

Agenda

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West Area Planning Committee

Date: **Tuesday 14 November 2017**

Time: **6.00 pm**

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

For any further information please contact the Committee Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

Email: democraticservices@oxford.gov.uk

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

West Area Planning Committee

Membership

Chair	Councillor Louise Upton	North;
Vice-Chair	Councillor Colin Cook	Jericho and Osney;
	Councillor Jamila Begum Azad	St. Clement's;
	Councillor Jean Fooks	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Dan Iley-Williamson	Holywell;
	Councillor Tom Landell Mills	St. Margaret's;
	Councillor Jennifer Pegg	Northfield Brook;
	Councillor Bob Price	Hinksey Park;

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

Copies of this agenda

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

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

AGENDA

Pages

- | | | |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Apologies for absence and substitutions | |
| 2 | Declarations of interest | |
| 3 | 17/02378/FUL: Land Adjacent St James Row, Grove Street, Oxford | 11 - 26 |
| | Site address: | Land adjacent St James Row, Grove Street, Oxford |
| | Proposal: | Erection of a part single, part two storey 1 x 3-bed dwellinghouse (Use Class C3). Provision of off street parking and bin and cycle storage. |
| | Recommendation: | |
| | The West Area Planning Committee is recommended to: | |
| | (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission | |
| | (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to: | |
| | 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary | |
| 4 | 17/00931/FUL: 40 St Thomas Street Oxford OX1 1JP | 27 - 48 |
| | Site address: | 40 St Thomas Street, Oxford, OX1 1JP |
| | Proposal: | Demolition of existing building. Erection of three storey building to provide 3 x 2-bed flats (Use Class C3). |
| | Recommendation: | |
| | The West Area Planning Committee is recommended to: | |
| | (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to: | |
| | 1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which | |

are set out in this report; and

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

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

5 17/02280/VAR - Land To The Rear Of 200 Woodstock Road, Oxford, OX2 7NH

49 - 60

Site address: Land to the rear of 200 Woodstock Road, Oxford, OX2 7NH

Proposal: Variation of condition 2 (Develop in accordance with approved plans) of planning permission 16/00147/FUL (Erection of 1 x 3 bedroom dwellinghouse (Use Class C3). Erection of garage. Provision of car parking space, private amenity space, bin and cycle storage (amended plans)) to allow for an extension to the basement area. (Amended plans and description)

Recommendation:

The West Area Planning Committee is recommended to:

- (a) **approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission;**
- (b) **agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.**

6 17/02065/FUL: 92 Kingston Road Oxford OX2 6RL

61 - 72

Site address: 92 Kingston Road, Oxford, OX2 6RL

Proposal: Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupancy (Use Class C4).

Recommendation:

The West Area Planning Committee is recommended to:

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

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

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

7 Minutes

To approve as a true and accurate record the minutes of the meeting held on 31 October 2017.

The Minutes will be published as a supplement to this agenda.

8 Forthcoming applications

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting.

Application	Reason
Chiltern Line - East West Rail link - all applications	
17/00860/FUL: Greyfriars Court, Paradise Square, Oxford, OX1 1BE	Major application
16/02745/CT3: Seacourt Park And Ride, Botley Road, Oxford	Major application - Council application. Awaiting planning addendum. Will be subject to consultation before coming to WAPC. Possible consideration autumn 2017.
15/03524/FUL: Oxford Spires Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	Major application - awaiting response from applicant
16/01220/FUL: 16 Northmoor Road, Oxford, OX2 6UP	Called in by Cllrs Wade, Goff, Fooks and Landell Mills. Linked to determination of

	17/00758/FUL
16/01221/FUL: 16 Northmoor Road, Oxford, OX2 6UP	Called in by Cllrs Wade, Goff, Fooks and Landell Mills. Linked to determination of 17/00758/FUL
17/01965/FUL: 22 Charlbury Road Oxford OX2 6UU	Called in by Cllr Wade, Cllr Fooks, Cllr Goff and Cllr Wilkinson
17/02229/FUL: 12 Crick Road, Oxford, OX2 6QL	
17/02519/VAR: The University Club, 11 Mansfield Road, Oxford, OX1 3SZ	
17/02537/FUL: St Hilda's College, Cowley Place, Oxford, OX4 1DY	
17/02495/RES: Westgate Development Site Westgate Shopping Centre, Bonn Square, Oxford, OX1 1NX	

9 Dates of future meetings

The Committee will meet at 6.00pm on the following dates:

2017	2018
12 December 2017	16 January 2018
	21 February 2018
	13 March 2018
	10 April 2018
	21 May 2018
	12 June 2018

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Code of practice for dealing with planning applications at area planning committees and planning review committee

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;
 - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
 - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

Preparation of Planning Policy documents – Public Meetings

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

7. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

8. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
9. The Council asks those recording the meeting:
 - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
 - To avoid recording members of the public present unless they are addressing the meeting.

Meeting Etiquette

10. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.
11. Members should not:
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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

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WEST AREA PLANNING COMMITTEE

14th November 2017

Application Number: 17/02378/FUL

Decision Due by: 9th November 2017

Extension of Time: To be agreed

Proposal: Erection of a part single, part two storey 1 x 3-bed dwellinghouse (Use Class C3). Provision of off street parking and bin and cycle storage.

Site Address: Land Adjacent St James Row, Grove Street, Oxford, Oxfordshire

Ward: Summertown Ward

Case Officer Tobias Fett

Agent: Mr Nick Turner **Applicant:** Mr J Watkins

Reason at Committee: Cllrs Fooks, Wilkinson, Wade, and Goddard called this application in due to concerns about the design of the scheme and use of materials.

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a contemporary three bedroom house on a prominent brown field corner plot within a residential area. The proposals include the provision of car parking and private amenity space.

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

- Principle of development;

- Design;
- Trees;
- Transport

2.3. It is considered that the proposal is acceptable as it conforms to local and national planning policy.

3. LEGAL AGREEMENT

3.1. This application would not require a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL at a charge of £18,411.63.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Summertown ward on a currently vacant corner plot at the junction of Grove Street and Middle Way. The site was previously part of Grove House social club, which has now been redeveloped into a single family dwelling. Grove House is a three storey townhouse attached to small row of terraced houses. Grove House has a dominant impact in the streetscene but also acts a bookend to the terrace with the application site in front of it.

