

Agenda

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East Area Planning Committee

Date: **Wednesday 2 March 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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As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

East Area Planning Committee

Membership

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

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

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AGENDA

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1 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

2 **DECLARATIONS OF INTEREST**

3 **BARTON PARK: 15/03642/RES**

11 - 72

Site Address: Land at Barton Northern By-pass Road Oxford.

Proposal: 15/03642/RES Details of reserved matters (layout, scale, appearance and landscaping) for the first phase of the Barton Park development, pursuant to Condition 3 of outline planning permission 13/01383/OUT. The works comprise the construction of 237 residential units (Class C3) with associated means of access and highways works; car and cycle parking; hard and soft landscaping; public realm works and ancillary structures. (Amended plan)

Note: outline planning permission was granted in October 2013 (13/01383/OUT) for the development of the site.

Officer recommendation: to approve reserved matters for the reasons stated and to confirm compliance with the following conditions.

1. Develop in accordance with approved plans
2. Residents Parking Zone
3. Verification report - contamination
4. Watching brief - contamination

4 **LAND NORTH OF LITTLEMORE HEALTHCARE TRUST,
SANDFORD ROAD, LITTLEMORE 15/02269/RES**

73 - 98

Site address: Land North of Littlemore Healthcare Trust, Sandford Road, Littlemore

Proposal: Construction of 140 residential units consisting of 91 houses (6 x 1bed, 13 x 2bed, 50 x 3bed and 22 x 4bed) and 49 flats (12 x 1bed, 25 x 2bed, 12 x 3bed). Provision of 258 car parking spaces, cycle parking, landscaping and ancillary works. (Reserved matters of outline planning permission 12/02848/OUT, seeking details of appearance, landscaping, layout and scale) (amended plans)

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

1. Time Limit
2. Development carried out in accordance with the approved plans
3. To exclude the landscaping details and seek revised landscaping proposals in accordance with condition 6 of outline planning permission 12/02848/OUT
4. Detailed car parking plan
5. Parking and Turning Heads provided before occupation
6. Details of cycle parking provision

7. Detailed method statement for the extent and design of groundwork within the Iron Age banjo enclosure
8. Detailed lighting scheme for the development
9. Details of bat and bird boxes
10. Updated badger survey and mitigation plan
11. Details of the photovoltaic panels to be used on properties
12. Noise attenuation for properties
13. Assessment of ground borne vibration from railway line
14. Restriction on conversion of garages to habitable accommodation

**5 GARAGES TO THE REAR OF 1 3 5 7 AND 9 COPPOCK CLOSE:
15/03117/FUL**

99 - 112

Site Address: Garages to the Rear of 1, 3, 5, 7 and 9 Coppock Close Oxford

Proposal: Demolition of 11 garages. Erection of 1 x 2bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking, bin and cycle storage.

Officer Recommendation: to refuse the application for the following reasons:

1 The proposal is unacceptable as it would create poor quality residential accommodation to the detriment of the amenities of the future occupiers. In particular the restricted site area and awkward shape together with the proximity of the oversailing quarry wall would result in habitable rooms and private amenity space with a poor outlook and limited levels of natural light, whilst also experiencing noise and disturbance from manoeuvring vehicles entering the site from the access road and would thus fail to provide good quality internal and external space for the future occupiers. Therefore the proposal would fail to create acceptable living conditions for the future occupiers of the dwellings, contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001-2016, and Policies HP12, HP13, and HP14 of the Sites and Housing Plan.

6 70 KESTREL CRESCENT: 15/03681/FUL

113 - 122

Site Address: 70 Kestrel Crescent Oxford Oxfordshire OX4 6DZ

Proposal: Erection of a part single, part two storey side extension to create 1 x 1 -bed dwellinghouse (Use Class C3). Provision of private amenity space, carparking, bin and cycle store.

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

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials to match existing.
4. Cycle Store.
5. Refuse and Recycling Store.
6. Parking.
7. PD Rights.
8. Boundary Treatments.
9. SUDs.

7	LAND FRONTING 2 TO 48 STOCKLEYS ROAD: 16/00134/CT3 Site Address: Land Fronting 2 to 48 Stockleys Road Proposal: Provision of 15 additional parking spaces for residents. Alterations to landscaping. Officer recommendation: to approve the application subject to conditions including the following: 1. Development begun within time limit. 2. Development in accordance with approved plan. 3. Parking in accordance with plans. 4. Development in accordance to Tree Protection Plan (TPP) 1. 5. Sustainable Urban Drainage Systems. 6. Landscaping.	123 - 130
8	PLANNING APPEALS Summary information on planning appeals received and determined during January 2016. The Committee is asked to note this information.	131 - 136
9	MINUTES Minutes from the meetings of 3 February 2016 Recommendation: That the minutes of the meeting held on 3 February 2016 are approved as a true and accurate record.	137 - 142
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 • 2 Margaret Road OX3 8NG: 15/03708/FUL • 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:

6 April 2016
11 May 2016
8 June 2016
6 July 2016
3 August 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

2nd March 2016

Application Number: 15/03642/RES

Decision Due by: 21st March 2016

Proposal: 15/03642/RES Details of reserved matters (layout, scale, appearance and landscaping) for the first phase of the Barton Park development, pursuant to Condition 3 of outline planning permission 13/01383/OUT. The works comprise the construction of 237 residential units (Class C3) with associated means of access and highways works; car and cycle parking; hard and soft landscaping; public realm works and ancillary structures. (Amended plan)

Site Address: Land At Barton Northern By-pass Road Oxford. Site plan at **Appendix 1.**

Ward: Barton And Sandhills Ward

Agent: Mr Paul Comerford

Applicant: Mr Glyn Mutton

Recommendation:

Committee is recommended to approve reserved matters for the reasons stated and to confirm compliance with the accompanying conditions.

Reasons for Approval

- 1 The overall design of the development has responded thoroughly to the design codes set out in the Masterplan. The design has been developed from the basic principles in a thoughtful manner designing buildings to maximise aspect for views and natural light, considering relationships between individual dwellings and integrating different dwelling types to create interesting places maximising the potential for activity to increase vitality and creates a high quality place that sets the standard for future phases for the Barton Park development. The reserved matters application for the first phase of the Barton Park development meets the vision and objectives for the Barton Park development as expressed in the Local Development Plan including the Barton Area Action Plan, and the outline permission together with the Masterplan, the Parameter Plans and Design Code.
- 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 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.

Conditions

- 1 Develop in accordance with approved plans
- 2 Residents Parking Zone
- 3 Verification report - contamination
- 4 Watching brief - contamination

Legal Agreement:

A legal agreement is not required to support this reserved matters as this was secured in association with the outline permission. Details of that legal agreement are contained in the Committee report for the outline application ref.: 13/01383/OUT. A CIL payment is not required as outline planning permission was granted before the introduction of CIL in Oxford.

Principal Planning Policies:

Oxford Local Plan 2001-2016 (OLP)

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
CP21 - Noise
CP22 - Contaminated Land
TR1 - Transport Assessment
TR2 - Travel Plans
NE15 - Loss of Trees and Hedgerows
NE16 - Protected Trees
NE23 - Habitat Creation in New Developments
HE2 - Archaeology

Oxford Core Strategy 2026 (OCS)

CS2_ - Previously developed and greenfield land

CS3_ - Regeneration areas
CS7_ - Land at Barton
CS9_ - Energy and natural resources
CS10_ - Waste and recycling
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS18_ - Urban design, town character, historic env
CS19_ - Community safety
CS22_ - Level of housing growth
CS23_ - Mix of housing
CS24_ - Affordable housing

Barton Area Action Plan (AAP)

MP1 - Model Policy
BA5_ - Sustainable travel
BA6_ - Vehicle access
BA7_ - Pedestrian and cycle links
BA8_ - Housing mix
BA9_ - Affordable housing
BA12_ - Energy efficiency
BA13_ - Design
BA14_ - Delivery
BA15_ - Flooding
BA16_ - Surface water drainage
BA17_ - Water supply and waste water drainage

Sites and Housing Plan 2011-2026 (SHP)

MP1 - Model Policy
HP2_ - Accessible and Adaptable Homes
HP3_ - Affordable Homes from Large Housing Sites
HP9_ - Design, Character and Context
HP11_ - Low Carbon Homes
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking
SP3_ - Barton Road Cricket Ground
CS4_ - Green Belt

Other Planning Documents

National Planning Policy Framework
Planning Policy Guidance
Oxford City Council adopted Supplementary Planning Documents (SPDs)
Oxford City Council Technical Advice Notes (TANs)

Public Consultation by Applicant

A Statement of Community Involvement has been submitted with this application (as part of the Planning Statement) setting out the community engagement and stakeholder consultation process undertaken as part of the design of these proposals. Details of the public meetings held and outcomes can be seen at **Appendix 2**.

There has also been extensive pre-submission consultation through regular meetings with officers of the City and County Councils, at Member Briefings, and with the Oxford Design Review Panel (a workshop and a full review – responses as set out in **Appendix 3**). Officers are satisfied that the submitted proposals have emerged from a rigorous assessment-involvement-evaluation-design process rather than being a pre-determined design solution.

Public Consultation by Local Authority

The Council's normal consultation procedure has resulted in the following comments

Statutory and Non-Statutory Consultees and Groups.

- West Oxfordshire District Council: The Council notes that this is a reserved matters application and does not wish to make any observations in relation to the detailed scheme.
- Environment Agency Thames Region: We have no objections to this reserved matters application.
- Historic England: The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
- Council for the Protection of Rural England (Oxfordshire): Our attention has been drawn to the fact that in the plans for the western part of the Barton Park development no proposal has been made for the provision of a footbridge across Bayswater Brook to link the proposed recreational path on the south side of the brook with Elsfield FP11 on the north side of the brook, so that walkers wishing to link between the new A40 road crossing and Elsfield FP11 northwards towards Elsfield would have to follow the new recreational path eastwards to the footbridge where Oxford FP57 crosses the brook and then double-back on Elsfield FP11 on the other side of the brook involving an unnecessary detour of half a mile. Given that walkers have already been let down by the failure to provide an underpass to cross the A40 at Stoke Place to link Oxford BR56 and FP57, the very least the City Council could do is to insist that the developer provides a footbridge across Bayswater Brook at the point where Elsfield FP11 turns north towards Elsfield, so that walkers are saved this unnecessary detour.
- Cherwell District Council: no objections given that the principle of development has been agreed at the outline application, and providing that a thorough

assessment of the highway and infrastructure impacts is made on the areas around the site by the County and City Councils.

- Highways Authority: no objections (see below)
- Northway Residents Groups (14 Ash Grove): full comments attached at **Appendix 4**
- Natural England: Having taken a look at the plans for the landscaping, in respect of the Green Infrastructure (GI), in this instance Natural England doesn't wish to make specific comments on this reserved matters application. Our previous consultation responses (such as that dated 14th January 2015) in respect of the landscaping and GI on site cover our concerns regarding provision of superior quality habitats for both residents and wildlife on site. We have not assessed this application and associated documents for impacts on protected species.

Individual Comments:

Comments were received from 24 Ramsay Road, Ramblers Association, Oxford City Group, 57 Plowman Tower Westlands Drive,

The main points raised were:

- Welcome the emphasis on greenways and cycle- and foot-paths.
- There is an excellent opportunity here to open up the area for residents of Barton Park and other parts of Oxford to walk in the wider countryside beyond, towards Elsfield and Beckley.
- This would be facilitated by inclusion of a new pedestrian bridge across the Bayswater Brook at the field corner where public footpath 201/11 turns northwards, grid ref approx. SP 5423 0853. It would be a natural route for those entering the area on foot from the new A40 junction. I hope this will be given serious consideration - it could be included as part of these works at relatively little extra cost.
- The development significantly limits the green belt surrounding Oxford. It appears close to doubling the size of Barton
- The proposed development consisting of town-like 4-5 storey buildings is inconsistent with the Northway area, where generally 2 storey semi-detached suburban dwellings prevail.
- The development requires an additional road intersection, beside the transit of busses and emergency vehicles through residential areas; this will limit A40 efficiency in providing smooth transition of traffic around Oxford. Intersection is potentially dangerous not least because of apparently planned confusing limitations to its use to slow moving busses, bicycles and (presumably) fast moving emergency vehicles
- Clatter of the already busy bypass road will be aggravated due to new intersection with additional sound related to breaking, stopping, accelerating with greater potential to use of car horns and sirens of emergency vehicles.
- Additional pollution from road traffic stopping and accelerating at the additional intersection. Worsening air quality by pushing green belt further away from

Oxford.

- The planning permission does not show the impact of view from upper level of neighbouring properties, such as from bedrooms; the development has a very significant impact on the view from Plowman Tower, and will likely impact negatively on property prices in there.
- The cost to taxpayer is unclear and perhaps should be investigated further before committing to such development. This is because prior combined council-private investments have been recognized as very expensive to the taxpayer,

BACKGROUND TO PROPOSAL

1. The Barton Park site is a roughly triangular tract of land to the north of the A40 ring road, west of the existing Barton residential area, and south of the Bayswater Brook. It extends to some 38 hectares (94 acres). It is currently mainly given over to agriculture with fields separated by unmanaged hedgerows, trees and ditches; but also including Barton Village Recreation Ground and Barton Nature Park. The site surrounds but does not include a Scottish and Southern electricity substation which faces onto the A40. The land generally slopes down from south to north with the highest ground in the southeast corner. Public footpaths cross the site.
2. The site was identified as a strategic development site under Policy CS7 of the Core Strategy adopted in March 2011. It is an integral part of the Barton Area Action Plan (AAP) which was adopted in December 2012 and sets the spatial vision and detailed policies for development of the site, and the objectives against which the success of the Barton development would be judged:
 - delivering a strong and balanced community;
 - bringing wider regeneration of neighbouring estates;
 - improving accessibility and integration;
 - encouraging low-carbon lifestyles; and,
 - introducing design that is responsive and innovative.
3. Within that context, outline planning permission was granted in October 2013 (13/01383/OUT) for the development of the site including:
 - up to 885 residential units which may include up to 50 units of extra care housing;
 - hotel of up to 7,350 m² of gross floorspace or approximately 120 bedrooms, (numbers of residential units to be reduced accordingly if a hotel is included);
 - up to 2,500 m² gross retail floorspace, consisting of a supermarket of not more than 2,000 m² gross and additional retail units totalling not more than 500 m²;
 - primary school / “community hub” building and external areas consisting of 3,000 m² main building, multi games area, adult sports pitch, 2 junior sports pitches, 400 m² equipped play area, 360 m² community sports pavilion and associated car parking;
 - linear park;

- further equipped play area (“LEAPS”);
 - public squares;
 - additional allotment provision;
 - access roads;
 - pedestrian and cycle routes;
 - upgraded services, including media equipment, 2 pumping stations, substations and pressure regulators;
 - drainage works including water attenuation and control;
 - earth works;
 - removal of existing buildings and structures;
 - construction of new junction with A.40;
 - new telecommunications infrastructure;
 - landscaping and public realm works; and
 - junction works at Barton Village Road/Fettiplace Road/Harolde Close.
4. Access from the A40 was given detailed planning permission as part of the outline permission. All other detailed aspects of the development (its appearance, landscaping, layout, and scale) were reserved for future determination through subsequent reserved matters applications (RMAs). The context and framework for consideration of the detailed design of the proposed development was however set for the subsequent RMAs and applications for conditions compliance by the Masterplan, and the approved Parameter Plans and Design Code which were approved as part of the outline permission.
5. An illustrative Masterplan (**Appendix 5**) accompanied the outline application. It established the strategic layout and major elements of the Barton Park scheme, and proposed three neighbourhoods of distinctive character within the scheme:
- i. at the western end of the development around a commercial square a high density mixed use area;
 - ii. a centrally located medium density residential area with strong green connections to the Linear Park; and,
 - iii. a lower density residential interface with the existing housing in Barton, which is centred on a proposed community hub and primary school;
6. Six Parameter Plans which were approved as part of the outline permission. In respect of the application currently under consideration for construction of 237 residential units, all six parameter plans are of relevance.
- i. Parameter Plan 1 (**Appendix 6**) which identifies the land to which the application applies, including zones for ancillary highways works which may be required
 - ii. Parameter Plan 2 (**Appendix 7**) which identifies the general disposition of land uses in particular the residential areas, school and recreational land, and the commercial area.
 - iii. Parameter Plan 3 (**Appendix 8**) which indicates retained and proposed open

- spaces and landscape features including tree belts, greenways, recreational areas, play areas, existing and extended allotments and public squares; and
- iv. Parameter Plan 4 (**Appendix 9**) which established the site's connectivity with surrounding neighbourhoods and movement patterns for vehicles, cycles and pedestrians throughout the site. Barton Park is to be a neighbourhood characterised by excellent pedestrian and cycle routes;
 - v. Parameter Plan 5 (**Appendix 10**) which requires residential density across the site with the higher density areas generally to the west where a greater proportion of flatted accommodation would be located in and around the commercial centre created there, with densities reducing progressively to the east.
 - vi. Parameter Plan 6 (**Appendix 11**) which relates to building and storey heights, also generally scaling down west to east with the taller buildings at the commercial core up to 18m in height reducing to 11.0m at the primary school and 9.5m for the residential development to the eastern neighbourhood. All these figures represent the maximum heights based on the height of ridgelines to roof structures (excluding chimneys etc.), but in the expectation that development is unlikely to be built out to the maximum height across the whole of the application site.
7. A Design Code was also approved as part of the outline permission. It provided detailed requirements as to how individual streets, buildings and open spaces should be laid out and landscaped, and guidance on the forms and appearance of buildings including landscaping and materials. Most of its requirements are mandatory and are expressed as minimum standards.
 8. Together the Parameter Plans and Design Code seek to ensure that detailed design and implementation are based on sound principles and incorporate a range of functional requirements. They are intended to provide the means to create a successful, sustainable and attractive environment in which people can live and work. They will determine how Barton Park appears and is experienced from within the development, and also externally as part of Oxford in its wider setting.
 9. Notwithstanding the 3 neighbourhoods and Parameter Plans referred to above, the Design Code imposes detailed requirements across the whole development relating to the semi natural environment as well as across 4 distinct character areas described as "transects":
 - Transect 1: Green Edge relates to areas of lower density development adjacent to areas of informal open space, and coincides generally to the eastern neighbourhood and to the northern edge of the central neighbourhood where it adjoins the linear park along the northern side of the application site.
 - Transect 2: Suburban consists of a medium density zone, coinciding roughly to the central neighbourhood, other than where development is proposed directly onto the primary street.

- Transect 3: Higher Density Residential consists in the main of the zone of development along the primary street which seeks to create a strong residential frontage but with the future flexibility to permit commercial uses at ground floor level.
 - Transect 4: General Urban consisting generally of the higher density western neighbourhood, including the commercial area.
10. These transects translate into a hierarchy of street types. Thus along the main primary street buildings are typically proposed to be set apart by 17m to 18m with a 6.1m carriageway, 2.4 m parking bays either side interspersed with tree planting, 2.2 m footways and short frontages of 1.0m to 1.5 private areas as defensible space to individual properties. The carriageway and footways would be set at a single level without kerbs and speeds limited to 20 mph, to emphasise that pedestrians and cyclists have equal priority with vehicular traffic. The street would however permit new and extended bus routes to operate within them. Buildings along this primary street would typically be on 3 and occasionally 4 floors.
 11. Adjoining the primary street two secondary streets are identified which would be of sufficient proportions to permit terminating buses on new or extended routes to loop around them for return journeys. These streets are located around the commercial centre to the west and south of the new primary school where building to building distances are reduced to 14.5m with car parking bays to one side of the street only and footways of 2.2m with kerblines and short private areas to buildings of between 0.75 to 1.5m. Buildings would typically be of two storeys for the residential accommodation, but up to 4 or 4.5 storeys for the commercial buildings where there is flatted accommodation above.
 12. A third, tertiary level of street would encompass the remaining, and bulk of, the residential areas with 9.0m to 12.0m building to building distances in a cycle and pedestrian friendly mews type of environment designed for speeds of no more than 10 to 20mph. Kerblines would not be present and surfaces would be of porous paving, again with tree planting interspersed with an amount of car parking.
 13. The Design Code goes on to define how public areas such as green areas, "pocket parks" and squares fronting the commercial area and primary school are to be laid out, as well as detailing how play areas, car and cycle parking, street furniture and landscaping are also to be set out.
 14. In relation to the buildings the development is intended:
 - to display traditional building forms with materials in the local vernacular, but with the potential, and intention, for reinterpreting traditional elements in a contemporary fashion;

- to possess a clear rationale in the treatment of buildings, especially individual houses which in the main would feature pitched roofs;
 - to provide cycle and bin storage and utility boxes designed as an integral part of the whole;
 - that new buildings demonstrate Secured by Design compliance, and to achieve the latest requirements set out in the Code for Sustainable Homes, Buildings for Life Gold Standards and Lifetime Homes standards. Non domestic buildings should attain a minimum BREEAM Very Good and meet the minimum Natural Resource Impact Analysis (NRIA) criteria.
15. A mix of traditional materials is required by the Design Code with red or buff brickwork for the majority of houses, but with some render and natural/reconstituted stone allowed. To the northern side of the primary street along a short, central section, 100% light/buff brickwork is proposed with the streets extending north towards the northern boundary of the application site possessing a mix of stonework and buff brickwork with a small amount of render permitted. For the gateway buildings anchored at the new access from the A.40, and for the commercial development and primary school, these are intended to contrast with the residential accommodation and be faced in either render or natural/reconstituted stone. On points of detail use of UPVC or GRP is not permitted. Photovoltaics, whilst supported, have to be flush with roof structures and not stand proud of them, i.e. as an integral part of the roof structure.
16. A full Environmental Impact Assessment (EIA) had been undertaken in support of the proposed development. The outline planning application was therefore accompanied by an Environmental Statement (ES) and the Environmental Information (EI) was taken into consideration prior to granting that permission. As a reserved matters application the Council must consider whether the EIA it already has is adequate to assess the environmental effects of the development. As the submitted EIA is recent, up to date and there have been no material changes in circumstances, it is considered that a further ES is not required.

PROPERTY HISTORY

17. The following applications are relevant to the site:
- 13/01383/OUT - Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sqm GEA hotel (Class C1); a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works. (Additional information - Landscape and Cultural Heritage Statement). PER

18th October 2013.

- 13/01383/CND - Details submitted in compliance with condition 5 (Phasing and Implementation Strategy) of outline planning permission 13/01383/OUT. PER 20th November 2014.
- 14/03201/RES - Details of reserved matters (layout, scale, appearance and landscaping) for a scheme of Enabling Infrastructure Works (such as utility services, earthworks, drainage/attenuation and roadworks), pursuant to conditions 3 and 4 of the outline planning permission for the mainly residential development of the site (13/01383/OUT). More specifically these works comprise:-
 - a) the primary street, street furniture, on-street parking, street lighting, surface water drainage swales, associated landscaping and surface finishes;
 - b) green infrastructure, the linear park, greenways, hard and soft landscaping, footpaths, cycle paths and ecological improvements;
 - c) landscaping details for the approved A40 junction;
 - d) buried services and utilities, foul and surface water drainage, water channels, ponds, sustainable urban drainage systems and underground storage tanks.

This reserved matters application (14/03201/RES) is accompanied by the following additional submissions in relation to conditions and non-material amendments to the above mentioned outline permission:-

- i. condition 11 - tree protection (13/01383/CND2);
 - ii. conditions 24 - site-wide surface water drainage scheme (13/01383/CND3);
 - iii. condition 25 - enabling infrastructure phased surface water drainage system (13/01383/CND2);
 - iv. condition 26 - site-wide foul water drainage strategy (13/01383/CND3); and,
 - v. non-material amendments to approved A40 junction e.g. omission of splitter island (13/01383/NMA). PER 23rd February 2015.
- 13/01383/CND3 - Details submitted in compliance with conditions 24 (Site Wide Surface Water Drainage Scheme) and 26 (Site Wide Foul Water Drainage Strategy) of outline planning permission 13/01383/OUT. PER 19th February 2015.
 - 13/01383/CND2 - Details submitted in compliance with conditions 11 (Tree Protection Plan) and 25 (Phased Surface Water Drainage) of outline planning permission 13/01383/OUT. PER 19th February 2015.
 - 13/01383/CND4 - Details submitted in compliance with conditions 38 (Repeat Ecological Surveys) and 39 (Habitat Creation) of outline planning permission 13/01383/OUT. PER 3rd August 2015.
 - 13/01383/NMA - Non-material amendment to outline planning permission 13/01383/OUT involving the omission of splitter island from A40 improvements. PER 19th February 2015.

- 13/01383/CND6 - Details submitted in compliance with condition 28 (Ground contamination and remediation) of planning permission 13/01383/OUT. PER 14th August 2015.
- 13/01383/CND5 - Details submitted in compliance with condition 22 (Construction Environmental Management Plan) of outline planning permission 13/01383/OUT. PER 1st May 2015.
- 13/01383/CND7 - Details submitted in compliance with condition 40 (Archaeology) of planning permission 13/01383/OUT. PER 16th March 2015.
- 13/01383/CND8 - Details submitted in compliance with condition 29 (Air Quality) of planning permission 13/01383/OUT. PER 27th March 2015.
- 13/01383/CND9 - Details submitted in compliance with conditions 38 (Repeat Ecological Survey) and 39 (Habitat Creation) of planning permission 13/01383/OUT. WDN 7th July 2015.
- 13/01383/CND11 - Details submitted in compliance with condition 35 (Protection of Sidings Copse) of planning permission 13/01383/OUT. PER 9th November 2015.
- 13/01383/CND12 - Details submitted in compliance with condition 37 (Training and Employment) of planning permission 13/01383/OUT. PCO.

OFFICERS ASSESSMENT

The Proposal

18. The proposals now before the Committee for determination is the second reserved matters on the site seeking approval for details of reserved matters (layout, scale, appearance and landscaping) for the first phase of the Barton Park development, pursuant to Condition 3 of outline planning permission 13/01383/OUT.
19. The works comprise the construction of 237 residential units (Class C3) and associated means of access and highways works; car and cycle parking; hard and soft landscaping; public realm works and ancillary structures.
20. The submission also seeks approval of conditions 6 (materials), 9 (landscaping), 11 (tree protection plan), 12 (Landscape management plan), 15 (Lifetime Homes), 16 (Car Parking standards), 17 (Cycle Parking standards), 23 (Sustainability and Energy Strategy), 25 (Phased Surface Water Drainage Scheme), 27 (Flooding), 32 (Noise Attenuation) and 39 (Habitat Creation) in relation to this phase of the development (ref.: 13/01383/CND13)

Determining Issues

- 21. Whether the proposals meet the vision and objectives for the Barton Park development as expressed in the Core Strategy, the Barton AAP, and the outline permission together with the Masterplan, Parameter Plans and Design Code.
- 22. The submission is acceptable in terms of the conditions listed above.

Assessment

Layout, Scale and Appearance

Layout

- 23. The layout of Phase 1 of Barton Park is directly informed by the analysis of the site, the surrounding areas and other successful residential areas in Oxford. The layout also responds to the outline planning consent and specifically the accompanying Design Code and Transect Zone plan. Four distinct areas are formed as a result (Figure 1) and are discussed further below.

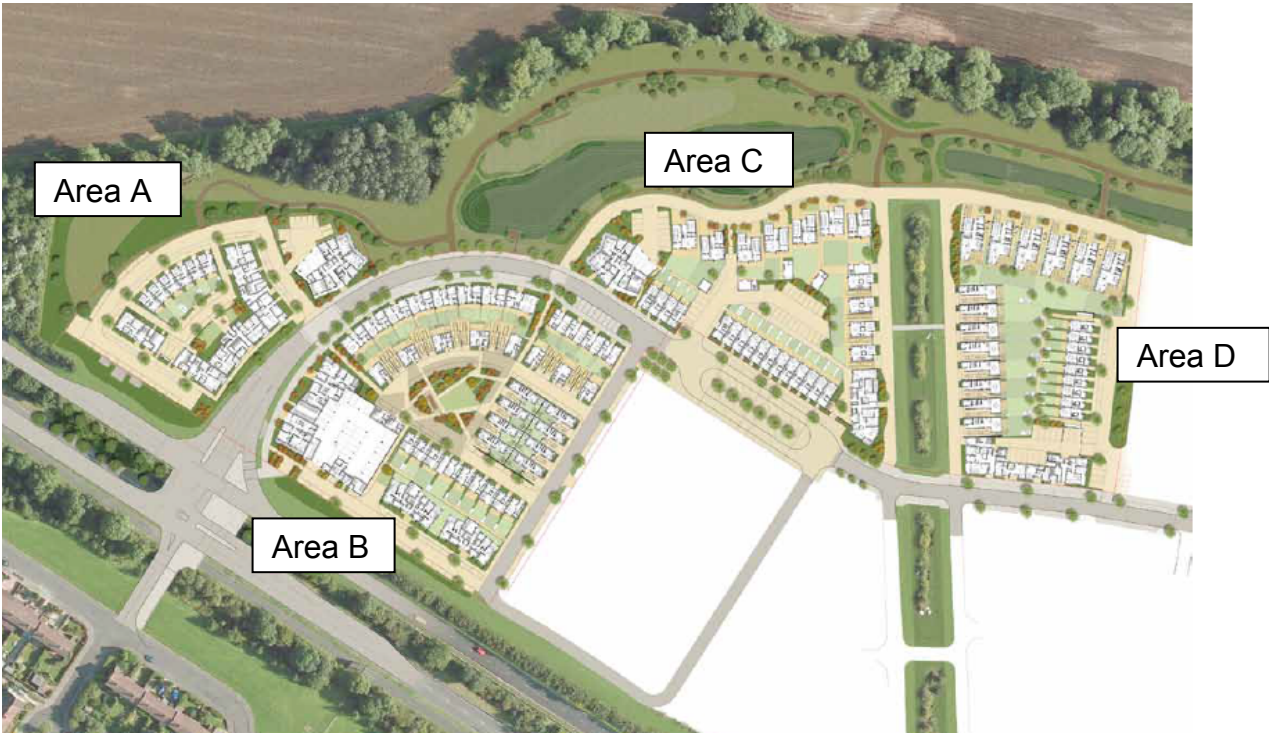


Figure 1: Resulting four distinct areas.

