Agenda

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OXFORD CITY COUNCIL

East Area Planning Committee

Date:	**Wednesday 6 September 2017**
Time:	**6.00 pm**
Place:	**Long Room - Town Hall**

For any further information please contact the Committee Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

Email: democraticservices@oxford.gov.uk

If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

East Area Planning Committee

Membership

Chair	Councillor Sian Taylor	Northfield Brook;
Vice-Chair	Councillor David Henwood	Cowley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Sajjad Malik	Cowley Marsh;
	Councillor John Tanner	Littlemore;
	Councillor Ruth Wilkinson	Headington;
	Councillor Dick Wolff	St. Mary's;

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

Copies of this agenda

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AGENDA

		Pages
1	**Apologies for absence and substitutions**	
2	**Declarations of interest**	
3	**32 Jack Straw's Lane (No.1) Tree Preservation Order 2017**	13 - 18

Site address: 32 Jack Straw's Lane, Oxford

Proposal: This report concerns a copper beech tree in the Headington Hill Conservation Area, which has been made the subject of a Tree Preservation Order (TPO).

Recommendation:

The East Area Planning Committee is recommended to confirm the Oxford City Council - 32 Jack Straw's Lane (No.1) Tree Preservation Order 2017 without modification.

4	**17/00984/FUL: clinic surgery for Marston Medical Centre on the John Radcliffe site**	19 - 26

Site address: clinic surgery for Marston Medical Centre on the John Radcliffe site

Proposal: Erection of a single storey rear extension to Centre for Occupational Health and Wellbeing to allow re-location of Marston Medical Centre to the John Radcliffe Hospital

Recommendation:

East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission; and

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

5 17/00963/FUL: Land Adjacent to 2, Rymers Lane, Oxford, OX4 3LA

27 - 50

Site address: Land Adjacent to 2, Rymers Lane, Oxford, OX4 3LA

Proposal: Development comprising a purpose built student accommodation facility of 39 study bedrooms with ancillary facilities for use during academic term time and vacation periods.

Recommendation:

The East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;
2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
3. Complete the section 106 legal agreement referred to above and issue the planning permission.

6 17/01463/FUL: 474 Cowley Road, Oxford, OX4 2DP

51 - 70

Site address: 474 Cowley Road, Oxford, OX4 2DP

Proposal: The construction of a 64 bed Care Home (Class C2) together with the ancillary accommodation; lounge and dining facilities; car parking facilities and landscaping, demolition of existing

structures.

Recommendation:

The East Area Planning Committee is recommended to:

a) **Approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission; and

b) **Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to** finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

7 17/01516/CT3: Land To The Rear Of 2 To 24 High Cross Way, Oxford

71 - 76

Site address: Land To The Rear Of 2 To 24 High Cross Way, Oxford

Proposal: Demolish and rebuild existing outbuilding to the south of the site. Erection of a refuse store with suds compliant paving and resin bond. Erection of planting areas and a new grassed garden area with seating. Erection of fencing and a garden wall to the boundary of the site and insertion of coping stones to existing brick walls.

Recommendation:

The East Area Planning Committee is recommended to:

a. **Approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission; and

b. **Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to** finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

8 17/01275/CT3: Rose Hill Pavilion, Rose Hill Sports Ground

77 - 82

Site address: Rose Hill Pavilion, Rose Hill Sports Ground

Proposal: Raise height of existing MUGA fencing by 4m.

Recommendation:

The East Area Planning Committee is recommended to:

a. **approve** the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the officer's report; and

b. **agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions** as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

9 Minutes

83 - 86

Minutes from the meeting of 2 August 2017.

Recommendation: That the minutes of the meeting held on 2 August 2017 are approved as a true and accurate record.

10 Forthcoming applications

Items currently expected to be for consideration by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

Application	Status
Barton Park: reserved matters and further applications relating to 13/01383/OUT	Committee level application
17/01793/VAR:Plowman Tower	Committee level application
17/01792/VAR: Flat 1, Evenlode Tower, Blackbird Leys Road, Oxford, OX4 6JA	Committee level application
17/01338/OUT: 23 And Land To The Rear Of 25 Spring Lane, Littlemore, OX4 6LE	Called in by Cllrs Tanner, Price, Fry, Rowley, Lygo, Pegg and Azad
17/01799/VAR: Foresters Tower, Wood Farm Road, Oxford, OX3 8PJ	Committee level application
17/01212/FUL: Nuffield Orthopaedic Centre, Windmill	Committee level

Road, Oxford, OX3 7HE	application
17/01480/FUL: 4 Lime Walk Oxford OX3 7AE	Called in by Cllrs Wilkinson, Cllr Goff, Cllr Wade, Cllr Goddard, Cllr Altaf-Khan
17/01834/FUL: Land Adjacent Barton Manor 7 Barton Village Road Oxford Oxfordshire	Called in by Cllrs Rowley, Fry, Malik and Kenendy
17/00991/OUT: Former Workshop At Lanham Way	Major application
16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Non-delegated application (as at July, still awaiting additional information)
17/01519/FUL: 55 Collinson Road	Called in by Cllrs Sinclair, Munkonge, Taylor, Turner, Tanner, Clarkson, Simm, Chapman and Anwar.
17/00802/FUL: 78 Hugh Allen Crescent	Called in by Cllrs Clarkson, Taylor, Simm and Price
17/01521/OUT: Sports Field, William Morris Close, Oxford, OX4 2SF	Major development
17/02068/VAR: 70 Glebelands, Oxford, OX3 7EN	Committee decision
17/00584/FUL: Cotuit Hall Old House, Pullens Lane, Oxford, OX3 0DA	Scheduled for autumn 2017

11 Dates of future meetings

The dates of future meetings are:

4 October 2017

8 November 2017

6 December 2017

17 January 2018

7 February 2018

7 March 2018

4 April 2018

23 May 2018

Councillors 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. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

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 (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may 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.

Preparation of Planning Policy documents – Public Meetings

4. 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.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, 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 in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give 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. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

7. 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 by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

8. 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 place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.

9. 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.

Meeting Etiquette

10. 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.

11. 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.

Code updated to reflect Constitution changes agreed at Council in April 2017.

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Report to: East Area Committee on 6th September 2017

Order Name: Oxford City Council – 32 Jack Straw's Lane (No.1) Tree Preservation Order 2017

Decision Due by: 09.09.2017

Site Address: 32 Jack Straw's Lane, Oxford, OX30DW

Agent: MWA Arboriculture Ltd. **Applicant:** As agent

Report of:	**Head of Planning, Sustainable Development & Regulatory Services**	**WARDS AFFECTED:** Headington Hill and Northway Ward

Report Author: **Chris Leyland**

SUMMARY AND RECOMMENDATIONS

(1) This report concerns a copper beech tree in the Headington Hill Conservation Area, which has been made the subject of a Tree Preservation Order (TPO). The Order has been made in response to a Section 211 (Conservation Area) notification of intent to fell the tree, related to an allegation that the tree is causally involved in subsidence damage to the property, 32 Jack Straw's Lane.

(2) The report considers the significant contribution that the tree makes to public visual amenity and to the character and appearance of the Headington Hill conservation area. This is balanced against the case made in objection to the TPO, brought by the agent acting for the insurers of the property.

(3) The report concludes that it is appropriate to seek to preserve the tree for the benefit of local public visual amenity, at least until further technical information, which is currently being obtained by the land owner is available for the Council to consider in the context of any future application that is made (under the TPO).

(4) Under the provisions of a TPO an application to fell the tree can be made at any time. Applications are determined individually on the strength of the arguments and supporting evidence provided. Under the provisions of a TPO, if the owner of the tree suffers loss or damage as a result of the decision of the Council in determining an application, then they may be entitled to compensation.

(5) Officers recommend the Committee to confirm the Oxford City Council - 32 Jack Straw's Lane (No. 1) Tree Preservation Order 2017 without modification.

Representations Received:

The agents acting for the building owner's insurance company have made an objection to the Tree Preservation Order. No other representations have been made.

Background:
The Council received a Section 211 (Conservation Area) notice of intent to fell a copper beech tree situated at 32 Jack Straw's Lane in the Headington Hill Conservation Area; this was registered on the 26.01.2017. The Council has a six-week period within which to make an assessment of notified tree works in a conservation area, after which time they may be carried out unless a Tree Preservation Order is made, or unless the notice is amended or withdrawn voluntarily.

The Oxford City Council- 32 Jack Straw's Lane (No.1) - Tree Preservation Order- 2017 was made on 09 March 2017 (The tree's location is shown on the Site Plan at Appendix 1). The Order applies Section 201 of the Town and Country Planning Act, taking immediate provisional effect for a period of six months. The Planning Committee now need to decide if the Order should be confirmed; thereby making it permanent. The Committee could instead decide not to confirm the Order in which case the tree is likely to be felled, and the Council could not require any replacement planting.

Amenity:
An officer visited the site and noted that the tree is a large mature specimen, which is of good form and appears to be in reasonable condition. The tree is an attractive landscape feature, which is prominent in public views in the street-scene along Jack Straw's Lane. The Headington Hill Conservation Area is designated as a Conservation Area because of its sylvan character and the landscape benefit that this provides as a green backcloth to the historic city centre in views from the west.

Expediency:
Officers advise that the loss of the tree would have a significant adverse impact on public amenity and the character and appearance of the Headington Hill Conservation Area in the local views. Several local residents have objected to the proposal.

Before deciding to make the provisional Tree Preservation Order (TPO) the Council wrote to the Agent requesting that the Sec 211 Notice be withdrawn pending the results of a longer period of more extensive level distortion monitoring (structural engineering tests). After the Agents declined to respond to this request the TPO was duly made. Subsequent to the making of the provisional TPO, the applicant agreed to carry out the additional level monitoring as requested, and this is understood to now be ongoing until September 2017. The applicant has also made a separate application under the provisional TPO to carry out a 20% (3m approx.) crown reduction of the tree. Consent for this application was granted on the 23.05.2017.

Reason(s) for Proposed Felling:
The reason given for felling the tree is related to an allegation that the tree is a causal agent in subsidence damage to the north western corner of the building. In support of the case various reports documenting investigation work was provided to the Council.

Objection:
The agents, MWA Arboriculture, have made an objection under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012, to the provisional Tree Preservation Order for the following reason, 'The copper beech tree (T1) is implicated in causing root induced clay shrinkage subsidence damage to the above property [32 Jack Straw's Lane] and on this basis the order is unjustified and inappropriate.' The agent refers to the technical evidence presented with the Section 211 Notice and reiterates their opinion that the information provided already satisfactorily demonstrates the causal link between the damage and the growth of the tree.

They state further that additional readings (March 2017) further support this position and that further delay in removing the tree will result in additional stress to the owner [St Hilda's College] and increased costs.

Officer's Response to the objection:
The technical evidence required to demonstrate causality to the civil burden of proof; i.e. 'on the balance of probabilities', is not considered to be complete because (ongoing) level monitoring stations (used to elucidate distortion of the building) were limited to the corner of the building, and the monitoring evidence did not encompass a sufficient time period to clearly demonstrate both swelling and shrinkage of the sub soil, which is the necessary to show a clear pattern of seasonal cyclical movement related to vegetation growth. The Council normally requires this level of information where trees have significant amenity value.

The extent and duration of level monitoring has been increased as per the Council's request, although the agent has not yet provided any of this additional data. It should be noted that the agent could have removed the tree without needing to carry out this additional monitoring if the provisional TPO had not been made. Under the provisions of the TPO the tree owner or agent may make an application to fell the tree at any time. Determinations of applications are made on the basis of the merits of the case made and the strength of any technical evidence made in support. If the owner of the tree suffers loss or damage as a result of a decision of the Council in determining an application, they may be entitled to compensation. This fact should be considered by the Council in making its decision in determination of any TPO application.

Conclusion:
The Tree Officer advises that insufficient information has been provided at this stage to decide not to confirm the Tree Preservation Order. The enhanced level monitoring will be completed during September 2017; the provisional TPO lapses on the 9th of September. Under the provisions of the TPO the tree owner or agent may make an application to fell the tree at any time and any determination of such an application would be made the basis of the merits of the case made and the strength of any technical evidence supplied in support of it. The tree owner may be entitled to compensation if they suffer loss or damage as a result of the Council's decision.

Officer's recommendation:
To confirm the Oxford City Council- 32 Jack Straw's Lane (No.1) Tree Preservation Order 2017 without modification.

Human Rights Act 1998
Officers have considered the Human Rights Act 1998 in reaching a decision to make and confirm the Tree Preservation Order. 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 it proportionate.