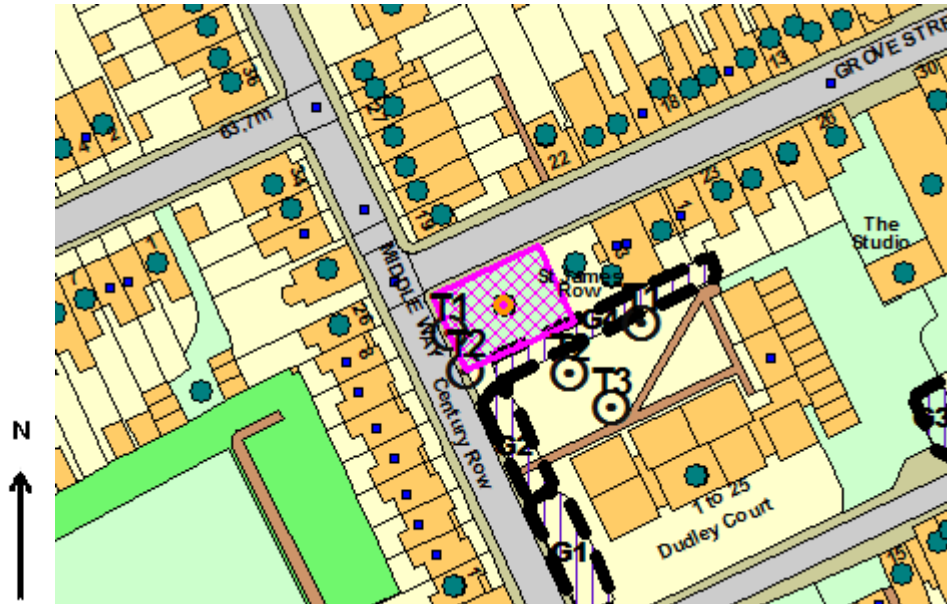
5.2. To the south of the site is Dudeley Court, which consists of blocks of flats with single pitched roofs and separated from the application site by a communal garden space.

5.3. There is a great mix of architectural styles in the vicinity of the site, with recent three storey development at Century Row to the south-west of the application site which is a contemporary take on the terraced housing with integral garages. Neighbouring Century Row is Summertown Pavillion, a tall three storey flat roofed commercial building.

5.4. Further north in Middle Way a mix of terraced and detached house of varying styles can also be found. The properties typically benefit from small front gardens and there is some variation in the building line.

5.5. The application site contains trees that are subject to a Tree Preservation Order (TPO) on the Middle Way frontage.

5.6. Site Location Plan



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of a contemporary detached three bedroom family dwelling with associated garden and a parking space. The proposed dwelling would have some areas of flat roof and some areas of monopitch roof. The proposed building would be constructed from textured render and copper cladding. The existing wall around the application site facing Middle Way would be continued around Grove Street; whilst the proposed building would address Grove Street it would be partially obscured by the proposed wall. The proposed building would have a significantly lower overall height than Grove House and would be lower than the nearby terraces in Grove Street also. An existing access onto Middle Way would be retained with car parking provided for a single car. The proposals include a new pedestrian entrance onto Grove Street. The proposed development would benefit from a private garden space between the new dwelling and Middle Way; covered cycle storage is proposed in the garden of the new dwelling. The existing trees (which are subject to a TPO) would be retained.

7. RELEVANT PLANNING HISTORY

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

13/02144/FUL - Erection of 1 x 4 bed dwelling house (Class C3). Erection of boundary wall and provision of associated vehicle parking and landscaping..
REF 17th October 2013.

13/03090/TPO - 2No. yew trees located at the extreme western end of the site, adjacent to a brick wall, excavate roots using "tree friendly" methods including air spade and hand digging under professional arboricultural supervision a trench to

a maximum of 0.5 metre depth across the site. The work will also explore the extent of rooting between the trench and the trees themselves as explained in the attached method statement. Identified as T1 and T2 on the OCC - Grove Street (No. 1) Tree Preservation Order 2010.. REF 19th December 2013.

14/03532/FUL - Erection of 1 x 4 bed dwelling house (Use Class C3). Erection of boundary wall and provision of associated vehicle parking and landscaping.. REF 9th March 2015.

15/00229/TPO - Prune 2no. Yew trees as identified in the Oxford City Council - Grove Street (No. 1) Tree Preservation Order 2010. PER 17th March 2015.

17/01583/FUL - Erection of a part single, part two storey building to create 1 x 3-bed dwellinghouse (Use Class C3). Provision of off street parking and bin and cycle storage.. WDN 10th August 2017.

17/02378/FUL - Erection of a part single, part two storey 1 x 3-bed dwellinghouse (Use Class C3). Provision of off street parking and bin and cycle storage.. PDE .

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	Paragraphs 56, 57	CP1, CP8, CP9,	CS18_,	HP9_,	
Conservation/ Heritage					
Housing	Paragraph 14	CP6, CP10,		HP12, HP13, HP14,	
Commercial	1				
Natural Environment	Paragraph 14				

Social and community	8		CS19_,		
Transport	4	TR13,		HP15_, HP16_,	Parking Standards SPD
Environmental	10	CP11, NE15, NE16,	CS11_,	HP11_,	Energy Statement TAN
Misc	5	CP.13,		MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 11th October 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. The highways authority has no objection, subject to the imposition of conditions for details of the cycle storage solution and removal of eligibility for parking permits.

