wildlife Corridors
- HE2** - Archaeology

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS13_** - Supporting access to new development
- CS14_** - Supporting city-wide movement
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety
- CS22_** - Level of housing growth
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP2_** - Accessible and Adaptable Homes
- 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

SP60_ - Warren Crescent

Other Planning Documents:

- National Planning Policy Framework
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Natural Resource Impact Analysis Supplementary Planning Document
- Planning Obligations Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Relevant Site History:

02/02348/FUL - Demolition of garages and the erection of 18 dwellings comprising of 8x3 bed houses, 6x1bed flats in a 3 storey building, 2x1 bed bungalow and 2x2 bed bungalows. Formation of new vehicular access, provision of 18 parking spaces, erection of 12 garden sheds and a cycle store: Approved

Public Consultation

Statutory Consultees

Natural England

- No objections to the application. There should not be a significant impact on the hydrology of Lye Valley SSSI, provided that the design and construction methodologies proposed in the application are implemented.
- There will be a need for the Sustainable Urban Drainage Scheme to be maintained in perpetuity, and restrictive covenants need to be put in place to ensure that the block paving and grass gardens are maintained as they have been designed and the dwellings cannot be altered should the housing be sold in the future.

Berkshire, Buckinghamshire, and Oxfordshire Wildlife Trust

- The trust is concerned about the impact upon the special features of the Lye Valley SSSI, but support the conclusions of Natural England in their response and conditions need to be secured to maintain the integrity of the site.
- These include the long-termed management and maintenance of the SuDS scheme; permeable paving and gardens need to be maintained in perpetuity; and an action plan should be submitted for the action what will be taken in the event of pollution or contamination of the SuDs to prevent contamination of the aquifer

Thames Water Utilities Limited

- Thames Water supports the need for a sustainable urban drainage scheme to manage the surface water from this development to minimise the impact on Lye Valley Brook.

Environment Agency Thames Region

- No comment to make on the proposal as it is deemed to have a low environmental risk

Oxfordshire County Council

- Highways Authority: No objection subject to conditions and financial contributions towards highway measures
- Rights of Way: There is no objection to the diversion of the proposed footpath to that shown in the application. This will need to be agreed through a section 257 diversion application under the Town & Country Planning Act and the works for the diverted route will need to be certified by the field officer for Oxford City.
- Education: No objection subject to contributions to primary and secondary education and special education needs as a result of increased occupancy.
- Property: No objection subject to conditions towards libraries, waste management, and museums as a result of increased occupancy.

Third Parties

Letters have been received from the following addresses, and their comments are summarised below

- 43 Dene Road; 2 Dorchester Court, Kidlington; 12 Colemans Hill; 44 Courtland Road; (J Gee), Heath Close; 4 Lye Valley Road; 24 Ramsay Road; 50 St Annes Road; 12, 22, 47, (J Collins) Warren Crescent; 12 Weyland Road; Dr Rietsema; Mr & Dr Cody (allotmentees); Mr K Taylor MEP

Individual Comments:

The main points raised were:

- The need for housing is obvious, but this needs to be balanced against the needs of the community
- The previous proposals to develop this site were withdrawn and we were assured that there would be no houses built on the site
- There is too much housing in Headington and not enough green space
- The level of housing in the area is disproportionate to other areas of Oxford
- This is a green space which is used by people in the area, particularly children, dog walkers and it is loss will have an adverse impact upon the area and the health of those in the area.
- The space is used by the flats who have no garden space so it is important to them
- The arrival of 10 houses will place more pressure on the green area and the SSSI from dogs needing exercise, light pollution, fly tipping etc
- The development will create parking pressures in the area. There are already on street parking pressures in the evenings and weekends in Warren Crescent
- The houses will have an impact upon the winter sun received in the Warren Crescent properties on the opposite side of the road.
- This is already an extremely built up area and the loss of this green space will have a negative effect on the feel of the area
- The development is contrary to Local Plan Policies CP6, and CP8, Core Strategy Policies CS2,
- There is a large variety of wildlife in the space, including foxes and badgers, and bats which will be lost if this is developed
- A previous application for this site was rejected, partly because it would remove most of the essential green 'buffer' to the Lye Valley Fens
- The access to the allotments must be of sufficient size to allow deliveries
- The Lye Valley Nature Trail should be retained as is and not encroached upon

- The development will result in the loss of a scenic footpath, and running them behind the houses would have been the better option to enable access to natural surroundings and allow monitoring of any rubbish that is discarded from these properties
- The proposal will have an adverse impact upon climate change which is contrary to the aims of the Core Strategy.
- This will lead to the Lye Valley Nature Reserve being built upon.
- The council has already allowed much of the water catchment area to be eroded by channelling rainwater in the local area as far afield as Quarry into storm water drains causing deleterious flash flooding in the last 20 years, permanently damaging the eco-structure of the fens
- The proposal removes the most essential green buffer to the Local Wildlife Site and Lye Valley Fens SSSI and will have long term damage to these sites. The existing urban development in the area has been a poor neighbour to the fens
- The mitigation measures will not be as good as leaving the site undeveloped
- There is not enough evidence that the hydrological SUDS mitigation (run off water directed to a swale) associated with this housing development will actually work long term to prevent damage to the Lye Valley fen wetland SSSI and LWS areas
- The Swale would need constant management to ensure the base is not compacted, silted up or filled with leaves from overhanging trees. It would need cleaning every year.
- The planned measures for water run-off is novel and untested for this sort of area and should not be entertained until it is demonstrated for less critical environments.
- It may lead to some springs being deprived and others having too much water, and there is the potential for pollution. The development will not improve water quality as suggested
- The site is too important to be damaged and it needs all the water that currently infiltrates gently over the whole green field of the land east of Warren Crescent.
- The long term management issues with the SUDS scheme are difficult to see working. Who will ensure that the front drives are regularly vacuumed, that the steep bank to the rear will be cleared of rubbish, how will the people be prevented from erecting decking, sheds, patios in their gardens, who will forbid residents from keeping cats, or preventing oil dripping on their drive as they mend the car
- Natural England has clear provisions to prosecute those who destroy or contribute to destroying natural habitats such as Lye Valley. The Council should look to preserve an area for which it is responsible rather than be prosecuted once they have destroyed the area irretrievably.

Town Furze Allotment Association

- The association objects to the application
- The allotments are next to the proposed development and there is a concern about access
- The association need to be certain that a turning point of 6m width will be maintained to allow a 90 degree turning point for a tractor sweep to allow the delivery of compost etc to the site.
- The application states that there is sufficient turning space but does not provide dimensions.

Officers Assessment:

Site Location and Description

1. The site is located on the eastern side of Warren Crescent and is bordered by residential accommodation to the north, north-east, and south-west. To the south east lies a band of mature trees which adjoins the Lye Valley Site of Specific Scientific Interest [SSSI] and Lye Valley Nature Reserve (**site plan: appendix 1**).
2. The site comprises a tended grassed area of informal open space which fronts onto Warren Crescent. There is a small open car park with a metalled surface at the northern end along with an access to the Town Furze allotments. The Town Furze allotments are also located to the north-east, and there is a footpath (no.80) which runs from the southern side of the allotment to the north-western corner of the site
3. The Lye Valley Sites of Specific Scientific Interest [SSSI] and Lye Valley Nature Reserve adjoin the site, but are situated at a lower land level to the site. A small part of the north of the site forms part of the Lye Valley Local Nature Reserve and the non-statutory designated site, Lye Valley Scrub Site of Local Importance for Nature Conservation (SLINC).

Proposal

4. The proposal forms part of the Oxford City Council Affordable Housing Programme 2011-2015, and will provide 100% on-site affordable housing which is to be owned and operated by Oxford City Council.
5. The development is seeking permission for the erection of 10x3 bedroom two-storey terraced and semi-detached dwellinghouses. The dwellings would have their own private gardens with refuse area to the rear which are accessible by a side gate and an off-street parking space per dwelling and two cycle stores. The dwellings are designed to comply with Code for Sustainable Homes Level 4, Secured by Design, Lifetime Homes and the Housing Quality Indicators.
6. The proposal also includes the diversion of footpath (no.80), and the retention of the access to the Town Furze Allotments.
7. Officers consider the principal determining issues to be:
 - Principle of Development
 - Affordable Housing
 - Balance of Dwellings
 - Residential Uses
 - Site Layout and Built Form
 - Impact upon Adjoining Properties
 - Impacts upon the Lye Valley SSSI – Flood Risk & Sustainable Urban Drainage
 - Biodiversity
 - Allotment Access

- Rights of Way
- Landscaping
- Highway Matters
- Sustainability
- Archaeology
- Planning Obligations / CIL Contributions
- Other Matters

Principle of Development

8. The site has previously been granted planning permission for residential development comprising 18 dwellings under reference number 02/02348/FUL. This permission was never implemented and lapsed on the 14th October 2008.
9. The National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. Policy CS2 of the Oxford Core Strategy supports this aim and makes clear that the development of greenfield sites will only be allowed where they are specifically allocated for that use within the Local Development Framework, or required to maintain a five-year rolling housing-land supply in accordance with Oxford Core Strategy Policy CS22. The site would not constitute previously developed land as defined by the National Planning Policy Framework but it has been specifically allocated for residential development within the Sites and Housing Plan as part of the Councils five-year supply of housing under Policy CS22 of the Oxford Core Strategy 2026.
10. The general principle of redeveloping this site for a residential use has been established through the sites allocation under Policy SP60 of the Sites and Housing Plan. However, the allocation policy recognises that the site is in close proximity to the Lye Valley SSSI and makes clear that any development is on the basis that it can be demonstrated that there would be no adverse impact upon surface and groundwater flow and the Lye Valley SSSI.

Affordable Housing

11. The application forms part of the Oxford City Council Affordable Homes Programme 2011-2015, which is seeking to deliver new affordable homes across a number of development sites within the city. The programme has secured funding from the Homes & Communities Agency to provide 112 new build affordable homes of mixed social and affordable rented tenure by March 2015.
12. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. The Sites and Housing Plan makes clear in Policy HP3 that development sites with a capacity for 10 or more dwellings must provide 50% affordable homes on the site. It goes on to state that a minimum of 80% of these homes must be social rented accommodation, with the remaining as intermediate housing.

13. The proposal will provide 100% affordable housing, although the proposed tenure of this housing would be entirely 'affordable rent'. The Sites and Housing Plan does not consider 'affordable rent' to be the same as 'social rented' housing hence the requirement in Policy HP3 for a greater proportion of social rented accommodation to be provided as part of any on-site affordable provision from qualifying schemes. Therefore despite the fact that the scheme would provide more affordable housing than the 50% normally sought under the policy, the tenure mix would not strictly satisfy the requirements of Policy HP3.
14. The Affordable Homes Programme is reliant on funding from the Homes and Communities Agency (HCA), who stipulate that a proportion of 'affordable rented' units must be provided within the programme. In real terms this means that 44 of the 112 affordable homes have to be 'affordable rent' while the remaining 68 can be provided as 'social rent'. In order to meet the HCA's requirements the mix of tenures has been carefully allocated across each development site within the programme. This allocation has ensured that overall the programme exceeds the policy requirements for affordable housing in that it will deliver 100% affordable homes on each of the individual sites, and far more social rented housing than would normally be sought on a site-by-site basis. Therefore although this scheme in particular does not deliver any social rented properties, this is compensated by the higher number of social rent homes delivered on the other sites within the programme. Officers consider that the programmes contribution to affordable housing provision within the city would represent a material consideration which justifies an exception being made to this policy in this instance.

Balance of Dwellings

15. Policy CS23 of the Oxford Core Strategy 2026 require residential development to deliver a balanced mix of housing to meet the projected future household need, within each site and across Oxford. The mix of housing relates to the size, type and tenure of dwellings. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area. The site is located within the Headington Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes.
16. The proposal would provide 10x3 bedroom units which would slightly exceed the preferred mix for a scheme of this size, however, the increase in number of 3 bed units would not be so significant when it is viewed against the requirements for a scheme of 9 units. The BoDSPD would normally require schemes of 10-24 units to provide 30-75% of the total number of units as 3 bedroom dwellings, whereas a scheme of 4-9 units could provide 30-100% 3 bedroom units. Therefore although the development would not strictly satisfy the requirements of the BoDSPD, officers recognise that the difference would be marginal and given the clear benefits in terms of affordable homes provision officers would raise no objection to the provision of 10x3 bedroom units within the scheme.

Residential Uses

17. The proposed dwellings would all be self-contained and have internal layouts that exceed the requirements of Sites and Housing Plan Policy HP12 which sets minimum floor sizes and general living accommodation standards expected from residential accommodation. The dwellings have been designed to comply with Lifetime Homes Standards in accordance with Sites and Housing Plan Policy HP2.
18. In terms of outdoor space, Sites and Housing Plan Policy HP13 states that new dwellings should have direct and convenient access to an area of private open space. It recognises that family homes should be provided with a private garden of adequate size and proportions to the size of house proposed. The dwellings would each have access to sizeable private gardens to the rear which would be adequate for the family accommodation that they serve. They would also have refuse and cycle storage to the rear which would be accessible via a side passageway. As such the proposal would accord with the aims of Policy HP13.

Site Layout and Built Form

19. Sites and Housing Plan Policy HP9 states that residential developments should respond to the overall character of the area, including its built and natural features; the form, layout and density of the scheme should make an efficient use of land while respecting the site context and making a positive contribution to local character. It should also ensure that landscaping, and boundary treatments integrate the development into the street scene in a way that defines public and private space and maintains natural surveillance of the public realm. This is supported by Oxford Core Strategy Policy CS18, and Policies CP1, CP6, CP8, CP9, and CP10 of the Oxford Local Plan.
20. The site layout has been designed to follow the arc of Warren Crescent in order to respect the linear development pattern throughout the street and a continuous building line with the existing properties on this side of the road. The layout would also establish a clear public and private realm relationship with active frontages that allow for natural surveillance onto the public realm. The built form would be of an appropriate residential scale for the location, with two-storey dwellings with pitched roofs that are arranged as a terraced row of four dwellings, and three pairs of semi-detached properties. The dwellings would have a contemporary appearance within a traditional residential form, which would not look out of place in the street scene. The units will have a rendered finish with an interlocking clay plain tile which would also help integrate the dwellings into the street scene. As such the overall layout, form and appearance of the proposed development would make the best use of the site, while also suiting the sites context within the existing residential suburb, which officers consider would accord with the aims and objectives of the above-mentioned policies.

Impact upon Adjoining Properties

21. Policy HP14 of the Sites and Housing Plan states that residential development should provide reasonable privacy and daylight for the occupants of both existing and new homes.

22. The location of the site and the orientation of the properties would mean that the proposal would not create an adverse impact upon any of the adjoining properties adjacent to the new dwellings, or on the opposite side of Warren Crescent in terms of loss of light, outlook, overbearing impact or privacy and would therefore be consistent with the aims of Policy HP14.

Impacts upon the Lye Valley SSSI – Flood Risk & Sustainable Urban Drainage

23. The site is located adjacent to the Lye Valley SSSI which is very sensitive to changes in surface water run-off and groundwater flows. The allocation policy (SP60) makes clear that permission will only be granted for the development of the site if it can be proven that there would be no adverse impact upon surface and groundwater flows and the SSSI from increase hard surfacing.

24. In accordance with these policy requirements, the following assessments have been undertaken to understand the potential impact of the proposal upon the hydrology of the SSSI and Local Wildlife Site of Lye Valley.

- Flood Risk Assessment [April 2013]
- Phase 1 Ground Condition Report [Dec 2012]
- Geotechnical Engineering Ground Investigation Report [June 2012]
- Assessment of the Potential Impacts of the Proposed Development on the Lye Valley SSSI [June 2013]

25. These documents have carried out an assessment of the existing ground conditions on site; a hydrological study of the groundwater flows and levels; and an assessment of the impact risk to the SSSI should the site be developed. They support the concerns raised during the consultation process that any changes to the current rate of the surface water and groundwater could have an adverse impact upon the SSSI. These assessments have been used to develop a robust approach to drainage and water quality treatment to ensure that the surface water runoff from the proposed development does not degrade the quality of the receiving ground and stream water in order to mitigate the impact on the SSSI. The assessments have been developed in conjunction with Natural England and the Oxfordshire County Council Drainage Authority.

26. The Flood Risk Assessment identifies that the site is located within Flood Zone 1 and confirms that the soils are deemed suitable for infiltration techniques such as a sustainable urban drainage system [SUDS] to be used for the disposal of surface water without any negative impact on the SSSI. The groundwater monitoring shows that the water levels are sufficient distance below ground level to employ a robust SUDS scheme, but that this would need to have suitable water quality treatments to ensure that surface water runoff does not degrade the receiving groundwater and stream water.

27. The assessment establishes that the existing drainage regime in the catchment area of the valley appears to be having a negative impact on the features of the SSSI. These impacts being lowering the bed of the Lye Brook because of erosion (caused by increase run-off through land drains into the stream); lowering the water table of the fen; and the reduction of rain water feeding the springs vital

to the SSSI. Both cause the drying out of parts of the fen. The proposed development would not significantly alter the ground water flow on the basis that large areas of the site would be soft-landscaped or open space (i.e. gardens) and the buildings foundations would be designed to avoid any impact. The SUDs scheme ensures there will be no significant change in the amount and timing of water feeding into the springs of the SSSI. It will collect surface water run-off through permeable paving and discharge to the groundwater via a swale in the south-east corner of the site. The use of swales are identified in national guidance as a suitable method for the attenuation of surface water run-off and the removal of pollution as part of a 'treatment train' to ensure that the quality of water discharged from a site does not significantly impact upon a wider environment. The swale is designed to accommodate a 1 in 100 year storm event plus 30% for climate change, and the excavated soils will be placed adjacent to the slope to the SSSI to ensure that a more extreme flood event does not lead to water running down the slope to the SSSI. The drainage strategy would also include water quality protection and enhancement through its design such as permeable paving with oil separation treatment to absorb hydrocarbon pollutants reducing the risk of pollution from surface water run-off. The use of calcareous aggregates to line the swale will stop the acidification of the water as it slowly feeds into the SSSIs springs.

28. It is clear from the consultation process that concerns have been raised about the suitability of the SUDs scheme to mitigate any potential impact upon the Lye Valley SSSI. However, officers consider that the proposed scheme would ensure that the indirect impact on the SSSI, and direct erosion from drainage, would be reduced to an insignificant level. Importantly Natural England is also satisfied that there should not be a significant impact upon hydrology of the Lye Valley SSSI provided that the drainage strategy is developed in accordance with the details set out within these assessments. Notwithstanding this, both Natural England and officers share the view that the SUDs scheme would need to be maintained in perpetuity. This would include fencing off the swale to prevent access and therefore compaction of the soils, as well as rubbish entering the system. The swale would also need to be checked regularly and cleaned where necessary. Similarly the block paving within the development would need to be maintained to ensure that it remains porous in the future. There would also need to be restrictions on the properties so that the paving and grass gardens are maintained as designed and especially if the properties are sold in the future. It would be important to ensure that the properties cannot be extended without examining the potential impacts upon hydrology.

29. The long term management and maintenance could be secured by a condition which requires details of the maintenance schedule for the properties. The dwellings will remain in the ownership of Council who would also be responsible for maintaining the infiltration drainage system and it would be expected that this would be incorporated into the general maintenance of these properties. A condition should also be attached which removes all permitted development rights for the properties to ensure that consideration is given to any changes, although tenants of the properties would also need to seek permission from the Council as landowner. Therefore it is considered that reasonable controls could

be put in place to ensure that long term maintenance of the SUDs scheme and also to consider any potential changes to the properties.

30. Therefore on the basis of the information provided, and given the fact that Natural England have raised no objection to the proposal, officers consider that the development would not have a significant impact upon the hydrology of the nearby SSSI subject to the provision and maintenance of the proposed sustainable urban drainage system.

Biodiversity

31. An Ecological Desk Study and Phase 1 Habitat Survey have been submitted with the application. This has identified that the site only supports habitats of limited intrinsic ecological value with the exceptions of limited potential to support breeding birds. This SSSI and Local Nature Reserve will be protected throughout the proposed development. The survey proposes mitigation measures and enhancements to minimise any possible impacts on species that may be present on site and in the surrounds. These would include retaining areas of importance for reptiles and common toads within the site; the protection of the field maples on the eastern boundary throughout the process for breeding birds and the introduction of native species and bird boxes to encourage breeding opportunities; specific site safety measures during construction to prevent harm to badgers who may be using the outlier sett to the east of the site within the SSSI, and the provision of suitable shrubs and trees in the open spaces to improve their foraging habitat; and the introduction of a lighting scheme to reduce the potential impact on bats and other species within the SSSI, along with the planting of native species and bat boxes to provide roosting opportunities.
32. Officers consider that the direct biodiversity impact of the development would not be significant, as the site only supports habitats of limited significance and its use by species of biodiversity significance is minimal or would be protected through the recommended mitigation measures. Natural England has also confirmed that the proposed development would be unlikely to affect European Protected Species and that the impact upon other species should be considered in line with standing advice. Therefore subject to a condition being attached requiring the recommendations of the ecological survey to be carried out in full, the proposal would accord with the aims of Policy CS12 of the Oxford Core Strategy 2026.

Allotment Access

33. The site allocation policy (SP60) recognises that vehicular access and turning area is essential for the allotment users. It goes on to say that a width of 6m and a turning area may be required.
34. As with the previously approved scheme, the proposal would provide a 3m wide access road from Warren Crescent which leads into a turning area which allows a 90° turn. The access road would be gated albeit to a design that allows pedestrian access to the public footpath. The access road and turning area are considered adequate to enable a tractor and trailer to access the site and leave in a forward gear according to the vehicle tracking diagrams included with the

application. As such officers consider that the proposal would maintain appropriate access arrangements for the allotment.

Rights of Way

35. There are currently two footpaths (nos.79 & 80) that cut across the site from the south-west corner to the allotments in the north. The site allocation policy states that the public right of way should be either retained or diverted. An alternative location was agreed for these footpaths as part of the previous development proposal for the site (02/02348/FUL).
36. The proposal would provide the same diversion to this previous scheme whereby, the footpath will lead through the site and around the front of the proposed dwellings and then down through the allotment access to join up with its current position at the north. The diverted route as shown on the plans would maintain part of this as a countryside footpath, but also encourage natural surveillance of the footpath from the new residential dwellings.
37. The Oxfordshire County Council Countryside Access Team has raised no objection to the general principle of the footpath being diverted but requires more information about the intended route. The diversion will require a formal application for a public right of way diversion to be submitted to the county council and therefore the proposed route will be determined by that means.

Landscaping

38. A Tree Survey has been submitted with the application. This identifies the requirement to remove a large proportion of trees within the site. The manna trees at the rear of the site (T8-T18) are of a low quality and value and so no objection would be raised to their loss.
39. The proposal does require the removal of a number of the trees to the front of the site, which make an important contribution to the visual amenity in the area. It is regrettable that these have to be removed, however, the loss could be adequately mitigated in accordance with Local Plan policies CP1, CP11 and NE15 by the planting of new *Pyrus Chanticleer* trees being planted at the front of each of the pair of the new houses i.e. 5 new trees to ensure that the harm to amenity in the area is adequately mitigated.
40. The hedge along the SW boundary, which forms a barrier to Lye Valley is to be reduced in height and spread. This work should be undertaken at an appropriate time of year i.e. during the winter, to minimise potentially harmful effects on the health of the trees and disturbance of nesting birds. The ecological appraisal has recommended that these trees should be protected during the construction process and also that any landscape strategy should include the planting of native species to improve wildlife. Officers would therefore recommend that conditions should be attached which secure a landscape plan which includes the new planting recommended above and that suggested in the ecological appraisal.

Highway Matters

41. A Transport Statement has been submitted with the application. The proposed dwellings would be provided with 1 off-street parking space per dwelling, and 2 secure cycle parking spaces.
42. The site is situated within an existing residential area, and has reasonable access to public transport links and a small parade of shops on Girdlestone Road although the majority of shops and public transport would lie beyond in Old Road, Wood Farm and the Headington District Centre. The proposed development would not generate significant levels of traffic and is certainly less than the 18 units previously approved for the site under 02/02348/FUL.
43. The provision of 1 off-street parking space for the 3 bed units would accord with Sites and Housing Plan Policy HP16 which sets the required parking standards for residential developments in specific locations. The Local Highways Authority have raised no objection to this, but have indicated that the proposal would result in the loss of 5 on-street parking bays from the controlled parking zone. The Local Highways Authority has stated that it would be necessary to remove the development from eligibility to residents parking permits to ensure that no further pressure is placed on the controlled parking zone. This would require amendments to the order at a cost of £3,000 which would also cover the need to extend existing on-street parking bays in the vicinity to provide five additional spaces.
44. The Highways Authority have queried the potential impact from the loss of unrestricted car parking on site which they consider is likely to be used by allotment holders. The existing car park on site was formerly a garage block which was demolished following the grant of the previous permission (02/02348/FUL). Any parking within this small car park is currently informal and so officers consider that the loss of this space should not represent a constraint upon the development of the site. The proposal will provide a direct access to the allotments for users including a small number of informal spaces in the area to the rear for use by allotment users.
45. The Highways Authority has also recommended conditions which require the provision of a sustainable urban drainage system; a travel plan statement which includes travel information packs for each residential unit to be provided, and a construction traffic management plan to avoid potential disturbance to the local area from construction traffic.
46. The Oxford City Council Planning Obligations SPD has a requirement for a contribution of £26,250 towards transport infrastructure improvements from the development. The Highways Authority have also requested a further £5,000 towards public transport traffic management improvements at the Girdlestone Road/The Slade junction, which impacts buses using this route and will be used by residents of the proposed development.

Sustainability

47. Sites and Housing Plan Policy HP11 states that residential development should include an element of on-site renewable or low carbon technologies were practicable. It goes on to state that for qualifying developments (i.e. 10 or more dwellings) proposals should include a least 20% of their energy needs from on-site renewables or low carbon technologies, unless it can be robustly demonstrated that such provision is either not feasible or it makes the development unviable.
48. An NRA has been submitted with the application which reflects the need to achieve 20% of the development's regulated and unregulated energy requirements from renewable sources and is therefore considered to be acceptable. The NRA scores 7/11 which exceeds the minimum score required to comply with the policy. The proposed scheme is designed to achieve the Code for Sustainable Homes Level 4 which exceeds the minimum requirement of Level 3 for open market homes. The buildings will use solar photovoltaic tiles, high energy boilers, energy efficient and thermally efficient glazing, and be built to Building Regulations 2010 standards. Officers would recommend a condition requiring the details of the NRA to be implemented.