Background Papers:
Oxford City Council – 32 Jack Straw's Lane (No. 1) Tree Preservation Order 2017 (17/00797/TPO)
Conservation Area Trees Section 211 Notice File (17/00198/CAT)
MWA Arboriculture Ltd.'s objection letter and supporting technical data
Contact Officer: Chris Leyland
Extension: 2149
Date: 8th August 2017

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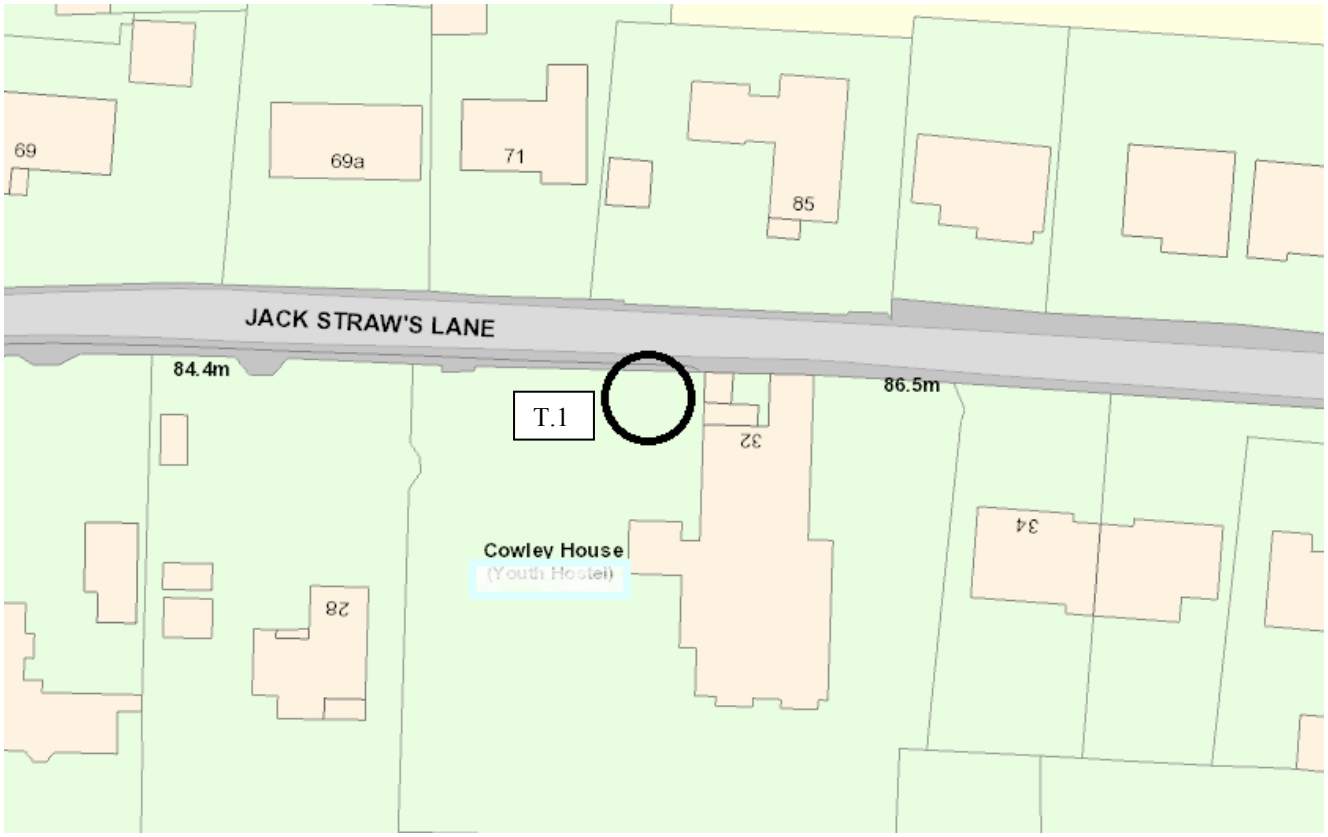

Oxford City Council-32 Jack Straw's Lane (No1) Tree Preservation Order 2017
T.1- Copper Beech

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EAST AREA PLANNING COMMITTEE 6th September 2017

Application Number: 17/00984/FUL

Decision Due by: 28/06/2017

Extension of Time:

Proposal: Erection of a single storey rear extension to Centre for Occupational Health and Wellbeing to allow re-location of Marston Medical Centre to the John Radcliffe Hospital

Site Address: John Radcliffe Hospital, Headley Way, Oxford, OX3 9DU

Ward: Headington

Agent: GBS Architects **Applicant:** Mr Muz Khan

Reason at Committee: Called-in by Cllr Wilkinson supported by Cllrs Goof, Fooks, Wade and Gant due to concerns with overdevelopment of the site, timing of the application in relation to the masterplan of the site, lack of parking, lack of clarity on number of patients and where they will come from and impact on road safety.

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1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a single storey extension to the existing Centre for Occupation Health and Wellbeing at the John Radcliffe Hospital to accommodate Marston Medical Centre which has recently closed.

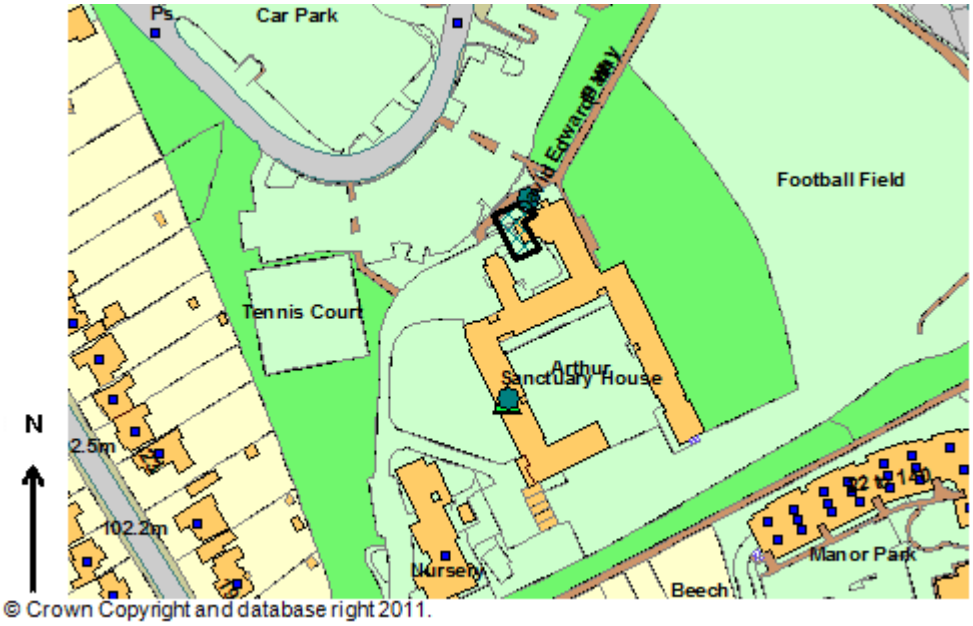
2.2. The key matters for assessment set out in this report include the following:

- Principle of development;
- Design;

- Amenity
- Highways/parking

3. SITE AND SURROUNDINGS

3.1. The site is located within the existing John Radcliffe Site. The proposal is an extension to the existing Centre for Occupational Health and Wellbeing which sits on the southern end of the site between Sandfield Road and Osler Road.



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4. PROPOSAL

4.1. The application proposes the erection of a single storey extension to the existing Centre for Occupation Health and Wellbeing at the John Radcliffe Hospital to accommodate Marston Medical Centre which has recently closed.

5. RELEVANT PLANNING HISTORY

5.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
12/01641/FUL	Provision of clinic rooms and support facilities for occupational health.	PERMITTED 22nd October 2012

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP.1, CP.6, CP8	CS18		CIP1
Amenity		CP.10			
Transport	4	TR.2, TR.3, TR.12			Parking Standards SPD TRP1, TRP3
Misc			CS15	SP23 MP1	

7. CONSULTATION RESPONSES

7.1. Site notices were displayed around the application site on 8th May 2017 in Sandfield Road and Osler Road.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

7.2. No objection.

Public representations

7.3. 3no. third party comments were received on this application from addresses in Sandfield Road and Osler Road.

In summary, the main points of objection (3 residents) were:

- Cumulative impact of traffic accessing the site.
- Hospital services are being centralised.
- The Building has already been constructed.
- Access from Woodlands Road is dangerous
- The proposed surgery is close to the Manor Surgery, why is another surgery required?
- 5,000 patients will need to travel to the site from Marston.
- Ill patients will not use public transport.

Officer Response

7.4. The Local Highway Authority has assessed the application, further information is discussed below. Further information has also been requested to address how transport issues are being dealt with on the site. It is noted that the building has already been constructed. This does not alter the assessment of the application. The need for the new development is discussed below.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

i. Principle of development;
ii. Design;
iii. Amenity;
iv. Highways/Parking

i. Principle of Development

8.2. The site falls within the John Radcliffe Hospital Site. A site allocated in the Sites and Housing Plan under policy SP23. This policy sets out that new development on the site will be acceptable including primary health care facilities which are also supported by policy CS15 of the Core Strategy. The policy also states that developments will be expected to minimise car parking spaces on the site and will need to demonstrate how the development mitigates against traffic impacts and maximises access to alternative means of transport.

8.3. There is a need to replace the medical facilities lost by the closure of Marston Medical Centre on Cherwell Drive. Objection comments have been received that the 5,000 patients will now need to travel to the John Radcliffe Site from Marston. Planning permission has already been granted under reference 17/00673/FUL for the partial relocation of Marston Medical Centre to Frost's Pharmacy at 11 Old Marston Road. This includes the provision of two consulting rooms and two treatment rooms. The site however cannot accommodate the entire surgery and an alternative site needs to address the outstanding capacity. The proposed use is acceptable in principle.

ii. Design and Impact on Character of Surrounding Area

8.4. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy in combination require that development proposals incorporate high standards of design and respect local character.

8.5. The proposed surgery is an extension to the existing Centre for Health and Wellbeing. It is small scale addition with a simple design. The flat roof and materials relate to the existing single storey extension to the centre. The proposal therefore reads as a subservient addition which does not appear overly dominant and relates to the surrounding context and therefore complies with the

above policies.

iii. Impact on Neighbouring Amenity

8.6. The proposal is a small scale development which is set away from neighbouring properties. The proposal is therefore not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overbearing impact or loss of privacy and is therefore considered to comply with policy CP10 of the Oxford Local Plan.

iv. Highways/Parking

8.7. The Local Highway Authority note that the proposal does not include additional parking spaces for the proposed Medical Centre. This is in line with the requirements of policy SP23 of the Sites and Housing Plan which seeks to minimise parking on the site. They also note that patients are largely expected to be staff already at the hospital site and local residents and that travel to the site will be in accordance with the OUH Travel and Transport Policy which seeks to promote the use of sustainable transport. The surrounding highway network is also subject to parking controls which will limit the developments' potential to create overspill on-street parking. Therefore the County Council does not object to the application.

8.8. Significant concern has been raised regarding movements to the site by members of the public and lack of parking on the site. Policy CS15 of the Core Strategy supports new healthcare facilities in locations which are accessible by walking, cycling and public transport. Due to the existing transport links the site is highly accessible by public transport. Policy SP23 of the Sites and Housing Plan states that developments must demonstrate how the development mitigates against traffic impacts and maximises access by alternative means of transport. A Travel Plan has been provided to support the application and states that the OUH Travel and Transport Policy will apply and many patients are employees at the John Radcliffe and are already situated on the site reducing traffic movements. Notwithstanding this Travel Plan a more detailed Travel Plan is requested by condition to see details of the proposed material promoting sustainable modes of transport and the monitoring that will be put in place to ensure that measures are put in place to continually reduce the number of patients travelling to the site by car.

8.9. Policy SP23 also states that developments must improve public transport access to the site. Given the small scale nature of this application, it is not considered that this would be reasonable in relation of the scale of the development.

9. CONCLUSION

9.1. The proposed development is acceptable in design terms and does not amount to a significant development in terms of scale in relation to the John Radcliffe Site. The development is justified by the forced closure of the Marston Medical Centre and the city still needs to provide healthcare facilities to support the population as recognised by policy CS15. Efforts have taken place to retain this

surgery within Marston as far as possible but the site cannot meet the entire surgery's capacity. Since a large number of patients are employees on the John Radcliffe Site, the proposed facility would be able to support these patients reducing additional movements to the site. To ensure the surgery does not result in significant additional movements to the site a Travel Plan will ensure efforts are taken place to monitor this and continually aim to reduce movement to the site by car.

9.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory approval of conditions listed below.

10. CONDITIONS

1. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

2. The materials to be used in the external elevations of the new development shall match those of the existing building.
Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

3. Within 3 months of the date of the planning permission hereby granted the applicant shall submit a revised travel plan to the local planning authority and shall obtain the written agreement of the local planning authority to the revised travel plan.. The plan shall detail how it is proposed to achieve an annual reduction in the amount of vehicles accessing this site, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority.

Reason. To limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

<u>Informatives</u>

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive

discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

APPENDICES

Appendix 1 – Block Plan

HUMAN RIGHTS ACT 1998

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

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EAST AREA PLANNING COMMITTEE 6th September 2017

Application Number: 17/00963/FUL

Decision Due by: 9th August 2017

Extension of Time:

Proposal: Development comprising a purpose built student accommodation facility of 39 study bedrooms with ancillary facilities for use during academic term time and vacation periods.

Site Address: Land adjacent 2 Rymers Lane

Ward: Cowley

Agent: Savills **Applicant:** c/o Agent

Reason at Committee: The application is a committee item.

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1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

3. Complete the section 106 legal agreement referred to above and issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers a planning application which is seeking full permission for the erection of a purpose built student accommodation facility of 39 study bedrooms with ancillary facilities for use during academic term time and vacation periods.