Public representations

9.3. Three local people commented on this application from addresses in Grove Street and Middle Way.

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

- Design of dwelling, choice of materials
- Use of site

Officer Response

9.4. The design concerns are addressed in the officer report. The community use of the site has ceased with the redevelopment of the main clubhouse. It is also considered that the site lies in close proximity to Summertown where there are a range of community facilities. The site is considered to be largely made up of previously developed land and given it is in a highly sustainable location it is recommended that this would be an acceptable location for a new dwelling.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;

- ii. Design;
- iii. Living conditions
- iv. Transport
- v. Trees
- vi. Flooding, Sustainability
- vii. Community Safety

i. Principle of Development

10.2. The site is completely surrounded by residential uses in a sustainable location within close walking distance of Summertown District Centre. The application site would be considered to be previously developed land which is required to be the focus of new development as required by Policy CS2 of the Core Strategy (2011) and the NPPF. The site was formerly used as an outdoor space that formed an ancillary part of the club at Grove House; Grove House has subsequently been converted into a dwelling and so this outdoor space was no longer required as a result the proposals would not result in the loss of a community facility and complies with the requirements of Policy CS20 of the Core Strategy (2011). The proposed scheme is considered the most appropriate use and scale for the site and would make more efficient use of the land which is supported in principle by Policy CP6 of the Oxford Local Plan 2001-2016.

ii. Design and Impact on Character of Surrounding Area

Siting & Layout

- 10.3. The proposed development would take place on a corner plot, which is occupied by some TPO trees on the eastern edge, along Middle Way. Therefore the dwelling house would be situated on the western half, set back from Grove Street, and screened by a wall.
- 10.4. There would be one car parking space accessed from Middle Way and a cycle shed located behind the wall under the trees.
- 10.5. The garden space would occupy the eastern part of the site, under and near the protected trees, with a patio area towards the northern boundary.

Appearance

- 10.6. The proposed dwelling would be set back from the Grove Street and screened by a wall. The modest two storey dwelling would be sufficiently set within the plot to be identified as a separate detached dwelling within the street scene. The proposed contemporary design would add visual interest to the street scene, but would not dominate as it would be partially screened by the boundary treatment of existing and proposed walls and gates.
- 10.7. The dwelling would not be prominent due to its location within the plot, but provide high urban design qualities from views along Middle Way and further down Grove Street due to innovative use of materials.

- 10.8. The proposed mainly flat roof is considered acceptable, as this reduces the scale, and visual impact of the dwelling. There is a small sloping roof form that will help add interest to the other flat roof section.

Materials

- 10.9. The ground floor would be largely covered with textured render, reminiscent of neighbouring Grove House. The upper floor will be clad in copper, which would provide visual interest with a contrast to the textured render. Glazing would be contemporary throughout, with larger windows on the southwest elevation, and on the upper level on the northwest elevation, and small amount of window openings on the other two elevations.
- 10.10. The roof would be covered with grey roofing membrane and copper rainwater goods.

Internal & External Spaces

- 10.11. The scheme proposes generous internal living accommodation, meeting national standards as well as direct access to a substantial private garden, as well as space for bin and cycle storage. The proposals would provide an acceptable level of accessibility and access to light and ventilation. As a result, officers consider that the proposed development would meet the requirements of Policy CP13 of the Oxford Local Plan 2001-2016 and Policies HP2 and HP12 of the Sites and Housing Plan (2013).
- 10.12. The proposed development would benefit from its own private garden area that would be acceptable in terms of the quality and quantity of space provided for a family home. The development therefore complies with the requirements of Policy HP13 of the Sites and Housing Plan (2013).

Design Conclusion

- 10.13. Overall the proposed design is considered welcome different addition to the area. Despite the contemporary choice of materials and design, officers consider the design to be appropriate due to the thoughtful siting, scale and massing. The contrasting materials will enable the dwelling to be clearly identified as a new addition.
- 10.14. The proposal has to be part of Grove Street due to the TPO trees on the Middle Way elevation which would screen it from that road. The proposed development therefore addresses Grove Street. Furthermore as Grove House has bookended the terrace in Grove Street, the application site cannot accommodate a full terrace, and therefore it is considered appropriate to create a detached building, which relates to Grove House by the introduction of continued brick wall, behind which the lower two storey house would sit.
- 10.15. The application site is fairly constrained because of trees and the overall depth of the site from Grove Street. In addition to this it is important the overall bulk at roof level is not increased and outbuildings are not built in the garden that could

damage tree roots. As a result it is recommended that a condition is included that would remove permitted development rights for extensions, dormers, rooflights, porches and outbuildings to ensure that there are no adverse impacts.

- 10.16. Due to the context as described above and the varied siting, scale and appearance of surrounding properties the choice of a contemporary modest landmark building is considered an acceptable approach, and represents high quality design that is in accordance with CP1, CP8 and CP10 of the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan

iii. Living conditions

Privacy

- 10.17. The proposed building would be set in from all the boundaries surrounding the application site. The nearest neighbouring dwelling is to the west of the site, Grove House. There would be one obscured glazed landing window facing the Grove House side elevation and their garden, which would not cause unacceptable harm. The rear elevation of the proposed dwelling would have one obscured glazed window towards the boundary and a shared open space associated with the block of flats at Dudley Court. There is no harm to privacy for those neighbours as a result of this relationship between properties and having had regard to the proposed windows. The proposal meets the requirements of the 45/25 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013).

Overbearing

- 10.18. The proposed dwelling would be set in from the boundaries of the site. The second storey is partially set back from the neighbouring elevations as well as the building being set back from the road frontages, and therefore the development would not be overbearing. The design, due its modest size, scale and mass would also ensure that the proposed dwelling would not be overbearing. The dwelling would be screened by a wall, which would have an access opening onto Grove Street. The wall would form an extension of existing walls on the site and therefore retain some features of the existing characteristics of the plot.

iv. Transport

Transport Sustainability

- 10.19. The proposed development would provide a single car parking space for a three bedroom dwellinghouse. Whilst this is below the normally provided two car parking space that would be provided for a three bedroom dwelling it is considered that the proposed development would be in a location close to existing shops and services in Summertown as well as good access to public transport (bus stops on Banbury and Woodstock Roads). As a result, the

development would provide an acceptable amount of car parking but it would be necessary to impose a condition to remove eligibility for residents permits for occupiers so that the development would not lead to increased on-street parking. The highway authority have commented and raised no objection subject to the condition suggested above. As a result, the development would comply with the requirements of Policy HP16 of the Sites and Housing Plan (2013).

Cycle Parking

- 10.20. The proposals include the provision of a cycle shed for four cycles. The details of which can be requested by condition. The cycle store would need to be secure and covered. Subject to the condition the proposals would be acceptable and in accordance with Policy HP15 of The Sites and Housing Plan.

