

Agenda

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East Area Planning Committee

Date: **Wednesday 16 January 2019**

Time: **6.00 pm**

Place: **Long Room - Long Room, Oxford 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 Mark Lygo	Churchill;
	Councillor Shaista Aziz	Rose Hill and Iffley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Stef Garden	Headington;
	Councillor Christine Simm	Cowley;
	Councillor Roz Smith	Quarry and Risinghurst;
	Councillor John Tanner	Littlemore;

The quorum for this meeting is five members. Substitutes are permitted. Substitutes for the Chair and Vice-chair do not take on these roles.

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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- subscribed to electronically by registering online at mycouncil.oxford.gov.uk

AGENDA

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

1 Apologies for absence and substitutions

2 Declarations of interest

3 18/02817/FUL - Former Rose Hill Community Centre, The Oval, Oxford, OX4 4UY

13 - 34

Site address: Former Rose Hill Community Centre, Land bounded by Desborough Crescent, Lenthall Road and The Oval, Rose Hill, Oxford.

Proposal: Erection of two residential buildings (three storeys) comprising 25 residential dwellings (C3 Use Class) with associated access, parking and landscape arrangements.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to:
 - (a) the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report;and
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - (a) finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers

- reasonably necessary; and
- (b) finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
- (c) complete the section 106 legal agreement referred to above and issue the planning permission.

4 18/02818/FUL - Former Rose Hill Advice Centre and Scout Hut , Ashhurst Way, Oxford, OX4 4UY

35 - 58

Site address: Rose Hill Advice Centre & Scout Hut, Ashhurst Way, Rose Hill, Oxford.

Proposal: Demolition of existing buildings and erection of two residential buildings (part two and part three storey) comprising 18 residential dwellings (C3 Use Class) with associated access, parking and landscape arrangements.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to:
 - (a) the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report;and
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - (a) finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
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 - (c) complete the section 106 legal agreement referred to above and

issue the planning permission.

**5 18/02797/FUL - 9 Binswood Avenue, Headington, Oxford
OX3 8NY**

59 - 72

Site address: 9 Binswood Avenue, Oxford, OX3 8NY.

Proposal: Demolition of existing house and erection of a 1 x 3 bed dwelling house (Use Class C3), provision of cycle store and car parking, erection of a detached art studio in the rear garden.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **agree to delegate authority** to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

6 18/02918/OUT - 17 Between Towns Road, Oxford, OX4 3LX

73 - 90

Site address: 17 Between Towns Road, Oxford, OX4 3LX

Proposal: Outline application (seeking approval of access, appearance, layout and scale) for the erection of three storey building consisting of 6 x 2 bed flats (Use Class C3) and provision of private amenity space, car parking, cycle and waste storage as per approved 15/02245/OUT.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and subject to:
 - (a) the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report;
- and
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - (a) finalise the recommended conditions as set out in the report

including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and

- (b) 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 the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
- (c) complete the section 106 legal agreement referred to above and issue the planning permission.

7 18/02977/CT3 - Land At Samphire Road, Oxford

91 - 102

Site address: Land At, Samphire Road, Blackbird Leys, Oxford.

Proposal: Formation of 36 parking spaces and alterations to landscaping (Amended Plans)

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report and grant planning permission; and
2. **agree to delegate authority** to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

8 18/03085/CT3 - Land Fronting 11 To 14 Northfield Close, Oxford

103 -
112

Site address: Land Fronting 11 to 14 Northfield Close, Oxford.

Proposal: Erection of 10 forecourt parking spaces on existing green space (Amended Plans).

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report and grant planning permission; and
2. **agree to delegate authority** to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

9 Minutes

113 -
120

Recommendation:

to approve the minutes of the meeting held on 5 December 2018 as a true and accurate record.

10 Forthcoming applications

Items currently expected to be considered 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.

16/02549/FUL - Land Adjacent 4 Wychwood Lane, OX3 8HG	Non-delegated application
17/01519/FUL - 55 Collinwood Road Oxford OX3 8HN	Called in
18/00571/FUL - 11 Horseman Close, Oxford, OX3 0NR	called in
18/00591/VAR - 255A Marston Road, Oxford, OX3 0EN	Committee level decision
18/01477/VAR - John Radcliffe Hospital, Sandfield Road OX3 9DU	Committee level decision
18/02141/FUL - 22 Peterley Road Oxford Oxfordshire OX4 2TZ	Call in
18/02231/VAR: Littlemore Park, Armstrong Road, Oxford, OX4 4XG	Major development - variation to 14/02940/OUT
18/02303/RES - Littlemore Park Armstrong Road Oxford Oxfordshire OX4 4XG	Committee level decision
18/02442/FUL - 4 Lime Walk, OX3 7AE	Committee level decision
18/02587/FUL - Site Of Blocks C F G H J K L And M Clive Booth Hall John Garne Way Oxford OX3 0FN	Committee level decision
18/02588/FUL - Meadow Larkins Larkins Lane Oxford OX3 9DW	Call in
18/02763/FUL - 7 Dynham Place Oxford OX3 7NL	Call in
18/02776/FUL - Emmanuel Christian School, Sandford Road, Littlemore, Oxford OX4 4PU	Call in
18/02783/FUL - Beaumont House, Sandy Lane West Oxford OX4 6LB	Call in
18/03060/FUL - U Y S Ltd, Garsington Road, Oxford, OX4 2BW	Committee level decision
18/03287/FUL - Former Murco Service Station, Between Towns Road, Oxford, OX4 3LZ	Committee level decision

11 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on

2019	2019	2020
6 February	5 June	15 January
6 March	3 July	5 February
3 April	31 July 2	4 March
1 May	4 September	1 April
– new date	2 October	
22 May 2019	6 November	
	2 December	

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.
Unchanged in last Constitution update agreed at Council November 2018.**

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East Area Planning Committee

16th January 2019

Application number: 18/02817/FUL

Decision due by 22nd January 2019

Extension of time

Proposal Erection of two residential buildings (three storeys) comprising 25no. residential dwellings (C3 Use Class) with associated access, parking and landscape arrangements.

Site address Former Rose Hill Community Centre , Land Bounded By Desborough Crescent, Lenthall Road And The Oval, Rose Hill, Oxford – see **Appendix 1** for site plan

Ward Rose Hill and Iffley

Case officer Michael Kemp

Agent: Mr James Cogan **Applicant:** Mr Stephen Clarke

Reason at Committee The proposals are for major development and Oxford City Housing Limited are the applicant

1. RECOMMENDATION

1.1. **The East Area Planning Committee** is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

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

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
- 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 Acting Head of Planning Services considers reasonably necessary; and]

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposed development of 25 residential apartments (13x1 bedroom and 12x2 bedroom units) on the site of the former Rose Hill Community Centre located at The Oval. The proposed development would bring about the positive reuse of a brownfield site for the purposes of providing much needed affordable housing for the city and would assist in the aims of delivering housing led regeneration in Rose Hill. The housing would be delivered as part of funding towards additional affordable housing provided from the Oxfordshire Housing and Growth Deal.
- 2.2. The proposed development is considered to be appropriately designed and would not compromise the residential amenity of existing occupiers, whilst providing appropriate standards of internal and external amenity for future occupiers. The provision of landscaping would add to the character of the area and is considered to offset the loss of the existing tree group in the north east corner of the site.
- 2.3. Parking provision is balanced against the overall sustainability of the site in terms of public transport provision and local service provision, whilst acknowledging that the lack of parking control in the area presents a risk that under provision of parking may result in a displacement of vehicles on surrounding roads. Overall parking provision is considered to be acceptable.
- 2.4. It is considered that there would be significant public benefits which would arise from the redevelopment of the site to provide affordable housing and the development complies with the relevant provisions of the Oxford Local Plan, Core Strategy, the Sites and Housing Plan and NPPF. Approval is recommended subject to a legal agreement to secure the provision of affordable housing.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to cover the provision of affordable housing and a financial contribution to Oxfordshire County Council to cover the cost of double yellow lines at The Oval.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL contribution of £196,929.33

5. SITE AND SURROUNDINGS

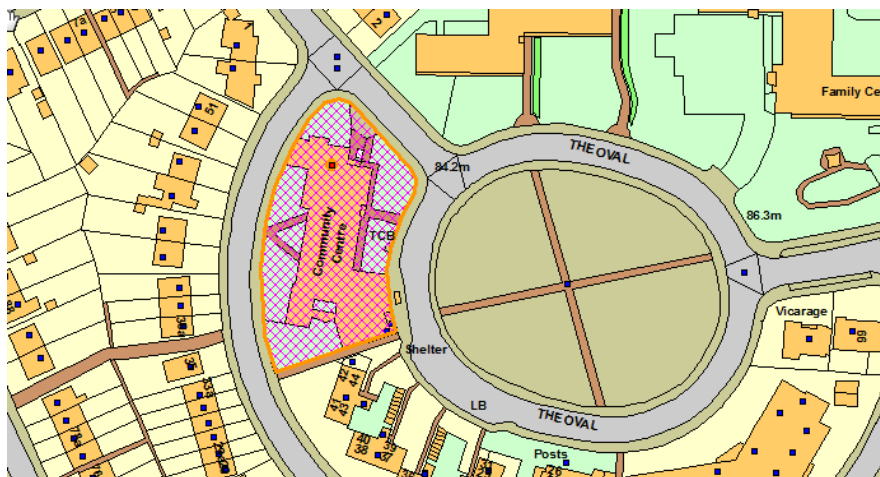
- 5.1. The site is located within the centre of Rose Hill, adjacent to The Oval and Desborough Crescent. The site was formerly occupied by the Rose Hill

Community Centre, which was a single storey brick building, used for various community purposes. Following the development of the new community centre building on land to the north of Ashurst Way, the former community centre was no longer required and prior approval was granted for its demolition in 2016 (16/02952/DEM). Since the removal of the building the site has remained as undeveloped space. A 2 metre high green fence has been erected around the site to secure the land. There are two mature trees on the corner of Lenthall Road and The Oval and a smaller semi-mature tree on the boundary of Desborough Crescent. There are notable topographic differences across the site, as land falls away considerably between The Oval and Desborough Crescent.

5.2. The surrounding area comprises of a mix of dwelling types. The properties surrounding The Oval consist principally of blocks of flats. The adjacent flats to the south of the site are 1960/70's two storey brick properties. Adjacent to this is a three storey block, comprising of ground level retail. To the East of this block is a relatively recent development comprising of a single three storey red brick and rendered block of flats, with parking at lower ground level. Desborough Crescent located to the west comprises of terraced and semi-detached two storey brick and pebbledash dwellings, many of these are recent dwellings constructed as part of ongoing housing regeneration in the estate.

5.3. The Oval to the East of the site contains an area of open space containing a number of mature trees. Rose Hill Primary School is located to the North East of the site.

5.4. See Location plan below:



6. PROPOSAL

6.1. The application proposes the development of 25 residential apartments (13x1 bedroom and 12x2 bedroom units) on the site of the former Rose Hill Community Centre located at The Oval. Landscaping would be provided between the two apartment blocks and additional planting is proposed throughout the site, this would be particularly focussed along Desborough Crescent and the corner of

Lenthall Road. Ground level parking bays are proposed adjacent to Desborough Crescent.

6.2. The apartment buildings would be three storeys and feature a variance in heights. Ridge heights of the buildings vary between 12.1 and 12.7 metres to the roof ridge and 9.1 and 9.5 metres to the eaves.

6.3. The application has been subject of revisions, which include changes to the external amenity spaces of the ground floor dwellings and alterations to the proposed landscaping to include additional planting within the site and adjacent to the street frontages.

7. RELEVANT PLANNING HISTORY

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

16/02952/DEM - Application to determine whether prior approval is required for the method of demolition (community centre building)

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Oxford Local Plan 2036 – Proposed Submission Document
Design	12	CP1 CP6 CP8 CP9 CP10 CP11	CS18_		DH1
Housing	5	CP13		HP2 HP3 HP9 HP11 HP12 HP13 HP14 HP15 HP16	H1 H2 H4 H10 H14 H15 H16
Natural environment	9, 11, 13	NE15	CS11_		RE1 RE2 RE3 RE4 RE6 RE7 RE9

Social and community	8		CS20_		
Transport	4	TR1	CS13_ CS14_		M1 M3 M4 M5
Environmental	10				
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on the 9th November 2018 and an advertisement was published in the Oxford Times newspaper on 15th November 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The site is in a sustainable location, is within cycling distance to the city centre and has good access to the number 3 bus which runs as frequently as every 7 minutes throughout the week.

9.3. It is not considered that the development will have an overly adverse effect on the highway network.

9.4. The Proposal includes 53 cycle spaces. This provides 2 spaces per dwelling plus 3 visitor spaces. This is in line with Policy HP15 and is acceptable. However, the Master plan only shows 36 spaces within 2 cycle stores. A condition will therefore be required to show that all of the cycle spaces are provided in secure, covered and accessible locations.

9.5. 19 off-street parking bays are to be provided for the scheme, these will be in the form of perpendicular bays facing Desborough Crescent. Whilst this is below the recommended level, the parking survey undertaken shows a low level of on-street parking demand in the area. Furthermore the 2022 census data shows a low level of car ownership in the local ward. The car parking should remain unallocated to help spread the car parking arrangement.

9.6. However, the development will result in the removal of on-street parking spaces on Desborough Crescent. The parking survey shows there is sufficient on-street parking capacity in the vicinity to manage this displacement.

9.7. Following a site visit, however, it is clear that the area suffers with on-street parking issues around school drop off/pick up times, this is especially a problem around The Oval and Ashurst Way. There is concern that the displaced parking from Desborough Crescent may worsen this situation and block the bus turning

area which is particularly tight on the northern side of The Oval. The bus route is vital for the continued sustainability of the site and low car usage within the area.

- 9.8. In order to retain the bus turn around at The Oval it is therefore considered necessary to secure funds for the consultation and delivery of double yellow lines around the inside of The Oval. This will ensure that buses can safely enter and exit the bus stops.
- 9.9. The off-street bays will require dropped kerbs. This will be at the applicant's expense and will need to be undertaken through a Section 184 agreement.
- 9.10. The Transport Statement states that refuse collection will take place from Desborough Crescent and The Oval. Whilst Desborough Crescent is acceptable, The Oval could cause major disruptions to the bus route, a condition should therefore be included ensuring all refuse from the site is collected from Desborough Crescent or Lenthall Road.
- 9.11. No details of the drainage strategy for the application site have been provided along with this application. For major development, a surface water strategy should be produced to demonstrate that the proposed development will not create an increased risk of flooding from surface water. The surface water strategy should be carried out, giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.

Oxfordshire County Council (Education and Property)

- 9.12. The proposed development will increase the demands placed on local infrastructure and services.
- 9.13. There is currently sufficient existing primary and early years capacity in the area to mitigate the impact of this development. Subject to the opening of the new free school, The Swan School in Oxford, this will also provide sufficient secondary school capacity. There is a shortage of capacity at special schools in the area at this time, however the scale of development would be expected to have a negligible impact on special school capacity.

Oxford Civic Society

- 9.14. Oxford Civic Society consider this proposal to be flawed and lacking in imagination in a number of respects regarding the design. It is unclear how the application fits within the framework of an explicit urban design and spatial regeneration strategy for the area. Thus, whilst we recognise the dimensional limitations of the site, some of the relationships between private amenity space and the public realm do not appear to be robust. It is also unclear why such a high level of parking provision should be considered desirable at this location.
- 9.15. The high, steeply-pitched roofs make the buildings much more prominent than the three storeys of accommodation necessitate and result in considerable wasted volume in unused 'attic' space, as well as having consequences for shading of the surroundings. The distribution of external amenity space is illogical, with some of the smallest apartments provided with space equal to 80% of the internal floor area, whilst others have little more than a small, in some

cases irregularly-shaped balcony; ‘thrust’ balconies (i.e. projecting cantilevers) are in every case too small to be of practicable use, and are thus fated to be used for nothing but informal storage, detracting from the street scene. The argument that these balconies present a more secure solution than alternatives is implausible, and the balconies do not form an impression of a properly integrated design solution.

9.16. The amenity spaces provided for ground floor apartments lack privacy, and the space is severely diminished by the co-location of bike and bin storage. Bicycle storage is inadequate, particularly for visitors.

9.17. The planning of the dwelling types is generally satisfactory; however, the suitability of four person family dwellings with only one living space (living/dining/kitchen) must be questioned. This proposal is a wasted opportunity to provide imaginatively designed and much needed housing fit for the 21st century city; we would urge refusal on the grounds of poor design and failure to make best use of the site.

Public representations

9.18. 2 representations have been received in relation to this application from the occupants of 3 Rivermead Road and one unspecified property.

9.19. In summary, the main points of objection were:

- Parking provision – safety of parking provision and quantity.
- Provision of parking could be lower to encourage use of sustainable means of transport.
- Three storey buildings would make the road feel cramped and would result in a loss of light to the buildings opposite.
- The site should be used as a small park or wildlife area.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Neighbouring amenity
- Transport
- Trees
- Sustainability

a. Principle of development

- 10.2. Paragraph 59 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 10.3. Paragraph 117 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 10.4. Policy CS2 of the Core Strategy outlines that new development should be focused on previously developed land and that development will only be permitted on Greenfield Land if it is specifically allocated for the use in the local development framework; or in the case of residential development, it is required to maintain a rolling five year supply of housing, as outlined within Policy CS22.
- 10.5. The site is currently vacant and clearly falls under the definition of previously developed brownfield land, the redevelopment of which would be in line with the provisions of Policy CS2 of the Core Strategy and Paragraph 117 of the NPPF.
- 10.6. Rose Hill is listed as a priority area for regeneration under the provisions of Policy CS2 of the Oxford Core Strategy. The aims of policy CS3 including improving the quality of housing stock and enhancing the mix of housing within focus areas for regeneration. This includes broadening the housing mix in terms of size, type and tenure. The proposals are considered to be in line with the provisions of Policy CS3 as the development would make an important contribution in providing new, high quality affordable housing to meet an identified need. The proposals would involve the redevelopment of presently unused vacant land and there would be visual benefits arising from this.
- 10.7. It is noted that the land was formerly used as a community centre, Policy CS22 of the Oxford Core Strategy states that planning permission will not be granted for development, which results in the loss of community facilities, unless equivalent or improved and accessible facilities can be provided. The former community centre has been removed from the site and has been replaced with a much larger, modern facility in close proximity to the site. As the community facilities have already been re-provided the proposals would not conflict with the provisions of Policy CS22 of the Oxford Core Strategy.

b. Provision of Affordable Housing

- 10.8. Policy HP3 of the Sites and Housing Plan specifies that Planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if generally a minimum 50% of dwellings on the site are provided as affordable homes, of this figure it is expected that 80% of the affordable dwellings should be made available as socially rented accommodation.