- 24. The layout of phase 1 of has also been developed through the creation of a series of character areas. Each character area contains site-specific building and landscape typologies. The character areas and typologies are designed to respond to their specific context and location within the wider Masterplan. Each building and landscape typology has further been designed to fit in with and reflect the urban concept of each character area. There are five character areas (figure 2):

- i. Urban Block Edge
- ii. Linear Park Edge

- iii. Primary Square
 - iv. Mews, courts and lanes
 - v. Greenway Edge
25. There are 3 Marker buildings in the Masterplan, positioned within the site thresholds; the Urban Block Edge and the Linear Park Edge (Figure 2).



Figure 2: Character areas and marker buildings

26. The first Marker building along the Urban Block Edge is up to five storey made up of three buildings and is the highest building in the Masterplan. Two further Marker Buildings along the Linear Park Edge are book-ending the crescent, acting as a frame to the Park view. They sit in direct contact with the landscape and bring urbanity to the countryside edge.
27. The layout of the proposed development has been designed to optimise solar orientation, ensuring natural light to as many homes as possible. Dual aspect homes have been maximised.
28. Views across the Linear Park, Gladstone Gardens, Commercial Square and the Greenway have been utilised for as many units as possible over a range of tenures and sizes. Over 50% of the units provided in Phase 1 will directly overlook public green space and the majority of the new units will have a view

of green open space. All homes have access to private amenity space.

29. With regards to the new units fronting the A40, there will be no bedrooms with windows facing the road, with non-habitable rooms, such as kitchens and bathrooms, instead facing onto the A40.
30. The principle of a hierarchy of streets and the location of open spaces has been set out in the Masterplan. The interpretation of this and the subsequent detailing of the streets and spaces and their relationship to buildings and boundaries has created a legibility that will result in an interesting, high quality place.

Scale

31. The building heights have been dictated by the provisions of the parameter plans of the outline planning permission, which require the gateway buildings and the primary street to be key locations for place shaping elements such as taller buildings, to promote distinctiveness and legibility around the main entrance from the A40 and Primary Street.
32. The entrance to Barton Park is marked with the only five storey building on the Phase 1 site. Heights are maintained at three to four storeys along the Primary Street, as prescribed by the Design Code. The Linear Park is bookended by four storey apartment buildings; the remaining buildings adjacent to the Linear Park are two and three storeys, in keeping with the local context of Barton, Northway and Headington.
33. The proposed building heights comply with the maximum AOD heights prescribed by approved Parameter Plan 6 of the outline planning permission.

Appearance

34. Brick is used extensively throughout Phase 1. Predominately textured buff in colour, this is contrasted with shimmery grey-blue, textured red-brown and dark grey to provide accents at key locations throughout the development.
35. Grey/blue brick is used for the Northway urban block at the site entrance and the two lantern buildings located on the linear park edge.
36. Brick banding has been introduced at the base of the crescent building. This building sits on a prominent position on the edge of the Primary St, adjacent to the linear park and framed by the two lantern buildings.
37. Textured red/brown brick provides subtle variation throughout Phase 1. Providing contrast within the street scene along the linear park edge, greenway and Gladstone Gardens.
38. There is a strong but restrained material palette that will provide a distinctive identity and clear sense of place for the development. Most of the materials proposed seem to have a clear reference to Oxford. There are some strong contrasts, but this is justified in terms of creation of distinctive elements, which increase the legibility of the development. As per condition 6 of the outline

permission samples will still need to be submitted.

Area A

39. In plan this area presents a strong, single block with a hard, unbroken perimeter, the overall height sits consistently at four storeys. In contrast to the plan form the architecture has permitted strong articulation, breaking up the outer façade into a series of individual buildings in which elements, in particular windows present a variety of expressions giving interest and taking advantage of views and facades are angled thus reducing the sense of a monolithic wall of building.
40. The design of the internal facades has been simplified and the space within the block is divided into private gardens for individual dwellings with a small area of open space at the foot of the southern range of building which is functional, providing a softer edge at the entrance to the apartment buildings, still having an urban character.

Area B

41. The plan form here opens up with a varied mix of interesting building typologies. The outer edge that faces onto the A40 provides the defensive block, the hard urban edge. The individual buildings that address the road are larger than those in Area A with definite gaps between them setting up a very different rhythm to the main road. The architectural devices of angled building facades with a variety of elements, windows, doors and balconies set within the building's outer skin to provide privacy on what is a very public façade. They also provide continuity with the other areas of the site and the sense that this is a single place not a series of different areas.
42. The use of a darker brick on the facades of the building block that marks the entrance to the site is certainly distinctive and this distinction permits visual connection and legibility further into the development. .
43. The bonus open space at the heart of this area has been thoughtfully designed to give benefit to a multitude of residents and users and this is extremely valuable. The intriguing housing typologies take advantage of views and maximise the possibility for private open space as well as giving important vitality to internal streets and spaces.
44. Views of the development from and across the green ribbon of linear park that runs along the northern edge of the entire site, as well as more distant views across open countryside have not been forgotten. The strong, classical form that takes reference from the more formal developments within the city, a bookended crescent of townhouses, roots the development in the wider context of Oxford. The clever connection of all three areas, A, B and C through this element of the design is well considered.

Area C

45. Here buildings become more spaced, allowing important views both into and out of the area or block. There is a strong edge to the principal street with a more broken plan to the open park. Private spaces dominate with more

limited opportunity or indeed possibly need for public open space within the block. The buildings predominantly look out over the open spaces at the edges of the area.

46. The design has clearly developed from the Masterplan with subtle changes in building line and the opening out of spaces between buildings to increase the sense of connection to the spaces beyond the edges of the block, the commercial centre to the south, the linear park to the north and the wide “greenway” that bisects the site at this point.
47. The design of a series of individual houses tightly spaced along the western edge of the greenway creates the strong sense of a terraced street, again a reference to patterns of urban form characteristically found across the city and the connection to a tighter terrace on the eastern side of the same open space completes the “street” but also links the two areas providing a sense of continuity.
48. At the southern edge of the area the design offers an unbroken terrace of buildings, designed to provide the possibility of including commercial or semi-commercial uses at ground floor addressing a square bounded to the south by the commercial space. The fact that this terrace steps back from the building line at each end echoes the pattern of a classical composition, repeated throughout the site, and the tight rhythm of these buildings echoes the formality of a “parade of shops”. The presence of the “square” gives the opportunity for a change in the landscape of the primary street providing interest, creating another, distinctive place within the site.

Area D

49. Reference has already been made to the value that the western terrace in this block makes to the green street. This is a block of terraces, albeit of very different scales. No public open space is offered although all the buildings offer “front gardens” to their respective streets.
50. The building pattern has stronger similarity to that of the neighbouring suburban areas of the city, unashamedly individual houses with private gardens backing onto each other creating a valuable potentially green space in the centre of the block.
51. Building design have taken every opportunity to create a variety of private open space for the dwellings which is commendable and to take advantage of good views by raising accommodation over covered parking areas. The success of some of the individual elements, particularly the dominating series of box dormers that punctuate the terrace rooflines will depend on the detailed design, setting of windows in reveals and detailing of edges, which should result in a simple elegance that will counterbalance their scale.
52. Overall the design has responded well to the principles set out in the Masterplan and the Design Code and has taken opportunities to create interesting buildings and spaces that respond well to each other resulting in the potential for a high quality environment. How the current proposal

complies with the Design Code is summarised at **Appendix 12**.

Landscaping

53. The landscape strategy for the Barton Park development seeks to draw upon the existing landscape context with objectives to:
- maintain existing key landscape features such as mature hedgerows as much as possible;
 - address and mitigate the impact of the development on the local landscape;
 - retain all public rights of way within the site and create new routes;
 - retain and enhance existing habitats;
 - provide appropriate strategic landscape planting;
 - enhance the open space network; and
 - provide additional play opportunities.
54. One of the key and unique landscape features of the development is the linear park extending along the northern boundary of the application site along the line of the Bayswater Brook (approved under 14/03201/RES). It seeks to create an informal recreational area with cycle and footpath routes extending to Barton Village Road with links through to the Play Barton recreational area to the east. The linear park will occupy some 3.89 ha. in total, or 10% of the development site, and provide both informal and formal recreational areas. The planting of trees, grassland and wildflowers and the creation of flood attenuation ponds along the linear park would also introduce new habitats along the line of the brook in line with policy BA4 of the AAP.
55. The retention of 3 north-south aligned green corridors (or "greenways") retaining existing lines of trees, hedgerows and ditches penetrating into the heart of the development will provide physical links with the wider landscape setting and references to the previous use of the land for agricultural purposes. These were approved under 14/03201/RES.
56. Phase 1 includes part of the western greenway which in this phase is 21m wide and some 112m long and will continue down to the A40 in other phases. The western greenway for will be some 283m in length and approximately 20m in width, running from the linear park in the north to a point just north of the A40 in the south, interrupted only by the primary street running east -west across the application site.
57. The ditches along these greenways would retain existing hydrological and ecological conditions and would not be used for attenuation purposes. As with the linear park the greenways would provide important habitats and feeding corridors for wildlife.
58. Landscape proposals have been developed in line with the design principles set out in the Design and Access Statement, to provide spaces which contribute to the overall sequence and character of open spaces across Barton Park. As part of Phase 1 smaller intimate spaces are provided to broaden the range of spaces, creating opportunities for doorstep play and

socialising between neighbours.

59. As well as streets and shared surface areas, the key open spaces within Phase 1 include:
- A public garden within Gladstone Gardens (within Area B);
 - A communal roof garden within the podium building fronting the A40 junction (within Area B);
 - A communal garden for the apartments in Area A.
60. Gladstone Gardens has been designed as a public garden at the heart of the new residential community and will be an ecological community garden with play and social activity opportunities. Following discussion with OCC tree officer additional species have been specified within Gladstone Gardens.
61. The Northway urban block will have a secure communal roof garden for residents of the apartment buildings in this block. Pockets of space will be created allowing different groups of people to enjoy the garden at the same time. Small trees are arranged along seating areas to provide shade and 'cover' to reduce the feeling of being overlooked from the apartments above and will also provide visual amenity for the apartments above. Low walls will frame the lawns and planting beds, creating opportunities for seating and informal play. Lawns provide space for relaxing and play. A high wall on the southern end of the garden will help mitigate against traffic noise from the A40. Open railings to the northern side will provide a visual connection to Gladstone Gardens.
62. The apartment blocks in Area A will have a communal garden providing amenity space serving residents of these buildings. The garden includes an area for socialising with a bench and table, as well as a lawn for door step play. The space is framed by hedges and tree planting.
63. Officers are assured that the landscape management plan will deliver high quality landscapes that will enhance amenity and biodiversity value, respecting and improving connectivity with the surrounding landscape and are therefore consistent with the outline permission, Design Code and landscape masterplan.

Other Issues

Density

64. Parameter Plan 5, approved as part of the outline planning permission, sets out the density for homes across the site. The majority of the Phase 1 site is designated as higher density development at around 60 to 70 dwellings per hectare (dph). The area to the west of the Greenway comprises 195 units on 2.93 hectares; a density of 66.5 dwellings per hectare, which is in accordance with Parameter Plan 05 requirement of 60-70 dph for this area. To the east of the Greenway, 42 units are within an area of 0.9 hectares, which results in a density of 46.8 dph in line with the Parameter Pan 05 requirement of 40-50

dph in this area.

Lifetime Homes

65. The SHP requires that all new dwellings must meet Lifetime Homes standards with at least 5% being either wheelchair accessible or easily adaptable to wheelchair use. Half of that figure should be market housing. The AAP is less prescriptively worded however, stating only that all new homes should be built to this standard as far as possible.
66. All housing on the site is designed to comply with Building Regulations Approved Document M and revised Lifetime Homes Standards 2010. The wheelchair units have all been located at ground floor level for ease of access and are a mixture of 1 and 2 bedroom flats. The units are spread evenly throughout the phasing and have been calculated as 5% of the total units across both tenures resulting in the following schedule:

	Market	Affordable	Overall
1 bed	3	1	4
2 bed	4	4	8
Total units	7	5	12
% of units	4.93%	5.26%	5.06%

Affordable Housing/Balance of Dwellings

67. A minimum figure of 40% affordable accommodation was established in the AAP. The mix of market and affordable accommodation in terms of the proportion of variously sized units is also established in the AAP and is broadly in line with that of the Balance of Dwellings SPD which applies elsewhere in the City. The legal agreement also secured the affordable accommodation and requires an Affordable Housing Reserved Matters Strategy (AHRMS) be submitted with each Reserved Matters Application which has duly been submitted with this application. It also prescribes that the locations of the Affordable Dwellings should be integrated into the Phase as a whole and that individual groups of Affordable Dwellings do not exceed 15 in number for houses and 20 in number for flats.
68. Throughout Phase 1 substantial endeavours have been made to create a tenure blind approach to the external appearance of the dwellings. The open market and affordable dwellings will share the same palette of materials, and in numerous circumstances the exact same building typology is used across both tenures.
69. In total, 237 residential units are proposed comprising 142 market housing units and 95 affordable housing units across a range of unit sizes and housing typologies to create a mixed and balanced community. The affordable housing mix is in line with requirements, with the 95 social rent units (40%)

provided over a mixture of house types and sizes, including a large number of family homes.

	1 Bed	2 Bed		3 Bed	4 Bed	5 Bed	Total
	Flats	Flats	Houses	Houses	Houses	Houses	
Market							
Total	10	64	11	43	10	4	142
Affordable (Social Rent)							
Total	13	54	2	24	2	0	95
Overall Total	23	118	13	67	12	4	237

Table 4.1 Schedule of Accommodation

70. The housing mix is set out in the table below.

	Market	Affordable	Overall
1 Bed	4.2%	5.5%	9.7%
2 Bed	31.6%	23.6%	55.3%
3 Bed	18.1%	10.1%	28.3%
4+ Bed	5.9%	0.8%	6.8%
	59.9%	40.1%	100%

Table 4.2 Unit Mix

Car Parking

71. In accordance with the Transport Assessment, it was agreed at outline planning stage that a maximum of 1.9 car parking spaces per residential unit would be provided across the site. Exceeding this level would call into question the findings of the Transport Assessment and the proposed mitigation by virtue of increasing the traffic generation of the site.
72. The proposal includes for the provision of a maximum of 1.5 car parking spaces per residential unit across Phase 1, with a mixture of on-plot parking, parking courts, podium parking and on-street parking.
73. The tables below copied from the Planning Statement (December 2015) prepared by AECOM shows the parking provision proposed with Phase 1.

Requirement	Compliance Criteria	Phase 1 RMA
Overall maximum car parking ratio (for Phase 1 only)	1.5 spaces per unit	1.37 spaces per unit
Maximum car parking ratios per unit type	1 for 1 beds & 2 for 2+ beds	1 for 1 beds & 1-2 for 2+ beds
Minimum requirement for unallocated visitor parking	0.2 spaces per unit	0.57 spaces per unit

Table 4.4 Compliance with Car Parking Requirements

Bedrooms	Total No. of Units	No. Units with 0, 1 or 2 allocated spaces			Allocated Spaces	Unallocated Spaces	Total Spaces	Spaces per Dwelling
		0	1	2				
1	23	16	7	n/a	7	16	23	1.00
2	131	54	77	0	77	54	131	1.00
3	66	15	29	22	73	15	88	1.33
4+	17	0	0	17	34	0	34	2.00
Secondary St	0				0	12	12	
Primary St	0				0	37	37	
Total	237	85	113	39	191	134	325	1.37

Table 7.5 Car Parking Ratios by Unit Size

74. Phase 1 therefore provides a total of 325 car parking spaces of which 191 spaces are allocated and 134 spaces are unallocated. This level of parking is in accordance with the maximum levels set at the outline planning stage.

Access and Adoption of Highways

75. The parcels which form Phase 1 will be access directly from the Spine Road which runs through Barton Park. The Spine Road received detailed planning permission under a separate planning application and is accessed directly off the A40 via a signalised junction.
76. The current reserved matters application seeks permission for the secondary and tertiary roads within the parcels which form Phase 1. The county council has been engaged in a number of pre-application discussions with the developer and project team to ensure that the secondary and tertiary roads are designed to adoptable standards.
77. The adoption of these roads and the on-street parking bays is critical to the implementation of the Residents Parking Zone (RPZ) which was agreed at outline planning stage. The RPZ will help control the level of traffic generated by the site by virtue of preventing indiscriminate parking across the development. The RPZ will be controlled and enforced by the county council once the roads are adopted allowing only residents or their visitors to park within the designated spaces. It will also cover a number of short stay on-street parking bays.
78. In the interim period prior to the roads being adopted by the county council and the occupation of the dwellings, the developer is required to implement, maintain and enforce the RPZ to ensure correct parking behaviours are enforced from the outset and ensure Phase 1 does not hinder the delivery or function of the RPZ when the roads are adopted.
79. A number of issues raised by the Road Agreements Team at pre-application stage have been addressed with the submitted layout, these include the design of the on-street parking bays, widths of the secondary and tertiary roads, design of the roads to accommodate larger vehicles such as refuse collection lorries. However, there are remaining issues that will need to be addressed at technical approval stage to allow the roads to be adoptable. These will be discussed and resolved with the developer at technical approval for the Section 38 Agreement (adoption of roads).

Cycle Parking

80. The Design Code requires the provision of a minimum of 3 parking spaces per dwelling of 3+ bedrooms and 2 spaces per dwelling for 1 and 2 bed units. The level of cycle parking meets the requirements of the Design Code and Policy HP15 of the SHP.
81. The proposal provides secure and covered cycle parking for all dwellings.

Cycle parking storage for apartment buildings is located next to entrances and larger dwellings are provided with garages which have sufficient room for cycle storage. Larger units which do not have garages are provided with lockable stores in gardens. Furthermore, cycle stands for visitors are provided at Gladstone Gardens and near apartment buildings.

Residential Amenity

82. The design of the proposed house types has evolved through the application of the Design Code as well as the requirements of policies HP12, HP13 and HP14 of the SHP. In summary:
- No single dwelling or one bed unit provides less than 39m² of floorspace (measured internally),
 - No single family dwelling¹ provides less than 72m² floorspace (measured internally) to reflect agreed specifications with OCC;
 - All units have been designed to provide a kitchen and at least one bathroom, adequate storage space, generous floor to ceiling heights and maximise window openings to optimise natural lighting;
 - All units have their own lockable entrance;
 - All 2+ bedroom houses include a private garden and in some cases include supplementary amenity space in the form of balconies and terraces for exclusive uses by respective occupants;
 - All 3+ bedroom flats include a private balcony or terrace of usable space and access to either a communal garden, Gladstone Gardens or the Linear Park;
 - All 1 and 2 bedroom flats include either a private balcony or terrace of usable space in addition to access to either a communal garden, Gladstone Gardens or the Linear Park;
 - The layout of the Phase 1 masterplan optimises solar orientation, ensuring natural light to as many homes as possible. Shallow plan apartments provide excellent daylighting; with tall windows, dual aspect rooms and high ceilings all helping to create light, airy and healthy internal environments. Dual aspect homes have been maximised. Furthermore, the balconies on the frontage of the A40 assist in reducing solar shading;
 - Boundary treatments, such as walls, hedges and fences, have been designed to provide sufficient privacy to residents without creating any significant overshadowing. All boundary treatments are in line with Secured by Design requirements;
 - All residential units have been designed to meet Building for Life Gold Level
83. Given the high density and urban nature of the development, with some buildings at the western end rising to four and five storeys, some instances of overlooking and overbearing issues are evident in limited places. These issues were raised at pre-application discussions and were adequately addressed in most instances, by the orientation of the buildings, their design, screening and boundary details.
84. The proposed development is therefore considered acceptable in residential amenity terms in that it meets the requirements of the AAP, the design code, the parameters plan and the SHP.

Ecology/Biodiversity

85. Condition 39 of the outline planning permission details of measures to encourage wildlife and biodiversity in accordance with the environmental mitigation and management. Such a plan was submitted with this reserved matters application.
86. Officers raised some concerns with regards to the number of bird and bat boxes provided and the benefits for bird habitats. As a result the following comments were received and the Management Plan subsequently updated.
- An increased quantity of bird and bat boxes at the identified locations, with overall quantities stated with-in section 4, and quantities per location stated within the legend of the associated plan.
 - Clear clarification that the Ecology Enhancement plan relates to those areas within the red line boundary of the phase 1 application and therefore excludes the mature trees, mature hedgerows, wildflower meadows, ponds and other water elements across the wider Barton Park development.
 - Clarity on the benefits provided by the landscape planting and private gardens for bird habitats.
87. Ecological enhancements focus on the provision of bird and bat boxes within the development. Officers have secured an increase in the numbers of boxes being provided in order to improve the opportunities for bats and selected bird species within the development. Careful consideration has been given to suitable designs/specifications of the boxes, and their siting and installation in order to maximise their usage.

Flood Risk and Drainage

88. Officers raise no objections to the proposal in terms of flooding and surface water drainage and commend the extent of green roofs, grassed areas and permeable paving.
89. However two issues relating to possibility of treatment of surface water from residential roads within the application site, rather than draining it through a piped system; and whether there are other opportunities to incorporate further SUDs within these plots were raised.
90. The applicants have confirmed that on the first point there is no possibility of surface water filtration from the residential roads due to the adoption requirements by the adopting highways authority; and the applicants have maximised all possible permeable areas within the four parcels, including gardens and permeable surfacing as well as the creation of Gladstone Garden which was an additional bonus to the original specification for the development.
91. Officers consider that the proposal is satisfactory in terms of flooding and surface water drainage issues, it will not add to flooding problems elsewhere.

The proposal has been designed to accord with the site's drainage strategy and accords with the AAP, policy CS11 of the OCS and NE12, NE13 and NE14 of the OLP.

Sustainability and Energy

92. Policy CS9 of the OCS sets out a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve Zero Carbon developments. A key strategic objective in the Core Strategy seeks to maximise Oxford's contribution to tackling the causes of climate change and minimise the use of non-renewable resources.
93. Energy use in new development can be further reduced by appropriate siting, design, landscaping and energy efficiencies within the building. New developments, including conversions and refurbishments, will be expected to achieve high environmental standards. Policy HP11 of the SHP states all development proposals must submit an energy statement to show how energy efficiencies have been incorporated into the development.
94. Condition 28 of the outline permission requires an Energy Statement and NRIA along with a strategy to demonstrate that across the totality of the development the overall target of 20% of energy requirements will be delivered through on-site renewable or low-carbon energy sources. Each subsequent reserved matters application will be required to update this strategy and identify its renewable energy contribution, set against the site wide cumulative contribution.
95. Since the granting of the outline planning permission the City Council has prepared a Technical Advice Note on Energy Statements (TAN 2) which provides guidance on the requirements of Policy HP11. Paragraph 3.7 of TAN 2 states that for the purposes of Energy Statements 'energy needs' are considered to be the total energy used in the building (i.e. both regulated and unregulated energy).
96. Policy HP11 confirms the NRIA no longer applies to residential developments after 1st October 2013. From this point, the Energy Statement replaces the NRIA checklist as the means of assessing sustainability criteria. TAN 2 confirms the Energy Statement will replace the checklist from October 2014, following improvements to Part L of the Building Regulations. An energy statement has been submitted as part of this reserved matters application.
97. The submitted Energy Statement calculates the energy performance of the new homes using the Standard Assessment Procedure (SAP) and sets out the energy strategy for the Proposed Development, including the options reviewed for reducing carbon emissions through energy efficiency measures and low/zero carbon technologies. The Energy Statement considers regulated and unregulated energy sources from the Proposed Development and follows guidance set out within TAN 2.
98. In summary, initial SAP calculations indicate that all dwellings will pass Part

L1A of the Building Regulations (2013) and exceed 25% improvement for Target Emission Rate (TER) over Dwelling Emission Rate (DER), and will achieve either a level A or B rating. Energy use within new homes will be supplied through highly efficient boilers, low-energy light fittings and natural ventilation systems in addition to top-rated white goods. Furthermore, the build fabric is envisaged to be better than Building Regulation standards.

99. In terms of renewable energy, a number of technologies have been investigated for their suitability including ground and air source heat pumps, CHP community heating, solar thermal, biomass heating and photovoltaic panels (PVs). It is proposed that the integration of PVs is the most appropriate and efficient means of meeting 20% of the Proposed Development's regulated and unregulated energy needs. The Energy Statement confirms the integration of PVs will deliver a 24% reduction in total energy needs by renewable technologies, in accordance with Policy CS9, Policy HP11, TAN 2 and Condition 23 of the outline planning permission.
100. In addition to energy efficiency, the design process for the Proposed Development has been carried out with the overall policy aims of sustainable development in mind. This can be summarised as follows:
- Shallow plan apartments provide excellent daylighting; with tall windows, dual aspect rooms and high ceilings all helping to create light, airy and healthy internal environments;
 - Ventilation will be through natural ventilation, where possible, or in certain locations where increased noise is prevalent, mechanical ventilation heat recovery units will provide background ventilation whilst mitigating and adverse impacts of noise;
 - The use of green roofs, which also forms part of the sustainable urban drainage strategy;
 - Internal water use minimised through the use of low-water appliances;
 - New homes will be equipped with dedicated home working zones, often as a separate room and complete with the ability to connect to fast broadband;
 - The design of all homes will be to lifetime homes standards, incorporating the ability for them to be adapted in the future should a person's circumstances change. Additionally, 5% of all homes across tenures are wheelchair adaptable;
 - All homes incorporate a proportion of private amenity spaces, with certain properties benefiting from numerous external spaces or additional shared external amenity space, as described above;
 - Cycle and pedestrian routes around the site have been designed to take priority over vehicles;
 - The inclusion of increased secure cycle storage in all new homes rather than an excess of car parking spaces.

Air Quality

101. A key theme of the National Planning Policy Framework is that development should enable future occupiers to make "green" vehicle choices and "incorporate facilities for charging plug-in and other ultra-low emissions

vehicles” (paragraph 35).

102. The whole of the city has been declared an Air Quality Management Area due to a failure to meet the National Air Quality Objective for annual mean nitrogen dioxide. Oxford City Council’s Air Quality Action Plan 2013 commits to seeking to ensure that new developments make appropriate provision for walking, cycling, public transport and low emission vehicle infrastructure e.g. Electric Vehicle charging points.
103. Phase 1 has incorporated the provision for electric vehicle charging points within the scheme design development. All houses with on plot allocated parking will be provided with the capacity for the easy installation of an electric vehicle charging point. This will be provided within garages or in close proximity to on plot parking to facilitate such charging. This will be complementary to the charging point within the commercial square adjacent to Phase 1.

Noise

104. Policy CP19 of the OLP states planning permission will not be granted for residential development where the future occupiers would be likely to suffer from substantial nuisance from noise, and policy CP21 states proposals for noise sensitive developments should have regard to existing sources of noise, internally generated noise and the need for appropriate sound insulation measures.
105. Condition 32 of the outline permission requires the submission of a detailed noise mitigation scheme to protect the development from noise emanating from the A40 and/or from the substation. A Noise Mitigation Report has been submitted.
106. Although the buildings fronting the A40 are set back some 25 metres with landscaping between the buildings and the road, the noise levels demand that the units have to be very carefully considered in relation to living arrangements, windows and balconies and access to outside open spaces. A key principle that has driven the design of new homes in Phase 1 has been that there are no bedrooms and amenity spaces fronting the A40.
107. The Noise Mitigation Report is based on a 3D noise model constructed to facilitate the assessment of the potential impact of existing environmental noise sources on the new homes in Phase 1. The results from the noise model have been used to predict the external ambient noise levels at the façades of the proposed homes, and to specify suitable glazing and ventilator types to achieve appropriate internal noise levels. Ambient noise levels in external amenity spaces have also been predicted and suitable mitigation measures have been recommended, where appropriate.
108. With regard to noise generated by the substation the distance to the nearest proposed homes is likely to sufficiently attenuate the noise generated by the substation and ensure acceptable internal noise levels in habitable spaces.

The podium garden has been designed to ensure that noise levels within this communal space are below the required threshold and will therefore be well utilised by residents.

109. The Proposed Development includes a bespoke glazing and ventilation strategy for those buildings fronting the A40 to ensure that noise levels in all internal habitable spaces meet the required design standard. Noise limits are met through a combination of the following mitigation measures:
- Increased separation distance between the A40 and the site frontage;
 - The configuration of residential buildings, such that noise levels in private and communal amenity spaces are minimised;
 - The building façade together with the glazing specification (including framing) is specified to achieve effective sound reduction where appropriate;
 - Ventilation has been incorporated into the design of apartments that will contribute to sound reduction, where appropriate;
 - 1.8 metre high acoustic fencing included at the perimeter of garden spaces;
 - Inclusion of a three metre acoustic barrier at the southern boundary of the Northway urban block to ensure adequate noise levels in the podium amenity space.
110. The proposed measures meets the requirements of Condition 32 of the outline permission and accords with policies CP19 and CP21 of the OLP.

Land Quality

111. Condition 28 (Contaminated Land) of Planning Permission 13/01383/OUT was discharged subject to the requirement that each developer submit a verification report to the LPA for approval which will provide validation that the remediation undertaken was in accordance with the approved “Remediation Method Statement, Barton Park” (report ref: 11501549/06 Rev. 5.4 dated July 2015).
112. In order to secure these verification reports and in the event of unexpected contamination, officers recommend that conditions are placed on the reserved matters planning permission.

Archaeology

113. Archaeological recording has been completed for the area covered by this Reserved Matters Application therefore Officers have no further comments.