Refuse, Delivery and Servicing Arrangements

- 10.21. The proposal allocates a space for bin storage near the entrance from Grove Street, which is considered practical and acceptable. The proposed refuse area would be screened by the wall that is proposed between the dwelling and Grove Street. The proposal is therefore considered acceptable for the purposes of Policy HP13 of the Sites and Housing Plan (2013).

v. Trees

- 10.22. The proposal has due regard to the Council's adopted Local Plan Policies ,CP1, CP11, NE15 and NE16. In the context of the site's protected trees the proposals would be considered to be set at an acceptable distance from the two TPO protected yew trees, which stand on the western boundary with Middle Way. A bicycle store is proposed in the north-western corner of the site which is within the Root Protection Area (RPA) of one of the trees; this presents a potential risk to the root system (and health) of the tree, but this risk can be controlled under a specific conditions requiring details of the structure and its installation. Officers recommend that the development would therefore have an acceptable impact on trees subject to conditions.

vi. Flooding, Sustainability

- 10.23. The site is within flood zone one and at low risk from flooding. No details of the proposed drainage system have been submitted for assessment. Despite the proposals involving building on existing permeable ground there would be some areas of garden retained around the building which would ensure that there would not be an unacceptable adverse impact on surface water drainage. It is recommended that a condition is required to ensure that a drainage plan is provided in order that the development complies with the requirements of Policy CS11 of the Core Strategy (2011).

vii. Community Safety

10.24. The proposal will redevelop a disused and derelict plot within an otherwise attractive residential area. Currently some temporary fencing and parking dominates the site. The erection of a family dwelling will improve activity around this corner, provide surveillance and will decrease the opportunity of crime and the fear of crime drastically. The proposal therefore fulfils requirements of Policy CS19 of the Core Strategy.

11. CONCLUSION

11.1. The proposal for a high quality contemporary dwelling house will provide much needed housing in a sustainable location and will add some interest to the streetscene through a discretely and carefully considered contemporary building. Good quality design, living conditions and the retention of trees make the proposal acceptable in the context of the Council's adopted policies.

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

12. CONDITIONS

CONDITIONS/REASONS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 8 Before the development permitted is commenced 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.

- 9 Before the development permitted is brought into use the areas for parking and manoeuvring of vehicles and cycles shall be constructed and laid out in accordance with the approved plans and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016.

- 10 The development hereby permitted shall not be occupied until the Order governing parking at Grove Street/Middle Way has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

- 11 Prior to commencement of development, details of the proposed drainage scheme shall be submitted to the LPA for their approval. The drainage scheme is to be designed by a suitable qualified and experienced civil engineer. All parts of the developments which increase the size of the hard areas must be drained using Sustainable Drainage measures, including porous pavements, and are to be designed to decrease the run off to greenfield rates from the 1 in 1 year storm event up to and including the 1 in 100 year storm event plus climate change. Soakage tests are to be submitted to prove the effectiveness of soakaways or filter trenches. Where infiltration is not feasible (as determined by a soakage test) surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to the development using appropriate Sustainable Drainage (SuDs) measures. Plans, soakage tests, calculations, and details demonstrating the surface water run off can be adequately reduced to greenfield/predeveloped runoff rates shall be submitted to the LPA for approval.

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

- 12 Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained and maintained.

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

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

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

INFORMATIVES :-

- 1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
- 2 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
- 3 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

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

- 4 In order to meet the requirements of the condition to vary the order governing parking as set out above, you are advised to contact:

Environmental Services,
Oxfordshire County Council,
Speedwell House,
Speedwell Street,
Oxford,
OX1 1NE

01865 815857

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 refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of

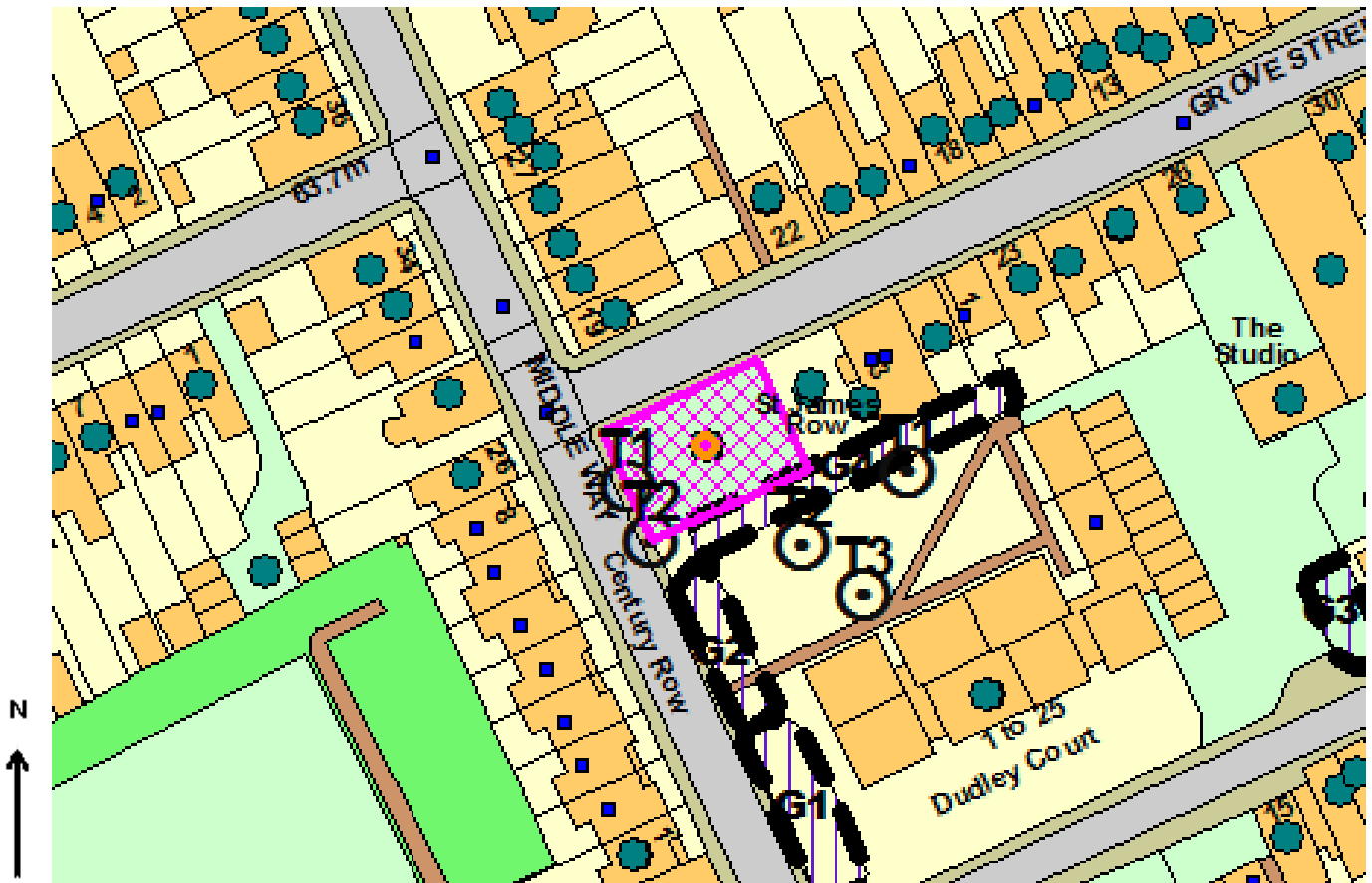
Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