Archaeology

49. An archaeological desk based assessment has been submitted which identifies that the site is of interest because it is located around the corner from a nationally important pottery production site at the Churchill Hospital and on level ground close to a water course. A Roman kiln is recorded 50m away on the other side of the valley in a similar location (HER3616, MOX11526). Subsequent to the desk based assessment a geophysical survey was undertaken at this site by Northamptonshire Archaeology which did not pick up any strong anomalies that may be potential kiln sites. Furthermore the details of previous borehole investigations have been submitted demonstrating that much of the proposed development footprint is modern made ground of considerable depth. However part of the site does not appear to have been substantially landscaped and a targeted archaeological investigation would be warranted given the archaeological context.
50. Therefore given the likely level of previous disturbance on site and the scale of the proposed development, a condition should be attached requiring an archaeological investigation to be carried out. This should consist of either targeted trial trenching followed by further mitigation as appropriate or watching brief depending on the detail of foundation design and servicing work.

Planning Obligations / CIL Contributions

51. In accordance with the Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposal on the City and County Services and infrastructure. The following contributions would therefore be required.

Oxfordshire County Council

- £51,690 (Primary Schools)
- £44,530 (Secondary Schools)
- £3,065 (Special Educational Needs)
- £2,224 (Library)
- £990 (Household Waste Recycling Centre)
- £130 (Museum Resource Centre)
- £26,250 (Highways & Transport)
- £8,000 (Pub Transport Improvements / Amendments to Road Traffic Order)

Oxford City Council

- £2,400 (Indoor/Outdoor Sport)
- £6,360 (Open space/Ecology)
- £1,710 (Sports Ground)
- £1,510 (Play Areas)
- £110 (Allotments)

52. The total level of contributions would be £148,969 plus the relevant admin fees. The County Council contributions will be secured by a legal agreement, and by internal mechanism for the City Contributions.

53. It is important to note that the Councils' Community Infrastructure Levy Charging [CIL] Schedule is to be put to Full Council for adoption on the 30th September 2013. The formal implementation of CIL would have an impact upon the level of contributions sought for this scheme, as Affordable Housing is one of the forms of development which could apply for an exemption from CIL charges. The introduction of CIL will apply to any applications where S106 agreements have not been agreed before this comes into effect and therefore given the timeframes for this decision it is likely that these contributions will have to be recalculated.

Other Matters

54. A Phase 1 Ground Condition Assessment has been carried out comprising a desk study, site walkover, ground stability assessment and risk assessment for contamination. The site has been identified as having a low potential for ground contamination, has recommended a Phase II survey to determine the extent of made ground and to mitigate or remediate impacted soil and groundwater. A condition should be attached requiring a Phase II survey to be conducted before development commences.

55. An air quality screening assessment has been submitted which identifies that air quality within the site is very good, and the traffic generated by the development is unlikely to have significant air quality impacts. Officers would agree that there is not likely to be a significant impact on air quality from the development.

56. A Noise Survey has been submitted with the application which assesses the suitability of the site for its proposed use. The survey identifies that the dominant noise source is local road traffic and the anticipated noise and vibration impact on occupants would be negligible.

Conclusion:

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

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

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 27th August 2013

To: Planning Department, Oxford City Council

Date: 19 October 2015

**Objection to Planning Application 13/01555/CT3
Land East Of Warren Crescent Oxford Oxfordshire OX3 7NQ.**

Erection of 10 x 3-bed dwellings (use class C3) together with associated car parking, cycle and bin storage. Diversion of public footpath. (Amended plans and description)

The site proposed for development is referred to as Site 60 and by the name ‘Warren Meadow’, which is at present an amenity used by local people. The Lye Valley adjacent to it contains an SSSI wetland of international rarity and importance and a Local Wildlife Site wetland, which is improving towards SSSI standard with the help of BBOWTs Wild Oxford project and many local volunteers who love the site. It is Oxford’s most ancient habitat and is only now, with Council and volunteer assistance, recovering from years of neglect; it is flourishing.

The Friends of Lye Valley object to the amended planning application for this major development. It cannot be regarded a ‘sustainable development’ for the reasons which are made clear below.

- A. Effect on Hydrology of the area: lack of SuDS success evidence, impact on fen wetlands
- B. Validity of the quoted ‘Precedent for development’
- C. Control over the proposed development: ‘Right to Buy’ and enforcement of Restrictive Covenants
- D. Loss of green space for informal recreation in Warren Meadow
- E. Inaccurate information as to ecological importance of Warren Meadow and Wildlife Corridor status
- F. Policies which should protect Warren Meadow/Site 60 and the Lye Valley SSSI.
- G. Adverse Effect on Landscape Character and Green Setting
- H. General points
- I. The Council’s Legal obligation for development
- J. Site visit request
- K. Summary and Conclusions

(Three Appendices give further details on the above points.)

- A. Effect on Hydrology of the area: lack of SuDS success evidence, impact on fen wetlands**

It is a condition of this application that it should be **proved beyond any doubt** that the proposed development will have no adverse effect on the SSSI fen **in perpetuity**.

“Planning permission will only be granted for residential development at Warren Crescent if it can be proven that there would be no adverse impact upon the groundwater flow and the Lye Valley SSSI”.

Although both Natural England and BBOWT withdrew their objections, the **conditions attached to their withdrawals have not been demonstrably met**. These include **proof that the SuDS will work in perpetuity** and a Plan B (required by BBOWT) should the development go ahead and damage to the fen result.

Dr Judy Webb has already submitted her criticisms of the SuDS mitigation scheme of infiltration of paving and roof run-off water proposed by Peter Brett Associates LLP – see **Appendix 1** of this document. This is a **design that is an unproven experiment, the first of its kind, anywhere**. We contend that there is considerable doubt that this will work.

Regarding the SuDS evidence presented: no valid examples have been given of SuDS using a swale to control the water flow and adjust critical water chemistry into such a rare habitat as the Lye Valley Fen. We note this company (PBA) takes no responsibility for the success or failure of their design.

The examples of ‘successful’ SuDS case studies provided as evidence by PBA were **neither the same nor sufficiently similar to be comparable to the Lye Valley**. Dr Judy Webb’s analysis and critique of them, demonstrating how they do not provide the required evidence, can be found in **Appendix 2** of this document. Crucially, not one of these examples was studied for a long enough period and none of them monitored wildlife before and after the installation of the SuDS to demonstrate no damage.

However well designed a system might be, hydrology is complex and SuDS in practice do not always work in the beneficial way intended. For example, the infiltration SuDS at Milham Ford Nature Park for the Harberton Heights development here in Oxford resulted in **the loss of rare plant (bee orchid) species**, which the mitigation was intended to protect, as a result of the production of excess water of the wrong chemistry. Expensive remedial drainage measures were necessary to correct the SuDS failure and **the orchids have still not returned to the site**.

Has the Council made a Risk Assessment and costed possible remediation in the eventuality of the SuDS failure in this Warren Crescent scheme?

Friends of Lye Valley asked which authority would be responsible for maintaining the demanding and expensive programme of SuDS maintenance advised by Peter Brett Associates. According to Oxford City Council, since this is a major development of 10 houses, it is Oxfordshire County Council. However, according to the County Council it would be the ‘developer’ i.e. the City Council and then the owners. In this ‘pass the parcel’ situation – and given the severe financial constraints on councils and families – is it likely that either authority would commit themselves to maintaining these expensive SuDS **in perpetuity** as required by Natural England? As an example of *part* of what is required (see the SuDS maintenance schedule provided by PBA) the permeable paving in this development is required to be **suction-swept** (with a machine like a wet and dry VAX) to remove dust, silt, leaves, moss, lichen and plants from the gaps between the pavers **at least twice a year**. Not all clogging material can be removed by this, so every 20 years the whole paving may need **replacing** to ensure full permeability.

In the light of the **complete uncertainty over the functioning of the mitigation SuDS in perpetuity**, the Warren Crescent development is unsustainable and should not go ahead.

B. Validity of the ‘Precedent for Development’ statement

Much is made in supporting documents of the fact that planning permission for the site was originally granted in 2002 and it is said that this ‘**sets a precedent for development**’. We maintain that no real precedent was set because the 2002 permission was achieved **in ignorance of the following important facts**:

- i) Warren Meadow (Site 60) is clearly within the rainwater catchment and infiltration area of the Lye Valley SSSI fen springs. This catchment was calculated only in **2007** by Dr Curt Lamberth in respect of the proposed development of Southfield Golf Course. A street map showing the rainwater catchment area of the Lye Valley fen is on the FoLV website at <http://www.headington.org.uk/lyevalley/about/index.html> Development within the rainwater catchment area was not permitted on the golf course – nor should it be on Warren Meadow (Site 60).
- ii) The extreme rarity of the habitat of alkaline fen vegetation present, designated as ‘M13b’ in the National Vegetation Classification (NVC). This only became known in **2013** (Tratt, R., Parnell, M., Eades, P. and Shaw, S. (2013) Development of inventories for Annex 1 habitats ‘Alkaline Fens’ and ‘Transition Mires & Quaking Bogs’ in England. Report to Natural England)

**Prior decisions made in ignorance of facts are not valid.
The ‘development precedent’ for this site does not actually exist.**

C. Control over the proposed development: ‘Right to Buy’ and enforcement of Restrictive Covenants

At the East Oxford Area Planning Committee meeting City Councillors specifically asked for information as to whether Right to Buy would apply to the development. **We are informed that Right to Buy would indeed apply** and the properties could be let immediately after purchase – presumably at a higher rent. The City Council would lose any control over activities in the gardens, which would be potentially damaging to water infiltration and the adjacent fens.

It was reported in the press that sales of Right to Buy properties may not result in the City Council receiving the resulting income. So the sacrifice of the Lye Valley’s flora and fauna and an important local amenity may not even result in a financial gain for the Council.

Whatever covenants the City Council wished to impose either on tenants or on subsequent owners, it would, in practice, be impossible to enforce them. With 6ft-high solid fencing on the brink of the steep-tipped embankment, officers would be unable to see – or even stand safely to see – the gardens. Barbeques on paving, paving stones along the grass to the washing lines, Wendy houses, greenhouses, poly-tunnels, sheds, sandpits and paddling pools – all would contribute to reducing the rainwater catchment area contrary to the requirement made that the gardens will remain green and permeable, as demanded by Natural England.

Other problem activities include: people washing their cars on the drives, accidentally dropping antifreeze or oil, or even washing bicycles with washing up liquid and applying lubricant, plus fertilizers/weed killers on lawns and flower beds – all would go from paving into the swale and the ground. Since the SuDS swale is permeable, these harmful chemicals would inevitably pollute the Lye Valley fen.

Apparently ‘harmless’ rubbish, such as grass cuttings and garden waste, thrown over the back garden fences would add too much nitrogen to the fen immediately downslope and result in increase of invasive reeds and loss of rare wild flowers. This is another form of pollution. **There can be no covenants against this.**

Subsequent owners, who may live overseas and let the properties on the open market, may be unwilling to meet the SuDS maintenance cost – let alone ensure that the work is carried out and inspected on the regular basis as set out by Peter Brett Associates.

D. Loss of green space for informal recreation in Warren Meadow

New information: if this proposed development goes ahead, the local residents of **Town Furze estate will have lost over 80% their green informal leisure space that was originally designed into the development.** Of the areas designated as children’s play area in the 1953 plans **only one** remains as open green space. A second has gone as a tarmaced play-park for the under 5s (another under 5s play-park is on Girdlestone Road). Permission to develop (for housing) the third children’s play area was granted in 2007. We note that it was not developed at the time planning permission to build on Warren Meadow/Site 60 was granted in 2002.

If the Warren Crescent proposed development is allowed, only one local green informal play space, plus a small residual corner of Warren Meadow (unsuitable for ball games and with a public footpath running through) will remain. Yet the proposed development of 10x 3-bed houses could add another 20-30 children to the estate – and where would they play? There is ample provision for the under 5s but precious little for the 6+ age group – or for adults.

Does the Council wish to curtail the physical activity of its young children by depriving them of suitable places to play? Is this in line with the Council’s Health and Well-Being policies? (Section 7 of the Green Spaces Strategy) or with the Sites and Housing DPD? And in the light of increasing levels of childhood obesity?

Section A3 of the Sites and Housing DPD sets out policies to make sure all residential developments are well-designed, respect the character of the area **and respect the quality of life for existing local people.’**

This development would be contrary both to the spirit and letter of this policy.

Policy CS21 states: Planning permission will only be granted for development resulting in the loss of existing sports and leisure facilities, if alternative facilities can be provided **and if no deficiency is created in the area.**

This development would indeed create a severe deficiency in the area – a point which has not been made or addressed hitherto.

Furthermore, the Inspector’s notes state:

The Core Strategy (CD5.1, Policy CS2) seeks to focus development on previously-developed land (PDL) but allows for the loss of greenfield sites only if a need for the development of the land can be demonstrated, **and if the open space is not required for the well-being of the community.**

No evidence that the open space is not required for the well-being of the community has been presented. Nor has justification been provided for development in this particular location that outweighs the cost to the community and the nearby SSSI fens.

The City Council has set a target of maintaining **5.75 hectares of green space per 1,000 population**. Headington already has less green space and is more densely populated than most areas of Oxford. The emerging Neighbourhood Plan specifically seeks to retain Headington's public access green space, and green setting, **particularly in the proximity of an SSSI or where there may be damage to an SSSI**. We understand that the City Council should take into account the emerging Neighbourhood Plan. The most in-depth consultation of Headington residents, students and employees showed that **'Conserve green spaces and increase biodiversity and public access' was top of the list of local concerns**.

Friends of Lye Valley are circulating a petition, hosted by the City Council's e-petition page and with a link from the News tab of the Friends of Lye Valley website, to support the retention of Warren Meadow/Site 60 as public access green space. *Details are given in a separate document*. We would ask the Committee to take this petition into consideration when making their decision.

While the petition against this development was being circulated door-to-door in Town Furze estate, it became clear that residents, especially children, were unaware of this proposed development and were horrified at the prospect of losing their green space. Children (boys and girls) regularly play ball games on Warren Meadow/Site 60 after school and local residents told of picnics, snowmen-building and 'just sitting' there.

The majority of Town Furze local residents live in social housing as shown on the City Council's Indicators of Social Deprivation 2011 chart. A wealthier area might have registered Warren Meadow (Site 60) as a Town Green, having had free access to it since the estate was built in 1954. Does the Council consider that less wealthy areas should have less green space than wealthier ones?

'Poor people in cities, whether in the US or elsewhere, have systematically less access to green space and recreational facilities, and this has a direct impact on health'. 'Stuffed and Starved' by Raj Patel¹.

E. Inaccurate information as to ecological importance of Warren Meadow and Wildlife Corridor status

We point out that information provided to East Area Planning Committee Councillors as to the biodiversity of the site, taken from the EIA Screening Opinion Letter of 1 July 2013 is incorrect and misleading:

'This report has concluded that the development is unlikely to lead to any adverse ecological impacts either within the boundary of the development or the adjacent SSSI due to the site being dominated by special [sic – should be 'species'] poor heavily managed habitat with low intrinsic ecological value; none of the invertebrate species associated with

¹ *Stuffed and Starved: The Hidden Battle for the World Food System*, [Raj Patel](#), 2008, p. 277.

the SSSI depend on the application site; and it is unlikely that the application site would develop any ecological interest similar to that found within the SSSI in the future.'

Recent research by Dr Webb has shown that the development would break an important wildlife corridor for vertebrates and invertebrates living in the Lye Valley. This would be **contrary to the Council's CS12 policy of maintaining and even increasing wildlife corridors.**

A wildlife survey report on Warren Meadow is attached to this document (Appendix 3). The application site is a green corridor which is used by badgers for foraging (latrines present) and is most likely a sunny, warm, route for viviparous lizards moving freely from the known breeding site of the Town Furze allotment to the known breeding site of the grassy triangle at the end of Heath Close above the SSSI fen. Breaking this green corridor would disadvantage both species. Mobile invertebrate species breeding in the adjacent fen wet peat have been noted feeding on common flowers at Warren Meadow. **Contrary to the statement made in the** EIA Screening Opinion Letter of 1 July 2013 this site could easily have a very important ecological role in supporting rare insects of the adjacent SSSI and LWS if more common nectar flowers are encouraged. This is because the fen has few nectar sources. Gardens nearby do not supply appropriate flowers.

The descriptions of Warren Meadow/Site 60 in City Council reports have consistently been misleading and derogatory eg '*This site is currently used as vacant open space with one corner previously being used as garaging.*' In fact, it is a beautiful swathe of grass, bordered by trees - with a tidy litter bin, well-maintained by the City Council, fronting the Lye Valley. **The images in the Wildlife Report (Appendix 3) clearly show this.**

F. Policies which should protect Warren Meadow/Site 60 and the Lye Valley

We note the following aims of the **Biodiversity Strategy 2015-2020:**

'Objective 1: To act as a responsible landowner and manager for the purpose of conserving and enhancing biodiversity'.

We ask the Council to implement this policy in respect of Site 60/Warren Meadow.

This proposed development would be contrary to many aspects of the Council's **Core Strategy** which states:

'Greenfield land will not be allocated for development if any part of the development ... would cause harm to a site designated for its ecological value [i.e. the nearby Lye Valley SSSI] (CS2) and International and national sites must be protected from any development that may have an adverse impact 4.4.1, p75'

The development 'may have an adverse impact' on the Lye Valley SSSI. In fact, it almost certainly will do.

Policy CS12 Biodiversity: 'Development will not be permitted that results in a **net loss of sites and species of ecological value.**'

These policies should protect the Lye Valley and prevent this proposed development, if the City Council would apply them. Such damage would surely result from this development.

If City Councillors decide to allow the Warren Meadow to remain public access green space, the Friends of Warren Meadow would like to work with them to increase its ecological value in line with the City Council's Biodiversity Action Plan while, maintaining the central green kick-about space as a local amenity. This enhancement plan is already available and has been submitted to the council.

G. Adverse effect on landscape character and green setting

We endorse Natural England's comment that the impact of this major development on local landscape character has not been assessed or addressed. (NE Letter 2 Aug 2013).

The footpath through the bottom of the Lye Valley next to the Lye Brook is very popular with walkers for its green setting, natural feel and tranquillity. '**You would not know you were in the city**' is a comment we hear. This proposed development will produce an undesired urban visual intrusion on the green setting of this footpath.

The proposed development, taller than its adjacent houses and nearer to the valley than to those houses, would rise above its 6ft board fences facing the Lye Valley and be clearly visible following the removal of the crack willows in the valley as part of the Wild Oxford Project. This would be worse in winter with the lack of leaves on trees and exacerbated, if the line of field maples at the top of the bank were reduced or removed (undesirable leaf fall and shade in gardens?). This would create an immediate and adverse impact upon the natural feel and tranquillity of the popular Lye Valley footpath, spoiling for ever its secluded atmosphere. **This is contrary to the aims expressed in the Local Plan 4.4 Areas of Special Character and the Policy GSP5 of the emerging Headington Neighbourhood Plan which seeks to preserve the green getting of Headington.**

H. General points

The City Council has a duty of care for its assets, which includes **not harming the interests of future generations**. The Lye Valley SSSI, which is owned and is the responsibility of Oxford City Council, is too rare a habitat to gamble with by permitting this development which may cause harm. It comprises **1.5 hectares of only 19 hectares of this high quality alkaline fen found in the whole of England (19 hectares - just a bit less than South Park area)**. As losses of this rare habitat continue elsewhere in the country, the Lye Valley's importance and value to people can only increase with time, therefore the utmost degree of precaution over anything that will affect it should apply.

I. Does Oxford City Council have a legal obligation to develop this site?

Despite inclusion in the Adopted Local Plan, we understand that there is no legal imperative to develop this site. We would ask that the City Council explore the means of safeguarding it in the future – by designation as Local Green Space as suggested in the Petition – or by some other means or designation.

J. Site visit request

We ask that the East Area Planning Committee visit the site prior to the EAPC meeting to decide for themselves whether Warren Meadow is indeed ‘a patch of grass with very little amenity value’ (Oxford City Council report to Inspector) to see the close proximity to the Lye Valley SSSI and Local Wildlife site and to appreciate the visual intrusion of the proposed development on the Lye Valley’s green setting.

K. Summary and Conclusion

In short, we hold that the application should not be approved as it is an unsustainable development, the conditions for its approval have not been met, the risk to the Lye valley fens is too great and the damage to landscape character, green setting and loss of a valued public amenity green space has not been justified.

We would ask the Committee to take the Friends of Lye Valley’s petition into consideration when making their decision.

Yours sincerely

Friends of Lye Valley Committee:

Dr Judy Webb, Chair, Ecological Consultant, 2 Dorchester Court OX5 2JT

Heather Armitage, MA (Oxon) Secretary, 50 St Anne’s Road, OX3 8NL

Dr Terry Wood, Treasurer, 50 St Anne’s Road OX3 8NL

Steve Woolliams, HNC in Applied Biology, 103 Dene Road OX3 7EQ

Appendix 1 Critique of Peter Brett Associates’ SuDS for Warren Crescent

Appendix 2 Critique of SuDS evidence examples provided by PBA

Appendix 3 Warren Meadow JW wildlife survey report, including images of Warren Meadow and attached table of species recorded to date

APPENDIX 1

Warren Crescent Proposed Affordable Housing

Critique of SUDS Mitigation designed by
Peter Brett Associates LLP

by Judith A Webb BSc, PhD

Profile

I have been working as a Freelance Ecologist for the last 11 years. Prior to that I worked as a Biology Science Teacher (23 years) and an Environmental Forensic Scientist (9 years). I am Chairman of Friends of Lye Valley (FLV) – just one of my many ecological roles locally and nationally. See <http://judithwebb.weebly.com/>

My PhD (1977) was on the vegetational history of 3 alkaline fens in Southern Scotland that are now National Nature Reserves. I have studied and recorded alkaline fen wildlife (plants, invertebrates, fungi) and water quality locally for the last 11 years. I am regularly consulted by the local branch of Natural England and by Oxford City Council about fen management in Oxfordshire. I have a particular research interest in Cothill Fen SAC, a local alkaline fen site of European importance, where my investigations have revealed serious water-quality issues for the springs resulting from nitrate pollution and the consequent detrimental effects on fen vegetation.

Summary

In my professional opinion, the proposed Warren Crescent housing development with the PBA-designed SUDS mitigation in place would be likely to result in the following damaging consequences to the Lye Valley SSSI and LWS wetlands:

- Springs in the west side of SSSI could become 'flashier' – alternating high and low flows, high flows after heavy rainstorms, thus disadvantaging rare plants
- Springs in the west side of SSSI could produce less calcium (lime) and thus less essential tufa after heavy rainstorms, disadvantaging rare plants
- Springs in the west side of SSSI could produce higher phosphate and nitrate, disadvantaging rare plants
- Springs in the west side SSSI could be contaminated by chemicals dumped in the swale (used engine oil, paint, etc) - unknown effect on chemistry and rare plants
- Springs in the LWS immediately down the bank from the development could suffer reduced flow and altered chemistry. This would prejudice their eventual remediation to quality alkaline fen plant communities of SSSI standard (this work has already started in the Wild Oxford project in association with BBOWT)

The fact is that the SUDS mitigation proposal put forward here has not been tried and proved effective **in any other situation** where the water quality and chemistry need to be protected in a rare calcareous alkaline valley-head spring fen habitat.

It would be an experiment with an unpredictable outcome.

Introduction and Background

The proposed Warren Crescent housing development (**Oxford City Council Planning application 13/01555/CT3**) is within the rainwater catchment of the springs upon which the Lye Valley alkaline fen SSSI and LWS areas depend. See information on the Lye Valley habitat and spring catchments at <http://www.headington.org.uk/lyevalley/about/index.html>

Planning Policy Documents relevant to this proposed development:

A. Sites and Housing plan 2011-2026, Adopted Feb 2013, page 112, see box with final Policy SP60, Warren Crescent:

'Policy SP 60 Warren Crescent. Planning permission will only be granted for residential development at Warren Crescent if it can be proven that there would be no adverse impact upon surface and groundwater flow and the Lye Valley SSSI. Development proposals should be accompanied by an assessment of groundwater and surface water. Development proposals must incorporate sustainable drainage with an acceptable management plan'

B. From the Inspector's notes (Point 3) on her examination of the soundness of the above Sites and Housing Plan. Main Matter 7, The Soundness of the Sites Allocated in the South West and South East of Oxford. Site SP62 Warren Crescent.

Here the wording is stronger. I actually attended this part of the hearings and voiced my fears for the Lye Valley SSSI. Note in Point 6.5, page 3, of this document:

'The SPRA notes that the site can be allocated in the Sites and Housing Plan only if a groundwater study demonstrates beyond doubt that the development of this site would not cause a detrimental impact on the SSSI.'

So '**Proof, beyond doubt**' is clearly required that there would be no damage to the Lye Valley SSSI, which is adjacent to this proposed development site. I have strongly objected to this housing development at every opportunity at previous planning stages because I think it would cause damage to the SSSI.

After initially objecting to this proposed housing development, Natural England subsequently withdrew their objection (with stringent conditions that included a requirement that covenants be attached) on the basis that there was a SUDS mitigation plan.

Peter Brett Associates failed to attend an important site meeting between myself, other members of Friends of Lye Valley and Richard Hawkes, Senior Asset Manager for Oxford City Council, in the Lye Valley on 1 April 2014, when all issues and concerns relating to the SUDS mitigation proposal were fully discussed. No reply to my frequently expressed concerns has yet been received from PBA.

My scepticism is fuelled by **my personal, direct, experience of the failure of a similar SUDS mitigation scheme** designed for preservation of wet, high-calcium, low-nutrient grassland with orchids and rare fungi at Milham Ford Nature Park in Oxford in relation to the Berkeley Homes Harberton Heights housing development nearby. Orchids and fungi were not preserved because, despite the mitigation scheme, the water chemistry changed.

The following discussion aims to show that there is considerable uncertainty and thus **doubt** that the SUDS mitigation scheme devised by consultants Peter Brett Associates LLP for this proposed housing would deliver water of the right volume and **right chemical quality** to keep the SSSI alkaline calcareous fen in an undamaged condition **in perpetuity**.

It also aims to show that Natural England's withdrawal of its objection was hasty and based on insufficient knowledge and evidence of the actual situation. The following points are presented after lengthy discussions with chemist and hydrologist Dr Curt Lamberth, who calculated the catchment of the SSSI fens for Oxford City Council in 2007.