- 10.9. The affordable housing provision within this development is being considered in conjunction with the scheme for the former Scout Hut and Advice centre in Rose Hill (18/02818/FUL) which would provide 18 flats, 100% of which would be socially rented. The application for the community centre site proposes that 100% of the dwellings would be made available as intermediate affordable housing. Taken into conjunction with the linked application at the former Scout Hut and Advice Centre site the combined developments would provide a total of 43 units, 100% of which would be affordable. The proposed mix of these units would comprise of 18 socially rented units (42%) and 25 intermediate units (58%).
- 10.10. When taken together the proposals significantly exceed the overall requirement for 50% provision of affordable housing, with 100% affordable housing being provided on both sites.
- 10.11. The overall provision of socially rented units would be higher than a technically policy compliant scheme which made provision for 50% affordable housing. A policy compliant 50/50 private/affordable tenure split scheme across both sites would deliver 22 affordable units in total, 17 of which would be socially rented. The proposed development on the other hand would deliver 18 socially rented units, with the remaining 25 units being made available as intermediate affordable units. Taking this into account the social housing provision would comply with the provisions of Policy HP3 of the Sites and Housing Plan and the level of affordable housing provision at 100% would far exceed the 50% requirement.

c. Balance of Dwellings

- 10.12. 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, new development should include a certain percentage of family dwellings (i.e. 3 or more bedrooms). The site falls within the Rose Hill Neighbourhood Area, which is identified as an 'Amber' area where *'pressure is considerable, so the Council needs to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new development'*.
- 10.13. Table 8 of the Balance of dwellings document specifies that the target housing mix of 3 bedroom dwellings within developments of 10-24 dwellings should be between 30-70%. The proposed development comprises solely of 1 and 2 bedroom apartments and does not comply with the required Balance of Dwellings mix.
- 10.14. Notwithstanding this, Policy H4 of the Emerging Oxford Local Plan states that proposals for 25 or more homes outside of the City Centre will be expected to comply with a specified mix of dwellings for the affordable element. Part of this requirement would be a 20% provision of 3 bedroom homes, where this is feasible. Furthermore sites below this threshold should demonstrate how the proposal has regard to local housing demand, including for affordable housing demonstrated by the housing register. Whilst the policies of the emerging local plan should be given limited weight at this stage in its adoption process, it

identifies a clear direction of travel in terms of how this policy will be applied moving forward and where regard should be given to local housing demand.

- 10.15. It is important to consider that 100% of the proposed dwellings would be socially rented. Policy HP3 of the Sites and Housing Plan, which relates to the provision of affordable housing specifies that the applicant must demonstrate that the mix of dwelling sizes meets the City Council's preferred strategic mix for affordable housing.
- 10.16. The Council's Affordable Housing Register identifies that there is limited need for additional 3 bedroom dwellings in the city and identifies high under occupancy of 3 bedroom affordable units in the city (41.6%). These trends are also reflected at a local level in Rose Hill. The City's Housing Register identifies that the principle requirement for affordable housing, including for families in need is for 1 and 2 bedroom dwellings. The provision of smaller affordable units also has the joint benefit of making available existing larger properties which are currently under occupied.
- 10.17. Furthermore taking into account the constrained nature of the site, opportunity would be limited to provide larger 3 bedroom units within the development and consequently such provision would result in the number of units provided and therefore a lesser number of affordable units would be delivered.
- 10.18. Taking these factors into account it is considered that there are material grounds to deviate from the specified BOD's requirement. In this instance it is considered that deviating from the required mix would deliver greater public benefits as the development meets an identified need for socially rented accommodation of which the specific need in terms of this accommodation is for smaller units.

d. Design

- 10.19. In terms of design the NPPF requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.
- 10.20. The proposed development would comprise of two blocks of flats, each of which would be three storeys. The blocks feature pitched roofs of varying heights, which help to break up the overall mass of the blocks. The apartment buildings would be three storeys and feature a variance in heights. Ridge heights of the buildings vary between 12.1 and 12.7 metres to the roof ridge and 9.1 and 9.5 metres to the eaves.
- 10.21. The general scale of development is considered appropriate accounting for the scale of the surrounding built form. Surrounding development fronting The Oval consists of blocks of flats varying between two and three storeys. The

relatively recent brick and render three storey building fronting The Oval to the west of the site is of a similar scale to the proposed development. Consequently it is considered that the scale of development would be comfortable within the context of the surrounding area. It is also considered that enough separation is retained between the proposed buildings and the properties opposite that the development would not have an enclosing or overbearing impact on the street scene.

10.22. There is a variance in the architectural style of buildings throughout the immediate area. The proposed buildings would feature pitched roofs, which is consistent with the surrounding development. The buildings in the immediate area are principally brick, mainly red and light brown in colour. The submitted plans indicate the use of 4 types of brick, which officers consider would not offer the best approach, the use of a single buff coloured brick is considered preferable in design terms. Material samples and a specification are requested by condition.

10.23. In summary it is considered that the development is of an appropriate design standard and meets the requirements of Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing Plan.

e. Residential Amenity

10.24. The Oxford Local Plan Policy seeks to safeguard the amenities of the occupiers of properties surrounding any proposed development. As a result Policy CP10 requires development to be sited in a manner which ensures that the amenities of the occupiers of properties surrounding any proposed development are safeguarded.

10.25. The properties would be served by a small area of external communal space, though this is not substantial in size. The ground floor dwellings would each be served by external private amenity spaces in the form of outside spaces, which are considered to be of an appropriate size and quality. The dwellings at first and second floor would be served by external balconies, each of which measure 5 least metres squared in total area, the minimum requirements specified under Policy HP13 of the Sites and Housing Plan is to provide 4.5 metres of external balcony space.

10.26. The proposed flats would each comply with the minimum requirements for internal living accommodation as specified under the provisions of Policy HP12 of the Sites and Housing Plan and would comply with the Governments Nationally Described Space Standards for internal floor areas and storage.

10.27. In terms of the impact on existing occupiers, there would be a distance of 25 metres between the rear of the proposed flats and the front of the existing dwellings in Desborough Crescent. Even when accounting for the change in levels between the application site and adjacent dwellings in Desborough Crescent, officers consider that the development would not have an unacceptable impact on the residential amenity of these properties by reason of overlooking or the scale of the built form proposed. The separation distance

would be sufficient to ensure that there would not be significant loss of light to the front elevations of the properties opposite.

- 10.28. There is an existing residential block of flats to the east of the site, owing to the orientation of this block and the orientation of the proposed flats, whilst also accounting for position of the existing windows on this building, it is considered that the proposed development would not result in undue overlooking of this property.
- 10.29. The provision of parking along the site frontage of Desborough Crescent is not wholly desirable in urban design terms; however there is a requirement for parking on site given the location of the site and in the absence of parking controls. It is accepted that it would be difficult to provide parking elsewhere on the site and the parking in this location would be mitigated by the provision of landscaping and planting along this frontage.
- 10.30. In summary it is considered that the development would not compromise the amenity of existing occupiers and makes acceptable amenity provision for future occupiers, consequently the development meets the requirements of Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP12, HP13 and HP14 of the Sites and Housing Plan.

e. Transport

- 10.31. A total of 19 parking spaces are proposed, 2 of which (11%) would be disabled spaces, parking provision would be 0.72 spaces per dwelling. Rose Hill is not within a Controlled Parking Zone, therefore there is a risk that under provision of car parking could result in an accumulation of on street parking. The level of parking provision needs to be balanced against the overall sustainability of the location, in addition to the lack of parking controls within the area.
- 10.32. There is a bus stop immediately adjacent to the site at The Oval, this is served by regular bus services to Oxford and there are local shops adjacent to the site. The location of the site is therefore considered to be reasonably sustainable. Oxfordshire County Council have proposed a controlled parking zone within Rose Hill, though at this stage this can be afforded no statutory weight as this has not been subject of consultation and dates of intended implementation or funding are not specified. Whilst accounting for the relative sustainability of Rose Hill in terms of facilities and public transport access, officers consider that car free development would not be appropriate in this location as accounting for the lack of parking controls there would be significant likelihood that this would result in an accumulation of cars within the surrounding streets.
- 10.33. The off-street parking bays are to be provided in the form of perpendicular bays facing Desborough Crescent. Whilst this is below 1 per unit, the parking survey undertaken shows a low level of on-street parking demand in the area. Furthermore the census data shows a low level of car ownership in the local ward. It is specified that the car parking should remain unallocated to help spread the car parking arrangement. The development will result in the removal of on-street parking spaces on Desborough Crescent. The parking survey shows

there is sufficient on-street parking capacity in the vicinity to manage this displacement.

10.34. Notwithstanding this the area does suffer with on-street parking issues around school drop off/pick up times especially around The Oval and Ashurst Way. There is concern that the displaced parking from Desborough Crescent may worsen this situation and block the bus turning area which is particularly tight on the northern side of The Oval. The bus route is vital for the continued sustainability of the site and low car usage within the area. In order to retain the bus turn around at The Oval, County Highways have requested to secure funds for the consultation and delivery of double yellow lines around the inside of The Oval. This will ensure that buses can safely enter and exit the bus stops.

10.35. The application proposes a total of 53 cycle parking spaces for the 25 units; this would exceed the minimum provision required under the provisions of Policy HP15 of the Sites and Housing Plan and is considered acceptable.

10.36. Taking the above factors into account it is considered that the development is acceptable and compliant with the provisions of Policies HP15 and HP16 of the Sites and Housing Plan.

f. Flood Risk

10.37. The application site is located within flood zone 1 and is considered to be at a low risk of flooding. A drainage strategy has not been provided and has been requested by the County Councils drainage engineer by condition.

f. Ecology

10.38. The site is brownfield land consisting principally of cleared land and hardstanding, with little vegetation, the site is deemed to be of low ecological value. The Councils Ecology officer has raised no objection to the proposed development. The development would therefore comply with the provisions of Policy CS12 of the Oxford Core Strategy.

f. Trees and Landscaping

10.39. The application site is principally cleared, however there existing boundary trees, which includes a cherry tree adjacent to Desborough Crescent and a group of trees in the north east corner of the site, comprising of two oak trees and a sycamore.

10.40. The cherry tree and two oak trees are considered to be of relatively low amenity value and it is considered that the removal of the trees would not be unduly harmful. The sycamore tree is considered to be of notable amenity value and is a prominent tree which sits on the corner plot of The Oval and Lenthall Road. It is accepted that retention of this tree would not be compatible with the siting of the proposed apartment block.

10.41. In order to mitigate the loss of this tree, which is of visual amenity value, replacement planting is proposed along the site boundaries of Desborough Crescent and Lenthall Road, this will include larger specimens, which add to the

visual amenities of the area and will help to offset the loss of the existing Sycamore. Smaller specimen planting is also proposed within the landscaped area to the centre of the site and adjacent to the pedestrian entrance at The Oval.

g. Sustainability

10.42. Policy HP11 of the Sites and Housing Plan requires that developments of 10 or more dwellings are accompanied by an Energy Statement in order to demonstrate that 20% of all energy needs are obtained from renewable or low carbon resources. An Energy statement is provided alongside this application as required, which incorporates a series of recommendations in order to meet the required target of 20%.

10.43. Principally to meet the renewable requirement it is proposed that solar panels are installed to the south facing roofs of the flats in order to maximise solar gain, the position of the solar panels are identified in the architectural drawings accompanying the application.

10.44. In addition to the solar panels the accompanying energy statement details a list of measures proposed in order to meet compliance with building regulations part L to achieve energy efficiency. The proposed measures would be as follows:

- Optimised glazing g values
- Improved insulation levels
- Accredited thermal bridging details
- Improved air tightness
- High efficiency combination gas boilers in dwellings with time and temperature zone controls and smart thermostats
- High efficiency LED lighting throughout
- High efficiency heating, time controls and lighting presence detection controls in communal areas

10.45. Officers are satisfied that the measures outlined demonstrate that the proposed development would incorporate high standards of energy efficiency which comply with the requirements of Policy HP11 of the Sites and Housing Plan.

h. Legal Agreement

10.46. It is considered that the following matters should be secured through a section 106 legal agreement:

- To secure the provision of on-site affordable housing on the site subject of this application and on the former Advice Centre and Scout Hut site in accordance with the proposals specified under planning application 18/02818/FUL. The agreement will cover the provision of 18 socially rented units and 25 intermediate affordable units across both sites.

- A financial contribution of £3100 to be made to Oxfordshire County Council towards double yellow lines at The Oval.

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. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which means approving development proposals that accord with an up-to-date development plan without delay; or approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 11.3. The proposals would bring forward the development of vacant and underused brownfield land to provide a total of 25 dwellings, 100% of which would be affordable, significantly in excess of the requirements of Policy HP3 of the Sites and Housing Plan. Furthermore it is considered that there would be significant visual benefits arising from redevelopment of a prominent and centrally located site.
- 11.4. The proposals are considered to make available adequate vehicle parking provision accounting for the overall sustainability of the location and the availability of public transport in the locality, this is balanced against the existing parking situation in the area and the fact that the site is not within a CPZ.
- 11.5. In the context of Paragraph 11 (c) of the NPPF it is considered that the development accords with the relevant provisions of the Oxford Local Plan, Sites and Housing Plan, Core Strategy and the Emerging Oxford Local Plan 2036. There would be significant public benefits of the development in terms of the provision of 25 affordable dwellings to meet an identified need alongside the visual benefits arising from the redevelopment of a vacant brownfield site and the contribution of the development towards housing led regeneration in Rose Hill. It is therefore considered that the proposals represent sustainable development in the context of Paragraph 11 of the NPPF.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Acting Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

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

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

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

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

4. Prior to the commencement of above ground works, details of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The scheme will include details of native landscape planting and provision of artificial roost features, including bird nest boxes.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

5. A travel information pack (TIP) will be required in support of this application. This will be sent to the Local Planning Authority for approval before first occupation of the site.

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

6. Before the commencement of above ground works details of the cycle parking areas, including dimensions and 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 areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy HP15.

7. The development must ensure that all refuse vehicle movements and collections are undertaken from Desborough Crescent or Lenthall Road. Refuse collection vehicles must not serve the site from The Oval.

Reason: In the interest of highway safety in accordance with Policy CP1 of the Oxford Local Plan.

8. 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

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

9. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

Discharge Rates

Discharge Volumes

Soakaways test and infiltration/percolation calculations

Proposal of SuDS

Detailed drainage layout with pipe numbers, invert and cover levels and SuDS specifications/dimensions

Network drainage calculations related to the proposed SuDS features

An qualitative assessment of flood flow routing in exceedance conditions

An assessment of residual risk (what would happen if part of the proposed Drainage System fails)

Reason: To ensure acceptable drainage of the site and to mitigate the risk of flooding in accordance with Policy CS11 of the Oxford Core Strategy.

- 10.** No properties shall be occupied until confirmation has been provided that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development in accordance with Policy CS11 of the Oxford Core Strategy. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 11.** Prior to the commencement of the development, other than that required to undertake site investigation, a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority. Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

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

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

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

- 12.** The development shall not be occupied until any necessary and approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

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

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

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

- 14.** The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

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

- 15.** Prior to the commencement of development, details of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The scheme will include details of native landscape planting and provision of artificial roost features, including bird nest boxes.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

- 16.** Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority

Reason: To ensure that development promotes safe and inclusive spaces which reduce the threat of crime in accordance with Policy CP9 of the Oxford Local Plan and The National Planning Policy Framework 2018, Section 12.

- 17.** Prior to the occupation/use of the development, full details of the boilers that are going to be installed on site shall be submitted to and approved in writing by the Local Planning Authority. The details submitted must demonstrate NOx minimum emissions standards according to current best practice (i.e. All gas-fired boilers will need to meet a minimum standard of < 40 mg/kWh NOx)

Reason - to ensure that the expected NO2 emissions of the combustion system to be installed at the proposed development will be negligible, in accordance with Core Policy 23 of the Oxford Local Plan 2001- 2016.

- 18.** Prior to the development's construction phase is initiated, a list of site specific dust mitigation measures will have to be put in place and incorporated into the

site's Construction Environment Management Plan (CEMP), in order to minimise the impact of on-site dust emissions and their cumulative effects to the status of "non-significant". The complete list of dust mitigation measures to be implemented on site and incorporated in the site's CEMP is available in chapter 6 (Construction Phase) of the Air Quality Assessment submitted with the application. The CEMP containing the site specific dust mitigation measures identified for this development, will have to be submitted to and approved in writing by the Local Planning Authority prior to the initiation of works

Reason - to ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001- 2016.

- 19.** No occupation shall take place until the building has been insulated against external noise sources in accordance with a scheme that has been submitted to, and approved in writing by, the Local Planning Authority. To gain approval a scheme must demonstrate that it follows the recommendations of the Planning Noise Assessment by WSP reference no. 70037512-001 dated September 2018. Once approved there shall be no variation to the approved scheme unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To safeguard the amenities of existing and future occupiers of properties in accordance with policies CP9, CP19 and CP21 of the Oxford Local Plan 2001- 2016.

13. APPENDICES

- **Appendix 1** – Site location plan

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.

Appendix 1

18/02817/FUL – Former Community Centre Rose Hill

Site Block Plan



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East Area Planning Committee

16th January 2019

Application number: 18/02818/FUL

Decision due by 22nd January 2019

Extension of time

Proposal Demolition of existing buildings and erection of two residential buildings (part two and part three storey) comprising 18no. residential dwellings (C3 Use Class) with associated access, parking and landscape arrangements.

Site address Rose Hill Advice Centre & Scout Hut , Ashhurst Way, Rose Hill, Oxford – see **Appendix 1** for site plan

Ward Rose Hill and Iffley

Case officer Michael Kemp

Agent: Mr James Cogan **Applicant:** Mr Stephen Clarke

Reason at Committee The proposals are for major development and Oxford City Housing Limited is the applicant.

1. RECOMMENDATION

1.1. **The East Area Planning Committee** is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

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

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
- 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 Acting Head of Planning Services considers reasonably necessary; and]

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposed redevelopment of a rectangular brownfield site located in the centre of Rose Hill. The site comprises of the former Scout Hut and Community Centre, as well as associated hardstanding and landscaping. The proposed development would bring about a positive re-use of a vacant brownfield site and would deliver a total of 18 units, 100% of which would be affordable, socially rented accommodation. The housing would be delivered as part of funding towards additional affordable housing provided from the Oxfordshire Housing and Growth Deal.
- 2.2. The proposed development is considered to be appropriately designed and would not compromise the residential amenity of existing occupiers, whilst providing appropriate standards of internal and external amenity for future occupiers.
- 2.3. Parking provision at one space per unit is considered adequate when balanced against the overall sustainability of the site in terms of public transport provision and local service provision, whilst acknowledging that the lack of parking control in the area presents a risk that under provision of parking may result in a displacement of vehicles on surrounding roads.
- 2.4. There would be significant public benefits which would arise from the redevelopment of the site to provide affordable housing and it is considered that the development complies with the relevant provisions of the Oxford Local Plan, Core Strategy, the Sites and Housing Plan and NPPF. Approval is recommended subject to a legal agreement to secure the provision of affordable housing.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to cover on site affordable housing provision.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL contribution of £89,070.29.

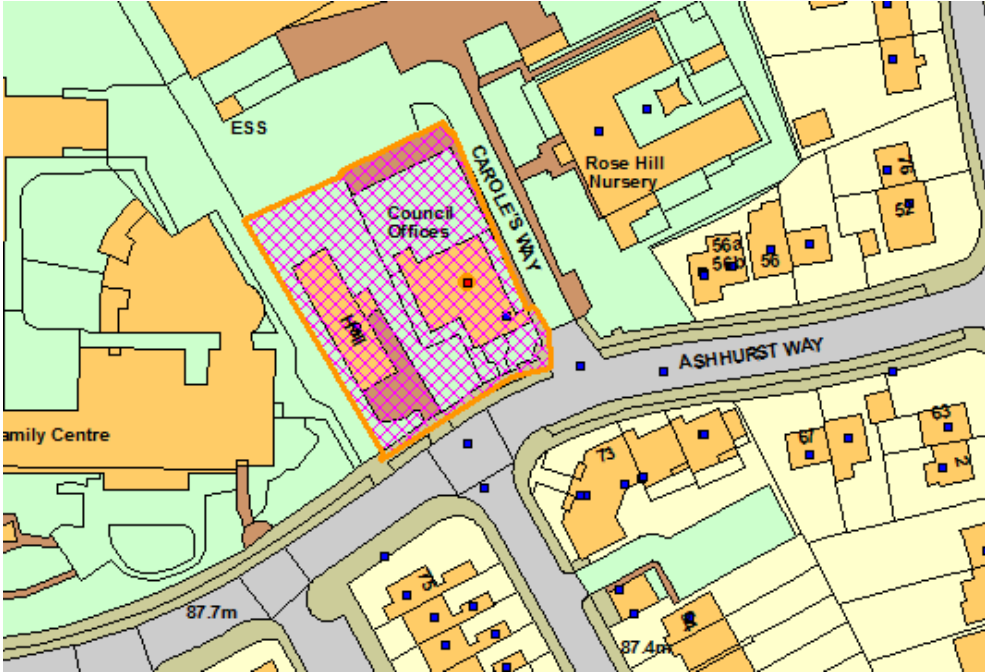
5. SITE AND SURROUNDINGS

- 5.1. The site is located at the centre of Rose Hill and presently comprises of two buildings; the former Scout Hut and the Advice Centre, which are single storey prefabricated wooden structures. There is an area of associated parking to the rear of the Advice Centre comprising of concrete hardstanding. There are two large and prominent mature trees on the site and an area of grass and amenity space to the rear of the former Scout Hut building.