CONDITIONS

114. The submission is considered acceptable in seeking approval of: 9(landscaping), 11 (tree protection plan), 12 (Landscape management plan), 15 (Lifetime Homes), 16 (Car Parking standards), 17 (Cycle Parking standards), 23 (Sustainability and Energy Strategy), 25 (Phased Surface Water Drainage Scheme), 27 (Flooding), 32 (Noise Attenuation) and 39 (Habitat Creation) in relation to this phase of the development (ref.:

13/01383/CND13)

115. With regards to conditions 6 (materials) as per the condition samples need to be submitted before the condition can be complied with.

Conclusion:

116. Members are recommended to approve the reserved matters application (15/03642/RES) along with the associated conditions (13/01383/CND13) apart from condition 6 which requires additional information to be submitted in terms of samples.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant reserved matters, 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 reserved matters, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

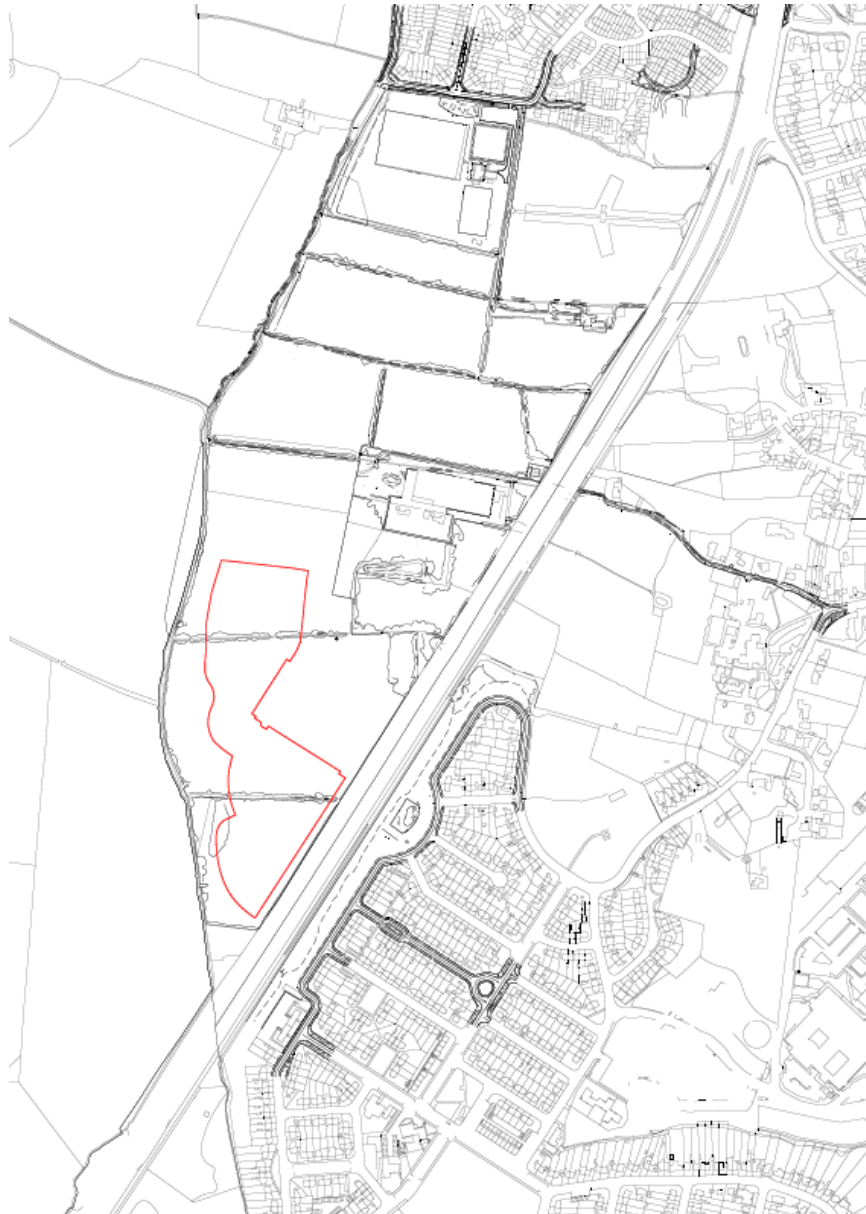
Contact Officer: Lisa Green


Extension: 2614

Date: 4th February 2016

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Appendix 1 Site Location Plan



 Application Boundary

Appendix 2 Public Engagement

- 5.15 The first round of public consultation took place in May 2015 (Stage 1) and was focussed on the layout and key linkages of Phase 1 following design development with the City Council and the Oxford Design Review Panel. A further round of consultation was carried out in July 2015, based on a revised layout for the Phase 1 site and focussed more heavily on the house types and the range of dwellings that comprise the Proposed Development.
- 5.16 Publicity for the exhibitions included posters on the site notice board on Barton Village Road, at the Barton Neighbourhood Centre and the Northway Community Centre. Working with the Barton Community Association, leaflets were delivered to over 2,600 residents on the Barton and Northway estates, notifying them of the forthcoming events and explaining their purpose. The content of the exhibitions were also presented to the Barton Integration and Community Engagement Partnership (BICEP) prior to the events. The exhibitions consisted of a series of boards together with questionnaires allowing visitors to address questions and make general comments on the proposals.

Stage 1: Barton Neighbourhood Centre (16th May) & Northway Community Centre (19th May)

- 5.17 Stage 1 of the engagement focussed on the distinctive areas of the Phase 1 masterplan layout and the range of homes and apartments that reflect the varying densities of Phase 1 as established at outline stage.
- 5.18 These events were well attended with 40-50 residents at the Barton event and in the order of 20 residents at the Northway event. The DAS provides additional information, but key messages from the events were follows:
- Support for mix of house types and proportion of affordable homes (not built to a 'lower' standard);
 - Concern over long-term integration between private and social housing;
 - Focus on sustainability in design of homes a positive;
 - More information on traffic and access would be helpful;
 - Local infrastructure needs major investment to cope with extra traffic;
 - Strong support for emerging home designs, although some felt the design is too modern;
 - Consideration should be given to flood risk and delivering the school as soon as possible;
 - Green spaces well thought out;
 - Clearer floorplans would be helpful at the next exhibition.
 - Generally supportive of the need for new homes in Oxford and for Barton Park proposals;
 - Concern regarding the access junction from the A40 and resultant harm to Northway through increased traffic and noise and resultant safety issues – how will cars and taxis be prevented from using route through Northway;
 - Keen to see an alternative access solution that will not divert traffic through Northway;
 - Would like to be kept informed of details regarding the proposed bus route;
 - Re-assurances that the proposals will not exacerbate flooding, particularly in Marston;
 - Loss of trees a significant concern.
- 5.19 The design development response following the first round of consultation was focussed on:
- Enhancing permeability;
 - Ensuring the proposed green space (Gladstone Gardens) worked for residents and was inviting and would be well used and not dominated by cars at its edges but will need to be managed;
 - House type and apartment design development;
 - Further work on the raised community space within the podium block fronting the A40 including improvements to ensure that this is well used and instils a sense of ownership;
 - Additional information on the sustainability principles at the heart of the home design.

Stage 2: Barton Neighbourhood Centre (18th July) & Northway Community Centre (15th July)

- 5.20 Each event was supported by a set of exhibition boards showing the proposals for the house and apartment types that had responded to design development and the Oxford Design Review Panel workshops. Examples of these boards are set out in the DAS accompanying the RMA.
- 5.21 Attendance at both events was encouraging with around 50 attendees at the Barton event which took place as part of the Barton Summer Spectacular on the day. For Northway there were in the order of 25 attendees.
- 5.22 The second round of engagement prompted greater interest in owning or the position in relation to social housing. Both events provided a range of views but those at Northway were focussed on their concern over the safety of children playing near the new A40 junction at Northway. At Barton, the Proposed Development attracted a very positive response with key messages including:
- Praise for family friendly housing and the modern clean look to the architecture;
 - People were interested to know the measures taken to sound proof the apartments;
 - Pleased to see the green space at the heart of the scheme and the links to the linear park.

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Barton Park Phase 1, Oxford City Council

Design Workshop

Notes from 12 February 2015

Thank you for attending the Design Workshop on 12 February 2014. We are delighted to engage in Phase 1 following our previous involvement with Barton Park. We commend the initiatives to work within and build upon the outline planning parameters to create a lively new neighbourhood for Oxford. There is much to commend in the proposal at this stage. The overall approach to urban design and architecture is encouraging, in particular in terms of the housing and its relationship to open spaces. We urge the client and design team and Oxford City Council to continue developing a flexible approach that helps realise an inspiring community at Barton Park. We offer the following suggestions in taking the design forward.

Vision and place

Barton Park presents a unique opportunity to create a distinct, sustainable neighbourhood in Oxford, but further work is required to make the most of the potential this scheme offers.

- Develop a clearer idea of what Barton Park Phase 1 is going to look and feel like. Explore how Barton Park could be developed as the garden suburb of the 21st century and build upon Oxford's reputation as an eco-city. Continue to explore alternative ways of living and working in the design approach.
- Clarify the lessons learnt from each of the precedents and examples of buildings presented to demonstrate what you intend to replicate and explain why. Consider precedents from adjacent post-war neighbourhoods.
- Think more about how future residents will be using the new neighbourhood and define how different user groups can use, move around in and interact with the spaces throughout the day.

Site layout and landscape design

Severed from the rest of Oxford by the A40, the sense of arrival created by distinct features and accessibility are crucial to make Barton Park identifiable as a new, attractive neighbourhood. The linear park, marker buildings and the central commercial square have the potential to enhance the character of Phase 1 further, but the building layout and articulation of these spaces would benefit from further work.

- Investigate whether a domestic character or a grand boulevard with large buildings is more appropriate for the A40 junction and access route into the site. The building and landscape design and planting arrangement will help define the character of Barton Park.
- Ensure the roads are pleasant, safe and welcoming for pedestrians and cyclists, particularly the road crossing with the A40 and connections to Northway or Headington. Think about how to make access routes to the park safe during day and night.
- Consider in more detail the character and use of the green space to the south of the crescent, particularly in terms of the sense of ownership of the residents at Gladstone Lane. Think also about how this green space links to the linear park at Greenway. Consider the projected movement patterns of pedestrians and cyclists to inform the design and



placement of paths and soft landscaping as the “broken rock” pattern, whilst interesting, seems to conflict with pedestrian desire lines and feels too abstract.

- Clarify which open spaces are public and which are private across Phase 1 in the treatment of boundaries, fences and hedges. The relationship between front gardens, open green space and the Linear Park still seems somewhat obscure.
- Develop a temporary landscape design for Barton Park Square as the southern frontage of the square will be developed much later and decisions on permanent design elements should be taken at an appropriate time.
- A long-term maintenance strategy will ensure that Barton Park will be well-kept over its lifetime. Identify plants that are more resistant to climate change and diseases to help future-proof the landscape design; the selection should include native plants and a range of non-native species. Look into the quality of materials and detailing. SUDS, gutters, cycle storage and fences, for example will have a huge impact on the appearance and quality of Barton Park.
- Ensure that the new development is well-linked to the existing communities to avoid it feeling isolated and exclusive.

Character areas and buildings

Phase 1 sets the precedent for the future development of Barton Park. Currently, a rich variety of character areas is proposed. While the efforts to devise different, interesting housing types is commendable, we question whether five character areas, a number of marker buildings and different architectural approaches within Phase 1 is fully successful. We suggest simplifying the complex arrangement.

- Design Barton Park as one neighbourhood with a clear identity. Provide pleasant experiences and elements of delight, such as special buildings and landscape features, across Phase 1 in a calm, cohesive setting.
- Reassess the role, location and articulation of the marker buildings – are they in the right position? Should they be more visible from the A40? Are they needed at all?
- The crescent buildings at Gladstone Lane will benefit from further design thought. The relationship of fronts and backs appears confused and, while crescent establishes a strong urban form, it sets up a barrier between the park and the southern parts of the quarter.
- Continue developing the architecture of the buildings as the success of the scheme will depend on their design. Currently, the houses seem to work well while the larger blocks appear somewhat unresolved.
- Explore how greater variation of heights across the scheme and spacing between buildings could deliver the ambition for an interesting skyline. The use of photovoltaic panels is positive but consider how they can be successfully integrated into the building design at this stage given the prevalence of flat roofs.
- Revisit the Green Way character area which currently appears fragmented. A more unified approach with similar buildings on both sides of the linear park would create a much stronger streetscape and coherent feel.

Environmental strategies

Given the presence of the A40 and Oxford's aspiration as an eco-city, noise mitigation and ambitious sustainability measures will form a key part of the project. However, we think that the scheme should be pushed further to be truly exemplar.

- Reassess whether the current measures for noise mitigation are fully successful particular along the A40. Locating the tallest buildings along the road creates an acoustic buffer but exposes a maximum of people to the noise. Tall buildings to the south will overshadow the adjacent buildings.
- Develop a more ambitious environmental strategy that achieves a higher Code for Sustainability rating. Advanced solutions need to be integrated at this stage of the planning process to become part of the overall design.

Attendees

Design Workshop Panel

Fred Manson – Chair
Gillian Horn
Jessica Bryne-Daniel
Jon Rowland
Paul Appleby
Sarah Wigglesworth

Scheme presenters

Jamie Wilding	Hill
Paul Comerford	AECOM
Teresa Borsuk	PTE Architects
Sarrah El Bushra	PTE Architects
Sara Wernsten	Alison Brooks Architects
Michael Woodford	Alison Brooks Architects
Steven McCoy	The Environment Partnership

Local Authority

Niko Grigoropoulos	Oxford City Council
Fiona Bartholomew	Oxford City Council
Clare Golden	Oxford City Council

Cabe at Design Council staff

Thomas Bender
Victoria Lee

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22 June 2015

Jamie Wilding
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The Power House
Gunpowder Mill
Powdermill Lane
Waltham Abbey
Essex
EN9 1BN

Our reference: DCC/0664

Oxford City Council: Barton Park Phase 1

Dear Jamie Wilding,

Thank you for continuing to engage with the ODRP and presenting to the design review meeting on 5 June 2015. Barton Park Phase 1 has the makings of a successful scheme and the "essence" of the new neighbourhood is beginning to emerge from the current proposal. Since the last ODRP design workshop on 12 February 2015, Phase 1 has progressed in the right direction and feels calmer, more coherent and distinctive taking on board many of our comments. The dedication and collaborative approach of the teams are to be greatly applauded. We support the key changes in the site configuration, namely to the buildings along the A40 and in Gladstone Gardens, and the improvements to the landscape and architectural design. Another level of distillation, detailed development and further testing will be beneficial to bring the work of the design teams together as the scheme develops towards a planning application. We have a few detailed comments to make on the road hierarchy, car parking and the design of the buildings. Strong reasoning and analysis that are guided but not constrained by the Design Code will help refine the designs. We are confident that the teams, with the proactive and strategic support of the city and county councils, could deliver a noteworthy new neighbourhood for Oxford.

Streets, car parking and accessibility

It will be beneficial to continue enforcing walkability and cycling across the site in the hierarchy, width and treatment of the streets. The movement for vehicles and pedestrians is now much clearer and the proposed street pattern across Phase 1 creates a well-structured and welcoming layout. We recommend tightening the winding street along the linear park and the proposed streets adjacent to the Greenway to improve street safety, particularly as children are likely to live and play on these streets. We suggest incorporating more shared surfaces to help to reduce traffic, vehicular speeds and create a pleasant environment. The treatment of shared surfaces and tertiary streets should be agreed with the city and county councils in the event the ownership of these streets changes in the future. Road junctions, particularly where primary roads meet tertiary routes, require more attention. Maintaining the high quality



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of streets beyond the red line boundary of Phase 1, through collaboration with the city council, will be key to the success of Barton Park.

There is a risk that Phase 1 becomes increasingly car dominated with informal and haphazard street car parking as Barton Park attracts more residents and visitors. A more detailed site plan showing the location of all car parking spaces across the site is needed to understand where and how informal parking will take place. Whilst community parking zones are sound, it will be helpful to consider alternative car parking strategies that are not too prescriptive to manage varying capacities of vehicles, using hard and soft landscaping, such as strategically placed trees, planting and surface treatments. More relaxed street design and parking systems which are effectively self-managed without excessive parking restrictions and road markings has been successful in places such as Poundbury.

Landscape

Defining and developing an understanding of the primary users – their desire lines, hobbies and outdoor activities – will help to create clearer identities for the key open spaces and thus improve activity throughout the day. For example, ecological initiatives, such as bird and bat boxes, could be enhanced in the linear park to provide more scope for educating and engaging the local community. The landscape design and rich mix of public and private open spaces, including roof gardens and communal terraces, is promising and contributes greatly to the feeling of an attractive new neighbourhood. We welcome the range of open spaces for activities, such as ball games areas, bathing pond, and space for incidental play, to help build a strong community feel. Temporary or flexible open spaces could be incorporated to help meet the changing demands and engage the residents in the design of their neighbourhood as the scheme is being built out.

To help ensure the scheme feels open and safe, the thresholds, interfaces between public and private space and boundary treatments will benefit from further work. Clear reasoning for where defensible spaces are located, how they look and function effectively on a day-to-day basis should inform the detailed design. For example, at present, the approach and treatment of defensible space on the Barton Road is still unclear. In some cases, such as the terraced housing facing onto Barton Square, hard surfacing as opposed to grass will create a more robust and defined barrier that is also easier to maintain.

We encourage the team to continue to design and plan for different seasonal conditions to ensure that the open spaces are appealing all year around. Clarification on the management and maintenance strategy for the open spaces across Phase 1 will be beneficial at planning application stage.

Character

The rich mix of housing across the site makes for an appealing and attractive place to live, work and visit. In general the proposed distribution of height and massing across the site feels appropriate. The bespoke housing, particularly the flexibility of the ground floors for live/work uses, greatly adds to the uniqueness of Barton Park, and sets a strong



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precedent for housing designs in latter phases. The increase in two bed houses is also a welcome addition to the scheme.

The distinctive urban and suburban character areas in Phase 1 are to be applauded. Architectural details, such as mortar colour and bonding, will emerge and help the scheme feel as a whole whilst embracing the distinctive character areas. Further testing of the material palette will define whether timber and red brick are appropriate for this site. Once the character areas have been fully resolved, it will be helpful to assess how future phases of the masterplan can benefit from the learnings of Phase 1.

Sustainability and future-proofing

Barton Park Phase 1 benefits from a holistic approach to sustainability. Great efforts have been made to enhance the quality of life of residents. In terms of the building design, the fabric first approach and the ambitions to incorporate sustainable urban drainage, green roofs and water attenuation are commendable. The concept house used for testing and modelling is inspiring and to be greatly congratulated.

The building design across Phase 1 requires more thought in terms of orientation, sun exposure and overlooking issues. Overheating to some of the flats and houses, bearing in mind climate change, is likely given the large amounts of glazing, particularly regarding flats exposed to noise from the A40. The risk of overheating is greater in these flats as the windows are likely to be kept shut to reduce noise. Detailed strategies for cross ventilation will be required. In continuing to develop the roof design across the scheme, the photovoltaics should be integrated as opposed to appearing a later addition.

Detailed design

We look forward to seeing the elevational treatment across the scheme develop, particularly the blocks along the A40 and the buildings surrounding Gladstone Gardens. The calm treatment of the housing blocks and terraces works well with the greenness of the site. However the fairly consistent height and massing and prevalence of brick prescribed in the Design Code, and repeated architectural styles could result in the place feeling uniform and uninspiring. We suggest defining a few buildings or spaces across the scheme, such as the small houses to the north of the podium block, which could add interest and difference to Phase 1. These "rogue" elements would be best located in areas where they are least expected, within a row of terraced housing as opposed to the ends, for example. Design studies would help determine how different these elements should be in relation to the character of the area.

Blocks along A40 boundary

We urge the client and design team, in collaboration with the city and council councils, to continue addressing the noise issue along the A40. The ambitions to reduce the speed limit along the A40 are commendable. The design of the housing blocks along the A40 boundary has improved since the last review session; the westernmost block is particularly successful. The thorough analysis and the bespoke design response, particularly the internal layouts, to



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the noise issues along the A40 are to be greatly applauded. However, we are still concerned that the internal courtyards and inner blocks will experience high noise levels, resulting in spaces that are underused. The noise experienced on balconies of the blocks along the A40 will reduce their usability as the fin walls and orientation of the balconies do little to minimise the noise level. Tightening the gaps between the pavilion blocks along the A40, for example, could help reduce the noise levels.

The relationship between the blocks along the A40, the marker and crescent buildings blocks along the primary road will benefit from finetuning as their juxtaposition seems somewhat construed and unresolved. We recommend more site sections along key streets to ensure that respective buildings and character areas are reading as whole. The form, height and massing of the pavilion-style blocks above the podium are in keeping with the look and feel of the area whilst still providing a solid edge to the A40. However, their elevational treatment will benefit from a layer of refinement. We also question whether historic mansion blocks are a suitable reference for the blocks along the A40. With ongoing investigation and studies in two and three dimensions, including the form and treatment of the roofs, an appropriate design approach will emerge.

Gladstone Gardens

Gladstone Gardens is on its way to becoming a vibrant "heart" of the new neighbourhood. Its intimate layout with the new back to back gardens of the crescent buildings helps to make the central open space feel more secure and homely. The house typology to the east of Gladstone Gardens is playful and intriguing as a new suburban housing type. In this new housing model, the relationship of the garden to the internal spaces, particularly given the car port at the front of the houses, will benefit from further clarity.

Gladstone Gardens could be more urban in character and feel more like a village square given its potential large number of users, and car parking and vehicular movements to access adjacent properties. We suggest thinking more realistically and practically about the open space at this stage. A more robust and flexible space with larger areas of hard landscaping, for example, will allow for impromptu, temporary uses and would be easier and less costly to maintain. The buildings surrounding the open space will also be key in developing the character of this space.

The marker buildings

The form and layout of the marker buildings are interesting, and their strategic placement at either end of the crescent building works well. Increasing the height or making the elevations more distinctive will help these buildings to be the key, identifiable markers they are intended to be. An increase in height would also provide additional housing units and could help to free up space elsewhere on the site.

A stronger contrast between the marker and crescent buildings would make the scheme more dynamic and interesting. The ground to top floor framed façade of the marker buildings could contrast with the more planar and horizontal façade for the crescent buildings, for example. The architectural approach to the marker building could



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help to inform the design of the tallest pavilion block adjacent to the A40 junction to make it more of a captivating feature at the A40 entrance. The roof design is crucial in accentuating these buildings in the new neighbourhood.

Live/work terraced housing on Barton Square

The live/work units form a clear edge onto Barton Square and their plain elevations create a subtle backdrop to the future activities in the square. Vertical planting could help to add a different dimension to the façades.

Wick Mews

Wick Mews has the potential to be an inviting space that connects Barton Square to the linear park. However it currently feels car dominated and potentially unsafe. Giving priority to pedestrians and cyclists in this space and improving surveillance will make it feel more appealing. We suggest reorganising and/or reducing the number of car parking spaces and tightening the entrance along Barton Road. As a result, the location of the block of terraced housing facing onto Barton Square should be adjusted, possibly providing more internal space for the corner unit where the terraces along the Greenway and Barton Square meet. The courtyard could be better animated by incorporating smaller flexible spaces at the ends of the gardens, such as work spaces or outdoor garages, and integrating shared surfaces in the space.

Greenway

The steps taken to make the Greenway distinctive – adjusting the site layout and developing bespoke houses facing onto this space – are commendable. The site configuration to the north of the primary street is successful as the placement of the buildings feels “organic” and relates well to the green setting. The garden walls and gabled roofs contribute to the domestic character of this neighbourhood; the full storey height living rooms, and flexibility of the garages and ground floors are but some of the successful internal features. The elevations could continue to be refined, for example, to better define the fronts from the backs, and to address the issue of large bank wall façades at the corner. We support the concept of joining the terraced housing along the Greenway and Barton Square. Given that the building at this junction is a feature in its own right, we suggest a calm and subtle treatment to complement the serene character of the area.

We note that the building design for the terraced housing to the west of the Greenway, and the large housing block facing onto the primary road to the east of Phase 1 have not been provided for review by the ODRP panel.



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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



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cc (by email only)

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Niko Grigoropoulos	Oxford City Council
Fiona Bartholomew	Oxford City Council
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Rebekah Knight	Oxford City Council

Review process

Following a site visit, and discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 5 June 2015 by Fred Manson (chair), Gillian Horn, Jessica Byrne-Daniel, Jon Rowland, Sarah Wigglesworth and Paul Appleby. 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 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.



Applicants comments on the ODRP

The proposals for Barton Park Phase 1 were presented to the Oxford Design Review Panel on two occasions; on 12 February and 5 June 2015. The Oxford Design Review Panel is run as a partnership by Oxford City Council with Design Council Caba.

The first presentation focussed on how the masterplan had been developed from the outline proposals and development of the character areas and typologies. The Panel commended the overall approach to urban design and architecture, particularly in terms of the housing and its relationship to open space. One of the Panel's key suggestions was to consider simplifying the masterplan by reducing the number of marker buildings and typologies to create a more unified neighbourhood. Additional comments were

- A40 living accommodation - no bedrooms facing the A40
- Reduce the number of marker buildings
- Simplify the street frontages
- Rationalise the connections and routes
- Simplify the access to the rear of the primary street crescent - Omit the parking mews.

These suggestions were taken on board by the design team in developing the proposals. At the second presentation to the Panel on 5 June 2015 the further development of the scheme was well received and the panel commented that "Phase 1 has progressed in the right direction and feels calmer, more coherent and distinctive." The panel commended the rich mix of housing across the site and the distinctive character areas and made some further suggestions, primarily on streets and landscape, which have been integrated into the final proposals.

The panel applauded the distinctive urban and suburban character areas within Phase 1

Appendix 4
Northway Residents Group Comments



RESIDENTS AGAINST THE BUS LINK

Nicholas Fell
14 Ash Grove, Headington
Oxford
OX3 9JL

Saturday 23rd January 2016

Oxford City Council
St Aldates Chambers
113 St Aldates
Oxford

OX1

Dear Sir / Madam, to whom it may concern,

I am writing in my capacity of Independent Consultant, on behalf of Northway Residents Group, in order to reply to the consultation notice, that went up on the contractors security fencing, at Foxwell Drive, and I told Theo Smith, that I wished to make representations regarding the contents of the said notice, signed by Mr Edwards, and I am now writing to you to make that very representation. I have studied the contents of the attachment, that Theo Smith sent me, with his e mail, and I have gone through the list of policies, and picked out those that I think, and believe to be most relevant to the situation, and about which I wish to make, and pass comment on, as grounds upon which I wish to rely for my defence, and which I wish to have taken into consideration.

I would contest and object to the grant of outline planning permission, for the following reasons. I wish to contest the contents of Parameter Plan 2, 3 and 4, with 4 being movement and access, which Northway Residents Group find completely, and totally unacceptable, and most objectionable. Let me make one thing clear, you are NOT coming across Foxwell Drive, under any circumstances whatever, you have another route for access, I would recommend that you go away and use it. The link road is a violation of road safety practise, and will put children's lives at risk, which is the very reason the fence was erected in 1952, in the first place, to prevent children being able to gain access to the Northern Bypass.

Also at page 58, part two, in the attachment that Theo Smith sent me, it shows intent to take Buses up Meaden Hill, and again shown at page 60, under block edge constraints and opportunities. Also no Statutory Transport Assessment has been carried out at Foxwell Drive, under Policy BA5, and see Policy BA6 Access, as well, Link Road issues. Connected issues are Policies TR1 Transport Assessment under

the Oxford Local Plan, and Policy TR7 Bus Service and Bus Priority, under the Oxford Local Plan, to which I wish to raise objection.

Also the Link Road falls foul of your own policy CS14 supporting city wide movement, as Foxwell Drive Link Road is not necessary, that was proven at our Town Green Public Enquiry, as you have another route available to you, and you said with or without, the link road, Barton Park goes ahead. You are in material breach of policy CS13 Access.

Your documents say that Access construction “enabling works” supposedly does not need planning permission, and that it is somehow excluded, well I would like to beg to differ on that one, I would contend that it does indeed need planning permission, the way that I read, and interpret the law.

You cannot legally come across at Foxwell Drive, as you have no legal statutory power over Foxwell Drive, therefore you cannot legally act. You have never shown us the original appropriation document for Foxwell Drive, nor have you shown us an original ministerial consent document from 1952/53. Show us the documents, lets see the evidence, show us the proof. The fact that to date so far, that you have not done so, is a breach of section 64, of the Law of Property Act 1925, production and safe custody of documents.

Plus Oxford Preservation Trust, in partnership with the Crown Estate, jointly own the central reservation of the Northern Bypass, and the trees on it, and have done since 1936.

In 2011 Steve Sprason committed an unlawful unilateral act, as a landlord cannot, by his own unilateral act, deprive his tenant of the benefit of an interest in land appurtenant to the property comprised in the tenancy. A tenants rights do not rest merely in contract law, they also give him an interest in land. Law says that land let together with a dwelling house shall be treated as part of the dwelling house, unless the land is agricultural land exceeding two acres. Because of the split site issue at Foxwell Drive, that Henry Berry's covenanted land, marked pink on the land registry map, that starts at the top of Dunstan Park, and goes down as far as John Buchan Road, where it cuts off, and another covenant picks up, I hereby call witnesses from Corpus Christi College Oxford in our defence. I also rely upon the terms of the J A Pye restrictive covenant. I would also like to call Councillor Mary Clarkson in my defence, and I wish to call witnesses from Borrowmead Road, over the matter of their leases.

Steve Sprason committed breaches of section 122, and section 123 of the local government act 1972, and he likewise also breached section 163 of the local government act 1933.

In that he was supposed to consider the need for public open space within the locality of Northway. The land is expressly made subject to the rights of other persons, meaning the residents, in respect of the land concerned. The council must consider the public need within the locality for the existing need/use as was ruled to be the case in *dowty boulton paul Ltd versus Wolverhampton Corporation*.