The Warren Crescent housing proposal plans and SUDS Mitigation final design I refer to is described in the following document produced by Peter Brett Associates LLP (PBA):

Warren Crescent Development, Headington, Oxford, Assessment of Potential Impacts on the Lye Valley SSSI Stage 3 - Assessment (Updated) Project Ref: 27920/006 Document: R002/rev1, dated June 2013 - accessible on [Oxford City Council's Planning website](#) as:

13_01555_CT3-FLOOD_RISK_APPENDIX_6_-_STAGE_3_UPDATE_REPORT_FINAL-378171.pdf

See, in particular, **Figure 2** towards the end of the document for the SUDS design:

Proposed Outline Surface Water Drainage

Appendix 6, Drawing number 27920/005/003, by Peter Brett Associates.

Microdrainage design of Swale Model Details: ©1982-2011 Micro Drainage Ltd.

The first point I wish to make is that the decision on this proposed housing development should not be made in ignorance of the **extreme rarity of the calcareous alkaline fen habitat at risk**.

This is a European Level Priority Habitat. A recent assessment by Natural England (Alkaline Fen inventory for England, 2013, ref 1) states that the 'M13' fen vegetation community in the Lye Valley North Fen SSSI holds about 1 hectare of the mere 19.1 hectares of this habitat that remain in the whole of England.

As a guide, 19.1 hectares is a smaller area than South Park in Oxford.

I have serious concerns that the SUDS design featuring the permeable paving and water retention and infiltration swale would make matters *worse* for the water quantity and quality supplied to the important fen areas, (note these are not all in the SSSI, some are outside it in the Local Wildlife Site). **There is no way that this proposed housing development could cause zero damage to the adjacent fen with these mitigation hydrological structures.** 'Mitigation', of course, merely means *reduction* of damage, not elimination of any damage. Note that Natural England removed their objection to this development not because they believed there would be no damage, but because they thought it possible that the damage might be minimal with the SUDS, **if their stringent conditions were adhered to in perpetuity**. I think the damage would be more than minimal.

Peter Brett themselves accept this point. Their report, pages 12 & 13, **4.3.2 Water Quality**, states:

'Surface Water Drainage: Although the surface water discharge options considered would not in themselves represent any significant change from the current greenfield flow conditions, they may represent a change to the quality of the waters arising from the Site and hence may represent a potentially adverse effect on the Lye Valley SSSI.

Although the discharge options would include treatment components appropriate for discharging to highly sensitive waters, the development of the Site for residential use would lead to an increased risk of contamination from activities such as illegal discharges and spillages of used oils or sewage. Notwithstanding this observation, given that Oxford County Council, as the lead flood authority, have a duty to adopt all SuDSs which drain two properties and above, then provided appropriate maintenance is carried out then the increased risk of adversely affecting the quality of the waters entering the Lye Valley would, at worst, be very low'.

Even a low risk to such a rare and threatened habitat is unacceptable. Who could ensure that 'appropriate maintenance' would be carried out in perpetuity? This in an area where fly-tipping and dumping of toxic chemicals (paint, used engine oil) happens regularly already, and the swale might attract more of this. **There is no possible remediation or 'un-doing' of any pollutant contamination of an aquifer which feeds springs.**

Specific Points

1. Quantities and distribution of water supply to fen areas in SSSI with suggested SUDS in place

The first point to be clear on is that the springs feeding the SSSI fen, which is to the south-west of this proposed development, **have currently an excellent water volume flow and do not need augmentation with increased flow** (there is a suggestion in the PBA document that increased flow here would 'help'). Also there is currently **excellent water chemistry** here, as evidenced by large quantities of whitish tufa (calcium carbonate, calcite, more properly 'travertine') formation on the vegetation. Location of the highest spring relevant here is SP 54757 05887. The high tufa formation binds any free phosphate and locks it away in an unavailable form, so that the flow is very low phosphate, ideal for the rare plants. Water flow under the proposed housing, PBA states, would be generally in a south-east direction through the ground towards the Lye Brook.

Simply put, isn't it obvious that collecting all the rainwater that should have gone into the ground in one area (which, after the development, could be covered by housing and paving) and piping it into a different area to the south-west (to the swale) would partially deprive the valuable calcareous springs in the area immediately down the south-east bank from the housing (in the LWS) and potentially overload the calcareous springs in the SSSI area to the south-west nearest the swale?

There is no geological borehole data from the area of the site that would be under the swale and actually adjacent to the SSSI fen springs and therefore no accurate knowledge of how fast or slow collected run-off water might be expected to penetrate the ground and emerge in the nearby springs normally.

Extrapolation from the three boreholes (BH1001-BH1003) carried out to the north east (under the area of proposed houses) seems rather unreliable due to complex geology – variable amounts of layers of Beckley Sands and Corallian limestone – but calculations of water movement under the site, based on these boreholes, indicate that it is **very slow at the moment** (from PBA report page 11:

'groundwater flow velocities are between about 0.8 and 5.0x10⁻⁸ m/s, corresponding to between about 0.25 and 1.5 m per annum'

So, water might normally (undeveloped site) take nearly a year to move the 100–200m or so underground from the northern limit of the proposed housing to the area of the proposed swale. **If the proposed development took place, collecting all the roof and paving area run-off and piping it to the swale would, instead, cause water that should have taken up to a year to get to that point to arrive there and enter the ground within only hours.** PBA quote a 6-hour rainstorm producing 69.7m³ of rainwater and state that the swale would hold this and release it over days into the ground.

If there is extra volume to the SSSI springs, this might be thought by a lay person to be 'good' and 'improve things' but this is far too simplistic a view.

Extra volume would cause the over-loaded nearest spring to become 'flashier', i.e. more prone to sudden short-duration excess water flow. But the fen vegetation of highest ecological value is National Vegetation Classification category M13, which is adapted to **constant low spring flow, not intermittent low then high flow**, so 'flashiness' is likely to cause vegetation change. Overloading might cause erosion as well.

Overloading would be most likely to happen after a sudden heavy rainstorm. Maybe too much water that is just rainwater and not saturated with calcium (dissolved lime) would flood the spring. Overloading with water that contains insufficient calcium or too much pollution, such as high phosphate, would change the plant community from the present high-value one to a common enriched wetland of much lower ecological value. High phosphate input could result from car washing with detergents on the permeable pavement.

Let us be clear on this point: more water of the wrong sort (wrong chemistry) to the SSSI springs could be as great a disaster as less water.

2. Water Quality (Chemistry) to the SSSI

A calcareous, alkaline, fen ecosystem is **critically dependent on the correct water chemistry** to provide ideal conditions for the rare flora. PBA report P 9 describes this important point accurately in reporting their spring analysis:

'in general the groundwater is hard with approximately 370 mg/l hardness as CaCO₃ giving rise to a high conductivity of about 0.7 mS/cm'

Indeed, water issuing needs to be 'hard' with approximately 300 to 400 mg/l hardness as CaCO₃ giving rise to a high conductivity of 600 to 850 uS. It also needs to be (and this is critical to fen vegetation) very low in soluble reactive phosphate, with values typical of Headington springs from soluble reactive phosphate ranging from 0.1 to 0.6 mg/l (information from report of Lamberth, C. 2007, Reference 2).

In the Lye Valley there are **22 plant species rare in Oxfordshire** (See <http://www.headington.org.uk/lye/valley/about/index.html>)

The interactions are complex, but to take just one example: the rare and beautiful marsh helleborine orchids require high calcium, alkaline pH, water and are dependent on particular fungi to associate with the seeds for successful germination and growth. These fungi thrive only in an environment **very low in nitrate and phosphate**. If either of these nutrients increases, the fungi cannot grow and dependent orchids therefore cannot germinate.

Phosphate is the most critical chemical and phosphate levels are normally kept incredibly low in the spring water by the formation of chalky, limy 'tufa' (hard deposits like stone or fur in a kettle). As spring water issues and is exposed to the air, the high amounts of dissolved calcium in the water precipitate out as hard stone-like calcium carbonate (lime encrusts all the vegetation). In this lime-forming reaction, any phosphate in the water is locked away in the deposited lime, keeping the water phosphate level incredibly low and favouring fungi and orchid growth. Without sufficient calcium in the water, the phosphate 'locking-away' would not happen adequately and phosphate levels might rise to disadvantage the fungi the orchids need. Alternatively, if higher-than-normal phosphate levels were to contaminate the spring water, the tufa-depositing process might not be able to lock it all away, thus allowing phosphate levels in the soil around the orchids to rise to fungi-damaging levels.

The SUDS proposed would deliver **water volume** to the SSSI fen springs but what would the **quality** of that water be? If the water were polluted and, very importantly, if it did not have the right chemistry, then damage would ensue to the plant community receiving this water in the fen. Water emerging from the springs needs to be supersaturated with lime salts and extremely low in nitrate and phosphate.

The current SUDS designs feature calcareous aggregates under the permeable paving in front of the houses plus a layer of limestone gravel in the bottom of the swale so that run-off water percolating through this on its way into the ground would pick up calcium from the limestone (which is chemically calcium carbonate). **How thick would these aggregate limestone layers have to be to produce output water of sufficient calcium and bicarbonate to replicate what this water would have picked up, had it been allowed naturally to infiltrate and pass through a soil profile with growing plants and the underground geology?** No detail is given.

If the limestone layer were too thin or the stone size too large, there would be a big risk that run-off water would just pass through far too quickly to pick up any useful amounts of calcium and bicarbonate.

Also, above the limestone there would have to be a soil layer with actively growing marsh vegetation to generate **enough CO₂** to make the water **acid enough** to dissolve the calcium from the limestone in sufficient quantity before exiting the swale into the ground.

Would the chemistry achieved by infiltration through a normally-vegetated soil profile followed by travelling through underground rocks for a year be adequately replicated by the function / installation of the permeable paving and swale?

Extract from a letter from the application officer, **Andrew Murdoch**, regarding the need for Ecological Impact Assessment - see document on [Oxford City Council's Planning website: 13_01555_CT3-EIA_SCREENING_OPINION-1381290.pdf](#)

'The use of calcareous aggregates within the formation of ground below the permeable paving and as a basal lining to the swale will act to modify the groundwater chemistry towards that of the underlying spring water.'

This admission that the SUDs would act only to **'modify the groundwater chemistry towards that of the underlying spring water'** says it all.

'*Modifying towards*' is so vague that it is clear the chemistry produced might just not be good enough when dealing with a site with critical water chemistry upon which the health of the habitat depends.

3. Water Volumes and Quality (Chemistry) to the LWS springs and fen areas

PBA do not seem to know that there are valuable calcareous spring/fen areas outside the SSSI and to the north of it in the LWS (immediately down the bank to the south east of the proposed development). This is despite presenting water analysis data on these springs – quoting from page 11, last para:

'The three springs observed towards the base of the embankment along the boundary of the site (see Figure 4) flow directly into the Lye Brook and are therefore lost as base flow to the calcareous fen habitat which is further downstream to the south east. However, adopting SuDS drainage in the south east of the proposed development area offers the opportunity to provide a greater degree of infiltration for groundwater recharge that could benefit the adjacent SSSI habitat in this area providing water quality is considered.'

There are several points that are wrong with this statement:

The springs in the first underlined section **do not flow directly to the Lye Brook, they supply peaty tufa-forming areas of former calcareous alkaline fen** that is eminently remediable to high

quality fen, thus their water is **not lost as base flow to the calcareous fen habitat**. The adjacent SSSI springs discussed in the second underlining are **already very strong springs**, they have **no need of greater infiltration and ground water re-charge to augment their flow, so no benefit (as previously discussed)**.

The remediation of these LWS calcareous springs to high quality alkaline fen by scrub removal is already under way as part of the local Wildlife Trust/Oxford City Council '**Wild Oxford**' Project. The success of this grant-funded project depends on there being good spring flow with appropriate high-calcium water. Springs in the LWS immediately down the bank from the development could suffer reduced flow and altered chemistry as a result of the SUDS mitigation. This would prejudice their eventual remediation to the target SSSI standard fen vegetation.

So, in conclusion, my view is that this hydrological mitigation SUDS design of permeable paving and infiltration swale is an example of something which '*sounds as though it might work*' because the water is passed through limestone - but the limestone layer installed might prove completely insufficient and the rainwater might pass through it too quickly to achieve the desired water chemistry. Not to mention the problem of protection from pollution and the difficulty and cost of maintenance of permeable paving and swale FOREVER. It also ignores the valid need of the calcareous springs in the LWS.

It would be a risky experiment, and a habitat of this rarity and national (international) importance should not be subjected to it.

REFERENCES

1. Tratt, R, Parnell, M., Eades, P. & Shaw, S. (2013)

Development of Inventories for Annex 1 habitats 'Alkaline Fens' and 'Transition Mires & Quaking Bogs' in England. Final draft report to Natural England.

2. Lamberth, C. (2007)

'Investigation of the possible hydrological effects on the Lye Valley Sites of Special Scientific Interest and the riparian zones of the Lye and Boundary Brooks as a result of development on Southfield Golf Course'.

SHLAA Report to Oxford City Council (PDF) available at:

<http://www.oxford.gov.uk/Direct/72511FINALAssessmentofhydrologicalimpactofdevelopmentonLyeValleySSSI.pdf>

APPENDIX 2

Warren Crescent – SuDS Case Studies supplied by Peter Brett Associates (PBA) to Oxford City Council Corporate Property (Richard Hawkes) by letter on 11 October 2013

Critique by J A Webb 6 October 2015

Summary

The essence of the Warren Crescent proposed SuDS design by PBA is that paving and roof rainwater from the proposed housing area be directed via a pipe system to a swale with a limestone gravel, highly permeable base, to allow run-off water to penetrate the base into the underground aquifer in order to continue to supply the springs emerging in the SSSI and LWS fen areas adjacent. Pollutants would be removed and the depth of limestone in the swale base is supposed to adjust the chemistry of the run-off rainwater to that required by the fen supplied by the nearby springs.

The spring water at emergence needs **high alkalinity and a very high concentration (super-saturation) of dissolved lime (calcium bicarbonate) and very low concentrations of nitrate and phosphate**. This chemistry ensures high alkalinity and the essential continued deposition of TUFA (lime) in the fen and the consequent health of the complex and rare community of species to be found in the NVC M13b community.

Whether the design is good enough to perform this required exacting role is uncertain because **this design for this purpose has never been tried before, it is a first-try experiment**.

None of the three case studies presented by PBA demonstrate that the above proposal will function as required and certainly not that it will function *in perpetuity*. They are thus not 'evidence' that there will be no damage to the fen SSSI from the Warren Crescent development

The supplied case studies:

- are NOT designed for infiltration (key requirement for Lye Valley)
- are NOT designed for chemical change of rainwater to high calcium and alkalinity (key requirement for Lye Valley)
- do NOT demonstrate removal of some important pollutants such as phosphate (key requirement for the Lye valley, which is the lowest of the low phosphate ecosystem).

As for oil and other hydrocarbon removal:

PBA supply a SuDS maintenance schedule for the Warren Crescent proposed system in **Table 1**. It is noted that in this table there is no mention of regular checking and replacement of an **oil filter** in the pipe to the swale. This is essential. Costs of all this SuDS maintenance in Table 1 are not mentioned and need to be supplied. Of course, such an oil filter (designed to remove oil coming from cars on the permeable paving) would be ineffective in reducing contamination from deliberate fly-tipping of used engine oil dumped directly into the unlined swale in any case. Deliberate dumping of contaminating chemicals will not be prevented by any of the design features. This type of activity is already recorded for adjacent to this site, and it would be unrealistic to assume it will cease.

Detailed Comment on Case Studies supplied by PBA:

Yes, these three case studies involve permeable paving and swales or interception ponds but **none of them** addresses the key issue at Warren Crescent, namely sufficient infiltration of uncontaminated water to an aquifer and critical chemical modification of the water infiltrated towards super-saturated with lime. These SuDS Case study examples are focused on peak water-flow reduction and the filtering out of pollutants such as hydrocarbons and heavy metals. With these aims, they are recorded, in the **short time** they have been studied, to work reasonably well in both tasks.

I note phosphate is not a pollutant that was assessed. Phosphate from detergents in car washing is a concern for the Warren crescent system because the alkaline fen receptor is a critically low phosphate-dependent ecosystem. The ponds in these case studies are either on clay or are lined, so little or zero infiltration is designed to occur and the pollutants they trap are never likely to enter groundwater.

Therefore they are just not comparable situations/solutions. These case study SuDS are not required to perform the same function as is needed for the Warren Crescent proposed SuDS system.

COMMENTS ON THE INDIVIDUAL CASE STUDIES AFTER READING THE REFERENCES GIVEN:

Gartloch Hospital, Glasgow (information from University of Abertay)

The main concern was run-off contamination during temporary construction phase. After construction, SuDS train of ponds is designed only to manage reduction of pollution and lower peak water flow to reduce flooding. This supplies an SSSI, but it is an output into a large water body of a loch and a portion of a fen is referred to as well. Because of the large volume of the receiving water body, even if the SuDS did not completely clean the water, contaminants would be diluted in the large water body. A fen marginal to a loch is likely to be a completely different type from the calcareous alkaline tufa fens in the Lye Valley and unlikely to need the same critical water chemistry.

The SuDS treatment chain uses **lined** ponds, as they are described as **retention ponds**. The soil at the site is described as 'sandy clay', which would not allow much infiltration in any case, so maybe the ponds are unlined, but in any case they are designed to **hold water** and **not infiltrate it**.

Infiltration into the ground is not the aim, merely cleaning run-off to a lake, therefore it is not comparable to the Warren Crescent SuDS design, where the key feature is infiltration and the consequent production of a particular water chemistry high in lime to supply a spring. Unlined swale puts aquifer at risk of pollution, unlike in this case study.

Hopwood motorway Service area, M42, near Bromsgrove Worcestershire (information from University of Coventry)

Installed 2000. Run off from car parks and a roof. Key role is pollutant removal only. All interception ponds have artificial membrane liners covered with 30cm topsoil. No infiltration. Contractors visit every 2 weeks. Silt and oil interceptor not maintained for 18 months and became blocked. Now maintained by specialist contractor every 6 months.

Sediment needs removal from ponds every 3 years – this contaminated sediment taken offsite, taking pollutants away. Pollutants thus not allowed into the ground.

Infiltration into the ground is not the aim, it is not comparable to the Warren Crescent SuDS design where the key feature is infiltration and the consequent production of a particular water chemistry high in lime to supply a spring. An unlined swale puts aquifer for Lye Valley at risk of pollution, unlike in this case study.

Lamb Drove, Cambourne, Cambridgeshire provided by Susdrain

Residential housing development on clay. SuDS not adopted and maintained by Cambridgeshire County Council, yet (at the time the report was published on line). Functioning monitored for only 3 years 2008-2011. SuDS reduced peak flows and reduced hydrocarbon and heavy metal concentrations. No phosphate measures. Unlikely much infiltration happening or of importance **as on clay**. One of aims to reduce new storm sewer connection from the developments and thus save £30 per household per year.

Infiltration into the ground is not the aim, it is not comparable to the Warren Crescent SuDS design where the key feature is infiltration and the consequent production of a particular water chemistry high in lime to supply a spring. Unlined swale puts aquifer at risk of pollution, unlike in this case study.

APPENDIX 3

Warren Meadow (land east of Warren Crescent) Wildlife Survey Report

Dr Judith A Webb
October 2015



Two views of Warren Meadow taken on 1st August 2013, from the north end looking southwest, flats of Heath Close overlook the site in background. Note the football to the right (below the flats) in the lower photograph, this area is frequently used for informal kick-about by children. Trees to the left are the outgrown hedge-line which is the junction to the Lye Valley LWS/LNR/SSSI.

Introduction and background

This open green space abuts the Lye Valley Local Wildlife Site (LWS)/Local Nature Reserve (LNR) to the east and the Lye Valley Site of Special Scientific Interest (SSSI) to the south-west. To the west are the curve of Warren Crescent road with blocks of flats and the similar flats on Heath Close. The green space is used for informal recreation and as a kick-about area by older children.

Survey data, presented in the Appendix, are from visits on 01.08.2013, 08.06.2014 and 25.09.2015. Most plants will have been identified on site from these visits, but the biodiversity of animals, especially invertebrates, in the area will not be adequately covered without more work.

The area centre is SP5480 0598. It is a linear green strip running from SP54756 05891 on the bank immediately above the SSSI fen to SP 54830 06059 immediately south of Town Furze allotments. A footpath crosses the site from the Town Furze allotment area to the top of the Lye Valley at the end of Heath Close.

It comprises a regularly closely-mown green sward with occasional ornamental trees (ash, Swedish whitebeam, ornamental pear, field maple) and marginal areas of planted shrubs (cotoneaster, pyracantha, variegated holly) along with bramble and elderberry bushes.

A large patch, approx. 20m x 5m, of ground elder and some nettles is to be found behind the fence towards the Town Furze allotments at the northern end of the site and partially adjacent to a small area with concrete, which used to have garages and is now used for parking.

The tree line along the site boundary to the east was originally planted as a mixed hedge of field maple, hawthorn and cherry in the 1970s, when the fence was erected there to limit fly tipping down the adjacent bank into the valley. There was a failure by the council to maintain this feature as a hedge by regular cutting. Consequently the field maples, being the fastest growing species, have come to dominate and have shaded out most of the hawthorns and cherries. The result is a linear feature of mostly mature field maple trees.

It is known that historically this area of land used to slope down gently towards the Lye Brook margin, but when the Town Furze estate was built in 1954, quantities of building rubble were deposited here on the slope and levelled. The result is a level area which is now green and, beyond the line of field maple trees, an artificially very steep, tipped-rubble, embankment leads into the valley.

Survey Results, wildlife using the site

The mown sward would probably have been originally sown with a general hardwearing seed mix suitable for play areas and this is reflected in the frequency of perennial rye-grass and white clover today.

However, the area has developed some diversity of common wildflowers like dandelion, common daisy, yarrow, plantains, dove's-foot crane's-bill, creeping buttercup and meadow buttercup, slender speedwell and germander speedwell with rare dog violets next to the tree/hedge line.

Towards the line of field maple trees, garlic mustard, wood avens and ground ivy are seen with locally frequent cow parsley. Cow parsley is a good spring flower food source for all spring insects.

Ground elder (there is a patch to the northern end), whilst an undesired weed in gardens, is an extremely valuable food source for pollinators. It was seen here on 08.06.2014 covered in insects feeding on the flowers - honey bees, two sorts of bumble bees, solitary bees, solitary wasps, deadwood-breeding hoverflies, a deadwood-breeding wasp beetle and hoverflies known to have larvae that need to breed in wet peat in the fen adjacent (*Chrysogaster solstitialis*).

As regards other food sources for pollinators, the ornamental pear and Swedish whitebeam trees will have flowers valuable to insects in spring and the white beam produces orange fruits useful to berry-feeding birds in the autumn.



Warren Meadow - abundant flowers of ground elder, covered in insects, (Chrysogaster solstitialis, fen-breeding hoverflies) on 08.06.2014



More insects using the ground elder flowers on 08.06.2014

Myathropa florea (deadwood breeding hoverfly), wasp beetle, Clytus arietis (breeds in dead wood), Cuckoo bumble bee and honey bee.

A Badger latrine area was noticed at SP54825 06009 at the base of the fence under the field maple trees on 25.09.2015. There is a known badger sett (burrow) on the bank to the SSSI just beyond the southern end of Warren Meadow. Characteristic badger turf diggings excavated whilst food-searching were also seen around a group of young ash trees on the same date. This whole green area is likely to be used by badgers for foraging and as a corridor from the sett in the Lye Valley, to the south, to the Town Furze allotments, to the north. Moles use the site as indicated by a number of fresh molehills.

Viviparous lizards and slow worms are known to breed immediately north of Warren Meadow in Town Furze allotments and immediately south of the meadow in a grassy triangle area at the end of Heath Close. As lizards will not cross through cold shady conditions such as are found on the tipped embankment, the warm sunny base of the hedge line is quite likely a route between the two breeding population areas for both reptiles.

Summary

Only common flowers and shrubs are found on site currently and the close mowing limits flowering in the majority of the sward. Uncut margins are, however, useful flower sources for insects. The ornamental pear and Swedish whitebeam trees, shrubs, cow parsley and the large patch of ground elder flowers present good feeding opportunities for important pollinators and for some of the insects breeding in dead wood and the waterlogged peat and tufa of the fen wetland adjacent.

If the site were enhanced by further marginal sowing of nectar-rich wildflowers, it would undoubtedly offer greater support to the life cycles of insects breeding in the adjacent fen and develop much more ecological importance. The site is a wildlife corridor and foraging area for badgers and probably slow worms and viviparous lizards with populations to the north and the south.