5.2. The site fronts Ashurst Way to the South, with residential development to the south and west of the site. The dwellings immediately opposite the site on the corner of Ashurst Way and Lambourn Road comprise of a mix of two storey brick built terraced houses and three storey apartments.

5.3. Rose Hill Primary School is located to the West of the site. The new Rose Hill community Centre is sited to the North of the site within a two storey building, whilst the land to the north east has also been redeveloped for a single storey building on this site presently used as a nursery; this land is under the Councils ownership. Caroles Way to the east of the site is an unadopted highway.

5.4. See site plan below:



6. PROPOSAL

6.1. The application proposes the demolition of the existing Scout Hut and Advice Centre buildings and the redevelopment of the site to provide 18 residential dwellings (8x 1 bed apartments and 10 x 2 bed apartments).

6.2. The development would comprise of two blocks of flats varying between 2 and 3 storeys. Building heights would vary between 13.6 metres to the roof ridge for the three storey block on the corner of Ashhurst Way and Caroles Way and 9 metres to the roof ridge for the west facing two storey building fronting Caroles Way.

6.3. Parking for the development would comprise of a total of 18 spaces located in a parking court to the rear of the flats, this would be accessed from Carole's Way.

6.4. The application has been subject of revisions, which include amendments to the frontage treatment of the ground floor dwellings fronting Ashurst Way and Caroles Way and the provision of additional landscaping. The alterations also

include changes to the elevational treatment of the buildings to include the exclusion of the wrap around element of the balconies on the corner of Ashurst Way and Caroles Way.

7. RELEVANT PLANNING HISTORY

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

13/01940/CT3 - Demolition of existing sports pavilion. Erection of 2 storey community centre involving replacement sports pavilion, car and cycle parking, entrance square, multi-use games area and children's play area.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Oxford Local Plan 2036 – Proposed Submission Document
Design	12	CP1 CP6 CP8 CP9 CP10 CP13	CS18_		DH1
Housing	5		CS23_ CS24_	HP2_ HP3_ HP9_ HP11_ HP12_ HP13_ HP14_	H1 H2 H4 H10 H14 H15 H16
Natural environment	9, 11, 13	CP11 CP22 NE15			RE1 RE2 RE3 RE4 RE6 RE7 RE9
Social and community	8	SR2	CS21_		
Transport	4	TR1	CS13_ CS14_	HP15_ HP16_	M1 M3 M4 M5

Environmental	10		CS11_		
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 9th November 2018 and an advertisement was published in the Oxford Times newspaper on 15th November 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. Oxfordshire County Council raises no objections subject to conditions.

9.3. The site is in a sustainable location, within walking/cycling distance to many local amenities and is served by the number 3 bus as regularly as every 7 minutes throughout the week.

9.4. The development is situated off Carole's Way, a private road which operates as the access road to the Rose Hill Community Centre. The access to the parking area for the development is from Carole's Way which has on-street parking along the eastern side. This reduces the width of the highway significantly. It is therefore unclear that cars can safely enter and exit the site.

9.5. A swept path analysis is required showing that cars can safely enter/exit the site whilst cars are parked on Carole's Way. If this is not possible, double yellow lines will be required along Carole's Way to stop cars parking here, however, this is not preferable as it may result in more on-street parking on Ashhurst Way which is heavily used by buses and parking at school drop off/pick up time.

9.6. The scheme will provide 18 off-street parking bays in a parking court accessed from Carole's Way. The number is in line with policy HP16 and is accepted. As stated above, a swept path analysis is required to show that vehicles can safely enter/exit the parking court.

9.7. The transport statement states that 36 cycle spaces will be provided plus 4 visitor spaces. This is in line with Policy HP15 and is accepted. However, the submitted plans do not make it clear where these stands will be located. Cycle storage must be secure, covered and easily accessible; therefore a condition has been included to ensure this.

9.8. Refuse collection will be undertaken from Carole's Way, this is considered to be the least detrimental location for the local highway network and is therefore accepted.

9.9. No details of the drainage strategy for the application site have been provided along with this application. For major development, a surface water strategy should be produced to demonstrate that the proposed development will not create an increased risk of flooding from surface water. The surface water strategy should be carried out, giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer. A pre-commencement condition would be required to secure drainage details.

Oxfordshire County Council (Education and Property)

9.10. The proposed development will increase the demands placed on local infrastructure and services.

9.11. There is currently sufficient existing primary and early year's capacity in the area to mitigate the impact of this development. Subject to the opening of the new free school, The Swan School in Oxford, this will also provide sufficient secondary school capacity. There is a shortage of capacity at special schools in the area at this time; however the scale of development would be expected to have a negligible impact on special school capacity.

Thames Water Utilities Limited

9.12. Following initial investigations, Thames Water has identified an inability of the existing surface water infrastructure to accommodate the needs of this development proposal. Require a condition specifying that network upgrades required be carried out, or a phasing plan agreed with Thames Water.

Oxford Civic Society

9.13. Oxford Civic Society considers this proposal to be flawed and lacking in imagination in a number of respects regarding the design. It is unclear how the application fits within the framework of an explicit urban design and spatial regeneration strategy for the area. However, whilst we recognise the dimensional limitations of the site, the proposal addresses Ashhurst Way and Carole's Way in a positive, defensible manner but leaves the other two site boundaries expose open parking areas and rear dwelling and amenity space boundaries, thus failing in the basic requirements of a robust urbanism. The high, steeply-pitched roofs make the buildings much more prominent than the three storeys of accommodation necessitate and result in considerable wasted volume in unused 'attic' space, as well as having consequences for shading of the surroundings. The 'thrust' balconies (i.e. projecting cantilevers) are in every case too small to be of practicable use, and are thus fated to be used for nothing but informal storage, detracting from the street scene. The argument that these balconies present a more secure solution than alternatives is implausible, and the balconies do not form an impression of a properly integrated design solution. The amenity spaces provided for ground floor apartments lack privacy, and are severely diminished by the co-location of bike and bin storage. Bicycle storage is inadequate, particularly for visitors. This proposal is a wasted opportunity to provide imaginative-designed and much-needed housing; we would urge refusal on the grounds of poor design and failure to make best use of the site. We would

urge refusal on the grounds of poor design and failure to make best use of the site.

Public representations

9.14. 4 local people commented on this application from addresses in Dashwood Road and Lambourn Road

9.15. In summary, the main points of objection (residents) were all in relation to concerns surrounding parking in the area and the development was deemed to have the potential to worsen the situation.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable Housing
- Balance of dwellings
- Design
- Energy efficiency
- Neighbouring amenity
- Transport
- Trees Impact
- Ecology

a. Principle of development

10.2. Paragraph 59 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

10.3. Paragraph 117 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

10.4. Policy CS2 of the Core Strategy outlines that new development should be focused on previously developed land and that development will only be permitted on Greenfield Land if it is specifically allocated for the use in the local development framework; or in the case of residential development, it is required to maintain a rolling five year supply of housing, as outlined within Policy CS22.

- 10.5. The site comprises of existing development in the form of the Advice Centre and Scout Hut buildings, whilst the rear section of the site consists of concrete hardstanding, formerly used as vehicle parking, there are also small landscaped sections of the site. The application site is considered to constitute previously developed brownfield land, the redevelopment of which would be in line with the provisions of Policy CS2 of the Core Strategy and Paragraph 117 of the NPPF.
- 10.6. Rose Hill is listed as a priority area for regeneration under the provisions of Policy CS3 of the Oxford Core Strategy. The aims of policy CS3 including improving the quality of housing stock and enhancing the mix of housing within focus areas for regeneration. This includes broadening the housing mix in terms of size, type and tenure. The proposals are considered to be in line with the provisions of Policy CS3 as the development would make an important contribution in providing new, high quality affordable housing to meet an identified need. The proposals would involve the redevelopment of presently unused vacant land and there would be visual benefits arising from this.
- 10.7. The proposals would result in the loss of The Advice Centre and Scout Hut. Both buildings were formerly used for Class D1 community use purposes but are no longer actively in use. Policy CS22 of the Oxford Core Strategy states that planning permission will not be granted for development, which results in the loss of community facilities, unless equivalent or improved and accessible facilities can be provided. In this instance the buildings are no longer required.
- 10.8. The Advice Centre services are now being provided within the adjacent larger and improved Community Centre building. The Scout Hut was previously used by the 36th Oxford (Iffley) Scout Group which has since disbanded; the group has been subsumed into other Scout groups in Oxford, including Littlemore. The building is occasionally used by the Oxfordshire Scouts for storage purposes and occasionally training. The building is however in a poor condition and would be unfit for any long term use. The adjacent community centre building would also be capable of re-providing the uses currently offered within the Scout Hut building if required in the future. In this instance it is therefore considered that enhanced provision is already in place to mitigate the loss of both the Scout Hut and Advice Centre buildings; consequently the proposals are considered to comply with the requirements of Policy CS22 of the Core Strategy.
- 10.9. It is noted that a small section of the site to the rear of the advice centre building falls under land designated as a protected open air sports facility and as such would be afforded protection under the provisions of Policy SR2 of the Oxford Local Plan, though the sites designation pre-dates the development of the adjacent community centre and sports facilities and the relevance of this part of the site being afforded protection is diminished in the context of recent surrounding development. The area of the site designated as protected open space is currently used as car parking and is adjacent to a car park and Caroles Way and feasibly would be unlikely to be used as a sports facility as the small size of the site clearly limits its function for sports purposes. The sports uses within the site and surrounding land have been rationalised through the development of the community centre and sports facilities, which represent an enhancement on the previous sports provision on the site. Taking these factors

into account, the development is considered to comply with the requirements of Policy SR2 of the Oxford Local Plan.

b. Provision of Affordable Housing

- 10.10. Policy HP3 of the Sites and Housing Plan specifies that Planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if generally a minimum 50% of dwellings on the site are provided as affordable homes, of this figure it is expected that 80% of the affordable dwellings should be made available as socially rented accommodation.
- 10.11. 100% of the proposed dwellings on this site would be socially rented affordable housing. The affordable housing mix is being considered in conjunction with the development comprising of 25 dwellings on the former Rose Hill Community Centre site (18/02817/FUL). The proposed tenure mix on the community centre site would comprise of 100% intermediate affordable housing. Across the two sites there would 100% provision of affordable housing (43 units) at a tenure split of 18 socially rented (42%) and 25 intermediate (58%).
- 10.12. When taken together the proposals exceed the overall requirement for 50% provision of affordable housing, with 100% affordable housing being provided on both sites.
- 10.13. The provision of 100% socially rented units is would be higher than a technically policy compliant scheme which made provision for 50% affordable housing. A policy compliant 50/50 private/affordable tenure split scheme across both sites would deliver 22 affordable units in total, 17 of which would be socially rented. The proposed development on the other hand would deliver 18 socially rented units, with the remaining 25 units being made available as intermediate affordable units. Taking this into account the social housing provision would comply with the provisions of Policy HP3 of the Sites and Housing Plan and the level of affordable housing provision at 100% would far exceed the 50% requirement.

c. Balance of Dwellings

- 10.14. 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, new development should include a certain percentage of family dwellings (i.e. 3 or more bedrooms). The site falls within the Rose Hill Neighbourhood Area, which is identified as an 'Amber' area where *'pressure is considerable, so the Council needs to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new development'*.
- 10.15. Table 8 of the Balance of dwellings document specifies that the target housing mix of 3 bedroom dwellings within developments of 10-24 dwellings should be between 30-70%. The proposed development comprises solely of 1 and 2 bedroom apartments and does not comply with the required Balance of Dwellings mix.

- 10.16. Notwithstanding this, Policy H4 of the Emerging Oxford Local Plan states that proposals for 25 or more homes outside of the City Centre will be expected to comply with a specified mix of dwellings for the affordable element. Part of this requirement would be a 20% provision of 3 bedroom homes, where this is feasible. Furthermore sites below this threshold should demonstrate how the proposal has regard to local housing demand, including for affordable housing demonstrated by the housing register. Whilst the policies of the emerging local plan should be given limited weight at this stage in its adoption process, it identifies a clear direction of travel in terms of how this policy will be applied moving forward and where regard should be given to local housing demand.
- 10.17. It is important to consider that 100% of the proposed dwellings would be socially rented. Policy HP3 of the Sites and Housing Plan, which relates to the provision of affordable housing specifies that the applicant must demonstrate that the mix of dwelling sizes meets the City Council's preferred strategic mix for affordable housing.
- 10.18. The Council's Affordable Housing Register identifies that there is limited need for additional 3 bedroom dwellings in the city and identifies high under occupancy of 3 bedroom affordable units in the city (41.6%). These trends are also reflected at a local level in Rose Hill. The City's Housing Register identifies that the principle requirement for affordable housing, including for families in need is for 1 and 2 bedroom dwellings. The provision of smaller affordable units also has the joint benefit of making available existing larger properties which are currently under occupied.
- 10.19. Furthermore taking into account the constrained nature of the site, opportunity would be limited to provide larger 3 bedroom units within the development and consequently such provision would result in the number of units provided and therefore a lesser number of affordable units would be delivered.
- 10.20. Taking these factors into account it is considered that there are material grounds to deviate from the specified BOD's requirement. In this instance it is considered that deviating from the required mix would deliver greater public benefits as the development meets an identified need for socially rented accommodation of which the specific need in terms of this accommodation is for smaller units.

d. Design

- 10.21. In terms of design the NPPF requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions.
- 10.22. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP6 states that development proposals should make the best use of site capacity but in a manner that would be compatible with both the site itself and

the surrounding area. Policy CP8 suggests that the siting, massing and design of any new development should create an appropriate visual relationship with the form, grain, scale, materials and detailing of the surrounding area.

- 10.23. The proposed buildings would be of varying height, ranging from two storeys along the frontage of Caroles Way to three storeys along Ashurst Way. The development would comprise of two blocks of flats varying between 2 and 3 storeys. Building heights would vary between 13.6 metres to the roof ridge for the three storey block on the corner of Ashurst Way and Caroles Way and 9 metres to the roof ridge for the west facing two storey building fronting Caroles Way.
- 10.24. The existing built form in the area comprises of a mix of two storey houses and two and a half storey apartment buildings, this includes a prominent and recently developed apartment building which is located opposite the site. The scale of the proposed three storey building would generally exceed the scale of the surrounding buildings in the area, though there are notably buildings of a similar scale nearby at Desborough Crescent and the Oval. The siting of a larger building on this plot is broadly justified in design terms as the site occupies a prominent corner plot which warrants a potentially larger building.
- 10.25. Officers consider that the general scale of the proposed buildings would not be inappropriate or uncomfortable within the context of the surrounding development. There is a distinct mix of architectural styles in the immediate area though typically most buildings in the context have pitched roofs and are principally constructed from brick. The proposed buildings are considered to reflect the general design characteristics of the area. Whilst the scale of the frontage building is higher than that of the buildings opposite, it is considered that this would not be excessive or overbearing.
- 10.26. The scheme has been subject of design changes; this includes amendments to the design of the front facing flats, the amendments exclude the previously proposed corner balconies, which have been substituted in favour of prominent large corner windows. It is considered that the corner windows add visual interest to what is a prominent corner. Amendments have also been to the front spaces of the dwellings to improve the quality of these spaces and to improve the quality of landscaping to the front of the dwellings, particularly along the frontage of Caroles Way. The development would contribute to the character of the street scene along Caroles Way, which at present is neglected and fails to offer an attractive and well-designed approach to the prominent and well used new community centre building.
- 10.27. In summary it is considered that the development is of an appropriate design standard and meets the requirements of Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing Plan.

e. Sustainability

- 10.28. Policy HP11 of the Sites and Housing Plan requires that developments of 10 or more dwellings are accompanied by an Energy Statement in order to

demonstrate that 20% of all energy needs are obtained from renewable or low carbon resources. An Energy statement is provided alongside this application as required, which incorporates a series of recommendations in order to meet the required target of 20%.

10.29. Principally to meet the renewable requirement it is proposed that solar panels are installed to the south facing roofs of the flats in order to maximise solar gain, the position of the solar panels are identified in the architectural drawings accompanying the application.

10.30. In addition to the solar panels the accompanying energy statement details a list of measures proposed in order to meet compliance with building regulations part L to achieve energy efficiency. The proposed measures would be as follows:

- Optimised glazing g values
- Improved insulation levels
- Accredited thermal bridging details
- Improved air tightness
- High efficiency combination gas boilers in dwellings with time and temperature zone controls and smart thermostats
- High efficiency LED lighting throughout
- High efficiency heating, time controls and lighting presence detection controls in communal areas

10.31. Officers are satisfied that the measures outlined demonstrate that the proposed development would incorporate high standards of energy efficiency which comply with the requirements of Policy HP11 of the Sites and Housing Plan.

f. Transport

10.32. The application makes provision for 18 parking spaces (1 disabled). This equates to the provision of 1 space per dwelling. The proposed parking would be unallocated. The surrounding roads are not within a Controlled Parking Zone (CPZ).

10.33. The site does not lie within a district centre though the site lies close to the Rose Hill Neighbourhood Centre, with local shopping services nearby at Rose Hill and The Oval. The immediate area is served by regular bus services to the City Centre and there are bus stops within walking distance of the application site. Taking these factors into account it is considered that the site is a reasonably sustainable location for new development.

10.34. Notwithstanding this it is considered that a reasonable level of parking would be required as a car free development may result in an accumulation of vehicles in the surrounding roads, accounting for the area not being subject of any widespread parking control. The intended provision of 1 space per dwelling is considered to be adequate and compliant with Policy HP16 when balancing the general sustainability of the location in terms of access to public transport,

access to nearby facilities and amenities against the absence of parking controls in the area and the need to limit the extent to which development may result in an accumulation of on street parking.

- 10.35. The development is situated off Carole's Way, a private road which operates as the access road to the Rose Hill Community Centre. The access to the parking area for the development is from Carole's Way which has on-street parking along the eastern side. This reduces the width of the highway significantly. Vehicle tracking has since been provided to demonstrate the feasibility of access including access for refuse vehicles, it is considered that this would be sufficient to avoid the need for double yellow lines along Caroles Way.
- 10.36. The transport statement states that 36 cycle spaces will be provided plus 4 visitor spaces. This is in line with Policy HP15.
- 10.37. Refuse collection will be undertaken from Carole's Way; this is considered to be the least detrimental location.
- 10.38. Overall it is considered that the proposals would not be of detriment to highway safety and amenity and comply with the relevant provisions of Policies CP1 and TR4 of the Oxford Local Plan; Policies HP15 and 16 of Sites and Housing Plan and Policy CS13 of the Oxford Core Strategy.

g. Amenity

- 10.39. There are no residential properties to the north or west of the site. There is an existing residential block of flats to the south of the site, there is a separation distance of approximately 21 metres between the front of the proposed block of flats and the existing apartment block opposite, this is considered to be sufficient to ensure that the opposite properties would not be significantly overlooked. It is considered that the proposed dwellings would not appear overbearing in relation to these neighbouring properties in terms of the overall scale of the built form. The separation distance proposed should ensure that the properties opposite are not unduly overshadowed, additionally the front elevation of the properties opposite is north facing so there should not be a substantial loss of light to the front windows of these dwellings.
- 10.40. The residential garden of a neighbouring property in Ashhurst Way is located to the east of the site. There are side facing windows in the side elevation of the front block of flats, which would face the amenity space of this property. There is however a substantial separation distance of 27 metres between the side windows and the rear garden area, which would ensure that this property would not be substantially overlooked. The overall scale of the proposed buildings is not considered to be overbearing in relation to this property.
- 10.41. The west facing elevation of the two storey block of flats faces Rose Hill Primary School, which is a single storey building. The three storey block of flats features side facing windows also face the school site. In considering safeguarding issues officers note that the windows in these particular elevations face the side of the school building, rather than external spaces such as play areas, which are sited to the rear of the school, views of which are shielded by

the existing school buildings. There would be a distance of 27 metres between the rear facing windows of the two block of flats and the side boundary of the primary school, which is considered sufficient to prevent undue overlooking.