I should also point out, that your wish or desire for a fifty mile per hour speed limit is still unworkable, as Thames Valley Police are still not on board over it, and have said they have neither the manpower, or the time to enforce it, and they have said that the fifty mile per hour speed limit is arbitrary, unsuitable, and inappropriate, due to the sort of terrain the bypass runs through, that drivers would not obey it, and would not relate fifty miles per hour to the area setting it passes through. Any ticket challenge in a court of law would succeed.

Houses in Northway, along Saxon Way are already suffering unacceptable levels of seismic vibration, and subsidence damage, caused by Oxford Bus Company buses, the roads in both Saxon Way and Halliday Hill, roads that were never built to take the punishment of heavy bus axles, are cracking up under the strain.

I also wish to raise further grounds of objection under your own Oxford Local Plan policy CP13 Accessibility. The Saxon Way Bus entrance into the John Radcliffe, is equally unacceptable, under the Environment Protection Act sections 79, and 80. On grounds of public and private nuisance. Buses are known to be thirteen times more likely to knock down a pedestrian than white van man.

That is taken from a Safe Speed publication, titled *Buses Are Surprisingly Dangerous To Pedestrians*, and this is backed up by irrefutable proof, from the Alliance of British Drivers press release, number 432, titled *Government Pedestrian Casualty Figures Overturn Public Perception On Speed and Bus Safety*.

On the issue of safety, Grosvenors, the developers told Jane Cox, the Chairman of Northway Residents Group, that putting up a barrier to the link road was not possible, Oxford Mail article Northways treasured green, peace and safety is about to be sacrificed, Thursday, September 26th 2013, and local city councillor, Roy Darke, for Northway and Headington Hill Ward, is quoted as having said that unless extra safety measures were installed, local children were at risk of being splattered. And Michael Crofton Briggs is quoted as having said, that children would have to jump out of the way.

Another reason we object to the Link Road is because you say, in one of your own documents, quoted in part of Theo Smiths attachment to the e mail he sent me, which I now quote “the effect of reflected noise incident upon dwellings at Foxwell Drive, across the highway, from the proposed development should therefore be considered. See your own policy CP21 Noise Oxford Local Plan, and also I wish to make further objection under policy CP8, designing development to meet its functional need, as the Barton Park development does not, repeat does not, respect Northway context.

You have admitted yourselves that, noise attenuation measures are required by condition to this permission, which you are blatantly breaking and flouting.

The High rise lantern buildings would act as a noise mirror, they are too close to Foxwell Drive, they will unacceptably overshadow, and overlook, I want them moved further away from Foxwell Drive, or removed, and dropped from the plan altogether, so as to mitigate noise reflection, I will accept nothing less, and this is non negotiable. A good example of the effects of a noise mirror, is the amount of noise that residents have to put up with, that gets reflected off the walls of the John Radcliffe Hospital buildings, made by the rotors of the flying doctor helicopter, when it is on the landing pad, is bad enough.

The proposed lantern buildings are out of scale, and out of keeping with the surrounding area, they don't fit in with surrounding buildings, they will overly dominate, and from the drawings of their appearance, they are something that would have been fit for a late nineteen fifties, early sixties housing estate, they are ugly and remind me of soviet blocks in Moscow. They are completely inappropriate, and they are too tall. Have you learnt nothing from Port Meadow?

The developers noise mitigation report as it currently stands is inadequate, and unacceptable, no noise monitoring has been done in Northway, only done or carried out to date in Barton.

This will further unacceptably raise the decibel count, which has been made unlivable since the trees were unlawfully cut down on Foxwell Drive, in contravention of the Nesting Bird Season, that runs from 1st March to 31st August, which was also a breach of the Hedgerow Regulations 1997. Although sometimes it stretches past this date, and sometimes it begins before 1st March in some circumstances, depending on what birds are nesting.

This was a breach of the 1954 protection of birds act, and it was also a breach of the 1981 countryside and wildlife act.

The Barton Northway Link Road scheme will unacceptably impact on amenity of people living nearby, thereby planning policy statement 8 has been breached. Also I should mention that ENV 3.3 states clearly that: creating and managing green spaces in cities, towns and villages to serve multiple purposes, and contribute to distinctive local character has likewise been breached. Also likewise ENV 6.4 has been breached, that states encouraging the protection of, and enhancement of, open spaces and playing fields, which is what our whole opposition to the link road has been about, for the long term benefit of the whole community, has been clearly breached by the council, and Barton Oxford LLP, and Blackwell Construction. Also the council is in clear material violation of policy LC1, that talks about protecting local character, environmental quality and residential amenity, which is what we have been trying to protect with our campaign against the link road.

Plus the council are in defiance of the addendum to PPS7, Planning Policy Statement 7, that talks about safeguarding the character of established residential areas.

Also taken from the list of policies that Theo Smith sent me, as part of the attachment, is grassland mitigation, which at Foxwell Drive, this has not been complied with, under Oxford Local Plan.

Also Foxwell Drive falls within policy BA2 Recreation Ground, and for another thing, you are legally locked into SR2/SR5 designation on Foxwell Drive until December 2016, when it comes up for review, and

which you cannot escape from your responsibilities under. You are also in breach of Policy OS1 protection of open space.

You are also in breach of the Green Space Strategy document 2012 to 2026, aim 1, 2, 3, 4, 5, and 6 has been breached. The council are in violation of background paper D3 Green Spaces, Sports and Leisure, plus the Council are in clear violation of policy PPG17.

As Northway is under provided with green space, to the tune of 17.5 hectares, which you recognise yourselves, under your own Green Space Strategy document, and which was mentioned by Mr Mark Pett, in his own document, the Council Green Space Grab, the headington green space catastrophe. You are in violation of Policy CS1 as more, and extra deficiency, on top of what already exists, in the area will be caused.

You are also in defiance of your own HP13 policy, using up our important outdoor space. The council have failed to, and cannot provide us with, alternative green space provision.

You are in breach of your own outdoor recreation community facilities policies, under points 11.2.4, and 11.2.5, you are also violating your green belt policy NE2, and Foxwell Drive, should strictly, fall under Safeguarded Land, Policy NE3, due to the comments in 1959, by Councillor Renshaw. Foxwell Drive also falls under Policy HE8 important parks and gardens.

Section 193 of the law of Property Act 1925 gives members of the public rights of access for air and exercise to certain common land, on manorial waste or commons.

The link road would obstruct access to Foxwell Drive, residents of Borrowmead Road have tenancy rights of access, and rights of common to Foxwell Drive under section 62 of the Law of Property Act 1925, and section 6 of the 1881 Conveyancing Act. The residents of Borrowmead Road under their schedule of leases impliedly granted them trustees rights of common to Foxwell Drive. Thereby, the council are impeding unlawfully the residents access to the land by means of the Barton Northway Link Road Scheme. The council is obstructing the residents rights as commoners. The residents thereby have a right to an action against the Council, for nuisance both public and private, for disturbance of their rights.

Conveyancing Act 1881, section 6, sub sections 1&3, also incorporated into section 62, law of property act 1925, it is clear that a right to require the owner of adjoining land, to keep the boundary fence in repair, is a right which the law will recognise as a quasi easement, and clearly the council, and blackwell construction are now in violation of this rule, as they are not keeping the boundary fence in repair.

And the Local Government Act of 1933 section 163 part 7 says, and I quote “the appropriation of land by a local authority shall be subject to any covenant or restriction affecting the use of the land in their hands”. This is the case at Foxwell Drive, from information from the Land Registry Title document.

The Council are in legal defiance of, the J A Pye restrictive covenant, and are in defiance of the Henry Berry Covenant, as well. And in defiance of the terms of the Annex to the Henry Berry covenant, under which residents of the streets coming off Foxwell Drive have rights of common, and rights of access, and each and every one of them have to be asked for their consent to the works being carried out by Blackwell Construction, which are currently unlawful and are illegal.

The Barton Northway Link Road scheme falls foul of the comments made, by Paul Sempel, in the Headington And Marston Area Transport Strategy document, in the year 2000, when the council was told by the Department Of Transport, that no further link roads would be allowed to be built, between Green Road Roundabout, and the Marsh Lane/Cherwell Drive off slip junction on the Northern Bypass. It was also turned down in 1994 for the same reason, due to the Northern Bypass bad accident statistics.

Colin Buchanan and Partners considers that the councils are correct in rejecting the A40 Northern Bypass Link Road, as an option for the local transport strategy. This was decided on the basis that it would have a significant physical impact on adjacent property, meaning Foxwell Drive, and on the wider area (meaning Northway more widely) it would also have a detrimental impact on the operation of the ring road, which it is the county councils Oxfordshire highways policy to protect, and that the costs could not be justified, even by the small to non existent benefits delivered.

Also the local John Radcliffe Hospital trust has been quoted on the record, as having said that: there is no desire on its part to see this link introduced, and they have also said categorically and unambiguously that: a direct road link from the A40 Northern Bypass will not be required

So therefore, I question what the councils real motive is, for the Barton Northway Link Road, therefore there is no need to throw it open to Ambulances, if what the hospital said is true.

Also the Link Road is unlawful under your own NE21 policy, on wildlife corridors, and Foxwell Drive is a wildlife corridor between Dunstan Park and the back of the Court Place Farm, OXSRAD site, by way of the land that forms part of the Court Place Farm Nature Park, that runs through behind the borrowmead road flats, and putting flood water on this piece of land would be an unlawful risk to public health, and for another thing, nature parks are supposed to be protected in law, and is a legal non starter. The residents of Northway will lay legal challenge to this idea, and this would run counter to policy NE23, and would destroy our Northway habitat.

Foxwell Drive is a continuation of both Ruskin Fields, and Dunstan Park, both of which are in the grade 4 conservation area, and it is inconsistent that Foxwell Drive is not also in the conservation area, and should be included, and should be made so, this falls within policy HE7.

The Link Road is in violation of the case of Attorney General versus Poole Corporation, it is said that the section (section 10 open spaces act) imposes on a local authority which has acquired an open space, an obligation to keep that open space as an open space, in this sense that nothing must be done with regard to any portion of it, which would prevent the public from freely having access to such portion, the workmen of Blackwell Construction are in defiance of this. The council are violating the 1863 Town Gardens Protection Act, Section 2 protection of open spaces from encroachments.

In the same way the council are in material violation of section 29 the commons act 1876, and section 12 the inclosure act 1857, they are also breaking the law of inclosure act 1845.

On the second of April 2015, I had the following e mail, from the now, late deceased John Thompson, from Forest of Oxford, here is what he said to me: Further to our recent discussion, I would like to confirm the Forest of Oxfords opposition to the removal of the trees adjacent to the bypass (at Foxwell Drive). They form an important screen, as well as providing a vital wildlife corridor. Since Jane Cox approached FOX, this has been an important tree planting project, and was undertaken with the support of local residents and the Oxfordshire Conservation Volunteers. This is a highly significant community project, and it is disgraceful that the city council are destroying this valuable local amenity, especially as the council provided funding for the trees under its environmental improvement programme.
John Thompson, Secretary, Forest of Oxford.

And Oxford Preservation Trust also owns the trees along the central reservation, of the Oxford Northern Bypass, and they have done since 1936, in partnership with the crown estate. The trees were planted to celebrate the jubilee of King George, and were to all intents and purposes under TPO conditions. The hedgerows also helped to guard high sided heavy goods vehicle truck trailer rigs from cross winds blowing across the carriageways, and the hedgerows helped prevent a build up of turbulence. The trees helped to lower the noise decibel count by around 6 to 10 decibels, serving to soften, mute, muffle and attenuate the traffic noise from all classes of traffic passing along the Northern Bypass, in both directions. The hedgerows also protected residents from high wattage glare, from trucks headlights and spot lamps, especially those fitted with xenon bulbs, this is particularly bad on rainy wet winter nights, when dazzle can be a real problem.

The trees and bushes on Foxwell Drive are an important, and very effective environmental noise suppression barrier, and they also act to screen out light pollution from passing traffic at night, they also perform a very important job, of locking up airborne particulate pollution from vehicle exhaust.

The Barton Northway Link Road Scheme is unacceptable on grounds that it would lead to an increase in surface water run off, extra pressure on roadside storm drains/drain pot gullies, and would raise the accident risk to young children to an unacceptably high level. To prove my point, in February 2013, local labour councillor, Mary Clarkson, of Lower Farm, Old Headington, was knocked off her bicycle, at the JR Hospital bus access road entrance on Saxon Way. It would also lead to an unacceptable increase in noise pollution, and fume pollution, and an unacceptable increase in overall traffic volume in what was becoming quite a desirable area of Headington. It would lead to an unacceptable deterioration in the quality of life for local residents. Houses in Northway are already being structurally damaged by seismic vibration, and subsidence caused by the heavy axles of Oxford Bus

Company double decker buses. Cracks and booms are heard every time a bus passes up and down Saxon Way. Residents are having to move into back bedrooms upstairs, to get away from the anti social engine noise, and exhaust fume pollution being caused by Oxford Bus Company buses. Both Saxon Way, and Halliday Hill are cracking up under the intolerable strain, that they are currently being placed under. The roads of Northway Estate were never intended, and were never built to withstand the constant repeated pounding by heavy bus tyres.

The Barton Northway Link Road is contrary to policy NE15/NE16 loss of trees and hedgerows, loss of these has caused significant harm, and detrimental impact on public amenity and ecological interest, and the fact that the council has failed in its statutory duty, to carry out a legally required Environmental Impact Assessment on Northway. Trees and Hedgerows come under Natural Environment in the Oxford Local Plan, at section 4.7.1 through section 4.7.4.

In the 2013 to 2027 green space strategy document it mentions at point 5.13 Oxfords trees are of immense environmental and aesthetic value, trees play a key role in defining the landscape of a green space, such as Foxwell Drive for instance. They also provide a vital habitat for wildlife. Oxford City Council recognises these benefits, and seeks to preserve healthy trees, then acts like a complete hypocrite at Foxwell Drive, and cuts down healthy trees in direct contradiction, and violation of policy.

The overall aim of the tree policy is to ensure that Oxfords tree stock is retained, enhanced and increased, but not at Foxwell Drive in Northway, where they hypocritically cut them down.

The other problem for Steve Sprason is, that the land may very well have been amenity land, rather than open space land, which is provable due to the 1959 Renshaw Question, and also there is the problem that in 1955, a Mr Rose according to the council committee minute books of the time, was using Foxwell Drive, in partnership with Mr Henry Berry, from Lower Farm, as an orchard (fruit and timber) and for grazing cattle purposes, under the 1948 Agricultural Holdings Act.

According to my research, amenity land, generally speaking, refers to land that provides "scenic value" to the built environment, which is exactly what Councillor Renshaw was getting at with his question to council in 1959. The law states clearly and unambiguously that, there is very little you can do with amenity land in the long term, other than grazing animals or planting trees, which my friends Jane Cox from Meaden Hill, and John Thompson, from Forest of Oxford did in the early 1980s, when Jane won a load of trees in an environmental competition, which were planted for ecological reasons on Foxwell Drive. Amenity land comes with various restrictions on its usage for building on, and which is supposed to provide a green space in between developments or belts of built on land. Which again comes back to the Renshaw question of 1959. Had the council actually appropriated the land in 1952, then councillor Renshaw would not have had any reason to ask the question that he did.

With reference to the question asked by councillor rensshaw, at the meeting of council, on 2nd February 1959, council is informed that as the Northway (Foxwell Drive) open space, provides lovely views of Elsfield, and the surrounding country, and is also somewhere quiet where the public can go to rest and picnic (town green compatible) the committee prefers it to be left in its natural state (in other words agricultural farmland) (Henry Berry had been using the land up to 1957 to walk cattle on). That skewers once and for all, the council argument they laid the land out, as an open space. In fact Curtins Consulting Geo Environmental report for the Dora Carr Close development, says that the land in the area, and vicinity since 1950 has been open farmland.

Taking down the metal railing road safety fence was unlawful, and was a breach of procedural legitimate expectation, which the council failed to notify, and failed to advertise, and failed to consult on it as they legally should have done, and were legally obliged to do.

We could have prevented the council from taking down the fence, using section 194 of the law of property act 1925, where it says or unless the erection of fences will help to prevent accidents, and where it says that the secretary of state (SoS) has to take into account the benefits to the neighbourhood.

The road safety fence was to Department standard TD19/85 ref 6, the metal road safety railing fence was to protect from vehicle impacts, and what is called errant vehicle strikes, if a driver loses control of their car, and leaves the road. The effectiveness of guard railing is lessened if gaps are left open in it, or what are called category 1 defects. Of which there are several examples along Foxwell Drive. The last mandatory

road safety audit was done in August 2005 by Oxfordshire County Council. The issue of the fence is also tied into the 1948 Henry Berry covenant, that the council signed up to, and made themselves a party to.

Extract taken from city of Oxford council minutes and reports of committees, dated 1951 to 1952, paragraph 1699, page 723, which reads as follows: Children are endangered by reason of the fact that they can obtain access from the Northway Estate onto the Northern Bypass, through a hedge, which runs along the front of the estate. Subject to the approval of the finance committee, the city architect has been authorised to arrange for the hedge to be topped, and to provide chesnut fencing on the inner side there, at an estimated cost of £150. The committee concurs. It was also recorded in the same city of Oxford minutes, and reports of committees that: The committee had been advised that it was too late in the season to top the hedge, running along the front of Northway Estate, referred to in paragraph 1699 (2) but the proposal to provide chesnut fencing on the inner side of the hedge, will proceed. This is confirmed by old photographs we have seen. The fencing was later replaced by more permanent metal railing fence, erected behind the tree line, where it stands to this day.

The road safety fence created a promisor/promisee relationship, that is more or less of a contractual nature in law, the intent is clear, and unambiguous, as it is set down in writing in the council committee minute books. The fence thereby gives the residents of Northway a legal benefit from it, thereby giving the residents legal interest, and thereby making the residents a party to it, third party they maybe, unnamed third parties at that, not originally listed, or mentioned in the covenant. The residents have been provided with, or derive a benefit under, or from, the fence having been erected, therefore the residents have a legal right to enforce that interest, the interest being that the fence was erected on grounds of road safety in 1952, to protect the children on the estate. Therefore the council have a legal duty, and moral obligation to keep the fence up, as the council entered into a contractual duty of care when they erected the fence. The moment the fence went up, it created a legal interest/or certain legal rights among the residents, from which, or out of which, the residents had certain expectations. The understanding / undertaking was there, however unspoken it might/or may have been. The council by erecting the fence had given an undertaking, or had given the impression of an undertaking not to take it down. To take that fence down is an utter breach of road traffic act law, betrayal of trust, and a betrayal of the duty of care. It shows bad faith, and breach of trust. And probably a breach of contract law as well, I should not be surprised. The fact is legally, the residents have enjoyed, and continued to enjoy the benefit of, and from the fence.

Blackwell Construction taking down the metal railing fence, was a criminal offence, and a breach of the Highways Act 1980, section 165, Dangerous land adjoining street, sub section 1, If in or on any land adjoining a street, there is an unfenced, or inadequately fenced source of danger, to persons using the street, the local authority in whose area the street is situated may, by notice to the owner or occupier of that land, require him within such time as may be specified in the notice to execute such works of repair, protection, removal or enclosure as will obviate the danger. Blackwell Construction can, and will be prosecuted, for the above under the Highways Act 1980 section 161 sub section 1, penalties for causing certain kinds of danger or annoyance. We can also prosecute them under penalty for wilful obstruction of Foxwell Drive, under section 137 the highways act 1980, with their temporary security fencing, they are obstructing a public right of way, and they are in defiance of our rights under Class C town green law.

The Barton Northway Link Road Scheme is actually technically illegal and unlawful, under section 38 Prohibition On Works Without Consent, of the Commons Act 2006, sub sections 1,2,3, 4,5,6,7,8 and 9, plus is also unlawful under section 41 Enforcement of the Commons Act 2006 sub section 1, and 2 sub section a and b.

I should just point out, that our case regarding Foxwell Drive, is almost identical in every respect, to the Hastings, Bexhill Queensway Gateway Link Road Scheme, which very nearly went to court, the case brought by Gabriel Carlyle, on behalf of the Combehaven Defenders Group. The council there, in that case quashed the planning permission, after trees were also cut down inside the nesting bird season. Therefore I would like to have this case taken into consideration, and used as evidence in our defence.

In the ten year period up to December 31st 1964, 126 people had been seriously injured, and 24 people had been killed on the Oxford Northern Bypass, between Green Road Roundabout and the Marsh Lane off slip junction, and by the end of 1965 a total of 29 people had been killed on that one stretch of road. Over the period of 1980 to 2012 the Northern Bypass, between green road roundabout, and the Cherwell drive,

Marsh Lane off slip junction for Marston, has seen a further 170 damage only vehicle accidents, and another 9 people have been killed on this one stretch of road alone. Since then, there has been another sad, and tragic fatality accident, in the year of 2015, making the total of 10 people to have been killed on this stretch of road, between 1980 to 2015 inclusive.

Construction of the Barton Northway Link Road is a clear material breach of PPG17, planning for open space, sport and recreation, points 10 and 15. The link road is also a material breach of the councils own Green Space Strategy document 2013 to 2027, under policies CP1, CP3, CP4, and CP5 having been comprehensively breached. Objective 15 of the 2013 to 2027 green space strategy document states clearly, and unambiguously that: a buffer zone should be provided around all play areas, which is a mandated legal requirement, Roy Dodgy Darke, and his colleagues at the council are in legal material breach, of their legal commitments, and undertakings, due to Roy Dodgy Darke's unlawful link road scheme.

The Council is legally found to be negligent , in that it also has not carried out a legally mandated, and legally required Archaeological dig and survey, at Northway, despite the fact that Northway has been ruled to be of Archaeological interest, proven through freedom of information, and this requirement falls under policy HE2, Archaeology known, or suspected to exist, and it also falls under Policy HE1 nationally important monuments, as in 1935, during the building of the Oxford Northern Bypass, a sunken Saxon inhumation was found, in a grubenhaus, thought to have been of high status, possibly even royal origin.

So Northway is known to be a heritage area, and given the fact that the John Radcliffe Hospital is known to be sitting on the site of what was, Headington Palace, and which was the site of a massacre, during St Brice's day in the year 1004. The CPZ scheme for Northway, is under Low Impact Parking rules, due to being a recognised heritage area. The fact that Northway was a satellite village, and outlying hamlet of Old Headington, going back to before the time of the black death, and is therefore part of the Royal Borough, and Royal Village, and comes under the purview of the church of St Andrews, which is a Royal Peculiar. Under policy NE22 we are legally owed an independent assessment, which to date so far, the council have unlawfully denied us, we now require an ecological assessment of development proposals to be carried out. Also the link road will leave Northway badly exposed to flooding under Policy BA15 flood risk elsewhere, as Northway is known to be a high flood risk area, and is a breach of Policy CS11 Flood Plains, which you are completely ignoring and irresponsibly turning a blind eye to, in your desperation.

I believe that I have made my case, I now bring my arguments to a close, and with this I rest my case, I have nothing further to add, and I would just like to say thank you for having heard me out, and I apologise for the length of this document, but all of the above needed saying in our defence, I believe these were and are the most important points I wanted to get across.

I look forward to your response

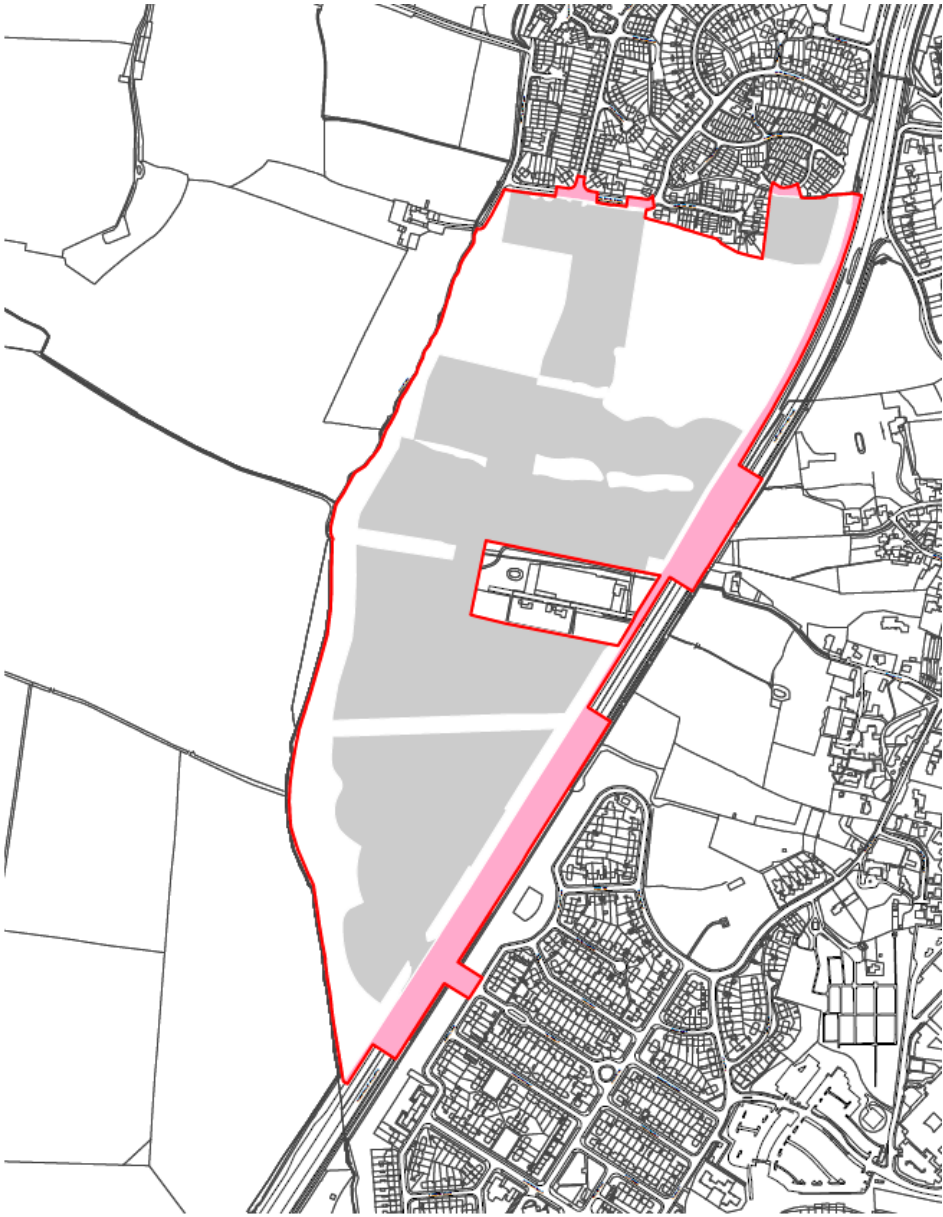
Yours sincerely

Nicholas Fell
Independent Consultant, Northway Residents Group

Appendix 5 Illustrative Masterplan

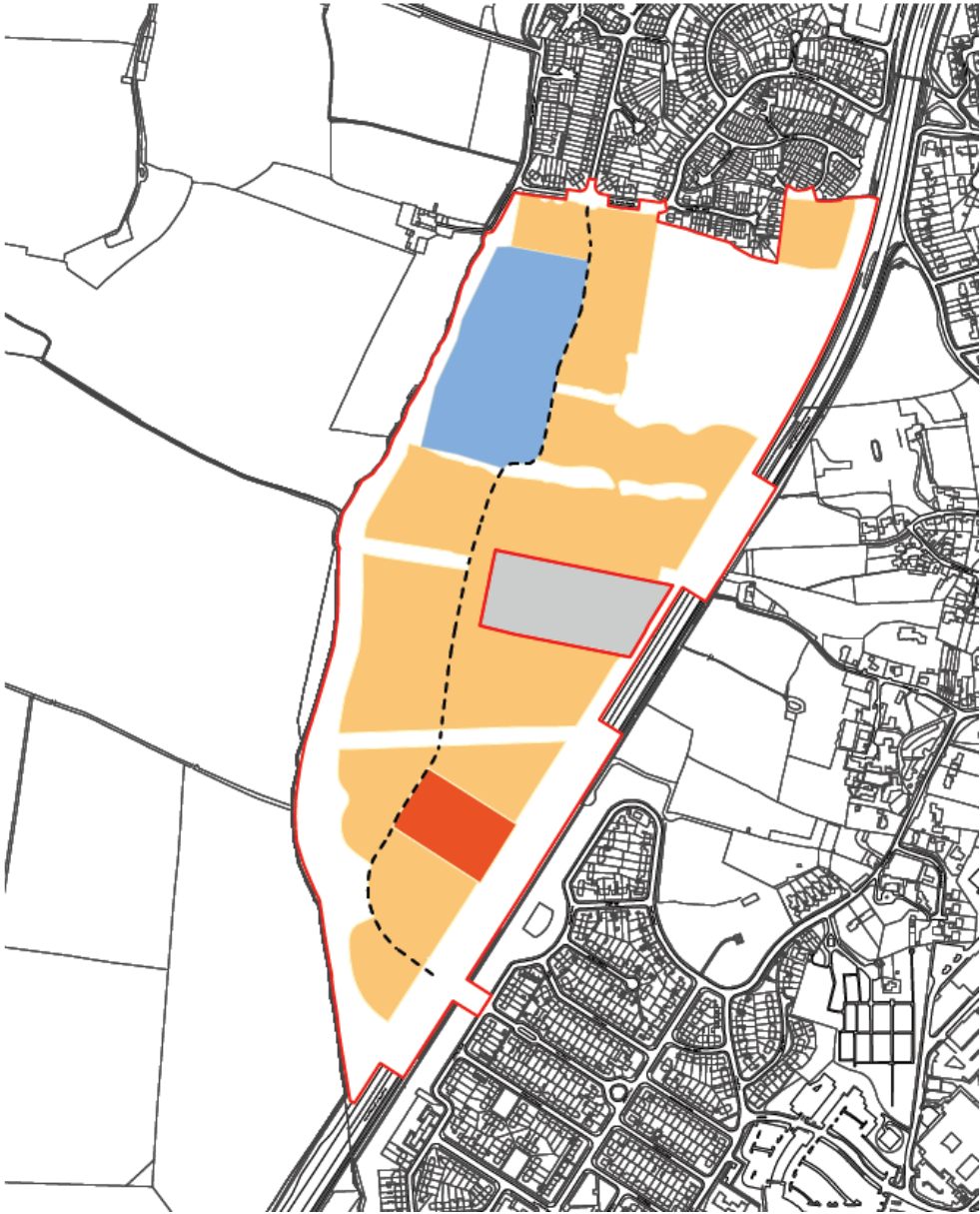



Appendix 6
Parameter Plan 1
Building Zone



-  Planning application boundary
-  Building zone (on site)
-  Zone for ancillary works
(for description of works see
Development Specification)