2.2. The East Area Planning Committee granted outline planning permission for an identical scheme on the 10th May 2017 under 16/02997/OUT. In approving this application the means of access and scale of the development were considered at outline stage and all other matters (appearance, landscape, and layout) reserved for a later date

2.3. The key matters for assessment set out in this report include the following:

- Principle of Development
- Student Accommodation
- Affordable Housing
- Site Layout and Built Form
- Impact upon Adjoining Properties
- Transport
- Archaeology
- Landscaping
- Noise
- Sustainability
- Other Matters

2.4. Officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant National and Local Policies.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement that would secure an off-site contribution towards Affordable Housing in accordance with Sites and Housing Plan Policy HP6 and the Affordable Housing and Planning Obligations SPD

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

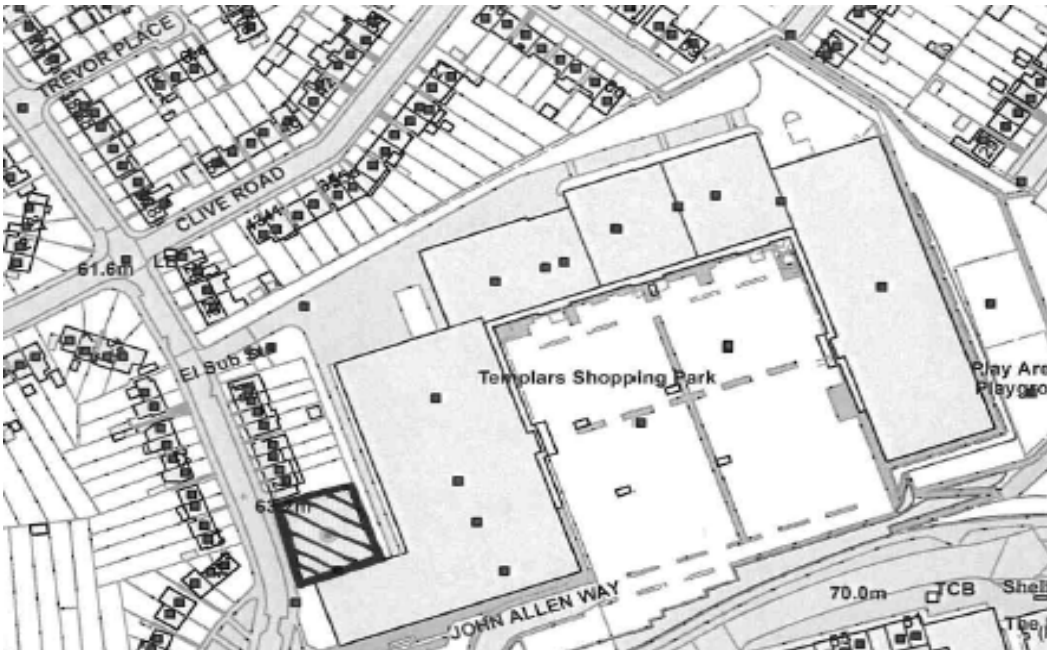
4.1. The proposal is liable for a CIL payment of will be £142,623.63

5. SITE AND SURROUNDINGS

5.1. The site is located on the eastern side of Rymers Lane close to the junction with Between Towns Road. The site is bordered by the John Allen Centre to the east, residential properties of Rymers Lane to the north, and the residential

properties and multi-storey car park (which serves Templars Square Shopping Centre) on Between Towns Road to the south.

5.2. The site is vacant and currently comprises an area of cleared ground which was previously used as part of one of the retail units within the John Allen Centre. The site is located within the boundary of the Cowley Centre which is designated as a Primary District Centre, and adjacent to the Beauchamp Lane Conservation Area



6. PROPOSAL

6.1. The proposal relates to the development of purpose built student accommodation facility comprising 39 study bedrooms (including 2 DDA compliant study bedrooms), 2 on-site DDA compliant parking spaces, and 41 secure cycle parking spaces.

6.2. The accommodation will be provided in a three-storey building which steps down to two-storeys and addresses Rymers Lane. The development has been designed to reflect the industrial heritage of the site.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
16/02997/OUT	Application for outline planning permission for the provision of development comprising a purpose built student accommodation facility of 39 study bedrooms with ancillary facilities	APPROVED

	for use during academic term time and vacation periods, including means of access and scale	

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP.1, CP8,	CS18	HP9	
Housing	6	CP.6, CP.10	CS3,	HP5, HP6, HP7, HP8, HP14	Affordable Housing and Planning Obligations
Social and community	8		CS19, CS20, CS21		
Transport	4	TR.3, TR.4,		HP15, HP16	Parking Standards SPD
Environmental	10	CP.20, CP.21,	CS10		Energy Statement TAN

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on the 9th June 2017 and an advertisement was published in the Oxford Times newspaper on the 18th May 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)
This application seeks planning permission for the same proposal presented under planning application reference 16/02997/FUL which was discussed at the East Area Planning Committee on 10th May 2017. It was resolved at this planning committee to grant planning permission for the proposal subject to conditions. The Officer's Report related to planning application reference 16/02997/FUL refers to the proposals to deter students from bringing a car into Oxford by way of appropriate clauses in the tenancy agreements for the student rooms. As stated in our previous response, this is not enforceable therefore,

without complimentary controls to prevent tenants from parking in the vicinity of the site the county council is not in a position to support this planning application.

Managing parking impacts through tenancy agreements has been proven to be ineffective as stated in our previous response at Slade Park. The Officer's Report (ref. 16/02997/FUL) considers Slade Park to be an exception however, tenancy agreements have also failed to prevent tenants from parking on nearby local roads at Cheney Lane student accommodation.

Given the above, the county council cannot support this planning application without securing funding for the implementation of a Controlled Parking Zone in the vicinity. Given that the information and details submitted with this application is the same as that submitted with planning application reference 16/02297/FUL, the county council's comments remain the same as set out below. Additional comments on the drainage strategy have been raised as set out below, which also present a reason for refusal.

It is proposed that the development is to be car-free, as is required under policy HP16. Policy HP16 also states that car-free developments will be approved where they are located within a Controlled Parking Zone. However the development site is not located within a Controlled Parking Zone. Therefore, in order to ensure that the car-free nature of the development can be enforced and to provide direct mitigation against the development's likely transport impacts, a contribution towards the consultation and implementation of a Controlled Parking Zone (CPZ) secured through a Section 278 agreement is required.

The drainage strategy requires amendment to be acceptable in line with Government guidelines.

Without the above the County Council would object to the application.

Historic England

9.2. No comments to make

Natural England

9.3. No objection

Public representations

9.4. 1 letter of objection has been received from 17 Pound House, Pound Way. The comments are summarised as follows

- This is an over-development of the site – on its individual merits and as part of a number of high density major applications within the immediate neighbourhood

- The community agreed to the expansion of the John Allen shopping centre on agreement this site was suitable for 4 family dwellings. Housing which is much

needed and in character with the area. The trust of local residents is being mistreated if such a large development application goes ahead using the prior agreement as an argument.

- The community cannot sustain the influx of so many large-scale developments with regard to traffic, parking (see later), GPs, dentists and other health/social care requirements.

- Our community will be over-developed to a hideous level which flies contrary to what makes Oxford such a special city. This particular planning application is one major jigsaw piece in the proposed destruction of the atmosphere and practical realities which have made our community a great place to live for decades.

- Oxford needs to change its communication. I understand Oxford City Council does not send letters and agree with that policy when the application is small. The low number of local objections to this proposal is not a reflection of agreement or apathy. It is a reflection of a total lack of awareness.

- Parking: As has been noted by Oxfordshire Council Council and others, the concept of a student car free development is ridiculous. Beyond ridiculous. The planning application actually has the gall to suggest students will be asked to sign a contract stating no car as part of their living agreement. It will never happen and, if it does, who will enforce it? Or indeed how will it be enforced? It will not work.

- Car-free student development is a myth. A previous suggestion was this development can only proceed with a Controlled Parking Zone. At least such an idea treats residents as adults than trying to fob us off with blatant lies. If this parking controlled zone is to be considered current residents must not be charged out of pocket for something they do not want, i.e. a controlled zone is only being implemented because of opposed over-development which will not benefit current residents but rather harm. (Other developers are looking residents in the eye and saying, without a hint of shame, that £100 per year for each household will be necessary. This is beyond unacceptable.) Pound House and Pound Way addresses must be included in any scheme. I have been parking on Rymers Lane and surrounding streets for 10 years as have some of my other neighbours. I am a local home owner and parking on Rymers Lane is an integral part of my home. As local homes which have been in existence for decades, Pound Way/House must not be excluded from community parking. Addresses (and not named residents) must be included in the scheme.

- I wish to know exactly which students may be living here. Has a college associated with our city's great universities sought such a development? Or is this a speculative development by a developer with language students (who are better served as tenants in family homes) in mind? If the latter, I object on the grounds as to a lack of need. And if the properties fail as student rooms, can they be adapted into flats? Particularly given the need for the 4 family homes.

- I object on the grounds of character of neighbourhood which is family driven. The homes nearby are not student rentals, but are occupied by families who live long term in our established community. Such a large number of students will change the make-up of residents to an unacceptable level.

- I object on the grounds of noise and disturbance. The noise 39 students living in close proximity is considerable. Particularly on still evenings. This neighbourhood is extremely quiet at night when the shoppers have gone home. PureGym had to lower its music because it bounces in the night and keeps neighbours awake. I was kept awake and it was another Pound House resident who spoke to the gym to lower the music. Can 39 students keep noise to essentially zero at night? Can 39 short term summer guests do the same? The pin drop quiet which is a crucial aspect of this neighbourhood will be destroyed. Visitors are always astonished when the daily bustle gives way to our pin drop quiet. It is a fundamental aspect of our community and our health and happiness. Fundamental. Good health needs quiet. We sacrifice in the day to enjoy at night. This cannot be allowed to be destroyed.

- Again, who will enforce any notice saying "no outside noise after 10pm". The police? We didn't move here years ago to live in a 24 hour noise hell. We chose this neighbourhood for its quiet evenings/nights.

- The traffic on Rymers Lane is beyond extreme and there must be consideration of cyclists, schoolchildren and other pedestrians. The road is frequented on a daily basis by delivery vans, lorries and HGVs. It is saturated by shopping centre delivery vehicles and cannot sustain the introduction of yet more deliveries. Frequently the road is clogged with vehicles - there is no spare capacity. This proposed plan involves too many adults living on site.

- Construction disturbance: Consideration of residents in terms of traffic congestion, dust, noise, access etc must be at the highest level. The construction of the John Allen shopping development extension had an unacceptable impact on residents. Cranes and building sites operating week nights (starting at 11pm and finishing at 4am or later, i.e. throughout the entire night). The noiseand stress was extreme and it forced some of us residents from our homes. This experience cannot be repeated.

- Finally, the scale of major development planning applications in my immediate neighbourhood is unusual and extreme. They should not be considered individually. Neighbours are not being included in any conversation. I call on my Councillor and the planning committee to engage with us beyond little notices taped to easily-not-seen lampposts.

- If Oxford is building a world class city for everyone - surely, we can do better? Surely, we must do better. It appears it is world class city for everyone who is rich. Those of us living in Oxford's poorer neighbourhoods can suffer in a health destroying, depressing mess in the very near future

- We do not need student housing. We need affordable family homes. We need communication. We need joined up thinking. We need the interests, security, happiness and health of people to be put before developer profits.

10. MATERIAL PLANNING CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of Development
- Student Accommodation
- Affordable Housing
- Site Layout and Built Form
- Impact upon Adjoining Properties
- Transport
- Archaeology
- Landscaping
- Noise
- Sustainability
- Other Matters

Principle of Development

10.2. In terms of the general principle of development, there has been no material change in national or local planning policy since the East Area Planning Committee approved outline planning permission for the development in May 2017.

10.3. The National Planning Policy Framework has a presumption in favour of delivering sustainable development, which it sees as meaning planning for economic, environmental, and social progress (paragraphs 6 & 7). The NPPF makes clear in Paragraph 14 that this presumption should be seen as the golden-thread running through plan-making and decision-taking, which for decision-taking means approving development proposals that accord with the development plan without delay.

10.4. The National Planning Policy Framework and Oxford Core Strategy Policy CS2 encourage development proposals to make an efficient and appropriate use of previously developed land in a manner that suits the sites capacity. Policy CP6 of the Oxford Local Plan requires that development proposals make maximum and appropriate use of land and the best use of a site's capacity in a manner both compatible with the site itself as well as the surrounding area. Larger scale and higher density proposals are encouraged in appropriate locations.

10.5. The site is located within the Cowley Primary District Centre, as defined by Oxford Core Strategy Policy CS1. This policy recognises that the primary district centre is suitable for uses serving a larger catchment area than other district centres. Planning permission will be granted for such development provided it is of an appropriate scale and design and maintains or improves the mix of uses available. District centres, and their immediate surroundings, are appropriate locations for medium to high-density development.

10.6. The site would constitute previously developed land and therefore the principle of bringing this vacant site back into use with some medium to high-density development would accord with the aims of the above-mentioned policies.