- 10.42. There is no communal space serving the flats, though each of the flats would be served by areas of external amenity space. For the ground floor flats this would be provided in the form of outdoor amenity spaces, each measuring in excess of 12 metres squared in area.
- 10.43. The dwellings at first and second floor would be served by external balconies, each of which measure in excess of 7 metres squared in total area, the requirement specified under Policy HP15 of the Sites and Housing Plan is to provide 4.5 metres of external balcony space. The site is also less than 100 metres from a large area of public open space.
- 10.44. The proposed flats would each comply with the minimum requirements for internal living accommodation as specified under the provisions of Policy HP12 of the Sites and Housing Plan. The flats would also comply with the Governments Nationally Described Space Standards for internal floor areas and storage.
- 10.45. In summary it is considered that the development would not compromise the amenity of existing occupiers and makes acceptable amenity provision for future occupiers, consequently the development meets the requirements of Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP12, HP13 and HP14 of the Sites and Housing Plan.

e. Trees

- 10.46. The site contains a number of trees, two of which are mature trees and are of visual significance, these being a Lime and Oak which are located in a central position close to the front boundary of the site. The other semi-mature trees are of no significant amenity value and their removal would have little visual impact.
- 10.47. The application proposes the removal of both mature trees as these are located within the position of the proposed front facing block of flats. It is stated that retention of the trees would be limiting of the sites housing capacity, whilst the retention of the trees also limits the extent to which the development can create a frontage to the streetscene in Ashurst Way, which meaningfully responds to the surrounding built form.
- 10.48. To mitigate the loss of the two mature trees, replacement planting is proposed adjacent to Caroles Way. Replacement planting is proposed on both sides of the street adjacent to both the frontages of the proposed flats and on the landscaped grass area to the front of the nursery opposite, which is land under the Councils ownership. The provision of planting adjacent to this access would notably improve the visual appearance of the streetscene in Caroles Way as there is a absence of planting and soft landscaping in this location. Planting on the corner of Caroles Way and Ashurst Way would add to the visual appearance of the streetscene in Ashurst Way, whilst providing some mitigation for the loss of the

two trees on the application site. Planting is also proposed to the rear of the proposed flats in order to soften the impact of the relatively large extent of the proposed hardstanding; these trees would be partly discernible in public views from Ashurst Way.

10.49. The removal of the two mature trees when balanced against the public benefits of the proposed development, namely the provision of 18 socially rented dwellings, which would meet an identified citywide need for this accommodation and when accounting for the provision of replacement is considered to outweigh the harm to the character of the streetscene. The proposals are considered to comply with policies CP1, CP11 and NE15 of the Oxford Local Plan.

h. Ecology

10.50. An initial Phase One Ecological Survey carried out identified that buildings within the site exhibited features of potential value to roosting bats. A follow up survey however confirmed that no bats or bat roosts were present on the site. Subject to a condition requiring the submission of a scheme of ecological enhancement, it is considered that the proposed development would not result in ecological harm and complies with the requirements of Policy CS12 of the Oxford Core Strategy.

i. Planning obligations

10.51. It is considered that the following matters should be secured through a section 106 legal agreement:

- To secure the provision of on-site affordable housing on the site subject of this application and on the former community centre site in accordance with the proposals specified under planning application 18/02817/FUL. The agreement will cover the provision of 18 socially rented units and 25 intermediate affordable units across both sites.

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. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which means approving development proposals that accord with an up-to-date development plan without delay; or approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect

areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 11.3. The proposals would bring forward the development vacant and underused brownfield land to provide a total of 18 dwellings, 100% of which would be affordable socially rented units. Furthermore it is considered that there would be significant visual benefits arising from redevelopment of a prominent and centrally located site, presently occupied by vacant buildings.
- 11.4. The proposals are considered to make adequate vehicle parking provision accounting for the overall sustainability of the location and the availability of public transport in the locality, this is balanced against the existing parking situation in the area and the fact that the site is not within a CPZ.
- 11.5. In the context of Paragraph 11 (c) of the NPPF it is considered that the development accords with the relevant provisions of the Oxford Local Plan, Sites and Housing Plan, Core Strategy and the Emerging Oxford Local Plan 2036. There would be significant public benefits of the development in terms of the provision of 25 affordable dwellings to meet an identified need alongside the visual benefits arising from the redevelopment of a vacant brownfield site and the contribution of the development towards housing led regeneration in Rose Hill. It is therefore considered that the proposals represent sustainable development in the context of Paragraph 11 of the NPPF.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Acting Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

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

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

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

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

4. Prior to the commencement of above ground works, details of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The scheme will include details of native landscape planting and provision of artificial roost features, including bird nest boxes.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

5. A travel information pack (TIP) will be required in support of this application. This will be sent to the Local Planning Authority for approval before first occupation of the site.

Reason: To encourage the use of sustainable modes of transport

6. Before the development permitted is commenced a swept path analysis shall be submitted to, and approved in writing by, the Local Planning Authority to demonstrate that for a modern family vehicle can safely and easily enter and exit the parking court from Carole's Way. If this is not possible, double yellow lines will need to be provided on the eastern side of Carole's Way.

Reason: In the interest of highway safety in accordance with Policy CP1 of the Oxford Local Plan.

7. Before the commencement of above ground works details of the cycle parking areas, including dimensions and 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 areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy HP15.

8. 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

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

9. Development shall not begin until a surface water drainage scheme for the
site, based on sustainable drainage principles and an assessment of the
hydrological and hydrogeological context of the development, has been
submitted to and approved in writing by the local planning authority. The
scheme shall subsequently be implemented in accordance with the approved
details before the development is completed. The scheme shall also include:

Discharge Rates

Discharge Volumes

Soakaways test and infiltration/percolation calculations

Proposal of SuDS

Detailed drainage layout with pipe numbers, invert and cover levels and SuDS
specifications/dimensions

Network drainage calculations related to the proposed SuDS features

An qualitative assessment of flood flow routing in exceedance conditions

An assessment of residual risk (what would happen if part of the proposed
Drainage System fails)

Reason: To ensure acceptable drainage of the site and to mitigate the risk of
flooding in accordance with Policy CS11 of the Oxford Core Strategy.

10. Prior to the commencement of development, details of ecological
enhancements shall be submitted to and approved by the Local Planning
Authority. The scheme will include details of native landscape planting and
provision of artificial roost features, including bat and bird nest boxes and a
minimum of one swift nest box.

Reason: In the interests of improving the biodiversity of the City in accordance
with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure
the survival of protected and notable species protected by legislation that may
otherwise be affected by the development.

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

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

12. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

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

13. No properties shall be occupied until confirmation has been provided that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development in accordance with Policy CS11 of the Oxford Core Strategy. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

14. Prior to the commencement of the development, other than that required to undertake site investigation, a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority. Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

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

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

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

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

15. The development shall not be occupied until any necessary and approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

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

16. Prior to commencement of development, an application shall be made for Secure by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority.

Reason: To ensure that development promotes safe and inclusive spaces which reduce the threat of crime in accordance with Policy CP9 of the Oxford Local Plan and The National Planning Policy Framework 2018, Section 12.

17. Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority

Reason: To ensure that development promotes safe and inclusive spaces which reduce the threat of crime in accordance with Policy CP9 of the Oxford Local Plan and The National Planning Policy Framework 2018, Section 12.

18. Prior to the occupation/use of the development, full details of the boilers that are going to be installed on site shall be submitted to and approved in writing by the Local Planning Authority. The details submitted must demonstrate NOx minimum emissions standards according to current best practice (i.e. All gas-fired boilers will need to meet a minimum standard of < 40 mg/kWh NOx)

Reason - to ensure that the expected NO2 emissions of the combustion system to be installed at the proposed development will be negligible, in accordance with Core Policy 23 of the Oxford Local Plan 2001- 2016.

Prior to the development's construction phase is initiated, a list of site specific dust mitigation measures will have to be put in place and incorporated into the site's Construction Environment Management Plan (CEMP), in order to minimise the impact of on-site dust emissions and their cumulative effects to the status of "non-significant". The complete list of dust mitigation measures to be implemented on site and incorporated in the site's CEMP is available in chapter 6 (Construction Phase) of the Air Quality Assessment submitted with

the application. The CEMP containing the site specific dust mitigation measures identified for this development, will have to be submitted to and approved in writing by the Local Planning Authority prior to the initiation of works

Reason: to ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001- 2016.

13. APPENDICES

- **Appendix 1 – Site location plan**

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

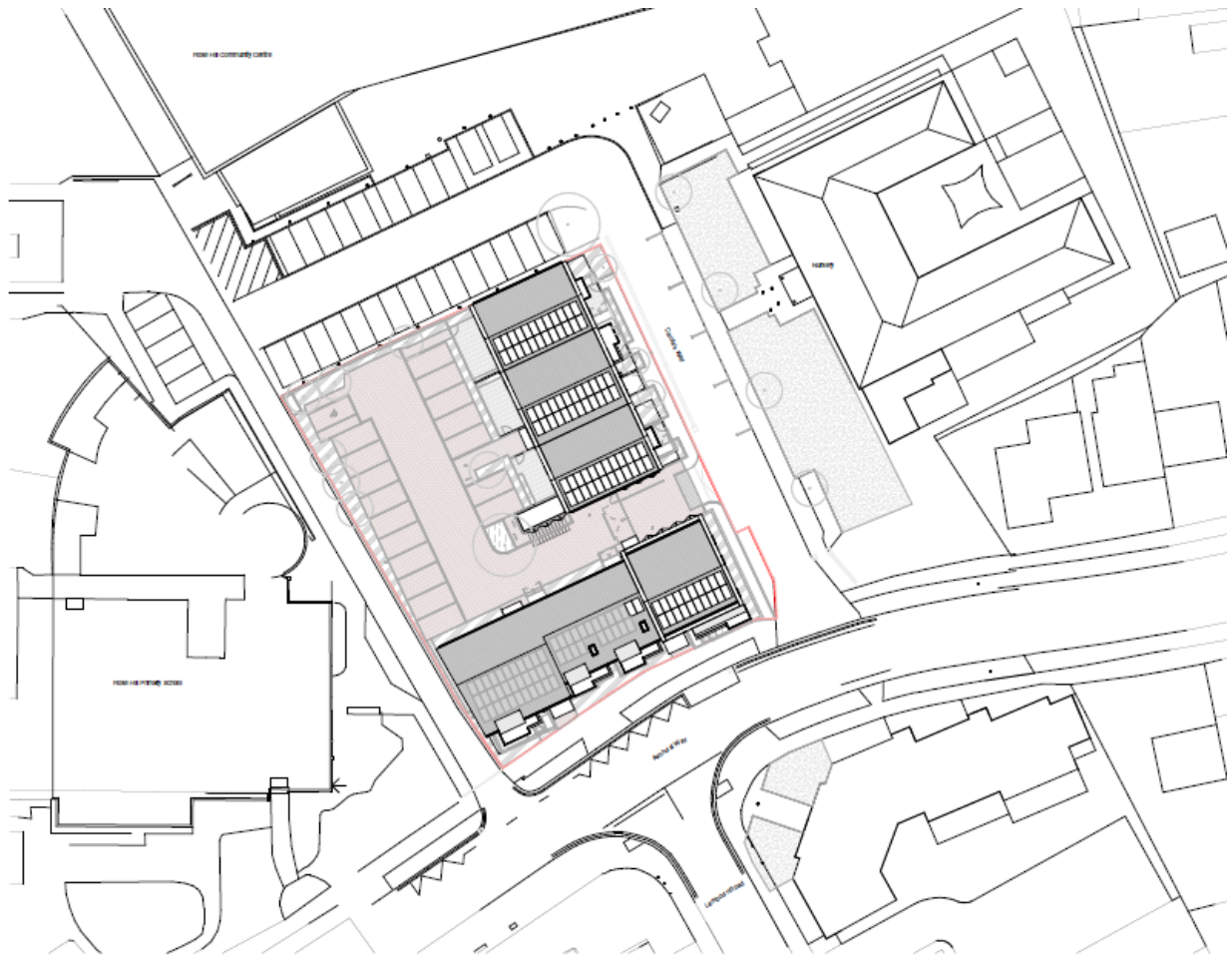
15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers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

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Appendix 1

18/02818/FUL – Former Advice Centre and Scout Hut Rose Hill

Site Block Plan



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Application number: 18/02797/FUL

Decision due by 17th December 2018

Extension of time

Proposal Demolition of existing house and erection of a 1 x 3 bed dwelling house (Use Class C3) Provision of cycle store and car parking. Erection of a detached art studio in the rear garden.

Site address 9 Binswood Avenue, Oxford, OX3 8NY,

Ward Quarry And Risinghurst Ward

Case officer Clare Gray

Agent: Ms Eva Chan **Applicant:** Ms Jehu

Reason at Committee The application has been called in by Cllrs Smith, Munkonge, Goddard, Altaf-Khan, Gotch, Garden, and Harris on grounds that this should be considered at committee given the number of concerns raised by local residents

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an application for the demolition of the existing chalet style bungalow and its replacement with the erection of a 2 storey, 3 bed dwelling house (Use Class C3), the provision of cycle store and car parking. A detached art studio is also to be provided in the rear garden.

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

- Principle of Development
- Design
- Neighbouring Amenity
- Indoor and Outdoor Amenity
- Energy Efficiency
- Transport
- Other matters

2.3. Officers consider the principal issue lies with the contemporary form and aesthetic adopted, however considers that the proposal accords with the policies of the development plan.

2.4. 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.

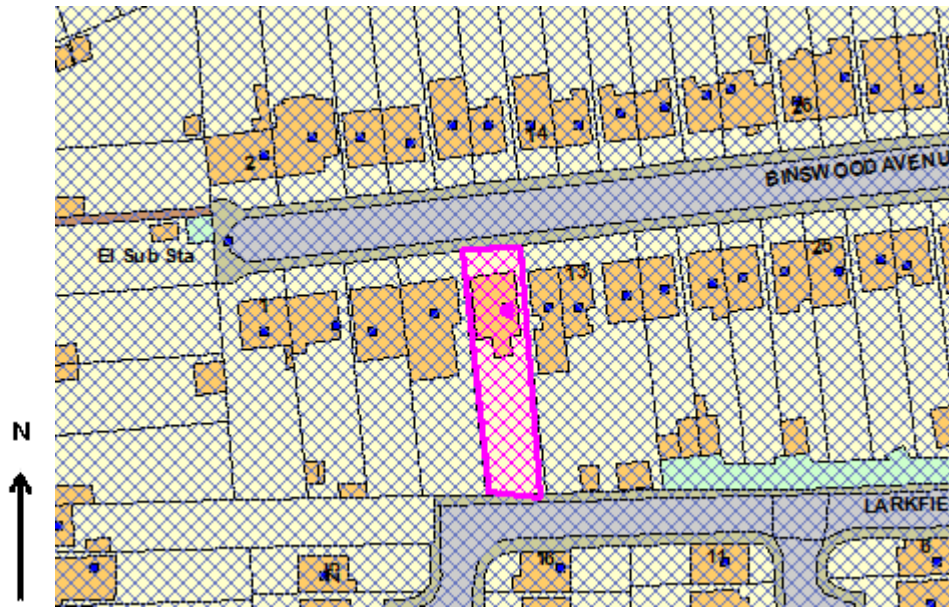
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for a CIL payment of £3085.29

5. SITE AND SURROUNDINGS

5.1. The application site comprises a gable fronted bungalow that lies in a row of dwellings that front onto Binswood Avenue. The bungalow is a linear building extending into the site, with feature timbers and painted green with a short area of hardstanding to the frontage suitable for parking 1 car. The site is within a residential area surrounded by simple dwellings of principally 2 storey scale in either pairs of semis or detached. The site backs onto Larkfields.

5.2. See site plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes to demolish the bungalow and to replace the dwelling with a modern contemporary dwelling with a flat roof and a parapet wall to the front elevation. The building will comprise a hall, kitchen/living/dining room and bedroom 3 on the ground floor and 2 bedrooms and a study on the first floor. The dwelling has been slightly pushed back into the site, from its current position, by 5.8m whilst remaining within the building line of dwellings on Binswood Avenue to enable parking for 2 cars to the frontage.
- 6.2. The proposed dwelling will occupy a footprint of 15.9m depth x 7m width at ground floor but at first floor spans a shallower depth of 9.5m. A 1m depth protruding bay is provided at ground and first floor.
- 6.3. Bin storage is shown provided along one side of the bungalow with cycle storage for 3 bikes down the other side.
- 6.4. In the rear garden is proposed a detached garden studio building which comprises a building measuring 5m x 2.4m to a height of 2.5m with a flat roof.
- 6.5. The house will be positioned 2.3m from 11 Binswood Avenue and 2.3m from 7 Binswood Avenue.

7. RELEVANT PLANNING HISTORY

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

18/01153/FUL - Demolition of existing house and erection of a 1 x 2 bed dwelling house (Use Class C3) Withdrawn

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	NPPF	Local Plan	Core Strategy	Sites and Housing Plan	Headington Neighbourhood Plan
Design	12	CP1 CP6 CP8 CP9 CP10 CP11	CS18_	HP9_ HP10_ HP14_	CIP1, CIP3,
Housing	5			HP12_ HP13_	
Natural environment	9, 11, 13		CS12_		
Transport	4			HP15_ HP16_	
Environmental	10		CS9_		
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th November 2018. Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No comments received.

Public representations

9.3. Letters of comment have been received from the following addresses

- 7, 8, 10, 11, 13, 30, 45 Binswood Avenue; 53 Kennett Road

9.4. In summary, the main points can be summarised as follows

Objection

- The development does not fit into the character of the street
- The mass and scale are not appropriate for the plot

- The size and scale should match the adjoining properties and those opposite the site
- There is an unreasonable, over-bearing and oppressive impact on both adjoining properties
- The flat roof and parapet will be out of keeping in the street
- It has not addressed all of the reasons for the previously withdrawn scheme
- The scale of the property has not been reduced from the previously withdrawn scheme and if the garden art studio is included the footprint is in fact larger
- The development will set a dangerous precedent for the surrounding area
- The two-storey element extends further to the rear than other properties within the street
- The overbearing impact on neighbours will impact on their energy efficiency
- The frontage layout will not allow for adequate parking, and access to refuse and cycle storage

Support

- We support the project which is seeking to develop to Passive House standards of energy efficiency
- The existing bungalow is out of character with the rest of the street, the proposed dwelling will be more in keeping.
- The existing bungalow does not make best use of the site

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Impact on the character and appearance of the area
- Neighbouring amenity
- Indoor and outdoor amenity
- Energy efficiency
- Highways
- Other matters

Principle of development

10.2. Policies CP1, CP6, CP8, CP10 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan seek to ensure that development is well

designed and relates well to its context and surroundings. Policy HP10 states that planning permission will be granted for new dwellings on residential garden land providing that the proposal responds to the character and appearance of the area and that the size of the plot is of an appropriate size and shape to accommodate the proposal. Further policies within the Sites and Housing Plan seek to ensure that dwellings meet with technical standards to ensure they offer appropriate living accommodation to occupiers and that the dwellings safeguard residential amenity of occupiers surrounding and ensure parking accords with adopted standards. These policies are HP12, HP13, HP14, HP15 and HP16.