Appendix 7
Parameter Plan 2
Land Use










- Contextual information
-  Planning application boundary
 -  SSE land
 -  Indicative line of primary street
- For approval
-  Residential
 -  Mixed use
 -  Primary school / community use

Appendix 8 Parameter Plan 3 Open Space and Landscape



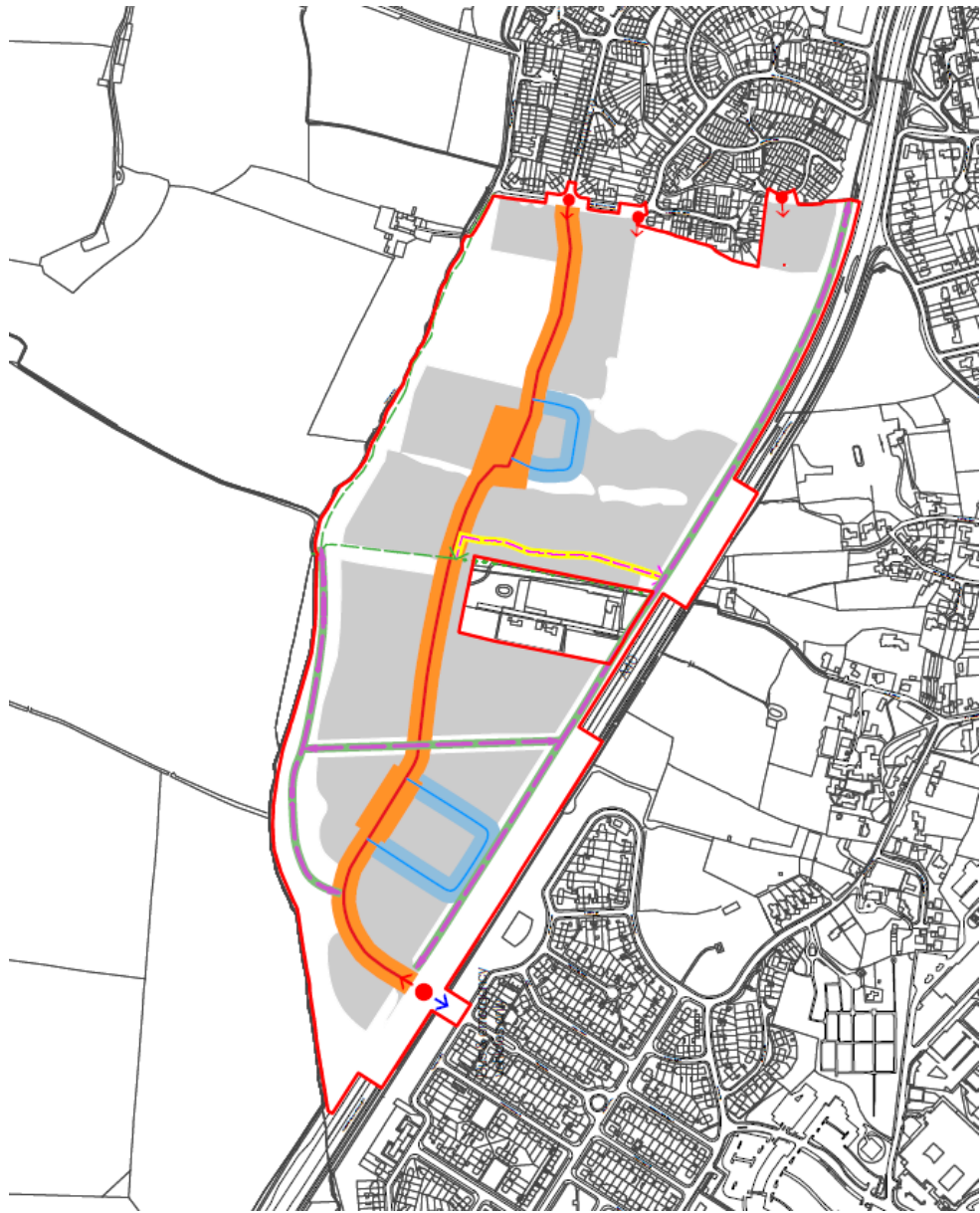
Contextual information

-  Planning application boundary
-  Tree groups to be retained (including RPZs)
-  Existing ditches retained
-  SSE land
-  Indicative line of primary street
-  Play space (LEAP)
-  Games court (MUGA)

For approval

-  Formal recreation / sports pitches
-  Informal open space / greenways
-  Communal gardens / additional allotments
-  Existing allotments
-  Zone for principal squares





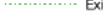


Appendix 9 Parameter Plan 4 Movement and Access



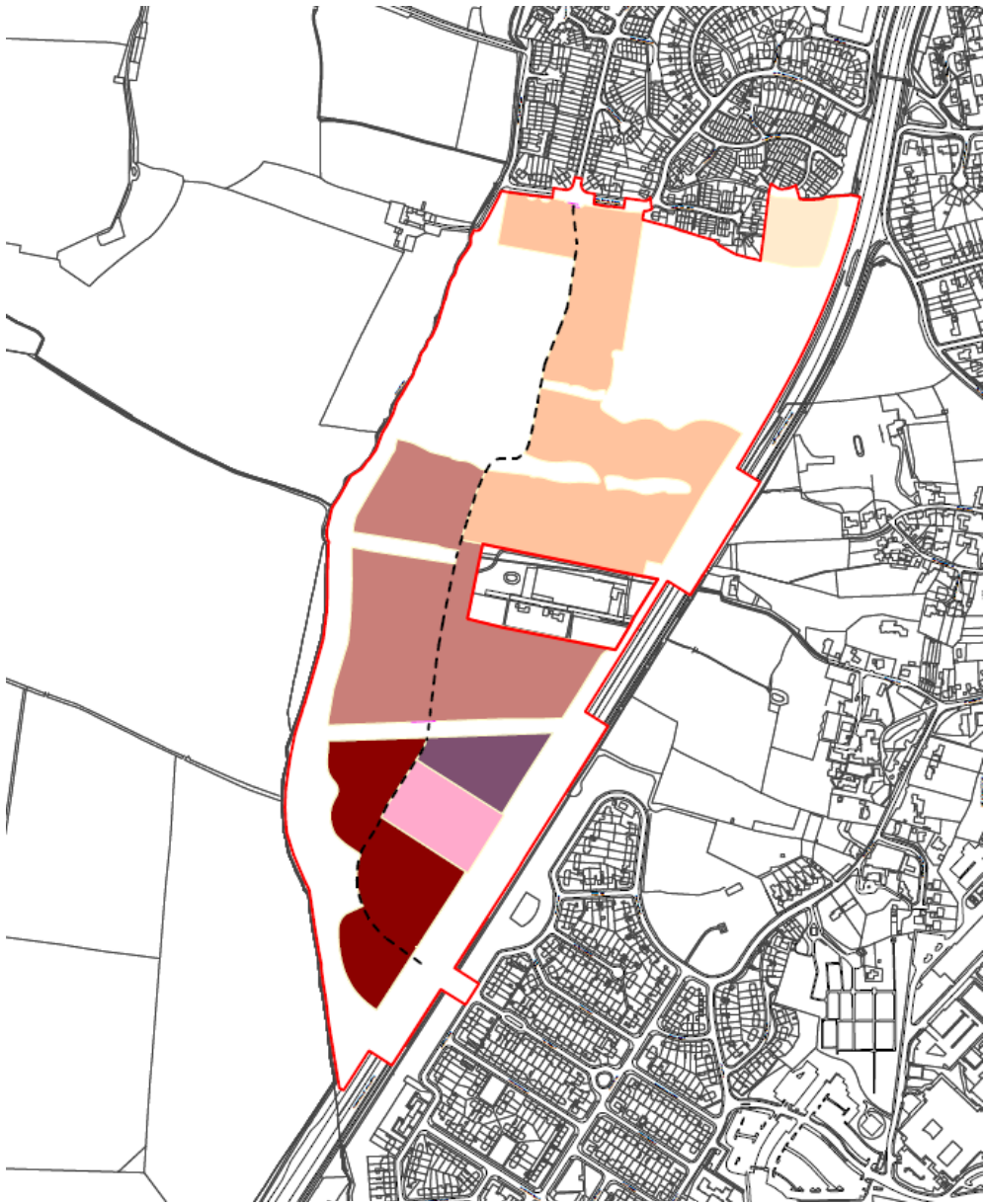
Contextual information

-  Planning application boundary
-  Building zone
-  Primary street
-  Secondary street
-  Existing public right of way

For approval

-  Proposed primary street zone
-  Proposed secondary street zone
-  Junction to A40 (Bus & emergency vehicles southern access only)
-  Proposed secondary road junctions
-  Existing public right of way to be diverted
-  Proposed diverted public right of way zone
-  Strategic cycle & pedestrian links zone

Appendix 10 Parameter Plan 5 Density



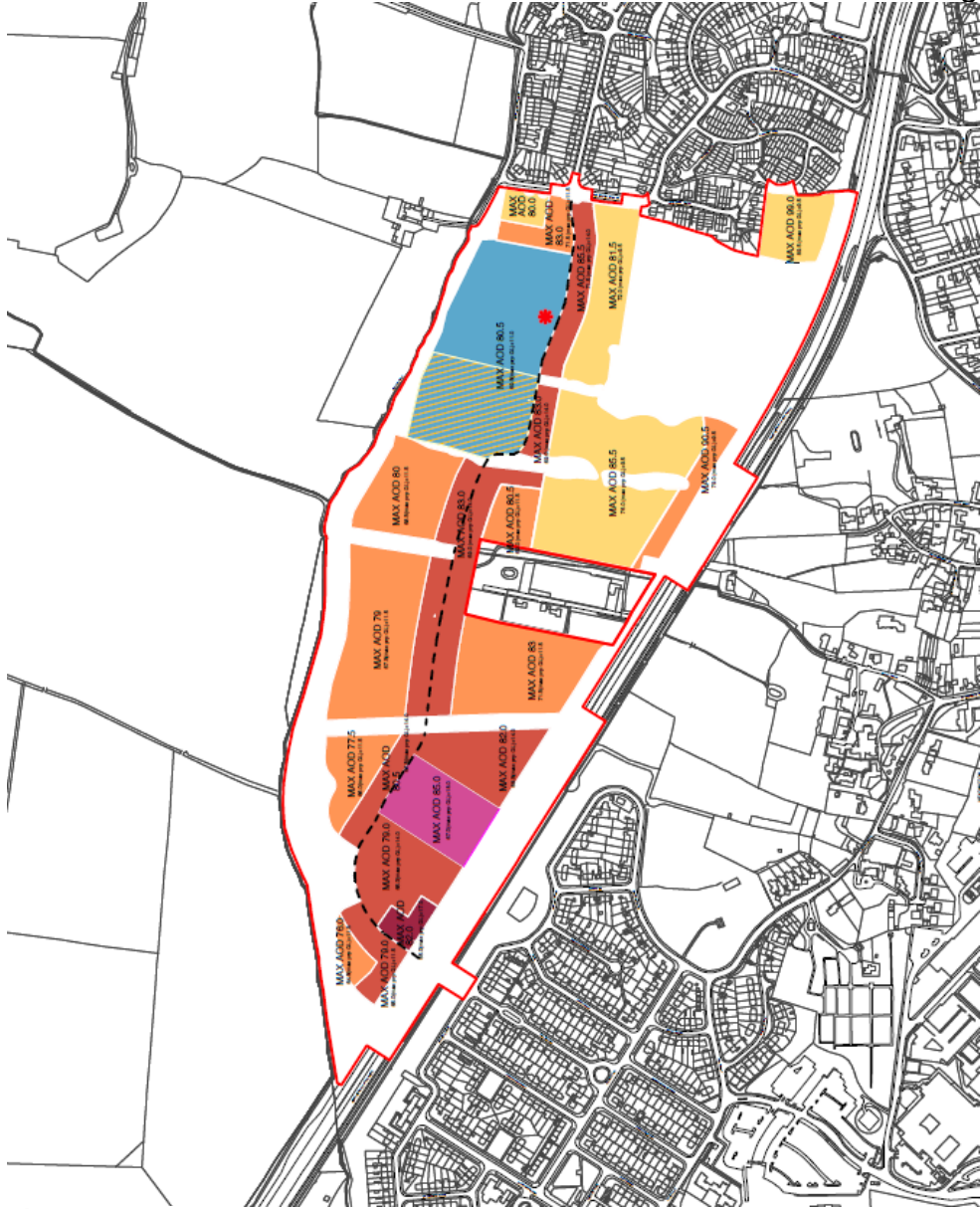
For approval

- Residential areas with 60 - 70 dph
- Residential areas with 50 - 60 dph
- Residential areas with 40 - 50 dph
- Residential areas with 30 - 40 dph
- Residential areas with 20 - 30 dph
- Residential above retail
(Range of 30 - 90 dph)

Contextual information

- Planning application boundary
- Indicative line of primary street

Appendix 11 Parameter Plan 6 Building Heights



Contextual information

Planning application boundary

Indicative line of primary street

Notes: -

(i) Along primary street no more than 25% of dwellings can be 4 or 4.5 storeys.

(ii) Zone for school buildings defined in hatched area.

(iii) All building heights are based on roof ridge/line and exclude structures such as chimneys or flues.

(iv) All plant associated with commercial units is included within parameters.

For approval

- Mixed use up to 18 m (4 storeys)
- Residential up to 17m (5 storeys)
- Residential up to 14m (4.5 storeys) (i)
- Residential up to 11.5m (3.5 storeys)
- Residential up to 9.5 m (2.5 storeys)
- School up to 11 m (2 storeys) (ii)
- Pavilion up to 9m (indicative position shown)

Appendix 12 Summary of Compliance with the Design Code

Design Code Compliance			
	Details	Scheme Compliance	If non compliance – Reason for change
Street Hierarchy and street sections	There will be one central through route and two secondary streets serving the primary school / community hub and commercial centre. All other streets to be tertiary and designed as shared surfaces.	✓	
Street Trees	The selection of tree species and their arrangement will help define the movement network and support traffic calming measures, establishing a coherent street scene.	✓	Following discussion with OCC tree officer addition species have been specified within Gladstone Gardens. Please refer to TEP landscape drawings.
	Trees in adopted highways to meet OCC guidelines.	✓	
	Trees to be specified as table 9.7.	✓/X	
Cycle / Pedestrian Paths	A series of footpaths and cycleways shall be provided to connect the street network with the open space and adjoining residential areas.	✓	
Public transport	The Secondary streets will be 5.5m width with buses using the loop in one direction only.	✓	
Traffic Calming	Secondary Streets are calmed at bends and approx 60m Points along their length.	✓	
	Tertiary Streets are traffic calmed by their nature, with measures including varied street widths and street profiles	✓	
Car Parking	2.4m parallel parking to be provided along primary and secondary Streets.	✓	In certain areas of the masterplan small parking courts represent the best approach to the provision of a limited number of parking spaces. Where rear parking courts have been provided these have been subject to detailed testing to produce the optimum solution, discussed in detail with OCC and designed to maximise natural surveillance.
	In tertiary streets parking to be provided where street widens. Parallel parking areas must not be wide enough to encourage echelon or perpendicular parking.	✓	
	Rear Parking courts are not acceptable	X	
Cycle parking	Brushed stainless steel Sheffield stands to be provided throughout the scheme.	✓	
	For residential dwellings cycle parking is to be provided within the footprint of the house or in back gardens in a covered lockable enclosure.	✓	
	In garages with additional cycle space it is essential that the cycles can be taken out easily and without the need to remove cars or other cycles first.	✓	
	For apartments, internal storage on the ground floor is the preferred solution.	✓	
	A minimum of 3 cycle spaces per dwelling of 3+ bedrooms and 2 spaces per dwelling for 1 and 2 bed units	✓	

Design Code Compliance

	Details	Scheme Compliance	If non compliance – Reason for change
Key space / pocket parks / verges	Verges must be a minimum width of 2, with no acute or narrowly tapered areas. Vehicles will be prevented from parking on verges through the use of timber bollards.	✓	
Key frontages	High quality public realm, enclosed by continuous, strong building frontage with uniform building heights and use of landmark buildings to define space. On street parking and wide footpaths. Potential for public art	✓	
Landmark and marker buildings	Landmark buildings will be in prominent locations on the A40 and primary street and will be of particular importance due to their scale or use. They will act as landmarks, aiding orientation. While sitting comfortably in the street scene their distinctive design and quality of materials will express their special function and importance. Great care will be taken in the design of prominent corners and all frontages addressing the public realm will be active. Entrances will be clearly articulated and facades will be welcoming.	✓	
	Marker buildings create interest and variety within the street scene. They may terminate a vista or front public space. While sitting comfortably in the street scene they may differ from their neighbours in height, fenestration or use of materials. Special care will be taken in the design of corner buildings to ensure that all elevations addressing the public realm are well detailed.	✓	
Street furniture and hard landscape materials	Street furniture to be designed in accordance with specification. Design code Page 33.	✓	
	Hard landscape designed in accordance with table 9.8 public realm materials	✓	
Green Infrastructure and planting		N/A	
Play areas and pitches		N/A	
Densities	Densities to comply with parameter plans	✓	
Building Heights	Building heights to comply with parameter plans	✓	
Building Plots	Building plots to be designed to comply with specific transect zones (Design Code pages 50 – 73).		
	T1 Green edge	✓	Whilst the Western Greenway houses provide less than the 10m min back garden sizes, the wide gardens are proportionate to the size of the dwellings and an additional terrace is provided over the garage at first floor level.
	T2 Suburban	X	
	T3 Higher density residential	✓	
T4 General Urban	✓		
Architectural Design	The architectural design is to comply with the Specific design considerations for each Transect (Design Code pages 50 – 73).		
	Transect 1 Northern Edge	✓	Following discussions with OCC we have provided an active frontage at ground level of all flatblocks with front doors at pavement level. it has not been possible to raise the ground floors 500mm above pavement level.
	Transect 2 Suburban	✓	
	Transect 3 Higher density residential	✓ / X	
	Transect 4 General Urban	✓ / X	
	✓ / X		

Design Code Compliance

	Details	Scheme Compliance	If non compliance – Reason for change
Architectural Detail, materials and colours	All Primary building materials used for the walls and roof are to be in accordance with Table 9.0: Building design Principles – Primary Building Materials	✓ / X	Chimneys have been provided on 22% of dwellings. This reduction from the 30% target is due to the urban context of areas within the first phase.
	All building components (secondary elements other than the walls and roofs) are to be specified in accordance with Table 9.11 building design principles – Building components.	✓	
	The primary building materials and colours are to be used in accordance with Table 9.12: Building materials palette and Figure 9.27: colour/ material distribution showing percentage of materials illustrated in Table 9.12	X	The material palate has been developed following discussion with OCC, taking on board comments received by the ODRP and comments received during various consultation events. Whilst some of the material variations do not strictly comply with the proportions stipulated, all materials have been designed to provide variety in the streetscape and roofscape.
Boundary Treatment	Low wall with hedge to front boundary dependent on transect 1.8m high brick wall addressing public realm 1.8m timber fences to divide properties.	✓	
Waste and recycling	The storage and collection of refuse and materials for recycling must be arranged so as not to visually or physically detract from the appearance of the street	✓	Following discussions with Oxford county highways and Affordable Housing it was agreed that communal bin stores are an acceptable solution for two of the areas containing terraced housing. These bin stores are to be constructed of high quality materials and the have been design to tie in with the surrounding buildings.
	Bin provision to be in accordance with Table 9.13: Bin Storage Strategy	✓	
	Communal bin storage areas for houses are not permitted	X	
Sustainability and adaptability	Where photovoltaics are to be used they must be limited to roofs and sit flush with the adjacent roof tiles. Bolt on photo voltaics must be avoided.	✓	
	In accordance with the AAP, new homes will be expected to meet the latest sustainability standards set out in Code for Sustainable Homes.	✓	
	Secure by design applies to all affordable and open market housing.	✓	
	Orientation / solar gain. The main glazed elevations must be orientated within 30° of south	✓	
	Lifetime homes applies to all affordable housing and 15% of open market housing	✓	
	Building for life. All houses must achieve Building for Life Gold level.	✓	

Design Code Compliance

	Details	Scheme Compliance	If non compliance – Reason for change
Utilities	The utility systems will be installed in service corridors located within the adoptable highway. Defined zones for utilities have been allocated within each street type. These are set out in figure 9.31 of the design code and must be adhered to.	✓	
	Utility boxes and services must be hidden as part of entrance porches.	✓	
	Where a substation is required it must be accommodated in a building separate from any residential units and cannot be located within 50m of the school premises. The structure must be designed to be integral to the street scheme and be constructed of the same material (walls and roofing) as adjacent properties. The substation building must be fitted with a double door that is afforded direct public vehicular access for regular maintenance purposes.	✓	
SUDS	Bio-retention – Bio-retention areas must be incorporated within development parcels and planted with wet meadow, grass and shrub species to accommodate localised runoff and to provide an element of source control.	✓	
	Green roofs – A combination of intensive and extensive green roofs should be utilised where possible.	✓	
	Permeable paving – Permeable paving must be utilised throughout tertiary streets (with the exception of service corridor) using units to match non-porous paving.	✓	

East Area Planning Committee

3rd March 2016

Application Number: 15/02269/RES

Decision Due by: 11th November 2015

Proposal: Construction of 140 residential units consisting of 91 houses (6 x 1bed, 13 x 2bed, 50 x 3bed and 22 x 4bed) and 49 flats (12 x 1bed, 25 x 2bed, 12 x 3bed). Provision of 258 car parking spaces, cycle parking, landscaping and ancillary works. (Reserved matters of outline planning permission 12/02848/OUT, seeking details of appearance, landscaping, layout and scale) (amended plans)

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

Ward: Littlemore Ward

Agent: Mr Robert Froud-Williams

Applicant: Vanderbilt Homes

Recommendation:

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

Reasons for Approval

- 1 The overall design of the layout, scale, appearance, and landscaping for the development would follow the basic principles of the illustrative masterplan approved at outline stage. The scheme would establish a balanced and mixed community within the Littlemore Neighbourhood Area, in a manner that would be of a suitable scale and appearance for the site and its setting without having an adverse impact upon the adjacent neighbouring areas, Green Belt or Sites of Special Scientific Interest. The development would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated through appropriate measures secured by condition on this application, outline planning permission or associated legal agreements. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

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

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

1. Time Limit
2. Development carried out in accordance with the approved plans
3. To exclude the landscaping details and seek revised landscaping proposals in accordance with condition 6 of outline planning permission 12/02848/OUT
4. Detailed car parking plan
5. Parking and Turning Heads provided before occupation
6. Details of cycle parking provision
7. Detailed method statement for the extent and design of groundwork within the Iron Age banjo enclosure
8. Detailed lighting scheme for the development
9. Details of bat and bird boxes
10. Updated badger survey and mitigation plan
11. Details of the photovoltaic panels to be used on properties
12. Noise attenuation for properties
13. Assessment of ground borne vibration from railway line
14. Restriction on conversion of garages to habitable accommodation

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

CP13 - Accessibility

CP14 - Public Art

CP17 - Recycled Materials

CP18 - Natural Resource Impact Analysis

CP19 - Nuisance

CP20 - Lighting

CP21 - Noise

CP22 - Contaminated Land

TR1 - Transport Assessment

TR2 - Travel Plans
TR5 - Pedestrian & Cycle Routes
TR8 - Guided Bus/Local Rail Service
NE14 - Water and Sewerage Infrastructure
NE15 - Loss of Trees and Hedgerows
HE2 - Archaeology
SR9 - Footpaths & Bridleways
SR10 - Creation of Footpaths & Bridleways

Core Strategy

CS2_ - Previously developed and greenfield land
CS9_ - Energy and natural resources
CS10_ - Waste and recycling
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS14_ - Supporting city-wide movement
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS19_ - Community safety
CS22_ - Level of housing growth
CS23_ - Mix of housing
CS24_ - Affordable housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes
HP3_ - Affordable Homes from Large Housing Sites
HP9_ - Design, Character and Context
HP11_ - Low Carbon Homes
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking
SP25_ - Land N of Littlemore Mental Health centre

Other Planning Documents

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

Public Consultation

Statutory Consultees

- Oxfordshire County Council

Highways Authority: No objections subject to conditions requiring details of the parking and turning heads, cycle parking, drainage, construction traffic management plan, and a travel plan.

Drainage Authority: No objections to the revised drainage strategy

Ecology: The council should seek the advice of their ecologist

- Oxford Civic Society

We believe that this application cannot be approved without changes in respect of the inadequacies of the road design, cycle parking and the Travel Plan as detailed at length in the Oxfordshire County Council comment.

- Thames Water Utilities Limited: No objection

- Highways England : No objection

- Natural England: No objection

- Littlemore Parish Council

Whilst the Parish Council was in agreement in principle with the proposed development of the site (especially the positive level of Social Housing proposed) its concerns were as follows:

Vehicular Access: Whilst it was welcomed that the developer had proposed the addition of new traffic lights (at its own expense) on the A4074 and that this had been accepted by Oxfordshire County Council Highways, the Committee (all of whom know the location as motorists) foresaw the specific location of the traffic lights could create an adverse effect in creating tail-backs to the Heyford Hill 'Hamburger' junction nearby, and conceivably cause issues to/from Sainsbury's Heyford Hill entrance.

However, that the Committee suggested this concern could possibly be alleviated by moving the location of proposed new traffic lights and entrance to the proposed development further down site's frontage onto the A4074, and away from the close proximity to the Heyford Hill 'hamburger' junction, and Sainsbury's entrance.

The Committee also suggested a 30mph speed limit be introduced on the relevant section of the A4074 near to proposed new footpaths, and in the general vicinity of the proposed new development.

Pedestrian/Disability Access: Proposals, as outlined, would almost totally isolate (other than by vehicular access) the tenants and residents of the proposed new 140 homes from the rest of the community in Littlemore. The proposed new and/or existing footpaths do not (as shown) effectively address pedestrian, disability and cycle connectivity of the proposed new residential housing development with the existing community infrastructure of Littlemore. This would include lack of adequate and viable connectivity to:

- Existing public transport to/through Littlemore
- Littlemore sub-post office, Community Centre, Public Library and Village Hall

- Littlemore's two public houses, cafes and fast-food outlets
- Churches - including main Anglican, Baptist Catholic churches, plus other faithgroup worship locations
- Two local shopping precincts and convenience shops (other than Sainsbury's)
- The Littlemore Parish Council's sport and recreation parks
- Littlemore's City-Council-owned Public Toilets
- Littlemore's pre-schools, three primary schools and secondary education at the Oxford Academy - which also includes sports and other facilities used by the local community.
- Pedestrian access to the Littlemore Kassam Stadium (home to Oxford United football club) and Littlemore Ozone Leisure Complex - including swimming pool, sports facilities, multiplex cinema and restaurants.

Furthermore, one of the LPC Planning Committee (chosen as a fit and active person used to small children and working with elderly people) conducted a test-walk of the pedestrian/disability footpaths which the Developer has proposed. It was found that on a bright, sunny late September's day, it still took approximately 20 minutes to reach the bus stop at Rose Hill Oval, and 17 minutes to reach Gwyneth Road, via Sainsbury's Car Park. The Committee Member further stated that in adverse weather and Winter conditions, this could easily become 30 minutes, and was concerned about children/schoolchildren having to use the pedestrian crossing at the very busy Heyford Hill junction.

That pedestrian/disability access via the Developer's indication of a 'possible tram/light rail halt/stop' near to the proposed development would not necessarily provide easy and/or any access to/from the proposed development to the existing community infrastructure, nor provide access over the railway track.

The Committee agreed that a more viable solution would have to be the construction of a new pedestrian/disability access point to/from the proposed new housing development to link-into existing accessibility - probably with a new footpath and pedestrian/disability bridge over the railway/tram tracks near to Railway Lane - which already has a disused former level-crossing. However, there would be a potential issue with the former Dominion Oil site on the other side of the railway track, which is not owned by either Vanderbilt, or Oxford City Council.

Public Transport/Residential Travel Plan:

Despite the provision of two new bus stops on the A4074 adjacent to the entrance/exit of the proposed new housing development. Objectively, the Committee agreed that all public transport provision has to be seen as being positive (especially with regard to recent major cut-backs in public transport subsidy in Oxfordshire) but, that the new bus stop provision on the A4074 would only address (regardless of frequency) the public transport needs of tenants and residents of the proposed new housing development wishing to travel (mainly) to/from Oxford, and possibly to use coach and rail links from central Oxford and likewise, any tram/rail link in the future.

That neither buses using the A4074 or the #3 Rose Hill bus actually serve Littlemore, nor to Cowley Centre and its large selection of banks, shops,

supermarkets, dentists and GP services - and an important connection for the #10 bus to Oxford's hospitals and clinics, used by people of all ages.

That without pedestrian/disability access (as described above) the tenants and residents of the 140 homes in the proposed new housing development will be denied easy direct access to the #16/16A Minchery Farm/Oxford (Cowley Road Littlemore) and T2 Abingdon/Oxford Science Park/Oxford (Sandford Road) regular bus services - both of which also go to/through Cowley Centre.

Other Infrastructure Concerns:

Healthcare: Possible over-loading of existing healthcare provision. Currently, people in Littlemore use the Donnington Health Centre in Florence Park, and also in Temple Cowley, Manzil Way and the health centre for the Leys/Blackbird Leys. The once-projected new GP facilities at the new Rose Hill Community Centre will not now be happening.