Warren Meadow from Warren Crescent, children playing football in the distance

Attached - Warren Meadow species records 2014 / 2015

A table of some species recorded from the Warren Meadow to date

Warren Meadow (land east of Warren Crescent) Wildlife Survey Report
Warren Meadow species records 2014 / 2015

Dr Judith A Webb October 2015

Key: A abundant, D dominant, F frequent, LA locally abundant, LF locally frequent, O occasional, R rare FP Flowering plant

Scientific name	Common name		Date	Abund/ nos.	Map ref	Comment
<i>Acer campestre</i>	Field maple	FP	25.09.2015	1 tree but frequent in hedge line	SP548 059	
<i>Achillea millefolium</i>	Yarrow	FP	25.09.2015	LA	SP548 059	
<i>Aegopodium podagraria</i>	Ground elder	FP	08.06.2014	Patch 5 x 20m near fence	SP54829 06037	
<i>Alliaria petiolata</i>	Garlic mustard	FP	25.09.2015	R	SP548 059	
<i>Anthriscus sylvestris</i>	Cow parsley	FP	25.09.2015	LF	SP548 059	
<i>Arrhenatherum elatius</i>	False oat	FP	08.06.2014	LF	SP54829 06037	
<i>Ballota nigra</i>	Black horehound	FP	25.09.2015	R	SP548 059	
<i>Bellis perennis</i>	Common daisy	FP	25.09.2015	F	SP548 059	
<i>Cerastium fontanum</i>	Common mouse-ear	FP	25.09.2015	O	SP548 059	
<i>Cotoneaster</i> sp	Cotoneaster	FP	25.09.2015	O	SP548 059	
<i>Dactylis glomerata</i>	Cock's foot grass	FP	25.09.2015	O	SP548 059	
<i>Fraxinus excelsior</i>	Ash	FP	25.09.2015	9 trees	SP548 059	
<i>Galium aparine</i>	Cleavers	FP	25.09.2015	O	SP548 059	
<i>Geranium molle</i>	Dove's foot cranesbill	FP	25.09.2015	F	SP548 059	
<i>Geum urbanum</i>	Wood avens	FP	25.09.2015	O	SP548 059	
<i>Glechoma hederacea</i>	Ground elder	FP	25.09.2015	O	SP548 059	
<i>Holcus lanatus</i>	Yorkshire fog	FP	25.09.2015	R	SP548 059	

Key: A abundant, D dominant, F frequent, LA locally abundant, LF locally frequent, O occasional, R rare FP Flowering plant

Scientific name	Common name		Date	Abund/ nos.	Map ref	Comment
Lamium album	White dead-nettle	FP	25.09.2015	R	SP548 059	
Lapsana communis	Nipplewort	FP	25.09.2015	R	SP548 059	
Leontodon autumnalis	Autumnal hawkbit	FP	25.09.2015	O	SP548 059	
Lolium perenne	Perennial ryegrass	FP	25.09.2015	F	SP548 059	
Plantago lanceolata	Ribwort plantain	FP	25.09.2015	F	SP548 059	
Plantago major	Greater plantain	FP	25.09.2015	O	SP548 059	
Pyracantha sp	Firethorn	FP	25.09.2015	O	SP548 059	
Pyrus sp	Ornamental pear tree	FP	25.09.2015	3	SP548 059	
Ranunculus acris	Meadow buttercup	FP	25.09.2015	O	SP548 059	
Ranunculus repens	Creeping buttercup	FP	25.09.2015	F	SP548 059	
Rosa canina	Dogrose	FP	25.09.2015	R	SP548 059	
Rubus fruticosus agg.	Bramble	FP	25.09.2015	O	SP548 059	
Rumex obtusifolius	Broad leaved dock	FP	25.09.2015	O	SP548 059	
Sorbus sp cf intermedia	Cf Swedish whitebeam	FP	25.09.2015	4 mature	SP548 059	
Taraxacum sp.	Dandelion	FP	25.09.2015	F	SP548 059	
Trifolium repens	White clover	FP	25.09.2015	A	SP548 059	
Urtica dioica	Common nettle	FP	25.09.2015	O	SP548 059	
Veronica chamaedrys	Germander speedwell	FP	25.09.2015	LF	SP548 059	
Veronica filiformis	Slender speedwell	FP	25.09.2015	O	SP548 059	
Viola sp.	A dog violet	FP	25.09.2015	R	SP548 059	

Key: A abundant, D dominant, F frequent, LA locally abundant, LF locally frequent, O occasional, R rare FP Flowering plant

Scientific name	Common name		Date	Abund/ nos.	Map ref	Comment
Agaricus sp	A mushroom	Fungus	25.09.2015	3 caps	SP548 059	
Myathropa florea	A hoverfly	Fly	08.06.2014	1	SP54829 06037	Feeding on ground elder flowers
Chrysogaster solstitialis	A hoverfly	Fly	08.06.2014	5	SP54829 06037	Feeding on ground elder flowers
Talpa europaea	Mole	Mammal	25.09.2015	Sign - fresh molehills	SP548 059	
Meles meles	Badger	Mammal	25.09.2015	Sign - one latrine area	SP54825 06009	Near to fence line
Andrena cineraria	Ash grey mining bee	Bee	08.06.2014	5	SP54829 06037	Feeding on ground elder flowers
Andrena/colletes	An unidentified solitary bee	Bee	08.06.2014	1	SP54829 06037	Feeding on ground elder flowers
Apis mellifera	Honey bee	Bee	08.06.2014	4 workers	SP54829 06037	Feeding on ground elder flowers
Bombus vestalis	Vestal cuckoo bumble	Bee	08.06.2014	1q	SP54829 06037	Feeding on ground elder flowers
Bombus lucorum agg.	White-tailed bumble	Bee	08.06.2014	1q	SP54829 06037	Feeding on ground elder flowers
Clytus arietis	Wasp beetle	Beetle	08.06.2014	1	SP54829 06037	Feeding on ground elder flowers



Your ref:

Our ref: 27920/013/CBH/RP/AZ/ASR/EE

11 October 2013

Mr Richard Hawkes
Corporate Property
Oxford City Council
Town Hall
St Aldates
Oxford OX1 1BX

Peter Brett Associates LLP
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Dear Richard

RE: Warren Crescent, Oxford – SuDS Case Studies

Following on from the Oxford City Council Planning Committee meeting for Warren Crescent, Peter Brett Associates LLP (PBA) has been asked to provide evidence where the use of Sustainable Drainage Systems (SuDS) have been successfully used to manage surface water and water quality at ecologically sensitive locations. This letter report outlines this information and provides a comparison with the proposed surface water drainage scheme at Warren Crescent.

1. Introduction

The Warren Crescent site is located adjacent to the Lye Brook Site of Specific Scientific Interest (SSSI). The SSSI consists of fenland and springs which produce calcareous and nutrient rich water. At present, the site is greenfield and drains through infiltration to groundwater and through to the SSSI and the Lye Brook.

As part of the Flood Risk Assessment (FRA) a surface water drainage strategy was prepared for the site and includes water quality treatment stages as follows:

- The access roads, pavements and parking bays would drain via permeable paving, providing the first tier of storage and treatment;
- Treated water from the permeable paving would then pass through catchpits and be conveyed to a swale (with underlying limestone base) bounding the edge of the Lye Valley. The swale would act as the second tier of water quality treatment;
- Roof drainage, access paths to the bike sheds and patio areas will be directed, via a pipe network, to the swale such that this relatively clean water would receive two levels of water quality treatment; and
- For design exceedence flows, a bund between the edge of the Lye Valley and the development site would prevent overland flows from entering the Valley.

2. Gartloch Hospital, near Glasgow, Scotland (provided by the University of Abertay, Dundee)¹

The Gartloch Hospital and Estate is located adjacent to the Bishops Loch, which is classified as a Site of Specific Scientific Interest (SSSI), a Local Nature Reserve (LNR) and a Site of Importance for Nature Conservation (SINC).

Due to the sensitivity of the Bishop Loch and the surrounding area, and concerns of soil disturbance during construction and impact on water quality, the surface water drainage from the development was considered

¹ Berwick, N (n.d.) Gartloch Hospital Case Study

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for the temporary construction phase in addition to the post-construction installation of a SuDS treatment train as follows:

- Temporary /construction phase – surface water runoff from the site was managed using a network of channels which conveyed overland flows to flocculant enhanced settlement basins. The clean water is then released to the Bishops Loch through a temporary channel. Vegetated buffer zones were also used to provide additional protection for watercourses. Regular water quality monitoring and visual inspections were undertaken varying from daily, when surface water runoff was occurring, to weekly.
- SuDS Treatment Train – The site was split into three sub-catchments based on topography. The management train within each sub-catchment consisted of three SuDS features, which each act as a tier of water quality treatment; permeable paving within the curtilage of each property, filter areas and retention ponds.

The Gartloch Hospital is similar to the Warren Crescent in that it is located adjacent to a SSSI and utilises permeable paving for the first stage of water quality treatment.

3. Hopwood Motorway Service Area, near Bromsgrove, Worcestershire (provided by the University of Coventry)²

The Hopwood Park Motorway Services on the M42 motorway drains into the Hopwood Stream and the adjacent wildlife reserve. The SuDS management trains were completed in 1999 for each of the four areas as follows:

- HGV park – sheet runoff is treated in a grass filter strip, followed by a stone-filled and lined infiltration trench, a spillage basin and a final attenuation wetland, with treatment in a further grass strip and swale for overflows;
- The coach park, fuel filling area service yard and main access road – runoff is collected through conventional gullies and pipes and is passed through a silt and oil interceptor before being discharged into a wetland/pond/wet swale management train;
- The car park – runoff from this area is collected via slotted kerbs into sub-surface, gravel-filled collector trenches that drain to a balancing pond; and
- The amenity building roof – runoff is piped to a balancing pond, before draining towards the Hopwood Stream.

The SuDS features are maintained regularly, with contractors visiting every 2 weeks to inspect and undertake maintenance as part of the overall landscape management of the Services Area. The drainage pipes and gullies are maintained by separate contractors.

Between 2003 and 2008, several studies by various organisations have been conducted to assess the performance of the SuDS management trains at Hopwood.

The highest contaminant concentrations were found in the 1st pond, which is presumed to be due to the diesel spillage in 2003, but were lower at its outlet in comparison to the interceptor outlet (conventional piped drainage). In the car park, the concentrations of sediment contamination were shown to progressively decrease down the management train. The lessons learnt were that the SuDS system was able to effectively deal with the pollution incident.

The contaminant concentrations in the grass filter strips generally decreased with distance from the pavement edge.

² Heal, K.V; Bray, R; Willingale, S.A.J; Briers, M; Napier, F; Jefferies, C and Fogg, P (2008) *Medium-term performance and maintenance of SUDS: a case-study of Hopwood Park Motorway Service Area, UK*. 11th International Conference on Urban Drainage, Edinburgh.

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This case study therefore shows that a 3 stage SuDS management train (the level of treatment proposed at Warren Crescent) can provide the robust water quality treatment required to mitigate against the impact of contamination to the receiving watercourse and Nature Reserve. This case study in particular shows the efficiency of containing contaminants from oil/petrol spillages within the HGV/petrol filling area within the SuDS features.

4. Lamb Drove, Cambourne, Cambridgeshire (provided by Susdrain)³

The Lamb Drove site in Cambridgeshire utilises a range of different SuDS components which form an effective management train for the conveyance, treatment and storage of surface water runoff, aiming to control the runoff as close to its source as possible:

- Roofwater is collected in water butts for use on gardens or flows directly to grass swales;
- Rain falling on paths and roads drains through permeable paving and is filtered/treated before draining to swales. The swales treat and convey runoff through the site to a series of detention basins and wetlands before it reaches a final retention pond;
- Water is stored in the retention pond before being released to a local drainage ditch, Bourn Brook, outside the development site.

A 3 year monitoring programme was undertaken by Royal Haskoning between 2008 and 2011 to assess and compare the performance of the SuDS components and compare with a piped drainage system within a local control site⁴. The monitoring results showed that the SuDS management train at Lamb Drove improves water quality in comparison to the conventional piped drainage at the Control site, particularly with regard to hydrocarbons, heavy metals and suspended solids and therefore reduces pollutant loads into the retention basins and ultimately the Bourn Brook.

The report also shows that after 6 years after installation, the permeable pavement at the site is still functioning well and has an infiltration rate in exceedence of the maximum rainfall intensities observed at the Control site over the 3 year monitoring period for the 1 in 50 and 1 in 100 annual probability rainfall events.

The Warren Crescent site would utilise a similar treatment and conveyance route of permeable paving and a swale. The Lamb Drove site, even though it is not discharging to a SSSI/sensitive area shows that in comparison to utilising conventional piped drainage, flows to the receptor are managed and water quality is significantly improved.

5. Summary

These case studies therefore show that SuDS have been successfully utilised to manage surface water runoff and to provide robust and improved water quality treatment in comparison to conventional drainage. In particular, the Hopwood Services and Lamb Drove case studies showed a reduction in contaminants down the treatment train.

Yours Sincerely

Andy Robertson BSc CEng MICE MCIWEM C.WEM

Associate

For and on behalf of

Peter Brett Associates LLP

³ Susdrain (2013) Lamb Drove, Residential SuDS Scheme, Cambourne.

⁴ Stevens, R (2012) *Lamb Drove Sustainable Drainage Systems (SuDS) Monitoring Project (Final Report)*. Royal Haskoning, Peterborough and Cambridgeshire County Council.

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Affordable Housing, Oxford – Warren Crescent

SuDS Management Plan

On behalf of



Project Ref: 27920/011 | Rev: DRAFT | Date: October 2013



Document Control Sheet

Project Name: Affordable Housing, Oxford – Warren Crescent

Project Ref: 27920/011

Report Title: SuDS Management Plan

Doc Ref: DRAFT

Date: October 2013

	Name	Position	Signature	Date
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For and on behalf of Peter Brett Associates LLP				

Revision	Date	Description	Prepared	Reviewed	Approved

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Appendices

Appendix A SuDS Maintenance Table

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1 Introduction

- 1.0.1 The Warren Crescent surface water drainage system utilises Sustainable Drainage Systems (SuDS) in the form of permeable pavements, pipework and a swale (with limestone base) to attenuate and convey surface water across the development and provide a robust water quality treatment train to mitigate the impact of the development on the adjacent Lye Valley Site of Specific Scientific Interest (SSSI).
- 1.0.2 Attenuation, within the swale is provided up to and including the 1 in 100 year (+ 30% allowance for climate change) rainfall event.
- 1.0.3 As with any drainage system, SuDS require regular inspection and maintenance to ensure that they continue to operate as designed, both in terms of hydraulic capacity, potential pollutant removal, and maintenance of surface water quality.
- 1.0.4 This report sets out the inspection and maintenance requirements for the long term management of the development's surface water drainage system in accordance with The SuDS Manual, CIRIA C697, and also identifies the maintenance of the different elements of the system.
- 1.0.5 This draft has been issued for comment and subsequent liaison with Peter Brett Associates LLP (PBA) before finalising.

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2 Operation and Maintenance

- 2.0.1 The SuDS Manual, CIRIA C697, states that there are three types of maintenance activities associated with SuDS:
- 2.0.2 Regular Maintenance – ‘basic tasks undertaken on a frequent and predictable schedule’ including vegetation management, litter and debris removal, and inspections.’
- 2.0.3 Occasional Maintenance – ‘tasks that are likely to be required periodically, but on a much less frequent and predictable basis than the routine tasks (sediment removal is an example).
- 2.0.4 Remedial Maintenance – ‘intermittent tasks that may be required to rectify faults associated with the system, although the likelihood of faults can be minimised by good design. Where remedial work is found to be necessary, it is likely to be due to site-specific characteristics or unforeseen events, and as such timings are difficult to predict.’
- 2.0.5 Monitoring and maintenance of the SuDs components within the surface water drainage system will be the responsibility of Oxford City Council’s Leisure and Parks Department.
- 2.0.6 In accordance with The SuDS Manual, CIRIA C697, specific maintenance needs should be monitored and maintenance schedules adjusted to suit a SuDS components particular requirements and location.
- 2.0.7 Table 1 in Appendix A defines the type of maintenance required by each of the SuDS utilised as part of the Warren Crescent surface water drainage system.

Appendix A SuDS Maintenance Table

Table 1

SuDS Maintenance Table

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Table 1: SuDS Maintenance Table

OCC Leisure & Parks O & M Activity	SuDS Component											
	Permeable Pavement		Catchpit		Pipework		Swale		Weir		Swale Limestone Base	
	Required Action	Frequency	Required Action	Frequency	Required Action	Frequency	Required Action	Frequency	Required Action	Frequency	Required Action	Frequency
Regular Maintenance	Brushing and vacuuming: Care should be taken in adjusting vacuuming equipment to avoid removal of jointing material of present. Any lost material should be replaced	At least twice a year - during spring and after leaf autumn fall, or as required based on site-specific observations of clogging or manufacturers' recommendations	Inspection	At least twice a year	Inspection from catchpit	At least twice a year	Litter and debris removal	A minimum of twice a year or when mowing takes place	Litter and debris removal	A minimum of twice a year or when mowing takes place	Litter and debris removal	A minimum of twice a year or when mowing takes place
							Grass cutting - to retain grass height within specified design range (to be determined at detailed design stage)	Monthly (during growing season) or as required	Inspection	At least twice a year	Inspection	At least twice a year
							Manage the integrity of the embankment through visual monitoring	Monthly at start, then as required				
Occasional Maintenance	Removal of weed	As required	Sediment Removal	As required	Sediment Removal	As required	Remove any unwanted vegetation growth. If necessary, reseed areas of poor grass cover	Annually, or if bare soil is exposed over 10% or more of the swale treatment area	As Required		As Required	
Remedial Maintenance	Remedial work to any depressions, rutting and cracked/broken blocks considered detrimental to the structured performance or a hazard to users.	As required	Any damage to catchpit to be repaired.	As required	Structure rehabilitation/repair	As required	Repair erosion or other damage by re-turfing or re-seeding.	As required	Repair any damage	As required	As required if monitoring picks up on any deterioration or damage - possible removal of surface layer and replacement may be needed in this instance	
	Rehabilitation of surface and upper structure: surface blocks should be uplifted and the affected areas of layering course material and geotextile disposed of. The existing sub-base can be left in situ. Fresh geotextile and laying course stone should be installed and the existing surface blocks re-used.	As required, perhaps after around 25 years or more (if infiltration and filtration performance is reduced as a result of significant clogging)					Re-level uneven surfaces and reinstate design levels.	As required				
							Scarify and spike topsoil layer to break up silt deposits and prevent compaction of the soil surface	As required				
Monitoring	Initial inspection	Monthly for three months after installation	Initial inspection	Monthly for three months after installation	Initial inspection	Monthly for three months after installation	Inspect infiltration and filtration surfaces for ponding, compaction and silt accumulation. Record areas where ponding is >48hours	Monthly, and after every large rainfall event	Inspection of weirs	At least twice a year	Inspection of limestone base	Every 5 years
	Inspect for evidence of issues with the permeable paving i.e. settlement, depressions, rutting, cracked/broken bricks and weeds. If required take remedial action.	Every three months, or 48 hours after large rainfall events	Monitor inspection chambers for sediment accumulation	At least twice a year	Inspection from catchpit	At least twice a year	Inspect inlets and overflows/weirs for blockages, and clear if required	Monthly				
	Monitor the amount of silt accumulation on the pavement and establish appropriate brushing frequencies.	Annually					Inspect inlet and facility surface for silt accumulation. Establish appropriate silt removal frequencies	Bi-annually				
							Visual monitoring of the embankment, to include checking for any landslips, burrowing and unwanted vegetation	A minimum of twice a year				

East Area Planning Committee

3rd February 2016

Application Number: 15/03583/FUL

Decision Due by: 11th February 2016

Proposal: Demolition of existing garage. Erection of two storey extension to south elevation to create 2 x 1 bedroom dwellings (Use Class C3).

Site Address: 82 Normandy Crescent Oxford Oxfordshire OX4 2TN

Ward: Lye Valley Ward

Agent: Mr Jim Driscoll

Applicant: Mr Mohammed Saddiq

Application called in: by Councillors Lloyd-Shogbesan, Price, Fry and Rowley for the following reasons: Parking provision, environmental impact and overdevelopment

Recommendation:

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

Reasons for Approval

- 1 The proposed demolition of the garage and erection of 2 x 1 bedroom dwellings is considered to be acceptable in terms of the design, living conditions and impact on neighbouring amenity. The overall layout of the site, including the access and car parking provision is considered acceptable, having had regard to the alterations to the layout proposed for the retained dwellinghouse at 82 Normandy Crescent. Adequate arrangements are provided in terms of outdoor amenity areas. In reaching this view, there has been regard to the comments and objections received. The development is considered to comply with adopted planning policies, specifically Policy CP1, CP6, CP8, CP10 and CP11 of the Oxford Local Plan 2001-2016, Policy CS2, CS11, CS12, CS18 and CS23 of the Oxford Core Strategy (2011) and Policy HP2, HP9, HP10, HP12, HP13, HP14, HP15 and HP16 of the Sites and Housing Plan. Any material harm arising from the development can be adequately dealt with by the conditions as set out below.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Parking area
- 5 Landscaping

- 6 Refuse and Recycling Storage
- 7 Cycle parking
- 8 PD Rights Removed
- 9 SUDs
- 10 Boundary Treatments
- 11 Visibility splays

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
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS17_** - Infrastructure and developer contributions
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

89/00740/NO - Outline application (seeking approval for siting only) for erection of 2 bedroom dwelling house and garage. New vehicular access to Normandy Crescent and new garage for 82 Normandy Crescent - REFUSED

15/01077/FUL - Change of use from dwelling house (Use Class C3) to large house in multiple occupation (Sue Generis). – WITHDRAWN

15/02578/FUL - Change of use from dwelling house (C3) to House in Multiple Occupation (Use Class C4). - APPROVED

Representations Received:

88, 90 and 100 Normandy Crescent. A response was also submitted that was signed

by the occupiers of 86, 84, 88, 90, 92, 94, 96, 98, 100, 102, 155, 157, 159, 163, 161, 165, objections:

- Access issues
- Effect on character of the area
- On street parking provision
- Parking provision on-site
- Effect on privacy
- Asbestos in property
- Concerns about waste and recycling
- Previous application for development was refused
- Impact on community

Statutory Consultees:

Oxford Civic Society: Conditions should be included relating to SUDs and vision splays.

Oxfordshire County Council Highways Authority: Initially objections were received in relation to the development. The concerns related to concerns about cycle parking provision and visibility splays. Following further consultation it was considered that both of these matters could be dealt with by condition. The amount of car parking provided for the one bedroom dwellings is considered acceptable. Also, the number of car parking spaces provided on-site (two spaces) is considered acceptable for the retain 4-5 bedroom HMO (82 Normandy Crescent).

Natural England: No comments

Issues:

- HMO
- Parking/access
- Impact on neighbours
- Surface water drainage and flooding

Site Description

1. 82 Normandy Crescent is a large four bedroom dwellinghouse that occupies a corner plot. This part of Normandy Crescent forms a cul-de-sac with the properties (82-157 Normandy Crescent) being situated around a central parking courtyard. The properties were developed in the late 1950s; each property benefits from a front garden of approximately 5m depth and a uniform appearance.
2. 82 Normandy Crescent was previously occupied as a family dwellinghouse (Use Class C3). Recently the property has been purchased by a new owner who has carried out some internal refurbishments as well as demolishing parts of the low stone wall at the front (that separates the front garden from the highway). None of the works that have currently been carried out at the property require planning permission. The application site is slightly wider than surrounding properties and there is an attached garage on the side elevation that faces onto the part of

Normandy Crescent that forms the access into the cul-de-sac. A recently approved planning permission has been granted to change the use of 82 Normandy Crescent to a five-bedroom HMO (Use Class C4).

Proposals

3. It is to demolish the existing garage at the rear of 82 Normandy Crescent and erect 2 x 1 bedroom dwellings. These dwellings would adjoin the existing dwelling, forming a terrace with No.s 82 and 84 Normandy Crescent.
4. The proposed dwellings would be approximately 7m in depth, which is the same as the existing dwellinghouse at 82 Normandy Crescent. Each of the one bedroom dwellings would be approximately 4.8m in width and have accommodation over two floors. The proposed dwellings would have the same eaves and ridge heights as the existing dwelling at 82 Normandy Crescent. Each of the proposed dwellings would have a small canopy-type porch. Materials are proposed to be provided that would largely match the existing dwellings in the area.
5. It is proposed for two parking spaces to be retained at the front of the site for the use of the occupiers of No. 82 Normandy Crescent. A new parking area is proposed at the rear of the site for the use of the occupiers of the new dwellings with one space each. Areas of the low wall around the site would be removed and dropped kerbs are proposed to enable access to the parking areas.
6. The proposed plans also show one on-street space within the shared parking area in front of 82 Normandy Crescent for the use of the occupiers of that property. It should be noted that this area lies outside of the application site and the ownership of the applicant. There is more discussion of this matter later in this report.

Assessment

Principle of Development

Policy CS2 and Principle

7. Policy CS2 of the Oxford Core Strategy (2011) together with the National Planning Policy Framework (National Planning Policy Framework) require that the majority of new development should take place on previously developed land. Officers recommend that some of the site is considered to be previously developed land as it is currently occupied by a garage. However, some of the application site may be regarded as residential garden land, which for the purposes of the NPPF cannot be regarded as previously developed land. Despite this, subject to design considerations and the impact of the development on neighbouring occupiers there are merits for developing residential garden land where it can reasonably be considered to make more efficient use of land This is an approach that is

broadly supported by Policy CP6 of the Oxford Local Plan 2001-2016. For these reasons, Officers recommend that the development is acceptable in principle.

Balance of Dwellings

8. Officers have considered the provision of housing on the entire site, including both the existing dwellinghouse at 82 Normandy Crescent and the two proposed dwellings. In the context of the Council's adopted planning policy, CS23 of the Core Strategy (2011) and the Balance of Dwellings Supplementary Planning Document (SPD) it is necessary to consider the retention of family dwellings. Officers consider that the retention of 82 Normandy Crescent as a four bedroom dwellinghouse would be acceptable in the context of this policy and there would not be a loss of a family dwelling as a result. It is important to note that for the purposes of this policy the fact that there is an extant approval for the change of use of the dwelling at 82 Normandy Crescent to an HMO does not mean that there would be a loss of a family dwelling.

HMO

9. Officers have had regard to the entire application site and the impact of the proposed development on the existing dwelling at 82 Normandy Crescent. Because there is an extant planning permission for the change of use of this dwelling into an HMO it is necessary to consider the impact of the proposed new dwellings on the functionality and acceptability of that property as an HMO. Officers consider that the loss of the garage and areas of side garden would not give rise to an unacceptable amount of facilities and amenity for the occupiers of that property in the context of Policy HP7 of the Sites and Housing Plan (2013). A wider discussion of the impact of the proposed development on access and car parking arrangements is considered later in this report.
10. The approved application (15/02578/FUL) for the change of use featured floor plans showing a five bedroom HMO (with a bedroom on the ground floor in addition to the four bedrooms at first floor). This application provides floor plans that omit the fifth bedroom at the ground floor. Officers recommend that the existing planning permission (15/02578/FUL) is still extant and the proposed development in this application does not make reference to changes to the HMO. Regardless of this, the occupation of the HMO would be restricted by licensing which would deal more closely with the internal layout of the dwelling and the availability of communal areas.

Design

Impact on Streetscene

11. The proposed development would form a continuation of the existing dwelling and would form a natural and visually harmonious addition to the

streetscene. Officers have had regard to the fact that the application site is a corner plot and the development would therefore be more prominent; closing the existing gap on the corner of the cul-de-sac. This would not give rise to visual harm and it is the view of Officers that this would not be visually obtrusive or harmful to the character of the area.

12. In reaching the above view, Officers have had regard to the existing building line, particularly considering the line of houses to the immediate east of the application site (78 and 80 Normandy Crescent). Officers consider that the proposed development would mean that the proposed dwellings would be forward of this line but this would not in itself be harmful or upset the natural pattern of development in the area.
13. The proposed height and depth of the dwellings would match the existing house at No. 82 Normandy Crescent and this would assist in ensuring that the development would form a harmonious addition to the streetscene.
14. The proposed development in its submitted form would be acceptable, though the plots that are provided for the new dwellings would be smaller than adjacent plots. As a result and given the visual prominence of the site, Officers have included a condition within the recommendation that would mean that occupiers of the proposed dwellings would not have the normal permitted development rights that are afforded to dwellinghouses (as set out in Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 2015)).