- 10.3. The replacement of a dwelling with another dwelling is considered to comprise sustainable development. However, the acceptability of the scheme will be guided by compliance with these policies and this is assessed below.

Impact on the character and appearance of the area

- 10.4. Binswood Avenue is a residential street characterised by dwellings of traditional form and design, principally 2 storey in height. The application site differs in that it accommodates one of 2 bungalows that exist in the street. The form of the building stock is mainly simple frontages but with single and double height bays where bays exist. The dwellings either side of the application site are 2 storey with double height bays.

- 10.5. The proposed building has a modern and contemporary form and aesthetic which has been an approach to the nature of redevelopment on this site, from a previous application and pre-application advice sought by the applicant. This approach is sought in order to raise the environmental credentials of the build and to reflect largely that the existing form of the building has an east-west roof pitch, which is not suitable for solar panels. The proposed dwelling has been designed to optimise its position whilst adopting a contemporary appearance and form as a conscious decision not to repeat existing built form in the street.

- 10.6. The NPPF 2018 makes clear as with previous NPPF 2012 that good design forms sustainable development. In para 124 it states that

“the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

It goes onto state that in para 130 that

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”

10.7. Whilst the building is clearly not replicating the form of the existing traditional building typologies in Binswood Avenue, it is not considered that the contemporary form and nature of the building, is in itself unacceptable having regard to the visual amenity and character of the streetscene. Indeed, policy CIP3 of the Headington Neighbourhood Plan is in line with the NPPF, and has regard to innovative design and states

“High quality development proposals, which are of an innovative and/or contemporary design will be permitted where they:

- accord with policies in the Local Plan

- respect and take account of local heritage; and

- enhance the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing”

10.8. The text within the Neighbourhood Plan accompanying policy CIP3 indicates that the plan encourages high quality development proposals, and how it recognised that these types of proposals are important in improving the general character of many areas within Headington.

10.9. To respond to this, the dwelling has been designed to reflect the existing rhythm and pattern of building form in the street and to respond to the existing uniform building line that is displayed. The building height 6.3m respects the eaves height of neighbouring buildings, such that it doesn't appear out of keeping. The size and proportion of the bay reflects the width and scale of the neighbouring buildings. The flat roof is set behind a parapet wall to the front and side and it is considered that this feature would not be dominant in views from the street scene. Equally the span of the building is not considered to be unduly visible. Overall it is considered that the building scale, height, form and appearance of the building, whilst having a contemporary aesthetic would not in itself out of character with the prevalent characteristics of elements of building form in the street. The unifying features of scale bulk, location and heights in the proposed building are considered to prevail and the contemporary design is not considered to result in a discordant feature in the streetscene, adding interest and texture to the prevailing pattern of development that is apparent.

10.10. It is also important to note that the existing dwelling is not representative of the vernacular displayed in the street and it was considered that it would be more appropriate to respond in a contemporary way to the building morphology than to create a pastiche. Further, a contemporary aesthetic was adopted for a replacement dwelling at 28 York Avenue, which was permitted in December 2017 as well as at 3 York Road, for a contemporary replacement dwelling permitted in May 2013. In respect of 3 York Road, this is considered to be a successful scheme that sits comfortably in its context of a traditional street.

10.11. Overall it is considered the dwelling will appear as a comfortable addition in the street and will respect the character and context of Binswood Avenue in accordance with policies CP1, C6, C8 and CP9 of the Local Plan, CS18 of the

Core Strategy and HP9 and HP10 of the SHP, and CIP1 and CIP3 of the Headington Neighbourhood Plan.

Impact on neighbouring amenity

10.12. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. HP14 also states that planning permission will not be granted for any development that has an overbearing effect on existing homes. Appendix 7 of the Sites and Housing Plan sets out guidelines for assessing the loss of sunlight and daylight using the 45/25° code. The site shares a boundary with 7 and 11 Binswood Avenue.

Privacy

10.13. The dwelling is designed to principally have a front and rear aspect in order to safeguard loss of privacy to the occupiers of the neighbouring dwellings. There are 2 windows that serve the hall and stairwell in the eastern elevation of the dwelling and a toilet and kitchen in the western elevation, all at ground floor level. Of these rooms, the kitchen is a habitable room, however, the means of enclosure along the length of the boundary would safeguard against a loss of privacy. At first floor level, there is a window in the eastern elevation but this serves a stairwell and is not a habitable room. There are 2 rooflights in the rear projection and this serves a bathroom and a stairwell. The section through the first floor reveals that the distance from floor level to cill height is 1.6m.

10.14. To the rear of the house the window to bedroom 1 in the southern elevation of the house at first floor level is over an area of flat roof. It is not the intention to utilise this space as balcony, but this can be controlled by way of a condition to any approval.

10.15. In respect of views over neighbouring rear gardens, the arrangement is typical of the pattern of development in the area and it is not considered the building will cause a loss of privacy to the occupiers of the neighbouring buildings.

Overbearing and impact on light

10.16. The scale of the building has been designed to respond to the position of windows to neighbouring buildings. There is a door and side window to 11 Binswood Avenue which serves a kitchen diner and from visiting the site, it is clear this is a habitable room. The rear projection of the proposed dwelling has been minimised and designed to accord with the 45 and 25 degree lines so as to prevent unreasonable impact on daylight and sunlight to this room. This has necessitated a chamfered treatment to the eaves and this arrangement is considered to safeguard against a material loss of daylight and sunlight beyond the existing relationship. There are other windows along the side elevation but these do not serve habitable rooms.

10.17. In respect of the relationship with 7 Binswood Avenue, there are 4 side windows to the side elevation which serve the kitchen dining room. In a similar

manner as with the relationship with 11 Binswood, the building has been designed with the linear element of the building with a chamfered eaves treatment, and this complies with the adopted 45/25 degree lines.

10.18. Overall it is not considered the proposal will be overbearing or result in a loss of light, privacy or outlook to the amenities of neighbouring properties at 11 and 7 Binswood Avenue and the application is considered to comply with Policy HP14 of the Sites and Housing Plan.

Indoor and Outdoor Amenity

Outdoor amenity and bin storage

10.19. Policy HP13 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space. Private outdoor areas should allow space for a table and chairs, and/or clothes drying space, plus reasonable circulation.

10.20. The application proposes to provide a large rear amenity space of a generous size and shape to allow for clothes drying space and reasonable circulation sufficient to meet the needs of a family sized dwelling.

10.21. The policy further requires that planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. The proposed dwelling will be served by bin storage to the side of the house which is considered appropriate means of disposing of and storing of waste and recycling and can be secured by condition.

10.22. The proposal is considered to comply with HP13 of the Sites and Housing Plan.

Inside Space

10.23. Policy HP12 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation and developments are required to meet the National Space Standards.

10.24. A two storey three bed dwelling is required to have a minimum floor space of 102m². The proposed dwelling exceeds this and provides a floor space of 133m². The first floor also contains a study, which could be converted to an additional bedroom in the future without the need for planning permission and could provide a single bedroom in accordance with the National Minimum Space Standards. Taking this into account, the minimum floor space requirements would be for a four bed 7 person dwelling, would require a minimum of 115sqm, which is within the actual size of the proposed dwelling. Taken as a whole the site is considered to provide good standard of accommodation.

10.25. The proposal is considered to comply with HP12 of the Sites and Housing Plan.

Energy Efficiency

10.26. Sites and Housing Plan Policy HP11 states that planning permission will only be granted for proposals for residential development if the development includes an element of on-site renewable or low carb technologies.

10.27. The Design and Access Statement sets out that the dwelling is to be built to Passive House standards, which is a key driver in the design of the house with the PV panels proposed to face a southerly direction, maximising the opportunities for solar gain. It is intended to use photovoltaic panels to generate electricity on-site, and proposes to use a Tesla battery to store the electrical output to use within the house. The house has also been designed to allow passive ventilation through sliding louvres to windows, open plan staircase to the main living area to allow air circulation etc.

10.28. In general terms the aspirations for the site would be welcomed and would accord with the above-mentioned policy.

Highways

10.29. Policy HP16 of the Sites and Housing Plan and corresponding Appendix 8 outline maximum parking standards applicable to new residential development. T

10.30. The application makes provision for two off-street parking spaces to the Council approved standard. The parking provision would be sufficient and considered to comply with maximum parking standards outlined within Policy HP16 of the Sites and Housing Plan and can be secured by condition.

10.31. Policy HP15 of the Sites and Housing Plan requires the provision of at least three cycle parking spaces for a three bedroom dwelling. There would be space to provide such parking to the side of the property. This provision would comply with the requirements of Policy HP15 and can be secured by condition.

Other matters

10.32. Drainage: Oxford Core Strategy Policy CS11 resists development where it would increase the risk of flooding. The site is not at significant risk of flooding, however the site does lie within the catchment zone for the Lye Valley fen SSSI, which is sensitive to changes in water quantity and quality. The Councils Flood Mitigation Officer has advised that the development is acceptable subject to SUD's details which should be provided by way of condition. The development is therefore considered to comply with the requirements of Policy CS11 of the Oxford Local Plan.

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. The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 11 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. 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.
- 11.4. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Acting Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

2. The development 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 and policies CIP1 and CIP3 of the Headington Neighbourhood Plan

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 above ground works, and shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity in accordance with policies CP1 and CP8 of the Oxford Local Plan and policy CS18 of the Core Strategy, policy HP9 of the Sites and Housing Plan and policies CIP1 and CIP3 of the Headington Neighbourhood Plan.

4. 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 (LPA). 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. There will be no reduction in the quantity or quality of groundwater recharge, or an increase in surface water run-off.
- II. 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.
- III. 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.
- IV. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- V. 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 shall 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.

Reason: To ensure compliance with Policy CS11 and in the interests of drainage in the Lye Valley SSSI.

5. Inert gravel materials are to 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 in accordance with Policy CS12 of the Oxford Core Strategy

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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; no additional windows to the dwelling house shall be installed; and the single storey roof shall not be

used as a balcony or amenity space, 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.

7. A soft and hard landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include all existing trees and hedges to be retained, grassed areas, and hard landscape features including materials of paved areas.

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

8. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

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

9. A plan showing the means of enclosure for the new development including details of the treatment of all the boundaries of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development above ground level. The approved treatment of all of the site boundaries shall be completed prior to first occupation of the approved development and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

10. The area for parking of vehicles and the cycle storage provision as shown on the approved plans shall be laid out and made available for use prior to first occupation of the development hereby approved and shall be retained solely for such purposes thereafter.

Reason: In the interests of highway safety and providing alternative modes of transport in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016 and policy HP15 of the Sites and Housing Plan 2026.

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

Application number:	18/02918/OUT		
Decision due by	3rd January 2019		
Extension of time	25 th January 2019		
Proposal	Outline application (seeking approval of access, appearance, layout and scale) for the erection of three storey building consisting of 6 x 2 bed flats (Use Class C3). Provision of private amenity space, car parking, cycle and waste storage as per approved 15/02245/OUT.		
Site address	17 Between Towns Road, Oxford, OX4 3LX, – see Appendix 1 for site plan		
Ward	Cowley Ward		
Case officer	Michael Kemp		
Agent:	Mr Sam Cook	Applicant:	Mr Mike Bott
Reason at Committee	The development comprises of more than 5 residential units.		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission; and subject to:

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

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
- 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 Acting Head of Planning Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers an outline proposal for the erection of a three storey building to comprise of 6x2 bedroom flats, associated amenity space, car and cycle parking. The proposals are a resubmission of a previously consented scheme which was approved in January 2016 (15/02245/OUT).
- 2.2. The development is proposed on previously developed land to the rear of two small retail units fronting Between Towns Road. The development is considered to be acceptable in design terms and would not have an adverse impact on the amenity of any adjacent residential occupiers. No objections are raised by County Highways in relation to the development, which is considered to not have a detrimental impact on highway safety or amenity.
- 2.3. The proposals are considered acceptable and compliant with the provisions of the Oxford Local Plan, Oxford Core Strategy, the Sites and Housing Plan and the NPPF.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to cover the requirement to provide an off-site financial contribution to the provision of affordable housing, in accordance with Policy HP14 of the Sites and Housing Plan.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

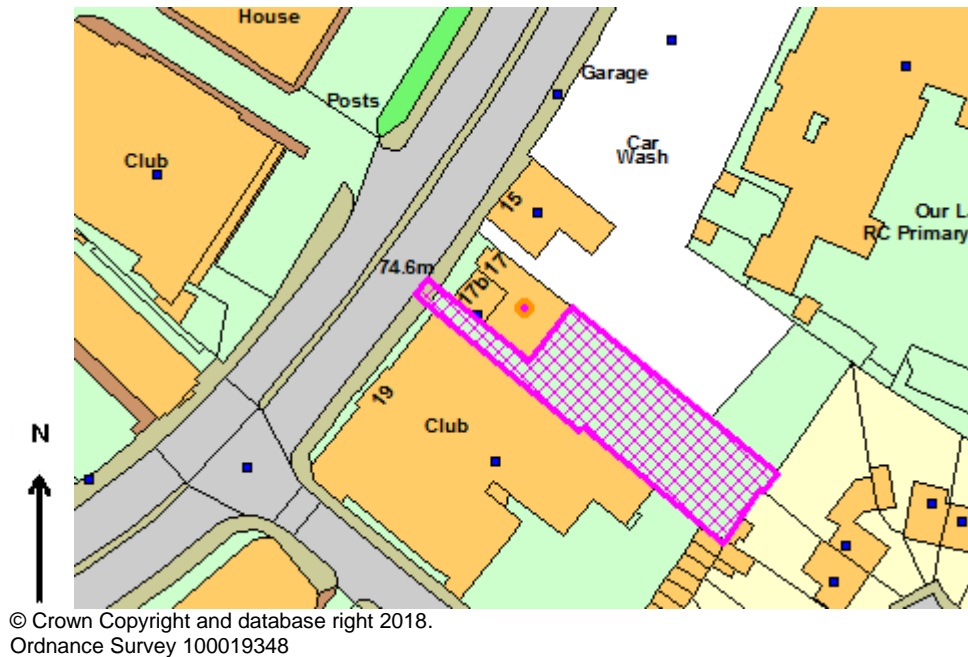
- 4.1. CIL payment would be liable at the time at which a reserved matters application is submitted.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the Cowley Primary District Centre to the rear of No.17 Between Towns Road, which comprises of two ground floor retail/commercial premises and residential above in the form of two flats, nos. 17A and 17C. Vehicular access is located to the south side of No.17 Between Towns Road. There is a mix of uses in the immediate area, though the area is principally characterised by commercial development, both retail and office as well as some leisure. The site comprises of a tarmacked car park serving the two retail/commercial units to the front of the site.
- 5.2. The immediate area comprises of buildings of varying scale and design. The frontage development at No.17 consists of two storey buildings, The Conservative Club building to the south of the site is a dark brick building comprising of single and two storey elements. Coleridge Close which lies to the south east of the site is characterised by suburban two storey semi-detached

properties. Since the approval of planning application 15/02245/OUT, planning permission has been granted at the adjacent former Swan Motor Centre for a redevelopment comprising of 144 student bedrooms (16/01752/FUL). Buildings on this adjacent site vary between 4 and 5 storeys and are presently under construction.

5.3. See site plan below:



6. PROPOSAL

- 6.1. Outline planning permission is sought with details provided for the access, appearance, layout and scale of the proposed development. Landscaping is a reserved matter.
- 6.2. The application proposes to erect a new building to contain six self-contained apartments over three floors. Two flats would be situated on each floor, with the ground floor flats having private outdoor gardens and upper floor flats having balconies or roof terraces. The building would be situated within the existing car parking area at the rear of 17 Between Towns Road and there would be a distance of approximately 10m from the rear elevation of the proposed building to the boundary with the gardens serving 3 and 4 Coleridge Close. The application is an identical resubmission of the previous proposals on the site, as approved under planning application 15/02245/OUT.
- 6.3. The proposed building would be 12m in width and 15m in depth. The overall height to the highest point of the flat roof would be 8m.
- 6.4. The proposed access to the site would utilise the existing access to the site which is to the south of no. 17 Between Towns Road. A shared car parking area is proposed in front of the proposed building and at the rear of No. 17 Between Towns Road; the parking area would provide eight spaces (with a space to be provided for each of the proposed flats as well as a space each for No's 17A and

17C Between Towns Road). There is no parking proposed to be retained for the retail/commercial units on the frontage.

6.5. The proposed building would be constructed with an external finish of render and timber cladding; the building would have a flat roof.

7. RELEVANT PLANNING HISTORY

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

15/02245/OUT - Outline application (seeking approval of access, appearance, layout and scale) for the erection of three storey building consisting of 6 x 2bed flats (Use Class C3). Provision of private amenity space, car parking, cycle and waste storage.(Amended description). PER 13th January 2016.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP1 CP6 CP8 CP10 CP11	CS18_		
Conservation/ Heritage	16	HE2			
Housing	5		CS24_ CS23_	HP2_ HP4_ HP9_ HP11_ HP12_ HP13_ HP14_	
Transport	9			HP15_ HP16_	Parking Standards SPD
Environmental	15	CP21	CS10_ CS11_ CS12_		Energy Statement TAN
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 23rd November 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The proposal seeks to erect a three-storey building comprising 6 x 2-bed flats. The proposal gained planning permission in 2015 (ref 15/02245/OUT) but has subsequently expired, this application seeks to renew planning permission. The site is located in a very sustainable location, close to many local amenities and bus routes.

9.3. The proposal will provide 8 off-street parking bays; this is in line with Policy HP16 and is accepted. It is not clear that the cars can safely enter the site, turn and exit in a forward gear whilst other cars are simultaneously parked, a swept path analysis should be conditioned showing that this is possible.

9.4. Cycle parking is provided to the rear of the building, whilst the number is in line with Policy HP15 it is not clear that the cycle store is covered, if planning permission is granted a condition should be included showing the design of the cycle storage.

9.5. As the site is located within a sensitive area, a Construction Traffic Management Plan will be required; this should be conditioned if planning permission is granted.

9.6. Oxfordshire County Council does not object to this application on highway grounds.

Natural England

9.7. No comments

Oxford Civic Society

9.8. This application seeks to renew the approved outline application 15/02245 which has expired. The expired application was for 6 x 2bed flats. However the present application states in several of its documents that it is for 7 x2 bed flats. Apart from this apparent confusion there seems to be no reason to oppose the renewal of the formerly approved application.

Public representations

9.9. 1 letter of objection has been received from the occupier of No.5 Coleridge Close

9.10. In summary, the main points of objection were:

- Access from Between Towns Road is too narrow for emergency vehicles.
- Visibility for cars exiting the site is inadequate.

- Insufficient parking is proposed.
- The development would overlook existing properties and would result in a loss of privacy for existing occupiers.

These issues will be addressed in the main body of the report below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable Housing
- Balance of dwellings
- Design
- Residential amenity
- Highways
- Archaeology

a. Principle of development

10.2. The application site currently contains a large surface car park which for the purposes of planning is considered to be previously developed land. The National Planning Policy Framework (NPPF) encourages the effective use of previously developed land, provided it is not of high environmental value. These aims are embodied within Policy CS2 of the Oxford Core Strategy.

10.3. The site also lies within the Primary District Centre (Cowley Centre) as identified in the Oxford Core Strategy (CS1). Having had regard to Policy CS1 Officers consider that the principle of development on this site is acceptable:

'District centres are suitable for retail, leisure, employment and other uses serving district-level needs. The primary district centre is suitable for uses serving a larger catchment area than other district centres. Planning permission will be granted for such development provided it is of an appropriate scale and design and maintains or improves the mix of uses available. District centres, and their immediate surroundings, are appropriate locations for medium to high-density development.'