Schools: Already an issue for Littlemore, with many older children going to St Gregorys The Great and Oxford Spires Academy in Cowley, together with those attending the Oxford Academy in Littlemore. The addition of 140 new homes will add to existing pressure.

Sense of Community: Without ease of pedestrian/disability and cycle access from the proposed new development, its tenants and residents will become isolated and unable to integrate with the rest of Littlemore, its people and facilities.

The Parish Council broadly supported the proposed new housing development (on land north of Littlemore Healthcare Trust) and welcomed the proposed 50% social housing element, provision of traffic lights and bus stops on the A4070.

The Parish Council also appreciated the proposed sympathetic design and layout to the development, by a Developer previously known to the LPC Council, and to the extent that plans, drawings and other information had been supplied in-depth. However, the Council voted unanimously to clearly indicate the concerns shown above) - and added that all CIL moneys (Community Infrastructure Levy, ie) from this particular new development should be for specific use and/or for the benefit of Littlemore.

- Network Rail

After studying the documents submitted and consultation with our Earthworks and Drainage Engineer, Network Rail objects to this application in its current form.

The plans show loading along the crest of the cutting, particularly in the eastern corner where proximity to the cutting is smallest, no slope stability analysis or information regarding the effect of the development on the cutting assets is provided, therefore, this information is required prior to our objection being removed.

Third Parties

26 Oxford Road:

The entrance and exit to this site will increase traffic which is already a serious risk due to excessive speed and volume on Oxford Rd leading to the ring road. I would ask that CIL money is used to pay for further traffic measures on this route so that the issues identified above can be better managed. I am a resident on Oxford Rd which is a residential area and would ask also that resident only parking could be considered for this route or that the road is closed to traffic completely from access to the ring road for any traffic other than residents who live there. Traffic on this route is a menace and is not only a risk to residents who live there but also ruining the history and general atmosphere.

Oxford Design Review Panel

The application as originally submitted was subject to a desktop review by the Oxford Design Review Panel. A copy of their letter is included in **appendix 2** of this report.

The panel considered that the principle of a residential development is sensible in order to provide much needed housing in the city while also adding to the character of Littlemore and better defining the southern boundary of Oxford. It went on to state that they were unable to support the application at this stage and recommended that a much more ambitious and creative design approach is required and fundamental areas of the design approach needs to be addressed.

- Increase the amount of public open space and develop a landscape strategy
- Simplify the road layout including the cul-de-sacs and parking courtyards
- Improve the pedestrian accessibility across the site

Officers Assessment:

Background to Proposals

1. The site comprises an area of open land approximately 3.72ha situated on the southern edge of the city and within the Littlemore Neighbourhood Area. It is bordered to the west by the A4074; to the north-east by a railway line with Sainsbury's beyond; and Littlemore Hospital to the south (**appendix 1**).
2. The site lies adjacent to Oxfords Green Belt whose boundary is on the opposite side of the A4074. In addition there is the Littlemore Railway Cutting Site of Special Scientific Interest (SSSI) and Site of Local Importance to Nature Conservation (SLINC) to the north. The site is currently accessed from the A4074.
3. In May 2015 the East Area Planning Committee granted outline planning permission for the erection of up to 140 dwellings with access on this open land, together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space under reference number 12/02848/OUT.
4. The outline application sought to reserve all matters such as appearance, landscaping, layout, and scale for consideration at a later date. The access arrangements for the development were approved at outline stage, and included the following works
 - The provision of an all-movements traffic signal junction to the A4074 for

vehicles incorporating a pedestrian and cycle crossing to the south-western side of the road

- The provision of bus laybys on each side of the A4074
- The provision of a new footpath link for pedestrians and cyclists on the south-western side of the A4074 into Heyford Hill Lane
- The provision of a new footpath link for pedestrians and cyclists on the north-eastern side of the A4074 providing a route from the site to Sainsbury's superstore and the pedestrian and cycleway along the eastern bypass.

5. This current application is seeking approval for the detailed design of the remaining reserved matters required by condition 4 of the outline permission 12/02848/OUT. The layout has been amended since it was originally submitted to incorporate comments made by the Oxford Design Review Panel.
6. The outline planning permission 12/02848/OUT included some 26 conditions and a legal agreement for affordable housing and the off-site highway works. These conditions and legal agreement remain in force and will only need to be supplemented by additional conditions above relating specifically to the reserved matters application.
7. In this context officers consider the principle determining issues in this case to be as follows
 - Residential Development
 - Site Layout, Scale, Form, and Appearance
 - Highways, Access, and Parking
 - Landscaping
 - Ecology
 - Archaeology
 - Flood Risk and Drainage
 - Sustainability
 - Community Infrastructure Levy
 - Other Matters

Residential Development

8. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being within the Littlemore Neighbourhood Area.
9. The proposed layout would provide 140 dwellings through a range of dwelling sizes and mix of dwellinghouses and apartments. This would be made up of the following

No. of bedrooms	Dwellinghouses	Apartments	Total
1	6	12	18
2	13	25	38
3	50	12	62
4	22	-	22

10. This mix of dwelling types which would satisfy the aims of Oxford Core Strategy Policy CS23 and the strategic mix of housing expected on sites of this size in the Balance of Dwellings Supplementary Planning Document.
11. The outline application included a legal agreement that secured the provision of 50% affordable housing in accordance with the requirements of Sites and Housing Plan Policy HP3. It is intended that the social rented accommodation will be owned and managed by a registered social landlord, although one has not been specified at this stage.
12. The legal agreement specified the proportion, tenure mix and dwelling sizes of the affordable housing. In accordance with this legal agreement a total of 70 affordable homes would be provided and would have the following tenure mix.

No. of Bedrooms	Social Rent (56 units)		Affordable Rent (14)	
	Dwellinghouses	Apartments	Dwellinghouses	Apartments
1	-	6	-	6
2	-	16	3	-
3	14	12	5	-
4	8	-	-	-

13. The affordable housing plan shows that the social rented units will be located to the north of the spine road interspersed between market housing, and the affordable rented properties will be located on the southern side of the spine road to the east of the area of open space.
14. The Sites and Housing Plan sets out the required standards for residential accommodation. In terms of the internal space standards the units would be self-contained with their own entrance, kitchens, bathrooms, adequate storage space, generous floor to ceiling heights, and orientated to receive adequate natural light and ventilation. There would be a varying range of internal floor sizes dependant on the types of properties with the apartments ranging as follows – 1 beds (39m²), 2 beds (67m²), and 3 beds (77m²) – and the dwellinghouses varying between terrace, end of terrace or semi-detached – 1 bed (51m²), 2 bed (70m²), 3 beds (84 – 130.5m²), and 4 beds (108-137m²). With regards to external space, all dwellinghouses have private gardens of adequate proportion for the type of property. The flats will be provided with either a private balcony or terrace of usable space which would be suitable for this type of accommodation, and in addition they have access to the central open space. As such the proposal would accord with the aims and objectives of Sites and Housing Plan Policies HP12 and HP13.
15. Policy HP2 requires all residential development to be designed to Lifetime Homes Standards, with at least 5% of all new dwellings in schemes of this size to be fully wheelchair accessible or easily adaptable for full wheelchair use and at least 50% of these to be provided as open market dwellings. The Lifetime Homes Standards have now been superseded by Part M of the Building Regulations. Therefore the housing will need to demonstrate that they satisfy these standards. In terms of providing wheelchair accessible or easily adaptable homes for

wheelchair use, a total of 7 units are to be designated across the scheme. This will include at least four of the ground floor flats in the affordable homes, and three of the ground floor flats in the open market properties.

Layout, Scale, Form, and Appearance

16. The outline application was accompanied by an indicative masterplan which set out how the development could be laid out through any reserved matters application. The application has now provided detailed design drawings for the approval of the layout, scale, and appearance of the development which follows the principles of the indicative masterplan. The scheme has been amended to address the comments of the Oxford Design Review Panel (**appendix 2**).
17. Layout: The proposed site layout shows a residential development consisting of detached and terraced properties with a small number of apartment buildings that are laid out around groups of courtyards and shared surface roads that lead from a central spine road that connects from the A4074. The layout attempts to establish a residential scale and character to the site after entering the development from the A4074. The apartment buildings are used to frame the access and create street frontages with active frontages to encourage natural surveillance and a safe and secure environment for the family housing. A landscaped buffer to the northern and southern boundaries as well as the A4074 is provided, along with a central area of public open space which provides a green core to the development.
18. The Oxford Design Review Panel considered that the basic design principles for the scheme were sound but recommended that the design approach should address the following points before they were able to support the scheme:
 - Increase the amount of public open space and develop a landscape strategy
 - Simplify the road layout including the cul-de-sacs and parking courtyards
 - Improve the pedestrian accessibility across the site
19. The layout has been amended to respond to these comments in a manner that is mindful of the basic principles agreed at outline stage. The perimeter blocks have been tightened to enable more public space across the development and opening up the cul-de-sacs and reducing the number of parking courtyards. The linear open space that was originally proposed along the southern boundary has been reduced in size to enable a belt of dense tree planting. The central open space has been increased in size as a result to create a more substantial village green and focal point for the development and a better buffer to the SSSI is provided to the north. The central spine road has been realigned to link to the potential rail halt and enable better pedestrian accessibility from the bus stops on the A4074. The flats adjacent to the entrance have also been repositioned to establish a better gateway to the development.
20. Having reviewed the amended site layout, officers support the changes and consider that it has resulted in a more coherent sense of place for the development. The layout has also addressed officers concerns with the illustrative masterplan tabled at outline stage whereby there is a better public and private realm relationship with building frontages facing onto the main public

realm across the site. There are still a number of cul-de-sacs in the northern section but the open space at their entrances make them feel like part of the central spine. Despite the fact that the development is relatively high density, the orientation of the plots within the layout has successfully avoided any overlooking or overbearing issues between the units.

21. The layout has also made good provision for future links to be developed to the rest of Littlemore. The layout has incorporated space for a potential pedestrian and cycle access across the railway line easily visible and accessible at the end of the central spine road. It has also indicated how this could provide space for a potential halt for the Eastern Arc Rapid Transit System in the north-eastern section.
22. Scale of Development: The overall scale of the built form across the development reflects the parameters set out at outline stage. The dwellings are primarily two or two-and-a-half storey where rooms are provided in the roof space, and the apartment blocks will have three-storeys. The variation in heights of the dwellinghouses allow better articulation for the rooflines across the development, while the taller apartment buildings are strategically placed to create focal points and more dominant built form at the entrance to the site. The Design Review Panel considered that the scale of built form across the site was appropriate and in keeping with the surrounding residential suburb. Officers would concur with this conclusion.
23. Appearance: The dwellings are to have a contemporary appearance while using traditional materials such as brick (red and buff) with pitched tiled or slated roofs. The design and access statement recognises that there is no clear vernacular pattern throughout the area which would influence the appearance of these units and so the materials have been chosen to help create points of emphasis across the site and some variation in the detailing. The use of the more traditional materials would certainly be in-keeping with the residential properties that are in the surrounding area.
24. Having regards to the above, officers consider that the proposed layout has created a sense of place and neighbourhood feel for the development. Although the Design Review Panel were unable to support the original scheme, officers consider that the amendments have improved the scheme while also respecting the parameters of the outline application and responding to the relative constraints of the site. As such officers consider that the overall layout, scale and appearance of the development would satisfy the requirements of Policy CS18 of the Oxford Core Strategy 2026, Policy HP9 of the Sites and Housing Plan 2011-2026, Policies CP1, CP8, CP9, and CP10 of the Oxford Local Plan 2001-2016.

Highways, Access, and Parking

25. The outline application approved the access arrangements for the site. These arrangements included the signalised junction with the A4074, and off-site highway works that provided the footpath links to the wider area and the bus laybys on the A4074. These were secured through the S106 agreement on the outline application.

26. During the consultation process, the Littlemore Parish Council raised concerns about the segregated nature of the site which required better access to the wider suburb of Littlemore. These concerns are understood and were fully considered at outline stage. They are not a matter for this reserved matters application which is only seeking approval for the layout, scale, appearance and landscaping of the development.
27. Internal Road Layout: The proposed road layout has a central spine road that leads through the development from the signalised junction on the A4074 and links the courtyards and shared surfaces. The internal road layout has been designed to adoptable standards, although it is only intended that a 20m section from the junction will be offered for adoption at this stage.
28. The amended road layout would encourage pedestrian access across the site and connects appropriate routes from the footpaths and bus laybys on the A4074 in the west with the potential rail crossing and halt in the east. This improves accessibility throughout the site, and future proofs the creation of links to the wider area via the rail crossing by means of an access point onto the central spine road. The Local Highways Authority has raised no objection to the internal road layout.
29. The Local Highways Authority have stated that should the potential rail halt or crossing come forward such that it can only be accessed through the development, then a Right of Way for Non-Motorised Users through the development should be provided and this would need to be secured by way of a legal agreement. It is noted that the Local Highways Authority did not request this at outline stage, which is where such a matter should have been secured by legal agreement. It is not possible for reserved matters applications to secure details that should otherwise have been agreed at outline stage. The Local Highways Authority has also asked for a legal agreement to safeguard the land for the bridge link as shown on drawing no.5092:P03. This would not be necessary as there is an appropriate condition attached to the outline permission to secure this land.
30. Car Parking: The outline planning permission includes a condition (12) that requires the parking provision for the development to meet the maximum parking standards set out in Sites and Housing Plan Policy HP16. The planning statement submitted with the application has indicated that the parking levels within the scheme will meet the maximum standards set out within the policy. A plan has been requested detailing how the spaces will be allocated throughout the development. This parking would be provided within dwelling boundaries on either hard-standing or in garages. All other parking will be provided on hard-standing to the front of properties or in courtyards. These would accord with the standards set out in Sites and Housing Plan Policy HP16.
31. Cycle Parking: The outline planning permission includes a condition (13) that requires the cycle parking for the development to meet the maximum parking standards set out in Sites and Housing Plan Policy HP15. The dwellings will be provided with cycle storage areas within garden sheds or designated storage

areas, whilst the flats will have designated stores. The level of parking would accord with the standards set out in Sites and Housing Plan Policy HP15

32. Travel Plan: A Travel Plan has been submitted which sets out measures and initiatives to encourage residents and visitors to travel to the site by non-car modes of transport. These measures would include appointing a Travel Plan co-ordinator; providing a residents information pack that provides details on local cycling and walking routes, bus services, average journey times to key facilities; encouraging car share opportunities, and cycling initiatives.
33. The requirement to provide a Travel Plan is set out in condition 23 of the outline planning permission. However the Local Highways Authority has indicated that the submitted Travel Plan does not meet their requirements. The identified measures within the document, with the exception of the travel information pack and car sharing promotion are all 'hard' engineering measures and some more 'soft' behavioural measures should be added such as how home working and home shopping could be promoted. There is no mention of cycle parking within the document. There is also no timetable for implantation or an action plan.
34. The submitted Travel Plan is only a draft document however, and as such a further plan will need to be submitted and approved separately under condition 23 of the outline planning application.

Landscaping

35. A landscape strategy has been provided as part of this reserved matters application which has sought to provide more detail on the key masterplan principles for landscaping and public realm that were required as part of condition 6 of the outline planning permission. The proposed Landscape strategy has identified the following landscape enhancement objectives.
- Village Park in centre of the site (including grassland, play area and structural tree planting).
 - Street tree planting from site entrance to the A4074 and along internal access roads and car parking, grass verges and ornamental shrub planting.
 - Green corridor along the western boundary adjacent to A4074 (with conservation grassland, wildlife pond, tree and shrub planting and wildflowers).
 - Green corridor along southern boundary (with conservation grassland, wildlife pond, tree and shrub planting and wildflowers).
36. Having reviewed the Landscape Strategy, officers initial concerns were that the species selection for the central park area within the landscape, wildlife and biodiversity plan needed amending to include trees with larger ultimate size potential, greater longevity and more biodiversity value. The depth of the buffer zone along the western A4074 boundary had been reduced in size from the landscape masterplan and this would have an impact on its aims to provide landscape screening of a negative visual feature (the A4074) while also including space for conservation grassland, wildlife pond, tree and shrub planting and wildflowers. The depth of the buffer zone along the southern boundary with the Mental Healthcare Trust site had also been reduced from outline stage which

would also prevent successfully achieving the aims of providing landscape screening/softening to the Mental Healthcare Trust site, and a linear park amenity including conservation grassland, wildlife pond, tree and shrub planting and wildflowers.

37. The Oxford Design Review Panel also considered that the proposed landscape strategy needed further development and the amount of public open space increased throughout the scheme (**appendix 2**). They recognised that more public open space was needed to support future residents in this housing development, and this should be achieved through a larger central open space and streets with green verges to ensure that the neighbourhood feels more homely. They went on to state that the landscape strategy should ensure that all open space is truly active and that users can feel safe and comfortable in these spaces throughout the day and night. They recognised that the treatments to the northern and western boundaries would be crucial given the proximity to the A4074 and railway and so needed further work. They did consider that that concept of the central open space around the historic banjo enclosure was a positive.
38. The layout has been amended to address the design review panel comments and this has resulted in changes to the landscaping proposals and notably some of the elements of concern for officers. The central open space has been increased in size in order to create a larger central open space for the development. This allows a better design for the space which would also enable the archaeological significance to be better revealed. The layout would also ensure that the main public streets are better defined with green verges in order to improve their quality. This has resulted in the reduction in size of the linear open space proposed at masterplan stage, and whilst regrettable, officers were concerned that the depth of this park was not sufficient to establish a linear park and screen the adjacent hospital. The circular walk around this park is removed, but with that a greater emphasis is placed on the main public thoroughfares through the scheme and the open space which encourages more activity in these areas. The buffer zone to the A4074 has not been increased as a result of these amendments, but again the improvements within the development would outweigh the benefits in landscape terms that the buffer to the A4074 would achieve. A more substantial buffer to the SSSI in the north is provided. Whilst the changes made to the scheme as a result of the comments by the design panel have altered some of the landscaping proposals set out within the masterplan, the basic principles would remain and a better balance achieved for the landscape strategy between the needs of the development and future residents in the housing development.
39. Notwithstanding these comments with respect, a number of concerns would remain with respect to the design detail of the landscaped elements.
- The central park provides an opportunity for tree planting with species attaining large ultimate sizes, substantial longevity and with biological diversity, that are appropriate to the alkaline calcareous conditions. A centrally located specimen beech tree and group plantings of beech on the road-side, as well as individual small-leaf limes dotted around the park would be a more appropriate design for the central park.

- The species selections for the built areas include cultivars exclusively (inherently clonal stock without biological diversity); and of these there are just four types. *Carpinus betulus* 'Frans Fontaine' is overly used and can become a broad tree in maturity. More diversity could be introduced to the species palette for the urban areas without losing unity of a coherent landscape design. At least some species types should be employed to provide genetic diversity (avoiding *Fraxinus excelsior* due to *Chalara fraxinea*).
- The design of the green corridor along the western boundary now allows views, from the proposed site, to the greenbelt land to the west by mixing groups of tall native trees within a belt of lower growing native shrubs. The buffer of this size is unlikely to support the mixed aims of providing landscape screening/softening of a negative visual feature (the A4074) with conservation grassland, wildlife pond, tree and shrub planting and wildflowers. Therefore the boundary treatment for this buffer would need to be revisited. It may be better served by employing a native hedgerow mixture (with small groups of native trees as proposed) subject to any issues with the need to provide the conservation grassland.
- The proposed green corridor/ buffer zone along the along the southern boundary is also reduced significantly in its depth. The southern boundary requires more robust landscape planting than hedge planting to screen and separate the development from the Mental Healthcare Trust site and to support a wildlife corridor. Ideally there should be sufficient space to allow for native shrubs to reach full heights and spreads along the boundary, with an adequate residual space for the other landscape features.

40. The amended landscaping proposals would be acceptable in principle, having regards to the basic principles at outline stage and the comments of the design review panel. However it is clear that the proposed planting within the scheme requires further development in order to take on board the comments above, and also those made in relation to biodiversity issues in the section below. As such officers suggest that the landscaping strategy and plans put forward within this reserved matters application are excluded at this stage and further details are sought by condition.

Ecology

41. The outline application imposed a condition which requires details of the wildlife and biodiversity enhancements to be incorporated into the scheme to be submitted before development commences. This would include providing details of the habitat compensation measures, together with their future management and timetable for implementation. This condition will need to be complied with irrespective of this reserved matters application.

42. The application has submitted an amended document 'Reserved Matters and Schemes pursuant to condition 17' and cover letter (Feb 2016) by SLR which outlines the applicant's approach to landscaping enhancements, wildlife and biodiversity compensation and offsetting as well as implementation. This has been submitted to support the landscaping proposals for the site, and contrary to the heading of the document is not seeking discharge of the biodiversity condition imposed on the outline planning permission, the details of which will be finalised

at a later date, including biodiversity the compensation when the discharge of the condition is sought.

43. With respect to the landscaping proposals for the site, the depth of the buffer along the southern boundary has been reduced in size. This has resulted in a very limited wildlife corridor along this boundary with the landscape plan showing that the landscape belt discontinues altogether towards the eastern corner of the site. This would have an impact on the ability of species to commute and as such the revised landscaping proposals should ensure that appropriate planting is provided along this boundary. The landscape management plan required by condition 9 of the outline permission should also include details of how all landscaped areas within the site are to be managed and the 'aftercare periods' for all landscaping.
44. The Ecological Survey and Evaluation Report (September 2012) submitted with the outline application made recommendations for the following biodiversity mitigation, compensation and enhancement measures:
- Creation of species rich grasslands in the site's boundary habitats, principally along the eastern and southern edges of the site and within the public open space;
 - Providing bio-diverse habitat within the SUDS scheme;
 - Managing and reinforcing the site's boundary hedge;
 - Assisting in the management of habitat at Littlemore Railway Cutting SLINC;
 - Taking precaution to avoid damaging active bird nests (which may include ground nesting birds) through management of habitat and timing of works;
 - Maintaining a dark corridor along the south-eastern and northern boundaries of the site for nocturnal species such as bats through control of lighting.
45. Firstly with regards to the creation of species rich grassland in the sites boundaries, the report has identified that it is not possible to mitigate for the loss of grassland habitat within the site because the ground investigation has identified a lack of calcareous soils in the part of the area where calcareous grassland has been proposed. Therefore the scheme now proposes compensation for the loss of this grassland in the form of management of adjacent off-site habitats to increase their biodiversity value. This would include seeking the agreement of the landowner of the adjacent SLINC land to deliver the biodiversity compensation within the Ecological Appraisal.
46. Despite this recommendation the applicant has not yet reached an agreement from the adjoining landowner to achieve this, and therefore it cannot be considered as an appropriate mitigation measure as part of condition 17 at this stage. Furthermore the Ecological Appraisal presents an estimation of the biodiversity loss as a result of the development utilising Defra's biodiversity offsetting approach. However officers consider that the value of the development has been overestimated. As the applicant is pursuing this approach, it is essential that we have agreement on the level of units that must be offset. The condition could not be discharged on the basis of the information that has been submitted at this stage and further discussions are required to determine the true biodiversity value of the site.

47. The 'Reserved Matters and Schemes pursuant to condition 17' by SLR also sets out the proposed mitigation measures for the potential impacts upon badgers, breeding birds, and reptiles. These include further monitoring of a badger sett to the north of the site and if it is found to be active, a disturbance licence from Natural England sought in advance of works, and adequate protection provided during the construction phase of the development. All site clearance will be carried out outside the breeding season for birds and there will be a watching brief for any reptiles found on site. A 3m wooded buffer to the SSSI will be provided. The Oxford City Council Ecologist has recommended that in order to ensure the objectives set out within this document are achieved, then conditions should be imposed to the reserved matters application seeking permission for the lighting scheme for the development, the details of the bat and bird boxes for the development and an updated badger survey and mitigation plan to be submitted before development commences.

Archaeology

48. An archaeological field evaluation report by Thames Valley Archaeological Services (2013) was submitted with the outline application. The evaluation confirmed the presence of an Iron Age 'banjo' enclosure, previously suggested by geophysical survey. A ditch of medieval date, a possible Roman cremation burial, a single struck flint and small quantities of Roman, Saxon and medieval pottery were also recovered elsewhere on the site. The banjo enclosure is the only one of its kind recorded in the local authority area and is the easternmost recorded example of a likely subgroup of such enclosures on the Thames gravels which have been interpreted as outlying examples of more tightly defined cluster of banjo enclosures recorded in the Cotswolds. Other such clusters are recorded on the Berkshire Downs and in Hampshire and Wiltshire. The enclosure is likely to be related to stock management, its location perhaps influenced by the presence of Calcareous grassland. The enclosure is an asset of local and regional interest.

49. A condition was imposed on the outline application requiring a scheme of archaeological mitigation involving the preservation in situ of the Iron Age Banjo enclosure and mitigation of the full engineering impact of the development. The central open space has been positioned above the enclosure, and the amended scheme has removed the proposed electric substation. The banjo enclosure is to be preserved in-situ and there would be opportunities for the landscaping treatment of the central open space to reflect the banjo enclosure that lies below ground. This could be secured by condition. A further condition should also be attached to require a detailed method statement for the extent and design of all groundwork within the Iron Age Banjo enclosure.

Flood Risk and Drainage

50. A Flood Risk Assessment has been submitted for the reserved matters application. The site is located within Flood Zone 1 which is considered an area where there is a low probability of flooding. A drainage strategy has also been prepared in accordance with Condition 15 of the outline permission. This would include a sustainable urban drainage scheme to discharge surface water run-off

to the ground through the use of infiltration techniques. The scheme will employ a combination of rear garden soakaways, porous paving, and swales to facilitate the discharge of surface water to the underlying soil strata.

51. The Oxfordshire County Council Drainage Authority had initially raised concerns that the drainage strategy showed two sections of the estate roads as tarmac with a soakage trench under a permeable sub-base which the gullies discharged too. This would have raised maintenance issues and therefore the scheme has been amended to include porous paving. As such the Drainage Authority are satisfied with the proposed drainage strategy for the development.

Sustainability

52. Oxford Core Strategy Policy CS9 has a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve zero carbon developments. The Sites and Housing Plan Policy HP11 then goes on to state that a development of this size will need to include at least 20% of its total energy needs from on-site renewables or low carbon technologies.

53. A Natural Resource Impact Analysis and Energy Statement have been submitted with the application in accordance with Condition 14 of the outline permission. The NRIA scores 7/11 which exceeds the minimum score of 6. The Energy statement sets out that the housing will be designed and constructed to reduce energy demand through the building fabric and orientated to maximise solar gain and natural ventilation. The housing will exceed current building regulations with respect to insulation, and will include efficient lighting and water management. The use of renewable technologies has been considered with Flue Gas Heat Recovery units which to recover heat exhausted by gas-fired boilers, and photovoltaic tiles considered the most appropriate technologies to apply to the development. In terms of construction all materials will be locally sourced and a Site Waste Management Plan developed to reduce carbon impacts. The Energy Statement has confirmed how these methods will deliver the 20% of the total energy needs.

54. Although photovoltaics are proposed for the scheme, the statement has indicated that they would not be used on all properties but there does appear to be scope to include this on more properties than shown on the plan, given the orientation of the plot. It is also important to ensure that the panels are appropriately integrated into the design of the buildings at an early stage, and this is especially important when applied to the apartment buildings. A condition should be imposed seeking further details of this aspect of the proposal.

Community Infrastructure Levy

55. The Community Infrastructure Levy (CIL) is a standard charge on new development. The purpose of the levy is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities.

56. Having regards to the overall scale of the development, the scheme would be liable for a CIL charge of £1,376,266

Other Matters

57. Contaminated Land: A Ground Investigation Report has been submitted with the application. The report concludes that no elevated levels of contaminants were encountered during the site investigation for the proposed end use and therefore the site does not require any remedial action to be taken. Further, only a small amount of made ground was found on site, and therefore was not deemed a risk for ground gas. Groundwater was only found in one borehole, and although samples were not taken, the lack of elevated soil contaminants and low occurrence of groundwater under the site poses minimal risk to groundwater.

58. Having regards to the conclusions of the report, officers are satisfied that site is suitable for use and therefore suggest that the terms of Condition 18 of the outline planning permission which requested further surveys to identify if there was any land contamination to be submitted have been met. Officers would recommend that a condition be attached requiring a watching brief for any unexpected contamination during the course of the redevelopment.

59. Noise: The outline planning permission includes condition 19 that requires details of the noise attenuation measures for the development to be submitted and approved before development commences. Having reviewed the original noise report (1570.11/1) alongside the detailed layout now proposed, officers have recommended that further conditions be imposed to ensure that all residential units are designed to comply with the internal ambient noise values in BS8233:14. This should include ensuring that the applicable rooms are capable of meeting these levels when the windows are open, but where windows need to be closed then the details of acoustic ventilation to ensure adequate fresh air supply. In addition to this, given the adjacent rail line, then a condition should also be imposed to assess the impact of ground born vibration on the properties and proposed mitigation.

60. Network Rail: Network Rail has objected to the application as it has not included information with respect to the effect of the development on the railway cutting. This information has been prepared by the applicant and has been forwarded to Network Rail for consideration. However, officers would advise members that this is a matter for the applicant to resolve in order to ensure that they can implement the permission and not a material reason for the committee to withhold permission.

Conclusion:

61. 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 recommend approval for the reserved matters application subject to conditions.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission for the reserved matters, 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 for the reserved matters, subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

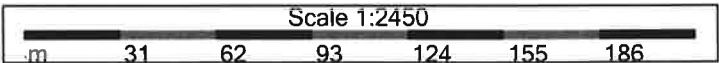
Date: 22nd February 2016

Appendix 1

Land North of Littlemore HC Trust (15/02269/RES)



1:2450



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	23 February 2016
SLA Number	100019348

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Appendix 2

13 October 2015

Nathan Craker
Vanderbilt Homes
Apollo House
Mercury Park
Wycombe Lane
Wooburn Green
Buckinghamshire
HP10 0HH

Our reference: DCC/0716

Oxford City Council: Land North of Littlemore Mental Health Centre

Your reference: 15/02269/RES

Dear Nathan Craker,

Thank you for submitting this scheme to us; we reviewed the proposal on 24 September 2015. This is our formal response to the reserved matters planning application.