Student Accommodation

10.7. The main policy consideration for student accommodation would be Sites and Housing Plan Policy HP5 which sets out the criteria for determining which locations are suitable for student accommodation along with the other conditions for such development.

10.8. The policy states that sites located adjacent to a main thoroughfare, or in a district centre or city centre location, are suitable for student accommodation. In this case the site would be considered to be an appropriate location for student accommodation as it is located within the Cowley Primary District Centre.

10.9. The provision of purpose-built student accommodation in Oxford eases demand from student occupiers in the private rental market and is therefore considered beneficial to the wider housing market. Thus the scheme would be consistent with the objectives of Oxford Core Strategy Policy CS25 (Student accommodation). The application has not specified an end user for the building however, Oxford Policy CS25 makes clear that that the occupation of such facilities will be restricted to full-time students on courses one academic year or more. This would therefore need to be secured by a condition in the event that permission was granted.

10.10. This restriction does not apply outside the semester or term-time, provided that during term-time the development is occupied only by university students. This ensures opportunity for efficient use of the buildings for short-stay visitors, whilst providing permanent university student accommodation when needed. The application is also seeking permission for out-of term vacation use and as such officers would see no reason to object to this.

10.11. Sites and Housing Plan Policy HP5 also sets out that development of 20 or more bedrooms will be required to provide some indoor and outdoor communal space; a management plan that is implemented on first occupation; and an undertaking that prevents residents from parking their cars anywhere on site, and anywhere in Oxford. The plans show that the scheme would be designed around a cluster flat arrangement with sizeable kitchens providing indoor communal space, and an external amenity area to the rear of the building.

10.12. A student management plan should be secured by condition. The document also makes clear that students will be expected to sign a tenancy agreement which includes a clause that prevents them from bring their cars into Oxford, which is a long-standing requirement of student accommodation within the city. These matters should also be secured by condition.

Affordable Housing

10.13. Sites and Housing Plan Policy HP6 states that new student accommodation of 20 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. This contribution is calculated on the basis of the residential floor space measured internally x a rate per m² plus a 5% admin fee.

10.14. The applicant accepts that the proposal would qualify for an affordable housing contribution and that this will be secured by a legal agreement. Based on current floor areas shown on the plan it is likely that the development would generate a contribution of approximately £169,484.14.

10.15. It is understood that planning permission was previously granted for the provision of 4 affordable dwellings on this site as part of the redevelopment of the former B&Q retail unit under 11/02032/FUL. This part of the permission was never implemented and is therefore unlikely to come forward. Whilst the comments of local residents about this being a more appropriate use for the site are understood, there are no grounds to object to the principle of providing student accommodation. Notwithstanding this however, the development will still be making a contribution towards providing affordable housing within the city through this policy.

Design and Impact on Character of Surrounding Area

10.16. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.

10.17. Layout: The site would be laid out to ensure that the main built form fronts onto the street and respects the linear street pattern of Rymers Lane, and also makes use of the large retail warehouse units to accommodate the built form that extends to the rear of the site. The positioning of ground floor uses and layout of rooms has enabled frontages onto Rymers Lane to be 'active'. Thought has been given to the rhythm and articulation of windows on upper storeys to ensure that there is surveillance over the street and privacy to adjacent properties. The retention of the stone wall is also welcome.

10.18. Scale: The proposed development seeks to emulate the industrial heritage of the site and its surroundings and create a transition between the industrial scale of buildings to the south and residential properties in the north. The accommodation would take the form of three blocks, with two three storey blocks at the southern end and centrally, and a second storey block to the north alongside the Victorian terrace. Officers welcome the approach taken and the

aspiration to read as a series of mill buildings. The size and scale of the building follows the indicative plans approved as part of the outline permission. As such officers consider that the scale of the built form is acceptable and would be an appropriate response to making best use of the site, whilst also respecting the character of the surrounding area.

10.19. Appearance: The Design and Access Statement has indicated that the concept for the building's appearance is to reflect that of the Victorian Terrace. As with the outline permission the windows at first floor level have been designed to align with the terrace. It would be important to ensure that the materials used in the building relate to the surrounding buildings. This could be dealt with through an appropriately worded condition which seeks approval of these.

10.20. In summary, officers would reiterate the comments made with respect to the masterplan approved at outline stage. The proposed scale and density of the development could be accommodated within the plot and the building has been designed in a manner that follow basic urban design principles and establish a clear sense of place that responds to the surrounding area, and also special character of the adjacent Beauchamp Lane Conservation Area. As such the overall scale of the development would accord with the aims of Oxford Core Strategy Policy CS18, Sites and Housing Plan Policy HP9, and Oxford Local Plan Policies CP1, CP8, CP9, CP10 and HE7.

Impact on Neighbouring Amenity

10.21. Policy CP10 of the Local Plan requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. There are a number of residential properties in the surrounding area that the development will need to consider how it relates to in order to ensure there is no impact.

10.22. The property most likely to be affected by the proposal would be 2 Rymers Lane which lies to the north of the site, and has an east facing rear garden. This terrace has been extended over time, with a two-storey extension added in 1999 to bring the property closer to the application site. A sunlight and daylight study has been provided with the application to set out how the scheme has been designed to avoid any impact on this property. The built form has been laid out to follow the linear street pattern of Rymers Lane, and does not extend beyond a 45 degree line measured from the first floor and dormer windows in the rear elevation of the extended part of 2 Rymers Lane. The overall height of the building closest to this property steps down from the three storey height of the central and southern block. This has been reduced further since submission to ensure that the height reflects that of the terrace. It is noted that there is a window in the side elevation of this adjoining property, but it would appear to serve the accommodation in the roof as part of a stairwell to the loft room, and this is supported by the plans for the extension (99/00103/NF). It is not the only source of light to this room, given there are rooflights in the front roof slope and also a dormer to the rear. Therefore whilst there would be some impact on this window, officers consider that it would not be so significant to justify refusal of the scheme. The linear development pattern means that the majority of windows

face towards the rear of the site and so will not create any overlooking issues of this adjoining property (or indeed the remaining properties in the terrace). There would be a three storey element alongside the retail units in the south that would have windows facing due north however there would be sufficient separation distance to prevent any adverse overlooking.

10.23. Overall officers consider that the development has been designed to minimise the impact upon this adjoining property at 2 Rymers Lane in terms of loss of light, overbearing impact, or privacy. It is also considered that the proposal will not create any similar adverse impacts upon the other properties in the Rymers Lane terrace or on the opposite side of the road.

Transport

10.24. In highway terms the development is identical to the outline permission approved under 16/01997/OUT. A Transport Statement has been submitted with the application which considers the highway impacts of the proposed development.

10.25. Traffic Impact: The student accommodation would be largely 'car-free' in accordance with Sites and Housing Plan Policy HP5. The only parking being for disabled spaces.

10.26. In terms of traffic generation it is considered likely that the development will result in fewer trips than the extant planning permission for the residential development on the site, which had approximately 6 parking spaces. The development would have potential to cause disruption during the times of the year when students are moving into and out of the accommodation. The Local Highways Authority have stated that it would be vital that the loading / unloading of belongings at the beginning and end of the year does not take place from the local highway as this could cause obstructions on Rymers Lane and possibly Church Cowley Road.

10.27. In order to deal with this matter the student management plan secured by condition should also include details of the arrangements for pick up and drop off of belongings. It is recommended that this should be managed in a similar fashion to other student accommodation across the city, which would be through an allotted time process which minimises the potential for these movements to impact the highway network.

10.28. Car-Free Development: The student accommodation would be 'car-free' with the exception of two disabled parking spaces. As stated within Sites and Housing Plan Policy HP5 the eventual operator of the accommodation will be required to provide an undertaking that prevents residents of the accommodation from parking their cars anywhere on site, and anywhere in Oxford. This is a longstanding policy requirement for student accommodation across the whole city, and is managed through clauses within the tenancy agreements for the occupants. Sites and Housing Plan Policy HP16 also states that student accommodation should only be provided with operational and disabled parking.

10.29. The application site is within a highly accessible location in the Primary District Centre where there are a wide range of services in close proximity to the site and also excellent public transport links to the rest of the city. As a result the location is eminently suitable for a car-free scheme.

10.30. In contrast to the outline permission, the Local Highways Authority have now raised an objection to the development over concerns that there are no parking controls on street to assist in preventing students and other potential users of the development from parking in the residential roads surrounding the street. They recognise that tenancy agreements will be required to stipulate that students do not bring cars into Oxford, but have questioned whether this is enforceable, and provided an example of an accommodation block (Slade Park in Headington) where this has not worked and resulted in students parking on the highway. The Highways Authority has stated that area does not currently have a Controlled Parking Zone and so requests that the development contributes towards the consultation and implementation of a future CPZ in order to directly mitigate any impact the development could have and without this the County Council would object to the application.

10.31. In response officers would make members aware that the county council made identical comments on the outline application, but in doing so had not 'objected' to the proposal. The 'car-free' nature of student accommodation and the method for controlling this through tenancy agreements is a long-standing development plan policy for student accommodation, which has been accepted by Inspectors at the respective Examinations in Public for the numerous development plan documents in which this has been included. It has also been applied to speculative student accommodation developments and those for named institutions for some time now. Any issues that may have occurred with respect to a single facility (i.e. Slade Park) needs to be balanced against the high number of student accommodation facilities across the city where this is successfully managed by the operators or institutions. Similarly, the County Council has provided no evidence to corroborate their assertions about Slade Park in Headington. As such officers consider that it would be unreasonable to seek additional controls beyond those set out within the adopted development plan policies for student accommodation.

10.32. In addition to this, officers would advise members that although the County Council have made a request for a financial contribution towards the implementation of a CPZ, this cannot be secured as part of this planning permission because the mechanism for raising such funds is through the Community Infrastructure Levy (CIL). It would be a matter for the applicant to take up directly with the Highways Authority as to whether they are prepared to provide a financial contribution through a S278 agreement outside of the CIL regime (as has happened in the redevelopment of Templars Square) but permission could not be withheld on that basis.

10.33. Vehicle Access: The proposed vehicle access is to be taken from Rymers Lane, and will require alterations to the existing dropped kerb. There would be suitable

visibility for this access, however, the Local Highways Authority have recommended that a condition is imposed which seeks details of the access.

10.34. On-street parking currently takes place on Rymers Lane where the current/proposed access to the site is located. Whilst there is no formal signing of the parking here the parking bays are marked. It is the Local Highway Authority's view that a short section of double yellow lines should be introduced in order to protect the proposed access. This will be carried out at the applicant's expense and also requires a Traffic Regulation Order which the County Council would draft and need to consult on.

10.35. Cycle parking: The development will provide 41 cycle parking spaces are proposed (albeit the Ground Floor Plan says 42). This is a higher number of secure and covered cycle parking spaces than is required under the standards set out in Policy HP15 of the Sites and Housing Plan. This higher provision is welcomed, as it promotes cycling among the site's users. The cycle parking spaces are to be sited in an appropriate location at the rear of the site with direct access onto the site access road and then onto Rymers Lane. It is also welcomed that electric charging points are to be provided for bicycles.

10.36. Servicing Arrangements: The Transport Statement indicates that the refuse collections will be taken from Rymers Lane. Accordingly, the refuse store is appropriately located at the southern part of the site with dedicated access to Rymers Lane, albeit the access lane appears narrow compared to the size of the refuse/recycle bins. The condition requiring details of the refuse storage should include the widening of the pathway to the front of the site, which would be easily achievable.

10.37. Travel Plan: A Travel Plan and Student Travel information Pack has been submitted with the application. The Local Highways Authority has stated that this is a comprehensive document that could be further improved by the inclusion of the Oxford Cycle Map. It would also be good to see the inclusion of large scale location plan with the accommodation at the centre showing bus stops, local facilities such as shops, key student destinations, etc.

10.38. If the students living in the accommodation have access to them the free cycle repair workshops that the university runs on behalf of its students and staff would be worth a mention. It would also be good to include a selection of the cycle shops which are closest to the development and offer sales, service and repair facilities. Information on how student arrivals and departures will be managed at the beginning and end of term should be included. The car-free nature of the development should also feature in the information. It should be made clear to potential student residents that they are not expected to have a vehicle with them. These documents could be developed further to take on board these comments, and as such should be required by condition.

10.39. Overall the proposed development is considered acceptable in highway terms, subject to the above conditions in accordance with the aims of Oxford Local Plan Policies CP1, CP10, TR1 and TR4 and Sites and Housing Plan Policies HP5 and HP15

Landscaping

10.40. The application has not included details of landscaping. Nevertheless officers would make the following comment after a review of the indicative site plans submitted with the application.

10.41. The Trees surrounding the site are not subject to any form of protection. The proposals do not require the removal of existing trees and provide an opportunity for new soft landscaping along Rymers lane frontage which will help 'green' the area. Any retained trees adjacent to the site must be adequately protected during development; new hard surface within their Root Protection Areas should be appropriately designed, and underground utility services and drainage should be routed outside of their RPAs; details can be required by condition if planning permission is granted.