10.4. On the above basis the principle of redeveloping the site for a residential use would accord with the aims of the above-mentioned policies and has previously accepted by virtue of the approval of planning application 15/02245/OUT. There are already a mix of uses on the site with commercial premises and flats at 17 Between Towns Road. The increase in residential development would contribute towards the mix of uses supported in principle by Policy CS1 of the Oxford Core Strategy as set out above.

10.5. Officers also consider that the existing under-used surface car park does not make good use of the land on the site; the increase in development within this area

would therefore lead to a more efficient use of land. This approach is broadly supported by Policy CP6 of the Oxford Local Plan 2001-2016.

b. Affordable Housing

10.6. Sites and Housing Plan Policy HP4 states that residential development on sites with capacity for 4 to 9 dwellings, will only be granted where a financial contribution is secured towards affordable housing elsewhere in Oxford. The proposed development would therefore constitute a qualifying development under the terms of this policy.

10.7. The applicants have indicated that they would be prepared to make a financial contribution towards the provision of off-site affordable housing at the required policy level. This financial contribution would be secured through a Section 106 legal agreement. The proposals are therefore considered to comply with the provisions of Policy HP4 of the Sites and Housing Plan.

c. Balance of Dwellings

10.8. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. Despite this, as the application site lies within a District Centre and relates to proposals for a development of less than 10 dwellings there is no requirement for a specific mix of dwellings.

d. Design

10.9. The application site is a backland location and public views, particularly from Between Towns Road are limited. The building design has not altered from the previous consent granted in 2016. The building would be three storeys in height and would feature a flat roof, which limits the overall height of the building. Existing development in the area consists of buildings of varying scale. Whilst the proposed building would be larger in scale compared with the frontage buildings, however the flats would sit alongside the much larger scale development at the former Swan Motor Centre site. Officers consider that the scale of the development is appropriate within the context of the surrounding built form.

10.10. The massing and general design of the building is considered appropriate within the context of the surrounding built form which comprises of buildings of varying architectural character. The proposed use of the flat roof would limit the height of the building and although the flats would be three storeys, the ridge height of the building would be similar to that of the properties to the rear in Coleridge Close. The facades of the building would feature a variance of materials, which helps to break up the appearance of the building, as well as adding to the visual interest of the external elevations. It is considered that there is adequate separation between the proposed building and neighbouring buildings, including the adjacent student accommodation under construction at The Swan Motor Centre site.

10.11. Overall it is considered that the design of the proposal respects the character and appearance of the area and is compliant with policies CP1, CP6 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan and the NPPF.

e. Residential Amenity

10.12. Officers would suggest that the siting of the proposed development has been considered in such a way that would minimise the impact of the development on neighbouring residential occupiers. The proposed flats would be situated approximately 25m from the rear wall of the flats on the frontage (No.s 17A and 17C Between Towns Road) and 10m from the private rear gardens to the rear of the site (No.s 3 and 4 Coleridge Close). Given the length of the rear gardens in Coleridge Close, there would be a distance of between 20-25m between the rear windows of the proposed development and the rear aspect of the properties in Coleridge Close. Officers consider that the separation between the proposed buildings and nearby residential dwellings means that the development is acceptable in terms of its impact on light and privacy and would not have an overbearing impact on the occupiers of those dwellings.

10.13. Since the approval of the previous development on the site in early 2016, the adjacent former Swan Motors Centre has been redeveloped for student accommodation. The adjacent student accommodation would not substantially overlook the application site, owing to the siting of the approved building and the position of the side facing windows on the south west facing elevation. It is considered that the proposed development would not have a comprising impact on the amenity of the student residences by reason of overlooking, owing to the location of facing windows in both the proposed flats and adjacent student residences.

10.14. The proposed flats would all have a good quantity of indoor space; each having an internal floor area of over 61m² which would meet the Council's planning policy for indoor space provision (HP12 of the Sites and Housing Plan). Further to this, Officers have assessed the quality of indoor environment that is proposed and this would meet the other requirements of the Council's policies for indoor space quality. There are windows on the side elevation as well as the front and rear elevations which would provide natural light within the flats as well as ventilation.

10.15. Officers have had regard to Policy HP2 of the Sites and Housing Plan that seeks to ensure that new developments meet the requirements of being accessible and adaptable homes. The upper floor flats would not benefit from a lift so would not be well suited to people with reduced mobility but the ground floor flats would be suitable for occupiers with those requirements. All of the flats have a simple internal layout that would give them the opportunity to provide adaptable accommodation. Officers have had regard to the circulation within the lobby and flats that is proposed in the submitted floor plans and consider this is acceptable in the context of Policy HP2 of the Sites and Housing Plan (2013).

10.16. In terms of outdoor space provision, the two ground floor flats would have private rear gardens that would provide good quality outdoor space for two-

bedroom dwellings. The upper floor flats would all have balconies or roof terraces that would be acceptable in terms of providing functional and useful private outdoor space. The upper floor flats would also have access to a small shared garden to the rear of the plot that would be beneficial in terms of providing a larger area of outdoor space for those occupiers. Officers therefore consider that the outdoor space provision is acceptable in the context of the Council's policies, specifically Policy HP13 of the Sites and Housing Plan (2013).

f. Highways

- 10.17. Access to the site is via a vehicular access adjacent to No.79 Cowley Road which presently serves the rear parking area of the front retail unit. It is considered that this means of access is safe and suitable to serve the proposed development. Whilst some concerns have been raised regarding visibility at the site entrance/exit it is noted that the access is already in use and serves the rear car park, therefore officers consider that use of the access to serve the proposed residential development would not be detrimental to highway safety/amenity.
- 10.18. The proposed development would be served by a total of 8 off-street parking spaces; this would be in line with the provisions of Policy HP16 of the Sites and Housing Plan. A swept path analysis is required to demonstrate that manoeuvrability into and out of these spaces is achievable.
- 10.19. No parking provision would be retained for the two ground floor units, however given the proximity of the site to public parking areas at Templars Square and the John Allen Centre, this is deemed to be acceptable given that the site is located within a Primary District Centre which also benefits from good public transport services.
- 10.20. At the time the previous application was determined, the narrowness of the access driveway gave rise to specific concerns by the Highway Authority in relation to the accessibility of the site for fire engines in the case of an emergency. As a result, officers sought agreement from the Fire Authority who indicated that the development would be acceptable if sprinkler systems were added. This would have the effect of negating the need for a fire engine to access the site and reducing the risk of danger from fire. The condition requiring the fitting of sprinklers applied to the previous planning permission should therefore be reapplied to any permission granted.
- 10.21. The application includes the provision of bin storage forwards of the front elevation of the building. The access to the site is too narrow for a refuse truck to enter and collection would therefore be from the kerbside in Between Towns Road. The drag distance of 29 metres to the kerbside would slightly exceed the maximum recommended drag distance specified in Manual for Streets, however this is deemed to be marginal and the site is surfaced and flat. On this basis it is considered that there would not be substantial grounds to refuse permission on this basis.
- 10.22. There are no proposals to install a gate on the entrance to the access driveway. Despite this, Officers have been mindful that a gate could be erected as permitted development and this could impede normal, safe access to the

application site. As a result, it is recommended that if approval is granted, the normal permitted development rights relating to the erection of a gate in this location should be removed by condition.

10.23. The proposals include the provision of cycle parking to the rear of the building, in line with the requirements of Policy HP15 of the Sites and Housing Plan and can be secured by condition.

g. Archaeology

10.24. The application site lies within an area which has been associated with archaeological finds indicating Roman settlement. A condition is recommended requiring that the applicants secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

h. Sustainability

10.25. Policy HP11 of the Sites and Housing Plan specifies that Planning permission will only be granted for proposals for residential and student accommodation development if the development includes an element on-site renewable or low carbon technologies where practicable. For developments of more than 10 dwellings it is required that an energy statement is provided, as the development comprises of less than 10 dwellings there would be no requirement to provide an energy statement, notwithstanding this a brief energy statement has been provided under Appendix 1 of the applicants planning statement which outlines a number of design measures to reduce energy use, it is also outlined that it is the applicants intention to use a combination of a green roof and solar panels. An appropriate condition is attached to ensure that the development meets the requirements of ENE1 Level 4 of the Code for Sustainable Homes. Overall it is considered that the proposals are compliant with Policy HP11 of the Sites and Housing Plan.

i. Planning obligations

10.26. It is considered that the following matters should be secured through a section 106 legal agreement:

- Provision of an off-site financial contribution towards affordable housing.

11. CONCLUSION

11.1. The application is an identical resubmission of a previously consented development comprising of 6 flats. The development would be sited on previously developed land in a sustainable location in terms of access to public transport and is sited within a Primary District Centre. The proposed building would be appropriately designed and the development would not impact adversely on the residential amenity of adjacent occupiers or highway amenity. The development is considered to comply with the relevant provisions of the Oxford Local Plan; Core Strategy; Sites and Housing Plan and NPPF.

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

12. CONDITIONS

1. Application for the approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this outline permission.

Reason: In accordance with Section 92(2) of the Town and Country Planning Act 1990.

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. Prior to the commencement of above ground works details relating to the type of materials to be used in the external construction of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include information relating to the colour, texture and external finish of the materials and shall where necessary involve the submission of material samples at the discretion of the Local Planning Authority. Only the approved materials shall be used in the external construction of the approved development unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy CP1 of the Oxford Local Plan 2001-2016.

4. Prior to the first occupation of the approved development the parking and turning area as shown in the approved site plan (Drawing No.1519.004-rev_A) shall be completed. The turning area shall be retained on the site for the purposes of enabling vehicles to turn and enter the highway in a forward gear. The parking spaces shall be allocated to the occupiers of the new flats and the existing properties at 17 Between Towns Road as identified on the approved plans and retained for the occupiers of those properties unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that there is adequate car parking provided for the site as required by CP10 of the Oxford Local Plan 2001-2016 and Policy HP16 of the Sites and Housing Plan (2013).

5. Notwithstanding the approved site plans and plans identifying the parking

area, the two car parking spaces in the north-western most corner of the shared parking area (and identified as being closest to the 'door to flat' as shown on Drawing No. 1519_004 Rev A) shall be retained for the sole use of the occupiers of the flats known as 17A and 17C Between Towns Road unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that there is no impact in terms of impeding access to the flats main entrance, particularly by people with reduced mobility and to ensure adequate parking provision as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP16 of the Site and Housing Plan (2013).

6. Prior to the first occupation of the approved development, the secure, covered cycle store with space for a minimum of 12 cycles shall be completed in the location as identified on the approved site plan (Drawing No. 1519.004-rev_A). The cycle store shall be retained for the sole use of providing storage for pedal cycles by the occupiers of the approved development unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that there is adequate provision of cycle storage as required by Policy HP15 of the Sites and Housing Plan (2013).

7. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;
 - The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of highway safety as required by Policy CP1 and CP10 of the Oxford Local Plan 2001-2016.

8. Prior to the commencement of above ground works details relating to the provision of an automated fire suppression and sprinkler system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for fire suppression and sprinklers will be installed and completed prior to the first occupation of the approved development unless agreed otherwise in writing by the Local Planning Authority.

Reason: The access area to the development would be too narrow to allow for

a normal fire truck to access the site and it is therefore necessary to provide other means of ensuring that adequate measures are in place to protect the occupiers of the development in the event of a fire. This condition is therefore necessary in order that the development conforms to functional requirements for new development as set out in Policy CP10 of the Oxford Local Plan 2001-2016.

9. Prior to the commencement of above ground works details relating to the boundary treatments surrounding the development and the individual amenity spaces proposed for the new garden areas shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments will be installed prior to the first occupation of the approved development unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory and to protect the privacy of occupiers of the new development as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policies HP13 and HP14 of the Sites and Housing Plan (2013).

10. Prior to the first occupation of the approved development, details relating to the provision of low level outdoor lighting to be situated along the access road linking the approved development with the highway and within the car parking area identified on the approved site plan (Drawing No. 1519_004 Rev A) shall be submitted to and approved in writing by the Local Planning Authority. The submitted lighting scheme shall include information relating to the location, level of luminosity and type of outdoor lighting to be provided as well as the hours of operation of the lighting. The approved lighting scheme shall be installed prior to the first occupation of the approved development unless agreed otherwise in writing by the Local Planning Authority and maintained/operate in accordance with the approved scheme thereafter.

Reason: In the interests of highway safety and the personal safety of the occupiers of the approved development as required by Policy CP10 of the Oxford Local Plan 2001-2016.

11. Notwithstanding the provisions of Part 2, Class A of the Town and Country Planning (General Permitted Development) Order (2015) no gate for either vehicles or pedestrians shall be installed across the access road that links the car park serving the approved development with the highway at Between Towns Road unless agreed otherwise in writing by the Local Planning Authority.

Reason: A gate would impede the movement of vehicles to the approved development which could lead to vehicles obstructing the pavement or highway giving rise to an adverse impact in terms of highway safety that would be contrary to Policy CP10 of the Oxford Local Plan 2001-2016.

12. No development shall take place until the applicant, or their agents or successors in title, has 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. All works shall be carried out and completed in accordance with the approved written scheme of investigation, 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 remains (Local Plan Policy H2)

13. 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 (LPA). 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, discharge rates should be 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. Consultation and agreement should also be sought with the sewerage undertaker where required.

A SuDS maintenance plan shall 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.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

14. Prior to the commencement of the approved development details of a screened refuse and recycling store to be located in a revised location within the shared car parking area as identified on the approved site plan (Drawing No. 1519_004 Rev A) shall be submitted to and approved in writing by the Local Planning Authority. The revised details for the refuse and recycling store will not lead to a reduction in the provision of car parking on the site. The

approved refuse and recycling store shall be completed prior to the first occupation of the approved development and thereafter retained for the purpose of providing storage for refuse and recycling unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that there is adequate provision of refuse and recycling stores as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).

15. Prior to the commencement of the approved development, details relating to the design, appearance and dimensions of any plant or mechanical equipment that is proposed to be located on the roof of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The details of the plant and mechanical equipment to be installed on the roof shall include information relating to their noise output. Only the approved scheme of plant and mechanical equipment shall be installed on the roof and no other plant or mechanical equipment shall be installed without the prior written consent of the Local Planning Authority.

Reason: To ensure that the appearance of the development is visually satisfactory and to ensure that there is no adverse impact in terms of noise arising from the approved development as required by Policy CP1, CP10 and CP21 of the Oxford Local Plan 2001-2016.

16. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

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

13. APPENDICES

- **Appendix 1** – Site location plan

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.

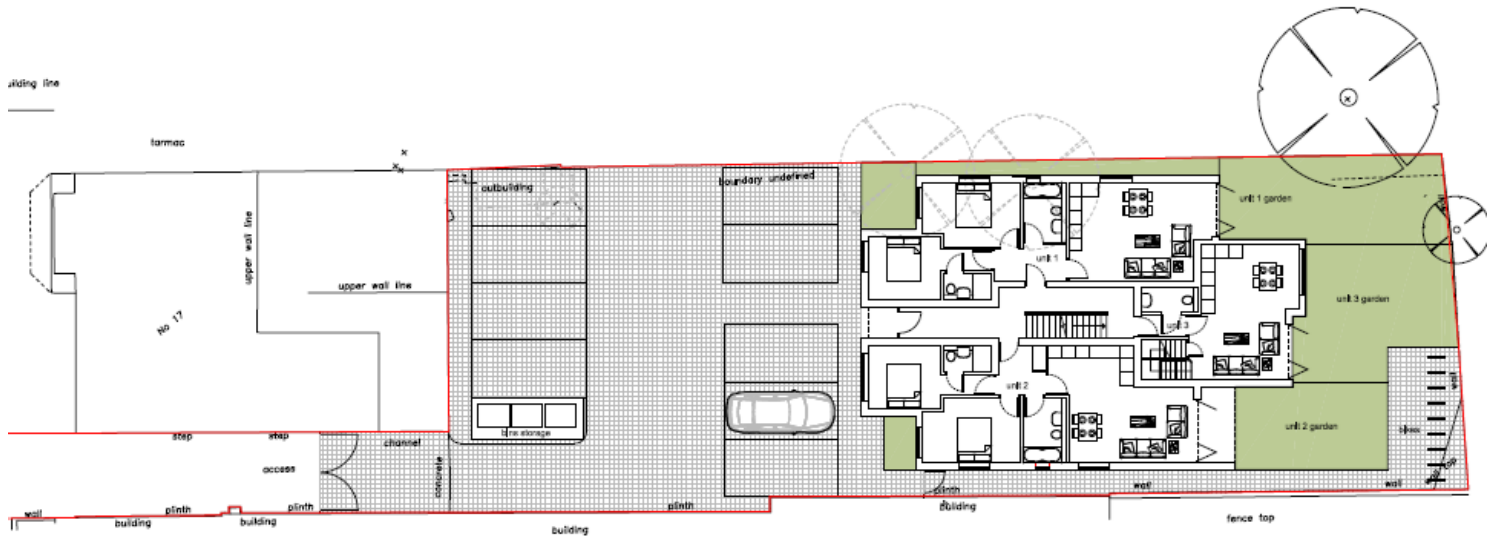
15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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.

Appendix 1

18/02918/OUT – 17 Between Towns Road

Proposed Site Plan



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East Area Planning Committee

2nd January 2019

Application number:	18/02977/CT3		
Decision due by	10th January 2019		
Extension of time	25 th January 2019		
Proposal	Formation of 36 parking spaces and alterations to landscaping (Amended Plans)		
Site address	Land At, Samphire Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Blackbird Leys Ward		
Case officer	Michael Kemp		
Agent:	Mr Thomas Edwards	Applicant:	Oxford City Council
Reason at Committee:	Oxford City Council are the applicants		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed formation of 36 parking spaces and alterations to landscaping. The application has been submitted with the intention of rationalising parking and providing additional spaces within an area which currently experiences issues arising from a lack of parking provision. The application has been revised, with the number of parking spaces increased from the initial proposals, the increase was proposed in response to residents'

concerns around the number of spaces proposed, which was deemed to be too low.

2.2. The application is considered beneficial in providing additional off-street parking, which would decrease the number of vehicles currently parking on Samphire Road which obstruct the highway and turning head. It is considered that the proposed development achieves an acceptable balance between providing additional off-street parking to meet residents' needs and retaining adequate landscaping, so as to preserve the present open aspect within this part of Blackbird Leys. The proposals are therefore considered to comply with the relevant provisions of the Oxford Local Plan, Oxford Core Strategy and the NPPF and is recommended for approval on this basis.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

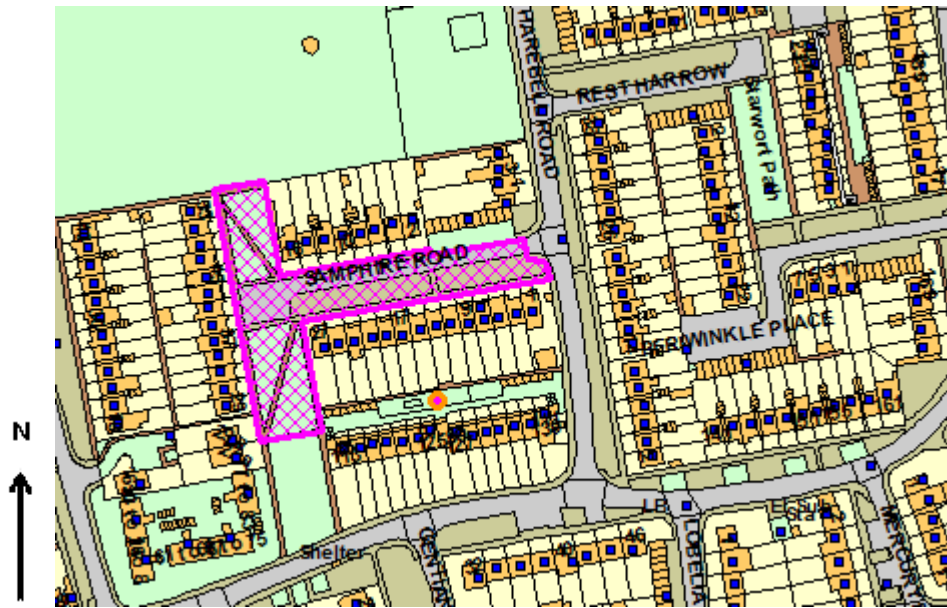
3.1. The proposal is not liable for a CIL contribution.

