

Agenda

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East Area Planning Committee

Date: **Wednesday 4 April 2018**

Time: **6.00 pm**

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

For any further information please contact the Committee Services Officer:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

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	apologies
	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;
	Councillor Mark Lygo	Churchill; substitute

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

Copies of this agenda

Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

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AGENDA

Pages

1 Apologies for absence and substitutions

2 Declarations of interest

3 17/02387/FUL - Ruskin Hall, Dunstan Road, OX3 9BZ

11 - 40

Site address: Ruskin Hall, Dunstan Road, Oxford, OX3 9BZ

Proposal: i) Erection of 65 bed student accommodation building on four storeys.
ii) Erection of 30 bed student accommodation building on two and three storeys.
Demolition of Bowen Building. (additional information and revised plans)

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;**
- b) **Grant planning permission; and**
- c) **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 and Regulatory Services considers reasonably necessary and issue the permission.

4 17/02386/FUL: Stoke House, 7 Stoke Place, Oxford, OX3 9BX

41 - 64

Site address: Stoke House, 7 Stoke Place, Oxford, OX3 9BX

Proposal: Erection of 12 study bedroom annex on two floors

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;

b) Grant planning permission; and

c) 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 and issue the planning permission.

5 17/02717/FUL: 2A Ramsay Road, Oxford, OX3 8AX

65 - 78

This application was deferred from the previous meeting to allow the Committee to visit the site before reaching a decision.

The site visit is scheduled for Tuesday 3 April. If the site visit does not take place on that date it is recommended that this application be deferred.

Site Address: 2A Ramsay Road, Oxford, OX3 8AX.

Proposal: Erection of front porch. Demolition of single storey side extension and erection of a two storey building to create 2 x 1-bed flats (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage.

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;

(b) Grant planning permission: and

(c) 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.

6 18/00078/FUL: Unit 6 Trade City, Sandy Lane West, Oxford, OX4 6FF

79 - 86

Site address: Unit 6 Trade City, Sandy Lane West, Oxford, OX4 6FF

Proposal: Formation of enclosed area with acoustic fencing and insertion of 1no. gate to accommodate external air handling plant.

Reason at Committee: The application has been called in by Councillors Tanner, Rowley, Azad, Price and Kennedy because of local concerns over noise and fire escape access.

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;**
- (b) grant planning permission; and**
- (c) 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.

7 18/00408/CT3: Playground Rear Of 22-28 Bracegirdle Road, Oxford, OX3 8RJ

87 - 104

Site address: Playground Rear Of 22-28 Bracegirdle Road, Oxford, OX3 8RJ

Proposal: Demolition of existing side extension to No. 22 Bracegirdle Road and Formation of new vehicular access. Erection of 3 No. single storey buildings to create 2 x 1-bed and 2 x 2-bed residential retirement dwellinghouses (Use Class C3). Alterations to landscaping, provision of bin and cycle stores to each dwelling and provision of car parking.

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;**
- (b) Grant planning permission; and**
- (c) 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.

8 Minutes

Minutes from the meeting held on 7 March 2018

Recommendation: That the minutes of the meeting held on 7 March 2018 are approved as a true and accurate record.

9 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.

Barton Park: reserved matters and further applications relating to 13/01383/OUT	
17/01338/OUT: 23 And Land To The Rear Of 25 Spring Lane, Littlemore, OX4 6LE	Called in
17/01519/FUL: 55 Collinwood Road Oxford OX3 8HN	Called in
17/03064/CT3: Land On The East Side Of Field Avenue, Oxford	Council application
18/00217/CT3: Site Of (cons), 1 - 36 Brome Place, Oxford	Council application
18/00233 FUL: 12 Bleache Place, Oxford, OX4 2JD	Called in
18/00591/VAR: 255A Marston Road, Oxford, OX3 0EN	Committee level application
16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Non-delegated application (as at July, still awaiting additional information)
17/01480/FUL: 4 Lime Walk Oxford OX3 7AE	Called in
17/03380/FUL: The Iffley Academy, Iffley Turn, Oxford, OX4 4DU	Major development: listed building
18/00012/FUL: 3 David Nicholls Close, Oxford, OX4 4QX	Councillor application
18/00433/FUL: Beechwood House, The Beeches, Oxford, OX3 9JZ	Called in
18/00546/CT3: Garages Rear Of 18-34 Mortimer Drive Accessed From Raymund Road, Oxford, OX3 0RS	Committee level application
17/03050/FUL: Land North Of Littlemore Healthcare Trust,	Major development

Sandford Road, Littlemore, Oxford, OX4 4XN	
17/03425/FUL: Land to the Rear of 2 and 4 Fern Hill Road, OX4 2JN	Called in
18/00288/CT3: Even 26 To 60, Stowford Road, Oxford	Council application
18/00290/CT3: 2 To 24 Stowford Road, Oxford, OX3 9PJ	Council application
18/00291/CT3: 55 To 89 Bayswater Road, Oxford, OX3 9PD	Council application
18/00399/FUL: 32 Long Ground, Oxford, OX4 7WT	Committee level application

10 Dates of future meetings

The dates of future meetings are:

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.

EAST AREA PLANNING COMMITTEE

4th April 2018

Application Number: 17/02387/FUL

Decision Due by: 11 December 2017

Extension of Time: 20 April 2018

Proposal: i) Erection of 65 bed student accommodation building on four storeys.
ii) Erection of 30 bed student accommodation building on two and three storeys.
Demolition of Bowen Building. (additional information and revised plans)

Site Address: Ruskin Hall , Dunstan Road, Oxford, OX3 9BZ

Ward: Headington Ward

Case Officer Felicity Byrne

Agent: Mr Stephen Pickles **Applicant:** Paul Di Felice

Reason at Committee: Major Development

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;**
- b) **Grant planning permission; and**
- c) **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 and Regulatory Services considers reasonably necessary and issue the permission.

2. EXECUTIVE SUMMARY

2.1. This report considers the acceptability of the erection of two new buildings within the garden of a listed building and also the Conservation Area to provide an additional 95 student rooms. The plans are identical to those submitted and

approved first in 1997 and most recently in 2013. The principle of development has therefore been accepted and it therefore falls to consider whether the Development Plan or other material considerations have changed in the last 5 years such that the development is now not acceptable.

- 2.2. It is concluded that whilst the Development Plan has changed since 2013 with the introduction of the Headington Neighbourhood Plan earlier in 2017, the proposal accords with this plan and there have been no other significant material considerations that result in the application being unacceptable. Officers therefore recommend the application be approved subject to conditions.

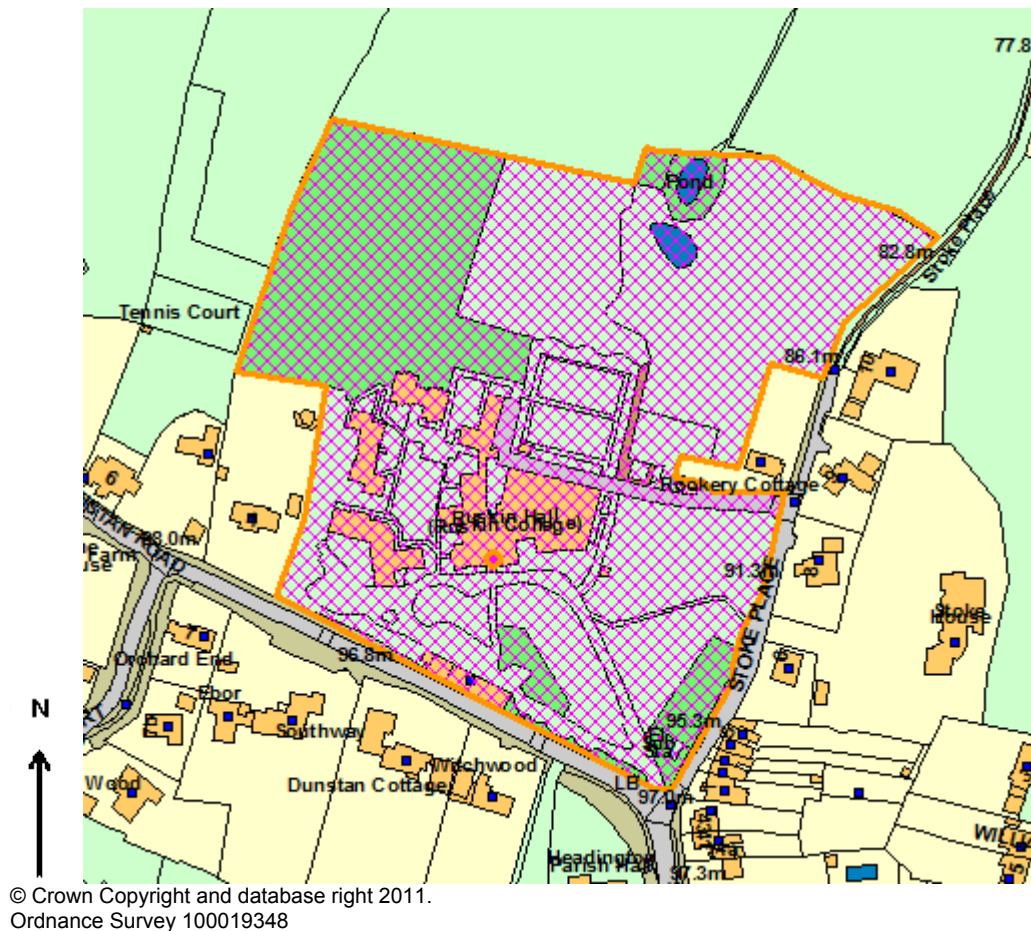
3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 3.1. The proposal is liable for CIL amounting to £318,719.66.

4. SITE AND SURROUNDINGS

- 4.1. The site is located within Ruskin Hall, its grounds and associated buildings are located within the boundary of the original designation of the Old Headington Conservation Area on 4th January 1971. The fields to the north of these lands, which formed part of Headington Meads, bounded by the Northern By-Pass, were taken into the conservation area through its last extension on 9th December 1998.
- 4.2. Located just outside the tight-knit, historic core of the 17th-19th century village centred along, and off St Andrew's Road and Old High Street and the stone wall-lined pedestrian ways of The Croft, Ruskin Hall belonged to the genre of higher-status detached dwellings, or converted, former agricultural buildings, situated in generously sized, designed and landscaped grounds, distanced from the road by a winding driveway. These houses, which include Headington House, Sandy Lodge, White Lodge and The Grange, are barely visible in the immediate streetscape, their presence denoted by stone boundary walls and gate piers. Glimpses of them usually occur from a distance within, or outside, the village, making their setting an important factor in their positive contribution to the special character and appearance of the Old Headington Conservation Area. Views south from the Northern Bypass looking over the unimproved grazing fields offer only fragments of the buildings and structures on this Ruskin College site. Thus it has a dual aspect, that to the village, and to the wider setting in a still, rural landscape. This rural setting is also an important feature of the character of this part of the conservation area.
- 4.3. Ruskin Hall, formerly The Rookery, and Crinkle Crankle wall are listed Grade II in their own right as buildings of special architectural or historic interest. The Rookery was listed on 12th January 1954 and the Crinkle Crankle wall on 28th June 1972.

4.4. SITE LOCATION PLAN



5. BACKGROUND & PROPOSAL

- 5.1. In 2008, the Ruskin College Masterplan was endorsed by the North East Area Planning Committee. The Masterplan sought to establish a framework for the future development at Ruskin's College sites in Old Headington to span the next 15 years. The College had taken the decision to consolidate the two Ruskin College sites because it was not economical or ecologically sustainable to duplicate activities between the two sites. This has now been achieved with the construction of the new academic building on the Old Headington campus, the closure of Ruskin's College on Walton Street and the transfer of all students and staff to the Old Headington Campus, now called Ruskin Hall.
- 5.2. In order to continue the implementation of the Masterplan, the college still need the two student accommodation blocks previously approved to be effectively renewed. This report therefore considers how the proposals now accord with the relevant development plans and any material considerations arising since the last grant of planning permission in 2103. The current proposals are identical to the original applications 09/00634/FUL & 09/00636/FUL and as further approved under 12/03123/EXT and 12/03124/EXT.

- 5.3. The application proposes the erection of two new accommodation blocks to provide student accommodation;
- i) Erection of 65 bed student accommodation building on four storeys (Block A) (12/03124/EXT) and;
 - ii) Erection of 30 bed student accommodation building on two and three storeys. (Block D). Demolition of the Bowen Building (12/03123/EXT).
- 5.4 The plans are identical to those submitted and approved first in 1997 and most recently in 2013. Block A replaces the existing 1960's Bowen Building to the north east of the campus, and is built to 3 and 4 storeys, utilising the change in ground level and varies in height between approximately 10m at its lowest to 14m at its highest. It is of a modern architectural design with a flat roof, with flues/ chimneys, and constructed in brick with timber panels. It provides 65 rooms.
- 5.5 Block D to the east of the Rookery is of the same architectural style and materials as Block A. It is built on 2 and 3 floors, creating a basement, again utilising the change in ground level reaching between approximately 6m and 10m in height.

6. RELEVANT PLANNING HISTORY

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

09/00548/FUL - Replacement sub-station. PER 4th September 2009.

09/00546/LBD - Listed Building Consent for alterations including demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C. additions. Alterations and extension on 4 levels for academic block. The Rookery. Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden. PER 2nd November 2009.

09/00547/FUL - Alterations and extension on 4 levels of The Rookery to provide academic accommodation and ancillary facilities. Associated hard and soft landscaping and cycle parking provision. Erection of smoking canopy, gazebo, fire pit, water tank and engineering operations to create steps and shallow pools/pond, regrading of land and creation of hard surface footpaths within fields to North of site. Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden. PER 11th September 2009.

09/00549/FUL - Installation of car parking areas to provide 38 car parking spaces. REF 4th September 2009.

09/00633/CAC - Conservation Area Consent for demolition of Bowen Building.

PER 11th September 2009.

09/00634/FUL - Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping. PER 11th December 2009.

09/00635/CAC - Conservation Area Consent for demolition of the Bowerman Building. PER 11th September 2009.

09/00636/FUL - Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping. PER 11th December 2009.

09/02565/NMA - Beatrice Webb Building - Application for non-material amendment to planning permission 09/00213/FUL involving various alterations.. PER 18th December 2009.

10/00612/FUL - Alterations and extensions on 4 levels to provide academic accommodation and ancillary facilities. PER 18th August 2010.

10/00613/LBD - Listed Building Consent. Alterations and extensions involving demolition of internal stairs, refectory wing and kitchens. Erection of academic and ancillary facilities on 4 levels. PER 16th August 2010.

11/01404/EXT - Application to extend the time limit of the existing planning permission 07/02867/FUL for the new dining room building.. PER 8th August 2011.

10/00612/NMA - Non-material amendment to permission 10/00612/FUL for alteration to kitchen window and internal modifications. PER 19th September 2011.

12/01659/EXT - Application to extend time limit for implementation of planning permission 09/00548/FUL for replacement of sub-station. PER 10th September 2012.

12/03123/EXT - Application to extend the time limit for implementation of planning permission 09/00636/FUL (Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping). PER 17th October 2013.

12/03124/EXT - Application to extend the time limit for implementation of planning permission 09/00634/FUL (Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping). PER 18th October 2013.

15/02740/FUL - Installation of 1no. car park barriers and 1no. bollard. (amended plans). PER 29th April 2016.

Adjacent Campus site planning history: Stoke House, Stoke Place:

09/02486/EXT - Application to extend the time limit on implementing permission 97/00731/NFH (12 study bedrooms) previously extended under 04/02045/VAR. PER 25th February 2010.

13/00475/EXT - Application to extend the time limit on implementing permission 97/00731/NFH (12 study bedrooms) previously extended under 04/02045/VAR and 09/02486/EXT. PER 18th October 2013.

17/02386/FUL - Erection of 12 study bedroom annex on two floors. Pending consideration.

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 & Headington Neighbourhood Plan
Design	7 56-68	CP1, CP6, CP8, CP9, CP10,	CS18_ CS19_	HP9_ HP12_ HP13_ HP14_	CIP1, CIP3, CIP4
Conservation/ Heritage	12 126 -141 134 and 135.	HE2, HE3, HE4,			GSP4,
Housing	6			HP12_ HP13_	
Commercial	1, 2				
Natural Environment	9, 11, 13 117-118	NE14, NE15, NE21, NE22, NE23,	CS9_ CS11_ CS12_		GSP3,
Social and community	8		CS16_ CS25_ CS29_		
Transport	4	TR4, TR5, CP13,	CS13_	HP15_ HP16_	Parking Standards SPD, HNP GSP3, TRP4, TRP5, TRP6

Environmental	10		CS9_, CS10_, CS11_		Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1 SP50	Telecommu- cations SPD, External Wall Insulation TAN,

8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 3rd October 2017 and an advertisement was published in The Oxford Times newspaper on 28th September 2017.
- 8.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 8.3. No objection subject to conditions. Key issues: • The submitted Travel Plan is outdated and a Travel Plan Statement is required for a development of this size. • A Construction Traffic Management Plan is required in order to minimise the impact of construction traffic upon the local highway network. • The development is proposed to be car-free in line with policy. • Stoke Place, which is a private road must be monitored to ensure that there is no increase in overspill parking as a result of the development on this road.

Historic England

- 8.4. No comments to make.

Natural England

- 8.5. No comments to make.

Thames Water Utilities Limited

- 8.6. *Waste Comments* Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
- 8.7. *Water Comments* Thames Water recommend informatives relating to pressure and large water mains crossing the proposed development, and suggests a condition requiring 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.

Public representations

- 8.8. Letters of comment have been received from the following addresses: Nos. 4, 7B and Manor Farm House Dunstan Road, Nos 1, 4, 5, 8, 6 & 9 Stoke Place, 14 Nursery Close, 1a and Jeffcoat House, Larkins Lane. No. 5 William Orchard Close, 7 The Croft. 23 Lamarsh Road, Oxford Civic Society, Friends of Old Headington, Oxford Preservation Trust, Stoke Place Residents Association, Headington Heritage also commented.