Archaeology

10.42. An Archaeological Desk Based Assessment has been submitted with the application. The site has some interest because map evidence suggests that it was occupied by a farm from the early 19th century at least and that the farm buildings were subsequently incorporated into the emerging Steam Plough Company site from the 1860s onwards. The boundary walls do not appear to be a survival of the original farm which fronted onto Rymers Lane and appear to relate to a later period of rebuilding. The courtyard formed by the farm buildings appears to have been demolished and replaced by industrial buildings by 1955.

10.43. The site has been subject to limited evaluation trenching (Oxford Archaeology 2012). The evaluation identified iron piping, ceramic drain, brick walls and limestone block foundations belonging to the 19th and 20th century buildings belonging to the Oxford Steam Plough Company. The small sample did not identify any remains that would suggest a specialised function for the buildings on this plot. The main assembly building appears to have been located further to the south-east, off the current application site.

10.44. Having considered the history of rebuilding on this site and the limited results of the archaeological evaluation trenching officers would not request any further recording work in relation to this proposal.

Noise

10.45. A Noise Assessment has been submitted with the application. The report using qualitative and quantitative data accepts that there are high ambient noise levels to which this site is subjected and confirms that to achieve satisfactory internal values it will be necessary for windows to remain in the closed position and a separate form of ventilation system provided to the rooms in the accommodation.

10.46. Environmental Health Officers would raise no objections to the use of separate forms of ventilation, but have recommended that conditions be attached to ensure that the scheme is designed to ensure that the rooms achieve the British

Standard BS8233:14 levels

Sustainability

10.47. Sites and Housing Plan Policy HP11 states that student accommodation proposals of 20 or more bedrooms will be required to include at least 20% of their energy needs from on-site renewables or low carbon technologies.

10.48. An Energy & Sustainability Statement has been submitted with the application. The document has indicated that a fabric first approach will be adopted with high levels of insulation and low air permeability to reduce heat loss, and the use of low energy lighting and 'A' rated white goods. There will also be a highly efficient communal gas fired boiler in conjunction with Combined Heat and Power for space heating, and solar pv panels. Through these methods they will be able to make a 23% reduction in CO2 emissions from on-site renewable technologies.

Other Matters

10.49. Drainage: The proposed drainage strategy does not follow a Sustainable Urban Drainage hierarchy. It is considered that the drainage should ensure that it is connected to the surface water sewer within Rymers Lane as this would result in greater betterment from the proposal (as the clean water will be separated from the foul, and therefore the sewer undertaker will not be unnecessarily treating surface water).

10.50. As with the outline permission, a condition should be attached seeking prior approval of a full drainage strategy for the site.

10.51. Air Quality: The Air Quality Assessment submitted with the application has considered potential impacts of vehicle exhaust emissions on air quality during the operational phase of the proposed development. Only 2 disabled parking spaces are proposed for this development, and no emissions-producing energy unit is proposed.

10.52. Therefore, the assessment considered whether the existing air quality and predicted future air quality would impact the receptors introduced from the proposed development. Based on the assessment results, air quality issues are not considered a constraint to planning consent for the proposed development.

10.53. Land Quality: A Phase 1 Desk Study and Phase 2 Site Investigation have been submitted with the application. The report has been undertaken in accordance with the Environment Agency Guidance CLR11. Former potentially contaminative land use on the site was identified to be steam ploughing works, engineering works, and potential infilling during the redevelopment of the adjacent retail park. Made ground was identified across the site. Soil samples were taken from 6 locations across the site, which were compared to generic assessment criteria for a residential without plant uptake end use. There was no widespread contamination identified across the site, however a hotspot of lead in the made ground was identified at TP1 in the southwest corner of the site. This was in an area of proposed soft landscaping, and it was therefore recommended that the

hotspot be removed and replaced with a clean cover system. It was further recommended that a remedial statement be issued to detail the specifics of the proposed remediation and validation plan.

10.54. Officers agree with the overall assessment and recommendations of this report. It is acknowledged that the layout of the proposed development has changed since the production of this report. Therefore any subsequent reports should reflect the most current proposed or approved layout plans. A condition should be attached to secure the remedial statement and validation report.

10.55. Ecology: The site is currently vacant and therefore it will not have any adverse impact upon biodiversity. However in accordance with Oxford Core Policy CS12 opportunities should be taken (including through planning conditions or obligations) to: ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford. A condition should therefore be attached which requires details of all biodiversity enhancements.

11. CONCLUSION

11.1. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, Sites and Housing Plan 2011-2026, and National Planning Policy Framework and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning, Sustainable Development and Regulatory) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

3 Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

5 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

6 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

7 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

8 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to

allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

9 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1,CP11 and NE16 of the Adopted Local Plan 2001-2016.

10 (i) The student accommodation hereby permitted shall only be occupied during term time by students in full time education on courses of an academic year or more.

(ii) Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: In order to maintain the availability of appropriate student accommodation in accordance with policy CS25 of the Adopted Oxford Core Strategy 2026.

11 The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city has been submitted to and approved by the local planning authority; and the study bedrooms shall only be let on tenancies which include that clause or any alternative approved by the local planning authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, TR12, ED6 and ED8 of the Adopted Oxford Local Plan 2001-2016 and Policy HP5 of the Sites and Housing Plan 2011-2026

12 The development shall not be occupied unit a Student Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be brought into operation upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy CS25 of the Oxford Core Strategy 2026.

13 Prior to first occupation a Student Travel and Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: to encourage the use of sustainable modes of transport.

14 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify:

-The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
-Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
-Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
-Contact details for the Site Supervisor responsible for on-site works,
-Parking provision for site related worker vehicles,
-Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
-Engagement with local residents and businesses.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

15 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The scheme shall also include:
-Discharge Rates
-Discharge Volumes
-Maintenance and management of SUDS features
-Sizing of features - attenuation volume
-Infiltration in accordance with BRE365
-Detailed drainage layout with pipe numbers
-SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
-Network drainage calculations

The development shall be carried out in accordance with the approved details.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community

16 That prior to the first occupation details of the refuse and cycle storage for the development shall be submitted to and approved in writing by the Local Planning Authority. The refuse and cycle storage shall be provided in accordance with these approved details prior to the development being first occupied, and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, and in accordance with Policies CP1, and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan 2011-2026

17 All internal living and sleeping areas within either building hereby approved will be designed to meet BS8233:14 noise criteria. Where windows need to remain in the closed position to achieve such levels, the development shall install a proper system of ventilation to meet requirements of Building Regulations 2010 (Document F1).

In respect of proposed mechanical plant, the development shall ensure that the noise level generated by the installation does not impact adversely on the nearest noise sensitive receptor. For this purpose all plant shall be designed to meet requirements of BS4142:14 to ensure rating level does not rise above measured background value.

Reasons: In the interests of the amenities of occupiers in accordance with policy CP21 of the adopted Oxford Local Plan 2001-2016

18 No work shall commence until details of the sustainability measures to be incorporated into the development in order to meet the target set out in Sites and Housing Plan Policy HP11 have been submitted to and approved in writing by the Local Planning Authority. The energy efficiency measures shall be implemented and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise carbon emissions in accordance with policy CS9 of the Oxford Core Strategy 2026.

19 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 5 x bird nesting devices shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

20 Prior to the commencement of the development a contaminated land phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted in writing and approved by the LPA.

Phase 1 and 2 have already been submitted to and approved by the LPA.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the LPA to ensure the site will be suitable for its proposed use.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

21 The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and

to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

22 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

INFORMATIVES

1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL

2 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

3 Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Oxfordshire County Council (Contact - 0845 310 1111 or refer to https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs for this action).

APPENDICES

HUMAN RIGHTS ACT 1998

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

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EAST AREA PLANNING COMMITTEE 6th September 2017

Application Number: 17/01463/FUL

Decision Due by: 12th September 2017

Extension of Time: N/A

Proposal: The construction of a 64 bed Care Home (Class C2) together with the ancillary accommodation; lounge and dining facilities; car parking facilities and landscaping, demolition of existing structures.

Site Address: 474 Cowley Road

Ward: Cowley Marsh

Agent: Hunters Architects **Applicant:** The Order of St John Care Trust

Reason at Committee: The application is a committee item

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1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission subject:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. The East Area Planning Committee recommended approval for an outline application for the redevelopment of the site to erect a 60 bed care home on three floors. The provision of 20 car parking spaces, cycle parking, bin storage, and ancillary works. The conversion and restoration of the 2 bedsits on the street frontage to form a single 1 bedroom dwellinghouse under 15/00930/OUT on the 5th August 2015.

2.2. The outline application sought approval for the siting, layout, appearance and means of access of the development, with only the landscaping reserved for a later date. This permission does not expire until the 13th August 2020.

2.3. This report considers a planning application which is seeking full permission for the erection of a 64 bed Care Home (Class C2) together with the ancillary accommodation; lounge and dining facilities; car parking facilities and landscaping, demolition of existing structures.

2.4. The scheme has been developed through pre-application discussions with officers following the applicant's withdrawal of an application for a 72 bed care home (16/01049/FUL) in January 2017.

2.5. The key matters for assessment set out in this report include the following:

- principle of use of land for the proposed development;
- site layout and built forms;
- relationship to neighbouring properties;
- highways, access and parking;
- landscaping;
- sustainability;
- air quality;
- flooding;
- land quality;
- archaeology

2.6. Officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant National and Local Policies.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.1. The proposal is liable for a CIL payment of £41,872.89

4. SITE AND SURROUNDINGS

4.1. The site is a rectangular parcel of land measuring 0.34 ha to the south-west of 474 to 490 Cowley Road. It is accessed from Cowley Road nearly opposite the junction with Gillian's Way. To the north-west are the rear gardens of the residential properties in Milton Road, and to the south a car repair business set behind 496 to 510 Cowley Road. To the south - west are grounds of the Elder Stubbs Allotments and beyond that a modern residential cul-de-sac at Bhandari Close.

4.2. The site itself is occupied by Powells' timber yard, a long established local business which is vacating the site and whose trade has declined in recent times following increased competition from other wholesale and retail suppliers of timber products. The site comprises a series of undistinguished sheds occupying two thirds of the site. Car parking exists for approximately a dozen vehicles, to allow sufficient space for the manoeuvring of larger commercial vehicles. To the Cowley Road street frontage lies an Edwardian terraced house that is within the application site and was converted and extended many years ago into poor quality residential accommodation consisting of 2 small flats and 2 bedsits.

4.3. A site location plan is included below

5. PROPOSAL

5.1. The proposal is seeking permission for a 64 bed Care Home (Class C2) that would provide accommodation for people living with dementia, together with the ancillary accommodation; lounge and dining facilities; car parking facilities and landscaping, demolition of existing structures.

5.2. The Care Home would consist of 64 en-suite bedrooms with 5 'Homezones' on three floors; a communal 'hub' containing a kitchen, hairdresser, treatment room, shop, lounge, cinema, lobby, staff rooms & lounge. The Homezones are designed around 2 communal lounges / dining areas, kitchen, WC and bathrooms, clinical room as well as office and store rooms. In addition there would be other ancillary facilities for cleaners store room, and a plant room.

5.3. The development would be accessed from the Cowley Road, via a two-way access with footway. A total of 21 car parking spaces (including 2 disabled bays) and 12 cycle parking spaces would be provided.

6. RELEVANT PLANNING HISTORY

6.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
15/00930/OUT	Demolition of existing timber yard buildings and 2 x 1	Approved

	bed flats. Outline planning application (seeking details of access, appearance, layout and scale) for the redevelopment of the site to erect a 60 bed care home on three floors. Provision of 20 car parking spaces, cycle parking, bin storage and ancillary works. Conversion and restoration of 2 bedsits to street frontage to form single 1 bed house. (Amended plans) (Additional Information).	
16/01049/FUL	Demolition of existing structures. Construction of a 72 bed care home (Use Class C2), together with the ancillary accommodation, lounge and dining facilities, car parking facilities and landscaping	Withdrawn

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP.1, CP6, CP8, CP.9,	CS18	HP9	
Housing	6	CP.6, CP.10	CS3, CS22, CS23, CS24, CS25, CS26	HP1, HP14	
Commercial	1, 2	EC.1,	CS1, CS27, CS28		
Natural Environment	9, 11, 13	CP.11, NE.14, NE.15,	CS2, CS9, CS12	HP11	Natural Resource Impact Analysis SPD
Social and community	8		CS19,		
Transport	4	TR.1, TR.2, TR.3, TR.4,	CS13	HP15, HP16	Parking Standards SPD
Environmental	10	CP.19, CP.22,	CS10		Energy Statement TAN
Misc	5	CP.13,		MP1	

8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on the 14th July 2017 and an advertisement was published in the Oxford Times on the 6th July 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

8.2. The County Council does not object the principle of development, but originally objected on grounds that the proposed access had not been properly demonstrated through the drawings provided.

8.3. Since this response the applicant has provided further drawings clarifying the means of access. The County have indicated that these plans have alleviated their concerns about the access.

Natural England

8.4. No objection as the development will not have a significant impact on designated sites

Environment Agency

8.5. No objection subject to conditions being imposed which seek a risk assessment to ensure that the development does not impact upon groundwater conditions and a remediation strategy for any risk identified.

Historic England

8.6. No comment to make

Public representations

8.7. 1 letter of comment has been received from 5 Sanders Road.