Principles

The principle of a new residential development on the land north of Littlemore Mental Health Centre is sensible. It will help provide much needed housing in the city, and can add to the character of Littlemore and better define the southern boundary of Oxford. The basic design moves are sound but need to be further tested, developed, and reinforced by details. The efforts to provide pedestrian connections from the site to the adjacent Sainsbury's supermarket and in future into the centre of Littlemore via connections over the railway are highly commendable. Further thought to prioritise pedestrian routes is required. The building scale across the site is appropriate as it is in keeping with that of the surrounding area and the overall approach to building design is reasonable.

The potential of a new "village" on this undeveloped plot of land overlooking green fields is great. While the scheme has the individual ingredients of a 'place' – housing, streets and open space – a site layout that overcomes the feeling of isolation, is unique to the area and supports the daily lives of residents of all ages has not been achieved. A much more ambitious and creative design approach is required and fundamental areas of the design approach as follows need to be addressed:

1. Increase the amount of public open space and develop a landscape strategy
2. Simplify the road layout including the cul-de-sacs and parking courtyards
3. Improve pedestrian accessibility across the site

As a result of the design shortcomings stated above, we are unable to support this planning application at this stage.



Design concept

A meaningful and captivating narrative of this scheme is not evident in the current proposal. The concept of a new “village” for Littlemore could be further developed to ensure an attractive new neighbourhood in this suburban location. The special qualities of this site, specifically the subterranean remains of the iron age banjo, the view across the open fields to the west, and the Sites of Specific Scientific Interest to the north can help to underpin the design approach going forward.

Open space and landscape design

More public open space is needed to support the high capacity of future residents in this housing development. A larger central open space and streets with green verges will help to ensure the neighbourhood is more pleasant and feels homely. We recommend reducing the amount of private garden spaces across the scheme to help achieve this balance of green and built spaces. A landscape maintenance plan will give confidence to the residents and city council that this site will be adequately maintained over time.

In addition, a landscape strategy is required to ensure the open space is truly active and that users can feel safe and comfortable in these spaces throughout the day and night. This will be possible with more definition to the open spaces and public realm, particularly in terms of use such as defined play spaces for children. The edge treatment, which is crucial on a site bounded by a railway line and busy main road, appears unresolved and will benefit from further work. The concept of a central open space in the location of the historic banjo works well. While we welcome the principle of a wildlife pond, it does not appear to be meaningfully integrated into the proposal in terms of its location and proximity to Littlemore Mental Health Centre MUGA. The efforts to address water attenuation are sound, but we recommend more investigation to ensure the proposed swales are sufficient, particularly during peak rainfall seasons. More initiatives and detail on sustainable urban drainage will be greatly beneficial.

Site layout

The network of access routes should be further simplified to make better use of the land and wayfinding easier. For example, the number of cul-de-sacs that do not lead anywhere is confusing. In terms of the spine road, we recommend accentuating three key areas – the site entrance, central open space, and public realm around the possible future pedestrian bridge over the existing railway line – to create distinct parts of the site that come together in a clear narrative about the new village. We suggest specifically improving the sense of arrival in the approach to the building design and quality of spaces around the site entrance.

The building layout and design does not appear to respond to the site contours and should be driven more by sustainability in terms of the orientation. This results in a somewhat haphazard site layout. Stepped terraced housing that follow the site contours could contribute to the look and feel of an interesting scheme. We recommend the design team specifically address the areas where houses face the backs of other houses.



Car parking

The large amount of cars and car parking compromises pedestrian safety, the natural beauty of the site and quality of the open spaces, particularly the allocated car parking adjacent to the central open space. We accept the need for maximum car parking on this site. However, pedestrian access does not appear to be prioritised and the treatment and arrangement of parking courtyards, and on and off plot car parking should be more sensitively incorporated across the site. We suggest more soft landscaping and permeable hard surfaces to help reduce the impact of the tarmac and hard landscaping. Narrowing some roads could make the neighbourhood feel more homely and help define which roads should/should not accommodate on-street car parking. Green car port roofs, for example, would provide calmer views from bedrooms and hide the view of parked cars. House types that better integrate car parking so that cars are less prominent from the street are highly recommended.

Building design

The repeated house types currently give the impression of a generic, uninspiring development. We suggest, for example, designing apartment blocks that are more different to the house types. In terms of sustainable building design, further evidence of how the proposed houses and apartment blocks mitigate solar heat gain and maximise on natural light is needed. Providing flat green roofs on some of the apartment blocks or houses, for example, could help with water attenuation and drainage.

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
Design Council Cabe Advisor
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cc (by email only)

Graeme Towle	TSH Architects
Rob Froud-Williams	Kemp and Kemp LLP
Steven Sensecall	Kemp and Kemp LLP
Andrew Murdoch	Oxford City Council

Review process

Following a site visit and discussions with the design team and local authority, the scheme was reviewed on 24 September 2015 by Fred Manson (chair), Deborah Nagan and Peter Studdert. These comments supersede any views we may have expressed previously.

As this scheme is the subject of a planning application, we will publish our views on our website, www.designcouncil.org.uk.

East Area Planning Committee

-2nd March 2016

Application Number: 15/03117/FUL

Decision Due by: 22nd December 2015

Proposal: Demolition of 11 garages. Erection of 1 x 2bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking, bin and cycle storage.

Site Address: Garages To The Rear Of 1 3 5 7 And 9 Coppock Close
Oxford Oxfordshire
(Site location - Appendix 1)

Ward: Quarry And Risinghurst Ward

Agent: Mr Andrew Banks

Applicant: Mr & Mrs P Noble

This application is being sent to East Area Planning Committee because of strong local interest.

Recommendation:

APPLICATION BE REFUSED

For the Following Reasons:-

- 1 The proposal is unacceptable as it would create poor quality residential accommodation to the detriment of the amenities of the future occupiers. In particular the restricted site area and awkward shape together with the proximity of the oversailing quarry wall would result in habitable rooms and private amenity space with a poor outlook and limited levels of natural light, whilst also experiencing noise and disturbance from manoeuvring vehicles entering the site from the access road and would thus fail to provide good quality internal and external space for the future occupiers. Therefore the proposal would fail to create acceptable living conditions for the future occupiers of the dwellings, contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001-2016, and Policies HP12, HP13, and HP14 of the Sites and Housing Plan.

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

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

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

Core Strategy

CS20_ - Cultural and community development
CS12_ - Biodiversity
CS18_ - Urban design, town character, historic environment
CS23_ - Mix of housing

Sites and Housing Plan

MP1 - Model Policy
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

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the Headington Quarry Conservation Area.

Planning Practice Guidance

Relevant Site History:

62/12076/A_H - 15 garages for private cars. PER 8th May 1962.

11/00636/OUT - Outline application with all matters reserved for the demolition of existing block of 11 garages, erection of two storey building to provide 2 x 1-bedroom flats and 2 x 2-bedroom flats, provision of car and cycle parking, bin store and amenity space: REF

11/03287/OUT - Outline application with all matters reserved for the demolition of existing block of 11 garages. Erection of 3x single storey one bedroom bungalows.. REF 9th March 2012.

12/01903/CAT - Fell sycamore tree in the Headington Quarry Conservation area.. RNO 30th August 2012.

12/03053/OUT - Demolition of eleven garages. Erection of 2 x single storey, one

bedroom detached dwellings with provision of private amenity space, 2 parking spaces and cycle and bin storage.. REF 26th February 2013.

Representations Received:

Objections have been received from the following addresses:

3 and 7 Coppock Close
2A Quarry High Street
1 Quarry Hollow
7A Trinity Road

These can be summarised as follows:

- Unsuitability of site for residential development – too small
- Increase in parking pressures
- Impact on adjacent occupiers
- Building too large and creates a sense of enclosure
- Detrimental to Highway Safety and difficulty of access.
- Instability of quarry wall – unsafe
- Increased pressure on drainage and other services
- Accommodation and garden of proposed dwelling would be dark and gloomy

It should be noted that although there were no letters of support, several of the letters of comment state that the current proposals are an improvement on previous schemes on this site.

Statutory and Internal Consultees:

Oxford City Council Environmental Development – No objection but suggests SUDS Condition

Oxford City Council Environmental Health – No objection but recommends phased risk assessment.

Local Highway Authority – Holding objection pending further details (now provided)

Natural England: No comments

Officers Assessment:

Site Location and Description:

1. The application site is located to the rear of houses on the south-western side of Coppock Close, and is bordered to the north and east by the rear gardens of these properties, with the allotments and quarry wall to the south and south west. There is a further garage block to the south – this block would remain. The site lies within the Headington Quarry Conservation Area and close to the Magdalen Quarry Site of Special Scientific Interest.
2. The site comprises an area of land that accommodates a block of 11 single

storey garages, which along with the adjacent garage block (itself outside of the appeal site) are accessed by a short single track road leading from Coppock Close.

Proposal:

3. The current proposal is for the demolition of the existing block of 11 garages, and erection of one single storey two bedroom bungalow.
4. The submitted site plan provides details of the point of access, approximate layout of the development, scale and layout of the dwellings, and also parking spaces. The current plans are an amended form of those originally proposed which seek to address concerns about highway safety, provide a swept path analysis and also reduce the number of bedrooms from 3 to 2. These amended plans have not been the subject of further consultation, because although they are considered an improvement on the original submission, they do not overcome all of the issues of concern to officers.

Background

5. A number of previous applications for new dwellings have been refused on this site and where appealed, these refusals have been upheld at appeal. Refusals have tended to be on the grounds of visual impact on the Conservation Area, loss of residential amenity for surrounding occupiers and low quality space (both inside and outside) to the proposed dwellings.
6. The most recent application, 12/03053/OUT, was for two detached dwellings with pitched roofs and was refused for the following reasons:
 7. *The size, scale, siting and design of the proposed development would represent an inappropriate form of backland development that would introduce an incongruent element to the rear of the Coppock Close properties that would be out-of-keeping with the area and fail to preserve the significance of the Headington Quarry Conservation Area. This would be contrary to Policy CS18 of the Oxford Core Strategy 2026, and Policies CP1, CP6, CP8, CP9, CP10 and HE7 of the adopted Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Development Plan*
 8. *The overall size, scale, and siting of the proposed development would create a sense of enclosure that would have an unduly oppressive and overbearing impact upon the rear gardens of 5, 7, 9 and 11 Coppock Close. As a result the proposal would fail to safeguard the residential amenities of these adjoining properties and be contrary to Policy CP10 of the Oxford Local Plan 2001-2016, and Policy HP14 of the Sites and Housing Development Plan*
 9. *That the proposed dwellings would fail to provide good quality accommodation for the future occupiers of the dwellings. This would be because their siting in close proximity to the quarry wall and orientation would mean that the dwellings would have a poor outlook and receive limited levels of natural light into the habitable rooms, whilst also experiencing noise*

and disturbance from manoeuvring vehicles entering the site from the access road. Furthermore the proposed gardens for the dwellings would have limited amenity value as they would be small enclosed spaces given their proximity to the quarry wall, the dwellings themselves and their means of enclosure, whilst their orientation would also restrict the amount of natural light received in this spaces which has a further impact upon their overall quality. Therefore the proposal would fail to create adequate living conditions for the future occupiers of the dwellings, contrary to Policies CP1 and CP10 of the adopted Oxford Local Plan 2001-2016, and Policies HP12, HP13, and HP14 of the Sites and Housing Plan.

10. This refusal was upheld at appeal, with the inspector noting that “Whilst the development would result in harm, this would be less than substantial harm to the Headington Quarry Conservation Area”. The Inspector also found that there would be no unacceptable impact on the living conditions of surrounding properties, but that the dwellings would have unacceptably poor living conditions as regards outlook and garden/amenity space. This appeal decision is a material consideration for the determination of any future application.
11. The current scheme, for one 3-bedroom now amended to 2-bedroom home seeks to address the previous reasons for refusal.
12. Written Pre-Application advice was provided last year by Oxford City Council under application 15/00484/PAC. As pointed out in the current design and access statement, this stated that “the proposal to provide an additional three bedroom house is therefore, in principle, welcome”, however it also went on to say that there were “significant concerns about aspects of the scheme as currently proposed” and made it clear that the bulk of those concerns related “to the living standards that would be experienced by occupants of the new dwelling and the effect on adjacent occupiers”, as well as stating: “The limiting factors are likely to relate to the built form of the scheme, and whether the available land is capable of providing an additional dwelling in a way that will provide an adequate level of amenity for the occupants of the house without having an unacceptable effect on the surrounding area and the occupants of the proposed and existing dwellings.”

Principle of Development:

13. 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. This is supported by Policy CS2 of the Oxford Core Strategy 2026. As defined by the NPPF the application site would be considered previously developed land. Therefore officers consider that the principle of redeveloping the site for residential use would accord with the above-mentioned policies. The new dwelling would contribute to meeting the chronic need for housing in Oxford and would be welcome on this basis.
14. The garages are not an attractive feature of the conservation area, and as such there would be no objection to their removal.

Balance of Dwellings

15. Policy CS23 of the Oxford Core Strategy 2026 seeks to ensure that residential development delivers a balanced mix of housing to meet projected future household need, both within each site and across Oxford as a whole. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The application site is situated within the Quarry and Risinghurst Neighbourhood Area, which is an area where there is a need to achieve a reasonable proportion of new family dwellings as part of the mix for new developments.
16. The BoDSPD has no prescribed mix for residential schemes involving 1-3 units, provided they do not result in the net loss of a family unit. The scheme would not result in the loss of a family unit and therefore there would be no objection to the principle of providing a 2-bedroom unit under Policy CS23 of the Local Plan and the BoSPD.

Visual impact in a Conservation Area

17. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design through responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. Policy CP1 of the Local Plan requires new development to enhance the quality of the environment, with Policy CP8 emphasising the need for development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area. In addition, Policy HP9 of the Sites and Housing Plan states that residential development should respond to the character of the area, including its built and natural features, and that the form, layout, and density of the scheme make efficient use of the land while respecting the site context and heritage assets; exploits opportunities to sustain and enhance the significance of heritage assets, and makes a positive contribution to local character and distinctiveness; landscaping and boundary treatments make a positive contribution which integrates with the development and maintains natural surveillance of the public realm.
18. Policy HE7 of the OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation area or its setting. Policy CS18 of the Core Strategy requires that developments demonstrate high quality urban design that respects the unique townscape and character in different areas of Oxford.
19. The site is within the Headington Quarry Conservation Area. The NPPF requires proposals to be based upon an informed analysis of the significance of any heritage asset affected and expects applicants to understand the impact of any proposal upon the asset with the objective being to preserve

that significance. The design and access statement provides little assessment of the site and effectively none of the site's contextual relationship within the conservation area in order to understand the significance of this area as a heritage asset.

20. In considering a previous appeal for the site, the Inspector concluded that the Headington Quarry Conservation Area is mainly a residential area that has developed in and around the redundant quarry workings. This has resulted in buildings being built at different levels and in some places there are sharp changes in level denoting the sides of the disused quarries. Older and more recent developments are intermingled and there is no distinctive architectural style. In the vicinity of the site, houses are accessed by narrow winding roads and there are alleyways and footpaths leading around the area. The Inspector goes on to state that the principle feature of the site is a high vertical wall at the rear of the garages that indicate the edge of the old quarry but that there are clear public views of this wall above the garage roofs. The draft Headington Quarry Conservation Area Appraisal also recognises that this is a unique suburb, developed upon former quarries, with an organic layout.
21. The site is a backland location to the rear of the existing two-storey dwellings that form Coppock Close. It already has the sense of a relatively constrained and cramped site, particularly in the area designated for the cottages due to the awkward shape of the site, and its proximity to the quarry wall. These constraints are significant, particularly for a scheme which seeks to insert further development into this area.
22. A similar backland site on the opposite side of Coppock Close (94/01743/NFH) has previously been granted permission for a house with a pitched roof. That house is however sited in a manner that better respects the linear development pattern of Coppock Close and on a less visible site.
23. Previous schemes on the current site have been refused because their size, scale, siting and design would represent an inappropriate form of backland development that would introduce an incongruent element to the rear of the Coppock Close properties that would be out-of-keeping with these properties and fail to preserve the significance of the Headington Quarry Conservation Area.
24. In comparison to previous applications, the current proposal now proposes 1 flat roofed bungalow which would be set back towards the quarry wall with a height of 2.9m substantially less than previous schemes. The quarry wall would remain clearly visible and the visual impact would be little more than the existing garages. Where visible from the public areas of Coppock Close, the result may represent an improvement on the current situation, would preserve if not enhance the special character and appearance of the Conservation Area the proposal accords with the aims of Policies CP1, CP8 and HE7 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

Impact upon adjoining properties

25. The Council seeks to safeguard the amenities of properties surrounding proposed development as new development can block light, have an overbearing effect and overlook adjoining properties. Policy HP14 of the Sites and Housing Plan states that development should protect the privacy or amenity of existing residential properties, specifically in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported through Policy CP10 of the Oxford Local Plan 2001-2016.
26. The residential properties of 1-11 Coppock Close are in close proximity to the application site, with their rear elevations and gardens facing the quarry wall. There is already a sense of enclosure to the rear as a result of the change in land levels, although the rear elevations are still set some distance from the wall.
27. With a proposed height of 2.9m, the current proposals would not materially increase this sense of enclosure, would not be experienced as overbearing or overshadowing and will not result in an unacceptable increase in overlooking.
28. There would therefore be no material loss of residential amenity to adjacent occupiers and the proposal complies with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.
29. NB. During the consultation process, concerns have been raised that the footpath to the south of the site would enable overlooking of the proposed dwellings. This is an existing situation, with the footpath allowing some overlooking of the area to the rear of the Coppock Close properties and any overlooking of the proposed properties would be limited and not a material reason to refuse permission.

Residential Amenities

30. Policy HP12 of the Sites and Housing DPD states that new dwellings should provide good-quality living accommodation for their intended use. It states that dwellings should have their own lockable entrance, kitchen and bathroom, with space provided to allow reasonable furnishing, circulation, use of household facilities, adequate storage space. It goes on to state that any single dwelling should not be provided with inadequate ceiling height, lack of natural lighting or ventilation, or have a restricted outlook.
31. Central Government's Nationally Described Space Standard requires that a two bedroom single storey dwelling, capable of accommodating 4 persons should have a minimum floor space of 70 square metres with 2 square metres of built in storage.
32. The proposal is for a 2-bedroom dwelling, with a gross internal floorspace in excess of 100 square metres, comfortably in excess of the minimum

standard of 70 square metres sought by the space standards. The rooms would allow for reasonable furnishing, circulation, and household facilities. There would be a bare minimum of just over 2 square metres of built in storage area within the footprint, but this could be addressed by freestanding furniture.

33. However, as with the previously refused scheme (11/03287/OUT) the position of the accommodation within the site and its proximity to the quarry wall, would result in a poor outlook and the properties would receive inadequate levels of natural light into the properties which would have an impact upon the overall quality of the accommodation. The applicant considers that as the properties sit on a north west / south east axis that they will receive sufficient light and that the removal of the sycamore on the bank has allowed more light.
34. In considering the previous appeal (APP/G3110/A/11/2155293) the Inspector recognised that the ground floor flats within that scheme would have windows that face the access road and turning area for the flats and the remaining block of lock up garages. This resulted in a poor outlook and the occupiers of those flats would experience noise and disturbance from manoeuvring vehicles. In many respects, these effects would remain, and therefore the conclusions of the Inspector would apply in this case.
35. Policy HP13 of the Sites and Housing Plan recognises that permission will only be granted for new dwellings that have direct and convenient access to an area of private open space. It goes on to state that the following criteria will be material in assessing the quality of such space. The location and context of the development, in relation to the layout of the existing residential plots, and proximity to public open space; the orientation of the outdoor area in relation to the sun; the degree to which enclosure and overlooking impact upon the proposed new dwellings; and the overall shape, access to and usability of the whole space to be provided.
36. In the appeal for the previously refused scheme, the Inspector acknowledged that the proximity of the quarry wall and other buildings limited the amenity value of the external spaces of the flats. This concern would also apply to the proposed development. The overall size of the external spaces would normally be considered sufficient for dwellings of this size, but the quality of these spaces would be reduced significantly by the proximity of the quarry wall, their orientation and also means of enclosure. As such officers consider that the proposed areas of amenity space would be of a quality insufficient to meet the needs of a family dwelling contrary to Policy CP10 of the Local Plan and Policy HP13 of the Sites and Housing Plan.
37. There would be suitable space to enable refuse and cycle storage for the occupants and for these to be collected without any undue disturbance on local residents. These details could be secured by condition, were the application to be otherwise acceptable.

Highway Matters

38. Policy CP1 states that permission will only be granted for development that is acceptable in terms of access, parking, and highway safety.
39. The site is peripheral in relation to the city centre and district areas, and so car ownership is considered more likely and visitors are more likely to arrive by car. The proposal would provide 2 off-street parking spaces, which would be acceptable as a minimum under Policy HP16 of the Sites and Housing Plan.
40. The Local Highway Authority has recommended a holding objection pending further information including a swept path analysis which has now been provided by the applicant.
41. The proposal would result in the loss of the private garages from the site. These garages are in a poor condition and are not well-utilised. The applicant has confirmed that they are not well used. It should be noted that none of the previous applications have been refused on the grounds of loss of parking.
42. The vehicular access to the site would be via the existing access which is an unmade single track road. If the application were to be otherwise acceptable, a condition could be imposed too ensure the access road surfacing be improved as part of the development.
43. The proposed new dwelling will create traffic movements, including those for deliveries and servicing. Having regards to the existing use of the site for vehicular parking and therefore access into the site, the potential intensification of traffic movements has been reviewed. It is considered that the traffic generated from the new proposed dwellings is not likely to create undue risks to safety on the private access road and on the public highway for vehicular traffic and pedestrians. It is duly noted that refuse collection and other services will be from Coppock Close, without the need for access along the service road. The provision of suitable vehicle and pedestrian visibility splays to provide safe egress onto Coppock Close are outside the control of the applicant, but this is an existing access to a number of garages and as such the intensification of the access is likely to be low in comparison to the use that could currently exist.
44. The applicant has provided vehicle tracking to demonstrate the ease and safety of access and egress from proposed parking spaces for new residents and that the proposed site layout would enable vehicles to egress the site in forward gear. Fully compliant visibility splays onto the lane have not been provided, but the situation is similar to the existing garages and the access onto the highway is unchanged. Officers have also had regard to the width of the proposed spaces, both of which are in excess of 2.5 by 5 metres, although the front space is offset somewhat by the side wall of the dwelling. Whilst this appears awkward, it will also encourage users of the space to reverse into the space, and thus exit the space (and the lane) in a forward gear.

45. When considering the appeal for 4 flats and a much larger building, the Inspector concluded that the proposal would not unacceptably prejudice conditions on the highway. Therefore in light of this and the assessment above, officers consider that the proposal would not be likely to create additional risks to safety on the private access road and Coppock Close and that such matters of access, and parking layout would be dealt with through any reserved matters application.

Trees / Biodiversity

46. The proposed dwellings would be sited in close proximity to the quarry wall that separates the allotments and the rear gardens of Coppock Close. This high wall around Coppock Close includes the quarry wall and it appears that this could come across at least half of the rear of the garages. The wall is covered by dense ivy in places. This quarry wall is identified within the Oxford Core Strategy as having geological features of interests, showing different strata to the nearby geological SSSI. Ideally it would be beneficial for the cliff to be exposed with the vegetation removed, and for access to the wall maintained.
47. It is likely that the ivy on the quarry wall is used by bats for temporary use roosts, and for nesting birds. It is not clear if the development will affect the ivy, and it would probably only be during the construction period. In the event that permission was granted these issues could be dealt with by appropriate conditions requiring an ecological and geological watching brief.
48. The quarry wall would also not be worked on as part of any development, although care would need to be taken as part of any construction and this would be dealt with through conditions where a full measured survey would be necessary (see below).
49. NB. The sycamore tree referred to in previous refusal/s has now been removed under application 12/01903/CAT.

Other matters

50. Officers concerns have also been raised with regards to the stability and maintenance of the Quarry Wall, particularly since an area of the wall elsewhere in Coppock Close has recently collapsed. If the application were to be approved, any grant of permission should be subject to a condition requiring that the quarry wall be subject to a full and detailed structural survey and for any necessary stabilisation works being carried out.
51. During the consultation process concerns have been raised by local residents, that the proposal will create access problems both pedestrian and vehicular to their rear gardens and also to the garages which they have a legal right of way to by covenants. The applicant has submitted a red line drawing to state that they own the whole area to the rear of these properties. The issue of whether rights of way are impinged would not constitute a

planning matter for the determination of this application as they are civil matters.

52. Similarly issues of impact upon the Sewer System would need to be dealt with by conditions of any approval.

53. The Oxford City Council Environmental Health department have recommended that any planning permission be subject to a condition requiring a phased risk assessment to consider any potential contaminants in the land which would impact upon public health. This could be conditioned.

Conclusion:

54. In view of the above it is recommended that the application is refused.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 15/03117/FUL

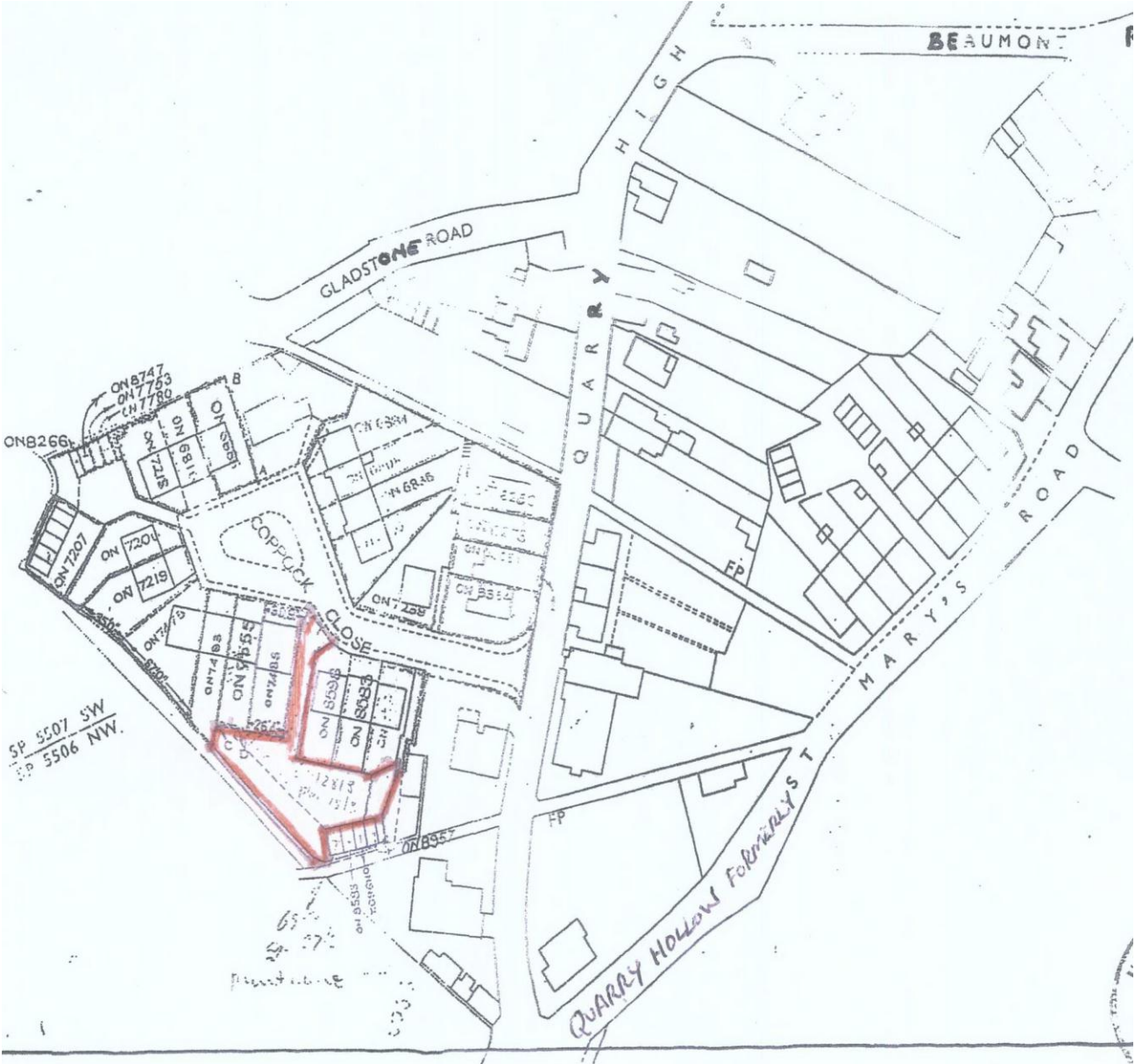
Contact Officer: Tim Hunter

Extension: 2154

Date: 22nd February 2016

Appendix 1 – Site Location

Garages To The Rear Of 1 3 5 7 And 9 Coppock Close



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East Area Planning Committee

2nd March 2016

Application Number: 15/03681/FUL

Decision Due by: 16th February 2016

Proposal: Erection of a part single, part two storey side extension to create 1 x 1 -bed dwellinghouse (Use Class C3). Provision of private amenity space, carparking, bin and cycle store.