4. SITE AND SURROUNDINGS

4.1. The site is located within Blackbird Leys. Samphire Road is a residential cul-de-sac comprising of two storey 1960's terraced properties. Samphire Road is narrow and terminates with a rectangular turning head. There is a large landscaped space on the southern side of the road which separates the street from the front gardens of the adjacent properties. There are two extensive areas of landscaped space to the south and north of the turning head, which includes two pedestrian footpaths which cut through the centre of these spaces.

4.2. The existing properties in the area do not largely benefit from off-street parking, though it is noted that there is a garage block on the corner of Samphire Road and Harebell Road, which provides spaces for 11 cars, with further space to the front of the garages. There are no parking controls in the area limiting on-street parking. Currently there is a proliferation of on-street parking along the southern side of Samphire Road and within the turning head. There is a single mature tree in the landscaped space to the south of Samphire Road.

4.3. See site plan below:



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Ordnance Survey 100019348

5. PROPOSAL

- 5.1. The application proposes the formation of 36 parking spaces, 3 of which would be disabled parking spaces as well as landscaping alterations. The application has been submitted with the intention of rationalising parking and providing additional off-street within an area which currently experiences issues arising from a lack of parking provision.
- 5.2. The application has been subject of significant amendments, originally the proposals made provision for a total of 21 parking spaces, the number of spaces was increased following initial consultation where concerns were expressed by local residents and Blackbird Leys Parish Council regarding the amount of spaces proposed, which was considered to be too low. The additional spaces in the revised scheme of 36 have principally been provided to the north and south of the turning head, in an area which presently consists of landscaped open space.
- 5.3. The proposed layout would comprise of 19 parking bays which would be located within the landscaped verge to the south of Samphire Road. The proposals would retain the existing mature tree, whilst providing additional landscaped spaces to soften the visual impact of the additional hardstanding. A further 17 parking bays would be provided adjacent to the turning head in the location of the existing landscaped space to the north and south of the turning head. 6 spaces would be provided to the north and 11 to the south. The proposals would include the formation of dropped kerbs adjacent to the parking bays in order to facilitate vehicle access into the spaces. 6 cycle parking spaces would also be formed.

6. RELEVANT PLANNING HISTORY

- 6.1. There is no planning history on the site of material relevance to the development proposed.

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP1 CP6 CP8 CP9 CP10 CP11	CS18_		
Transport	9		CS14_	HP16_	Parking Standards SPD
Environmental	15	NE15			
Miscellaneous		CP.13 CP.24 CP.25		MP1	

8. CONSULTATION RESPONSES

8.1. Site notices were initially displayed around the application site on 23rd November 2018 and an advertisement was published in The Oxford Times newspaper on 22nd November 2018, this was in relation to the reduced scheme comprising of 21 parking spaces.

8.2. Following receipt of revised plans which increased parking provision, the application was re-advertised by site notice on the 14th December and was re-advertised in The Oxford Times on Thursday 20th December. The press publicity expires on 10th January. Any comments received after publication will be reported to Committee.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

8.3. No objection, however double yellow lines are required along the northern side of Samphire Road in order to ensure that vehicles can safely manoeuvre into and out of the parking bays.

Public representations

8.4. Three people commented on the originally submitted plans relating to this application from addresses at 51, 53 and 7A Samphire Road.

8.5. In summary, residents supported the principle of additional parking; however objections were raised on the following basis.

- More spaces should be provided than are proposed.
- Additional parking could be provided within the landscaped spaces adjacent to the turning head.
- The tree adjacent to No.7 should be removed to provide additional spaces.
- People will park opposite the proposed spaces and will obstruct access.

8.6. Following re-consultation on the amended plans no further public comments have been received to date.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- Principle of Development
- Highway safety and amenity
- Design and landscaping
- Neighbouring amenity
- Sustainability

a. Principle of Development and Highways Matters

9.2. The proposals are submitted with the aim of rationalising parking provision and providing additional parking spaces within an area which currently experiences issues with a proliferation of on-street parking. The majority of properties within the area and the estate as a whole do not benefit from provision of off-street parking. A number of similar developments have been carried out in the area to provide areas of off-street parking, notably at Crowberry Road, which is to the east of Samphire Road, where 20 spaces have been provided (14/02007/CT3).

9.3. There are identified issues with on street parking along Samphire Road. Currently vehicles are parked on the southern side of Samphire Road adjacent to the landscaped verge. Samphire Road is narrow and when there is a proliferation of parking, this reduces the width of the road to a narrow single carriageway. Further vehicles are parked in the turning head at the end of Samphire Road, which limits the ability for larger vehicles to turn and exit the road in forward gear.

9.4. The purpose of the application is to reduce on street parking by providing off-street parking bays. The provision of the additional bays would help to ensure that the highway remains unobstructed by parked vehicles, which would be of benefit to highway safety and amenity and the benefit of neighbouring residents.

- 9.5. Whilst the County Council have long term proposals to introduce a Controlled Parking Zone in Blackbird Leys, this is listed as Priority 4 (low) in terms of timescale and no dates have been put forward for either consultation or implementation. In the absence of parking controls in the area, it is considered that the provision of off-street parking represents the best solution at the present time to control on-street parking.
- 9.6. A parking survey has been provided, which suggests that there are 33 houses and 6 flats which currently do not benefit from allocated parking. Current parking provision is limited to 22 on street parking spaces, though this does not include the existing garaging which is in use by some residents. All of the properties in the area were constructed as 3 bedroom properties. Within this location it would be typically expected that a 3 bedroom dwelling would be served by at least 1 off street parking space. The proposed development would therefore bring parking provision further in line with Policy HP16 of the Sites and Housing Plan and the proposals would be of benefit to highway safety and amenity, consistent with Policies CP1 and CP6 of the Oxford Local Plan and the NPPF.
- 9.7. Oxfordshire County Council has raised no objection to the development; however a TRO requiring the provision of double yellow line parking controls along the northern side of Samphire Road is requested. The provision of double yellow lines is required to ensure that the proposed parking bays are not obstructed as a result of on street parking. A condition requiring the implementation of the TRO to provide double yellow lines is attached.
- 9.8. It is noted that an existing footpath crosses the position of the proposed parking. Whilst this footpath would be removed, two footpaths would remain either side of the parking spaces and officers consider that accessibility would not be fundamentally restricted. As the land would not be closed to public access there would be no requirement for a stopping up order.

b. Design and Landscaping

- 9.9. An appropriate balance must be struck between the need to provide additional parking spaces and the need to preserve an appropriate standard of visual amenity within the area.
- 9.10. The proposals include the removal of the majority of the existing grass verge along the southern side of Samphire Road, though the existing mature tree, which is an important feature in the street scene, would be retained. The proposals also make provision for small areas of landscaping between the proposed bays on the southern side of Samphire Road, which in officers view is considered appropriate as there is a need to provide mitigation for the extent of landscaping which would be lost and amount of hardstanding proposed. The provision of additional bays in this location is considered to be broadly acceptable in design terms.
- 9.11. The provision of the 17 spaces adjacent to the vehicle turning head would encroach into the adjacent landscaped areas. The landscaped areas are a characteristic of Blackbird Leys which are key to offsetting the densely built terrace and semi-detached forms. These areas contribute to the visual amenity

and character of the estate and therefore their erosion needs to be carefully considered, particularly if it is replicated elsewhere in the estate. Whilst the partial loss of these areas is not fully desirable in visual terms as it erodes to a degree the quality and quantity of existing open landscaped space, it is considered that on balance the proposals would retain an acceptable quantity of landscaping and open space and consequently the development would not adversely affect the character of the area.

- 9.12. Officers consider that overall the proposals strike an acceptable balance between the need to provide additional parking spaces and the need to preserve an appropriate standard of visual amenity within the area. The proposals are therefore considered to comply with Policies CP1, CP6, CP 8, CP9, and CP10 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

c. Residential Amenity

- 9.13. A 3 metre buffer would be retained between the parking bays and the front amenity space of the adjacent properties; this is considered acceptable in ensuring that the residential amenity of these properties would not be compromised by reason of disturbance arising from the spatial proximity between the parking spaces and amenity space. Buffer spaces are also retained between the four parking bays adjacent to the turning head and the front amenity spaces of the nearest neighbouring properties to the west. Officers are satisfied that the proposals preserve an appropriate standard of amenity for future occupiers and accord with Policies CP1 and CP10 of the Oxford Local Plan.

d. Sustainability

- 9.14. Ducting is proposed to allow for future installation of Electronic Vehicle charging infrastructure, in order to make resident parking places EV ready for future demand, ducting is indicated on the proposed plans and a condition requiring the addition of the ducting prior to the commencement of development is recommended. The addition of changing points would contribute towards reducing the impact of development on air quality and promoting sustainable means of transport in accordance with the requirements of Policy CP23 of the Oxford Local Plan and the NPPF.

10. CONCLUSION

- 10.1. The proposals would provide a total of 36 off-street parking spaces in an area where there are identified issues associated with a proliferation of on-street parking, which impacts on highway safety and amenity. The proposals would rationalise parking within the area and provide additional spaces which should bring about a reduction in on-street parking which would be of benefit to highway safety and amenity. It is considered that the proposals on balance strike an acceptable compromise between providing additional parking, whilst preserving the visual amenities of the area. It is also considered that the proposals would not compromise the residential amenity of the existing properties in Samphire Road. For the reasons expressed above, it is considered that the proposals would comply with the relevant provisions of the Oxford Local Plan, Core Strategy and NPPF.

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

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

3. Prior to the commencement of development, provision of ducting to allow for future installation of EV charging infrastructure will be required, in order to make resident parking places EV ready for future demand. The details and location of such provision should be laid out in accordance with the Chapter 4.5 of the Planning, Design and Access statement, and drawing 44157-2001-002 B, both submitted with this planning application.

Such provision shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.

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

4. Before the commencement of above ground works details of the cycle parking 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 areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1, CP10 and TR4 of the Adopted Oxford Local Plan 2001-2016.

5. The landscaping proposals as shown on drawing 44157/2001/003 Rev D 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 development is substantially completed. All planting which fails to be established within five years shall be replaced.

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

6. The development shall be carried out in accordance with the Tree Protection Measures detailed within the Arboricultural Method Statement dated 19th November 2018 and Tree Protection plan no 44157/2001/002 A. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

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

7. 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 (LPA). 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, discharge rates should be 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. Consultation and agreement should also be sought with the sewerage undertaker where required. A SuDS maintenance plan shall 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.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

8. The development hereby permitted shall not commence until such time as a Traffic Regulation Order governing the placing of double yellow lines on Samphire Road has been made and implemented by Oxfordshire County Council.

Reason: To control on street vehicular parking in the vicinity and to ensure the safe movement of vehicles in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

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 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.

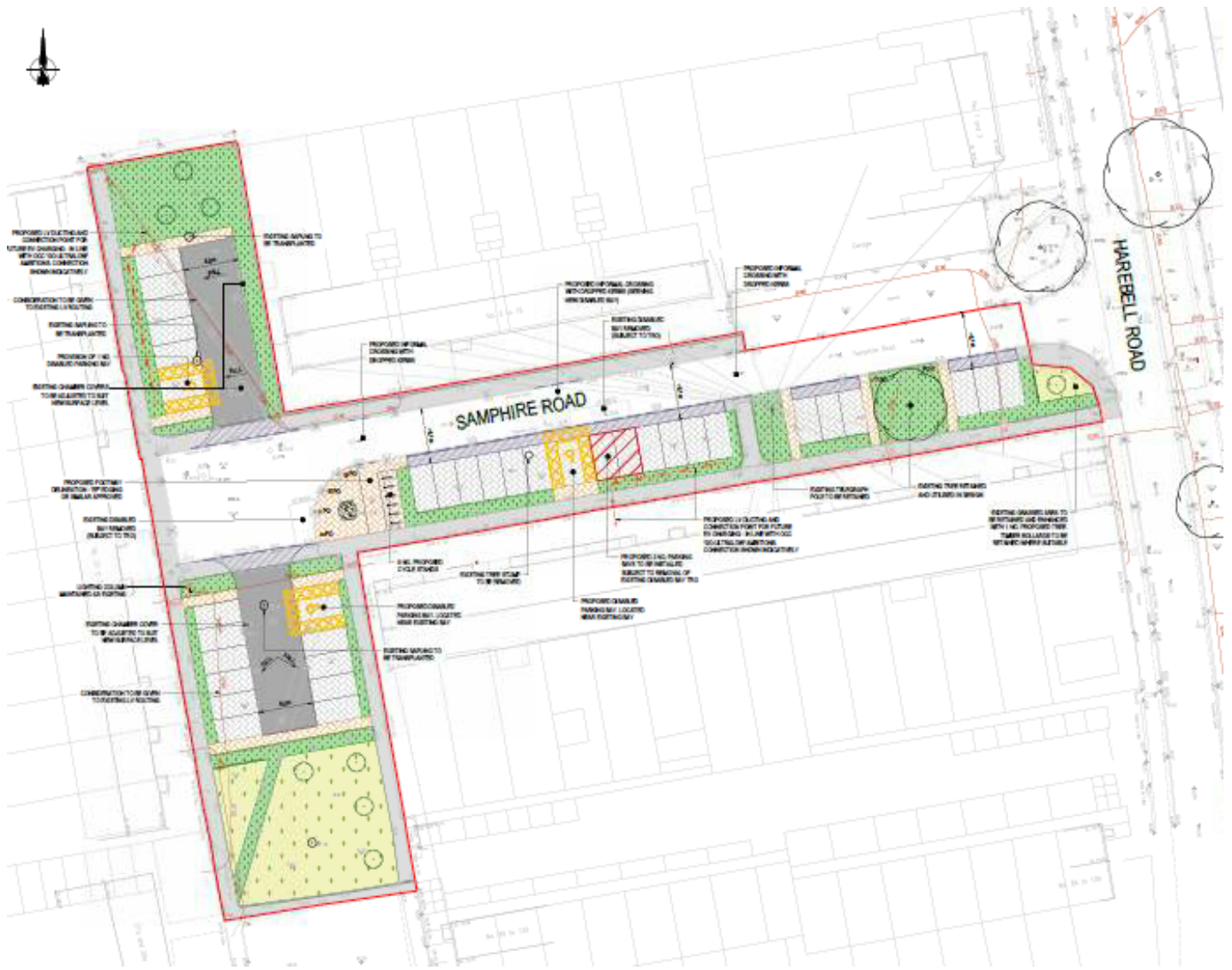
14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1

18/02977/CT3 - Land at Samphire Road

Proposed Parking Plan



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East Area Planning Committee

2nd January 2019

Application number:	18/03085/CT3		
Decision due by	18th January 2019		
Extension of time	25 th January 2019		
Proposal	Erection of 10no. forecourt parking spaces on existing green space (Amended Plans)		
Site address	Land Fronting 11 To 14, Northfield Close, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Littlemore Ward		
Case officer	Michael Kemp		
Agent:	Mr Steve Smith	Applicant:	Oxford City Council
Reason at Committee	Oxford City Council are the applicants		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed formation of 10 off-street parking spaces and the provision of landscaping to the front of a three storey block of flats. The layout of the proposed parking bays was revised on officer's advice, as the initial proposals did not retain an acceptable quantity of landscaping.

2.2. The provision of additional parking would assist in reducing the amount of on-street parking in an area which is not subject of substantial parking controls and suffers from a proliferation of on street parking. In reducing the extent of on-

street parking, it is considered that the proposals would be beneficial in terms of highway safety and amenity.

2.3. It is considered that the proposals would not adversely impact on the visual amenities of the area or the residential amenity of surrounding residential properties. Consequently it is considered that the application is acceptable and compliant with the provisions of the Oxford Local Plan and Core Strategy and the NPPF.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

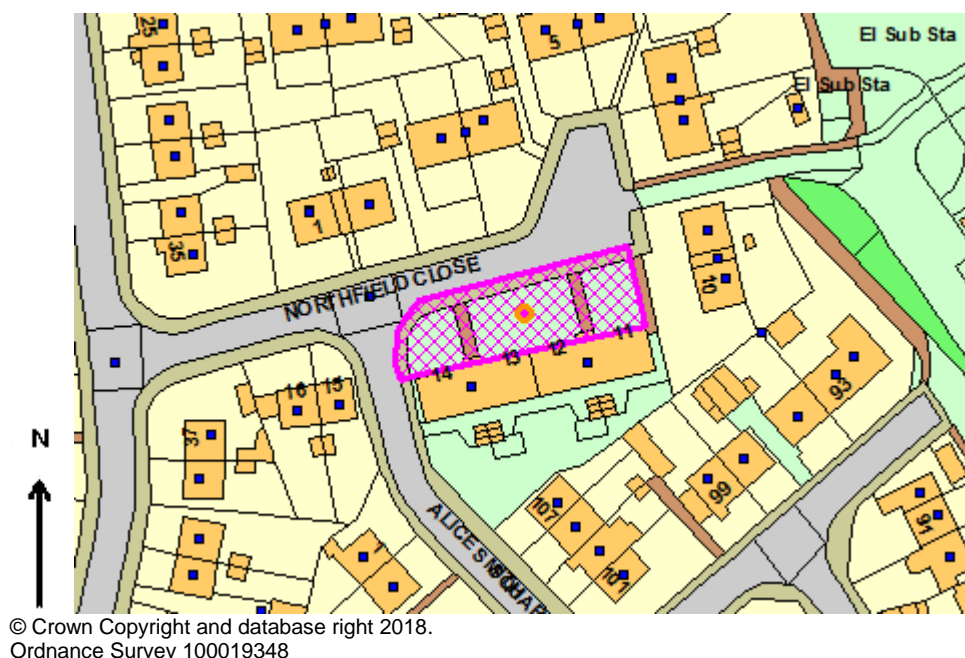
3.1. The proposal is not liable for a CIL contribution.

4. SITE AND SURROUNDINGS

4.1. The site is located in a residential side road in Minchery Farm, Littlemore and comprises of a landscaped space to the front of a three storey block of flats. The other surrounding properties in the area consist of two storey semi-detached dwellings. The site is outside of the Littlemore Conservation Area.

4.2. The flats have an area of private amenity space to the rear and a landscaped space to the front comprising of grass, with two pathways serving two entrances to the flats. There are no trees on the site with the only planting consisting of small shrubs to the front of the site. The flats are not currently served by any off-street parking.

4.3. See site plan below:



5. PROPOSAL

5.1. The application relates to the proposed formation of 10 parking spaces, which would be located to the front of the flats in the existing landscaped space. The spaces would be laid out in a position adjacent to the road. The initial proposals

involved a larger forecourt arrangement, which included a greater extent of hardstanding and manoeuvring space for vehicles. This was amended on officer's advice, as it was considered that the extent of hardstanding would be excessive and would have resulted in the loss of the vast majority of the landscaped space to the front of the flats.

5.2. The amended plans retain a landscaped buffer between the parking bays and the front of the flats, whilst making provision for additional planting in the form of shrubs and semi-mature trees.

6. RELEVANT PLANNING HISTORY

6.1. There is no planning history on the site of material relevance to the proposals.

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP1 CP6 CP8 CP11			
Housing	5			HP16	
Natural environment	15				
Transport	9	TR4 HP16_			Parking Standards SPD
Environmental	15				
Miscellaneous		CP.13 CP.24 CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

8. CONSULTATION RESPONSES

8.1. Site notices were initially displayed around the application site on 30th November 2018 and an advertisement was published in The Oxford Times newspaper on 22nd November 2018.