In summary, the main points of objection were:

- Application disappointing in its response to OCC Policy CS18 and does not take account of the new neighbourhood Plans
- Adverse impact on the landscape setting of Ruskin Hall: loss of even more green space is very regrettable since Bowerman demolished and walled garden revived the landscaped garden is now the finest in the area.
- Adverse impact on the Conservation Area; development is in a sensitive part of the CA and impinges on two significant sight lines identified in the Old Headington Conservation Area appraisal.
- Views to hills in the distance from the road will be lost.
- Adequate screening by deciduous trees must be demonstrated.
- Ibstock Cream brick area out of keeping with the CA and a Stretcher bonding is inappropriate
- The transport plan must be updated due to the rise in online ordering in the last 10 years, in particular with a management plan to limit online ordering A 120 students represents a substantial increase in the number of residents and pedestrian/road traffic in the
- The buildings must be removed from the CPZ
- Student motorists not eligible for parking permits within college grounds cram their cars into the lane, sometimes belligerently and with no regard for the through passage of emergency service vehicles, refuse and delivery trucks (mostly servicing the college) that wish to access the lane beyond our terrace
- Parking for staff is a 'first come first served' basis, which means that staff also take advantage of being able to park in Stoke Place
- the college has introduced a student parking ban which is upheld by sanctions against offending student car owners (but not against staff). It remains to be seen whether the college will police this ban and for how long, past undertakings by the college have repeatedly been short lived.
- a restrictive condition must be imposed that the buildings will not be used for other uses such as hotel or conference centre use
- It is acknowledged these proposals have been previously approved and the site is allocated for development. the extension to the Rookery is not beautiful and is incongruous. Therefore these new buildings should be sensitively designed and placed so that they are not seen from within the Village or from the North.
- the boundary line between Ruskin College and 4 Dunstan Road is not

- drawn correctly
- Parking on site should be restricted
- Adverse impact from coaches currently on Dunstan Road.
- Impact of deliveries and construction vehicles; Pollution and congestion
- Construction vehicles should use the Dustan Road entrance as Stoke place in narrow with parked cars on and in need of repair, A specially constructed road within the grounds should be used as was done for the earlier development construction.
- How will students access facilities?
- area – noisy talking, shouting and occasional vandalism is an issue in the OHCA
- Block A - height size and design overwhelms its surrounding
- Block D – restrict views to the countryside behind
- Damage Ruskin's landscape setting
- Adverse impact on neighbouring residential amenities in terms of views, privacy and
- Increase in light pollution; existing serious light pollution created by the Academic Block, with its staircase lit up throughout the night, and now with lights throughout the garden burning all night. This adversely affects the residents of Stoke Place and must be having a serious effect on the bird population of the area.
- We recognize that this is a resubmitted planning application but there have been changes, notably increases in size.
- Design and plans are almost 10 years old 2
- Blocks A and D will increase the number of rooms by 71 (from 24 to 95) Blocks A and D and Stoke House Extension applications together will increase the number of rooms by 83 (from 36 to 119). Time to review the Masterplan. The Ruskin College Business Case – do they really need this additional accommodation?
- Proximity to neighbouring properties – all Stoke Place residents Light pollution and loss of privacy
- Lack of consultation with neighbours
- Planning, application and incorrect documentation and building work disruption.
- There have been a large number of similar student developments in Headington over the last few years which will affect the already strained transport and local amenities. This, along with the large housing development in Barton, I am concerned at the affect of such a large development on the surrounding area.

Comments of support were as follows:

- Ruskin Hall has the ability to adapt to the needs of its students in a fast-changing world & the two new buildings for housing students would enable the College to meet the needs of today's world.
- The eastern unit will stand where outdated and unsightly housing stood and has been indicated on the master plan for some time.
- Care needs to be taken to lesson disruption to the residents of Stoke Place during construction.
- The second building replaces an older unit and has the facilities to meet

- expectations of today's student.
- Student rooms are both crowded and noisy and students have expressed the difficulty in sharing very limited WC and bathing facilities.
 - This western unit would have a positive impact on the local community. It would, like the current dorm, not be visible from Dunstan Road and not impact to any great extent its neighbours on the west.
 - The shabby remnants of Bowerman House so blighted the appearance of Stoke Place before its demolition and its removal has been supported.
 - When Barton is complete, residents may be glad of the view being obscured.
 - A cessation of the burning of garden waste in the area to the north of the current dorm when a larger building is constructed will be welcomed.
 - no concerns with regard to Ruskin College's proposals as to any potential increase of traffic to the area, this has happened in any event during recent years following on from the London Road improvement work
 - The recent replacement of the former college hall and dining rooms by the present rationalist buildings, sensitively designed to be in keeping with the Rookery's facade, has improved the view across Ruskin's grounds considerably more than the addition of any resulting greened space.
 - present buildings show a discernment that was previously lacking in the college's historical development of their site, provided this discernment is maintained we remain largely sympathetic to the college's proposals.
 - Ruskin College has been here a long time and the college needs to be allowed if not encouraged to operate a financially viable institution in order to survive and prosper.

Officer Response

- 8.9. The site is allocated for development and the proposals have been previously approved. The plans are identical to those previously considered by the Council and there is no increase in size proposed. Other comments are addressed in the main report.

9. PLANNING MATERIAL CONSIDERATIONS

- 9.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design and Heritage;
- iii. Residential Amenity;
- iv. Transport;
- v. Flooding;
- vi. Trees & Landscaping;
- vii. Biodiversity;
- viii. Archaeology;
- ix. Energy Efficiency.

i. Principle of Development

- 9.2. The NPPF has a presumption in favour of sustainable development and states that development proposals that accord with the up-to-date policies of the development plan should be approved without delay (paragraphs 12- 24).

Paragraph 17, the NPPF also identifies 12 core land-use planning principles

which should underpin both plan making and decision taking. These include encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. It should be noted that gardens are brownfield land and not greenfield. At a local level, the development plan has also changed since 2010 with the recent adoption of Headington Neighbourhood Plan in 2017. Policies CIP1, CIP3, CIP4 and GSP4 and GSP5 seek to ensure new proposals are of high quality design that enhance their surroundings and conservation area and other heritage assets.

- 9.3. The Oxford Core Strategy 2026 sets out the strategic development framework for Oxford, and Policy CS26 requires student accommodation to be occupied by students of either Oxford University, Oxford Brookes University, or other institutions provided they are full-time students on a course of an academic year or more. Sites and Housing Plan Policy SP50 deals specifically with the Ruskin College Campus and supports proposals for student accommodation on the site provided that developments retain and enhance the listed buildings and their setting within the campus; contribute towards the character of the conservation area; and preserve and enhance nearby listed buildings and their setting. The development should minimise car parking on site, and the applicant will be expected to show how the proposals mitigate traffic impacts and maximises access by alternative means of transport, and improves pedestrian links. Policy HP5 states that student accommodation should be located on or adjacent to an existing university or college academic site, and that provides suitable indoor and outdoor space for developments of 20 or more bedrooms, a management regime for the accommodation, and an undertaking to prevent residents from bringing cars to the city.
- 9.4. The site itself is sited adjacent to the Stoke Place smaller campus on the western side of Stoke Place, and is considered to be a suitable location for student accommodation under Policy SP50 and HP5 of the Sites and Housing Plan.
- 9.5. The principle of residential development here has been accepted on several previous occasions when the development was first approved and subsequently granted extension of time. Whilst the most recent permissions have lapsed there has been no significant material changes within the site or its surroundings such that planning could reasonably be withheld in this case.

ii. Design and Heritage

- 9.6. The NPPF, paragraphs 56-68, requires that high quality design is achieved that promotes or reinforce local distinctiveness. In relation to heritage assets

(paragraphs 126 -141) Local Planning authorities have a duty to have special regard to the preservation or enhancement of designated heritage assets, (e.g. listed buildings and conservation areas). The NPPF encourages local planning authorities to look for opportunities to better reveal or enhance heritage assets and their settings and states that proposals that do make a positive contribution should be treated favourably.

- 9.7. In considering the impact of a proposed development the NPPF states that the significance of a designated heritage asset should be considered and great weight given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification, measured in terms of the public benefits to be delivered through the proposal.
- 9.8. These aims are embodied in Local Plan Policy HE3 and HE7 which requires development proposals to preserve or enhance the special character and appearance of the conservation area or the setting of the listed building. Policy CIP4 of the HHNP seeks to ensure that development will only be permitted where it addresses the conservation and enhancement of the significance, character and any special architectural or historic features of significance the asset may possess.
- 9.9. Policy CS18 of the Oxford Core Strategy 2026 require proposals to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; contributes to an attractive public realm; and high quality architecture. The Local Plan expects new development to enhance the quality of the environment, with Policy CP1 central to this purpose and Policy CP8 encourages development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area. This is supported by Policy HP9 of the Sites and Housing Plan. Policy GPS4 state that development will be permitted where its design responds appropriately to the site and the character of the surrounding area and again emphasises and supports CS18. Policy CIP1 states that new developments will only be permitted where they respond to and enhance the distinctive local character where it is described in the Character Assessments. CIP3 of the HHNP supports innovative design which accords with the local plan, takes account of local heritage and enhances the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing.
- 9.10. The Old Headington Conservation Area Appraisal was adopted in July 2011. The aims of this document are to assess the special significance of the conservation area and the elements that contribute to this significance and to provide guidance on preserving and enhancing this. Key characteristics of this part of the CA along Dunstan Road is its tree lined approach to the historic village core, with grass verges and high stone garden walls contributing to the village character. □Thehouses are generally set well back from the road in large gardens, reflecting the process of development onto former agricultural land on

the village-edge. □ Ruskin Hall (The Rookery) is an example of the big houses built on the edge of the village by an Oxford merchant, but also has historic interest as an educational institution. The character area contains a group of cottages of late 19th century construction that extend from the end of St. Andrew's Road down Stoke Place Lane. These introduce the more densely built up character of the village centre, as well as illustrating the difference in the housing provision made for the village's working class inhabitants and its wealthy inhabitants, such as the owners of The Rookery and Stoke House in the later 19th century. The green setting of the conservation area is also important and is recognised in the Conservation Area Appraisal. The north of the site is bounded by open fields, the northern bypass and then open countryside beyond this. This green wedge is indeed important to the setting of the existing buildings on the site and the rural quality and significance of the conservation area.

- 9.11. Ruskin Hall, formerly known as The Rookery, is 2 storeys constructed of stone, under a pitched roof, the earliest, and once freestanding, building on the site, dates from the 16th and 17th centuries. It survives in part only, retaining chimney - breasts and good fireplace surrounds, but its cross wings were removed in order to accommodate the 3 storied, ashlar limestone, 1810 classical building, whose main staircase is now the principal feature of its type within The Rookery.
- 9.12. Extensive alterations in the late 19th, early 20th century, collectively ascribed to the Arts and Crafts style, produced a long, single storey, north range under pitched roofs, skewed in plan, with a lower, cloistered arrangement built on the eastern side of the 16th/17th century building to provide a link. About the same time, a pitched roof with dormers was added above the first floor, and at the southern end of the early building, with single storey extension immediately to its north. It is likely that the servants' stair, inserted within the original building, dates from this period. Also built during this phase is a 2 storeyed flat roof and single storied bay extension against the western, side elevation of the classical building.
- 9.13. Small-scale additions of 1 and 2 storeys height, of an ancillary nature, were added to the north elevation of the Classical building in the mid 1960's. The extensive plan form, but single storey, Tawney, Dining Hall and kitchens also dated from this phase. In the 2010 a larger extension to the Rookery and other internal alterations and changes were made, as approved under 09/00547/FUL and 09/00546/LBD which included the demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C.
- 9.14. The Crinkle Crackle wall forms part of the Walled garden built in the 18thC and thought to be for structural reasons. It is constructed of stone on the north face and lined with brick on the internal southern face of the wall. It has been repaired and the walled garden brought back to life in recent years under the approval 09/00547/FUL, and is tended by the students and the Ruskin Crinkle Crackle Garden Club.

- 9.15. The proposed two new student blocks are identical in terms of size, scale, and design to the two separate applications approved in 2013. Within the original 2010 approval Officers considered carefully the impact of the proposed development on the heritage assets. It concluded that the Ruskin Hall campus was not a street in a village within a city, but a long standing educational establishment comprising a complex of buildings, and structures with spatial quality and relationship to their grounds and signal trees. It noted the hierarchy of landscape from the designed grounds to the south of, and immediately surrounding, The Rookery (Ruskin Hall), changing to the supply of horticultural and culinary needs provided by the walled garden and orchard that give way to the northern fields. Officers also noted the history of contemporary buildings relating to their historic time frame, modern architectural additions and accommodation blocks on the campus, and what was being proposed was no different from the way the original site had developed. The proposals (which included the extension of the listed Rookery) were considered to be sympathetic in design to The Rookery (Ruskin Hall), and other existing buildings, structures and landscape features on site. The heights have previously been endorsed and were considered appropriate within the site and relationship to existing buildings. Officers considered that the new buildings would not have an adverse impact on the special character and appearance of this part of the Old Headington Conservation Area or setting of the listed building or Crinkle Crackle wall. The essential built and landscaped qualities of the area would be preserved and enhanced.
- 9.16. Again in 2103, set against the policies of the NPPF and a development plan including the Core Strategy, Oxford Local Plan, Sites and Housing Plan and CAA, Officers were of the view that the proposals complied with the aspirations to preserve the special significance of the surrounding heritage assets, including the gardens and setting of the listed building and the character and appearance of the Old Headington Conservation Area.
- 9.17. Block D effectively replaces the existing 1960's Bower Building and whilst a storey higher it would have a similar relationship to the listed building and its setting. Block D which is located in a similar location to the Bowerman building that was demolished shortly after the original permission was granted in 2010, would have a the same relationship to the recently completed modern extension to The Rookery. As part of the original approvals additional tree planting was proposed along Stoke Place to mitigate tree loss and the impact of views into the Site.
- 9.18. In considering this renewal application, the development plan has altered with the introduction of the Headington Neighbourhood Plan which reinforces much of the existing local plan framework in terms of design and heritage considerations. However the policy context has not materially altered and a local planning authority's duty to have special regard to the preservation or enhancement of designated heritage assets remains. The significance of the listed building and its garden landscape setting, the Crinkle Crackle wall and walled garden, the green field landscape and the significance of this part of the Old Headington Conservation Area are well understood. In previous determinations the Council found that the proposed plans, which are identical to those here, were not

harmful to the significance of those assets. There has been no significant material change in circumstances either in the context of the site or surroundings since that time that would lead Officers to reach another conclusion at this time.

- 9.19. The comments of the local resident in terms of the blocks size height appearance and location are noted. Whilst the architectural form and design of the blocks are not recent and may not be to everyone's taste, they nonetheless would form an appropriate relationship to the buildings on the site and within the landscaped gardens. The views out of the college to the landscape in the distance are not protected and would change, however this would not be harmful.
- 9.20. In conclusion therefore, given the significant weight of the previous approvals and that site circumstances have not materially changed within the last 5 years, the proposals would not harm the significance of the listed building and conservation area and it would be unreasonable to withhold planning permission in this case.

iii. Residential Amenity

- 9.9 The Council seeks to safeguard the amenities of the occupiers of the properties surrounding any proposed development. This is particularly important for existing residential properties, as new development can block light, have an overbearing effect and overlook adjoining properties. Policy HS19 states that permission will only be granted for development that adequately provides for the protection, and/or creation, of the privacy or amenity of the occupants of the proposed and existing residential properties. This will specifically be assessed in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported through Policy CP10.
- 9.10 Officers previously considered that there would be no adverse impact on residential amenities. The proposed accommodation blocks would be situated well within the campus grounds and would have a significant distance to the nearest residential properties. Block A to the north overlooks an area of grass and trees and any oblique views to the rear of No. 4 Dunstan Road property, which is closest, are in excess of 47m (notwithstanding any boundary issues raised by No.4). It is also screened by the existing Biko building. There would be no direct overlooking, loss of privacy or overbearing. Block D is in excess of 34m to No. 8 Stoke Place. Whilst the building will face directly towards No.8 with windows to bedrooms, bathrooms and common rooms on all floors, it would be screened by existing and new tree planting and the central hall way windows have been covered with louvers also to restrict views. Furthermore the distance varies from 34m to 50m where the building sets back and is sufficient for there not to be any significant overlooking or loss of privacy. Neither would the building be overbearing.
- 9.11 Residents have also raised the issue of light pollution, and as before, a condition could be imposed requiring a lighting strategy in order to ensure lighting would

not be an issue.

9.12 The proposal accord with Policies CP10 of the OLP and HS19 of the SHP.

iv. Transport

Transport Sustainability & car parking

- 9.13. Currently on site there are 45 designated staff car parking spaces throughout the site and in two small car parking areas. The site operates a one way system through the main gates, but servicing & deliveries access the site solely from the access on Stoke Place. Policy CS26 of the Oxford Core Strategy states that with regards to student accommodation appropriate management controls will be secured including an undertaking that students do not bring cars into Oxford.
- 9.14. With regards to proposed parking provision, this would be identical to that approved and implemented under the previous permissions and would not change as a result of these applications for student accommodation. This accommodation is proposed to be car-free and students would not be permitted to bring cars on-site. Students would also not be eligible to apply for residents' parking permits within the Controlled Parking Zone. However, Stoke Place which is adjacent to the Ruskin College site is a private road and not included within the Controlled Parking Zone. The updated Transport letter outlines that students will be asked to provide details of any vehicles they have including registration numbers. A reporting system is proposed to be introduced in order to help prevent overspill parking on Stoke Place, which is an current issue highlighted by the residents. In response to residents' concerns the College has stated that it has been working very closely with students and residents to resolve this issue. They confirm that it is now embedded in their enrolment procedures that students as a condition of acceptance do not park on Stoke Place. This is a condition of attendance at Ruskin College and is supported by their disciplinary policy.
- 9.15. The County Council Highway Authority (HA) raises no objection to the application but considers it vital that parking on Stoke Place is monitored, both in order to ensure the car-free nature of the development and to ensure that any overspill parking does not cause obstructions to emergency vehicles or restrict existing residents' access to parking. It notes the existing 45 car parking spaces and that there is no proposal to increase or decrease the number of spaces. The HA therefore considers it unlikely that there would be any significant increase in vehicle trips to the site. It does not oppose to the number of off street car parking spaces remaining at the same level or the parking on-site to be permit controlled. But these measures must be included within the Travel Plan Statement required for the development and agreed by the Local Planning Authority prior to occupation.
- 9.16. As for previous permissions a condition would secure that students bring no cars to Oxford. The College has confirmed that this within their current tenancy agreement for which there is a penalty if this is breached. Details of the monitoring system could also be secured by condition. A construction traffic

management plan condition would also detail hours of working, delivery times and measures for damage to the road and in particular Stoke Place. As such the development would accord with HP16 of the SHP and CS25 of the CS.

Cycle Parking

9.17.