8.8. In summary, the main comment is as follows

- It is said that the development will create 100 jobs, but with only 20 car parking spaces provided where will they park. In local streets? Saunders Road already suffers with non-residents parking, and so this sounds like creating further problems for residents.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- principle of use of land for the proposed development;

- site layout and built forms;
- relationship to neighbouring properties;
- highways, access and parking;
- landscaping;
- sustainability;
- air quality;
- flooding;
- land quality;
- archaeology

Principle of Development

9.2. The principle of redeveloping this site for a care home has already been established through the granting of outline planning permission under reference 15/00930/OUT in August 2015. Members are advised that there has been no material change in national or local plan policy since that decision was taken, or in terms of the site context.

9.3. The site is designated as a key protected employment site under Oxford Core Strategy Policy CS28. Although this policy primarily seeks to retain such sites, it indicates that regeneration would be permitted if it

- *secures or creates employment important to Oxford's local workforce; and*
- *allows for higher - density development that seeks to make the best and most efficient use of land; and*
- *does not cause unacceptable environmental intrusion or nuisance*

9.4. This policy was adopted before the publication of the National Planning Policy Framework (NPPF) however which takes a more flexible approach. Paragraph 22 of the NPPF reads that planning policies should avoid the long term protection of such sites where there:

"Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities".

9.5. In considering the principle of redeveloping the site under the outline application, it was considered that the timber yard employed 23 staff, 5 of whom were part time. The proposed care home would employ up to 75 FTE staff, made up of qualified nursing staff, care assistants, catering, and household staff, and administration and maintenance staff. Whilst the proposed development would not recruit employees with the same sets of skills as the existing use, it would nevertheless employ a range of professional, skilled and semi - skilled staff and over three times as many in numbers. The home would be run by a general manager with a nursing qualification and background, and staffing levels would

be subject to Care Quality Commission (CQC) standards, taking into account the particular medical needs of the residents.

9.6. In addition the existing site was considered to be poorly located in terms of access for large commercial vehicles delivering and collecting timber as it falls within an essentially residential area with poor access and limited manoeuvring space for large vehicles. More typically an edge of town location within a commercial environment would be sought now for such a use. A financial viability statement accompanied the outline application which suggested that the redevelopment for either office or other commercial use may not prove viable or attractive given the various costs likely to be incurred in bringing forward a development. Other uses such as general housing or student accommodation may be viable, but would not reproduce the same employment numbers as the existing use and so would not be supported.

9.7. Therefore having regard to the above, it was considered a good case had been made with respect to the principle of the proposed use of the site as a care home. It would generate significant employment levels at a site where only limited employment is currently present and where other forms of employment use may not prove attractive to the market. Moreover the site would remain a Key Employment Site as it would retain and expand its employment base. Nor would the use of the land for a residential care home set any sort of precedent for other key protected employment sites such as the Business Park or Science Park which are more likely to be viable and attractive for business uses as they do not require demolition and ground preparation works; they occupy large plots; they have easy access to the ring road; and they possess the potential for higher densities of occupation.

Design and Impact on Character of Surrounding Area

9.8. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.

9.9. Layout: The site layout follows the same principles approved under outline permission. It is primarily a 3 storey building that faces north-east and has amenity spaces within courtyards around the building. It would be accessed from the Cowley road frontage via a two-way access for vehicles and footway to one side. There would be a forecourt to the front with turning and servicing space, undercroft parking, and cycle and bin stores. Some of the buildings on the Cowley Road frontage would be demolished and a new dwelling created.

9.10. Scale: The building is of a similar scale to that approved under outline application with a three-storey structure with pitched roof across the main range of the care home. There is also a single storey wing towards the rear that leads northwards

which is a new addition to that approved at outline stage. The overall size, and scale of the building is comparable to the existing buildings on the plot which occupy a fair proportion of the site and would be considered appropriate within this context.

9.11. Appearance: The architecture of the building is simple and unobtrusive with light coloured facing brickwork to the bulk of the elevations. The roof would be formed from natural grey slate. The design would have a contemporary appearance but using traditional materials in order to sit comfortably within the surrounds.

9.12. In summary the new building proposed would retain many of the principles considered acceptable at outline stage. The building would fit comfortably within its residential context where brick and rendered buildings under pitched roofs predominate, but without replicating existing styles. Located where it is the building would be seen from neighbouring residential properties and from the Elder Stubbs allotments site, from which vantage points it is intended to appear as a new but discreet part of the local vernacular. From more public areas such as Cowley Road the building would be seen only in glimpses. Subject to receiving further details of the finer architectural treatment, final choice of materials, brickwork etc, then officers would consider that the proposal would accord with the design policies of the development plan.

Impact on Neighbouring Amenity

9.13. Sites and Housing Plan Policy HP9 and Oxford Local Plan Policy CP10 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. I am mindful that there are a number of residential properties in the surrounding area that the development will need to consider how it relates to in order to ensure there is no impact.

9.14. The proposed building would occupy a rather smaller footprint than the existing collection of large sheds on the site and is more centrally located. It would rise to 8.5m to eaves and 10.8m to the ridge of its shallow pitched roof. This compares favourably with some of the existing sheds which themselves rise to over 8m at ridge. Moreover the rear spine to the T shaped building draws the accommodation well away from the boundaries of the application site. Nevertheless the potentially most affected properties are 3 to 15 (odd) Milton Road, and 476 to 490 (even) Cowley Road.

9.15. In terms of the former properties, as now proposed the north - western wing of the frontage range would be set at approximately 3.5m from the common boundary. This is a two storey element only however with the main 3 storey flank wall approximately 7m from the same boundary. This in turn means that the distances between facing elevations are about 26m. The rear wing is further away still, generally at about a distance of nearly 38m. As there are currently sheds to the timber yard along much of the boundary to these Milton Road properties which are intended to be replaced by landscaping and tree planting, then overall their outlook is much improved with any issues of privacy addressed

accordingly by the separation distance.

9.16. Turning to the Cowley Road properties, these have reasonable sized rear gardens of approximately 20m, meaning that the window to window distances between the rear of these properties and the proposed care home would be approximately 38m or more. Again at these distances any issues of privacy are addressed.

9.17. To the remaining elevations, a car repair business exists to the south - east and the Elder Stubbs allotments to the south - west where no issues of overlooking exist such as to oppose the development.

9.18. Overall therefore the development is compliant with the requirements of policy HP9 of the Sites and Housing Plan and CP10 of the Oxford Local Plan 2001-2015.

Highways, access and parking

9.19. A Transport Statement has been submitted with the application which considers the highway impacts of the proposed development.

9.20. Traffic Generation: The Transport Assessment indicates that the current use of the site as a Builders Merchants could generate up to 40 two way trips in the AM peak hour and 8 in the PM peak hour. An analysis of TRICS data for a 'Care Home' indicates that the proposed development could be expected to generate 5 two way trips during the AM peak hour, 6 during the PM peak hour and 70 in the twelve hour period between 0700 and 1900.

9.21. Furthermore data has also been provided from the proposed care home operator, outlining daily staff movements at other sites run by the same operator. The data presented indicates that around 8 two way staff movements are typically generated during the AM peak hour and around 6 are generated during the PM peak hour. This does not include visitor movements, which are likely to predominantly fall outside of the peak network hours.

9.22. The Local Highways Authority accepts these figures, and has confirmed that the proposed development is not likely to result in a significant number of additional trips when compared with the current permissible use of the site, and may result in fewer trips to the site than could currently be made across the whole day. Therefore no objection is raised in traffic generation terms.

9.23. Accessibility: The Transport Statement outlines that the site is easily accessible by sustainable means of transport. The Cowley Road is one of the main arterial routes into Oxford and has frequent bus services operating along the length of the road and wide footways on either side. Key cycle routes are located within a short distance from the application site. The Cowley Road is also earmarked in the Oxford Transport Strategy (OTS) to be a Cycle Premium Route in the future. This will include the provision of high quality cycle infrastructure to encourage the uptake of cycling in the city. It is likely that there will be an increased numbers of cyclists using the route once this infrastructure is in place. Furthermore, there are a range of local

facilities within one mile from the site, which could be easily accessed on foot or by cycling.

9.24. Access: The Transport Statement sets out that the site is to be accessed via the existing vehicle crossover to the yard, which would be widened to allow two-way operation. This access arrangement was approved as part of the outline application. The Local Highways Authority has confirmed that this access arrangement is acceptable.

9.25. The site access plan shows give-way markings at the back of the footway, which would be welcomed as they maintain pedestrian priority over the site access. The Local Highways Authority has confirmed that similar markings will be required at the carriageway junction with Cowley Road.

9.26. Within the site, a shared level access road with a width of 6m and a marked level pedestrian route from the site access to the main entrance of the building is proposed. This arrangement would be considered suitable for the users of the site.

9.27. Car Parking: The provision of 21 car parking spaces would accord with the Sites and Housing Plan parking standards and reflect the highly accessible location of the site.

9.28. The Transport Statement sets out that the expected parking demand associated with the development would be accommodated within the site. This is based on a parking accumulation exercise at other sites run by the car home operator. The nearby streets in the vicinity of the site do experience a high demand for on street parking and are not subject to parking restrictions. It is therefore important that parking demand is actively monitored through the Travel Plan and if evidence emerges of parking associated with the care home over-spilling onto the adjacent highway, management measures will be required.

9.29. The dimensions of the car parking spaces within the site are insufficient according to the County Council's Design Guidance which states that parking spaces that are perpendicular to the road must have minimum dimensions of 2.5m x 5m. Currently the parking bays measure 2.4m x 4.8m. This could lead to larger vehicles overhanging the parking bays onto the shared access road (indeed the vehicle used for the swept path analysis showing access to the parking spaces has a length greater than that of the parking bays). The parking bays will not be located within the public highway and so there will be no impact on highway safety, however, a condition should be attached which seeks approval of the parking layout to ensure that the correct dimensions are used.

9.30. Cycle Parking: The Transport Statement sets out that 18 cycle parking spaces are to be provided with the development. This provision is above the respective standard of one space per five staff. The cycle parking facilities will be situated in two locations within the site. Twelve covered spaces will be located in the north-eastern corner of the site and six spaces near to the main entrance to the building. All of the spaces are to be covered and all appear to be easily accessible, the six located at the building entrance being particularly accessible and suitable for visitor parking.

9.31. Travel Plan: A full travel plan is required for this development. This should be

produced prior to first occupation and then updated within 3 months of full occupation when adequate survey data becomes available. This should be secured by condition

9.32. Construction Traffic: The construction phase of the development will involve daily movements of construction traffic accessing the site, construction staff, delivery of materials to the site and removal of waste products. This will all have to take place at the constrained entrance via Cowley Road. This will result in an increase in the movements at the entrance to the site, which is a fairly narrow constrained section of Cowley Road. The Cowley Road is a key route for around 30 buses per hour in each direction, particularly during the peak hours. There is concern that the additional construction related movements will cause delays to these services. It is therefore important that construction related movements do not take place at peak times.

9.33. A robust Construction Traffic Management Plan must be put in place that demonstrates how construction traffic will be managed. This should be secured through a planning condition.

9.34. Overall the proposed development is considered acceptable in highway terms, subject to the above conditions in accordance with the aims of Oxford Local Plan Policies CP1, CP10, TR1 and TR4 and Sites and Housing Plan Policies HP5 and HP15

Landscaping

9.35. An Arboricultural Report and Tree Survey accompany the application. The report identifies that a total of 4 trees or groups of tree will be removed for the development including: an early mature ash (T1) which is poorly located and in poor condition which is recommended for removal regardless of any development; two groups of low quality and value cypress trees (G5 and G6) on the northern boundary of the site; and a low quality and value mature sycamore (T11) in the south east corner of the site.

9.36. The loss of these trees will not have a significant adverse effect on public amenity in the area. However the cypress trees in G5 and G6 do perform a screening function in private views from neighbouring properties in Milton Road that will be lost. Although new trees are included which might eventually replace the screening to a degree, this will take several years and in any case the space between the building and the boundary is less than 5 metres so that any trees planted will need to be small and of restricted crown spread. The layout means that opportunities for new planting are very limited. Some of the new trees indicated on the proposed site layout drawing seem unrealistic e.g the trees that are located very close to the house at 472 Cowley Road, and should be reconsidered.

9.37. These matters could be dealt with through an appropriately worded condition which seeks a detailed planting plan including details of the species and nursery stock sizes of new trees. In addition to this conditions should be imposed which protect trees adjacent to the development site.

Sustainability

9.38. A Natural Resource Impact Analysis (NRIA) and energy Report accompanies the planning application and seeks to meet the minimum requirements of policy CP18 of the Oxford Local Plan and HP11 of the Sites and Housing Plan. The Energy Report identifies that as a building with relatively high energy requirements, an emphasis is put of a "fabric first" approach through the use of high thermal insulation and efficient building services. The building would be naturally ventilated throughout. In terms of on - site renewables, it is intended to use a CHP system, and air source heat pumps. The strategy identifies that the scheme will result in a 24.23% improvement on the 2013 Building Regulations, and 28.48% of the total CO^2 emissions to meet the requirements of Oxford Core Strategy Policy CS9. The NRIA identifies that the scheme will meet the minimum score of 6 on the checklist.