Materials

15. The proposed use of materials that would be similar to the existing dwellings within the area would be acceptable; this would also enable the development to make a visually acceptable addition to the streetscene. Officers have included a recommendation that a condition be included to ensure that samples are provided of the proposed materials to ensure the choice of materials are suitable and match accordingly.

Living Conditions

16. The proposed development involves the erection of 2 x 1 bedroom dwellings that would be identical in terms of their internal layout. Each of the one bedroom dwellings would have an internal floor area of approximately 41m². This would meet the internal floor area requirements of the Council's adopted planning policy, HP12 of the Site and Housing Plan (2013).
17. Officers have also considered the quality of internal environment that would be provided within the dwellings. It is considered that there would be an acceptable provision of natural daylight and ventilation within the dwellings.
18. Following on from the above, there has also been consideration of

Lifetime Homes Standards as required by Policy HP2 of the Sites and Housing Plan (2013). Officers recommend that the simple internal layout that is proposed and the close proximity of parking to the dwellings means that some of these standards would be met; the development is therefore acceptable in the context of these requirements.

Outdoor Space

19. Each of the proposed one-bedroom dwellings would benefit from its own small area of garden. These gardens would measure 3m and 9m respectively; the smaller garden for one of the dwellings results from the rear portion being occupied by the parking areas for both dwellings. Officers consider that these gardens would provide useful functional spaces for the dwellings; which are unlikely to be occupied as family houses. On this basis the development would meet the requirements of Policy HP13 of the Sites and Housing Plan (2013).
20. Details have been provided in relation to the boundary treatments to be provided on the application site. Officers have recommended that a condition be included to secure these prior to the first occupation of the dwellings.

Refuse, Recycling and Cycle Storage Provision

21. The submitted site plans show areas for refuse and recycling storage. Officers have recommended that a condition be included to ensure that these areas are available prior to the first occupation of the development if planning permission is granted.
22. No details have been provided in relation to cycle storage provision for the new dwellings but each dwelling (as well as 82 Normandy Crescent) would have a side or rear access so that they would be able to access their private garden spaces without going through the house. Cycle parking can therefore be provided in the rear garden and Officers recommend that this could be secured by condition.

Access and Parking

23. As previously described it is proposed to provide two on-site car parking spaces for No. 82 Normandy Crescent. This would be a net reduction of one car parking space. Officers have considered the acceptability of this reduction and on balance consider that the provision of two on site spaces for the HMO would be acceptable in the context of the Council's adopted planning policy, HP16 of the Sites and Housing Plan. Officers also consider that the proposed area for parking for the two new dwellings would be acceptable. Vision splays would be provided in accordance with the requirements of highway safety and secured by condition. Officers have included in the recommendation that the proposed parking area be completed prior to the first occupation of the dwellings. County Council

Highways Officers have provided advice about the proposed development and consider that this approach is acceptable in highway safety terms.

24. A number of responses and objections have been received by local residents. Some of these concerns relate specifically to the identification of a car parking space within the shared parking area in the cul-de-sac by the occupiers of 82 Normandy Crescent. A single parking space is identified in the submitted plans for this application for use by the occupiers of the HMO. Officers consider that this cannot be included in the on-site provision as it lies outside of the application site. It is worth noting that the concerns about the parking area were raised previously in relation to the application for the change of use of No. 82 Normandy Crescent to use as an HMO. Officers have now investigated this matter further; having been provided with additional plans that show the layout of the car parking area that was approved as part of a City Council scheme to provide additional residents parking (reference 03/01320/CT3). The approved plan of the scheme does not designate any of the 15 car parking spaces provided to any specific residents but the Officer report that dealt with the scheme does state that it relates to the properties 82-102 Normandy Crescent. The report also states that it would be for the use of the residents of 'Council owned flats in Normandy Crescent'. To the knowledge of Officers, there are no Council owned flats in Normandy Crescent but the dwellings were once owned by the Council. On this basis, it is considered that the shared parking area was provided for all residents of 82-102 Normandy Crescent. As a result, though the spaces within the shared parking area cannot and should not be considered part of the parking provision associated with this development, Officers would suggest that the occupiers of 82 Normandy Crescent could reasonably believe they would be entitled to park in the residents parking area on the same basis as other occupiers of 82-102 Normandy Crescent.
25. In the interests of clarifying the above matter more fully, a copy of the approved plan for the parking area and the committee report follow this report.

Impact on Neighbours

26. Officers have been mindful of the impact of the proposed change of use on occupiers of surrounding residential properties; Officers have also had regard to the objections and comments made in relation to the proposals.
27. The proposed development would not have a detrimental impact on light conditions for any surrounding properties. The proposed development complies with the 45/25 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013).
28. The proposed development would not give rise to a loss of a privacy for any neighbouring occupiers. There are no side windows that would overlook neighbouring properties or private rear gardens. The length of the rear gardens (combined with the shared car parking area for the dwellings)

means that there would be no overlooking into the rear gardens or dwellings of properties to the east of the application site.

Asbestos

29. Concerns have been raised about the presence of asbestos in the property. This is a separate matter that is not normally dealt with in planning; there are specific requirements in terms of the removal and disposal of asbestos which are normally dealt with by Building Control and the Health and Safety Executive (HSE). Despite this, Officers have recommended an informative bringing this matter to the attention of the applicant in the interests of their safety, the safety of contractors and of future occupiers of the property.

Surface Water Drainage and Flooding

30. The site does not lie in area of high flood risk. Details have been provided relating to the management of surface water on the site, this includes the provision of rainwater goods and soakaways. Officers have included a condition in the recommendation that these be provided prior to first occupation. An element of the parking condition requires the use of permeable paving as shown on the submitted plans to ensure that there is no detrimental impact on surface water runoff as required by Policy CS11 of the Core Strategy (2011).

Conclusion

31. On the basis of the above, Officers recommend that the application be approved subject to conditions.

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:

03/01320/CT3

15/02578/FUL

15/03583/FUL

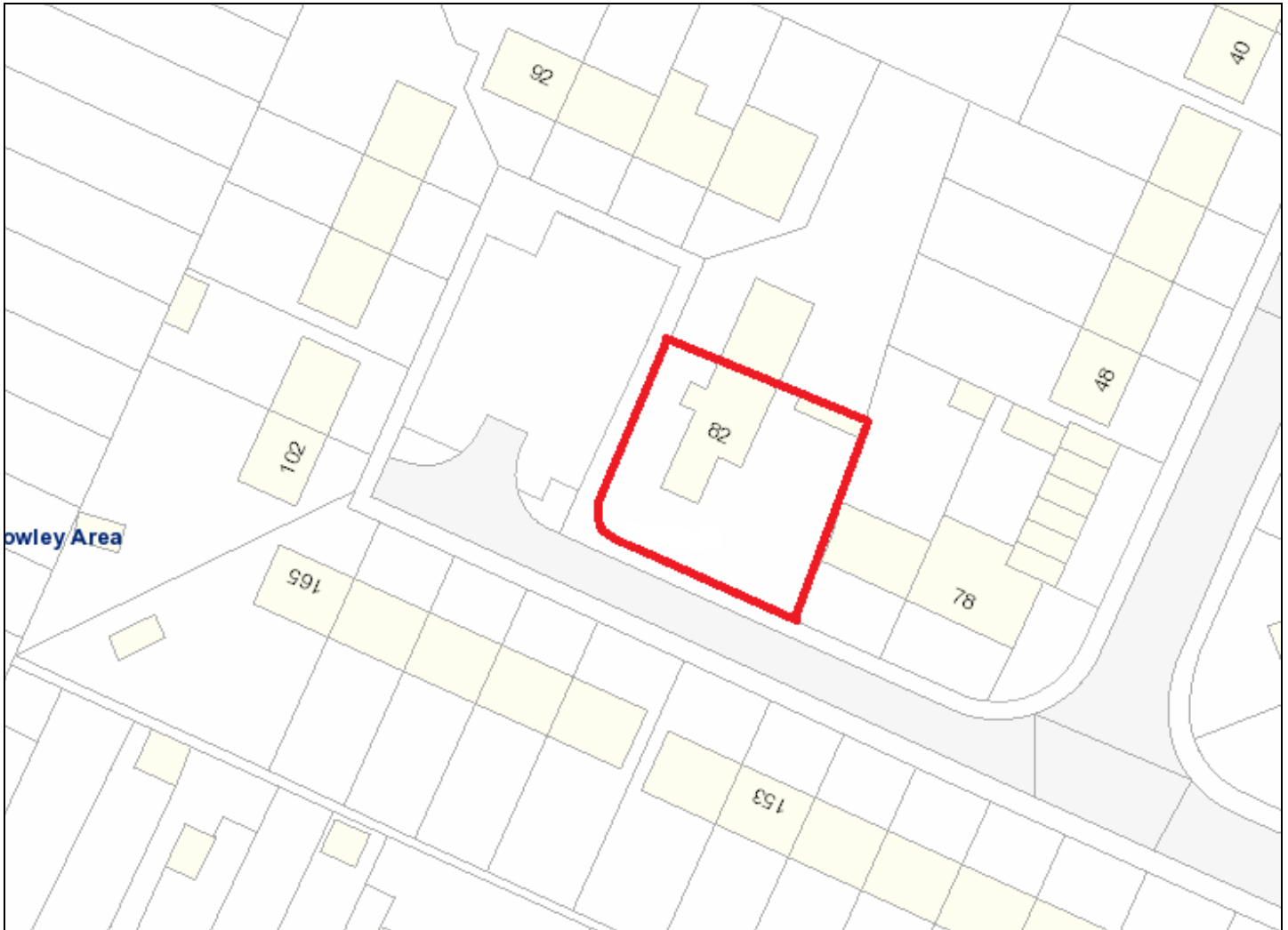
Contact Officer: Robert Fowler

Extension: 2104

Date: 22nd January 2016

Appendix 1

15/02578/FUL - 82 Normandy Crescent



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Ordnance Survey 100019348



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Cowley Area Committee 13th August 2003
Application Number: 03/01320/CT3
Decision Due by: 27th August 2003
PROPOSAL: Formation of hard-surfaced 15 space car park.
Site Address: Land Fronting 82-102, Normandy Crescent
Agent: Esmail Babaahmady **Applicant:** Ms A. Cristofoli

Recommendation: Approve subject to the following conditions:

Conditions:-

1. Development begun within 5 years
2. Development in accordance with approved plans

Main Local Plan Policies:

EN58 Residential - car parking provision
EN61 Residential - provision of garages & parking
TR8 On and off-street parking outside the Central Area

Other Material Considerations:

2nd Deposit Oxford Local Plan 2001-2016

Access Issues: N/A

Relevant Site History: N/A

Notified Parties:

Sabir-Hussain Mirza, Dan Paskins, 155-165 (Odds) Normandy Crescent, 82-102 (Evens) Normandy Crescent

Representations Received:

88 Normandy Crescent: Support the application.

Local Highway Authority: Requested further information on need for carpark.

NB: At the time of writing this report further comments had not been received by the LHA. These will be reported separately to the Area Committee for consideration if any further conditions are requested.

Officers Assessment:

1. This is an application in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992. The application proposes

the formation of 15 parking bays for use by occupants of the Council owned flats in Normandy Crescent. The bays would be located to the front of flat numbers 82-102.

2. There is currently a designated car parking area for residents, however it is required to be improved and upgraded. This proposal will formalise the parking area enabling better management of the parking area for the 15 residences that use the carpark.
3. Policy EN61 encourages the provision of parking spaces for the benefit of local residents in appropriate locations in areas of parking pressure. Whilst this is not an area of intense parking pressure, there is clearly a need for the car park.
4. Policy TR8 seeks to regulate on-street and off-street parking outside the central area in the interests of road safety, the protection of the environment and the needs of residents. The parking spaces improve highway safety by ensuring the vehicles owned by residents of 82-102 Normandy Crescent are not parked on the road, in the interests of local residents.

Conclusion:

5. The proposal to formalise the existing parking area will continue to ensure that on-street parking pressure in Normandy Crescent is relieved, in the interests of highway safety and local residents. Committee is therefore recommended to grant consent subject to appropriate conditions.

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.

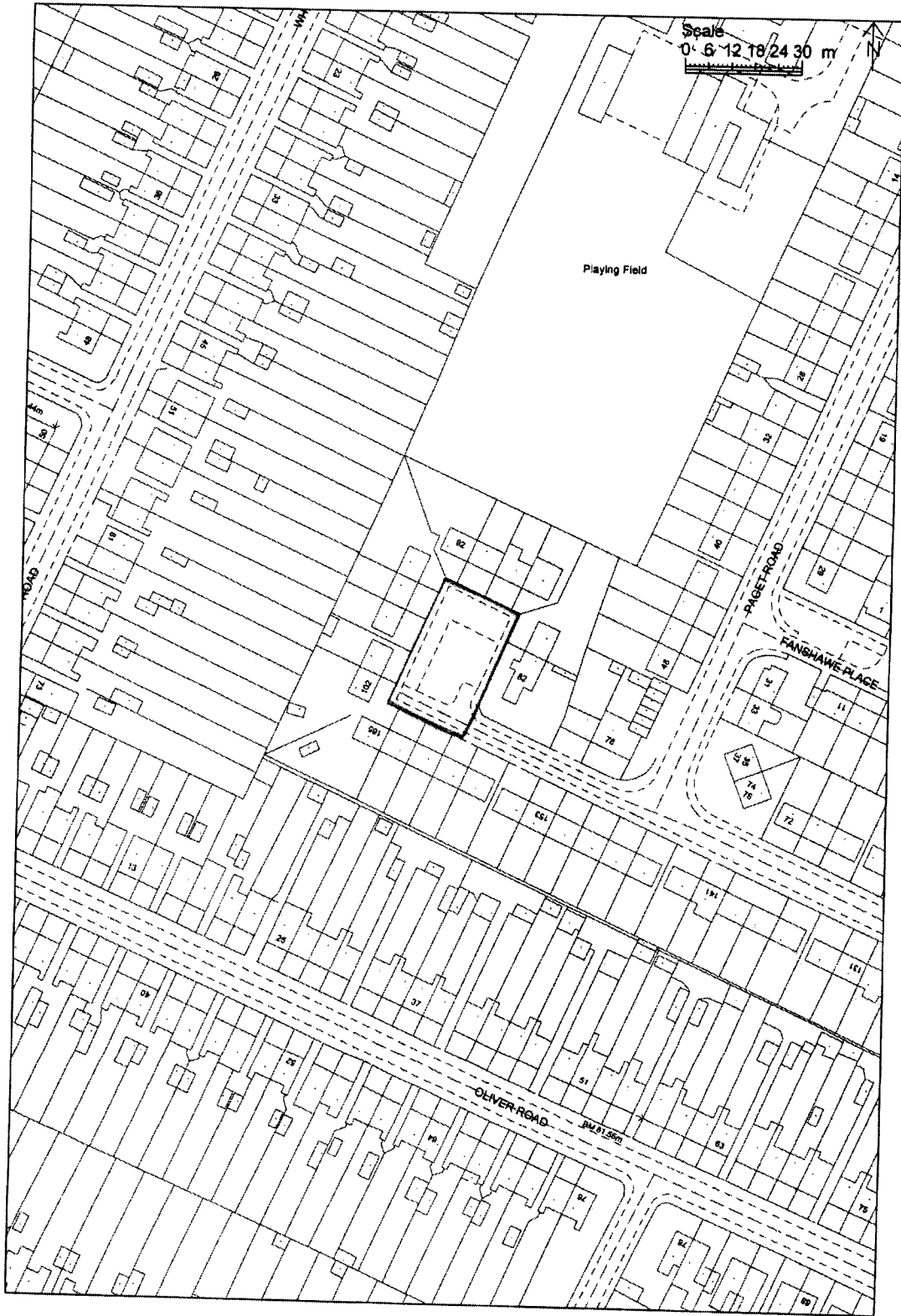
Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property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

Background Papers:

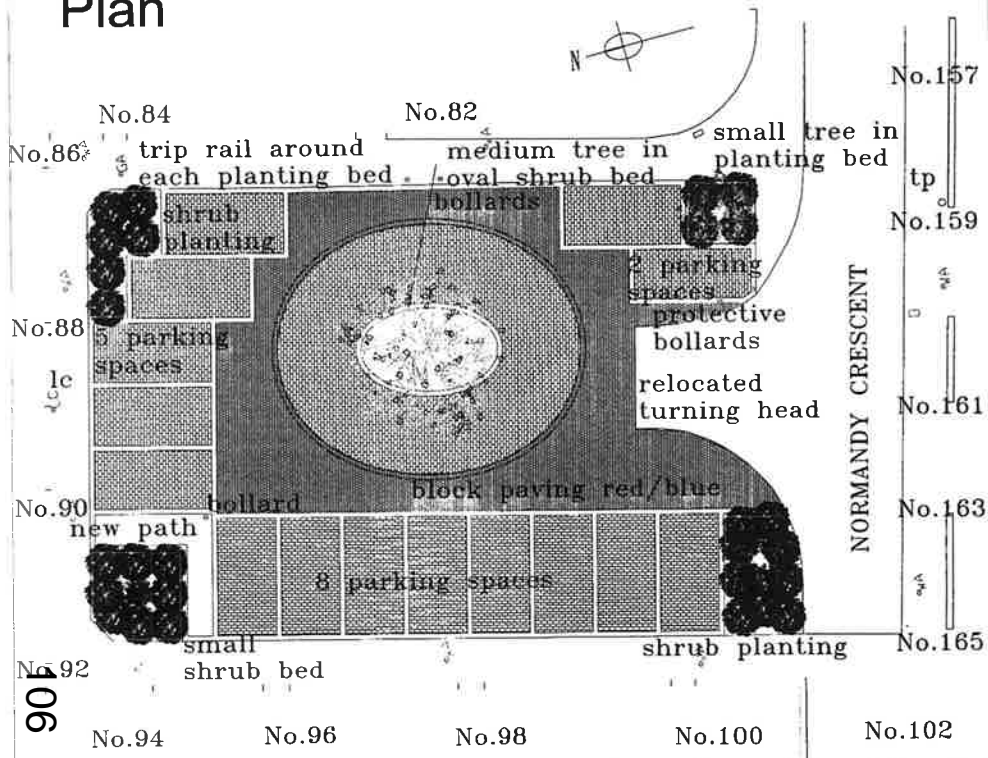
Contact Officer: Rachel Stuart

Extension: 2445

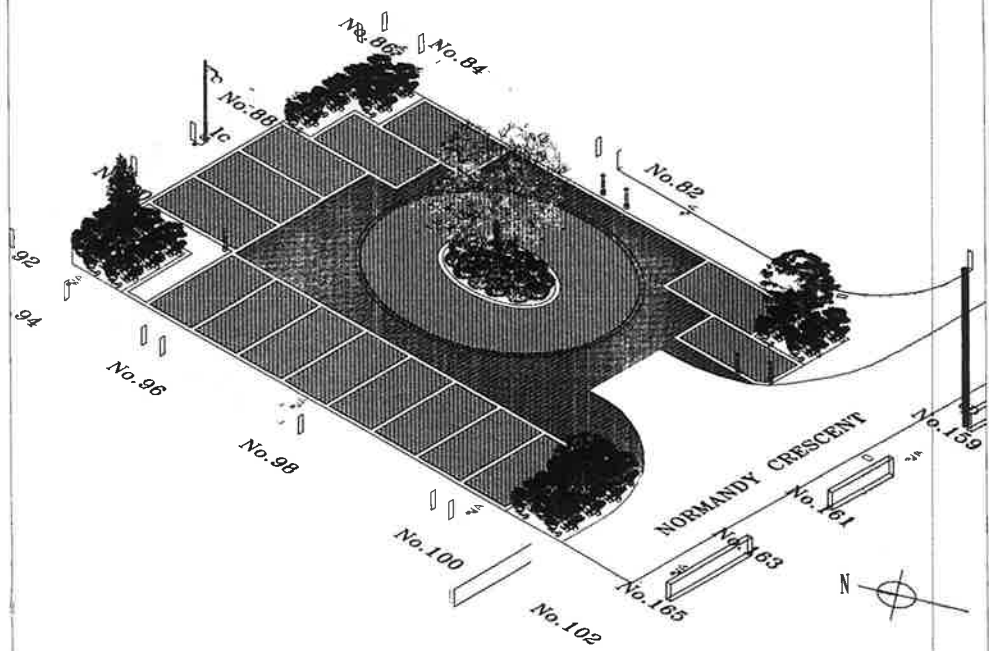
Date: 30th July 2003



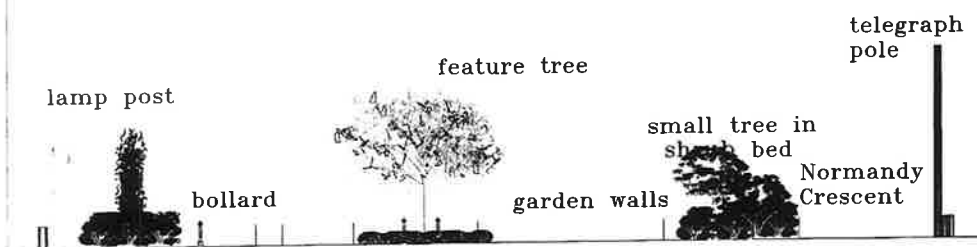
Plan



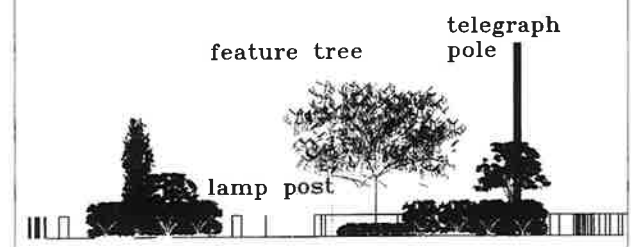
Axonometric



North West elevation



South-West elevation



TRAFFIC & DESIGN			
Ramsey House, 10 St. Ebbes Street, Oxford OX1 1PT Tel: 01865 248111 Fax: 01865 252144			
Client		HOUSING AND REVENUES	
Project title		NORMANDY CERCSENT RESIDENT'S PARKING	
Drawing title		PLANNING PROPOSAL	
Drawn by	Scale	Checked by	Approved by
XJ	1:100 at A1	MH	
Date	Drawing number	Rev	
08/06/01	C0246/10	A	

East Area Planning Committee

3rd February 2016

Application Number: 14/02940/OUT

Decision Due by: 22nd January 2015

Proposal: Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings of 1 to 4 bedrooms on 2 to 5 floors to incorporate a maximum of 104 houses and 166 flats. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information)

Site Address: Littlemore Park Armstrong Road Oxford (**site plan: appendix 1**)

Ward: Littlemore Ward

Agent: N/A

Applicant: Oxford University Hospitals
NHS Trust

Recommendation

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

Reasons for Approval

- 1 The proposed development is submitted in outline form with all matters such as access, landscape, scale, appearance, and layout reserved for a later date. The proposed development would make an efficient use of an allocated development site to provide much needed good quality affordable and market housing in a manner that would establish a balanced and mixed community within the existing residential suburb of Littlemore. Although the site is primarily allocated for employment, the Oxford University Hospital NHS Trust has demonstrated that an equivalent amount of B1 employment (employees) could be delivered at the Churchill Hospital site to enable the application site to be used for residential purposes. The illustrative masterplan has demonstrated that the quantum of development could be provided in a manner that subject to minor alterations to the layout would create a coherent sense of place suitable scale and appearance to establish a single neighbourhood that is well integrated into the urban fabric of the surrounding residential area without having an impact upon adjacent residential developments. The application has demonstrated that it would not have an

adverse impact in highway safety terms and could provide sufficient off-street cycle and car parking, and pedestrian and cycle links that improve accessibility to the surrounding network. The outline application contains sufficient supporting information to demonstrate that it would not have an impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise that could not be mitigated through the reserved matters applications subject to appropriate measures being secured by condition or associated legal agreements.

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 3 The Council considers that notwithstanding non-compliance with the development plan other material considerations tending towards the grant of planning permission justify the grant of permission. 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 Time Limit for Commencement
- 2 Approved plans and documents
- 3 Reserved Matters Applications
- 4 Phasing of Development
- 5 Details of all external materials
- 6 Landscaping and Public Realm
- 7 Tree Protection Plan
- 8 Landscape Management Plan
- 9 Site Layout to incorporate space for pedestrians
- 10 Ecological Mitigation, Compensation, and
- 11 Lifetime Homes Standards
- 12 Car Parking Standards
- 13 Cycle Parking Standards
- 14 Sustainability and Energy Strategy
- 15 Site Wide Drainage Strategy
- 16 Archaeology - evaluation
- 17 Noise Attenuation Measures
- 18 Flood Risk Assessment Mitigation Measure
- 19 Contaminated Land Risk Assessment
- 20 Contaminated Land Verification Report
- 21 Contaminated Land Unsuspected Contamination
- 22 Contaminated Land Foundation Design
- 23 Secured By Design Measures
- 24 Highways - Details of access roads
- 25 Highways - Construction Traffic Management
- 26 Highways - Travel Plan
- 27 Details of Electric Vehicle Charging Points

Legal Agreement:

- Affordable housing
- Employment Land Swap – Churchill Hospital Site
- Management of Linear Park
- Bio-diversity off-setting
- Future proof pedestrian / cycle links
- Financial contribution of £50,000 towards general sports and leisure facilities within Littlemore
- Financial contribution of £795 per dwelling towards Public Transport Improvement.

Public Consultation

The amended terms for the legal agreement have been re-advertised as a 'departure' from the development plan and as a result a further 21 day consultation period has been undertaken.

To date (25/1/2016) no comments have been received in relation to this consultation. This expires on the 1st February 2016, which is after this committee report was prepared and therefore any additional comments received after this date will be reported verbally at the committee.

Officers Assessment:

Background

1. At the Planning Review Committee on the 29th April 2015, Members resolved to approve outline planning permission for the above-mentioned development subject to a number of conditions and the satisfactory completion of a legal agreement, and to delegate to the Head of City Development the issuing of the notice of permission upon its completion.
2. The application site is primarily allocated for employment (B1) use within the Sites and Housing Plan but considers residential use as a suitable alternative provided that an equivalent amount of B1 employment (employees) provision can be created elsewhere in Oxford.
3. The outline application sought the redevelopment of this allocated site for up to 270 residential units. In order to deal with the requirements of the site allocation policy, the Oxford University Hospitals NHS Trust demonstrated that an equivalent amount of employment (employees) could be delivered at the Churchill Hospital Site. The committee supported this in principle and resolved for the delivery of this employment land to be secured through an appropriately worded legal agreement.
4. Since this decision there have been ongoing discussions between the applicant (OUH NHS Trust) and officers as to the most appropriate terms for the delivery of the employment land at the Churchill Hospital site. The terms for the legal agreement have now been agreed between officers and NHS Trust however, the

agreed terms represent a 'departure' from the wording of the site allocation policy and needed to be re-advertised as such and returned to committee for consideration.