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

Appendix 1

Land Adjacent St James Row, Grove Street – 17/02378/FUL



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WEST AREA PLANNING COMMITTEE

14th November 2017

Application Number: 17/00931/FUL

Decision Due by: 6th June 2017

Extension of Time: 21st November 2017

Proposal: Demolition of existing building. Erection of three storey building to provide 3 x 2-bed flats (Use Class C3). (amended plans)

Site Address: 40 St Thomas Street, Oxford, OX1 1JP,

Ward: Carfax Ward

Case Officer Robert Fowler

Agent: Mr Alex Cresswell **Applicant:** RHHS Repository Limited

Reason at Committee: Called in by Councillors Cook, Fry, Brown, Price, Kennedy and Sinclair because of the site's close proximity to the listed St Thomas the Martyr's Church.

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

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

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

2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where

appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers an application to demolish an existing nursery and erect a three storey building to contain three two bedroom flats. The proposals would be acceptable in principle having had regard to the re-provision of the nursery on an adjacent site which is proposed as part of the application and can be secured by legal agreement. The proposed design of the building would be acceptable having had regard to its scale, mass and bulk. The choice of materials for the proposed development would be acceptable, subject to conditions requiring samples to be submitted. The living conditions provided within the units would be acceptable and it should be noted that all units would provide accessible accommodation. The proposed development would have an acceptable impact on the streetscene and on the setting of adjacent listed buildings. Existing trees along the boundary would be retained and landscaping can be adequately addressed by condition. The proposed development would not lead to an unacceptable impact on neighbouring amenity.

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

- Principle of development;
- Design;
- Impact on neighbours;
- Trees and landscaping
- Access and parking
- Flooding and surface water drainage
- Biodiversity

3. LEGAL AGREEMENT

3.1. This application would require a legal agreement to deal with the re-provision of the nursery on the adjacent site. Details relating to this matter are set out in Paragraph 10.3 of this report.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

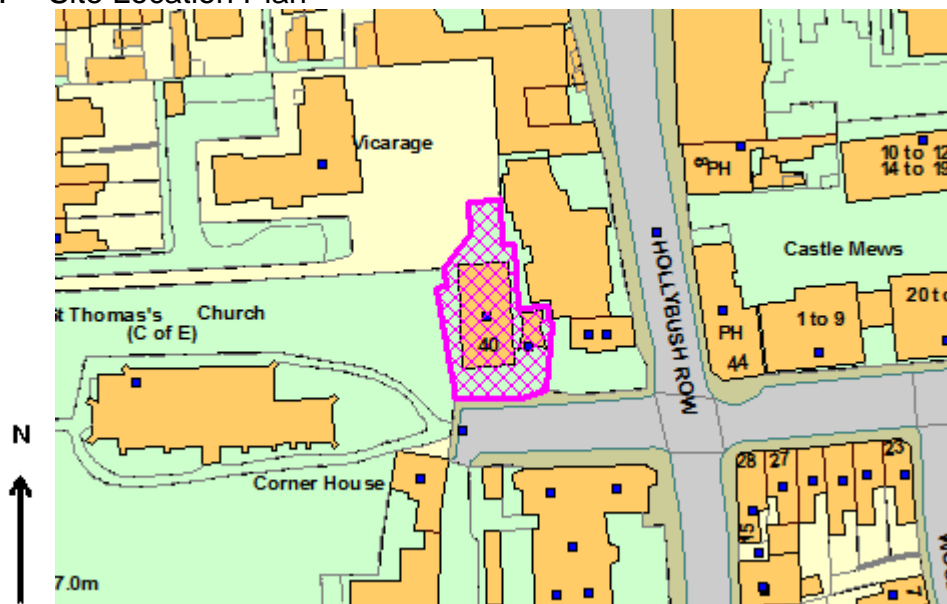
4.1. The proposal is liable for CIL with a total cost of £11,492.15.

5. SITE AND SURROUNDINGS

5.1. The application site is at the end of St Thomas Street adjacent to the Church of St Thomas the Martyr, Hollybush Lodge and Coomb House (a former schoolhouse), these buildings are Grade II listed buildings. At the rear of the site is student accommodation (built for Brasenose College) and the vicarage for St Thomas' Church (a Grade II listed building). There is a wall in front of Hollybush

Lodge that is also listed in its own right (Grade II). To the south of the application site there is a three storey brick built modern apartment building.