9.18. It is proposed that there will be 52 cycle parking spaces provided in accordance with Policy HP. This meets the minimum 43 cycle parking spaces required. Details on the location of the cycle parking and its means of enclosure can be secured by condition.

v. Flooding & Drainage

9.19. Local residents have raised concern with regards to the capacity of the existing waste water infrastructure to accommodate the needs of the proposed new buildings. Thames Water has also identified this as a potential issue but have suggested that a Grampian style condition be imposed should permission be granted to allow the applicant's to submit a drainage strategy detailing any on and/or off site drainage works prior to any building work commencing. This information would then be assessed by the Local Planning Authority in consultation with the sewerage undertaker. Officers consider that this is an appropriate proposal to ensure that there is a proper assessment of the potential impact and an agreed solution to resolving any problems.

vi. Trees & Landscaping

9.20. The trees within the site are protected by virtue of location within Old the Headington Conservation Area. The grounds are well established with a mature tree stock. The trees are publically visible from vantage points along Dunstan Lane and Stoke Place and are regarded as a significant feature within the immediate area. The OLP requires that as far as possible existing trees and other landscape features are successfully retained within new development and that new trees and new soft landscaping including tree planting is included whenever it is appropriate. Policy NE16 of the OLP seeks to ensure that development will not destroy protected trees if it will have a significant adverse effect upon public amenity. Any protected tree that is destroyed must be replaced by a tree, or trees, suitable for the location. Policy NE15 seeks to ensure that development will not destroy hedgerows and other valuable features where this would again have a significant adverse impact upon public amenity or ecological interest.

9.21. The proposed development would result in the loss of several trees. The four trees lost by the replacement of the Bowen Building are set within the grounds and are less publicly visible within views from the ring road. The three trees lost for the new building to the east of the grounds include 2 mature silver birch trees which are visible from Stoke Place and provide public amenity and contribute to the character of the CA. These tree removals have already been approved in previous approvals and as previously required tree planting along Stoke Place is necessary to mitigate their loss and the impact on the character of the CA.

- 9.22. Some of this planting has already taken place and there are now 4 young beech trees along the Stoke Place boundary south of the vehicular access, which are shown on the submitted revised landscape plan. However, the young beech tree at the northern end nearest to the access is in poor condition and should be replaced. The landscape plan has been amended to replace this tree with an extra heavy sized specimen of sweet chestnut and also to include 2 new extra heavy standard sized specimens of silver birch along entrance from Stoke Place on the east side of the new building as a replacement for the 2 birch trees that will be lost. Officers consider this to be appropriate mitigation for the loss of existing trees and as such the proposal accords with Policies NE15 and NE16 of the OLP subject to conditions including implementation and maintenance.

vii. Biodiversity

- 9.21. The NPPF sets out that “The planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible” and “opportunities to incorporate biodiversity in and around developments should be encouraged” (paras 117-118). CS12 of the Cores Strategy states that development that results in a net loss of sites and species of ecological value will not be permitted. Where there is opportunity, development will be expected to enhance Oxford’s biodiversity. Sites and species important for biodiversity will be protected including international and national sites and locally identified sites. Policy GSP3 supports that policy seeking to ensure land that has a significant wildlife or ecological value is conserved and enhanced and developments that result in significant harm to protected sites as defined in CS12 should not be permitted unless the developer can demonstrate that the benefits of the development clearly outweigh the loss, and this can be mitigated against and compensated for elsewhere within the HNP by providing a replacement habitat on an equivalent or higher ecological value. Local residents raised concerns regarding the harm of the development on biodiversity.
- 9.22. A preliminary ecological appraisal on land at Ruskin College (both campus) has been undertaken by Ecology by Design Ltd. It identifies nationally and locally designated sites nearby and protected species. There was one European designated site that occurred within 7km of the site. Fifteen nationally designated sites occurred within 5km of the site and fourteen locally designated sites occurred within 2km of the site. Oxford Meadows Special Area of Conservation (SAC) was designated due to the lowland hay meadows on site which support creeping marshwort (*Apium repens*), one of only two sites in the UK. Sidling's Copse and College Pond SSSI is the closest SSSI that is designated for biological reasons rather than geological. The site is designated due to the variety of habitats on site, including woodland and acid and limestone grassland.
- 9.23. Natural England define Impact Risk Zones around Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPA) and RAMSAR sites and categories of development for local authorities to determine if they need to consult Natural England in regards to potential impacts

upon them and Natural England has no comments to make with regard to the application.

- 9.24. There are two Local Wildlife Sites, two proposed Local Wildlife Sites, four Sites of Local Importance of Nature Conservation, two BBOWT sites and three Conservation Target Areas within 2km of the site, however all sites are separated from the site by the A40 or residential developments. It is unlikely that any statutory protected sites or any of the non-statutory protected sites will be affected by the potential development of the site due to the small size and locality of the development, furthermore, the site is surrounded by barriers such as the urban area of Headington to the south, west and east and the A40 to the north.
- 9.25. The site has a varied landscape of scattered trees, woodland, woodland scrub, open grassland and ponds. It therefore offers the opportunity for a wide variety of biodiversity and the Ecology report identifies that it is suitable to nesting birds, reptiles and falls within the core sustenance zones (CSZ) of all bats recorded: long-eared, common, soprano and Nathusius's pipistrelle and noctule. Some of the older buildings were also identified in having the potential to support bats with many having missing slipped roof tiles. Mature trees on site may also support roosting bats, especially trees clad with ivy. The Bowen building is the only building to be affected by the proposals and the preliminary roost assessment of the building did not find any evidence of roosting bats internally or externally. Badger footprints were found along the northern boundary of the main Ruskin Hall campus. However there was no other evidence such as latrines or setts on site. The site also contains 3 ponds which all scored 'poor' suitability for great crested newts. Furthermore, the areas highlighted for proposed development are located within either hard standing or managed amenity grassland, which are habitats of negligible importance for great crested newt.
- 9.26. The Ecology Report goes on to make various recommendations in light of the finding as set out above in line with NPPF and mitigation should include the restoration and recreation of any priority habitats lost and other opportunities for biodiversity enhancements.
- 9.27. Officers concur with the findings and recommendations of the report. The development would result in the loss of biodiversity however the site offers good potential for its re-provision elsewhere. The applicant has indicated that the loss of trees and amenity grassland will be replaced by mitigation on-site as recommended by their consultants Ecology By Design. It is considered that careful design of landscaping and enhancements would mean that no net loss to biodiversity can be achieved.
- 9.28. Given the established nature of the site with connection to open countryside and a number of mature trees and hedges, site lighting is a concern for bats and details can be secured by condition to ensure that lighting this does interfere with bat flight routes / feeding (for both construction and site operation). Building enhancements in the form of bird and bat boxes should also be installed and can be secured by condition.

9.29. In conclusion the development would not harm national or locally designated sites. The site has biodiversity value and subject to appropriate conditions the potential loss of biodiversity can be mitigated against and enhanced. These mitigation and enhancement measures could be secured by condition and on this basis the proposal accords with CS12 of the CS and the NPPF.

viii. Archaeology

9.30. The NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. OLP HE2 also applies.

9.31. The site has archaeological interest. Previous trenching has been done in the vicinity of the footprint of the new building to the east recorded Iron Age and Roman remains. Including sherds from a single Early Iron Age carinated vessel and Roman pottery and charred cereal grains. The Roman pottery assemblage from the site is notable with the dominance of mortarium sherds and is characteristic of material derived from the pottery production waste. The locations of any kiln or kilns remains unclear however the strong magnetic disturbances recorded during the magnetometer survey in the vicinity could indicate either a kiln or an area of modern disturbance. The presence of such a manufacturing site would be of particular interest because of its association with an extensive distribution of Roman manufacturing sites located across east Oxford and related to the nationally important local pottery industry. The recovery of domestic faunal remains and significant quantities of charred cereals also points to presence of domestic occupation in the vicinity.

9.32. The archaeological evaluation previous undertaken for the Bowen Building demonstrated the presence of Iron Age and Roman remains in the western part of the site and noted the potential for Roman Kilns to be present in the vicinity. In addition the Block D site lies close to the possible route of a Roman Road (Victoria County History, 1930) 30m to the east. Furthermore this site lies 70m to the east of the 16th-17th grade II listed 'Rookery House' and is located on the original access route to the house.

9.33. In this case, bearing in mind the results of the previous adjacent archaeological excavation and evaluation, in line with the advice in the National Planning Policy Framework, any consent granted for this application should be subject to an archaeological written scheme of investigation condition. As such the proposal would accord with Policies HE2 of the Oxford Local Plan and the NPPF.

ix. Energy Efficiency

- 9.34. An Energy report has been submitted that indicates the by using solar photovoltaics and an efficient gas fired boiler within the two new blocks that a 20% reduction in carbon emissions can be achieved in accordance with CS9 of the CS. This can be secured by condition.

10. CONCLUSION

- 10.0. Having regard to the contents of this report Officers advise that the proposals are still in accordance with the endorsed Masterplan and would protect the setting and special character of The Rookery as a Grade II listed building, would ensure the continued relationship between the listed buildings, Crinkle Crankle wall and the landscaped grounds, and would preserve the special character and appearance and setting of this part of the Old Headington Conservation Area both from within and outside the designated boundary. It is noted that there has been a change in terms of development plan policies with the introduction of the Headington Neighbourhood Plan. However, this does not significantly alter the principle of the proposed development, and there have been no significant changes on the site or in the surrounding area which materially impact upon the development. The proposals therefore would accord with Local Development Plan and NPPF.
- 10.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions.

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 exterior materials proposed to be used shall be made available for inspection on site 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: To enable the Local Planning Authority to give further consideration to the external appearance of the approved works/building, in the interest of visual amenity,

in accordance with policies CP1, CP8, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 4 Prior to use or occupation of the new development, covered and secure cycle parking for a minimum of 52 on-site shall be provided. The location and type of this provision should be submitted and agreed by the Local Planning Authority in writing. Only the approved details shall be implemented and thereafter retained at all times.

Reason: To encourage the use of sustainable modes of transport in accordance with HP15 of the Sites and Housing Plan 2013.

- 5 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 and TR1 of the Oxford Local Plan 2001-2016 and the NPPF.

- 6 Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Residents of each room shall be provided with a copy of the approved Travel Information Pack.

Reason: to ensure all residents are aware of the travel choices available to them from the outset in accordance with Policies CP1 and TR1 of the Oxford Local Plan 2001-2016 and the NPPF.

- 7 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.

Reason: In the interests of local amenity and the free flow of traffic on the public highway in accordance with policies CP1, CP19, CP21 and TR2 of the Adopted Oxford Local Plan 2001-2016.

- 8 The development shall be implemented in strict accordance with the revised landscape plan.

Reason: In the interests of the visual amenities of the Old Headington Conservation Area in which the development is located in accordance with Policies NE15 and NE16 of the Oxford Local Plan 2001-2016 and the NPPF.

- 9 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 amenities of the Old Headington Conservation Area in which the development is located in accordance with Policies NE15 and NE16 of the Oxford Local Plan 2001-2016 and the NPPF.

- 10 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.

- 11 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.

- 12 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details 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.

- 13 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details 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.

- 14 No development shall take place until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Iron Age, Roman and medieval remains in accordance with the NPPF and HE2 of the Oxford Local Plan 2001-2016.

- 15 The development hereby permitted shall be undertaken fully in accordance with the principles embodied in the Energy Report accompanying the planning application so as to achieve a reduction in carbon emissions.

Reason: To ensure accordance with CS9 of the Core Strategy.

- 16 (a) The student accommodation hereby permitted shall be occupied only by full time students Ruskin College, the University of Oxford or Oxford Brookes University and by no other person or persons.
(b) A representative of the educational establishment occupying the premises or a person nominated thereby shall live on the Ruskin Hall site and be responsible for the general management thereof.

Reason: In order to maintain the availability of student accommodation in buildings and locations suited to that purpose in accordance with Policy CS25 of the Core Strategy and the NPPF

- 17 During term time the development hereby permitted shall be used for student accommodation as specified in the submitted application and for no other purpose without the prior written approval of the Local Planning Authority. 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: To avoid doubt and to allow the Local Planning Authority to give further consideration to other forms of occupation which may result in the loss of student accommodation.

- 18 No part of the development hereby approved shall be occupied until details of a scheme of public art have been submitted to and approved in writing by the Local Planning Authority and such approved details have been fully implemented. The

public art as approved and implemented 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 in accordance with the Local Planning Authority's policies on public art.

- 19 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA.

The approved drainage infrastructure shall be implemented in complete accordance with the approved details prior to occupation and retained at all times thereafter.

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

- 20 Prior to commencement of the development, details of a Sustainable Drainage (SuDS) Maintenance Plan shall also be submitted to and approved in writing by the Local Planning Authority, and adhered to for the lifetime of the development. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics, and will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

Only the approved details shall be implemented and the development shall be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan at all times thereafter.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 21 Prior to the commencement of the development, a strategy for dealing with internal and external lighting to reduce the potential and impact of light pollution shall be submitted to the Local Planning Authority and approved. The development shall be carried out in accordance with these approved details.

Reason: To protect the residential amenity of occupiers of neighbouring properties in accordance with Policies CP1 of the Oxford Local Plan 2001-2016, HP14 of the Site and Housing Plan 2013 and the NPPF.

- 22 Prior to the commencement of the development, an assessment of the potential air quality impacts of the energy system infrastructure that is going to be installed on site, shall be submitted to and approved in writing by the Local Planning Authority. The details submitted should also demonstrate minimum NOx emissions standards according to current best practice.

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

- 23 A watching brief should be undertaken throughout the course of the development to identify any unexpected contamination. Any unexpected contamination that is found during the course of construction of the approved development 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.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

- 24 Prior to occupation, a lighting design strategy for biodiversity for buildings, features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where new external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bat species are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 25 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 10 x bird nesting and 5 x bat roosting 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.

12. APPENDICES

Appendix 1 - Proposed Block Plan

13. HUMAN RIGHTS ACT 1998

- 13.0. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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APPENDIX 1 – Site Block Plan

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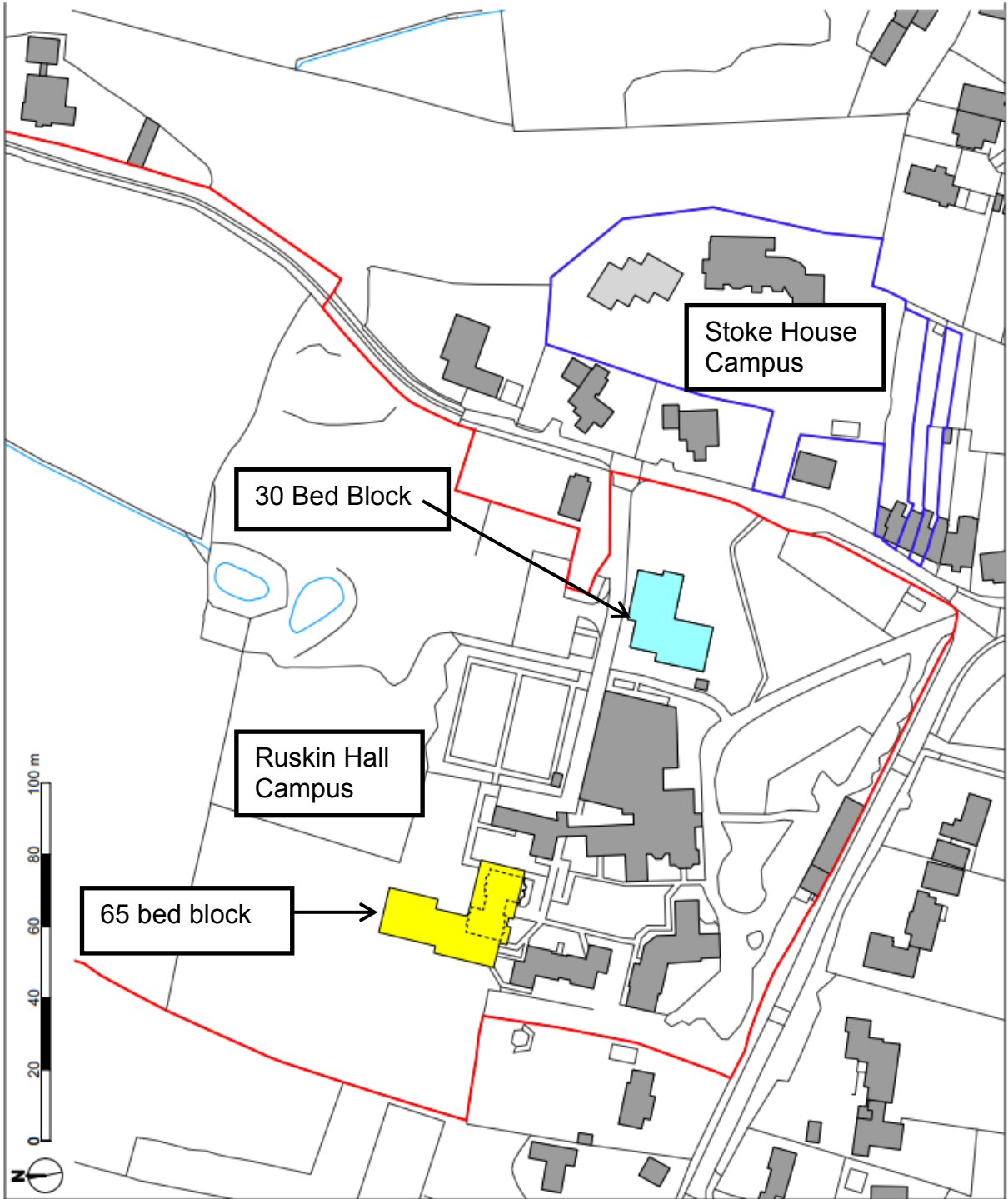
PLANNING

- Site boundary
- Adjoining area owned by Applicant
- 65 Bed Student Accommodation Block
- 30 Bed Student Accommodation Block
- Proposed 12 Bed Student Accommodation Block next to Stoke House
- Buildings to be demolished

Ruskin College, Oxford
 Site Layout
 Dunstons Road Campus

westwaddy ADP
 June '17
 1:1000
 EP / Contract: HS

593 P03



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EAST AREA PLANNING COMMITTEE

Application Number: 17/02386/FUL

Decision Due by: 17 January 2017

Extension of Time: 4 April 2018

Proposal: Erection of 12 study bedroom annex on two floors

Site Address: Stoke House , 7 Stoke Place, Oxford, OX3 9BX

Ward: Headington Ward

Case Officer Felicity Byrne

Agent: Stephen Pickles, West Waddy **Applicant:** Paul Di Felice, Ruskin College

Reason at Committee: Major Development

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;**
- b) **Grant planning permission; and**
- c) **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 and issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers the acceptability of the erection of a new annex building to provide an additional 12 student rooms within the garden of a listed building and the Conservation Area. The proposed development is identical in terms of size, scale, and design to those submitted and approved first in 1997 and subsequently renewed, most recently in 2013. The principle of development has therefore been accepted and it therefore falls to consider whether the Development Plan or other material considerations have changed in the last 5 years such that the development would now not be acceptable.