5. This report will provide clarification on the matters relating to the proposed heads of terms for the employment land provision at the Churchill Hospital and should be read in conjunction with the officer's report dated 29th April 2015 attached as **appendix 2**

Officers Assessment

6. The terms of the site allocation policy (SP30) are clear in that it states that

'Planning permission will be granted for employment (B1) and complimentary appropriate uses at Littlemore Park. Residential development is an alternative use but to ensure that there is no loss of employment sites within Oxford, planning permission will only be granted for residential development provided that an equivalent amount of new B1 employment (employees) is created elsewhere within Oxford' .

7. The site was originally allocated for employment as part of the balanced strategic development approach set out within the Core Strategy to ensure that there is sufficient land available for employment as well as residential uses. The text to the policy also recognised that the Oxford University Hospitals Trust who owned the site wished to focus employment linked to the hospitals on their existing sites such as the Churchill Hospital, and if this was achieved then the site would be most suitable to deliver new residential development.
8. As set out within paragraphs 17-23 of the original committee report (**appendix 2**) the applicant had calculated that Littlemore Park could provide approximately 13,007m² of employment floorspace, which according to the 'Homes and Communities Agency Employment Density Guidance' could generate approximately 1300 B1(a), 450 B1(b), and 280 (B1c) employees per respective use. Then it demonstrated that there was sufficient space within the Churchill Hospital site to provide an 'employment zone' which if developed to the same densities could potentially provide 18,723m² of B1(b) floorspace which would generate approximately 1,872 B1(a), 650 B1(b), and 398 (B1 (c) employees and thereby exceeding what could be provided at Littlemore Park. The report then went on to state that an appropriate mechanism for securing the delivery of new employment uses on the Churchill Hospital site needed to be agreed through the legal agreement.
9. The wording of the policy is clear in that in order to accept the principle of redeveloping Littlemore Park for residential purposes an equivalent amount of new B1 employment needs to be 'created' elsewhere to ensure that an employment site is not lost to other uses. The Courts have unequivocally determined that the approach to the interpretation of policy has to be objective and in context; that is there is a single "correct" interpretation of policy and failure to properly interpret policy would amount to a defect in decision making.

10. The Trust has made clear that it is not prepared to physically create the employment floorspace at the Churchill Hospital or make arrangements with a developer for that. It states that this is because its core business is centred upon providing medical care rather than speculative property developments. The Trust states that the ability to develop the Littlemore Park site for housing will enable the capital receipts to be reinvested in the provision of patient services at Oxford, whereas at present, the Trust must pay a capital charge to the NHS for the retention of the land at Littlemore Park.
11. The Trust has therefore sought to negotiate the terms for a planning agreement that makes preparatory provision for employment creation. It is prepared to commit to the preparation and endorsement of a Masterplan for the Churchill Hospital Site that will incorporate an 'Employment Zone' capable of providing approximately 13,007m² of B1 employment floorspace. An outline planning application will then follow on from the agreed masterplan. The outline application will seek to fix matters relating to access at this stage and reserve all other matters relating to scale, landscaping, layout, and appearance in order to enable the site to be promoted with more confidence that the identified uses can be delivered within the parameters identified. In the Trust's view the submission (and granting) of an outline planning permission for such uses in accordance with an agreed Masterplan, followed by its best endeavours to either dispose of the site to an appropriate developer or pursue some other development mechanism is considered to be the most effective means of delivering employment provision within the Churchill site.
12. Having listened to the Trust's concerns with respect to its ability to obtain detailed planning applications and then physically build out these permissions to create employment, officers are of the view that the development of the masterplan for the Churchill Hospital site and subsequent outline planning applications for an agreed 'Employment Zone' will be the best result in terms of delivering an equivalent level of employment land to that which would be lost at Littlemore Park, but also to help facilitate the proper planning of the Churchill Hospital site through a timetabled programme for the development of a Masterplan and outline planning applications with access fixed and all other matters reserved.
13. Therefore while the proposed terms would constitute a departure from the policy, officers consider that that revised terms are acceptable.

Conclusion:

14. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and all other material considerations and therefore officer's recommendation is to approve the development in principle for the reasons set out within **appendix 2** of this report, but defer the application for the completion of a legal agreement.

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

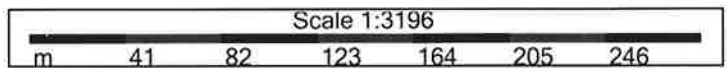
Date: 25th January 2016

Appendix 1

Littlemore Park, Armstrong Road (14/02940/OUT)



1:3195



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	19 February 2015
SLA Number	100019348

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Planning Review Committee

29th April 2015

Application Number: 14/02940/OUT

Decision Due by: 22nd January 2015

Proposal: Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings of 1 to 4 bedrooms on 2 to 5 floors to incorporate a maximum of 104 houses and 166 flats. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information)

Site Address: Littlemore Park, Armstrong Road, Oxford

Ward: Littlemore Ward

Agent: N/A

Applicant: Oxford University Hospitals
NHS Trust

At the East Area Planning Committee on the 8th April 2015, Members resolved to refuse outline planning permission for the following reason

'The development proposed would lead to the overdevelopment of the site such that the density would lead to a high number of car journeys, increasing traffic generation in the wider area, and to poor quality of life within the site for future occupiers. Furthermore the links from the site are not sufficiently sustainable to reduce reliance on the private car and there was a risk of the isolation of non-car users. This would be contrary to Policy CS13 and CS18 of the Oxford Core Strategy, Policies CP1, TR1 of the Oxford Local Plan 2001-2016, and Policy JP9 of the Sites and Housing Plan.'

The application has been called-in to the Planning Review Committee by Councillors Darke, Price, Rowley, Smith, Coulter, Simm, Cook, Kennedy, Hollingsworth, Pressel, Fry, Turner, and Seamons on grounds that the site is already identified for development within the Sites and Housing Plan and that housing is a city-wide priority for the Council.

This cover report will provide further clarification on these matters and should be read in conjunction with the officer's report dated 12th April 2011 attached as **appendix 1**

Representations Received

A summary of all comments received from statutory and third part consultees are set out within the original committee report (**appendix 2**).

Since this report was published further letters of comment have been received from the following addresses

- 4, 58 Oxford Road; Mr C Chaundy

The comments can be summarised as follows:

- The proposal has no real understanding of the impact on neighbouring roads, communities and quality of life
- The Transport Assessment has given misinformation about Oxford Road and inadequate information about the possible impact of increasing traffic
- A more thorough assessment of the impact that the increasing traffic will have on Littlemore Village should be carried out.
- The traffic on Oxford Road is getting worse and will not cope with the further traffic generated from these homes
- The traffic on Oxford Road will make this dangerous for pedestrians and drivers because the road is too narrow
- Oxford Road is not an 'A' road but an unnumbered classified distributor road
- The impact upon Oxford Road should be risk assessed and possible modification of the highway considered to relieve the Oxford Road

Officers Assessment:

1. The East Area Planning Committee were primarily concerned about the following points
 - That the site is located in an unsustainable location with an over-reliance on the private car.
 - The impact of the additional traffic would be detrimental to the existing residential suburb
2. Officers consider that the original committee report (**appendix 1**) dealt with these points, but would provide the following additional comments

Sustainability of the Site

3. The site is allocated for employment or residential use under Sites and Housing Plan Policy SP30. The Sites and Housing Plan 2011 -2016 was adopted in February 2013 and forms part of the Local Development Framework.
4. The foreword to the Sites and Housing Plan recognises that the plan will deliver the aims of the Oxford Core Strategy in helping to shape Oxford into a more sustainable and affordable place to live and work. The site allocation policies allocate specific sites that are suitable for particular uses, with an emphasis placed on delivering new housing sites, in order to make better use of the available land within the city to address the chronic housing need and support the local economy. The respective sites were assessed against 6 key objectives, one of which being to ensure that all site allocations are in accessible locations or that

their accessibility can be improved to minimise overall travel demand.

5. The Sites and Housing Plan was adopted following an examination in public, in which the Inspector considered that with respect to the location of the individual site allocations *'Oxford is a small city that benefits from good public transport links. Therefore all areas within it are relatively accessible. Consequently, all of the allocations are sustainably located'*. Therefore the delivery of allocated sites within the Sites and Housing Plan are a key part of providing the Councils five year supply of housing and the Oxford City Council's Growth Strategy.
6. As stated within the original committee report (**appendix 1**) the site is located within the existing residential suburb of Littlemore. The site is near to an existing public transport corridor on the Sandford Road / Oxford Road with bus stops within 400m of the site outside the Littlemore Mental Health Centre. The applicant has agreed to provide a financial contribution towards improving the bus service along this corridor through an evening and weekend service along this corridor in order to enhance the existing bus service. It is also noted that since the Sites and Housing Plan was adopted, potential public transport improvements have been proposed for the area through the potential opening of the Cowley Branch Line rail corridor by Chiltern Railways.
7. The site is a convenient distance from local facilities such as employment opportunities in Oxford Science Park; the shops at St.Nicholas Road Neighbourhood Shopping Centre and Sainsburys (Heyford Hill); along with local schools. The proposed layout has sought to enhance pedestrian and cycle links to and from the site where possible, and therein has created appropriate links to Sandford Road and Oxford Road while also setting aside appropriate land to enable wider links to be provided to the Science Park, Minchery Road, or any potential station for the Cowley Branch Line at a later date.
8. Officers consider that the general principle of developing this site for residential use has been established through Sites and Housing Plan Policy SP30 which considered the sustainability and accessibility of the site through the adoption process of this development plan document. As a result officers consider that it would not be reasonable to refuse permission on the basis that the site is in an unsustainable location with an over-reliance on the private car as this would conflict with the general aims of the site allocation policy (SP30).

Highways Impact

9. A Transport Assessment and Travel Plan have been submitted with the application along with a Technical Note that considers the key transport issues with the proposal. The methodology for this assessment was scoped out and agreed with the Local Highways Authority prior to submission of the document.
10. It has been brought to officer's attention that the Transport Assessment and committee report has incorrectly described the Oxford Road as an 'A' Road (A4158). The Local Highways Authority have confirmed that the A4158 (Oxford Road) is located to the north of the Littlemore roundabout leading towards Rose Hill, Henley Avenue and Iffley Road. The Oxford Road leading southwards from

the roundabout is an unnumbered classified road, as is Sandford Road.

11. Notwithstanding this matter, the Local Highways Authority has confirmed that the description of the Oxford Road as an 'A' road within the Transport Assessment would not have a bearing on the findings of the assessment. The Transport Assessment is a robust document whose methodology for assessing the traffic generated by the residential development was scoped out with the Local Highways Authority prior to submission. As stated within paragraph 37 of the committee report (Appendix 2) the proposed development would create no major impact upon the surrounding road network and the Local Highways Authority have raised no objection to the application in this regard.

Conclusion:

12. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation is to approve the development in principle for the reasons set out within **appendix 2** of this report, but defer the application for the completion of a legal agreement.

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.

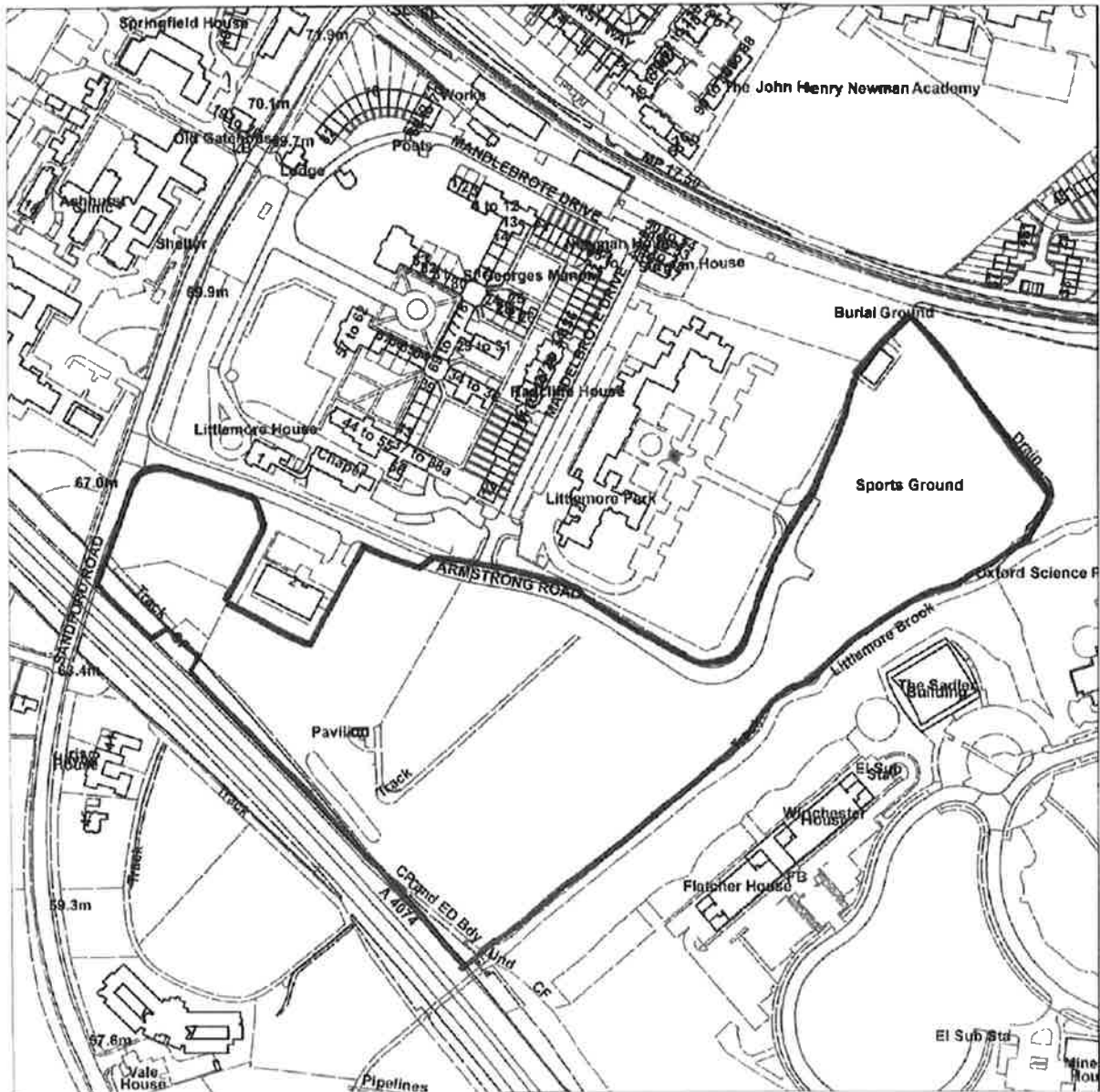
Contact Officer: Andrew Murdoch

Extension: 2228

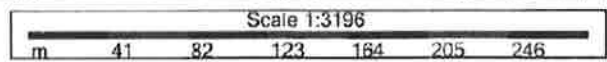
Date: 20th April 2015

Appendix 1

Littlemore Park, Armstrong Road (14/02940/OUT)



1:3195



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	19 February 2015
SLA Number	100019348

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Appendix 2: Summary of Public Consultation

Littlemore Park (14/02940/OUT)

The following comments from Statutory Organisations and Third Parties in relation to the application are summarised below

Public Consultation

Statutory Consultees

Littlemore Parish Council: Objection

The proposed development encroaches on consecrated ground (burial ground 1) that has yet to be deconsecrated. The proposed gardens of dwellings bordering the railway encroach on the burial grounds. The path linking the development to St Georges also encroaches (burial ground 2), the ownership of the pathway is private and not public and has been built on the graves of patients resident in Littlemore hospital. The archaeological report identifies this area as an "area of concern, and should not be built on".

The proposal identifies 270 dwellings with 445 associated parking spaces, equating to 1.6 cars per dwelling. This ratio provides no provision for visitor parking. Armstrong Road will become under additional parking pressure from the development as it will be the only access for some 700+ people.

No open community space is planned, where pockets of space cannot be developed the developer has designated them green space. This diminishes the overall concept in terms quality living space. No provision has been given to the social and community needs of one of Britain's largest cul-de-sacs.

Due to local shops being some 15 minutes away by car, there will be additional demands upon home owners to own and drive cars to their destinations. There are no doctor's surgeries, dentist in Littlemore. Local schools (Nursery and Primary) in a recent report to Parish council stated they were full, and potential parents were on a waiting list. Concerns therefore in the area of residents assessing educational needs are a concern.

The T2/T3 provides no service on Sunday's and no service after 6:39 weekdays. This service remains under pressure. Stagecoach currently, operates the 12C to Blackbird Leys and serves the residents of Littlemore and Sandford. This service will cease on the 30th May 2015. Placing more pressure on meeting the needs of potential residents

The proposed site is in a flood plain. Securing a 5m margin from the Littlemore Brook which is historically prone to flooding will put residents at risk.

The developer has adopted a ridge height to match the ridge height of adjacent properties of St Georges, regardless of topography. This is a wrong approach and merely a means of increasing the number of floors to a given building. If this rule is applied then it stands to reason that Littlemore hospital is the parent building,

therefore additional buildings should be subservient. The five floor flats would be detrimental to the skyline from the Sandford and Littlemore views, in what is a historical conservation area. The ridge heights should be no more than 3 floors to reflect the scale and visual amenity of other buildings in the area, and follow the topography and not challenge it.

Oxford Civic Society

The development of this site for housing is acceptable in principle, subject to the provision of a comparable accommodation for employment at the Churchill Hospital site. However many issues need to be resolved, including the following:

- Consideration of pedestrian access to the proposed new station at Oxford Science Park on the Cowley Branch railway line
- Routeing of bus services and location of stops
- Pedestrian and cycle routes on and off-site, including on private land through the grounds of the former Littlemore Hospital
- Parking provision for cycles and cars
- Detailed design of buildings, and their disposition, with consideration of effects on views, overlooking and shading.
- The Society concur with the views expressed by Mr Roe of 32 St George's Manor

Environment Agency Thames Region

The Environment Agency have withdrawn their objection to the application following the submission of the addendum to the Flood Risk Assessment and subject to the following conditions, detailed under the headings below, to any subsequent planning permission granted.

- The development is carried out in accordance with the approved Flood Risk Assessment Addendum produced by JBA Consulting (dated, 11 February 2015) and the following mitigation measures detailed within:
- There will be no residential development in Flood Zone 3
- There will be no basements or below ground parking in Flood Zone 2 or 3
- Finished Floor Levels will be set no lower than 300mm above the climate change flood level.
- No development including SuDS features will be within the 8m buffer zone of the Littlemore Brook.
- All above ground SuDS storage features will be sited outside the 1 in 100 year plus climate change outline.
- A Surface Water Drainage scheme is submitted
- A phased contaminated land risk assessment
- A verification report for any remediation works
- A watching brief for future contamination
- A restriction on foundation design

Berkshire Buckinghamshire Oxfordshire Wildlife Trust [BBOWT]

The Trust object for the following reasons:

Protected species

The application includes a Preliminary Ecological Appraisal (January 2014) which incorporates the results of a Phase 1 Ecological Survey. These surveys identify a

number of legally protected species as either being present on or adjacent to the site or there being a high likelihood of them being present. It also makes recommendations for additional surveys with respect to several of these species. There is no evidence of these additional surveys having been carried out. Without these additional surveys any necessary mitigation proposals for these species cannot be drawn up for assessment as a material consideration in the planning process. In the absence of these surveys and mitigation plans the application should not be approved.

The Preliminary Ecological Appraisal has recognised a reasonable likelihood of a number of protected species being present and affected by the development. Therefore surveys and mitigation statements should be provided prior to assessing the application for determination and approval. The fact that this is an Outline application makes no difference to the fact that surveys and mitigation details are needed prior to planning decision. This application is establishing whether or not it is appropriate for the site to be developed and as such this is the stage at which the detailed ecological assessment is required.

Species identified as being on site, or likely to be on site, include species protected under the Wildlife and Countryside Act 1981. They also include species protected under the EC Habitats Directive and The Conservation of Habitats and Species Regulations 2010 and as such, are European Protected Species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. The current development proposals do not provide adequate assurance that the populations of legally protected species identified on the development site will not be adversely affected by the proposals submitted. Without appropriate survey information on European Protected Species then it is not possible to assess whether a licence would be obtained.

Protected species

Bats: BBOWT accepts the reassurances provided by the City Council ecologist regarding bats subject to all the relevant requests for Conditions in their letter being put in place.

Otters and Water Voles: BBOWT accepts to some extent the reassurances by the City Council ecologist with respect to otter and water vole (subject to all the relevant requests for conditions in their letter being put in place), but with the significant proviso that in the absence of any survey and mitigation plans, and with the likely presence of both species, then the proposed SLINC/watercourse buffer and measures to protect it and ensure it remains unlit and with minimal disturbance, becomes the mitigation.

Reptiles: BBOWT remain concerned with the approach being taken with respect to reptiles. As the site contains a significant amount of suitable habitat, we consider it possible that in the worst case scenario the site could support very significant reptile populations which would be severely impacted by the development. We do not consider it appropriate to determine the application without knowing the size of the

populations of any reptiles present, and without having fully identified the viability of any necessary receptor sites.

Breeding Birds: We maintain our previous position with respect to breeding birds. Whilst we appreciate the City Council ecologist's response on this matter, the habitats on site provide both significant nesting opportunities and food resources, the loss of which to land take would need to be compensated rather than mitigated.

Retention of on-site habitats

The far western part of the site includes a number of large mature trees within a woodland habitat. Several of these large mature trees have High Retention Value. The application has rightly recognised the value of these and other trees, and the habitat they are within by maintaining this area free of development. It is important that the area of habitat at the western end is retained as natural habitat in its current form, and that it does not become a "mown grass open space" below the mature trees, as the combined habitats of bramble/scrub, younger trees and mature trees have significant biodiversity value. In the event of a path being routed through this area then it is important that this is routed so as to be well away from the most significant mature trees so as to avoid any potential compression damage to their root systems. This area should also remain unlit to avoid adverse impact on wildlife, especially bats.

Waste water infrastructure

We have noted the response from Thames Water which draws attention to the possibility of adverse ecological impacts on surface water courses within, or in the locality of, the application site. The matters raised in the Thames Water response are a concern in relation to two matters:

1. Littlemore Brook is adjacent to the development and is therefore vulnerable to the input of sewage and other forms of water pollution which could have a significant adverse impact on the ecology of the watercourse;
2. as our main premises are on Armstrong Road, adjacent to the development, we are naturally concerned in relation to the possibility of sewer flooding;

Off-site compensation and net gain in biodiversity:

We welcome the reassurances provided by the ecologist response with respect to the proposed site for off-site compensation. We re-iterate that we welcome the approach taken by the developers by using an accepted metric for Biodiversity Impact Assessment. However we maintain our position that for a development of this size on a site of this nature, it is not acceptable that the only habitat surveys carried out by the developers took place in December, one of the least suitable months of the year for such assessments. The developers accepted this by stating, in the Preliminary Ecological Appraisal in section 4.1: "*The timing of the phase 1 survey (10th December 2013) resulted in a survey constraint. The botanical survey season runs from April to October according to the Handbook for phase 1 habitat survey (JNCC, 2010). As the survey was undertaken outside the optimum season for botanical assessment, a full evaluation of the site was not possible.*" With respect to the survey and habitat assessment for the development site we maintain our previous objection.

More work is needed to show the existing ecological value of the existing site, before a net gain in biodiversity can be demonstrated. This should be completed prior to

determination of the planning application. The principle of the mitigation hierarchy is that off-site compensation is only considered as a last resort. By scaling back the number of units on the site there would be room to provide on-site habitat restoration that could provide for a net gain in biodiversity without the need for off-site compensation.

Buffering of Littlemore Brook SLINC

We welcome the proposed buffering of Littlemore Brook SLINC but the width falls well short of what is needed. The SLINC and the wildlife it supports are highly vulnerable to the impacts of development and it is important to provide significant buffers in order to avoid the "significant adverse impact". Even if it was not designated it would be important to provide a significant buffer to the watercourse. However, in places the proposed buffer to the water course is less than 10m (and therefore even less to the SLINC – see below), whereas developments nowadays are typically providing much more, even for watercourses without any specific designation. A wider buffer is needed to protect the watercourse and provide an ecological corridor alongside the watercourse. The buffer for Boundary Brook for example should be more in the order of 15m either side. Section 8.1 of the Preliminary Ecological Appraisal offers a buffer of 7m between the SLINC and any development, which is not sufficient. The SLINC itself is about 14m wide some of which is made up of buffer either side so as an estimate the currently offered 7m SLINC buffer plus about 4m buffer within the SLINC means that even under the current proposal of 7m SLINC buffer there should be a minimum of 11m between all development and the Brook which, according to the Illustrative Masterplan is not being achieved. The development should be reduced in scale in terms of number of units to increase the buffer alongside Littlemore Brook SLINC to a minimum of 25m, which will typically provide a 30m buffer away from the actual Brook. This buffer should be managed as wildlife habitat and not as regularly mown amenity grassland. It should also be unlit so as to provide a dark corridor for commuting nocturnal protected species such as bats and otters. Such a buffer would also serve to take most / all of the development outside of the Flood Zone as indicated in 2.10 of the Design and Access Statement.

Parking / Traffic

BBOWT's main offices are located at the western end of Armstrong Road. Armstrong Road currently serves part of the St George's Manor residential area, and several businesses along Armstrong Road. Some of these businesses, including ourselves, rely on the unrestricted parking available on Armstrong Road to enable staff, volunteers and visitors to access our offices. We are extremely concerned about the implications for the functioning of our operations if this development goes ahead in its current form.