- 5.2. The application site itself contains a two storey 1970s building that is in use as a nursery (Use Class D1). The building itself has a low pitched roof and is clad with tiles; there is a large external staircase at the front of the building and a canopy that covers the adjacent small playground area at the front. The boundary at the front of the building is a low natural stone wall; there are some shrubs and trees along the western boundary of the site and at the northern end of the site.
- 5.3. The area around the application site is characterised by a mix of uses and properties. Despite its central location it retains a peaceful and pleasant character which contributes positively to the setting of listed buildings (particularly Church and Coombe House). In a wider context the application site and its immediate surroundings form an interesting group of buildings in an area that would have once have been the western edge of the historic core of the City. Although this part of St Thomas Street is cut by Hollybush Row the site retains medieval walls and walking from the adjacent churchyard along St Thomas Street (towards the Castle and City Centre) there are clear remnants that point to the historic development of the City. This context is particularly important when considering views into and around the application site.
- 5.4. The application site lies outside of the Central (University and City) Conservation Area.
- 5.5. Site Location Plan



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6. PROPOSAL

- 6.1. Planning permission is sought to demolish the existing building on the site and erect a three storey (plus basement level) building to contain three two bedroom

flats. The proposed building would have several pitched roof sections and a blank gable facing St Thomas Street. Balconies are proposed on the north and west elevations and a small private garden is proposed at the rear. At the front of the building a single disabled parking space is proposed along with a shared courtyard garden, cycle storage and refuse and recycling storage.

7. RELEVANT PLANNING HISTORY

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

02/01769/CC3 - Renewal of consent from the Pratten Building as a day nursery for staff members of Oxford City Council and Oxfordshire County Council for a temporary period of 5 years (Renewal of application No. 97/1496/DT).. RNCPER 27th November 2002.

76/00418/D_H - Renewal of temporary consent for use of Pratten Building as County Council offices.. TEM 13th May 1976.

84/00554/DT - Retention and continued use of Pratten Building as County Council offices (Renewal of D418/76). TEM 13th June 1984.

86/00322/DF - Change of use from office accommodation to NALGO creche, including provision of vehicular turning area. PER 18th July 1986.

92/00107/DT - Retention and continued use of prefabricated building as NALGO Creche (Renewal of DF-/0322/86). TEM 8th April 1992.

97/01496/DT - Retention and continued use as a day nursery. (Renewal of DT/107/92). RNO 30th October 1997.

10/00522/FUL - Installation of 8M x 5M shade sail.. PER 6th May 2010.

15/02403/FUL - Retention of existing use as a day nursery (Use Class D1) on a permanent basis.
. PER 5th October 2015.

16/02293/FUL - Demolition of existing building. Erection of a part two, part three storey building with basement to provide 1 x 2-bed and 8 x 1-bed apartments.(Amended plans). WDN 14th March 2017.

17/00858/FUL - Demolition of existing building. Erection of three storey building plus basement to provide 8 x 1-bed flats and 1 x 2-bed flats (Use Class C3).. REF 20th June 2017.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	Paragraphs 56, 57	CP1, CP6, CP8, CP10, CP11, CP13	CS2, CS18	HP12, HP13	West End Area Action Plan
Conservation/Heritage	Paragraphs 128, 132, 134, 135 and 139				
Housing	Paragraph 14				
Natural Environment		NE15	CS11, CS12		
Social and community	Paragraph 70		CS20, CS23	HP14	
Transport				HP15, HP16	Parking Standards SPD
Environmental		CP19, CP20, CP22	CS9	HP11	Energy Statement TAN
Misc	Paragraph 14	CP.13, CP.24, CP.25	CS17	MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th April 2017, a further site notice was displayed in relation to the amended plans on 6th October 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. Revised drawings have been submitted. It is noted that 1 disabled off-street car parking space is to be provided. No other off-street car parking spaces are to be

provided on-site. Policy HP16 of the Sites and Housing Plan states that all new flats within the Transport Central Area must be carfree. Therefore proposed flats must be excluded from eligibility for parking permits to enforce the car-free nature of this development. The application proposes a covered bike shed. The plans show cycle parking for 4 bikes. This is below the 6 required cycle parking spaces for 3 x 2-bed flats under Policy HP15 of the Sites and Housing Plan. Therefore the County Council does not object to the application subject to conditions to exclude occupiers from parking permits, provide space for six cycles to be stored prior to occupation and submit a Construction Traffic Management Plan.

Public representations

- 9.3. No public representations have been received.
- 9.4. Oxford Preservation Trust have objected to the application. They comment that the application site is in a sensitive location where the setting of nearby listed buildings needs to be carefully considered. They have commented that they consider the amended plans to be an improvement on the original scheme they raise concerns about the blank façade onto the street and the balconies facing towards the churchyard.
- 9.5. Oxfordshire Architectural and Historical Society have commented on the application and raised concerns about the impact on the stone wall at the front. They have requested that the stone wall should be preserved.

Officer Response

- 9.6. The highways comments have been addressed in the officer report and the recommended conditions are included as part of the officer recommendation. The concerns raised by Oxford Preservation Trust have been considered as part of the officer recommendation; the amended plans were specifically sought because of the sensitivity of the site and the impact of the development on the setting of listed buildings. The issue of the stone boundary wall raised by the Oxford Architectural and Historical Society can be resolved by including a condition with any grant of planning permission to require the wall to be retained.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:
- i. Principle of development;
 - ii. Design;
 - iii. Impact on Setting of Listed Buildings
 - iv. Impact on neighbours
 - v. Access and Parking
 - vi. Flooding and Surface Water Drainage

i. Principle of Development

Location of Development

- 10.2. The application site lies within the City Centre as defined in Policy CS1 of the Oxford Core Strategy (2011). City Centre sites are considered suitable for a range of uses and high density development, subject to the need to protect and enhance the character and setting of Oxford's historic core and to deliver high quality public realm. The application site is considered to constitute previously developed land for the purposes of the National Planning Policy Framework (NPPF) and Policy CS2 of the Core Strategy; previously developed land should be the main focus of development subject to design and other considerations. The proposed development would involve increasing the efficient use of land by providing a more high density use on the site; this approach is generally supported by Policy CP6 of the Oxford Local Plan 2001-2016. As a result, officers recommend that the proposed development is acceptable in terms of the location of the development and the requirements of Policy CS1 and CS2 of the Core Strategy (2011).

Loss of Community Facility

- 10.3. The existing building is in use as a nursery which is considered to be a community facility for the purposes of Policy CS20 of the Core Strategy (2011). The policy requires that such facilities can only be lost if equivalent new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport. Part of the application proposes the relocation of the existing nursery to a building that falls within the ownership of the church. Planning permission has recently been granted for the alterations to the Galilee Rooms (which lies opposite the application site on St Thomas' Street) (reference 16/03318/FUL and 16/03319/LBC). The applicant has indicated that they would be willing to enter into a legal agreement to ensure that the nursery is re-provided; on this basis Officers recommend that the development would be satisfactory as it would not result in the loss of the community facility. As a result, officers recommend that the proposals meet the requirements of Policy CS20 of the Core Strategy (2011) subject to the satisfactory completion of the legal agreement prior to the decision being issued.