2.2. It is concluded that whilst the Development Plan has changed with the introduction of the Headington Neighbourhood Plan earlier in 2017, the proposal accords with the plan and there have been no other significant material considerations that result in the application being unacceptable. Officers therefore recommend the application be approved subject to conditions.

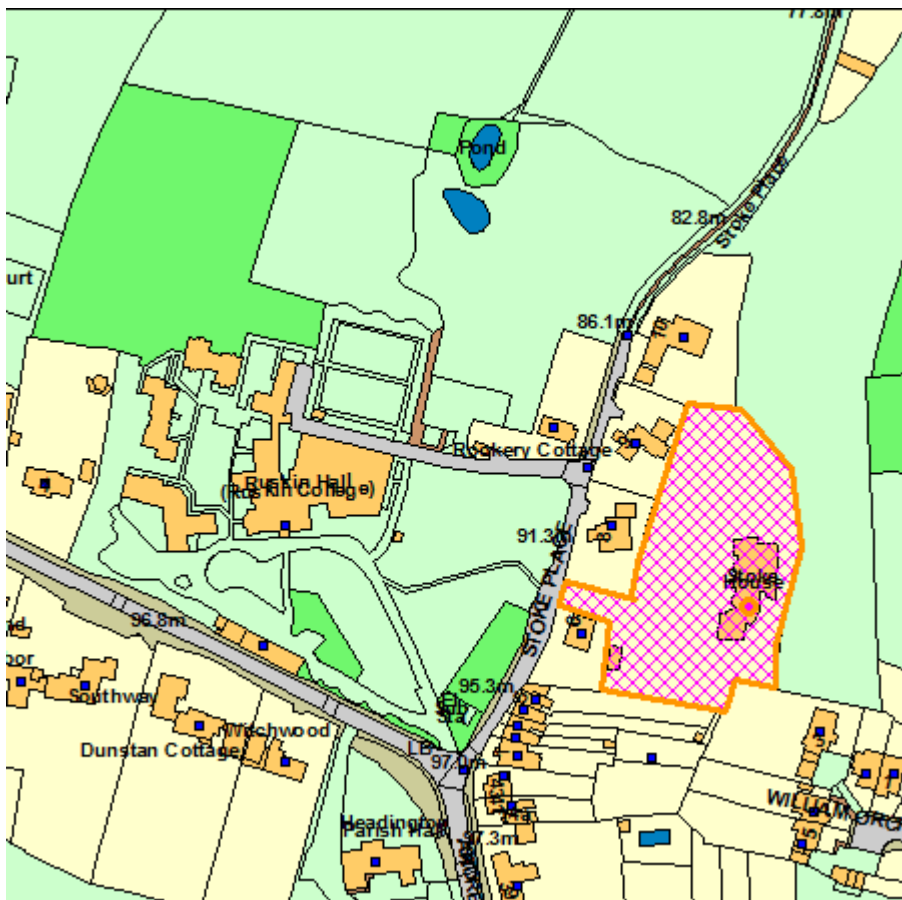
3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.1. The proposal is liable for CIL amounting to £40,972.54.

4. SITE AND SURROUNDINGS

4.1. The site is situated on the eastern side of Stoke Place and is within the Old Headington Conservation Area. The site comprises a Grade II Listed Building, which belongs to the higher-status detached dwellings, or converted, former agricultural buildings, situated in generously sized, designed and landscaped grounds that were located just outside the tight-knit, historic core of the 17th – 19th century village.

4.2. The listed building has been in the ownership of Ruskin College since 1962, and forms part of their Headington Campus, along with Ruskin Hall to the west of Stoke Place. It has been used for teaching and residential purposes since that time.



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5. PROPOSAL & BACKGROUND

- 5.1. The proposal seeks planning permission for the construction of a two-storey building to form 12 study bedrooms, and provision of 6 parking spaces under reference. This is an identical proposal submitted and approved under 97/00731/NFH and time limit for commencement of development extended under 04/02045/VAR, 09/02486/EXT and 13/00475/EXT.
- 5.2. In December 1999, planning permission was granted for the erection of a two-storey building within the grounds of Stoke House to form 12 study bedrooms under reference 97/00731/NFH. This was subject to the condition that the scheme be implemented within 5 years of the date of the permission.
- 5.3. In November 2004, permission was granted for a variation of this condition to extend the permission for a further 5 years under reference number 04/02045/VAR. This permission was set to expire on the 30th November 2009. In February 2010, this permission was extended for a further 3 years under reference number 09/02486/EXT and expired on the 25th February 2013.
- 5.4. In October 2013 planning permission was granted planning permission was granted to extend the time period for a further 3 years and expired on 18th October 2016.

6. RELEVANT PLANNING HISTORY

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

88/00594/NFH - Additional fire escape staircase at north end of building (Retrospective) (Amended Plans). DIS 12th March 1990.

88/00595/L - Listed Building consent for additional fire escape staircase at north end of building (Retrospective) (Amended Plans). DIS 12th March 1990.

89/00136/NFH - Provision of three additional bedrooms in roof space (above existing single storey extension). Provision of three dormer windows.(Amended plans). PER 15th May 1989.

89/00137/L - Listed building consent for alteration to provide three additional bedrooms in roof space (above existing single storey extension). Provision of three dormer windows. (Amended plans). PER 15th May 1989.

97/00731/NFH - Construction of 12 study bedrooms on 2 floors. Provision of 6 parking spaces.. PER 21st December 1999.

04/02045/VAR - Variation of condition 1 of the planning permission granted under application no. 97/00731/NFH to permit an extension of time by a further 5 years to commence the development of the construction of 12 study bedrooms

on 2 floors. Provision of 6 parking spaces.. PER 30th November 2004.

06/01244/LBC - Listed Building consent for internal alterations including formation of doorway at first floor level to form escape corridor behind main stairwell (works under the Disability Discrimination Act 1995).. PER 7th August 2006.

06/01478/LBC - Listed Building Consent for removal of unauthorised external fire escape. PER 8th September 2006.

07/02213/CONSLT - please note this is not a planning application. Masterplan for Ruskin College. Recommend no objection 5th December 2008.

09/02486/EXT - Application to extend the time limit on implementing permission 97/00731/NFH (12 study bedrooms) previously extended under 04/02045/VAR. PER 25th February 2010.

13/00475/EXT - Application to extend the time limit on implementing permission 97/00731/NFH (12 study bedrooms) previously extended under 04/02045/VAR and 09/02486/EXT. PER 18th October 2013.

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 Headington Neighbourhood Plan
Design	7 56-68	CP1, CP6, CP8, CP9, CP10,	CS18_ CS19_	HP9_ HP12_ HP13_ HP14_	CIP1, CIP3, CIP4
Conservation/ Heritage	12 126 -141 134 and 135	HE2, HE3, HE4,			GSP4,
Housing	6			HP12_ HP13_	
Commercial	1, 2				

Natural Environment	9, 11, 13 117-118	NE14, NE15, NE21, NE22, NE23,	CS9_ CS11_ CS12_		GSP3,
Social and community	8		CS16_ CS25_ CS29_		
Transport	4	TR4, TR5, CP13,	CS13_	HP15_ HP16_	Parking Standards SPD, HNP TRP4, TRP5, TRP6
Environmental	10				Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1, SP50	

8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 3rd October 2017 and an advertisement was published in The Oxford Times newspaper on 19th October 2017.
- 8.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.
- 8.3.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 8.4. No objection subject to conditions: • A minimum of 6 covered, secure and enclosed cycle parking spaces are to be accommodated within the development. • A Travel Information pack is required in order to promote sustainable travel. • A Construction Traffic Management Plan is required in order to minimise the impact of construction traffic upon the local highway network. • The development is proposed to be car-free in line with policy. • Stoke Place, which is a private road must be monitored to ensure that there is no increase in overspill parking as a result of the development on this road.

Historic England

- 8.5. No comments to make.

Thames Water Utilities Limited

- 8.6. No objections: Waste Comments Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. Water Comments On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Their comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.

Public representations

- 8.7. Letters have been received from the following addresses: Nos. 56 & 63 Old High Street, Nos. 5, 8 & 10 Stoke Place, No. 5 St Andrew's Road, Friends of Old Headington. One comment gave no address.

In summary, the main points of objection from residents were:

- Design proposals would result in degradation of the historic garden setting of Stoke House and a loss of green open space;
- Intrusive building in a mature garden;
- Adverse impact on the setting of the Listed Building and Conservation Area;
- The plans are the original proposals from 1997 and do not show the building in the context of neighbouring residential housing;
- The proposals will result in the loss of five mature trees (beech, sycamore, birch, and ash);
- Adverse impact on wildlife and biodiversity;
- The transport assessment and its update letter assumes that there will be no parking by students and others, and therefore does not address the impact of parking in Stoke Place;
- Traffic in the area is also increasing with severe congestion at peak times;
- Adverse impact on car parking in Stoke Place which already experiences problems;
- The transport assessment needs to be expanded to consider the implications of offering summer school accommodation. It should be noted that in the summer large coaches have been observed in St Andrew's Road and Old High Street, which are not large enough to accommodate them;
- It is important that the grass verges in Stoke Place should be preserved.
- Occupation should be restricted to students of Ruskin and not for Oxford Brookes or other institutions. Current student numbers are falling and concern regarding use out of term time for conferences etc.;
- Loss of privacy/ overlooking to Nos. 8, 9, and 10 Stoke Place from upper floors;
- Risk of light pollution on neighbouring properties;
- Should be considered alongside the application for student accommodation on the Ruskin site (17/02387/FUL)
- No consultation with neighbours or local residents' groups;

- Will lead to an increase in noise and disturbance in the area
- Concern regarding construction vehicles; degradation of road surface even further and parking & turning of construction vehicles;
- Does not conform to Headington Neighbourhood Plan policies;
- Flooding and sewage risk (no.9 damaged in 2012 and 2016).

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design and Heritage;
- iii. Impact on Neighbouring Amenity;
- iv. Transport;
- v. Sustainability and Energy;
- vi. Biodiversity;
- vii. Flooding;
- viii. Archaeology;
- ix. Trees & Landscaping.

i. Principle of Development

9.2. The principle of residential development in this location has been accepted on several previous occasions when the proposed development was first approved and subsequently granted extension of time. In terms of national planning advice The NPPF has a presumption in favour of sustainable development and states that development proposals that accord with the up-to-date policies of the development plan should be approved without delay (paragraphs 12- 24).

Paragraph 17, the NPPF also identifies 12 core land-use planning principles

which should underpin both plan making and decision taking. These include encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. It should be noted that gardens are brownfield land and not greenfield. At a local level, the development plan has also changed since 2010 with the recent adoption of Headington Neighbourhood Plan in 2017. Policies CIP1, CIP3, CIP4 and GSP4 and GSP5 seek to ensure new proposals are of high quality design that enhance their surroundings and conservation area and other heritage assets.

9.3. The Oxford Core Strategy 2026 sets out the strategic development framework for Oxford, and Policy CS26 requires student accommodation to be occupied by students of either Oxford University, Oxford Brookes University, or other institutions provided they are full-time students on a course of an academic year or more. Sites and Housing Plan Policy SP50 deals specifically with the Ruskin

College Campus and supports proposals for student accommodation on the site provided that developments retain and enhance the listed buildings and their setting within the campus; contribute towards the character of the conservation area; and preserve and enhance nearby listed buildings and their setting. The development should minimise car parking on site, and the applicant will be expected to show how the proposals mitigate traffic impacts and maximises access by alternative means of transport, and improves pedestrian links. Policy HP5 states that student accommodation should be located on or adjacent to an existing university or college academic site, and that provides suitable indoor and outdoor space for developments of 20 or more bedrooms, a management regime for the accommodation, and an undertaking to prevent residents from bringing cars to the city.

- 9.4. The site itself is sited adjacent to the college campus on the eastern side of Stoke Place, and would be a suitable location for student accommodation under Policy SP50 and HP5 of the Sites and Housing Plan. There has been no material change in site circumstance. The principle of development is therefore still considered acceptable under the Development Plan and NPPF.

ii. Design and Impact on Character of Surrounding Area

- 9.5. The NPPF, paragraphs 56-68, requires that high quality design is achieved that promotes or reinforce local distinctiveness and in relation to heritage assets (paragraphs 126 -141) Local Planning authorities have a duty to have special regard to the preservation or enhancement of designated heritage assets, (e.g. listed buildings and conservation areas). The NPPF encourages local planning authorities to look for opportunities to better reveal or enhance heritage assets and their settings and states that proposals that do make a positive contribution should be treated favourably.
- 9.6. In considering the impact of a proposed development the NPPF states that the significance of a designated heritage asset should be considered and great weight given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification, measured in terms of the public benefits to be delivered through the proposal.
- 9.7. These aims are embodied in Local Plan Policy HE3 and HE7 which requires development proposals to preserve or enhance the special character and appearance of the conservation area or the setting of the listed building. Policy CIP4 of the HHNP seeks to ensure that development will only be permitted where it addresses the conservation and enhancement of the significance, character and any special architectural or historic features of significance the asset may possess.
- 9.8. Policy CS18 of the Oxford Core Strategy 2026 require proposals to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; contributes to an attractive public

realm; and high quality architecture. The Local Plan expects new development to enhance the quality of the environment, with Policy CP1 central to this purpose and Policy CP8 encourages development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area. This is supported by Policy HP9 of the Sites and Housing Plan. Policy GPS4 of the Headington Neighbourhood Plan (HNP) states that development will be permitted where its design responds appropriately to the site and the character of the surrounding area and again emphasises and supports CS18. HNP Policy CIP1 states that new developments will only be permitted where they respond to and enhance the distinctive local character where it is described in the Character Assessments. HNP CIP3 supports innovative design which accords with the local plan, takes account of local heritage and enhances the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing.

- 9.9. The Old Headington Conservation Area (CA) was first designated on 4th January 1971 and Stoke House is located within the boundary of the original designation. The Old Headington Conservation Area Appraisal was adopted in July 2011. Stoke House itself was designated a Grade II Listed Building in 1972 due to the presence of an older 17thC cottage at its core that was built around in its current form in 1883. The site belongs to the higher-status detached dwellings, or former agricultural buildings, situated in generously sized, designed and landscaped grounds that were located just outside the tight-knit, historic core of the 17th – 19th century village. Stoke Place is made up of a group of cottages which illustrated the difference in housing provision for the villages working class inhabitants, and its wealthy inhabitants, such as the owners of the The Rookery, now known as Ruskin Hall, and Stoke House. The physical characteristics of the site have not changed since the 1997 permission or the more recent approval in 2013. There have been changes on the main campus site (The Rookery) as new campus buildings have been erected, but, Stoke House is set back from the public realm behind the main dwellings on Stoke Place built in the 1960's on land forming the garden of Stoke House, and as such there are limited views of this site from the public realm meaning that any development on this site is not viewed in the same context as the main campus.
- 9.10. The proposed development is identical in terms of size, scale, and design as the 1997 plans and there have been no material changes in site circumstances since it was last approved 5 years ago. Therefore whilst the architectural form cannot be described as innovative or contemporary in the context of current architectural design and construction it has been designed to reflect the existing character and appearance of the listed building and its setting, and would reflect local character and distinctiveness. Overall officers maintain the view held previously that the overall size, scale, and design of the two-storey building would create an appropriate visual relationship with the existing building on site and would not harm the significance of the listed building. Whilst it would alter the setting of this listed building, the design and relationship between the two buildings would be such that it would not be harmful to its significance. It's location to the rear of the existing Stoke Place properties houses surrounded by existing trees and vegetation and with limited views from the public realm or elsewhere from within the CA, and supplemented by future landscaping, means that it would not be

harmful to the character and appearance or the significance of the Old Headington CA. It therefore is in accordance with Policies CP1, CP6, CP7, CP8, CP9, HE3, and HE7 of the Oxford Local Plan, Policy CS18 of the Oxford Local Plan 2001-2016, and Policy SP50 and HP9 of the Sites and Housing Plan and the NPPF.

iii. Impact on Neighbouring Amenity

- 9.11. The Council seeks to safeguard the amenities of the occupiers of the properties surrounding any proposed development. This is particularly important for existing residential properties, as new development can block light, have an overbearing effect and overlook adjoining properties. SHP Policy HS19 states that permission will only be granted for development that adequately provides for the protection, and/or creation, of the privacy or amenity of the occupants of the proposed and existing residential properties. This will specifically be assessed in terms of potential for overlooking into habitable rooms, sense of enclosure, overbearing impact and sunlight and daylight standards. This is also supported through OLP Policy CP10.
- 9.12. The residential properties of Stoke Place (Nos. 8, 9 and 10) all back onto the grounds of Stoke House and were built in the original garden of Stoke House. The relationship between these properties has not changed since permission was granted in 1997, or subsequently renewed in 2013. Having regards to the separation distances between properties, the extent of mature screening within the grounds of the applications site and the orientation of the proposed windows, officers consider that the proposed building would still not have an adverse impact upon the privacy or amenities of these adjoining properties in terms of overbearing impact or loss of sunlight in accordance with Policies HS19, and CP10 of the adopted Oxford Local Plan 2001-2016.

iv. Transport

Transport Sustainability & Car Parking

- 9.13. Currently on site there are 5 informal car parking spaces between the trees along the driveway, a garage and a turning head. With regards to proposed parking provision at Stoke Place, this would be identical to the 1997 permission and there is to be no off-street car parking spaces associated with the 12-bed student accommodation annexe i.e. car free. There have been no materials changes in site circumstance since it was last approved in 2013. Policy CS25 of the CS states that with regards to student accommodation appropriate management controls will be secured including an undertaking that students do not bring cars into Oxford.
- 9.14. The County Council as Highway Authority (HA) has commented that it accepts that the development is unlikely to have a significant detrimental traffic impact. The development is proposed to be car-free and students are not permitted to bring cars onsite. Students are also not eligible to apply for residents' parking

permits within the Controlled Parking Zone. However, Stoke Place which is adjacent to the Ruskin College site is a private road and not included within the Controlled Parking Zone. The application outlines that a reporting system will also be introduced in order to help prevent overspill parking on Stoke Place. The HA considers that it is vital that parking on Stoke Place is monitored, both in order to ensure the car-free nature of the development and to ensure that any overspill parking does not cause obstructions to emergency vehicles or restrict existing residents' access to parking.

- 9.15. On previous permissions both here and on the adjacent main Ruskin campus site the new student accommodation there has been conditioned preventing students from bringing cars to Oxford, and therefore this should be included on this permission. There is also a condition restricting 6 car parking spaces on the site. In addition to this a condition should also be attached which requires an updated the travel plan for the both campuses to take into account this additional student accommodation at Stoke House, and Ruskin Hall. It is also reasonable to require the details of the parking permits and monitoring scheme by condition to ensure that it is implemented and enforceable in perpetuity in order to safeguard the residents of Stoke Place from staff and students parking there.
- 9.16. A Construction Traffic Management Plan (CTMP) will also be required to be submitted for approval prior to construction works being undertaken at the site. This is required in the interests of highway safety, where Stoke Place is a public byway. It will enable control over turning & parking of construction vehicles, delivery times and hours of working, and a dilapidation survey and making good the road/ byway should damage occur. This condition is monitored and enforced by the County Council as highway authority.
- 9.17. Given the above, the proposal accords with the development plan and NPPF in this regard.