Archaeology

9.39. An Archaeological Desk Based Assessment has been submitted with the application. The submitted assessment notes that "on the basis of the available evidence it is considered that the redevelopment of the site would not have either a significant or widespread archaeological impact. Due to the previous comprehensive site wide development, extremely low potential for archaeological assets to occur on the site"

9.40. Officers have consulted the Historic Environment Record consider that the information provided in the archaeological desk based assessment and conclude that, on present evidence, this scheme would be unlikely to have significant archaeological implications.

Air Quality

9.41. An Air Quality Assessment has been submitted with the application. The assessment identifies that the development will result in fewer two-way trips across the weekday compared with the permitted use of the site as a timber and builders' merchant, which results on a net reduction of some 431 vehicles across the day.

9.42. Having reviewed the assessment officers conclude that the small differences between the current proposal and the approved outline scheme would not have an impact on the air quality of the area. The proposed development is located within an Air Quality Management Area. The Air Quality Assessment demonstrates that the proposed development will not have a detrimental effect on air quality in the area. The proposed development will result in a significant decrease in traffic compared to the exiting use. The scheme proposed a Combined Heat and Power Unit, and therefore a condition should be attached which requires any emissions from this unit to meet certain criteria.

9.43. 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). 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.

9.44. Therefore as a minimum requirement, new development schemes should include the provision of electric vehicle recharging provision and any mitigation requirements arising from the exposure assessment, where applicable. The recommended provision rate is at least 1 Electric Vehicle (EV) charging point per 10 parking spaces, which in the case of this proposal would equate to 2 charging points.

Flooding

9.45. A Flood Risk Assessment has been submitted to consider the potential impact of the development. The site is located within Flood Zone 2. The development would be of an appropriate type for Flood Zone 2 in accordance with the National Planning Policy Framework.

9.46. The assessment has not included an assessment of Climate change. However it is noted that the allowance for climate change within the Boundary Brook catchment generally does not exceed the 0.1% AEP flood event (in comparison with the wider Thames and Cherwell catchment were the climate change event regularly exceeds the 0.1% AEP). The Flood Risk Assessment in this case has utilised the 0.1% AEP flood level as proxy for climate change, which is considered to be acceptable in this case. The Flood Risk Assessment has stated the finish floor levels will be set at 60.40m AOD which is above the 0.1% flood level (and in this case above the 1% Plus Climate Change Event within the Boundary Brook).

9.47. From review of the Flood Risk Assessment the plans (included within the FRA) show the floor level to be 60.40. However, the current plans submitted with the proposal do not reflect this Finish Flood Level. Given the lack of detail within the other submitted plans, it is considered that the use of a condition requiring that the finish flood levels be set at 60.40maOD will ensure this requirement is achieved.

9.48. Having reviewed the submitted Flood Risk Assessment officers would raise no objection in flood risk terms, subject to the condition that the development is carried out in accordance with the Flood Risk Assessment and that all habitable room floor levels will have a finished floor level set no lower than 60.40 APD as recommended within the assessment.

Land Quality

9.49. A Phase 1 Geo-Environmental Report is submitted with the application. The desk study identifies the potential for contamination to exist on site and recommends that further intrusive investigations are necessary.

9.50. Officers would agree with the findings of the report and recommend that conditions are placed on any planning permission to secure the subsequent

phases of the risk assessment process. The Environment Agency have also requested identical conditions.

10. CONCLUSION

10.1. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, Sites and Housing Plan 2011-2026, and National Planning Policy Framework and therefore officer's recommendation to the Members of the East Area Planning Committee is to approve the development subject to the conditions listed below.

11. CONDITIONS

1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3 Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4 The upper floor corridor windows in the north - west elevation of the development facing 7 and 9 Milton Road shall be fitted with obscure glazing which shall be retained at all times.

Reason: In the interests of the privacy of neighbouring residential occupiers, in accordance with policy HP14 of the Sites and Housing Plan 2013.

5 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

6 The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by

the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

7 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016

8 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1, CP11, and NE15.

9 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016

10 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1,CP11 and NE16 of the Adopted Local Plan 2001-2016.

11 No occupation of the development shall take place until a plan showing the means of enclosure, including details of the treatment of all the boundaries of the site, shall have been submitted to and approved in writing by the local planning authority and implemented on site. The approved treatment shall be retained at all times thereafter unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of visual amenity and to safeguard the privacy of adjoining occupiers in accordance with policies CP1, CP8, CP9 and CP10 of the Adopted Oxford Local Plan 2001-2016 as well as policy HP14 of the Sites and Housing Plan 2011-2026.

12 No occupation of the development shall take place until details of a scheme of lighting plus the means to control excessive light spillage and glare from both internal and external light sources within the development shall have been submitted to and approved in writing by the local planning authority and implemented on site. There shall be no variation to the approved details without the further prior written approval of the local planning authority.

Reason: In the interests of the visual and residential amenities of neighbouring occupiers, in accordance with policy CP20 of the adopted Oxford Local Plan 2001 - 2016.

13 In order to provide adequate dispersion of emissions the Combined Heat and Power unit should meet the following minimum criteria:

Input Parameter
Stack Height (m) - 10.75m
Stack Internal Diameter - 0.3
NOx Emission rate (mgNOx/m3) - 349
Temperature (celcius) - 90
Volume Flow Rate (m3/h) - 0.0408

Reason - to ensure that emissions from the energy generation system(s) are adequately dispersed and will not have a net adverse impact on the local air quality, in accordance with Core Policy 23 of the Oxford Local Plan 2001- 2016

14 Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
-At least 1 charging point per unit (house with dedicated parking); or
-At least 1 charging point per 10 spaces (unallocated parking, i.e. flat development).
-Appropriate cable provision to prepare for increased demand in future years.

The electric vehicle infrastructure shall be formed, and laid out in accordance with these details before the development is first occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001- 2016 and enable the provision of low emission vehicle infrastructure.

15 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

-The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
-Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
-Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
-Contact details for the Site Supervisor responsible for on-site works,
-Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents, including the adjacent care home.

The construction works shall be carried out in accordance with these approved details

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

16 That prior to the first occupation of the building, a revised parking layout shall be submitted to and approved in writing by the Local Planning Authority. The parking layout shall set out the dimensions of the parking spaces to accord with the current local plan standards. The parking layout shall be bound, formed, and laid out in accordance with the approved details before the development is first occupied and shall remain in place thereafter.

Reason: In the interests of providing sufficient parking on site in accordance with Oxford Local Plan Policy CP1.

17 Prior to the first occupation of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. The plan shall detail how it is proposed to achieve an annual reduction in the amount of vehicles accessing this site, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority.

Reason. To limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

18 No occupation of the development shall take place until a scheme for treating cooking fumes and odours before their emission to the atmosphere so as to render them innocuous shall have been submitted to and approved in writing by the local planning authority and implemented on site. Any such works that form part of the scheme shall include the use of grease filters and other specialist filtering and deodourising equipment that shall be serviced according to the manufacturers recommendations.

Reason: In the interests of residential amenity, in accordance with policies CP19 and HS19 of the adopted Oxford Local Plan 2001 to 2016.

19 Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted in writing and approved by the LPA.

A Phase 1 has been undertaken which has identified the potential for contamination to exist on the site and has recommended a Phase 2 be carried out on site.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use be submitted and approved in writing by the LPA. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

20 The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the LPA.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

21 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

22 The proposed development shall be undertaken in accordance with the following document;

- Flood Risk Assessment prepared by Infrastruct CS Ltd, Report No. ICS2088.07, revision Initial, dared March 2016.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

23 All habitable room's floor levels within the proposed development shall have a Finish Floor Level (FFL) set no lower 60.40maOD as outlined by the Flood Risk Assessment.

Reason: To ensure the proposal is in accordance with NPPF, NPPG and the Environment Agency's Standing Advice for Minor Developments.

INFORMATIVES

1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL

2 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

3 The Environment Agency have reviewed the submitted desktop study (Phase 1 Geo-environmental Report, Haigh Huddleston & associates, E14/6098/R001, May 2014) and agree with the conclusion that an intrusive investigation is required.

We would agree that this site is not overly sensitive from a controlled waters perspective. Mobile contamination could though potentially migrate through the superficial deposits and in time impact on the boundary brook to the south of the site. We are also aware that on other allotments small abstractions of groundwater have been identified. Even if they do not exist at the moment they could be installed without requirement of any permit/licence etc. As such we would regard groundwater as a viable receptor in any source/pathway/receptor model. Any future intrusive investigation should include assessment on the impact on groundwater. This is likely to require direct target groundwater sampling (if present). This should be tested for a suitable suite of contaminants including VOC, Hydrocarbons and Metals.

HUMAN RIGHTS ACT 1998

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

EAST AREA PLANNING COMMITTEE 6th September 2017

Application Number: 17/01516/CT3

Decision Due by: 22/08/2017

Extension of Time:

Proposal: Demolish and rebuild existing outbuilding to the south of the site. Erection of a refuse store with suds compliant paving and resin bond. Erection of planting areas and a new grassed garden area with seating. Erection of fencing and a garden wall to the boundary of the site and insertion of coping stones to existing brick walls.

Site Address: Land To The Rear Of 2 To 24, High Cross Way, Oxford, Oxfordshire

Ward: Barton and Sandhills

Agent: **Applicant:** Oxford City Council

Reason at Committee: Oxford City Council is the applicant.

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1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

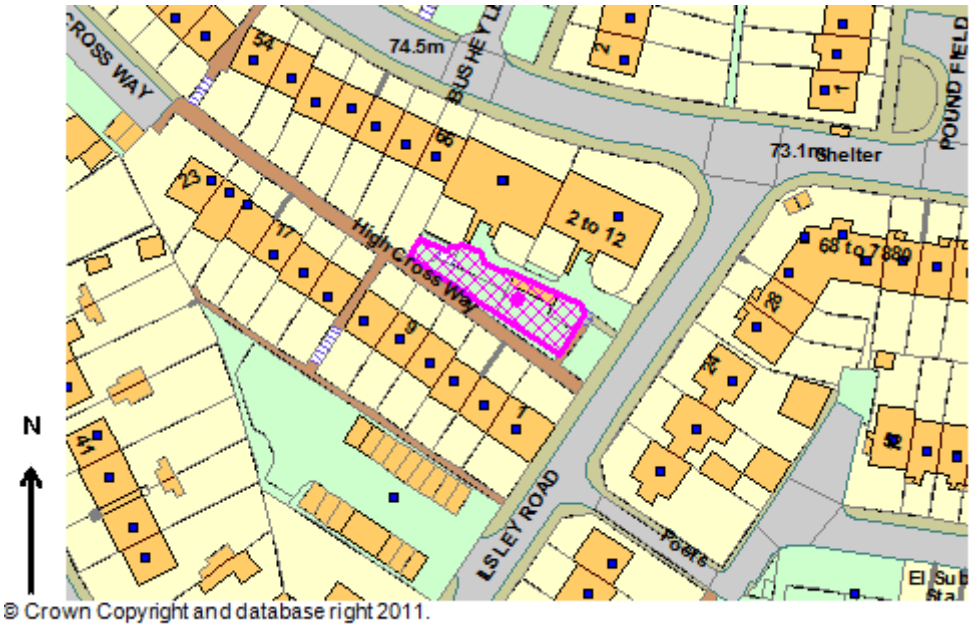
2.1. This report considers the demolition and rebuilding of the existing outbuilding to the south of the site, the erection of a refuse store with SuDs compliant paving and resin bond, the erection of planting areas and a new grassed garden area with seating, the erection of fencing and a garden wall to the boundary of the site and insertion of coping stones to existing brick walls.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development;
- Design;
- Landscaping;
- Residential amenity and facilities;
- Community safety

3. SITE AND SURROUNDINGS

3.1. The site is located to the south east of High Cross Way where the road turns to a footpath and meets Ilsley Road. The site is currently an area which has fallen into disrepair and is underused but was designed as a refuse store and drying area to serve local residents.



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4. PROPOSAL

4.1. The application proposes the demolition and rebuilding of the existing outbuilding to the south of the site, the erection of a refuse store with SuDs compliant paving and resin bond, the erection of planting areas and a new grassed garden area with seating, the erection of fencing and a garden wall to the boundary of the site and insertion of coping stones to existing brick walls.

5. RELEVANT PLANNING HISTORY

5.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
	No Relevant History	

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP.1, CP.6, CP8	CS18	HP9	
Amenity		CP.10		HP13	
Transport	4			HP15, HP15	Parking Standards SPD
Environmental		CP.11	CS10, CS11		
Misc			CS3, CS19	MP1	

7. CONSULTATION RESPONSES

7.1. Site notices were displayed around the application site on 10th July 2017 in High Cross Way and Ilsley Road and an advert was published in the Oxford Times newspaper on 6th July 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

7.2. No comment.

Public representations

7.3. No third party comments were received on this application.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

i. Principle of development;
ii. Design;
iii. Residential amenity and facilities;
iv. Highways and Parking
v. Community safety

i. Principle of Development

8.1 The site forms part of the Barton Regeneration Area. Policy CS3 of the Core Strategy supports the regeneration of the area through environmental and public-realm improvements. The objective of these applications is consistent with the aims of the policy and, as such, the proposals are considered acceptable in principle.

ii. Design and Impact on Character of Surrounding Area

8.2. The demolition of the existing structure will open up the area and the proposed new outbuildings will be relocated to the rear of the site adjacent to a high wall. It is proposed that any new walls will be constructed of a brick to match existing brickwork in the area and the internal facing walls will be rendered.