We have read the objection from the Local Highways Authority. We fully support the case that the Trip Generation figures are significant underestimates. In particular we stress the following issues from the County Council transport response:

- "1. The site is not included as a residential site in the Oxford City Council Sites and Housing Plan 2011 – 2026 (Policy SP30).*
- 2. The site has limited access and permeability to the wider area, by sustainable modes (Contrary to Policy SP30, *ibid.*).*

3. *The site is very much on the fringes of the Oxford City area and has accessibility characteristics more similar to that context than within the city. For example, the furthest part of site (the north-eastern corner) is very remote (up to 700 metres) from bus stops on the Sandford Road and the junction of Sandford Road and Armstrong Road is the only access to the site.*

4. *The predicted residential trip rates are considered to be low for a site in this location. As a consequence, it is considered that the proposals would be an over-development of the site for residential purposes”*

With respect to Parking, there are likely to be greater levels of car ownership + visiting cars than the current provision of 445 spaces, leading potentially to overflow parking on Armstrong Road, with implications for our operations. This is also likely to displace current business parking further into other residential areas of Littlemore, affecting the wider community. If the low levels of car ownership per dwelling that the developers are aspiring to are to be realised then at the very least there will be need for a greatly enhanced provision of public transport from the adjacent bus stop on Sandford Road, and improved provision for cycling.

Lack of open space within the development

The Oxford Green Space Study 2012 suggests that Littlemore is already under-resourced with respect to high quality open access green space. This development should be making significant provision of open access green space of a variety of types. The plans at present do not provide sufficient green space and we do not consider them in keeping with the Oxford Green Spaces Strategy 2013 – 2027. This is likely to result in significant recreational pressure on areas that should be a priority for biodiversity including the buffer alongside Littlemore Brook SLINC and the woodland copse at the western end.

The development proposals should be scaled back in terms of the number of units, with significantly increased provision for public access open space in addition to increased provision of open space prioritised for biodiversity conservation.

Oxfordshire County Council

Highways Authority: The County Council objected to this application on transport related grounds on 20th November 2014. A subsequent submission on behalf of the developer (Technical Note, 10 December 2014, Mode Transport Planning) has satisfactorily addressed all reasons for objection.

In relation to accessibility, the Oxford-Cowley railway line severs this development from nearby bus stops at Minchery Road, from the local primary school and from nearby shops at St Nicholas Road. The provision of a short pedestrian tunnel / underpass or a bridge would provide much improved connectivity for the new residents, not only to a more frequent bus service but also the school and shops. If such a link could not be provided then a contribution at the rate of £1000, per additional dwelling would be sought to boost bus services on the Oxford – Wallingford corridor. This would be used to procure additional daytime or evening journeys, to be operated in a commercial manner following a period of pump-priming support.

In this case of the Littlemore housing application, an additional bus would be required to procure an extra hourly bus service off-peak and an hourly service evenings and on

Sundays. The £1,000 per additional dwelling figure is benchmarked against requests for additional bus services in the adjacent part of South Oxfordshire (for example Benson and Wallingford). The calculations for Littlemore assume procurement of a single additional bus for the Oxford – Littlemore section of route only, probably extending to the Science Park area to turn around.

Should planning permission be granted then the following legal agreements are required to be entered into to provide for mitigation and developer gain:

- Contribution to the transport components of the CIL Regulation 123 list of Oxford City Council are appropriate for this area, and should include roundabout replacement or re-phasing of traffic signals at the Littlemore roundabout on the A4142.
- Should it not be possible to provide a pedestrian / cycle route from the development to Minchery Road then a contribution at the rate of £1000, per additional dwelling should be made to boost bus services on the Oxford – Wallingford corridor.
- Agreements will need to be entered into to contribute to the public realm to create pedestrian infrastructure, commensurate, with the proposed residential use. This includes footways across the site frontage and routes through to connect to other residential and employment areas.

Should permission be granted, the following conditions are recommended for this outline application:

- Additional pedestrian and cycle assess points, are required to ensure the site is accessible and, therefore, has a chance of meeting the sustainability objectives, outlined in the Transport Assessment and Travel Plan. This to be secured through the provision of drawings to the LA and the approved drawings implemented by the developer, through agreement.
- Prior to commencement, a detailed drainage design, for the management of surface water, should be submitted to and approved by the local planning authority.
- Prior to commencement, details of finished floor levels, surrounding ground levels and peak flood level should be submitted to and approved by the local planning authority.
- Access Design & Vision splay details.
- Turning Area & Car Parking.
- Cycle Parking Facilities.
- Construction Traffic Management Plan (CTMP).
- Travel Plan

County Council Infrastructure: If permitted, the proposal will impact upon various County Council related infrastructure and services. To address these, CIL revenue would be necessary towards the following non-transport infrastructure.

- Extensions to existing primary schools
- Extensions to existing secondary schools
- Extensions to special needs accommodation
- Extensions to existing 6th form schools
- Improved capacity and accessibility of Westgate library
- Improved capacity and accessibility of early intervention centres

- Improved capacity and accessibility of existing children's centres
- Older people day centre and learning disabilities day centre in West Oxford

Ecology: The District Council should be seeking the advice of their in-house ecologist who can advise them on this application.

Thames Water Utilities Limited

Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like a 'Grampian Style' condition imposed which seeks the development of a drainage strategy detailing on and off-site drainage works.

Natural England

No objection subject to conditions. This application is in close proximity to the Iffley Meadows Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted.

A detailed SUDS plan must be brought forward at the detailed design stage. This SUDS scheme must use a variety of techniques to ensure that the run-off from the site remains at Greenfield run-off rates. The SUDS must be installed early in the construction process.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

Third Parties

Letters have been received from the following addresses.

- 30 Dudgeon Drive; 7, 10, 12, 13, 14, 16, 19, 20, 22, 32, 38a, 39 49, 55a, 56, 64, 65, 66, 74, 77 St Georges Manor; 1 Mandlebrote Drive; 13, 18, 17, 19 (Radcliffe House), 75, 76, 78 (The Crescent); 57 (Newman House), 84 (The Old Gate Lodge) Mandelbrote Drive; 4, 20 Oxford Road; 19 Pheasant Walk; 11 Yeftly Drive

Individual Comments:

The main points raised were:

- Broadly welcome the development of houses and flats (particularly affordable housing) on this unused piece of land; although there are general concerns about the impact on local infrastructure such as schools, NHS services and Public Transport
- Strongly oppose the proposed development
- The development would not match the character or meet the needs of Littlemore
- The properties do not have normal driveways or places for parking cars and have to resort to a design of residences that sits close to the street line and uses the ground floor for parking. This is not in keeping with the rest of Littlemore.

- St Georges Park is private land and there is a general objection to the creation of an open accessed thoroughfare and public footpaths through this site
- There is inadequate infrastructure to support high density residential development of this type.
- The development will have a high car dependency including two or more vehicles for family accommodation
- The traffic on Armstrong Road, and Oxford Road is already overloaded as is the day time parking, and the proposal will increase congestion.
- The access and egress from the new development onto Armstrong Road cannot accommodate the existing housing.
- More detail is needed on improvements to public transportation in the area to ease increase in private transport
- There should be access through to Oxford Science Park as required by the Policy
- The area is a natural green skirt to Littlemore and should remain as such
- Residential accommodation next to the busy A4074 would not be desirable
- The local schools are unable to serve existing children and classroom sizes are already too large.
- The site extends into an area of flood plain.
- The proposal will impact on one of the few remaining natural wildlife areas in Oxford.
- The site would be better used for employment and specifically to make Littlemore a renowned medical research and specialised medical treatment community.
- The sewage system is currently at capacity
- The amount of open space seems inadequate for a development providing this number of dwellings
- There are slow worms on site
- The provision of 50% assisted housing seems excessive and above the national average and should be resisted
- The plans are the same as those shown at the public consultation and undermines any claim which the applicants may make to have meaningfully consulted local residents
- The proposal could increase the local crime rate and have an wholly negative effect on the houses and apartments
- The proposal will have an adverse impact on views from properties in St Georges Manor which have enjoyed the semi-rural nature of the area for the past 15 years
- The development will have an adverse impact upon the Grade II listed building in St Georges Manor

St Georges Park Residents Association

- *Objection 1: issues particular to St Georges Park*

St Georges Park is private estate comprising of Grade II listed buildings and new build homes. The residents pay for all facilities through a service charge to the management company. There appear to be two pedestrian paths and cycle ways through St. Georges Park. We will become the default public path to Sandford Road.

The proposed plan does not indicate clear provision for play areas and we would in effect become a public park and recreation ground for a very dense development.

There is pressure on parking on Armstrong Road. Double yellow lines were recently painted and each weekday all available space is taken. We would inevitably have a spill over from the development to our parking areas.

We currently have problems with fly tipping. This problem will be exacerbated.

We have a very low incidence of crime on the estate. Unfettered access through our grounds by densely packed 270 households is completely unacceptable.

We are preserving our local heritage and conserving the unique character of a former Paupers Asylum. We would ask that we are consulted about development within the former curtilage of this institution.

There are no indications that English Heritage has been consulted.

- *Objection 2: Infrastructure*

The assumptions and the consequences on the local road network have been queried. This could be mitigated by having a completely separate access to the development from A4074 and Grenoble Road end.

The public transport system is appalling. Some bus routes referred to in the plan have been withdrawn and Stagecoach have announced the closure of evening and Sunday services from mid-2015.

We note that section 106 funding is being used to build affordable housing. There appears to be no consideration to other elements that create a sustainable community with sufficient and accessible local services.

These houses will be served by a primary school that is already oversubscribed; no local primary health facilities or convenience stores.

They will be built on a flood plain and we note Thames Waters comments on lack of capacity to dispose of waste water and sewage. Some homes in St Georges have poor water pressure and other households make demands on the fresh water supply as they require booster pumps. We ask that Thames Water is consulted on this aspect.

- *Objection 3: wider impact*

Access to the eastern bypass is currently dangerous. Cars are parked on both sides of the road and there is no clear line of sight at the last stretch of Oxford Road. The transport plan refers to accidents caused by driver error. Traffic density and road design can reduce this risk. The proposal seems to suggest that 270 households, most of whom will require cars, will not add to the problems at this roundabout.

Given the floods in Oxford in recent years the disappearance of a flood plain does not augur well.

A highly dense residential development in an area of deprivation will have a negative social impact.

Finally, we understand the pressures for housing in Oxford but there seems to be little understanding and planning for an improved quality of life in the area as well as on the proposed development.

Appendix 3: Oxford Design Review Panel Comments

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6 October 2014

Darren Sumeghy
Capita
71 Victoria Street
London
SW1H 0XA

Our reference: DCC/0603

Oxford City Council: Littlemore Park

Dear Darren Sumeghy,

Thank you for submitting this scheme to us; we reviewed the proposal on 18 September 2014. For the purposes of the comments below, the parts of the site to the west and north-east of the pinchpoint on Armstrong Road adjacent to the principal green space along Littlemore Brook are referred to as the 'western' and 'north-eastern' areas respectively.

We are pleased to see an overall improvement to the design since the previous design workshop on 8 May 2014. The proposed tenure mix, quantum of housing and building heights across the site are sound. In the western area, we commend the distinct site layout of terraced houses and well-defined street pattern. In the north-east, the Home Zone principles are set to encourage residents of all ages to be more active and use the public space more. At present, the site and landscape strategies should be stronger and more aligned to help unify the west and north-eastern areas and make the overall scheme more cohesive. A landscape strategy for the entire site will help to clarify the purpose of each green space for residents and visitors, and determine how trees and planting define and characterise the streets and spaces in the development. We recommend the Home Zone principles should be expanded across the entire site to create a more appealing residential feel.

Streets and public spaces

The residential character of Littlemore Park as an attractive and safe place to live will be improved by strategically integrating Home Zones across the entire site. The Home Zone format successfully prioritises pedestrians and supports informal outdoor recreation and play. In the western area, Home Zones between the rows of terraced houses would help to achieve a pleasant environment for residents and visitors, and reduce vehicular traffic and noise. Focal points, such as strategically placed trees and visual connections, could help to contain and strengthen the character of the neighbourhood, and we question the positioning of the Home Zone to the north-east as it does not currently lead anywhere. We recommend that the street layout of the north-east should reflect the road pattern



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to the west, potentially increasing the housing density in the north-east, to help the scheme to feel more like a single neighbourhood, reduce the hard surfaces and ensure maximum benefit from sunlight.

The mixture of undercroft, street and private bay parking which helps to reduce the impact of cars across the scheme and make parking areas more legible for residents and visitors is to be commended. However, we recommend further improvements to the parking strategy across the site. The larger parking area along the A4074 on the western part of the site is concerning as it is likely to feel unsafe and unwelcoming both to visitors and residents, especially at night. It is a long distance for residents and visitors to walk between the car park and the houses closer to Armstrong Road. We suggest investigating how these parking spaces can be incorporated between the terraced houses and apartment blocks to ensure that the parking is overlooked and feels safe. More on-street parking could also be incorporated across the scheme to help make the streets feel more active and reduce the size of car parking areas in the neighbourhood. The pedestrian route connecting the principal green space at the junction of Armstrong Road and Sandford Road and the north-eastern part of the site feels unpleasant and unsafe where it crosses the car park, for example.

Landscape strategy

The efforts to make the scheme more appealing with parks and playspaces and trees to help buffer the vehicular noise along Armstrong Road and the A4074 are positive. The conceptual sketches of the green spaces are strong but inconsistencies between the different diagrams need to be resolved to give a clearer steer on the landscape strategy for the entire site. At this stage, it will be important to decide which trees to keep and which to remove to give more purpose and structure to the streets and open spaces.

Creating a public open space at the pinchpoint along Armstrong Road and retaining mature trees is positive. However, a stronger focus at the 'green heart' is needed to draw residents and visitors from either the north-east or west, by creating a defined public space with hard landscaping and seating surrounded by trees, for example. The existing public space to the west of the pinchpoint seems randomly placed and it will be overshadowed by the mature trees. Retaining more existing mature trees along Armstrong Road immediately west of the pinchpoint would better define the route to and view of the principal green space. We also suggest continuing to look for opportunities to make the open spaces feel more secure. The apartment blocks adjacent to the principal public space at the pinchpoint provide good passive surveillance. However, whilst the principle of a green space to the west is sound, this green space is less successful as it is currently much less overlooked increasing the risk of antisocial behavior. Opportunities to increase passive surveillance for this space, from housing for example, and enhancing the emphasis on the principal public space at the pinchpoint, as opposed to the western park, should be explored.

Homes

The housing arrangement could be refined to make the west and north-eastern areas feel more like a whole. To the west, the tight, defined layout of the terraced housing has the makings of a safe, inviting neighbourhood. We also

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welcome the taller apartment blocks in the west which create a suitable visual termination of the terraced housing rows, make use of the topography of the site and protect the terraces from the A4074. In the next design stages, noise attenuation can be designed for the apartment blocks to mitigate the impact of the A4074, supported by acoustic fencing along the boundary to the main road. To help maintain this strong urban configuration, the rows of terraced housing could be extended closer to Armstrong Road which could also help to provide more space to deliver the proposed quantum of houses. The three houses to the south of the nursery currently seem isolated and could be incorporated in the longer rows of terraces when readdressing their configuration. A stronger neighbourhood character could be created with a broader mix of tenures and apartment blocks and terraced housing designed by a range of architects.

Thank you for consulting us and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please telephone us.

Yours sincerely



Victoria Lee
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Tel +44(0)20 7420 5244

cc (by email only)

Beverley Letherby	Capita
Sheila Aldred	Capita
Kevin Ayrton	Carter Jonas
Andrew Murdoch	Oxford City Council

Review process

Following discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 18 September 2014 by Joanna van Heyningen (chair), Deborah Nagan and Peter Studdert. These comments supersede any views we may have expressed previously.

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.



Littlemore Park, Oxford
Design Workshop
Notes from Thursday 08th May 2014

Thank you for attending Cabe's Design Workshop on Thursday 08th May 2014. We are delighted to comment on the scheme at this stage of the planning process and offer our advice as the proposal continues to develop. Littlemore Park is a fantastic site on which development should be of an exemplary standard to provide spaces and buildings that work with the site characteristics.

The site has a special landscape character and is located adjacent to historic buildings of St. George's Manor. The decision to facilitate access to Littlemore Brook and provide new public open spaces is a good starting point. Despite the limitations of flood risk, adjoining ownership, infrastructure and environmental designations, we encourage you to seize the opportunity that this site offers and develop a site strategy that responds sensitively to the context and creates a stronger identity.

Site context

- The site offers potential to enhance linkages to the Oxford Science Park, local amenities and across the railway line to the wider area. We encourage you to engage with the adjoining landowners early to establish the future access arrangements in principle. Such linkages would potentially impact on the site layout, location of the public open space and requires to be prioritised at the earliest.
- A site section will help to understand the site topography and how buildings could relate to the site landscape features and surrounding building context.
- Understanding what assets are available on the site and how they can enhance the quality of the scheme will help to determine the 'special characteristics' of the project. The site masterplan vision should set out the future of the site in terms of creating a distinctive identity that sets this scheme apart from other housing developments.

Development capacity

- We feel the current proposal requires further testing prior to deciding housing numbers. There is lack of a robust constraints and opportunities analysis in determining the site's development capacity. For example, the parking area as currently shown on the masterplan may not be sufficient to meet the projected need. It is essential to be realistic at this stage and review constraints carefully prior to finalising the proposed development quantum for the site.

Site layout

- A well-defined masterplan vision needs to demonstrate how the proposed design works with the context, builds on this character and develops around the site assets.
- The site access and street grid could be improved by anchoring them to the key site features and testing variations to the internal road layout, distribution of open spaces, density, housing typology, parking arrangements, building orientation and ways to reduce road noise.
- The location and distribution of open spaces will benefit from further work to make the most of the site potential. For example, we are not convinced with the proposed principal square location.
- A potential for a new public open space at the end of Armstrong Road between the Eastern and Western part of the site, could be explored to improve the relationship with SAE Institute. The proposed public open space would also be visible from the street with views towards Littlemore Brook. It could be treated as a home zone with potential public realm improvements along Armstrong Road signposting its new residential character.
- We liked the idea of a buffer zone along Littlemore Brook if its boundary is informed by technical evidence. There is an opportunity here to engage with the surrounding landscape and establish a positive relationship between building and landscape. Buildings proposed near Littlemore Brook should celebrate its presence rather than turning its back. If designed carefully and appropriately sited, five storey buildings are acceptable at this location. For example, Accordia housing in Cambridge could be an interesting precedent study for this site.

Landscape

- The existing tree survey including their root protection zone and proposed car parking requirements should be fully considered prior to identifying the development area. In particular, the edge condition and interface with Armstrong Road is challenging. Retaining mature trees, hedgerows along this road will help to maintain the distinctive site character.
- The landscape concept for the site should be informed by an overarching strategy, including wider green infrastructure and SUDs, flood management, ecology and play space provision.
- There is a scope to integrate parking within the landscape buffer by using the site topography to build apartments around or over the parking area.
- Future maintenance, management cost and responsibilities for green infrastructure should be considered at an early stage to inform quantum and location of the public open space.

Outline planning application

- A site masterplan should clearly communicate what driving factors are generating the design. The outline planning application should set the vision, development capacity, mix and design principles. These design principles will guide the outline planning stage, inform the detailed design and determine how the scheme is most likely to evolve in the future.
- If parameter plans are sufficiently developed and supported with a design and access statement, we feel the design code would not be required at the outline planning application stage. The key parameters for the application could be the layout, building height, development parcels and open spaces.
- The design and access statement should include typical housing layout and typology. It should also establish a quality threshold for the landscape design and public realm consolidated into a landscape strategy for the site.
- Armstrong Road determines the primary access and secondary road grid into the site. Provided that the design principles are fixed, the internal road layout can be determined at a later stage if it is consistent with the overall development strategy.

Attendees

Design Workshop Panel

Fred Manson (chair)
Peter Studdert
Deborah Nagan

Scheme Presenters

Tony Rackstraw Capita Property and Infrastructure
Darren Sumeghy Capita Property and Infrastructure

Project Team

Janette Findley Urban Vision
Sheila Aldred Oxford University Hospitals NHS Trust

Oxford City Council

Andrew Murdoch
Chris Leyland

Design Council Cabe staff

Mathieu Proctor
Thomas Bender
Mandar Puranik

This report dated 19th May 2014 replaces any previous report.

East Area Planning Committee

-3rd February 2016

Application Number: 15/03001/FUL

Decision Due by: 7th December 2015

Proposal: Erection of timber covered area to provide external seating in rear garden. (Amended plans)

Site Address: Somerset House 241 Marston Road Oxford Oxfordshire

Ward: Marston Ward

Agent: Mr Huw Mellor

Applicant: Mr Suhayl Ali

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The development is considered acceptable in principle as an extension to the existing pub and restaurant use of property and the creation of an enclosed outdoor seating area. The development would be acceptable in terms of its design and appearance; particularly when viewed from Ferry Road. The proposed extension would also be acceptable in terms of its impact on the amenity of surrounding residential occupiers, specifically in relation to light, privacy, visual appearance and noise and disturbance. The proposals provide areas for landscaping that would enhance the appearance of the rear aspect of the building and contribute positively to the quality of environment created on the site. Adequate arrangements are provided for car parking and cycle parking. For these reasons, the development is considered acceptable in the context of Policy CP1, CP6, CP8, CP10, CP11, CP19, CP20, CP21, TR3 and TR4 of the Oxford Local Plan 2001-2016, Policy CS11 and CS18 of the Core Strategy (2011) and Policy HP14 of the Sites and Housing Plan (2013).

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials

- 4 Landscaping
- 5 Hard landscaping
- 6 SUDs
- 7 Cycle parking
- 8 Advertisements
- 9 Lighting
- 10 Hours of operation
- 11 External Sound Amplification
- 12 Use of Extension
- 13 No A/C or extraction
- 14 No further canopies

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- TR4** - Pedestrian & Cycle Facilities
- TR3** - Car Parking Standards
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise

Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urban design, town character, historic environment

Sites and Housing Plan

- HP14_** - Privacy and Daylight

Other Material Considerations:

Public Consultation

Representations Received:

12 Ferry Road, Edgeway Road (no number provided), 4 Ferry Road, Ferry Road (no number provided), Flat 5 (1A Ferry Road), 2 Ferry Road, 58 William Street, Flat 2 (1A Ferry Road), 9 McCabe Place, 1 Ferry Road, , 42 Ferry Road (2 objections from this address), John Garne Way, Ferry Road (no number provided), 47 Edgeway Road, 5 Ferry Road, 62 Ferry Road, 50 Edgeway Road and 78A Ferry Road.

Objections:

- Effect on adjoining properties
- Effect on character of area
- Effect on existing community
- Parking provision
- Concerns about use as shisha area
- Pollution
- Disturbance on local residents
- Impact on health
- Concentration of use (number of tables)
- Light pollution
- Noise impact
- Environmental impact (particularly of outdoor heating)
- Impact on flooding and surface water drainage
- Access
- Impact on traffic
- Impact of increasing use throughout year
- Impact on Green Health Route
- Fire risk
- Site could provide housing
- Increased fear of crime
- Effect on light
- Impact on biodiversity

3 Rippington Drive, 232 Marston Road, 243 Marston Road, Clive Booth Student Village (no flat number provided) comments in support:

- Development would provide a good service
- Supportive of community use
- Support restaurant use near to accommodation

62 Ferry Road , comments neither supporting or objecting:

- Impact of smoking (health impacts)
- Community use, seek use of the building as a pub

NB. The responses above were received in relation to both the originally submitted plans and amended plans; these responses therefore relate to two three-week

consultations.

Statutory and Internal Consultees:

None

Relevant Site History:

None

Main issues:

Principle

Design

Impact on neighbours

Access and parking

Flooding and surface water drainage

Officers Assessment:

Site Description

1. The application site comprises Somerset House (241 Marston Road), an existing public house and restaurant in the Marston area. The property lies on the corner of Marston Road and Ferry Road.
2. The application site includes a large 1930s pub building which has been extended and altered over the years. At the front and sides of the building there are tarmac surfaced areas which are used for car parking. At the front of the property there is some additional parking and an area enclosed by a low railing that it is understood has been used to provide some additional outdoor seating in the past. At the rear of the site there are existing terraces which are raised, one along the rear elevation of the building and one adjacent to the northern boundary of the site. The terrace extending along the rear elevation of the pub is covered. There is also a substantial pub garden area of approximately 12m in length and 19m in width. In the south-west corner of the site there is an existing single storey garage building.
3. There is very little vegetation on the site, with some shrubs and small trees along the western boundary.
4. There is an existing access into the pub garden from the pub as well as from the side elevation adjacent to the car park (facing onto Ferry Road).
5. The property on the site was used until the Summer of 2014 as a public house and restaurant known as 'The Somerset'; the lawful use of the property would be considered to be a restaurant (Use Class A3). Since the Summer of 2014 the site has been vacant and has been purchased by a new owner.

Proposed Development

6. It is proposed to erect a single rear extension that would extend approximately 7m beyond the existing rear terrace area into the garden. The proposed extension would extend across the width of the rear of the building; with both the existing terraces to the north and east of the proposed extension. The proposed extension would be constructed from partially brick and partially timber, with a brick wall and upright timber supporting a timber roof. The walls of the extension would be partially open, with open areas between the upright timber supports. There is a skylight proposed for the centre of the roof and the roof would adjoin the existing covering of the outdoor terrace that abuts the rear of the restaurant.
7. Planting is proposed to the south of the extension (facing towards Ferry Road), along the western boundary and along the northern boundary (on the existing outdoor terrace area).
8. Access to the extension would be from the main restaurant; the separate entrance onto the car park from the garden (on the Ferry Road side) would also be retained.
9. It is proposed to use the extension in connection with the restaurant use of the property, to provide additional seating (as detailed in the application form and accompanying planning, design and access statement).

Principle

10. The proposed development would be an extension to an existing property that has been used for many years as a restaurant and public house. It is considered that the proposed extension would be acceptable in principle as an extension. Officers recommend that the proposed extension would be on the site of the existing pub garden where outdoor seating has previously been provided; the proposals primarily seek to partially enclose some of this area and therefore the actual use of this area would not be materially different in planning terms.
11. The application details that the proposals have been put forward as an attempt to create additional seating that would increase the viability of the site for a restaurant. Officers consider that the approach could lead to a more efficient use of land that would be broadly supported by Policy CP6 of the Oxford Local Plan 2001-2016; particularly in the context that the site is currently disused.

Design and Landscaping

Impact on Streetscene

12. The proposed extension would be set back from Ferry Road and Officers do not consider that it would be prominent in the streetscene. Further to this, it would not be particularly high or obtrusive and would be partially screened by the existing garage and wall and the railings on the Ferry

Road frontage. Significant areas of landscaping are proposed which would further soften the impact of the proposed development. As a result, it is the view of Officers that the development would form a visually acceptable addition to the streetscene.

13. Officers have considered whether or not the partially enclosed area that would be provided may be enclosed further by additional canopies; this could have a detrimental impact on the appearance of the area. As a result, a specific condition is included in the recommendation to preclude further canopies being provided.