Cycle Parking

- 9.18. In terms of cycle parking, the Local Plan states through Policy TR4 that permission will only be granted for developments that comply with the minimum cycle parking standards as set out within Appendix 4 of the adopted Oxford Local Plan 2001-2016. The minimum number of spaces for the 12 bedroom units would be 6 spaces and this could be required by condition in accordance with HP15 of the SHP.

v. Sustainability and Energy

- 9.19. An Energy Statement has been submitted which assesses the energy demand and carbon emissions of the proposed accommodation. It concludes that by using an efficient gas fired boiler to provide space and water heating and a solar Photovoltaics, together with a high level of insulation and low air permeability to reduce heat loss as much as is practically possible, the development would achieve a 20% reduction in CO2 emissions from on-site renewable/ LZC technology. Officers concur with the findings of the report and the proposal would therefore accord with Policies HP11 of the SHP and CS9 of the CS and this could

be secured by condition.

vi. Biodiversity

- 9.20. The NPPF sets out that “The planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible” and “opportunities to incorporate biodiversity in and around developments should be encouraged” (paras 117-118). CS12 of the Cores Strategy states that development that results in a net loss of sites and species of ecological value will not be permitted. Where there is opportunity, development will be expected to enhance Oxford’s biodiversity. Sites and species important for biodiversity will be protected including international and national sites and locally identified sites. Policy GSP3 supports that policy seeking to ensure land that has a significant wildlife or ecological value is conserved and enhanced and developments that result in significant harm to protected sites as defined in CS12 should not be permitted unless the developer can demonstrate that the benefits of the development clearly outweigh the loss, and this can be mitigated against and compensated for elsewhere within the HNP by providing a replacement habitat on an equivalent or higher ecological value. Local residents raised concerns regarding the harm of the development on biodiversity.
- 9.21. A preliminary ecological appraisal on land at Ruskin College (both Stoke Place and Ruskin Hall campus) has been undertaken by Ecology by Design Ltd. It identifies nationally and locally designated sites nearby and protected species. There was one European designated site that occurred within 7km of the site. Fifteen nationally designated sites occurred within 5km of the site and fourteen locally designated sites occurred within 2km of the site. Oxford Meadows Special Area of Conservation (SAC) was designated due to the lowland hay meadows on site which support creeping marshwort, one of only two sites in the UK. Sidling’s Copse and College Pond SSSI is the closest SSSI that is designated for biological reasons rather than geological. The site is designated due to the variety of habitats on site, including woodland and acid and limestone grassland.
- 9.22. Natural England define Impact Risk Zones around Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPA) and RAMSAR sites and categories of development for local authorities to determine if they need to consult Natural England in regards to potential impacts upon them and Natural England has no comments to make with regard to the application.
- 9.23. There are two Local Wildlife Sites, two proposed Local Wildlife Sites, four Sites of Local Importance of Nature Conservation, two BBOWT sites and three Conservation Target Areas within 2km of the site, however all sites are separated from the site by the A40 or residential developments. It is unlikely that any statutory protected sites or any of the non-statutory protected sites will be affected by the potential development of the site due to the small size and locality of the development, furthermore, the site is surrounded by barriers such as the urban area of Headington to the south, west and east and the A40 to the north.

- 9.24. The site has a varied landscape of scattered trees, woodland, woodland scrub, open grassland and ponds. It therefore offers the opportunity for a wide variety of biodiversity and the Ecology report identifies that it is suitable to nesting birds, reptiles and falls within the core sustenance zones (CSZ) of all bats recorded: long-eared, common, soprano and Nathusius's pipistrelle and noctule. Mature trees on site may also support roosting bats, especially trees clad with ivy. A climbing inspection of tree no. T80 (beech) to be removed within the garden of Stoke House has been carried out and found to be of low potential for bats. The report recommends that an inspection of crevices prior to felling is also done. The site also contains a pond within Stoke Place formed of two concrete ponds with a concrete drain connecting the ponds. Although there were areas of good terrestrial habitat for great crested newts, the combination of poor suitability scoring ponds, lack of records within the immediate area and the low suitability habitats within the locations of the new buildings, the risk of encountering newts was found to be low.
- 9.25. The Ecology Report goes on to make various recommendations in light of the finding as set out above in line with NPPF and mitigation should include the restoration and recreation of any priority habitats lost and other opportunities for biodiversity enhancements.
- 9.26. Officers concur with the findings and recommendations of the report. The development would result in the loss of biodiversity however the site offers good potential for its re-provision elsewhere. The applicant has indicated that the loss of trees and amenity grassland will be replaced by mitigation on-site as recommended by their consultants Ecology By Design. It is considered that careful design of landscaping and enhancements would mean that no net loss to biodiversity can be achieved.
- 9.27. Given the established nature of the site with connection to open countryside and a number of mature trees and hedges, site lighting is a concern for bats and details can be secured by condition to ensure that lighting this does interfere with bat flight routes / feeding (for both construction and site operation). Building enhancements in the form of bird and bat boxes should also be installed and can be secured by condition.
- 9.28. In conclusion the development would not harm national or locally designated sites. The site has biodiversity value and subject to appropriate conditions the potential loss of biodiversity can be mitigated against and enhanced. These mitigation and enhancement measures could be secured by condition and on this basis the proposal accords with CS12 of the CS and the NPPF.

vii. Flood Risk & Drainage

- 9.29. A Flood Risk Assessment and Surface Water Management Strategy have been submitted. The flood mapping shows that the site lies in Flood Zone 1 and is not at risk of flooding from any sources. The Strategy report suggests the potential feasibility for infiltration soakaways. Officers consider that the general principles contained within the reports are acceptable however further details of the Sustainable drainage measures (SUDS) and a SUDs Maintenance plan are

required to ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 9.30. Local residents have also raised concerns regarding flooding and drainage. In the 2013 application process Thames Water identified a potential inability of the existing waste water infrastructure to accommodate the needs of the proposed development and recommended a Grampian condition be imposed requiring a drainage strategy. SHP Policy SP50 makes clear that development must not lead to sewerage network problems for existing or new users and applicants may need to fund an assessment of sewerage capacity. However, in this case Thames Water has raised no objection to the proposed development in respect of waste or water infrastructure or capacity and suggests informatives (see para 8.4 above). In view of their change in position Officers have confirmed with Thames Water their current position and state who state that after reviewing the proposal, it appears that previous flooding in the area has been caused by blockages as opposed to hydraulic issues. Officers therefore consider that the proposal accords with OLP NE

viii. Archaeology

- 9.31. The NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. OLP HE2 also applies.
- 9.32. This site is of interest because of the potential for prehistoric, Roman, Saxon, medieval and 19th century remains. Iron Age remains and evidence for Roman pottery manufacturing were identified by the evaluation 170m to the west. Furthermore the assessment notes the conjectural route of a Roman trackway 40m to the west. Whilst no Anglo-Saxon evidence has been recorded near to the application site, a late Anglo-Saxon palace associated with Ethelred is believed to be located at Headington, and a possible site for this was mapped by the Ordnance Survey close to the campus. The application site is located within the historic envelope of the village and the evaluation recorded a 12th-13th century cow burial to the south of Stoke House.
- 9.33. A geophysical survey undertaken on the footprint of the proposed study bedroom plot produced mixed results, but did identify a number of magnetic anomalies that may be of archaeological interest. Furthermore the walkover survey for the desk based assessment identified the remains of a garden features within the application footprint, possibly related to the original Victorian garden scheme. In this case, it would necessary to attach a condition requesting an Archaeological Investigation to take place prior to the commencement of development. The

archaeological investigation should take the form of trial trenching followed by further work if appropriate in accordance with OLP Policy HE2 and the NPPF.

ix. Trees & Landscaping

- 9.34. The proposals require the removal of existing trees as identified in the submitted Arboricultural Impact Assessment (AIA); these tree removals have already been considered and agreed in principle under the previous planning permissions and in arboricultural terms there would be little change in site circumstances since. While the trees to be removed include 5 moderate quality and value trees (T79, Sycamore; T80, Sycamore; T1, Beech; T3, Ash; T93, Birch) that have some significance in the landscape, particularly viewed from within the site, the impact that removing these tree will have on public visual amenity can be mitigated by new tree planting that can be required by condition. The proposal therefore accords with NE15 of the OLP.

10. CONCLUSION

- 10.1. The principle of providing a two-storey building to provide 12 study bedrooms was established through granting planning permission for application reference 97/00731/NFH, subsequently renewing this under 04/02045/VAR 09/02486/EXT and 13/00475/EXT. The application seeks permission for a further 3 years, and has been considered against the current national and local plan policies and also any material change in site circumstances. The Council considers that the proposal would represent an appropriate form of development for the site that would not increase the amount of accommodation throughout the Ruskin Headington Campuses beyond that endorsed within the Ruskin College masterplan. Furthermore the two-storey building would preserve the character and appearance and would not harm the significance of the Old Headington Conservation Area. It would not harm the significance of the Grade II Listed Building or its setting. It would be sited in a manner that would safeguard the residential amenities of the adjoining Stoke Place properties. It would also not result in a significant amount of traffic generation that would have a detrimental impact upon the local highway. As a result the proposal would accord with the relevant policies of the Oxford Core strategy 2026, Oxford Local Plan 2001-2016, Sites and Housing Plan 2011-2026 and Headington Neighbourhood Plan 2017.

- 10.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject conditions.

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 the visual appearance of the Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 Before the development permitted is commenced details of the cycle parking and refuse storage areas, including means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking and refuse storage areas and means of enclosure have been provided within the site in accordance with the approved details and the areas shall be retained thereafter.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads, and the amenities of the occupants of the buildings, and in accordance with Policies CP1, CP9, CP10, and TR4 of the adopted Oxford Local Plan 2001-2016.

- 5 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order, the building / land shall be used only by students of Ruskin College or delegates attending short courses or conferences held or organised by the college and for no other purpose, including any other purpose in Use Class C2.

Reason: In order to maintain the availability of student accommodation in buildings and locations suited to that purpose in accordance with Policy HS13 of the adopted Oxford Local Plan 2001-2016.

- 6 The student study bedrooms comprised in the residential annexe hereby approved 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 throughout the Old Headington Campus that would be

prejudicial to highway safety, or cause parking stress in the immediate locality in accordance with Policies CP1, and TR3 of the adopted Oxford Local Plan 2001-2016.

- 7 (a) The number of cars parking at any time within the grounds of Stoke House shall not exceed 6, and those spaces shall only be used for parking by students, staff, or conference delegates staying, studying or teaching within Stoke House or the residential annexe.

(b) The means of regulating the use of the spaces for the purposes specified shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be provided before the spaces are brought into use, and retained at all times thereafter.

Reason: To ensure that the provision and use of private car parking accords with policies TR4 and HS13 of the adopted Oxford Local Plan 2001-2016.

- 8 A landscape plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The plan shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar matter. Provision shall be made for the replacement of the mature beech tree, which is to be removed with an advanced nursery stock sized specimen of the same species planted in an appropriate location on the western side of the new building. Planting shall aim to reinforce the existing planting along the western and north eastern boundaries of the site so as to provide a screen in views from outside of the site.

Reason: In the interests of visual amenity and the appearance of the locality in accordance with Policies CP1, and CP11 of the adopted Oxford Local Plan 2001-2016

- 9 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 Oxford Local Plan 2001-2016.

- 10 Scale plans setting out 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 barrier fencing and/or ground protection materials to defend the 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 5837:2005- Trees in Relation to 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, NE15, and NE16 of the adopted Oxford Local Plan 2001-2016.

- 11 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 the approved Arboricultural Method Statement (AMS) unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction in accordance with Policies CP1, NE15, and NE16 of the adopted Oxford Local Plan 2001-2016.

- 12 As from the date of the grant of this permission no trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped and no shrubs or hedges shall be cut down without the prior written consent of the Local Planning Authority. No site clearance shall start until any trees which the Local Planning Authority requires to be retained are protected.

Reason: In the interests of visual amenity in accordance with Policies CP1, NE15, and NE16 of the adopted Oxford Local Plan 2001-2016.

- 13 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, NE15, and NE16 of the adopted Oxford Local Plan 2001-2016.

- 14 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. The location of underground services and soakaways shall take account of the need to avoid excavation within the rooting area of any retained tree.

Reason: To avoid damage to the roots of retained trees in accordance with Policies CP1, NE15, and NE16 of the adopted Oxford Local Plan 2001-2016.

- 15 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 with Policy CP1 of the adopted Oxford Local Plan 2001-2016.

- 16 Prior to the commencement of the development a Construction Traffic Management Plan, which shall include routing arrangements for construction vehicles, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the Construction Travel Plan as approved at all times.

Reason: In the interests of local amenity and the free flow of traffic on the public highway in accordance with Policies CP1, and CP9 of the adopted Oxford Local Plan 2001-2016.

- 17 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including potentially roman, Saxon, Medieval and Victorian remains; in accordance with policy HE2 of the Adopted Oxford Local Plan 2001-2016.

- 18 Prior to first occupation of the first block of student accommodation to be constructed, details of a Scheme for parking permits and monitoring of cars parked with in Ruskin Hall, Stoke House and Stoke Place shall be submitted to and approved in writing by the Local Planning Authority and implemented on first occupation of the first accommodation block. Only the approved scheme shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not adversely impact on neighbouring residents' amenity or highway safety in accordance with Policies TR1 of the Oxford Local Plan 2001-2016

- 19 Prior to occupation, a lighting design strategy for biodiversity for buildings, features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where new external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bat species are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

- 20 Prior to the commencement of the development, details of biodiversity enhancement measures as detailed in section 6 of the Preliminary Ecological Appraisal (below) 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.
- *Cut vegetation should be used to create small, stacked piles of wood along the southern boundary to provide refuge for reptiles.*
 - *Two bat boxes should be erected on each new building to provide increased roosting opportunities across the site;*
 - *One sparrow terrace nest box should be erected on each building within the new development and two swift nest boxes integrated into each of the new buildings. Furthermore, at least two starling nest boxes should be erected on the boundary mature trees*

Note – the recommendation regarding native planting:

- *Planting plans for the site should include a wide variety of native plants of local provenance*

Should be covered under landscaping details for the site

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

- 21 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of

sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA.

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

22 Prior to commencement of the development, details of a Sustainable Drainage (SuDS) Maintenance Plan shall also be submitted to and approved in writing by the Local Planning Authority, and adhered to for the lifetime of the development. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics, and will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

25 Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained. The development is to be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

24 Prior to the commencement of the development, a strategy for dealing with internal and external lighting to reduce the potential and impact of light pollution shall be submitted to the Local Planning Authority and approved. The development shall be carried out in accordance with these approved details.

Reason: To protect the residential amenity of occupiers of neighbouring properties in accordance with CP1 of the Oxford Local Plan 2001-2016 and HP14 of the Sits and Housing Plan 2013.

12. APPENDICES

Appendix 1 – Site Block Plan

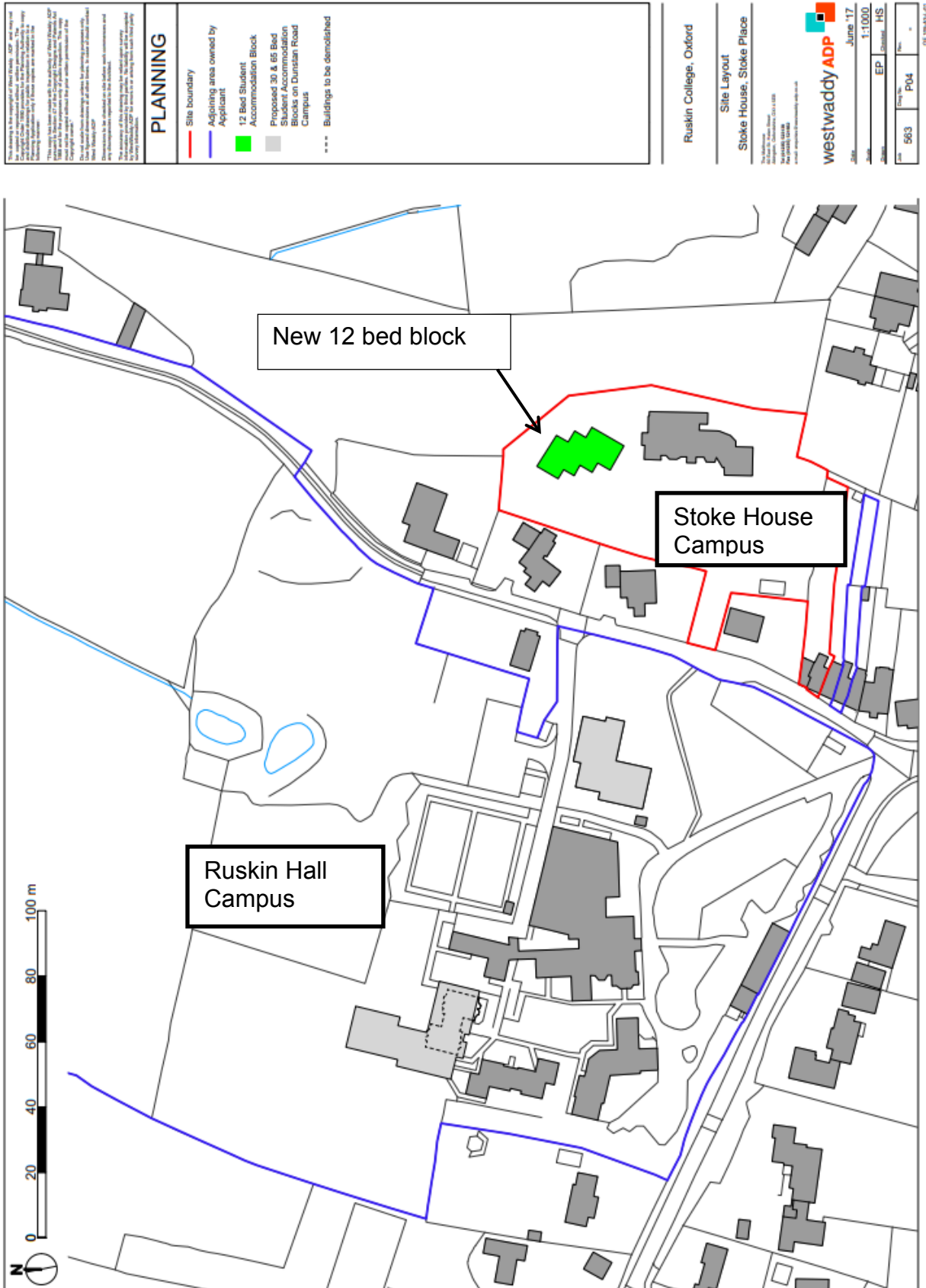
13. HUMAN RIGHTS ACT 1998

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

APPENDIX 1 – Site Block Plan



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EAST AREA PLANNING COMMITTEE

4th April 2018

Application Number: 17/02717/FUL

Decision Due by: 25th December 2017

Extension of Time:

Proposal: Erection of front porch. Demolition of single storey side extension and erection of a two storey building to create 2 x 1-bed flats (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage.