8.3. The area currently provides an easily accessible unattractive communal area and the proposed landscaping and rebuilding of the store is considered to make the area more attractive and secure access to the adjacent flats in accordance with relevant design policies.

iii. Neighbouring Amenity and facilities

8.4. The proposal is a small scale development which is set a good distance away from neighbouring properties. The proposal is therefore not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overbearing impact or loss of privacy and is therefore considered to comply with policy CP10 of the Oxford Local Plan.

8.5. The proposal would replace the same number of storage sheds and so there is no loss of storage facilities. An adequate bin storage area is also retained.

8.6. The applications are for a replacement of facilities and so Officers do not consider it reasonable to require new, separate cycle storage within the proposals.

8.7. The proposal reduces the amount of hardstanding and creates a more useable and attractive amenity space for the occupants of the flats. It is also proposed to use sustainable urban drainage systems improving the drainage on the site in accordance with policy CS11.

8.8. The proposals overall are therefore considered to improve residential amenity and facilities and comply with policies CP1 and CP10 of the Oxford Local Plan and policy HP13 of the Sites and Housing Plan.

iv. Highways/Parking

8.9. The proposal does not alter the existing parking situation, therefore the proposal is considered to comply with policy HP16 of the Sites and Housing Plan.

v. Community Safety

8.10. The removal of the existing brick structures, which created poorly surveilled areas, is considered to reduce the opportunity for crime and the fear of crime. The proposal is more open and secure creating a better environment for the occupiers of the flats. Motion sensitive lighting is proposed in the bin area. The proposals are therefore consistent with policy CS19 (Community Safety) of the Oxford Core Strategy.

9. CONCLUSION

9.1. The proposed development is considered to create a safer, more attractive environment for the occupants of the adjoining flats whilst improving drainage.

9.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory approval of conditions listed below.

10. CONDITIONS

1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3 The materials to be used in the new development shall be those as specified on the application form. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4 All developments which increase the size of the built or hardstand areas must be drained using Sustainable Drainage measures, including porous pavements to decrease the run off and volumes to public surface water sewers and thus reduce flooding. You should carry out soakage tests to prove the effectiveness of soakaways or filter trenches. Where this is not feasible surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS Techniques.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies CS11 of the Oxford Core Strategy 2011-2026

Informatives

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

HUMAN RIGHTS ACT 1998

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

EAST AREA PLANNING COMMITTEE 6th September 2017

Application Number: 17/01275/CT3

Decision Due by: 9th August 2017

Extension of Time: TBC

Proposal: Raise height of existing MUGA fencing by 4m.

Site Address: Rose Hill Pavilion Rose Hill Sports Ground Ashhurst Way Oxford

Ward: Rose Hill And Iffley Ward

Agent: None **Applicant:** Oxford City Council

Reason at Committee: Oxford City Council is the applicant.

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1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an application to raise the height of fencing around a sports pitch.

2.2. The key matters for assessment set out in this report include the following:

- Design;
- Effect on adjacent occupiers

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

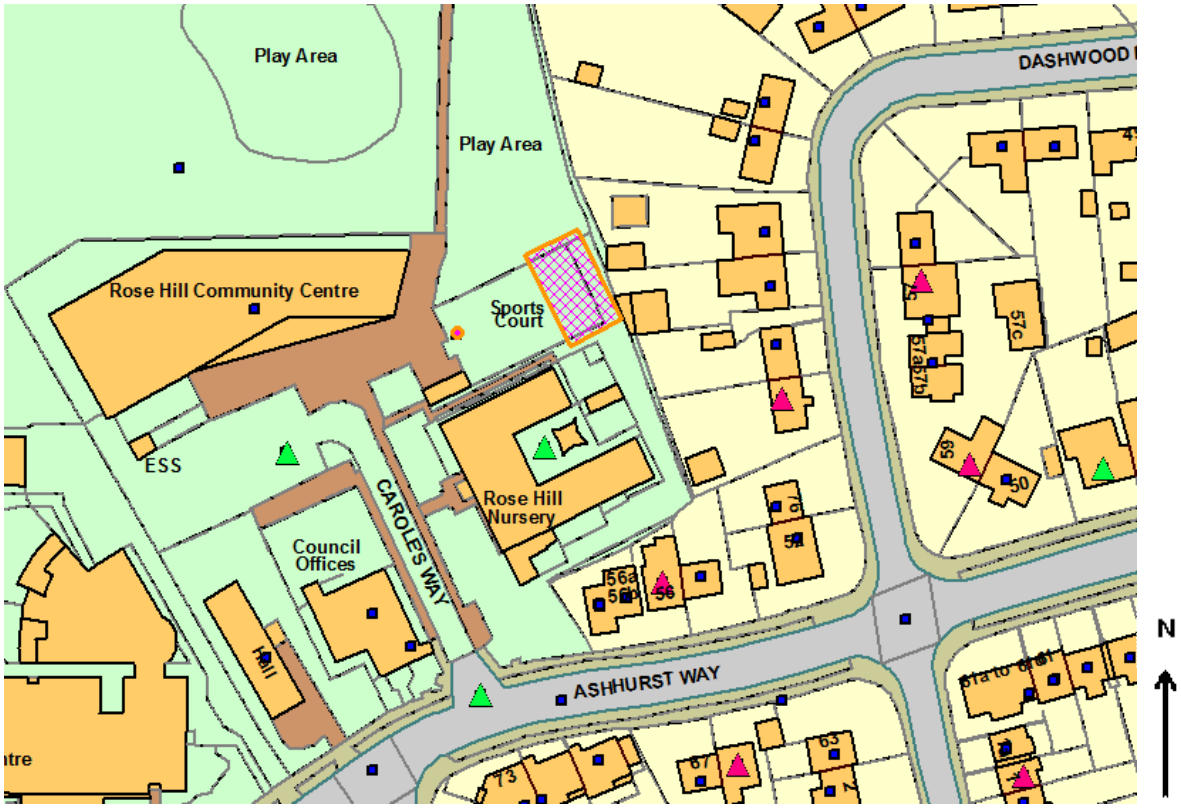
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located within a sports facility on the fringes of Rose Hill housing estate. To the east of the site are the gardens of dwelling houses along Dashwood Road. Officers note that the Description of the Proposal in the application form states that the fencing will be on the eastern boundary, but from the drawings supplied, it is clear that the fencing is that surrounding the sports pitch and will be some 3 – 5 metres from the boundary itself.

5.2. The site location plan is shown below.



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6. PROPOSAL

6.1. This report considers an application to raise the height of fencing around a sports pitch.

7. RELEVANT PLANNING HISTORY

7.1. There is no relevant planning history for the application site:

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design		CP1, CP8.	CS18	HP9	
Residential Amenity				HP14	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 26.07.2017 and an advertisement was published in the Oxford Times newspaper on 27.07.2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. No comments.

Public representations

9.3. No comments made.

Officer Response

9.4. None

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

i. Design;
ii. Neighbouring amenity etc.

i. **Design**

10.2. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new

development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.

10.3. The proposed development is not easily visible from the public domain. Whilst it will be visible from domestic gardens to the east the impact will be reduced by mature planting on the boundary. The proposal is not considered to be unacceptably harmful to visual amenity and complies with Policies CP1 and CP8 of the OLP, Policy CS18 of the Core Strategy and Policy HP9 of the SHP.

ii. <u>Impact on Neighbouring Amenity</u>

10.4. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the OLP and Policy HS14 of the SHP support this aim.

10.5. The proposal will not be experienced as overshadowing or overbearing. The nature of the proposal is such that there will the development will not have an unacceptable effect on adjacent properties, and complies with Policies CP1 and CP10 of the OLP and Policy HP14 of the SHP.

11. CONCLUSION

11.1. The proposed development is found to be acceptable and compliant with the relevant national and local plan policies. The development would not result in unacceptable harm to the character and appearance area and there would be no harm to the living conditions of surrounding neighbouring occupiers.

11.2. As such, it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out below.

12. CONDITIONS

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. Approved Plans

The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated

on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

Informatives

None

APPENDICES

Appendix 1 – Proposed block plan

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

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Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 2 August 2017

www.oxford.gov.uk OXFORD CITY COUNCIL

Committee members:

Councillor Taylor (Chair)
Councillor Clarkson
Councillor Tanner
Councillor Wolff
Councillor Hollingsworth (for Councillor Malik)
Councillor Henwood (Vice-Chair)
Councillor Lloyd-Shogbesan
Councillor Wilkinson
Councillor Pegg (for Councillor Chapman)

Officers:

Adrian Arnold, Development Management Service Manager
Sian Saadeh, Development Management Team Leader
Catherine Phythian, Committee Services Officer
Rachel Drinkwater, Committee Services Support Officer
Philip Devonald, Planning Legal Locum

Apologies:

Councillors Chapman and Malik and Chapman sent apologies.

22. Declarations of interest

There were no declarations of interest.

23. 17/00617/CT3: Oxford City Council Depot, Marsh Road, OX4 2HH

The Committee considered an application 17/00617/CT3 for planning permission for the extension of the depot to provide additional storage space for up to 5 years; reconfiguration and extension of car park; installation of cycle parking; widening of access and erection of fencing.

The Planning Officer presented the report and made the following verbal updates:

- Condition 1 – the wording would be revised to make it clear that the permission was for temporary depot extension and permanent car park reconfiguration and extension;
- Condition 19 – this could be removed as the applicant had provided further information on noise and odour management at the site and the Council's Environmental Health officers were satisfied that the measures taken were acceptable.
- A new condition would be added to provide final details of fencing for the site.

Hazel Dawe and Judith Harley spoke against the application.

Thomas Edwards (Agent) spoke in favour of the application.

In coming to their decision the Committee considered the planning officer's report including summaries of applicant policies and comments from the public; the officer's presentation; the speakers' comments; and answered to questions asked of officers, the public speakers and the applicant's agent.

The Committee asked questions and noted in answer, including but not restricted to

- The prospects of finding an alternative depot site within five years – the applicant was actively pursuing options for the depot relocation
- Any application for an extension of the planning permission would be considered on its own merits.
- Details of surface water drainage scheme – this would be covered in Conditions 5, 6 and 7
- Ecology survey and wildlife corridors – the Council's biodiversity specialist was satisfied with the results of the ecology survey and there was no evidence that there was any need for wildlife corridor on the site
- Disabled parking provision – this would be covered by Condition 13
- Car park management plan – this would be covered by Condition 12
- Policy SR2 was relevant to the application but policy SR5 was not

The Committee discussed their concerns and the merits of the scheme, including but not restricted to:

- Whether the applicant had proven the need for additional storage for adverse weather materials and recycling at this site
- The level of harm caused by the loss of open space
- The need to apply a time constraint for the restoration of the site on the expiry of the temporary planning permission. This should be required by condition.

The Committee concluded that in view of the sensitive nature of this Council application it would be appropriate to require the Head of Planning, Sustainable Development and Regulatory Services to consult with the Chair on the details submitted to satisfy a number of the proposed conditions.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The East Area Planning Committee resolved to

a) approve the application 17/00617/CT3 for the reasons given in the report and subject to the 18 required planning conditions and 2 informatives set out in section 10 of the officer's report and 2 additional conditions (to address fencing and time scales for site restoration)

b) grant planning permission;

c) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

d) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to approve the details submitted to satisfy the recommended planning conditions, with consultation with the Chair of East Area Planning Committee on the details submitted in relation to condition 1, 5, 6, 7, 12 and new condition on restoration.

Councillor Tanner left the meeting at the end of this item.

24. 17/01507/CT3: Offices, Barton Neighbourhood Centre, Underhill Circus, OX3 9LS

The Committee considered an application (17/01507/CT3) for planning permission for the change of use from office (Use Class B1) to use as a Health Centre (Use Class D1); demolition of existing garages to create car parking spaces; replacement of existing entrance doors with sliding doors and re-painting of the rear elevation with a community mural.

The Planning Officer presented the report and informed the Committee that there would be no loss of employment numbers as a result of the application.

Mr Artwell addressed the Committee on the need for community facilities in Barton.

Julia Castle (Oxford City Council officer, Property Services, applicant) was available to answer questions.

The Committee asked questions of the officers and public speakers about the details of the application.

In reaching its decision, the Committee considered all the information put before it. The Committee acknowledged the concerns raised by the public speaker regarding the loss of community facilities in Barton but noted that this was not relevant to the planning application before them. They considered that the expansion of the health services provided by the application was needed and would be of significant benefit to Barton.

On being put to the vote the Committee agreed with the officer recommendation.

The East Area Planning Committee resolved to

a) approve the application 17/01507/CT3 for the reasons given in the report and subject to the 5 required planning conditions and 1 informatives set out in section 10 of the officer's report;

b) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

25. Minutes

The Committee resolved to approve the minutes of the meeting held on 5 July 2017 as a true and accurate record.

26. Forthcoming applications

The Committee noted the list of forthcoming items.

27. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.45 pm

Chair …….. **Date: Wednesday 6 September 2017**