West End Area Action Plan

- 10.4. The application site lies within the West End Area Action Plan (AAP) area. The application site is not identified for any specific uses within the AAP and the development proposed would not prejudice any specific redevelopment sites that are identified.

Affordable Housing

- 10.5. An affordable housing contribution is not required as the development proposes less than four dwellings. Despite these proposals being for a development of less than four dwellings, Officers have considered whether the site has the capacity for four dwellings. Policy HP4 which deals with affordable housing contributions

for small sites relates to the capacity of the site (rather than the number of dwellings proposed as part of the scheme). Whilst there have been proposals on the site for larger numbers of dwellings that exceed the threshold for an affordable housing contributions these schemes have not been acceptable (and have been withdrawn). Officers consider that this is a sensitive site where it would not be possible to provide a higher density of development and it is unlikely that the site could accommodate four or more dwellings.

ii. Design and Impact on Character of Surrounding Area

Streetscene and Visual Appearance

- 10.6. The proposed development would create a building with a slightly greater overall bulk than the existing building. However, it is considered that the proposed development has been carefully designed to reduce that bulk and visual mass as viewed from the streetscene and the wider context (including the churchyard of St Thomas the Martyr Church). Whilst the existing building on the site has little architectural merit it is discrete in terms of its siting and mass and this does ensure that it does not dominate the setting of the adjacent listed buildings (particularly the Church and Coomb House). The proposed building would emulate some of the existing building's successes in terms of its lack of dominance by being set back behind the existing boundary wall and by having a relatively narrow frontage and visual presence in the streetscene.
- 10.7. Further to the above, the form of the building is particularly important in terms of reducing the visual mass of the building in the streetscene and both ensuring that it does not dominate the setting of the listed buildings and forms an addition to the built environment which responds to the character and context of the area. The proposed building would have a front façade that would appear as a series of gables that are each set at different distances from the street. This would reduce the visual bulk of the building and break up the façade. The proposed gables would also respond to the context of the area as gables address the streetscene on a number of nearby buildings including most importantly the adjacent church. As a result, the proposed development would have a form that would be complementary to the adjacent listed buildings whilst also addressing the need to not dominate or harm the setting of the Listed Buildings.
- 10.8. It is important to note that the proposals have changed significantly since they were originally submitted and whilst the overall number of dwellings proposed has not changed there have been changes to the form of the building and particularly the treatment of the front façade. Officers have had several meetings with the agent and applicant to facilitate these changes which have also involved the Council's Conservation and Design specialists. The approach that has been adopted is considered to be high quality and whilst the proposed blank gable to the streetscene is a bold architectural statement it is justified in terms of the impact that this has in the context by decreasing the prominence of the building and ensuring this façade is visually recessive. Significant consideration of the blank gable took place when seeking amended plans and it was suggested as an improvement over a more busy elevation.

- 10.9. In addition to responding carefully to the context of the application site officers recommend that the proposed development would represent high quality contemporary design.
- 10.10. The existing natural stone boundary wall is an important feature of the site. This is a fragment of the original streetscape but also forms an important continuation of the boundaries around the Church and Coomb House. This point has been raised as part of the comments to the planning application. The proposed development would retain this feature with some restoration. A condition is included in the officer recommendation that would require the stone boundary wall to be retained with details or restoration (including materials) being submitted prior to commencement of the development.
- 10.11. Officers recommend that the proposed development would be acceptable in terms of its design having had regard to the context and the impact on the streetscene. It is considered that the proposed development would meet the requirements of high quality design as required by Policies CP1, CP6 and CP8 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

Trees and Landscaping

- 10.12. The trees around the edge of the site lie outside of the application site boundary but the canopies from these trees would have an impact on the amenity spaces at the rear and during the construction phase of the development. An arboricultural assessment was submitted with the originally submitted application but this requires updating following the changes made to the application. Officers recommend that this would be acceptable subject to conditions to ensure updated information is provided. It is noted that there would be some shading from existing trees along the boundary which could present an issue for occupiers of the flats and the management of the site. Officers recommend that specific conditions are included to ensure that the development would not have an adverse impact on trees, including tree protection measures and measures requiring additional detail for hard surfaces to ensure they do not impact on tree roots.
- 10.13. The proposed landscaping would be acceptable in the indicative areas shown. Officers recommend that if planning permission is granted then additional details relating to the number and species of planting to be required should be included as a condition in order that the proposals meet the requirements of Policy CP11 of the Oxford Local Plan 2001-2016.

Materials

- 10.14. The proposed development would be constructed from a mixture of titanium zinc cladding and stone cladding. The use of this mix both responds to the existing context of the site (particularly the pale stone of the Church and Coomb House but also the adjacent flats and Hollybush Lodge). The blend of materials and their use on the elevations would further break up the façade, this would be particularly effective on the elevation facing the Churchyard which would reduce

the visual mass of the development and ensure that the new building would not have a dominant impact on that space (which is an important setting for the Church). Officers recommend a condition requiring the submission of samples of external materials prior to the commencement of the development to ensure that they are satisfactory with specific consideration for the sensitive nature of the site.

Internal space

- 10.15. The proposed development would provide an acceptable amount of internal floorspace that would meet the requirements of the national space standards. Officers also consider that the proposed development would provide an acceptable quality of internal floorspace and is acceptable for the purposes of Policy HP12 of the Sites and Housing Plan (2013).
- 10.16. The proposed development would have a sensible internal layout which would make the flats suitable for people with reduced mobility. All flats would benefit from access to a lift accessed from the shared entrance area. As a result, Officers consider that the development would meet the requirements of Policy HP2 of the Sites and Housing Plan (2013) and Policy CP13 of the Oxford Local Plan 2001-2016.