Site Address: 2A Ramsay Road, Oxford, OX3 8AX,

Ward: Quarry And Risinghurst Ward

Case Officer Tim Hunter

Agent: Mr Robert Tomlinson **Applicant:** Mr Pascal Pert

Reason at Committee: The application has been called in by Councillors Sinclair, Price, Brown, Simm, Taylor and Fry, because of concerns over the capacity of the site and impact on neighbours.

The East Area Planning Committee resolved to defer the determination of this application at the meeting on the 7th March 2018 to enable a committee site visit to take place.

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:

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 replacement of a side extension with a detached building to provide two 1-bed flats, along with the provision of bin and cycle stores, private amenity space and the erection of a porch to the original dwelling.

2.2. The report concludes that the proposed development would be acceptable in terms of design and appearance. The new dwellings are, in principle welcome and the development would not be unacceptably harmful to neighbouring residential amenities. The facilities and amenities proposed to the new dwellings are acceptable and subject to the removal of eligibility for parking permits, the principle of car free units for the new dwellings is acceptable in this location. Officers therefore recommend approval subject to appropriate conditions.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

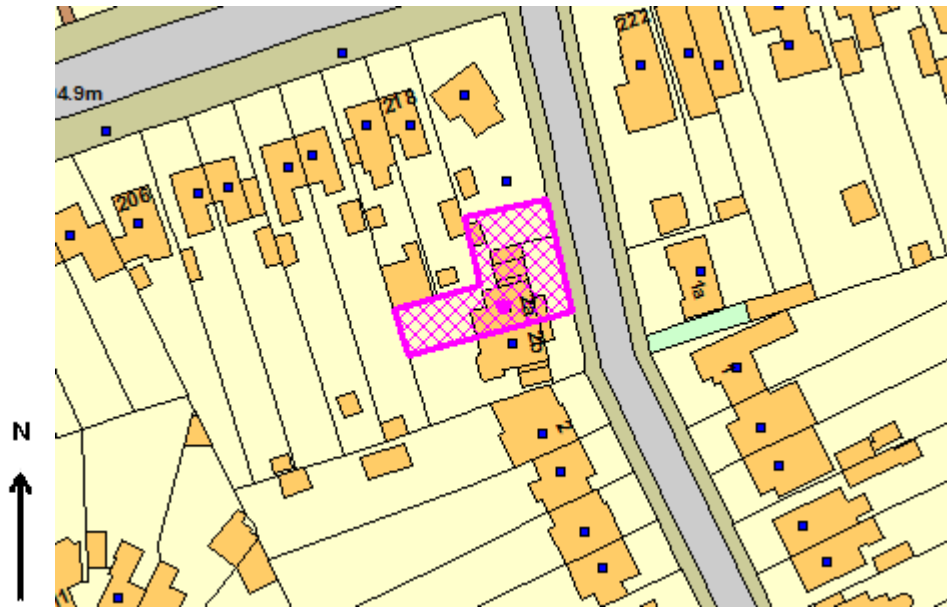
4.1. The proposal is liable for CIL. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development. CIL applies to developments of 100 square metres or more, or to new houses of any size. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities. CIL is being brought in by councils across the country, although each local council has the ability to set the actual charges according to local circumstances. This proposal would be liable to CIL contributions accordingly.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Headington area of Oxford, just off the London Road. The area is an established residential area and most of the nearby characterised by a mix houses, with few if any flats or commercial premises.

5.2. The site comprises a relatively modern semidetached house and was, with its matching semi at 2B Ramsey Road constructed on what would have been the end of the rear gardens to 216, 218 and 220 London Road. The plot is L shaped, with the part of the site behind 220 London Road extending further to the north than the rest of the site.

5.3. Site location plan



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the erection of a new building on the northern part of the site to provide 2 x 1-bed flats, the provision of private amenity space, cycle and bin storage and the provision of a replacement parking space to serve the existing house.
- 6.2. The building would be 6.5m high – about 0.6m lower than the existing house, with a footprint of 8m x 6.5m and would incorporate a covered porch to the front door of the ground floor flat as well as a projection on the ground floor that would appear as an enclosed porch to the front door of the upper flat (that would actually provide some of the ground floor accommodation). The flats would be car free, but cycle parking would be provided between the two amenity spaces.

7. RELEVANT PLANNING HISTORY

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

03/00436/FUL - Demolition of double garage. Subdivision of side garden. Erection of detached 2 storey block of 2 x 1 bedroom flats. Provision of 2 on plot parking spaces, bin store and cycle parking area. REF 1st May 2003.

03/01193/FUL - Demolition of double garage. Single and two storey side extension, to include integral garage.. PER 24th July 2003.

68/19821/A_H - Erection of pair of semi-detached dwelling houses with garages for private cars. (2A and 2B Ramsay Road). PER 27th February 1968.

17/01552/FUL - Erection of front porch. Erection of two storey side extension to provide 4 x 1-bed apartments (Use Class C3). Provision of amenity space, bin

and cycle stores.. REF 18th August 2017.

17/02717/FUL - Erection of front porch. Demolition of single storey side extension and erection of a two storey building to create 2 x 1-bed flats (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage.. PDE .

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	CP8,	CS18	HP9	Headington Neighbourhood Plan: CIP1, GSP4
Conservation/ Heritage	12				
Housing	6		CS23	HP2, HP10, HP11, HP12, HP13, HP14	
Natural Environment	9, 11, 13	NE15			
Social and community	8				
Transport	4	CP1		HP16	Parking Standards SPD
Environmental	10			HP11	Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

9.1. A site notice was displayed on the application site on 12th December 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. No objection, subject to conditions, including the removal of both new and existing properties from eligibility for parking permits.

Public representations

9.3. Comments were received from 4 addresses on this application from addresses in Ramsay Road, London Road and Weyland Road.

In summary, the main points of objection were:

- Overshadowing to adjacent properties
- Overbearing to adjacent properties
- Overlooking to adjacent properties (obscure glazing difficult to control).
- Building out of character with surroundings
- Impact on local parking pressure

Officer Response

9.4. A detailed assessment is undertaken below, but to pick up on the window concerns, the nature of the upper floor windows in the north and eastern walls can be controlled by condition. Flats do not have permitted development rights under the General Permitted Development Order and as such there is the ability to control replacement windows.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Neighbouring amenity
- iv. Transport
- v. Internal space
- vi. Outside space
- vii. Flooding

i. Principle of Development

10.2. Policy CP2 of the Core Strategy requires that the majority of development should take place on previously developed sites, where appropriate. The proposed development would take place on land that currently contains an existing garage; though large parts of the site that would be developed are currently residential garden land. Residential garden land is not defined as previously developed land as set out in the National Planning Policy Framework (NPPF).

10.3. However, in the scope of the Council's adopted planning policies, specifically Policy CP6 of the Oxford Local Plan 2001-2016 and Policies HP9 and HP10 of the Sites and Housing Plan (2013) there is scope to accept the principle of development on garden land where the size of the plot to be developed is of appropriate dimensions to accommodate the proposal, taking into account the minimum requirements for living conditions set out in Policies HP12, HP13 and HP14.

10.4. In this case, Officers consider that 2A Ramsay Road has an area of garden land that provides ample outdoor amenity space and that there is scope to consider that more efficient use of this land could be made with regard to Policy HP10.

ii. Design and Impact on Character of Surrounding Area

10.5. The proposed development introduces a significant addition within the street and will also be clearly visible from the surrounding area.

10.6. The proposal does not attempt to match the older properties along Ramsay Road or London Road. Rather, the materials and design cues will reflect the existing houses at 2A and 2B Ramsay Road, but set back from the existing house and more limited in height. With each flat having its own front door, the appearance from the street will be more like a new pair of semis than a small block of flats. Unlike the previous scheme, the proposed building is not attached to the existing pair of semis.

10.7. Because of its relatively limited height and forward projection and the appropriate visual relationship with the buildings next door, the impact of the proposed flats on the character of the area will be relatively modest, the development will not be unacceptably harmful to visual amenity and the proposal complies with Policies CP1 and CP8 of the adopted Oxford Local Plan 2001 - 2016, Policy CS18 of the Core Strategy and Policy HP9 of the Site and Housing Plan as well as CIP1 and GSP4 of the Headington Neighbourhood Plan.

iii. Impact on Neighbouring Amenity

Overshadowing

10.8. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties, whilst policy HP14 of the Sites and Housing Plan (SHP) states that permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes.

10.9. Appendix 7 of the SHP sets out the 45/25 degree guidance, used to assess the effect of development on the windows of neighbouring properties.

- 10.10. The proposed development would comply with the 25/45 degree code. As such there is no sound planning basis to demonstrate an unacceptable loss of light to the habitable rooms of adjacent properties.
- 10.11. Whilst the building would be two stories, it would be some 3.5m away from the northern boundary to 220 London road and 1.25m from the western boundary to 218 London Road (narrowing to 0.6m). The height at the eaves would be 5m to the western boundary. Given the orientation of the site, the building would result in some loss of sunlight to the gardens of houses to the north - particularly 220 London Road. However Officers note that the building is now set further away from the northern boundary than the refused scheme and this will reduce the impact, particularly on 220 London Road. Furthermore the impact will mainly be experienced to the rear of the garden at 218 London Road, is mitigated by the length of the affected garden, and could not be argued to be unduly harmful.

Overbearing

- 10.12. Because of the two storey height and proximity to the northern and western boundaries, the building would result in a loss of outlook to the gardens of houses to the north - particularly 218 London Road, the effect on 220 having been somewhat reduced by the increased distance of the northern wall of the development from that garden.
- 10.13. Careful consideration has been given to the impact on the garden at 218 London Road, the rear of which will experience an increased sense of enclosure and overbearing. However, the impact will mainly be experienced to the rear of that garden and is mitigated by the length of the affected garden.

Overlooking

- 10.14. The supporting text to HP14 states that regard should always be paid to the impact of windows overlooking other homes' windows (including French windows and patio doors) and gardens. . The text of the SHP also states that there should be at least 20m distance between directly facing windows to habitable rooms in separate dwellings. . In general terms the reference to this distance is taken to mean the 'back to back' distance between properties. It should be noted that the references in this text are meant as guidance on how overlooking matters will be assessed and is not enshrined within the wording of the policy. This is because when assessing such matters, a number of other factors also need to be considered as part of any assessment. As stated within the text, the potential or unacceptable overlooking will depend on the proximity of windows to neighbours' habitable rooms and gardens, and the angles of views between windows are also factors that need to be considered. As is the way in which existing and proposed walls, hedges, trees, and fences can protect and or create privacy.
- 10.15. Having regards to the siting of the proposal in relation to 220 London Road, it is noted that the rear elevation of this adjoining property would be sited some 17m away from the side elevation of the proposed dwellinghouse. Moreover as can be seen from the site plan, the rear elevation of this property is angled away from the application site facing more towards Ramsay Road than it does the

application site. This window at ground and first floor level in the proposed dwelling are set towards the western end of the side elevation which also increases the oblique view towards properties. Having regards to the distance between the properties (17m) and the oblique angle of the proposed dwelling and its ground and first floor windows relative to the adjoining property at 220 London Road, along with the fact that the first floor window in the proposed dwelling would be obscure glazed, it would be unlikely that the proposed development would create any unacceptable overlooking between these two properties despite the fact that the distance would be less than the 20m guideline.

10.16. With respect to the adjoining property at 218 London Road, again the windows in the side elevation of the proposed dwelling would be sited approximately 17m away from the rear elevation of this property. Moreover the position of the proposed dwelling to the rear of this dwelling would also be set at an oblique angle so as to prevent any unacceptable overlooking despite the distance being below the 20m guideline. Similarly while there are upper floor windows in the western elevation that would be closer to the rear garden of 218 London Road, they would be obscure glazed and fixed shut below 1.7m. Whilst this may leave some residual perception of overlooking, this would remove the potential for actual overlooking of the adjacent dwelling.

10.17. Officers note the concerns of local residents that this would be difficult to enforce, but consider that a pre-occupation condition could successfully secure the desired outcome and as flats do not benefit from permitted development rights, any proposed change would require a further grant of planning permission.

iv. Transport

Transport Sustainability

10.18. The site is situated in a sustainable location with various shops and services within easy reach at Headington District Shopping Centre and very close to the London Road that provides an excellent choice of buses into Oxford City Centre.

10.19. The proposal will result in the loss of parking spaces to the site as a whole, with one replacement space being provided for the existing house and none for the new flats. Oxfordshire County Council as the Local Highway Authority has indicated that the site is suitable for a car free development and subject to a condition removing both the new and existing dwelling from eligibility for parking permits; the proposal is acceptable in highway and parking terms and with regard to Policy HP16 of the SHP.

Cycle Parking

10.20. Dedicated cycle storage areas are shown on the proposed plans allowing decent level access out to the road.

10.21. If permission is granted, it is considered reasonable and appropriate to impose a

condition to secure an acceptable provision of cycle storage to ensure the needs of the new dwelling are successfully met and that the development complies with Policies HP15 of the SHP.

v. External space

10.22. An separate area of outside space is provided for each of the flats. Whilst these are of somewhat limited size and amenity value, particularly that adjacent to the road, they are meaningfully more generous than the balcony or terrace that would be acceptable under Policy HP13 of the SHP.

Refuse

10.23. A dedicated bin storage area is shown on the proposed plans allowing level access out to the road.

10.24. If permission is granted, it is considered reasonable and appropriate to impose conditions to secure an acceptable provision of bin storage to ensure the needs of the new dwelling are successfully met and that the development complies with Policies HP13 of the SHP.

vi. Internal space

10.25. Each flat would have its own front door, kitchen and bathroom and at around 42sqm, the indoor space provided to each flat is of a good size, in excess of the 39sqm required by the Nationally Described Space Standard size, is provided with reasonable light and outlook and acceptable circulation and potential storage space, in accordance with Policy HP12 of the SHP.

vii. Flooding

10.26. The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

viii. Other

10.27. There are a number of large shrubs to the northern part of the site that will be lost. These are not considered to contribute greatly to public amenity and the previous refusal did not have regard to their loss.

11. CONCLUSION

11.1. Subject to the conditions proposed, the proposed development is acceptable in terms of principle, design, inside and outside space and parking. The potential for overlooking can be controlled and there will be some overshadowing to adjacent properties (primarily the rear of the garden at 218 London Road). This

needs to be balanced against the need for new dwellings in Oxford and making more efficient use of land and on balance, the effect on neighbouring gardens is not considered to be of a magnitude that would justify a refusal of planning permission.

- 11.2. 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 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 as specified in the application form and approved plans. 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 CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

- 4 Before first occupation of the development hereby approved, the north and west facing upper floor windows shall, be glazed in obscure glass, that is non-opening below 1.7 metres above finished floor levels in the room(s) they serve and thereafter retained.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policies CP1 and CP10 of the Adopted Oxford Local Plan 2001-2016 and HP14 of the Sites and Housing Plan.

- 5 The development hereby permitted shall not be occupied until the Order governing parking at 2A Ramsey Road has been varied by the Oxfordshire County Council as highway authority to exclude the original house and the flats hereby approved, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing 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, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

- 6 All extensions / developments which increase the size of the hard areas must be drained using Sustainable Urban Drainage measures (SuDS), including porous

pavements to decrease the run off and volumes to public surface water sewers and thus reduce flooding. The applicant 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 policy CS11 of the Oxford Core Strategy 2011-2026.

- 7 Prior to occupation of the dwelling vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6m as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policy CP1 of the adopted Oxford Local Plan 2001 - 2016.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) no structure including additions to the existing dwelling house at 2A Ramsay Road, as defined in Classes A, B, C, D, E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

Appendix 1 – Site Location Plan

Appendix 2 – Distances between properties

14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

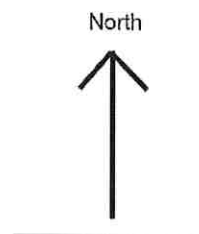
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NB: BOTH REARS APPROX 17M AWAY FROM PROPOSED APARTMENTS

SITE LOCATION PLAN FOR 2a RAMSAY ROAD,
 HEADINGTON, OXFORD

SCALE 1:1250 at A4





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EAST AREA PLANNING COMMITTEE

4th April 2018

Application Number: 18/00078/FUL

Decision Due by: 13 March 2018

Extension of Time: 11 April 2018

Proposal: Formation of enclosed area with acoustic fencing and insertion of 1no. gate to accommodate external air handling plant.

Site Address: Unit 6, Trade City Oxford, Sandy Lane West

Ward: Littlemore Ward

Case Officer Tim Hunter

Agent: Mrs Elizabeth Caton **Applicant:** Mr Chris Brown

Reason at Committee: The application has been called in by Councillors Tanner, Rowley, Azad, Price and Kennedy because of local concerns over noise and fire escape access.

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) grant planning permission; and

(c) 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 a new enclosure in front of unit 6 to house a new air conditioning unit. The visual impact and the effect on adjacent occupiers of any noise created by the unit are found to be acceptable whilst concerns relating to flooding and trees can be dealt with by the suggested conditions.

- 2.2. The key matters for assessment set out in this report include the following:
- Visual impact
 - Effect on surrounding occupiers
 - Flooding
 - Trees

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 3.1. The proposal is not liable for CIL.

4. SITE AND SURROUNDINGS

- 4.1. Unit 6 is an industrial lock up unit within an industrial park off of Sandy Lane West, with residential properties immediately to the east, along Spring Lane. The proposed development would be in front of the building.
- 4.2. The site plan is provided below



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Ordnance Survey 100019348

5. PROPOSAL

- 5.1. The application proposes a new enclosure of acoustic fencing in front of unit 6 to house a new air conditioning unit.

6. RELEVANT PLANNING HISTORY

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

14/02650/FUL - Erection of nine industrial units for Class B1 (C) (Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) use and

including 70 car parking spaces and 20 covered cycle parking spaces. (Amended description). PER 6th March 2015.

14/02650/NMA - Non-material amendment of planning permission 14/02650/FUL to enable a variation in height of buildings.. WDN 11th November 2015.