8.2. Following receipt of revised plans and amendments to the parking layout, the application was re-advertised by site notice on the 14th December and was re-advertised in The Oxford Times on Thursday 20th December. The press publicity expires on 10th January. Any comments received after publication will be reported to Committee.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

8.3. No objection

Public representations

8.4. No third party comments have been received to date in relation to the revised plans on this planning application.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- Principle of Development and Highways Matters
- Design and Landscaping
- Neighbouring amenity
- Sustainability

a. Parking and Access

9.2. Northfield Close has a large turning head at its termination to the east. There are identified issues within the area associated with a proliferation of on street parking which has resulted in vehicles parking in the turning head and along the side of the street, which has a narrow carriageway.

9.3. It is noted that the majority of properties in Northfield Close do not benefit from off-street parking, though some properties have sizeable front gardens and some of the houses have adapted these spaces to provide parking. The block of three storey flats does not currently have any off-street parking provision. It is intended that the parking spaces would primarily serve the block of flats (11a to 14c Northfield Close) which contains 12 flats, all of which are two bedroom units. In total there would be 23 flats and 1 house in the vicinity which would benefit from the additional parking provision.

9.4. The site is in a location where typically car free development would not be permitted owing to the peripheral location of site in relation to the city centre and district centres. Minchery Farm is within a Controlled Parking Zone (residents only parking) though parking controls are only in place on Sundays from 8am to 1pm and at times of events at the Kassam Stadium. Therefore at most times parking is unrestricted.

- 9.5. The County Council have long term proposals to introduce a Controlled Parking Zone in South Littlemore, this is listed as Priority 4 (low) in terms of timescale and no dates have been put forward for either consultation or implementation. In the absence of parking controls in the area, it is considered that the provision of off-street parking represents the best solution at the present time to control on-street parking.
- 9.6. The proposals would provide 10 off-street parking spaces, which would help to alleviate existing issues of on street parking, particularly in the turning head. This would improve vehicular access and would be beneficial in terms of highway safety and amenity.
- 9.7. The proposed development would bring parking provision further in line with Policy HP16 of the Sites and Housing Plan and the proposals would be of benefit to highway safety and amenity, consistent with Policies CP1 and CP6 of the Oxford Local Plan and the NPPF.

b. Design and Landscaping

- 9.8. The existing space to the front of the flats is currently landscaped, though this is not of a particular high quality and comprises of grass, with a few shrubs. It does though contribute to the amenity of the area and is important to the setting of the three storey flats and the wider area. The application includes the provision of new landscaping in the form of hedges and tree planting, which could be considered to be of a higher quality than the present arrangement whilst acknowledging that a significant amount of hardstanding would be introduced.
- 9.9. The provision of additional planting would add to the visual appearance of the street scene and would in officer's view offset the loss of the section of the grass area to the front of the flats as well as the hardsurfacing that would be introduced. An area of landscaped grass space would be retained to the front of the flats, which would provide an adequate and considerable landscape buffer. Overall the proposals would provide a suitable balance between retaining the landscaping that contributes to the character of the area, allowing for additional planting and alleviating current on street parking pressures. The proposals are therefore considered to comply with Policies CP1, CP6, CP 8, CP9, and CP10 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

c. Impact on neighbouring amenity

- 9.10. The proposals would retain a separation distance of 5 metres between the parking spaces and the front of the flats, which have ground floor windows serving habitable rooms. It is also considered that sufficient separation would be retained between the parking spaces and the front garden spaces of the two storey houses to the east of the parking spaces. Consequently it is considered that the development would not have an adverse impact on the residential amenity of existing occupiers by reason of noise or nuisance.
- 9.11. Officers are satisfied that the proposals would preserve an appropriate standard of amenity for future occupiers and accord with Policies CP1 and CP10 of the Oxford Local Plan.

d. Sustainability

- 9.12. Ducting is proposed to allow for future installation of Electronic Vehicle charging infrastructure, in order to make resident parking places EV ready for future demand, ducting is indicated on the proposed plans and a condition requiring the addition of the ducting prior to the commencement of development is recommended. The addition of changing points would contribute towards reducing the impact of development on air quality and promoting sustainable means of transport in accordance with the requirements of Policy CP23 of the Oxford Local Plan and the NPPF.

10. CONCLUSION

- 10.1. The proposals would provide a total of 10 off-street parking spaces to serve properties in the area which do not currently benefit from off-street parking. The proposals are considered beneficial in alleviating existing issues associated with a proliferation of on street parking, which causes issues in respect of highway safety and amenity.
- 10.2. The proposals include the provision of landscaping to mitigate the impact of the additional hardstanding proposed and it is considered that the proposals would not impact adversely on the residential amenity of existing occupiers of the adjacent flats.
- 10.3. For the reasons expressed above, it is considered that the proposals would comply with the relevant provisions of the Oxford Local Plan, Core Strategy and NPPF.
- 10.4. 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 referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

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

3. Prior to the commencement of development, provision of ducting to allow for future installation of EV charging infrastructure will be required, in order to make resident parking places EV ready for future demand. The details and location of such provision should be laid out in accordance with drawing BDC3917/05/036 submitted with this planning application.

Such provision shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.

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

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

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

5. In the event that any tree or planting becomes damaged, diseased or dies within five years of planting, replacement planting of an appropriate species shall be carried out within 12 months.

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

6. Prior to the 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 (LPA). 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, discharge rates should be 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. Consultation and agreement should also be sought with the

sewerage undertaker where required. A SuDS maintenance plan shall 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.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

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 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.

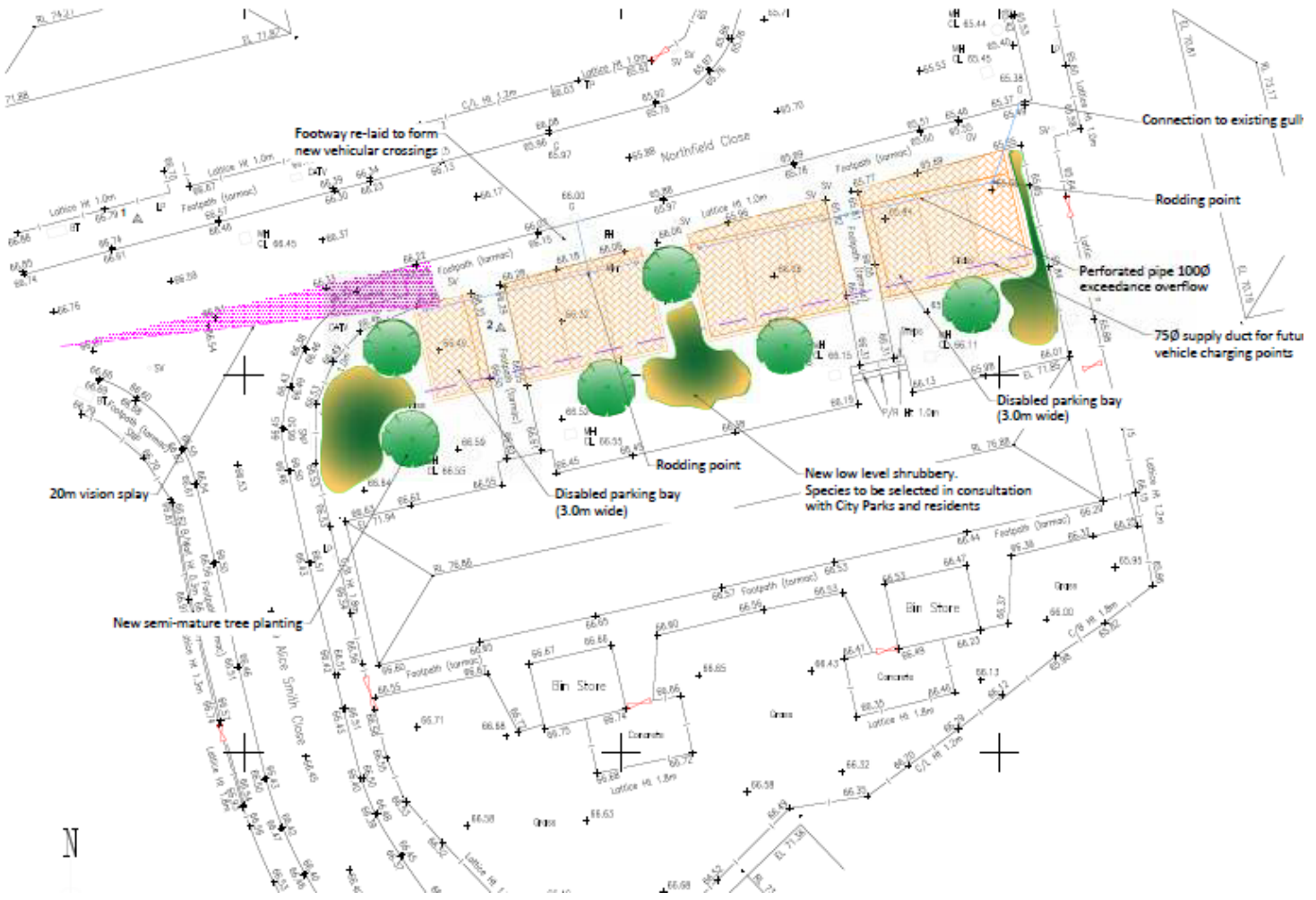
14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1

18/03085/CT3 - Land at Northfield Close

Proposed Parking Plan



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Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 5 December 2018

www.oxford.gov.uk



Committee members:

Councillor Taylor (Chair)	Councillor Aziz
Councillor Chapman	Councillor Clarkson
Councillor Garden	Councillor Hollingsworth (for Councillor Lygo)
Councillor Simm	Councillor Roz Smith
Councillor Tanner	

Officers:

Adrian Arnold, Acting Head of Planning Services
Sarah Chesshyre, Planner Apprentice
Sally Fleming, Lawyer
Hayley Jeffery, Development Management Team Leader
Mike Kemp, Senior Planner
Andrew Murdoch, Development Management Service Manager
Sarah Orchard, Senior Planner
Jennifer Thompson, Committee and Members Services Officer
Alice Watkins, Planning Officer

Apologies:

Councillor Lygo sent apologies. Councillor Hollingsworth substituted for him.

Note: Some reports did not reflect recent changes in delegated authority. In determining the applications the Committee delegated authority correctly to the Acting Head of Planning Services as shown in these minutes.

64. Declarations of interest

The following councillors declared that although they were signatories to call-ins resulting in applications coming to committee, they approached these with an open mind and would weigh up all the relevant facts before making a decision:

Councillor Chapman – Minute 71
Councillor Clarkson – Minute 67
Councillor Garden – Minute 70
Councillor Hollingsworth – Minute 72
Councillor Roz Smith – Minute 70
Councillor Tanner – Minute 67, 69

65. Election of Vice-Chair for the remainder of the 2018/19 municipal year

On being proposed, seconded and put to the vote, Councillor Lygo was elected as Vice-Chair for the remainder of the municipal year.

66. 18/00686/OUT - 1 Gurl Close Oxford OX3 9SG

The Committee considered an application for outline planning permission (seeking approval of access, appearance, layout and scale) for the demolition of the existing dwellinghouse and erection of 6 apartments at 1 Gurl Close, OX3 9SG.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

Refuse application 18/00686/OUT for the reasons given in the Section 12 of the report and set out here:

1. The proposal results in the loss of a family dwelling and fails to provide a family unit within the proposed development with a private amenity space which meets the definition of a family dwelling set out in the Balance of Dwellings Supplementary Planning Document and the Sites and Housing Plan. The proposal therefore fails to comply with policies CS23 of the Core Strategy and HP13 of the Sites and Housing Plan.
2. Due to the height, massing, design, proximity to Barton Village Road and relationship with neighbouring properties the proposal results in an overly cramped and incongruous form of development which fails to relate to the character of the area contrary to policies CP1 and CP8 of the Oxford Local Plan, HP9 and HP10 of the Sites and Housing Plan and CS18 of the Core Strategy.
3. The outlook and amenity space to the three bedroom unit on the upper ground floor and the units on the lower ground floor would be restricted and overshadowing by the existing trees and high boundary wall on Barton Village Road which are shown to be retained resulting in a poor amenity space, outlook and light contrary to policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.
4. The proposal fails to provide level access from the parking to the entrances of the lower ground floor flats and therefore fails to comply with M4(2) of Building Regulations and therefore fails to comply with policy HP2 of the Sites and Housing Plan.
5. The two bedroom unit and the lower ground floor three bedroom unit fail to meet the national space standards to the detriment of the amenity of the occupiers and therefore fail to meet the requirements of policy HP12 of the Sites and Housing Plan.

6. Had the overriding reasons not applied, the Local Planning Authority would have required the applicant to enter into a S106 agreement to secure a contribution towards affordable housing in accordance with policy HP4 of the Sites and Housing Plan. Whilst the applicant has accepted a contribution towards affordable housing would be payable, this has not been secured due to the unacceptability of the scheme as outlined in the reasons for refusal. However in the absence of a S106 agreement the proposal is considered contrary to policy HP4 of the Sites and Housing Plan.

67. 18/02457/FUL - Beechwood House The Beeches Oxford OX3 9JZ

The Committee considered an application for planning permission for the erection of a first floor rear extension. (Amended plans) at Beechwood House, The Beeches, Oxford, OX3 9JZ.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

1. approve application 18/02457/FUL for the reasons given in the report and subject to the required 3 planning conditions set out in section 12 of the report and grant planning permission; and
2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

68. 18/02113/CT3 - Land Adjacent 27 Broad Oak Oxford OX3 8TS

The Committee considered an application for planning permission for the erection of a 1 x 2 bed dwelling house (Use Class C3) and provision of bin and cycle store on Land Adjacent 27 Broad Oak Oxford OX3 8TS.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

1. approve application 18/02113/CT3 for the reasons given in the report and subject to the required 19 planning conditions set out in section 12 of the report and grant planning permission; and
2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

69. 18/02336/FUL - 80 White Road, OX4 2JL

The Committee considered an application for planning permission for the erection of a 1 x 2 bed dwelling house with provision of bin and cycle stores and new car parking at 80 White Road, Oxford, OX4 2JL.

Peter Pritchard, agent for the applicant, spoke in support of the application.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

1. approve application 18/02336/FUL for the reasons given in the report and subject to the required 14 planning conditions set out in section 12 of the report and grant planning permission; and
2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

70. 18/02452/FUL - 1A Gathorne Road Oxford OX3 8NF

The Committee considered an application for the change of use of a dwellinghouse (Use Class C3) to a large House in Multiple Occupation (Use Sui Generis), with the erection of a two storey side extension and provision of bin and cycle stores, at 1A Gathorne Road, Oxford, OX3 8NF.

The Planning Officer reported:

- Creating this HMO did not breach the 20% threshold for registered HMOS within 100m measured along roads from the property.
- Having checked with the Highways Authority, it was deemed reasonable to reduce the number of residents permits to 1 but unreasonable to exclude visitors' permits. Condition 8 would be amended to reflect this.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation, allowing one resident's parking permit plus visitors' permits.

East Area Planning Committee resolved to:

1. approve application 18/02452/FUL for the reasons given in the report and subject to the required 8 planning conditions set out in section 12 of the report and grant planning permission; and
2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

71. 18/02320/FUL - 238 Headington Road Oxford OX3 7PR

The Committee considered an application for the change of use from guesthouse (Use Class C1) to a large House in Multiple Occupation (Sui Generis) (Amended Site Location and Amended Plans) at 238 Headington Road, Oxford, OX3 7PR.

The Planning Officer reported amendments to the report:

- amend Para 2.3 2nd sentence to read: *The applicant has demonstrated that the property has been realistically marketed and offers for the property as a guesthouse were not forthcoming.*
- Para 8.1: replace National Planning Policy Framework numbers with

Design	12	7
Housing	5	6
Transport	9	4
- to clarify the position on lawful use, replace the text of para 10.2 with:

The starting point for the determination of the application is what the lawful use of the site is. There is some ambiguity as to what this is and a certificate of lawfulness has not been submitted to establish the lawful use. However Officers have investigated to the best of their ability and it is apparent that 238 Headington Road, when occupied by the previous owner, operated as a Guest House for approximately 20 years. It is unclear when or if this use ceased. The information submitted with the current application is limited but the Council has anecdotal evidence that since 2014, the property has been in use as a single dwellinghouse. However in the absence of any evidence it cannot be determined how, when or if the guest house use ceased and how, when or if it was accommodated as a C3 dwelling. The property was purchased by the present owner in April this year and the building is currently vacant. Planning permission was never sought for the use of the property as a Guest House. However officers consider that the use of the site as a Guest House became lawful because of the amount of time it operated as a Guest House and it is likely it would have been immune from any enforcement action after 10 years. It is clear from the evidence available to the Council that the property was in use as a guesthouse for the period of time stated above. If and when the property was occupied again in 2014 as a single dwellinghouse, this change of use would have required planning permission which was not sought or granted. The property would need to be occupied as a single dwellinghouse for a period of at least four years for the use to be lawful and immune from enforcement action. At the present time and in the absence of any evidence to certify the C3 use, Officers are satisfied that the lawful use of the site is a Guest House (Use Class C1) and have therefore assessed the application on this basis. Even if a contrary view is taken, given that the building has not been occupied since April of this year, it could be argued to have a nil use. Officers do not consider the building to be in C3 use.
- amend para 10.5 5th sentence to read: *... the existing use of 238 Headington Road is considered to be a Guest House (Use Class C1) or a nil use and as the policy only restricts the use of C3 dwellinghouses, it is considered that it would*

not be reasonable to refuse the application due to the density of HMOs in the area.

Paul Southouse, agent for the applicant, spoke in support of the application.

The Committee discussed the previous uses of the property and noted that neither use as a guesthouse nor nearly 4 years of use as a dwelling could be demonstrated as lawful as neither had been regularised. Members of the Committee had concerns about the lack of onsite parking and the cumulative impact of the very high density of HMOs in the immediate area but did not consider this justified refusal; and noted that good high quality HMOs in sustainable locations were an asset to the city.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

1. approve application 18/02320/FUL for the reasons given in the report and subject to the required 3 planning conditions set out in section 12 of the report and grant planning permission; and
2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

72. 18/02253/FUL - 29 Williamson Way OX4 4TT

The Committee considered an application for the change of use of a dwellinghouse (Use Class C3) to a House of Multiple Occupation (Use Class C4) at 29 Williamson Way, Oxford, OX4 4TT.

The Planning Officer reported amendments to paragraph 8.1 of the report:

- replace National Planning Policy Framework numbers with

Design	12	7
Housing	5	6
Social and community		8 (unchanged)
Transport	9, para 109	4, para 109
Environmental	14	10
Miscellaneous	5	

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

1. approve application 18/02253/FUL for the reasons given in the report and subject to the required 3 planning conditions and 3 informatives set out in section 12 of the report and grant planning permission; and

2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

73. 18/02287/CT3 - 49 Dashwood Road Oxford Oxfordshire OX4 4SH

The Committee considered an application for planning permission for the erection of a two storey rear extension at 49 Dashwood Road, Oxford, OX4 4SH.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation.

East Area Planning Committee resolved to:

1. approve application 18/02287/CT3 for the reasons given in the report and subject to the required 4 planning conditions set out in section 12 of the report and grant planning permission; and
2. delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

74. Minutes

The Committee resolved to approve the minutes of the meeting held on 7 November as a true and accurate record, subject to correcting:

Minute 58:

Christopher Gasson a ~~local resident~~ **(having expressed an interest in using the office space)** spoke against the application.

75. Forthcoming applications

The Committee noted the list of applications.

76. Dates of future meetings

The Committee noted the dates.

The meeting started at 6.00 pm and ended at 8.00 pm

Chair

Date: Wednesday 16 January 2019

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