Materials

14. The proposed materials for the extension would be partially brick and partially timber. Officers consider that the proposed materials would be acceptable subject to a condition that would require the submission of samples prior to the commencement of the development; Officers recommend that this condition should also require the details of the external finish of the timber elements.

Landscaping

15. The proposals include areas for landscaping; these are indicative areas on the plans and there are no details for the species and type of trees and shrubs proposed. Officers consider that the width and areas of indicative landscaping shown would provide an opportunity to ensure that the development would be visually acceptable by softening the impact of the development when viewed from the streetscene but also making a positive contribution in terms of contributing the verdant appearance of the area. As a result, Officers have recommended that a condition be included that would require the submission of a landscaping scheme prior to commencement.

Impact on Neighbours and Use of Extension

Impact on Amenity

16. Officers have carefully considered the impact of the proposed development on the amenity of neighbouring residential occupiers and nearby residents. Officers have also examined all of the objections and comments made in relation to the application and have assessed the impacts of the issues raised

Impact on Light

17. The proposed development would not have an adverse impact on light conditions in terms of a loss of light. There would be sufficient distance between the proposed development and neighbouring residential properties to ensure that the extension would not block sunlight to windows of nearby dwellings. In reaching this view, Officers have been

particularly mindful of the requirements of Policy HP14 of the Sites and Housing Plan (2013).

External Lighting

18. In addition to an assessment for the loss of light, Officers have also considered the impact of the increased light that would result from a partially open structure. The submitted planning, design and access statement suggests that there would be lighting of controllable intensity located on the roof of the extension that would throw light down onto the partially enclosed seating area. Officers consider that this type of lighting, combined with the reasonable distance to the boundary and proposed landscaping would mean there would be no detrimental impact on neighbouring occupiers as a result of nuisance and disturbance from lighting. However, Officers recommend that the type of lighting to be used in this area should be the subject of a condition to ensure that it is suitable in terms of its strength and siting; the condition should also ensure that no further lighting is provided without the prior written consent of the Local Planning Authority.

Impact on Privacy

19. The proposed development would not have an adverse impact on privacy. The development would be entirely single storey, which means there would be no increased overlooking from the extension. There is an existing area of raised terrace at the northern end of the site but this is not proposed to be altered; there is also an existing wall that separates this terrace area from the neighbouring gardens at No. 2 Ferry Road and No. 243 Marston Road. Officers consider that the proposed landscaping would further ensure that there would be no loss of privacy resulting from the development.

Impact on Outlook

20. The proposed development would not have an unacceptable impact on the outlook from neighbouring properties. The proposed development would be fairly low and would be sufficiently far from the boundaries to ensure that it would be neither over-bearing or obtrusive.

Noise and Disturbance

21. The existing location of the proposed extension could already be lawfully used for outdoor seating or as a pub garden. On this basis, Officers recommend that although the partial enclosing of some of this space resulting from the proposed extension would lead to an increased intensity of its use it would also partially reduce the noise and disturbance resulting from the use of that space. Officers have recommended a condition be included that would continue the existing restrictions on opening hours; consistent with the current use, which would ensure that the noise disturbance from the use of the outdoor seating area would not continue

late into the night.

22. The proposed separation between the extension and the boundary, as well as quite substantial areas proposed for landscaping would help to ensure that there would not be an unacceptably adverse impact on noise and disturbance for neighbouring residential occupiers.
23. Officers have included a condition in the recommendation that would require that no external noise amplification equipment be installed on the extension unless agreed otherwise in writing by the Local Planning Authority. There are no proposals to use the extension in this way, though if this equipment were installed without a proper assessment then it could give rise to increased noise and disturbance to the detriment of surrounding occupiers.

Heating

24. There are proposals to heat the partially enclosed extension using outdoor heating, these will be streamline and recessed into the roof to enable the seating area to be used year-round. Officers have been mindful of the environmental concerns about this development but consider that this is something that could be provided anyway within the context of the existing pub garden.

Use of Extension

25. The proposed extension is proposed to be used in conjunction with the lawful restaurant use of the main building. Officers have already outlined that this use would likely be acceptable and a condition has been recommended that would seek to ensure that this would be required; the result would be that the extension could not be used as a separate business.
26. Many of the concerns and objections raised by local residents relate to the use of the extension which specifically relate to the use of the extension for shisha and a smoking area. The application does not detail that this would be the specific way that the extension would be used, only that the extension would be used in conjunction with the restaurant use and to provide additional seating. However, Officers would indicate to members that such a use would not likely require planning permission as long as it formed a subordinate element of the restaurant use of the premises. Regardless of whether or not the concerns that the proposed extension would be used for shisha are well-founded or not, Officers have addressed some of the concerns raised in objections and comments below.
27. The existing pub garden area can be used for outdoor seating and provide space for people to smoke. Arguably the partial enclosing of the space (and its heating) would enable it to be more intensively used by smokers if that became part of the use, though Officers do not consider that this is

something that could form the basis of refusing planning permission. Officers would consider that the landscaped areas around the boundaries that are proposed with the application and do not currently exist could help to ensure that there would be less risk of people smoking directly adjacent to the boundary with neighbouring properties and thereby causing smoke to impact upon nearby residential occupiers.

28. Some of the concerns relate to the health impact of smoking, particularly shisha or water-pipe tobacco. Officers would recommend that this is not a matter that be addressed through planning.
29. Following on from the above point, Officers have received information that the application site lies on a recently established 'Green Health Route' where doctors at nearby GP surgeries refer their patients to walk a 'Green Health Route' to benefit their health. Concerns have been expressed that, if the development involved the creation of a shisha area then it could erode the quality of this as a 'Green Health Route'. Officers have been mindful of these concerns; if the extension were used for smoking then there would be some separation from the road and landscaping that would reduce that impact.
30. There are no proposals to provide extraction equipment or air conditioning. Officers have considered that if this equipment was installed it could give rise to mechanical noise that could disturb local residents, as a result a condition has been included in the recommendation that would prevent its installation without seeking planning permission first.

Fire Risk

31. Some concerns have been expressed in relation to fire risk from the proposed development. The proposed extension would need to meet the requirements of building regulations and have appropriate fire safety equipment; Officers recommend that this is not a basis for refusing planning permission.

Access and Parking

Access and Car Parking

32. There are no proposals to alter the access or car parking arrangements at the site. Officers consider that the existing arrangements are acceptable and consider that the development meets the requirements of Policy TR3 of the Oxford Local Plan 2001-2016.
33. Some concerns have been expressed about the increased use that would take place as a result of the proposed extension and that this could create or worsen car parking issues in the area (particularly on-street in Ferry Road). Officers have been mindful of these concerns but note that the area is a Controlled Parking Zone (CPZ) and there is already some parking at the application site. The application site also benefits from

excellent access to public transport, being directly adjacent to bus stops serving the City Centre, Marston, the JR, the railway station, Cowley, and Oxford Brookes. The application site is also conveniently accessible by bicycle with convenient access to the Marston cycle route.

Cycle Parking

34. There are proposals for cycle parking included with the application. Officers consider that this would be beneficial and improve the accessibility of the application site by cycle. The proposals would involve the creation of a number of stands at the front of the building. A condition has been included to ensure that these stands are provided in accordance with Policy TR4 of the Oxford Local Plan 2001-2016.

Flooding and Surface Water Drainage

35. The application site does not lie in an area of high flood risk.
36. There are limited details provided in relation to surface water drainage. However, Officers have recommended a condition that would deal with surface water management on the site and ensure that the development complies with SUDSs requirements and the requirements of Policy CS11 of the Core Strategy (2011).

Conclusion:

37. On the basis of the above, Officers recommend that planning permission should be granted subject to the conditions as included above.

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: Robert Fowler

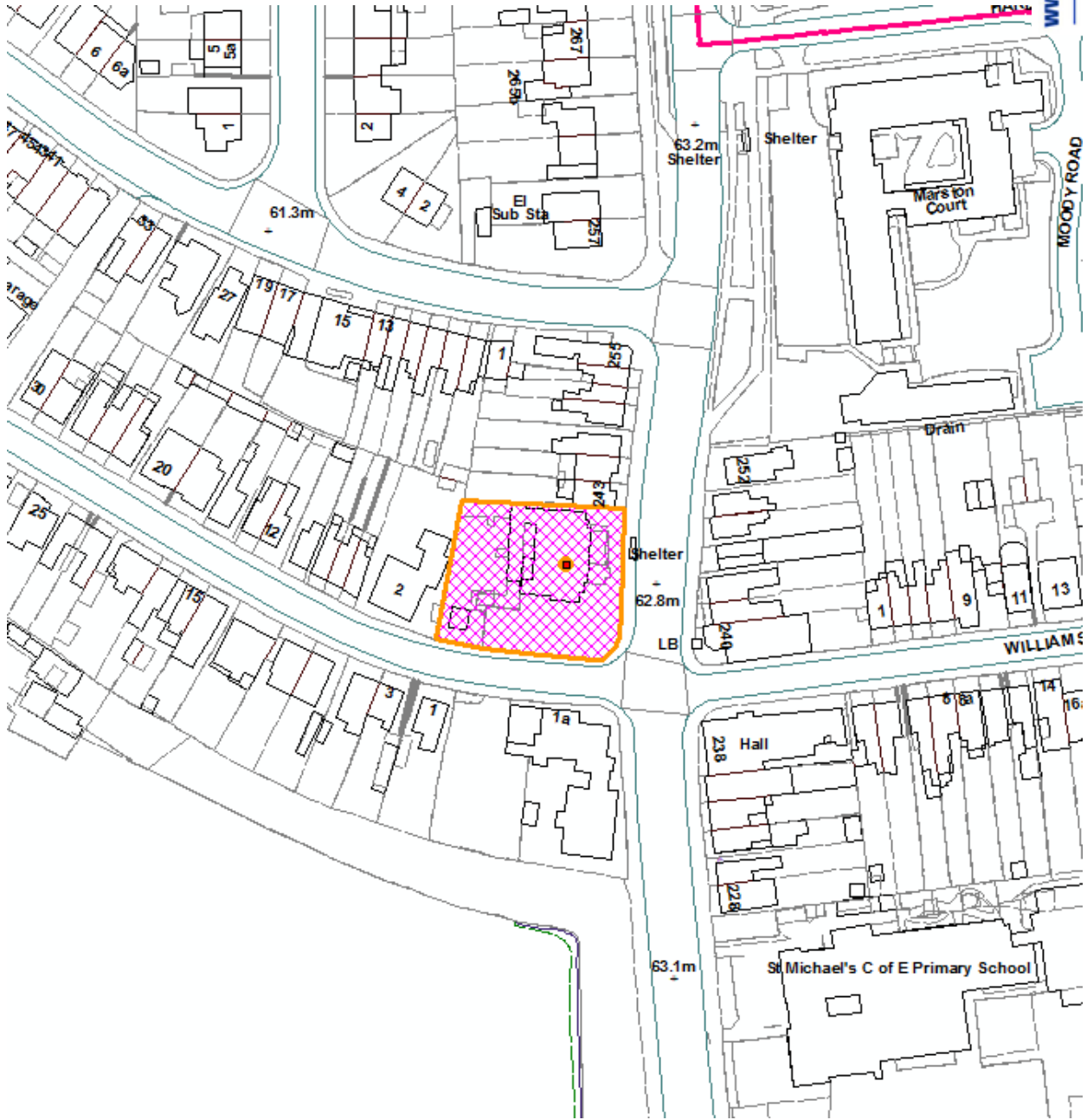
Extension: 2104

Date: 18th January 2016

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Appendix 1

15/03001/FUL - Somerset House



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Ordnance Survey 100019348



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East Area Planning Committee:

3rd February 2016

Application Number: 15/03430/CT3

Decision Due by: 28th January 2016

Proposal: Provision of 12no. residents' parking spaces on existing grass verges

Site Address: Land Fronting 136 To 162 Blackbird Leys Road, Site Plan - **Appendix 1**

Ward: Northfield Brook

Agent:

Applicant: Oxford City Council

Recommendation: East Area Planning Committee is recommended to approve the application for the reasons set out below and subject to conditions, including those listed below.

Reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. No trees will be affected by the proposed parking spaces. No objections have been received and officers conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan. There are no material considerations which outweigh this conclusion.
- 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.

Conditions:

- 1 Development begun within time limit
- 2 In accordance with approved plans
- 3 Parking in accordance with plans
- 4 Tree Protection Plan
- 5 Tree Replacement if Required
- 6 Sustainable Urban Drainage Systems

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
- CP11** - Landscape Design

Core Strategy

- CS18_** - Urb design, town character, historic env

Sites and Housing Plan

- HP16_** - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- Planning Practice Guidance

Relevant Site History:

None

Representations Received:

None

Statutory and Internal Consultees:

Highways

The proposed parking proposal is acceptable to Oxfordshire County Council subject to an appropriate condition regarding parking being developed according to the specified plan.

Tree Officer

No objection to the proposal subject to a condition being attached that states a tree protection plan should be submitted to, and approved in writing by the local planning authority before work commences on site.

Issues:

- Visual impact and trees
- Highways
- Residential amenity

Sustainability:

1. All new spaces will be constructed to Sustainable Drainage Standards. The

new spaces will make a purposeful and improved use of the existing space and help avoid the existing landscaping being gradually degraded.

Background to proposals

2. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was less usual for social housing tenants to own cars. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
3. The original purpose of grass verges was to give some outlook to occupants onto green areas, in order to break up the monotony of structures within estates. However, these grass verges provided no usable amenity space and have been used for informal car parking.
4. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
5. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
6. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas. However, more recently, the City Council has accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
7. The proposed scheme would provide formal parking areas on existing grassed areas. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. This is a continuation of car parking schemes recently approved in locations across the City (Carpenter Close, Normandy Crescent, Chillingworth Crescent, Redmoor Close and four schemes at various points along Pegasus Road).
8. The new spaces would be unallocated.

Officers Assessment:

Site Location and Description:

9. The grass verge is located on the south-west side of Blackbird Leys Road,

where the road runs between its junctions with Cuddeson Way and Pegasus Road.

Proposal

10. It is proposed to provide 12no. off road parking spaces for residents' vehicles, all of which are located on the south-west side of this section of Blackbird Leys Road, together with landscape enhancement to discourage informal parking on green spaces. No trees are proposed to be removed. A number of trees are located within close proximity of the proposed spaces.

Visual impact and trees

11. The bays are broken up into two chunks of six spaces at the north-west end and south-west end of the verge. The north-west end of the verge comprises two sets of three spaces. The south-west end of the verge comprises of one set of two spaces and one set of four spaces.
12. With the groups of bays broken into two sections this prevents the area feeling too car dominated and a useable proportion of the green space is retained in the proposal for residents.
13. The proposal maintains the grassed area to the front of the houses and proposes shrub planting to soften the impact and prevent glare from headlights.
14. It is, overall, considered that the new parking and would not harm the visual amenity of the area. The proposal would reduce visual intrusion caused by indiscriminate parking by formalising it within a landscaped setting thereby enhancing the existing street scene and making efficient use of the verge which is not usable as amenity space.
15. The proposal accords with Policies CP1, CP6, CP 8, CP9, CP10 and NE15 of the Oxford Local Plan, policy CS18 of the Core Strategy and policy HP16 of the Sites and Housing Plan.

Highways

16. Highways have been consulted on the proposal and have raised no objections to the amended plans and state that they are acceptable and will not cause highway safety issues.

Residential amenity

17. Parked cars would face towards the windows of housing located on the south-west side of this part of Blackbird Leys Road. There would therefore be potential for glare from headlights into these windows. However, this will satisfactorily be reduced or eliminated by the proposed shrub planting. The proposed bays will be overlooked by the surrounding properties which will

create natural surveillance No objections have been received from residents. Officers consider the proposal would not significantly harm residential amenities in this case. The proposal therefore accords with Policy CP10 of the Oxford Local Plan.

Conclusion:

18. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2026 and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 15/03430/CT3

Contact Officer: Matthew Watson

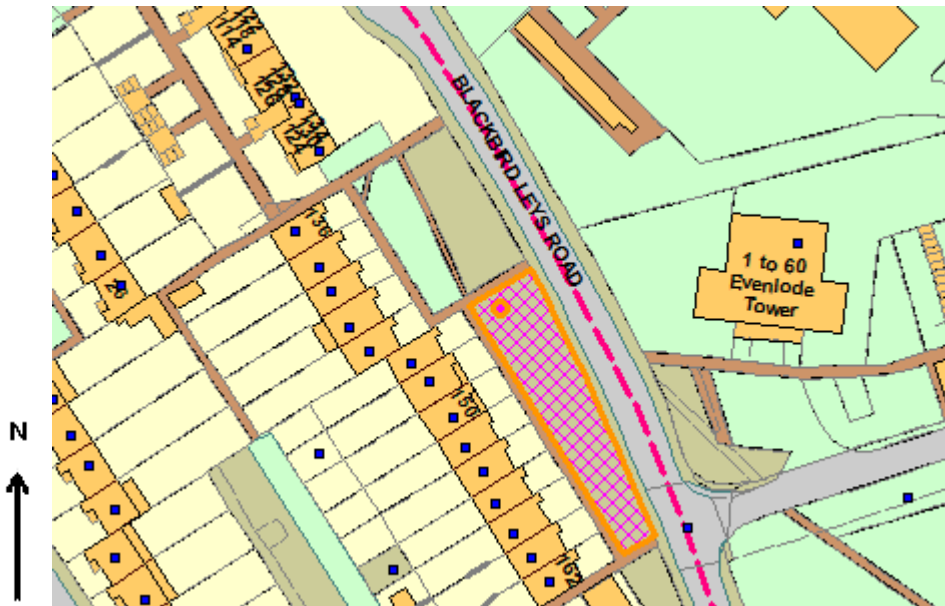
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Date: 22nd January 2016

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Appendix 1

15/03430/CT3 - Land Fronting 136 To 162 Blackbird Leys Road



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Ordnance Survey 100019348

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Monthly Planning Appeals Performance Update – December 2015

Contact: Head of Service City Development: Cathy Gallagher

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 31 December 2015, while Table B does the same for the current business plan year, ie. 1 April 2015 to 31 December 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	42.0%	4	9
Dismissed	18	58.0%	4	14
Total BV204 appeals	31	100%	8	23

**Table A. BV204 Rolling annual performance
(1 January 2015 to 31 December 2015)**

Table B	Council performance		Appeals arising from Committee against officer recommendation	Appeals arising from Committee with officer recommendation	Appeals arising from delegated refusal
	No	%	No.		No.
Allowed	10	50%	2 (100%)	1 (33.3%)	7 (50%)
Dismissed	10	50%	0 (0%)	3 (66.7%)	7 (50%)
Total BV204 appeals	20	100%	2	4	14

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 December 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	24	48.0%
Dismissed	26	52.0%
All appeals decided	50	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 January 2015 to 31 December 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 December 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 December 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 1/12/15 And 31/12/15**

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
15/01059/FUL	15/00036/REFUSE	DEL	REF	ALC	04/12/2015	LYEVAL	12 Benson Road Oxfordshire OX3 7EH	Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4). Erection of single storey rear extension
15/00360/B56	15/00035/PRIOR	DEL	7PA	ALW	08/12/2015	COWLYM	Canterbury House, 393 Cowley Road Oxford Oxfordshire OX4 2BS	Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 3 x 1-bed and 1 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks
15/00597/OUT	15/00033/REFUSE	COMM	REF	DIS	08/12/2015	COWLYM	Land Adj Canterbury House 393 Cowley Road Reliance Way Oxford Oxfordshire OX4 2FQ	Outline application (seeking approval of access, layout and scale) for the erection of four storey building consisting of 4 x 1 bedroom and 4 x 3 bedroom flats (Use Class C3). Provision of private amenity space, car parking, cycle and waste storage.
14/03204/OUT	15/00034/REFUSE	COMM	REF	DIS	08/12/2015	COWLYM	Rivera House And Adams House Reliance Way Oxford OX4 2FQ	Demolition of existing office accommodation at Rivera House and Adams House. Construction of up to 98 student study rooms with provision for disabled car parking spaces and cycle parking.(Outline application with all matters reserved)
14/01495/FUL	15/00026/REFUSE	DELCOM	PER	ALW	15/12/2015	MARST	33 William Street Marston Oxford OX3 0ES	Erection of 2 storey side and single storey rear) extension. (amended plans
15/01144/FUL	15/00032/REFUSE	DEL	REF	ALC	15/12/2015	WOLVER	19 Linkside Avenue, Oxford, Oxfordshire OX2 8HZ	Demolition of existing buildings. Erection of 1 x 3-bed and 1 x 4-bed two storey detached dwellinghouse (Use Class C3) with provision of private amenity space. Formation of boundary wall and new vehicle and pedestrian access from Linkside Avenue.
Total Decided:								6

Enforcement Appeals Decided Between 1/12/2015 And 31/12/2015

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 1/12/15 And 31/12/15

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

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DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
15/00759/FUL	15/00060/REFUSE	DEL	SPL	W	11 Winchester Road Oxford Oxfordshire OX2 6NA	NORTH	Change of use from large House in Multiple Occupation to Student Accommodation. Replacement and alterations to windows and doors, construction of side door porch and formation of ramped access. (Amended description)(Amended plans)
15/00978/FUL	15/00061/REFUSE	DEL	REF	W	90 Wilkins Road Oxford Oxfordshire OX4 2JB	LYEVAL	New 1 Bedroom Dwelling With Disabled Access
15/00991/FUL	15/00064/REFUSE	DEL	REF	I	20 Blenheim Drive, Oxford Oxfordshire OX2 8DG	WOLVER	Erection of 2 x 6 bed dwellinghouses (Use Class C3). Erection of a garage. Provision of private amenity space, bin and cycle stores.
15/01449/FUL	15/00065/REFUSE	DEL	REF	W	Land at Rear of 8 Cranmer Road, Oxford Oxfordshire	LYEVAL	Erection of 1 x 1 bed two storey dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle stores and additional access and carparking off Cranmer Road.
15/02256/FUL	15/00062/REFUSE	DEL	REF	H	23 Stockmore Street Oxford Oxfordshire OX4 1JT	STMARY	Erection of first floor infill extension
15/02343/FUL	15/00066/REFUSE	DEL	REF	H	23 Blackbird Leys Road Oxford Oxfordshire OX4 6HH	BBLEYS	Erection of two storey side extension.
15/02668/FUL	15/00063/REFUSE	DEL	REF	H	13 East Street Oxford Oxfordshire OX2 0AU	JEROSN	Demolition of existing rear extension. Erection of part single, part two storey rear extension and roof extension in association with loft conversion. Erection of outbuilding

Total Received: 7

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MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 6 January 2016

www.oxford.gov.uk



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

OFFICERS PRESENT: Robert Fowler (Senior Planner), Niko Grigoropoulos (Planning Control and Conservation Manager), Michael Morgan (Lawyer), Edward Oteng (Principal Planner Team Leader) and Jennifer Thompson (Committee and Members Services Officer)

84. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies.

85. DECLARATIONS OF INTEREST

There were no declarations.

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

The Committee considered an application for planning permission for the refurbishment of part of the University campus at Oxford Brookes University, Gypsy Lane 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 Gypsy Lane frontage. (Amended plans)(Additional information)

Hamish McMichael, the agent for the applicant, came to the speakers' table to answer questions from the committee.

The Committee had no concerns about the proposal but were concerned about the cumulative impact on Headington of a number of major long-term construction projects planned over the next twelve months and the resulting disruption to roads and traffic congestion.

The Committee resolved to approve application 15/02341/FUL subject to the following conditions and an informative:

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. Construction Travel Management Plan.

Informative: that in managing the construction other major works in Headington are taken into account; to provide contact numbers of contractors and/or managers of other major works where known; and to provide a timetable of works where known.

Reason: to reduce the cumulative impact of separate major works on residents.

87. OXFORD CITY STADIUM, MARSH LANE: 15/02476/FUL

The Committee considered an application for the erection of a spectator stand to provide 150 additional seats in North East corner of Oxford City Football Ground, Court Place Farm, Marsh Lane.

Councillor Clarkson, the ward councillor, explained that the main concern over parking at the ground and nearby had largely been resolved through discussions.

The Committee resolved to approve application 15/02476/FUL 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.

88. 27 BRASENOSE DRIFTWAY, OX4 2QY: 15/02778/FUL

The Committee considered an application for the demolition of the existing building; erection of 5x1 bedroom and 1x2 bedrooms flats (Use Class C3) and communal lounge and staff/guest bedroom; and provision of car parking spaces, bin and cycle storage at 27 Brasenose Driftway, Oxford.

Derek Clarke, representing the applicant, came to the speaker's table to answer questions.

The Committee resolved to grant planning permission for application 15/02778/FUL 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.

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

The Committee considered a retrospective application for the variation of condition 2 (Approved plans) of planning permission 14/02650/FUL to allow for revised heights of building at the former DHL Site, Sandy Lane West.

Tina Hill, Keith Manning, Prudence Dailey, and Michael Evans, local residents, spoke against the application.

Mark Dodds, the agent for the applicant, spoke in support of the application.

The Committee noted the comments of all parties. Members agreed to add details to conditions 7, 10 and 18 (landscaping proposals) as appropriate specifying that the submitted scheme should include evergreen planting at as high a density and height as practicable and should be implemented as soon as possible. The developer should liaise with residents and the ward councillors in finalising the scheme and in monitoring the ongoing maintenance needs. This would improve the amenity of residents on Spring Lane close to the site by screening the development as soon as practicable.

The planning officer reported that environmental services were investigating a noise complaint in relation to this development under separate legislation and this was not a planning matter.

The Committee resolved to approve application 15/03260/VAR subject to the conditions below, 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.

*landscaping conditions to include details of a variety of species including evergreen; height and density to provide maximum screening; community engagement and including ward councillors in developing plans; community involvement in monitoring; to be agreed and implemented as quickly as practicable.

Legal Agreement:

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

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

The Committee considered an application for the erection of a single storey extension to west elevation at Leys Spar Limited, Dunnock Way.

The Committee resolved to approve application 15/02721/FUL subject to subject to the following conditions:

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.

91. 9 COLLINWOOD CLOSE: 15/03167/CPU

The Committee considered an application to certify that the proposed erection of a single storey side extension and alterations to windows is lawful development at 9 Collinwood Close, Oxford.

The Committee resolved to approve application 15/03167/CPU.

92. PLANNING APPEALS

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

93. MINUTES

The Committee resolved to approve the minutes of the meeting held on 2 December 2015 as a true and accurate record.

94. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming items.

95. DATES OF FUTURE MEETINGS

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 7.15 pm

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