15/03260/VAR - Variation of condition 2 (Approved plans) of planning permission 14/02650/FUL to allow for revised heights of building. (Retrospective). PER 8th April 2016.

14/02650/NMA2 - Non-material amendment of planning permission 14/02650/FUL to allow replacement of single door with double door on west elevation of Unit 5 and installation of 2No. windows to south elevation of Unit 5; incorporation of refuse store in lieu of substation and reconfiguration of car parking.. REF 12th February 2016.

18/00078/FUL - Formation of enclosed area with acoustic fencing and insertion of 1no. gate to accommodate external air handling plant.. PDE .

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 [INSERT PARAGRAPH NUMBERS]	CP1, CP8,	CS18_,		
Commercial	1, 2				
Natural Environment	9, 11, 13	NE15,	CS11_,		
Social and community	8				
Environmental	10	CP10, CP21,			
Misc	5	CP.13, CP.24, CP.25		MP1	

8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site from the 2nd February 2018.

8.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

8.3. No comments received

Internal (Environmental Health)

8.4. No further conditions required

Internal (Trees)

8.5. The proposal conflicts with the existing sorbus tree which should be relocated to the west.

Littlemore Parrish Council

8.6. Object: Lack of information (dimensions / noise), concerns over fire escape access.

Public representations

8.7. Five letters have been submitted from the following addresses: 19, 27, 29 and 39 Spring Lane.

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

- Too close to housing
- Lack of information (dimensions, noise, hours of operation)
- Blocks fire escape

Officer Response

8.8. The submission drawings have been drawn to identified scales and do not therefore require to be annotated with dimensions, whilst the issue of noise has been addressed by a later report.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- i. Visual impact
- ii. Effect on adjacent occupiers
- iii. Flooding
- iv. Trees

i. Design and Impact on Character of Surrounding Area

9.2. The Council expects new development to enhance the quality of the environment, and Policy CP1 states that all new development should respect the character and appearance of the area. Policies CP8 of the OLP and CS18 of the Core Strategy require all new development to demonstrate high quality urban design and ensure that the siting, massing and design creates an appropriate visual relationship with the built form of the local area.

9.3.

9.4. The proposed enclosure and plant will not be visible from the public highway, but will be clearly visible from within the trading park. The materials will reflect the existing acoustic fence and whilst not fitting entirely rigidly into the pattern of development around the site, will not have an unacceptable impact on visual amenity and complies with the aims of Policies CP1 and CP8 of the Oxford Local Plan and CS18 of the Core Strategy.

ii. Impact on Neighbouring Amenity

Noise

9.5. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties and CP21, which specifically states that development which cause unacceptable noise will be refused.

9.6. There is already an acoustic barrier to the eastern boundary of the site and the purpose of the acoustic fencing currently proposed is to further reduce the noise emanating from the proposed air conditioning unit.

9.7. The existing development at Trade City Oxford is subject to a condition on the original planning permission that sets noise emissions to certain defined limits at different times of the day, with more stringent limits on Sundays and Bank Holidays. A report has been provided by the applicant to demonstrate that the noise reaching the nearest habitable rooms of the dwellinghouses along Spring Lane would, subject to the development being carried out as specified, be less than the lowest level set by the existing condition. Officers have assessed this further information and conclude that the development is acceptable in terms of noise and the proposal complies with Policies CP1, CP10 and CP21 of the Oxford Local Plan 2001 – 2016. Any grant of planning permission should be conditional

on the development being carried out entirely in accordance with the specification contained in the proposal (including the recommendations of the noise report) and the applicant can be reminded of the existing condition by way of an informative.

iii. Flooding

9.8. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.

9.9. The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

iv. Trees

9.10. NE15 of the OLP states that permission will not be granted for development proposals which include the removal of trees [, hedgerows and other valuable landscape features] that form part of a development site where this would have a significant adverse impact upon public amenity or ecological interest

9.11. Officers note that the proposed development would conflict with the existing tree in the planting bed to the front of Unit 6 and consider that it would be possible to relocate this relatively newly planted tree slightly to the west to allow construction of the enclosure without impacting significantly on the car park landscaping in accordance with Policy NE15. A condition has been recommended to ensure that this occurs.

v. Other

9.12. Officers note the concerns about emergency fire access and advise that Fire Safety is not a material planning consideration. This is a matter that would be covered through Building Regulations

10. CONCLUSION

10.1. The visual impact and the effect on adjacent occupiers of any noise created by the development are found to be acceptable, whilst concerns relating to flooding and trees can be dealt with by the suggested conditions.

10.2. It is recommended that the Committee resolve to grant planning permission for the development proposed.

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 The materials to be used in the new development shall be as specified in the application form and approved plans. 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 CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

- 4 The development shall be carried out entirely in accordance with the methodology and specification contained in the report produced by KP Acoustics and identified as 17036.PCR.01.

Reasons: To protect the amenity of surrounding occupiers in accordance with Policies CP10 and CP21 of the adopted Oxford Local Plan 2001 - 2016.

- 5 The sorbus tree located in the development area shall be re-located to a new position not more than 2m from its current location, unless agreed in writing by the Council. Should the tree fail to establish within 3 years for whatever reason, an approved replacement tree will be required.

Reason: To maintain the continuity of tree cover to the local area and in the interests of public amenity in accordance with Policy NE15 of the adopted Oxford Local Plan 2001 - 2016.

- 6 All development which increase the size of the hard areas must be drained using Sustainable Urban Drainage measures (SuDS), including porous pavements to decrease the run off and volumes to public surface water sewers and thus reduce flooding. The applicant 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 policy CS11 of the Oxford Core Strategy 2011-2026

12. APPENDICES

Appendix 1 – Site Location Plan

13. HUMAN RIGHTS ACT 1998

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant planning permission for 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

14.1. 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

Application Number: 18/00408/CT3

Decision Due by: 16 April 2018

Extension of Time: N/A

Proposal: Demolition of existing side extension to No. 22 Bracegirdle Road and Formation of new vehicular access. Erection of 3 No. single storey buildings to create 2 x 1-bed and 2 x 2-bed residential retirement dwellinghouses (Use Class C3). Alterations to landscaping, provision of bin and cycle stores to each dwelling and provision of car parking.

Site Address: Playground Rear Of, 22-28 Bracegirdle Road (**site plan: appendix 1**),

Ward: Churchill Ward

Case Officer Sarah Orchard

Agent: Mr Martyn Few **Applicant:** Ms Allison Dalton

Reason at Committee: Oxford City Council Planning Application

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) Grant planning permission; and

(c) 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 2no. 2 bedroom bungalows and 2no. 1 bedroom bungalows and the partial demolition of 22 Bracegirdle Road to allow vehicular access into the site. The report considers the loss of green space/undeveloped land, highway impact, impact on neighbouring occupiers, impact on trees, impact on archaeology, the quality of accommodation being

provided and provision of affordable housing. It is concluded that the particular circumstances of this case justify the loss of the green space and therefore a departure should be allowed from policy CS2 of the Core Strategy.

- 2.2. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations on balance support the grant of planning permission.
- 2.3. The scheme would also accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 14 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. LEGAL AGREEMENT

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

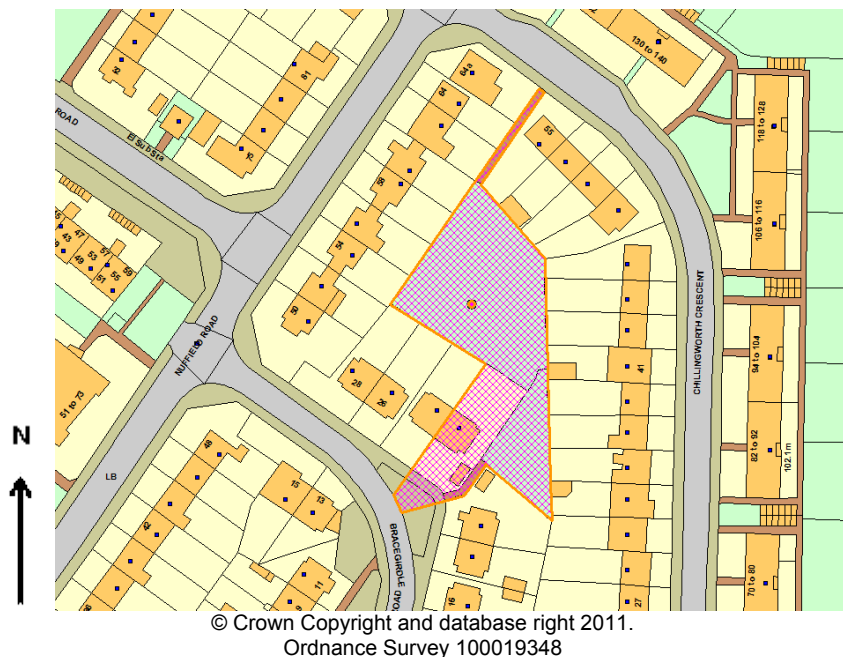
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL payment of £31,406.94.

5. SITE AND SURROUNDINGS

- 5.1. The application site is 1,589.60 square metres and is located within the Wood Farm area of Oxford to the east of the city centre. The application site is a former playground and is bordered by the rear gardens of dwellings in Bracegirdle Road to the south, Chillingworth Crescent to the north and east and Nuffield Road to the west. The site currently only has pedestrian access from the north and south via passageways.
- 5.2. The site is in a poor state, the play equipment has been removed and the landscaping has not been maintained. The main open green space in the site is approximately 932 square metres (a maximum of 34 by 37 metres but has chamfered boundaries to the north east). The site of the previous playground on the south of the site is previously developed land and measures approximately 165 square metres.
- 5.3. The main trees in and around the site lie on the southern boundary of the main green space, outside No. 22 Bracegirdle Road (at the entrance to the site) and to the east of the boundary of the former playground.

5.4. The site plan is set out in the extract below



6. PROPOSAL

6.1. The application proposes the erection of 2no. 2 bedroom bungalows and 2no. 1 bedroom bungalows following the demolition of the side extension and garage to 22 Bracegirdle Road to facilitate a vehicular access to the site from the south.

6.2. The proposed dwellings would all be social rented affordable housing.

7. RELEVANT PLANNING HISTORY

7.1. There is no relevant planning history.

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, 56, 64, 69	CP6, CP8,	CS2_, CS18_,	HP9_, HP10_,	
Conservation/ Heritage	128	HE2,			

Housing	17, 50		CS23_	HP2_ , HP12_ , HP13_ , HP4_	
Natural Environment	9, 94	CP11, NE15,	CS11_		
Transport	4, 17, 29-41			HP15_ , HP16_	Parking Standards SPD
Environmental	10, 95, 96	CP10, CP22,	CS9_	HP11_ , HP14_	
Misc	186, 187	CP.13, CP.24, CP.25		MP1	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 19th February 2018 and an advertisement was published in The Oxford Times newspaper on 22nd February 2018. The application was advertised as a departure from the Local Plan.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. Each property has 1 off-street parking space plus a shared visitor space. This is in line with adopted standards. The Local Highway Authority therefore does not object to the application subject to condition relating to implementation of sustainable urban drainage and an informative relating to alterations to the dropped kerb.

Natural England

- 9.3. No comment.

Public representations

- 9.4. One third party comment was received from Oxford Civic Society.

In summary, the main point of the comment was:

- Support the application in principle however the site feels overcrowded and Plot 2 should be removed to allow for more outside space.

Officer Response

- 9.5. The application seeks to make the most efficient use of the land in accordance with policy CP6 of the Oxford Local Plan. The backland site forms a character of its own and the level of amenity space being provided relates to the requirements of the end users.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development/Departure
- ii. Design
- iii. Neighbouring amenity
- iv. Indoor and Outdoor Space
- v. Affordable Housing
- vi. Highways/Parking
- vii. Trees
- viii. Archaeology
- ix. Drainage

i. Principle of Development/Departure

- 10.2. The NPPF encourages the effective use of reusing land that has been previously developed (brownfield land), provided that it is not of a high environmental value (paragraph 17).
- 10.3. The proposed development is on a former playground and green space which is not designated as protected open space or protected sports facilities under Local Plan policies SR2 and SR5 of the Oxford Local Plan. The land is predominantly previously undeveloped land. Policy CS2 of the Core Strategy supports development on undeveloped land where it has been allocated within the development plan or it is residential development required to maintain a five year rolling housing-land supply. Neither of these applies in this case therefore the proposal is considered a departure from the development plan. The policy does state that greenfield land will be allocated for development where it is within flood zone 3b, is of ecological value and is no-longer required for the well-being of the community it serves. Whilst this is the case, the new Local Plan has not yet emerged and the site remains unallocated.
- 10.4. Therefore the development would not accord with Oxford Core Strategy Policy CS2 and so any approval would represent a departure from this policy. The proposal would not accord with the encouragement that development be located on previously developed land as provided in the NPPF.
- 10.5. Notwithstanding this conflict, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan, unless material considerations state otherwise. The policies of the development plan therefore need to be considered as a whole in the determination of any application, and of course the development plan includes policies which support the provision of housing. The

statutory test also requires an assessment of any material considerations that may outweigh conflict with these development plan policies.

- 10.6. The applicant has set out the material considerations that they consider would justify this departure from the development plan in this case. It is considered that the site is currently unused derelict land is not serving its purpose as meaningful piece of public open space. The land is underused, has evidence of anti-social behaviour including drug use and is not overlooked. Secured by Design sets out the importance of active frontages overlooking spaces to improve sense of safety and security. The land is enclosed on all sides, except for the narrow pedestrian accesses, with 1.8 metre fences, chain linked fences and hedges making it an unsafe and underused play environment. It is therefore considered unlikely that the site could be reused for its original purpose due to the lack of overlooking and security for children.
- 10.7. The proposed use of the land as housing is considered to be a positive benefit to the city. The Housing Register from January 2018 shows that there is a shortage of social housing within the city. This relates especially to smaller units for people to move to in order to free up family size units and provision of property which supports independent living for older and disabled households. This type of housing reduces demand on supported accommodation and reduces the expenditure on social care. The Council has committed that the development will be 100% social rented affordable housing, above the required threshold of 50% required by policy HP4 of the Sites and Housing Plan. The development will also retain a pedestrian route through the site which is safer and overlooked by housing.
- 10.8. A new Local Plan is currently being brought forward, and a draft has not yet been published. This Local Plan could allocate smaller sites for housing, which are not protected recreational or open space, however due to the stage of the emerging Local Plan this has not yet been established. This application is being brought forward of any Draft Local Plan as the Local Authority has been granted funding from Homes England and there is pressure this to be spent by the end of the financial year 2017-2018. Delays to the spending and re-forecasting of these dates affect the Council's reputation as a delivery partner.
- 10.9. Policy CS23 of the Core Strategy states that development should comply with the Balance of Dwellings Supplementary Planning Document (SPD). This document highlights that across Oxford, family sized dwellings are being lost to subdivision and new development should also include a certain percentage of 3 bedroom dwellings. In this case only 1 and 2 bedroom dwellings are sought. The site lies within the Headington Neighbourhood Area which is classed as 'amber'. New developments in this area include 30-100% 3 bedroom dwellings, 0-30% 1 bed and 0-50% 2 bed. Given that the size of the units are designed to serve a 'decanting' purpose from family sized council homes the mix of dwellings proposed is considered acceptable in this case and to serve a relevant purpose.
- 10.10. The proposal is viewed as a windfall site. Given that the site has not been specifically protected as a public open space or an open air sports facility in the

Local Plan the justifications set out above justify a departure from policy CS2 in this instance.

ii. Design and Impact on Character of Surrounding Area

10.11. Policy CP6 of the Oxford Local Plan seeks to make the most efficient use of land and development should be at least equivalent to the density of development in the surrounding area. Policies CP8 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan state that development needs to relate the surrounding context. Given the constraints of the site and proximity to neighbouring properties the proposed development cannot respond to the existing grain of development in the area which is characterised by two storey semi-detached dwellings and flats. The development therefore creates a new low-key character of its own with single storey elongated dwellings of a simple form. The main feature of the dwelling is the protruding entrance/porch. This simple form does relate to the existing dwellings in Wood Farm. The proposal is therefore considered to form an appropriate relationship with the surrounding area. The materials to be used have not yet been confirmed therefore samples of materials to be used are requested by condition to ensure that they are of a suitable quality and form an appropriate visual relationship with the surrounding area.

10.12. The proposed development also involves the partial demolition of 22 Bracegirdle Road. This is single storey side extension and garage only and retains the main character and scale of the existing dwelling.