Site Address: 70 Kestrel Crescent Oxford Oxfordshire OX4 6DZ

Ward: Northfield Brook Ward

Agent: Mr Stephen Ingram

Applicant: Mr Dan Su

Application Called in – by Councillors Taylour, Munkonge, Fry and Henwood due to Concerns about privacy and light issues for neighbours

Recommendation:

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

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials to match existing
- 4 Cycle Store
- 5 Refuse and Recycling Store
- 6 Parking
- 7 PD Rights

8 Boundary Treatments

9 SUDs

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

CP13 - Accessibility

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

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes

HP9_ - Design, Character and Context

HP12_ - Indoor Space

HP13_ - Outdoor Space

HP14_ - Privacy and Daylight

HP15_ - Residential cycle parking

HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

None

Representations Received:

None

Statutory and Internal Consultees:

Blackbird Leys Parish Council: No comments received

Oxfordshire County Council Highways: No objections, subject to conditions requiring the parking to be provided in accordance with plans.

Issues:

- Principle
- Design
- Impact on neighbours
- Access/Parking
- Flooding and Surface Water Drainage

Officers Assessment:**Site Description**

1. 70 Kestrel Crescent is a semi-detached three bedroom house in the Blackbird Leys area, the property is set back from the highway approximately 7.5m; with an area of front garden. There is adjoining garage (with an adjacent garage serving No. 68 Kestrel Crescent). In front of the garage is an existing car parking space. The garage at No. 70 Kestrel Crescent has been converted to a store, behind this store there is an existing utility area. There is a small conservatory has been erected at the rear of No. 70 Kestrel Crescent. No. 70 Kestrel Crescent benefits from a long rear garden of approximately 18m.
2. With the exception of the storage and utility areas, the existing dwelling at No. 70 Kestrel Crescent would remain largely unchanged by the proposals.
3. It is important to note that there is an irregular boundary between No. 70 and No. 68 Kestrel Crescent; specifically the curtilage of No. 70 extends behind part of the garage of No. 68 Kestrel Crescent. This is accurately reflected on the submitted plans.

Proposed Development

4. It is proposed to demolish the existing garage at the side of No. 70 Kestrel Crescent and erect a two storey one bedroom dwellinghouse. The dwellinghouse would have a slightly lower height to the ridge than the existing dwelling at No. 70 Kestrel Crescent and the first floor elevation would set in from the front elevation of the original dwellinghouse.
5. The materials proposed for the new dwellinghouse would match the existing.
6. The proposed dwelling would benefit from its own private outdoor rear garden with a length of approximately 10m. A small patio area would also be provided at the rear of the proposed dwellinghouse.
7. At the front of the new dwelling the existing single parking space would be retained to provide parking for that dwelling. A new replacement car parking space would be provided in the front garden of the existing

dwellinghouse for the occupiers of that property.

8. The proposals also include provision of refuse, recycling and cycle storage. A footpath to the front doors of both properties is proposed to provide access from the highway.

Principle of Development

9. The proposed development would take place on land that is currently an existing garage and store; on this basis the development would take place on previously developed land. Policy CS2 of the Core Strategy (2011) together with the National Planning Policy Framework (NPPF) requires that the majority of new development should take place on previously developed land. On this basis the proposals would be acceptable in principle and supported by the Council's adopted planning policies.
10. In reaching the above view, Officers have been particularly mindful of the relationship between plots, the availability of garden land and the established layout of the surrounding residential development. These are requirements of Policy HP9 of the Sites and Housing Plan.
11. The proposed development would increase the efficiency of land use on the site and in the wider context of the Council's adopted policies it is considered that the development could be supported by Policy CP6 of the Oxford Local Plan 2001-2016.

Balance of Dwellings

12. The proposed development relates to an existing family dwellinghouse; it is noted that the proposals would retain a family dwellinghouse on the site (the three bedroom unit) in addition to the one bedroom dwelling that is proposed. On this basis the proposals would meet the requirements of Policy CS23 of the Core Strategy (2011) and the Balance of Dwellings Supplementary Planning Document (SPD).

Design

Appearance, Impact on Streetscene and Materials

13. The proposed development would be focused on the side elevation of the existing property; the proposed development would be in line with the host property and neighbouring dwellings and would therefore have a suitable relationship within the streetscene. The use of matching materials and similar fenestration mean that Officers consider that the proposed development harmonised with the surrounding built environment.

Permitted Development Rights

14. The proposed development would create an infill type property that could,

if extended have a greater material impact on surrounding properties. As a result, Officers have included a condition in the recommendation that removes permitted development rights for further additions to the dwellinghouses (as set out in Part 1, Classes A, B, C and D of Schedule 2 of the GPDO). Permitted development rights for outbuildings (Part 1, Class E of Schedule 2 of the GPDO) have not been removed because there is ample garden land and the impact of such developments would not likely give rise to an adverse impact in design terms.

Quantity and Quality of Indoor Space

15. Officers have had regard to the quantity and quality of indoor space that is proposed for the new dwelling. The proposed dwelling would have an internal floor area that meets requirements of Policy HP12 of the Sites and Housing Plan. Officers have also considered the provision of daylight and ventilation for the dwelling and consider this to be adequate.

Internal Layout – Policy HP2 of the Sites and Housing Plan

16. The layout of the proposed dwelling would be acceptable in the context of Policy HP2 of the Sites and Housing Plan. The proposals include a simple layout with level floor levels throughout the ground floor, a ground floor WC and the parking areas that relate closely and conveniently to the entrance of the dwelling.

Outdoor Amenity Space

17. The proposed garden area, with the rear garden being split for use by each of the dwellings is considered to be acceptable. The length of the rear gardens means that there would be ample private garden space. A condition has been included in the recommendation that would ensure the subdivision of the gardens and an appropriate boundary treatment is installed prior to first occupation.

Refuse and Recycling Stores

18. There are proposals to provide refuse and recycling stores at the front of the proposed dwelling. The proposals do not include a screened store, as a result, Officers have included a recommendation that details for a store be require by condition and the approved store is provided prior to first occupation.

Plans

19. The originally submitted site plan (Drawing No. 3381Kest REV A) was revised because the scale was stated as 1:100 whereas in fact the plan was drawn at 1:200.
20. The plans were also modified to include changes to the parking layout; this followed concerns from the County Council Highways; more detail is provided in relation to this matter later in this report.

Impact on Neighbours

Impact on Outlook

21. The proposed development would not have an adverse impact in terms of being overbearing or obtrusive when viewed from neighbouring plots. The design of the dwellinghouse, being proposed to emulate surrounding properties would ensure that it was not alien to the character and appearance of the area.

Impact on Privacy

22. The proposed development does not include any proposals for side windows that would lead to overlooking. The length of the rear gardens mean that the proposed windows at the rear of the dwellinghouse would not lead to overlooking to properties at the rear. It should be noted that there are no properties to the immediate rear of No. 70 Kestrel Crescent; behind the property is the Cowley branchline which runs at grade in this location.

Impact on Light

23. Officers have carefully considered the impact of the proposed development on the light conditions for neighbouring residential occupiers. The proposed new dwelling would not project beyond the rear elevation of the existing property at the ground floor but would involve the introduction of some first floor elements to the side of the existing dwellinghouse.
24. The proposed development would not have a detrimental impact on light conditions for the existing dwelling. The proposals would involve the loss of a landing window at the first floor side elevation but this is considered to be acceptable. Officers have also considered the proposals would not contravene the 25/45 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013) in relation to the rear windows of No. 70 Kestrel Crescent.
25. The proposals would have an impact on light conditions for No. 68 Kestrel Crescent. The existing garage at that property (which adjoins the existing garage at No. 70 Kestrel Crescent) will afford some separation between the house and the proposed dwelling. However, there are side windows at No. 68 Kestrel Crescent and the proposed development would have the potential to decrease light into these windows. There are two windows on this elevation, these serve a landing and bathroom, which are not main habitable rooms where the loss of light would have been unacceptable. On this basis, Officers recommend that the impact on neighbouring amenity of the proposed development would be acceptable.
26. No objections have been received from neighbouring occupiers.

Access and Parking

Access

27. The proposed dwelling would make use of the existing access for the car

parking serving the existing dwelling on the site. A proposed parking area is shown on the plans that would provide one car parking space for the existing dwelling.

Car Parking

28. The originally proposed plans showed two car parking spaces to serve the three bedroom dwelling and one car parking space to serve the proposed dwelling. Highway officers expressed concerns about the vision splays which led to Officers requesting amended plans. The amended plans provide only one car parking space for the three bedroom dwelling and one space for the proposed dwelling but they provide improve vision splays. Officers consider that the proposed parking area would be acceptable in highway safety terms.
29. Officers have considered the acceptability of the amount of proposed car parking on the site. Normally, for developments outside of the Transport Central Area we may typically expect three bedroom dwellings to provide two car parking spaces. However, the existing three bedroom property currently only has one car parking space and it is considered acceptable that this would be provided on a like for like basis. In reaching this view, Officers have taken into account the close proximity of the site to local services in Blackbird Leys Road/Cuddesdon Way and the close proximity of bus stops on Blackbird Leys Road that provide frequent services to Cowley Centre, the City Centre and Railway Stations. The proposals for a single space for the one bedroom dwelling would also be acceptable. On this basis, Officers recommend that the development would be acceptable in the context of Policy HP16 of the Sites and Housing Plan (2013).

Proposed Cycle Store

30. A proposed cycle store is included in the plans at the front elevation; this is because the rear gardens of the properties are not accessible. Officers have included a condition that would ensure that the cycle storage is provided in order that the development meets the requirements of Policy HP15 of the Sites and Housing Plan (2013).

Flooding and Surface Water Drainage

31. The application site does not lie in an area of high flood risk.
32. Officers have considered the impact of the proposed development on surface water drainage. The proposed development includes proposals to use permeable paving in hard surfaced areas; Officers consider that this would be acceptable and would minimise the impact of the development on surface water drainage conditions. However, there are no specific proposals relating to drainage on the site and it is recommended that this be secured by condition.

Contaminated Land

33. Officers have considered the ground conditions of the application site and recommend including an informative relating to ground contamination.

Biodiversity

34. Officers have considered whether or not the existing site could be a habitat for protected species and recommend that this is unlikely. No specific measures have been included that relate to biodiversity enhancements; though the large majority of the existing garden has been retained.

Conclusion

35. On the above basis, Officers recommend that the East Area Planning Committee resolve to grant planning permission for the development 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:

15/03681/FUL

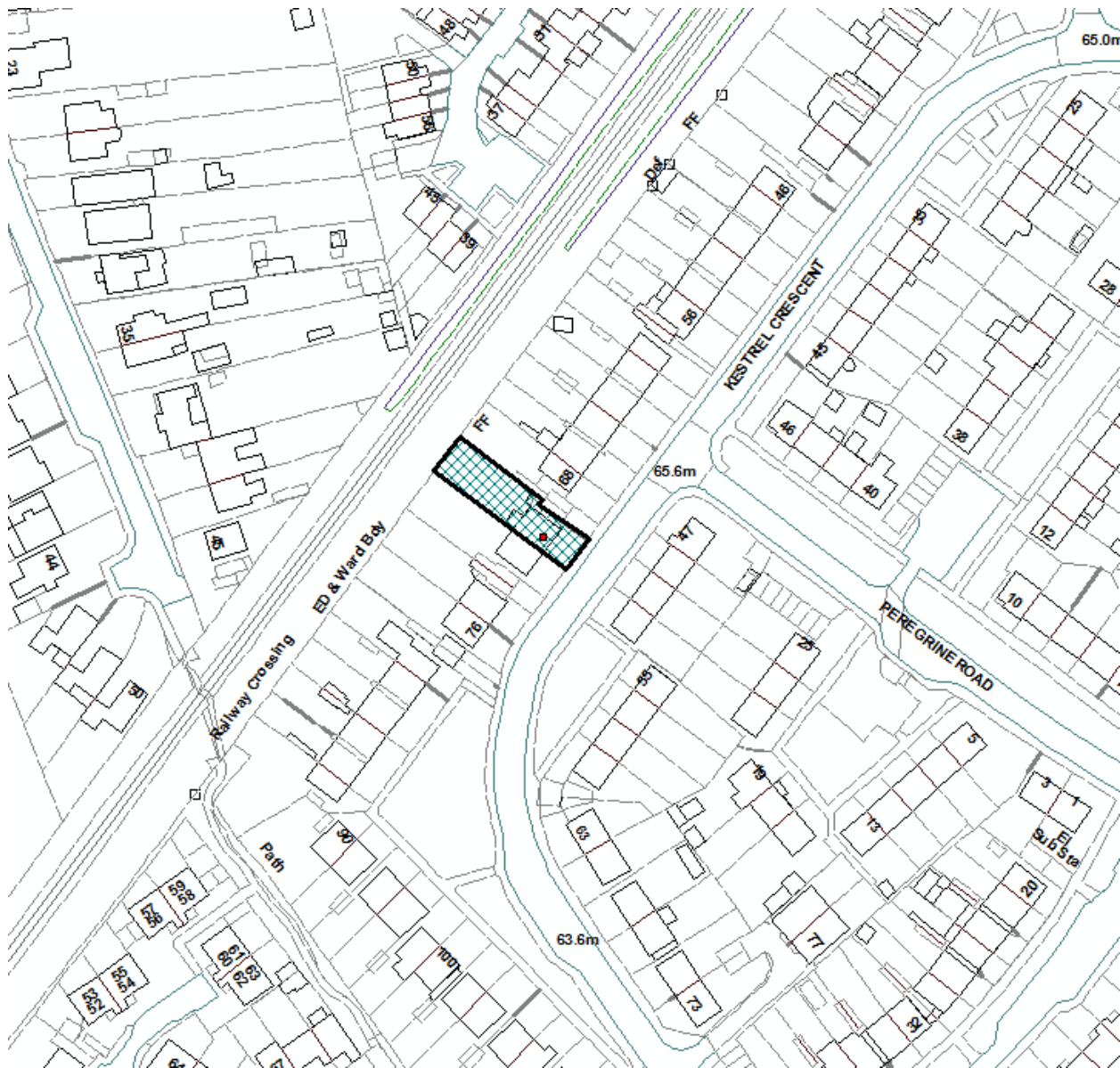
Contact Officer: Robert Fowler

Extension: 2104

Date: 17th February 2016

Appendix 1

15/03681/FUL – 70 Kestrel Crescent



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Ordnance Survey 100019348



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East Area Planning Committee:

2nd March 2016

Application Number: 16/00134/CT3

Decision Due by: 14th March 2016

Proposal: Provision of 15No. additional parking spaces for residents. Alterations to landscaping.

Site Address: Land Fronting 2 To 48 Stockleys Road, Site Plan **Appendix 1**

Ward: Headington Hill And Northway Ward

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. New trees will be incorporated into the scheme. 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 Development in accordance with approved plans
- 3 Parking in accordance with plans
- 4 Development in accordance to Tree Protection Plan (TPP) 1
- 5 Sustainable Urban Drainage Systems
- 6 Landscaping

Informative:

1 Alterations to Highway (Dropped Kerb)

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

Core Strategy

CS18 - Urban design, town character, historic environment

Sites and Housing Plan

HP16 - Residential car parking

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Relevant Site History:

None

Representations Received:

One representation received from a member of the public in support of the application.

Mr Mark Bhagwandin (31 Holland Place)

- Supports the proposal as it is sensible and badly needed
- Whilst 15 spaces is far from what is needed in the area, it should help ease parking woes of residents who struggle to find spaces

To note, the report for this planning application was written in advance of the consultation period deadline. Any further comments submitted within the consultation period will be reported verbally at committee.

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. A condition for dropped kerbs should be added too.

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. With this condition the application is acceptable in aboricultural terms.

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. 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.
4. 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.
5. 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.
6. 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 (Blackbird Leys Road, Normandy Crescent, Chillingworth Crescent, Redmoor Close and four schemes at various points along Pegasus Road).

7. The new spaces would be unallocated and marked.

Officers Assessment:

Site Location and Description:

8. Stockleys Road is a cul-de-sac located off Maltfield Road in the Northway area of Oxford. The street is characterised by housing set back from the road with the north-west of the street having two blocks of three storey maisonettes and the south-east of the street containing two storey, semi-detached and terraced housing. To the front of the two blocks of maisonettes are large areas of soft landscaping with trees.

Proposal

9. It is proposed to provide 15 no. off road parking spaces for residents' vehicles, all of which are located on the north-west side of Stockleys Road, together with landscape enhancement to ensure that headlight glare does not impact on the amenity of occupiers. One disabled space is proposed to be provided and reserved to compensate for the disabled space that will be lost due to the new spaces. Moreover, one tree is proposed to be removed.

Visual impact and trees

10. This site has a number of trees that are important to the visual amenity of the area on the north-west side of Stockleys Road. It is proposed to remove one tree in order to facilitate the construction of two parking spaces at the front of 36-48 Stockleys Road. A condition has been attached to ensure that this tree is re-planted with a landscape plan submitted to the local planning authority prior to commencement of works on site denoting the positioning of the tree. The Tree Officer has raised no objection to the application.
11. The proposal maintains the vast majority of the grassed areas to the front of the blocks and proposes shrub planting to soften the impact and prevent glare from headlights.
12. The eleven bays located to the front of 26-48 Stockleys Road are broken up into chunks of five, four and two. The four spaces to the front of 2-24 Stockleys Road
13. With the groups of bays broken into chunks and two sections this prevents the area feeling too car dominated and a useable and ample proportion of the green space is retained in the proposal for residents.
14. It is considered that the new parking and the loss of one tree would not harm the visual amenity of the area. The proposal would reduce parking pressures in the area by formalising it within a landscaped setting thereby enhancing the existing street scene.

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 state that they are acceptable and will not cause highway safety concerns. A request for a condition regarding dropped kerbs has been added as an informative due to the imposition of this as a condition not meeting the six tests for conditions set out in the National Planning Practice Guidance, due to assessment being carried under the Highways Act 1980 and not relevant planning legislation.

Residential amenity

17. Cars parked within the proposed spaces would face towards. 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: 16/00134/CT3

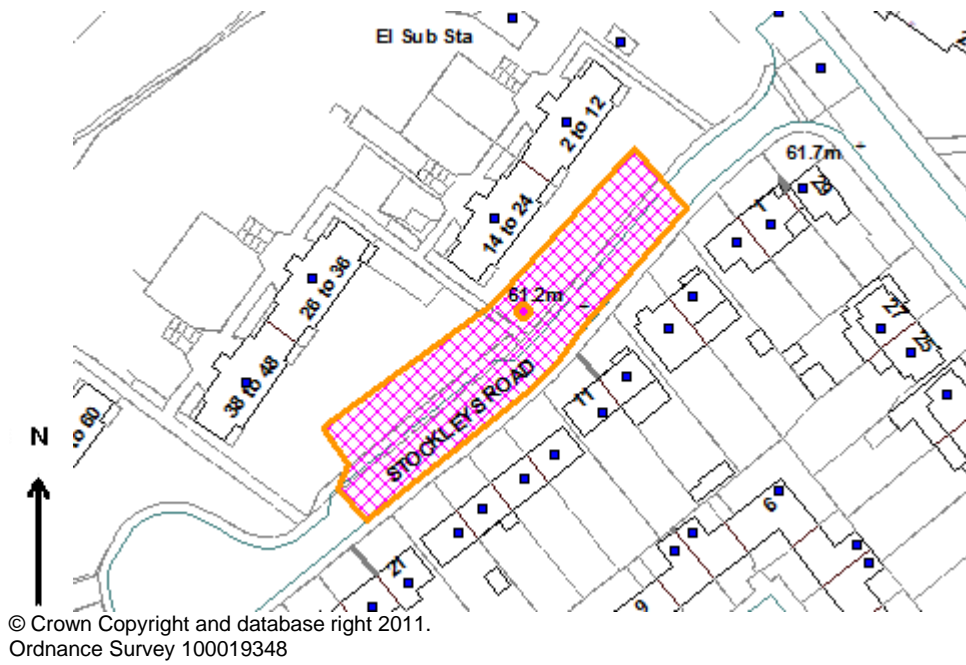
Contact Officer: Matthew Watson

Extension: 2160

Date: 18th February 2016

Appendix 1

16/00134/CT3 - Land Fronting 2 To 48 Stockleys Road



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Monthly Planning Appeals Performance Update – January 2016

Contact: Head of Service City Development: Patsy Dell

Tel 01865 252356

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 January 2016, while Table B does the same for the current business plan year, ie. 1 April 2015 to 31 January 2016.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	35.14%	4	9
Dismissed	24	64.86%	5	19
Total BV204 appeals	37	100%	9	28

**Table A. BV204 Rolling annual performance
(1 February 2015 to 31 January 2016)**

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	35.71%	2 (100%)	1 (20.0%)	7 (33.3%)
Dismissed	18	64.29%	0 (0%)	4 (80.0%)	14 (66.7%)
Total BV204 appeals	28	100%	2	5	21

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 January 2016)**

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	42.86%
Dismissed	32	57.14%
All appeals decided	56	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 February 2015 to 31 January 2016**

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 **January 2016**.
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 **January 2016**. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D**Appeals Decided Between 01/01/2016 And 31/01/2016**

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, DIS - Dismissed

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
15/01008/FUL	15/00050/REFUSE	DEL	REF	DIS	08/01/2016	COWLYM	15 Hollow Way Oxford Oxfordshire OX4 2NA	Erection of 1 x 1- bed single storey dwellinghouse (Use Class C3). Provision of private amenity space, car parking and refuse store.
15/02263/FUL	15/00048/REFUSE	DEL	REF	DIS	08/01/2016	BARTSD	7 Barton Road Oxford Oxfordshire OX3 9JB	Formation of roof extension to side roofslope at first floor and insertion of 1No. side rooflight.
15/01565/FUL	15/00046/REFUSE	DEL	REF	DIS	08/01/2016	STMARG	2 Garford Road Oxford Oxfordshire OX2 6UY	Demolition of existing shed/store. Erection of a garage.
15/02273/TPO	15/00049/REFUSE	DEL	REF	DIS	12/01/2016	HEAD	69 Sandfield Road Oxford Oxfordshire OX3 7RW	Fell 1No Lawsons Cypress Tree as identified in the Oxford City Council - Sandfield Road (No. 1) Tree Preservation Order 2007.
15/00179/FUL	15/00045/REFUSE	DEL	REF	DIS	18/01/2016	RHIFF	23 Nowell Road Oxford Oxfordshire OX4 4TA	Erection of single storey side extension to form 1 x 1-bed dwelling (Use Class C3). Provision of private amenity space and car parking.
15/01082/FUL	15/00053/REFUSE	DELCOM	REF	DIS	26/01/2016	CHURCH	238 Headington Road Oxford Oxfordshire OX3 7PR	Erection of 1 x 3-bed dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle store.
15/01745/FUL	15/00052/REFUSE	DEL	REF	DIS	26/01/2016	SUMMTN	364 Banbury Road Oxford Oxfordshire OX2 7PP	Demolition of existing building. Erection of new building to provide 2 x 4-bed dwellings (Use Class C3). (Amended plans)
14/03246/FUL	15/00051/REFUSE	DEL	REF	DIS	28/01/2016	STMARY	45 Magdalen Road Oxford Oxfordshire OX4 1RB	Alterations to existing front elevation, erection of single storey rear extension and front and rear dormer window to existing dwelling. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3) with associated parking and amenity space provision.

Total Decided: 8

Table E

Enforcement Appeals Decided Between 1/01/2016 And 31/01/2016

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 F**Appeals Received Between 01/01/2016 And 31/01/2016**

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

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
15/01896/FUL	16/00010/REFUSE	DEL	REF	W	12 Kelburne Road Oxford Oxfordshire OX4 3SJ	LITTM	Conversion of garage into 1 x 2-bed dwelling (Use Class C3).
15/02381/FUL	16/00009/REFUSE	DEL	REF	W	87 Oliver Road Oxford Oxfordshire OX4 2JH	LYEVAL	Erection of outbuilding. (Retrospective)
15/02474/FUL	16/00008/COND	COMM	PER	W	23 Frenchay Road Oxford Oxfordshire OX2 6TG	STMARG	Demolition of existing WC, store and garage. Erection of single storey rear extension and formation of 2no. rear dormers. Insertion of 1no. sash window to side elevation and 2no. rooflights to front roofslope. Erection of detached single storey home office/garage. Relocation of garden gate and demolition of section of garden wall. (Amended
15/03060/FUL	16/00006/NONDET	DEL	SPL	W	3C Chapel Row Squitchey Lane Oxford Oxfordshire OX2 7LB	SUMMT	Erection of one and a half storey side extension and conservatory at rear.
15/03062/FUL	16/00005/NONDET	DEL	REF	W	3D Chapel Row Squitchey Lane Oxford Oxfordshire OX2 7LB	SUMMT	Erection of one and a half storey side extension
15/03063/FUL	16/00007/NONDET	DEL	PER	W	3B Chapel Row Squitchey Lane Oxford Oxfordshire OX2 7LB	SUMMT	Erection of conservatory
15/03073/CPU	16/00004/REFUSE	DEL	REF	W	8 Nunnery Close Oxford Oxfordshire OX4 6EG	NORBRK	Application to certify that the proposed use of the land for siting a mobile home / garmny annex incidental to the main dwelling is lawful (resubmission).

Total Received: 7

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MINUTES OF THE EAST AREA PLANNING COMMITTEE

Wednesday 3 February 2016



COUNCILLORS PRESENT: Councillors Darke (Chair), Coulter (Vice-Chair), Brandt, Brown, Clarkson, Henwood, Taylor, Wade and Wilkinson.

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

96. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillors Altaf Khan and Anwar submitted apologies and Councillors Wade and Brown respectively substituted for them.

97. DECLARATIONS OF INTEREST

Minute 100: Littlemore Park, Armstrong Road, Oxford 14/02940/OUT

Councillor Henwood declared that having previously expressed his views on this application he had predetermined his position. He would withdraw from the table and leave the room for this item.

Councillor Brown declared that as this application submitted by her employer related directly to her disclosable pecuniary interests. She would withdraw from the table and leave the room for this item.

98. LAND EAST OF WARREN CRESCENT: 13/01555/CT3

The Committee considered an application for the 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) at Land East of Warren Crescent.

Dr Judy Webb, representing Friends of Lye Valley, and Frank Carron, local resident, spoke against the application.

Anthony Harding, the agent, spoke in support of the application, and Richard Puttock, Sian Mitchell and Alan Wylde, representing the applicant, came to the table to answer questions.

The Committee asked questions to ascertain whether a sufficiently precautionary approach to the application and its impact on the SSSI had been adopted by the consultees and by officers in formulating their recommendation. Members also asked about the proposed maintenance scheme for the SUDs.

The Committee **resolved** to approve planning permission for application 13/01555/CT3 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.

99. 82 NORMANDY CRESCENT, OX4 2TN: 15/03583/FUL

The Committee considered an application for the demolition of the existing garage and erection of a two storey extension to south elevation to create 2 x 1 bedroom dwellings (Use Class C3) at 82 Normandy Crescent.

Paul Beesley, a local resident, spoke against the application. He clarified at the start that he was a City Council employee and was speaking solely in his private capacity.

Huw Mellor, the agent for the applicant, spoke in support of the application.

The Committee considered the impact of this development in conjunction with the previous application for the HMO and noted that the application complied with the council's and national standards and in planning terms was acceptable. They agreed to add a condition requiring a construction management plan to be agreed to prevent the construction work adversely impacting on existing residents.

The Committee **resolved** to approve planning permission for application 15/03583/FUL 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.
12. Construction management plan to be agreed to protect the amenity of existing residents.

100. LITTLEMORE PARK, ARMSTRONG ROAD: 14/02940/OUT

Councillor Henwood, having declared that he had predetermined his position, withdrew from the table and left the room for this item.

Councillor Brown, having declared this application related to her disclosable pecuniary interests, withdrew from the table and left the room for this item.

The Committee considered an application for 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, and provision of car parking, cycle and bin storage, landscaping and ancillary works (Amended plans and additional information) at Littlemore Park, Armstrong Road, Oxford.

The planning officer reported:

- receipt of comments from Littlemore Parish Council and three residents since the agenda was published
- owing to an error on the site notice date there would be a further 21 day consultation period on the application to ensure all residents had the opportunity to submit comments
- a change to the recommendation to state 'subject to:no new material considerations coming forward in the new consultation period, and to delegate to officers the issuing of the Notice of Permission upon its

completion.’

- and to correct the legal agreement to ‘Financial contribution of £50,000 towards general sports’

John Wilde, and Tony Joyce, local residents, spoke against the application from the point of view of Littlemore and Churchill residents respectively.

Sheila Aldred, representing the applicant, spoke in support of the application.

The Committee **resolved** to grant outline planning permission for application 14/02940/OUT subject to:

- the following conditions, and
- to the satisfactory completion of an accompanying legal agreement, and
- to no new material considerations coming forward in the new consultation period,

and to delegate to officers 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 £50,000 towards general sports and leisure facilities within Littlemore
- Financial contribution of £795 per dwelling towards Public Transport Improvement.

101. SOMERSET HOUSE, 241 MARSTON ROAD: 15/03001/FUL

Councillors Brown and Henwood returned to the meeting.

The Committee considered an application for the erection of a timber covered area to provide external seating in rear garden (Amended plans) at Somerset House, 241 Marston Road, Oxford.

Charles Parrack and Louise Harris, local residents, spoke objecting to the application.

Huw Mellor, the agent for the applicant, spoke in support of the application.

The Committee agreed to add additional conditions (15 and 16) as detailed below.

The Committee **resolved** to approve application 15/03001/FUL 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.
15. Details of heating in the timber covered area to be submitted and agreed by the planning authority to ensure that this is as low-carbon as practicable.
16. Maximum number of patrons in premises and outside at any point to be 100 to protect the amenity of nearby residents from nuisance caused by an increase in numbers.

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

The Committee considered an application for the provision of 12no. residents' parking spaces on existing grass verges on land fronting 136 to 162 Blackbird Leys Road.

Members commented that in the interests of equality the same policy should be applied to applicants seeking to convert privately owned verges to parking.

The Committee **resolved** to approve application 15/03430/CT3 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.

103. PLANNING APPEALS - DECEMBER 2015

The Committee noted the report.

104. MINUTES

The Committee resolved to approve the minutes of the meeting held on 6 January 2016 as a true and accurate record.

105. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

106. DATES OF FUTURE MEETINGS

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 8.55 pm