10.13. The proposal, subject to conditions, is considered to comply with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

iii. Impact on Neighbouring Amenity

10.14. Policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan set to protect the amenity of neighbouring occupiers in terms of loss of light, loss of privacy and overbearing impact. The proposed units are designed a low key housing in order to avoid an overbearing impact on neighbouring properties. They are single storey with pitched roofs which could be considered similar in scale to a domestic garage. The eaves are approximately 2.5 metres high with a maximum ridge height of 5 metres. Gardens surrounding the site range between 16 metres where properties have not been extended and 9 metres. The proposed units are also set over a metre from the boundaries into the site retaining adequate distance with surrounding properties to ensure they do not cause loss of light or an overbearing impact. The windows are also located to predominantly look into the site rather than out towards surrounding dwellings. This safeguards the privacy of neighbouring occupiers and creates a safer environment for people walking through the site. The proposal is therefore considered to comply with policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.

iv. Indoor and Outdoor Space

- 10.15. Policies HP12 and HP13 of the Sites and Housing Plan ensure that that an adequate level of indoor and outdoor space is provided to residential units based on the intended occupancy. The application proposes 2no. one bedroom units and 2no. two bedroom units. The two bedroom units are designed so that a carer can stay at the properties if required. The one bedroom units are approximately 53 square metres. This exceeds the 50 square metre requirement for a one bedroom single storey unit for 2 occupants. The two bedroom units are approximately 66 square metres. This exceeds the 61 square metre requirement for a two bedroom single storey unit for 3 occupants. The units have been clearly laid as out with a double and single bedroom. The proposal is therefore considered to comply with the national space standards now required by policy HP12 of the Sites and Housing Plan.
- 10.16. Policy HP2 of the Sites and Housing Plan relates to accessible and adaptable homes. For sites of 4 dwellings or more where less than 20 units are proposed at least one of the units should be fully wheelchair accessible. In this case all four units are designed to be fully wheelchair accessible. A condition is imposed requesting that the homes comply with Part M of Building Regulations to standard M4(3) to ensure the development serves its intended purpose which also helps justify the departure from policy CS2 by providing a public benefit of housing to which there is currently a shortage and demand.
- 10.17. In relation to outdoor space the units are each provided with some outdoor space. Whilst this space is limited, the units are no capable of housing a large number of occupants. Under policy HP13 there is no set outdoor amenity space for a one bedroom dwelling. 1 and 2 bedroom flats and maisonettes are required to have a private balcony or terrace of useable space at least 1.5 by 3 metres (4.5 square metres). The proposed units have outdoor space which exceeds this standard. Given this, that the units will only be occupied by a small number of people and the accommodation is designed for occupants who may not be able to manage a large private amenity space the proposed outdoor amenity space is considered to be appropriate in this context. The bicycle and bin storage is also designed to be integrated into the porches and will not need to be accommodated within the proposed gardens. Given the outdoor space is limited a condition is proposed removing permitted development rights to assess the impact of any enlargement or outbuildings on the available amenity space.

v. Affordable Housing

- 10.18. The site is classed as a small housing site under policy HP4 of the Sites and Housing Plan. Housing sites of 4-9 dwellings either need to provide 15% of the sale value towards affordable housing provision or in some cases 50% of the housing on the site should be affordable housing. In this case Oxford City Council is the applicant and is proposing 100% affordable housing through social rented housing. Given that Oxford City Council is the applicant and the development will stay within Oxford City Council ownership it is considered that the appropriate way to secure the provision of affordable housing is through a condition requesting a scheme for the provision of affordable housing.

vi. Highways/Parking

- 10.19. The site is not located within a Controlled Parking Zone, however, each property has 1 off-street parking bay plus a shared visitor space. This is in line with the adopted standards under policy HP16 of the Sites and Housing Plan and is therefore acceptable on transport grounds. Whilst the garage is to be lost to 22 Bracegirdle Road, two parking spaces are to be provided to the front of this dwelling in line with maximum standards.
- 10.20. Oxfordshire County Council does not object to this application providing a condition relating to the use of Sustainable Urban Drainage (SuDs) is imposed to ensure that the development does not increase in flooding of the highway in the interests of highway safety in accordance with policy CP1 of the Oxford Local Plan.
- 10.21. Policy HP16 also sets a requirement for the provision of cycle storage with new dwellings. Each property has a porch with inbuilt cycle and bin storage. This space is capable of provide two bicycles in line with the minimum requirement or could be adapted for wheelchair storage, as appropriate.

vii. Trees

- 10.22. Policies CP1, CP11 and NE15 of the Oxford Local Plan seek to protect significant trees during and after construction. The proposed layout forms a tight relationship with existing trees on and adjacent to the site. The main concerns lie with the impact on trees T2 (cherry, highway tree), T3 (crab apple, highway tree) and T4 (walnut, rear garden of neighbouring property), which are significant in public views from outside of the application site in views from Bracegirdle Road. The relationship with the highway trees is fairly tight and will most likely result in these needing to be replaced which will be secured by condition. The cherry tree is currently not in the best condition.
- 10.23. In order to protect the Walnut tree a special foundation will need to be used to ensure minimal damage to the tree roots. Details of the foundations are request by condition. The foundation such as an Abbey Pynford system, or a pile and beam system will allow a ventilated void beneath the floor slab and the underside of ground beams are set on top of or above existing ground levels and do not require excavation in order to protect roots. Subject to the tree conditions laid out below the proposal is considered to comply with policies CP1, CP11, NE15 and NE16 of the Oxford Local Plan.

viii. Archaeology

- 10.24. This site is of archaeological interest because it is located 60m west of the Roman Dorchester to Alchester Road which attracted an extensive hinterland of settlement associated with a dispersed landscape of pottery manufacturing compounds. The extent of roadside and hinterland settlement in this vicinity is not well understood, however a spread of Roman pottery was located 76m to the east of the development site during

the construction of the ring road. The finds were of sufficient interest to warrant a note in *Archaeologia* in 1920-21. These finds may indicate the presence of road site settlement and there is no reason to assume that such settlement would be limited to the east side of the road. Given the size of the proposed development (four new dwellings, access and car parking) it is considered appropriate to request an evaluation be undertaken in this instance to establish whether Roman remains are present. In this case, bearing in mind the existing site constraints, in line with the advice in the National Planning Policy Framework and the requirements of policy HE2 of the Local Plan, any consent granted for this application should be subject to an archaeological condition for trial trenching followed by a second stage of mitigation by recording or redesign as appropriate. This is because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains.

ix. Drainage

10.25. The proposed development is within the indicative catchment for the Lye Valley SSSI, an area very sensitive to changes in both groundwater flows and chemistry. Therefore, if shown to be feasible (by the undertaking of soakage tests in accordance with BRE Digest 365 methodology or suitable alternative), infiltration drainage would be preferential in order to maintain the flow of groundwater and reduce the impact of increased impermeable area as a result of the development. If shown not to be feasible, the drainage strategy should utilise attenuation of surface water in order to limit discharge rates to greenfield rates. Details of this are requested by condition in accordance with the requirements of policy CS11 of the Core Strategy.

11. CONCLUSION

11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 14 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.4. In summary it is considered that the site is currently not serving its intended purpose as a public open space and playground and due to the site constraints and is not protected by policy SR2 or SR5 of the Oxford Local Plan, and lack of natural overlooking of the site and previous underuse of the site it is unlikely to succeed in the future as the originally intended use. Therefore it would not result in a significant loss of publically accessible open space. While it is accepted that the site does not constitute previously developed land and the proposal will involve a departure from this policy, it is considered that the proposed development supports the community by providing small scale accessible and affordable housing whilst freeing up larger social housing family homes within the city. It is therefore considered that the proposed development and the special case being put forward provides adequate justification for a departure from policy CS2 of the Core Strategy.
- 11.5. Moreover the development would also accord with the other relevant policies of the development plan including protection of trees in relation to policies CP1, CP11 and NE15 of the Oxford Local Plan, protection of the amenity of neighbouring occupiers in relation to policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan, protection of archaeology in relation to policy HE2 of the Oxford Local Plan and protection of highway safety and provision of parking and cycle storage in relation to policies CP1 of the Oxford Local Plan and HP15 and HP16 of the Sites and Housing Plan. The development also accords with design policies and efficient use of the land in relation to policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan and provides an adequate level of indoor and outdoor space in relation to policies HP2, HP12 and HP13 of the Sites and Housing Plan.
- 11.6. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.7. 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 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 dwelling(s) shall not be occupied until all of the dwellings hereby approved meet Building Regulations Part M access to and use of building, Category 3 wheelchair user dwellings, Optional requirement M4(3).

Reason: To ensure that new housing meets the needs of the proposed occupiers of the units and to comply with the Development Plan, in particular Local Plan policies CP1, CP13, Core Strategy Policy CS23 and Sites and Housing Plan Policy HP2.

- 5 The dwelling(s) shall not be occupied until the relevant requirements of level of energy performance equivalent to ENE1 level 4 of the Code for Sustainable Home have been met and the details of compliance provided to the local planning authority.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

- 6 The dwelling(s) shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Core Strategy Policy CS9 and Sites and Housing Plan Policy HP11.

- 7 No development shall proceed until the developer has:
1. carried out an archaeological evaluation of the site in accordance with a written scheme of investigation approved in writing by the planning authority and ;
 2. secured the implementation of a scheme of mitigation of any significant archaeological impact, which may be achieved by redesign, or by archaeological recording action in accordance with a supplementary written scheme of investigation , to be approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman and remains (Local Plan Policy HE2).

- 8 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

A SuDS maintenance plan should also be submitted and approved by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

The development shall then be carried out in accordance with the approved details and the drainage infrastructure shall be retained thereafter.

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

- 9 Inert gravel materials shall be used in any Sustainable Drainage system.

Reason: To ensure groundwater chemistry upstream of the Lye Valley Sites of Special Scientific Interest (SSSI) is maintained.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or enacting that Order) no structure including additions to the dwelling house as defined in Classes A, B, C, D, E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration

to safeguard the appearance of the area and the amenity of neighbouring properties and occupiers of the dwellings in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.

- 11 As from the date of the grant of this permission no trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped and no shrubs or hedges shall be cut down without the prior written consent of the Local Planning Authority. No site clearance shall start until any trees which the Local Planning Authority requires to be retained are protected.

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

- 12 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.

- 13 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.

- 14 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.

- 15 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details 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.

- 16 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.

- 17 Prior to the start of any work on site details of the design of the building foundations for 'plot 1' shall be submitted to and approved in writing by the LPA. Unless otherwise agreed in writing by the LPA, foundations will be of a pile and beam system within the Root Protection Area (as defined by BS5837:2012) of the retained walnut tree (T.4, located off-site in the garden of neighbouring property) with ground beams set on top of or above existing ground levels so as to avoid excavation and provide a ventilated void beneath the floor slab.

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

- 18 Prior to the start of any works on site a soil de-compaction method statement shall be submitted to and approved in writing by the LPA. The soil within the Root Protection Area (as defined by BS5837:2012) of walnut tree T4 shall be de-compacted in accordance with the approved method statement as soon as possible following completion of construction phase and prior to occupation of 'plot 1'.

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

- 19 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
- i. The numbers, type and location of the site of the affordable housing provision to be made;
 - ii. The timing of the construction of the affordable housing;
 - iii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - iv. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

Reason: In the interests of the provision of affordable in line with requirements of Policy HP4 of the Sites and Housing Plan.

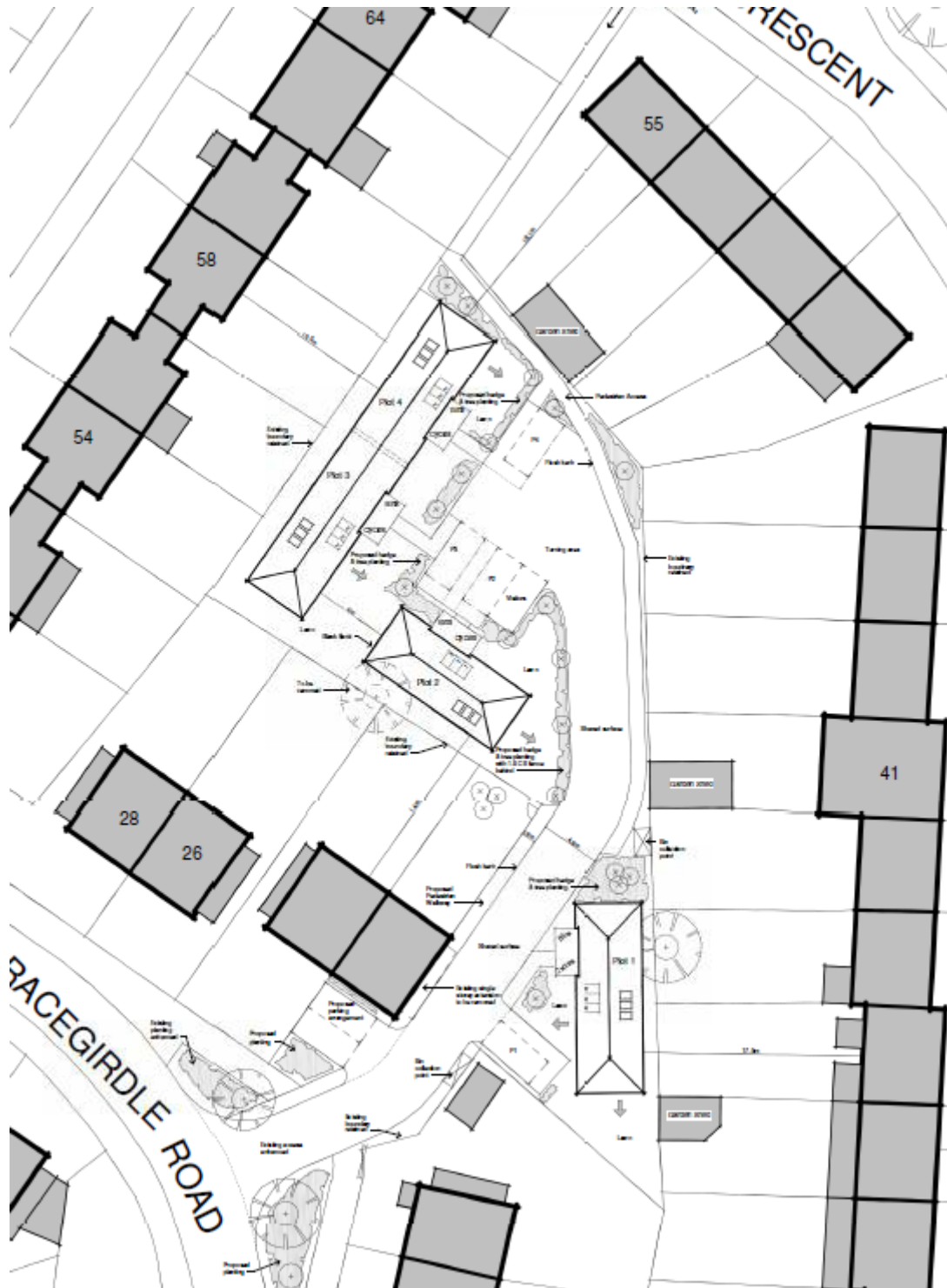
13. HUMAN RIGHTS ACT 1998

- 13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve the 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 14.1. 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.

Appendix 1 – Site Plan



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Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 7 March 2018

www.oxford.gov.uk



Committee members:

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

Officers:

Anita Bradley, Monitoring Officer
Sally Fleming, Lawyer
Robert Fowler, Planning Team Leader
Hayley Jeffery, Development Management Team Leader
Jennifer Thompson, Committee and Members Services Officer

Apologies:

Councillor Malik sent apologies.

81. Declarations of interest

There were no declarations of interest.

On Minute 85, Councillors Lygo and Lloyd-Shogbesan reminded the committee that Bullingdon Community Centre was used by residents of their wards.

82. 17/03419/FUL: The Magdalen Centre, 1 Robert Robinson Avenue, Oxford, OX4 4GA

The Committee considered an application for the erection of a 3-storey office building (Use Class B1) and laboratory space above an undercroft parking and arrival space; formation of car parking spaces and cycle storage at The Magdalen Centre, 1 Robert Robinson Avenue.

They noted the building will have a ground floor entry pavilion including entrance lobby, changing facilities at back of house; external car parking will be provided at grade and in the undercroft, including 9 accessible spaces and bicycle parking; and additional parking to be provided at Plot B.

The Planning Officer reported a correction to the officer report as the recommendation should refer to section 11 not 12, and clarified that 44 cycle parking spaces would be provided within the undercroft.

The Committee requested that replacement trees be sought for those lost along the northern edge as part of the discharge of landscaping condition. They noted that a comprehensive transport strategy for the science park would be advantageous. They agreed an additional condition specifically to ensure that energy generation measures (such as but not restricted to solar panels) were included in the building, as given the energy statement submitted and the design of the building this was considered reasonable.

The Committee resolved to:

1. approve application 17/03419/FUL for the reasons given in the report and subject to the required **19** planning conditions set out in section 11 of the report plus an **additional condition** to secure energy generation measures, and grant planning permission; and
2. delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
finalise the recommended conditions as set out in this report and the additional condition including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

83. 17/02717/FUL: 2A Ramsay Road, Oxford, OX3 8AX

The Committee considered an application for the erection of a front porch; demolition of single storey side extension and erection of a two storey building to create 2 x 1-bed flats (Use Class C3); provision of private amenity space, car parking and bin and cycle storage at 2A Ramsay Road, Oxford, OX3 8AX.

The Planning Officer reported that:

- Policy HP14, relating to privacy and daylight, had been taken into account although it was not referenced in the report.
- Sections 14 and 15 (human rights and crime and disorder) should make reference to a recommendation to approve.
- No legal agreement was required although it was referenced in section 11.2 of the report.

John Norridge and Martin Loudon, local residents, spoke objecting to the application and set out their concerns, and accompanied by Joanna Norridge answered questions from the Committee.

The Committee asked questions of the officers and speakers. In discussion they noted concerns over the specific relationship of the proposed development to the boundaries and rear elevations of 218 and 220 London Road, including the boundary at no218 and the potential overlooking into windows to and from the new development. The legal adviser suggested that a site visit may be helpful. This was formally proposed, seconded, and agreed on being put to the vote as members considered that this would

help them visualise the relationship between the properties and determine the application.

The Committee resolved to:

defer consideration of application 17/02717/FUL to a future meeting to allow members of the committee, accompanied by planning officers, to formally visit the site to see the relationship between the existing houses and the proposed development and the likely impact of these on each other.

84. 17/03101/FUL: Ashlar House, Glanville Road

The Committee considered an application for permission for the erection of 4 x 2 bed flats, 2 x 1 bed flats, 2 x 4 bed dwellinghouse, 1 x 3 bed dwellinghouse (Use Class C3) and associated external works. Provision of amenity space, car parking and bin/cycle stores at Ashlar House, Adjacent 2 Glanville Road, Oxford, OX4 2DD.

The Planning Officer reported that:

- Sections 14 and 15 of the report (human rights and crime and disorder) should make reference to a recommendation to approve.

The Committee asked questions of the officers. The Committee agreed to add a further condition to ensure a suitable disabled parking space was provided.

The Committee resolved to:

1. approve application 17/03101/FUL for the reasons given in the report and subject to the required **11** relevant planning conditions set out in section 12 of the report and an **additional** condition to secure a disabled parking space and grant planning permission subject to:

the satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990.

2. delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

2.1. 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;

2.2. 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

2.3. complete the section 106 legal agreement referred to above and issue the planning permission.

85. 17/03426/CT3: Bullingdon Community Centre, Peat Moors, Oxford, OX3 7HG

The Committee considered an application for the part demolition of the existing community centre and erection of part single part double height front and side extension at Bullingdon Community Centre, Peat Moors, Oxford.

The Planning Officer reported that:

- Sections 14 and 15 of the report (human rights and crime and disorder) should make reference to a recommendation to approve.

Steve Dawe and Richard Bryant, Chair and Secretary of the Bullingdon Community Association, spoke in support of the application, and accompanied by Juliet Burch, the architect answered questions from the Committee.

The Committee asked questions of the officers and speakers. They encouraged the provision of solar panels and noted these could be provided under permitted development rights. They noted that existing cycle racks would be relocated to maintain the existing 4 spaces in addition to provision of 10 new spaces and agreed to require the minimum of 16 spaces in compliance with the standards for the floorspace of the whole building.

The Committee resolved to:

1. approve application 17/03426/CT3 for the reasons given in the report and subject to the required **7** planning conditions set out in section 12 of the report and an **additional** condition to secure a minimum of 16 cycle parking spaces (new and re-provision of existing) and grant planning permission; and
2. 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.

86. Minutes

The Committee resolved to approve the minutes of the meeting held on 7 February 2018 as a true and accurate record.

87. Forthcoming applications

The Committee noted the list of applications to come to future meetings.

88. Dates of future meetings

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 7.55 pm

Chair

Date: Wednesday 4 April 2018

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