Outdoor Amenity Space

- 10.17. The proposed ground floor flat would benefit from a small garden at the rear of the site. Officers consider that this space would be quite small and dark (having had regard to the trees to the north and west of the site, the canopies from these trees extend over onto the application site). However, having had regard to the size of the flat and likely number of occupiers it is considered that the amenity space would be acceptable. The upper floor flats would benefit from balconies on the north elevation and west elevation. The size of the balconies would be fairly limited but acceptable having had regard to the size of the flats; it is also argued that these flats would not likely be occupied by families. Officers have had regard to the quality of these amenity spaces and despite the fairly small size of the garden and balconies they would be a fairly quiet and pleasant environment because of the adjacent churchyard. There is a small front garden that is proposed adjacent to the proposed disabled parking space and shared cycle stores. This would provide a benefit in terms of a more welcoming entrance area as well as a shared ground floor space for the occupiers of the upper floor flats. Officers recommend that the development complies with the requirements of Policy HP13 of the Sites and Housing Plan (2013).

Refuse and Recycling Storage

- 10.18. The proposed development would have refuse and recycling storage provided at the front of the building. This would be screened by the wall at the front boundary. Officers recommend that if planning permission is granted for the development then conditions would be required to ensure that refuse and recycling bins are adequately screened by the boundary and that screening was provided prior to occupation.

iii. Impact on the Setting of Listed Buildings

10.19. The assessment of the design of the building addresses in part the impact on the setting of the listed buildings in the vicinity of the application site. Officers have already set out above that the building has been carefully designed to be a discrete addition to the streetscene and draw from the context in terms of the design (particularly in relation to the form of the building and the façade facing St Thomas Street). However, officers are mindful of the sensitive nature of the site and it is important to note the requirements of Paragraph 132 of the National Planning Policy Framework which requires that the harm to the setting of listed buildings must be assessed. A heritage impact assessment has been submitted with the application as part of the planning statement; despite the development having been amended since the submission of that statement the proposed scale of the building has not been significantly changed. The resulting conclusions are therefore still valid and it is set out in that statement:

There is considered to be no 'harm' to either the setting of the adjacent Hollybush Lodge or nearby St. Thomas Church or to the character of the area. The accompanying archaeological desk-based assessment finds that the only significant potential effect of the proposals upon a heritage asset is that which could arise to on site archaeology from construction works. This impact can however be properly offset by a programme of detailed archaeological assessment prior to construction.

10.20. Officers have carried out their own assessment of the development and considered the potential for harm to the setting of Listed Buildings (The Church of St Thomas the Martyr, Coombe House, The Vicarage, Hollybush Lodge and the wall outside of Hollybush Lodge all are Grade II Listed Buildings). The proposal would be bold in the context of a sensitive setting (as a piece of contemporary architecture), but would appear as a series of interlocking elements which would help to break down the overall building mass. Importantly, the relatively simple form of the front gable whilst making a definite contribution to the composition of the important view down St Thomas' Street from St Ebbes, with the distinctive east gable of St Thomas' Church at the end, would appear as a modern intervention, thus not intending to compete with the architecture of the church or indeed importantly with that of Coombe House, opposite the site but rather taking reference in the form (gable) and contributing a very plain element to the street. The more complex series of elements would be set back within the site, away from the important view down St Thomas' Street looking west, out of the Conservation Area (to the east of Hollybush Row) and towards the church.

10.21. The setting of the Church from the churchyard is an important consideration. The proposed west façade of the flats, overlooking the churchyard would be long, but broken down by the articulation of elements of the building and by the intention to apply varied façade treatments. The rhythm of windows and balconies would be consistent over the three storeys but the façade would be broken up by the presence of trees along this western boundary and at low level by the churchyard wall. This would soften the appearance of the building and ensure it would not dominate this space and detract from the Church.

- 10.22. The proposed east façade of the flats would be much less interesting in composition, but would be hidden behind neighbouring, modern development. The clear distinction in façade treatment between the two lower floors and the upper floors would serve to reduce the impression of the building's overall mass with the intention of creating a strong line at two-storeys, comparable to the more domestic scale of significant neighbours. This is a further success of the design in terms of not competing with adjacent listed buildings.
- 10.23. The strong, asymmetrical gable forms of the building's north façade would sit well back into the site away from its northern boundary and the setting of St Thomas' Vicarage (Grade II listed). The application of a darker façade treatment, synonymous with the building's roof would serve to allow the building to recede in the setting of this listed building. Existing vegetation along the north boundary would further protect and soften the impact on the setting of the Vicarage.
- 10.24. On the basis of the above and having had specific regard to the impact and level of visual intrusion that would arise from the proposals as well as views of the listed buildings Officers do not consider that harm would arise from the development. The development therefore complies with the requirements of Policy HE3 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy. Officers recommend that the proposed development would not result in harm to the significance of designated heritage assets as set out in Paragraph 132 of the NPPF.

iv. Impact on Neighbouring Amenity

Privacy

- 10.25. The proposed development has been carefully designed to ensure that it would not give rise to an adverse impact on the privacy of surrounding occupiers. The proposed development would not have windows facing into the adjacent flats. Screening is proposed on the balconies to also protect privacy of the neighbouring flats. The proposed development would not adversely impact on the privacy of the vicarage to the north-west of the application site and would also be screened by existing mature vegetation. The proposed balconies have been designed to attempt to provide each of the flats with some private amenity space.
- 10.26. The proposed development would have an acceptable impact on privacy and complies with the requirements of Policy CP1 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan (2013).

Overbearing and Impact on Sunlight/Daylight

- 10.27. The proposed development would not have an adverse impact on the light conditions for neighbouring occupiers. The width of the building and its height have been carefully designed to ensure that the development would not cause loss of light to the adjacent student flats; it should be noted that there is already some loss of light as a result of the existing building but the proposals would not

materially worsen this situation. As a result, the development complies with the requirements of the 45/25 degree code as set out in Policy HP14 of the Sites and Housing Plan (2013).

Noise and Disturbance

- 10.28. The proposed development would not result in increased noise and disturbance. There is already a nursery on the site where the activity is probably greater than residential use of the building. As a result the development would comply with the requirements of Policies CP1 and CP21 of the Oxford Local Plan 2001-2016.

v. Transport

Transport Sustainability and Access

- 10.29. The application site lies within the Transport Central Area (TCA) where we would normally require that new developments would be car free. The proposed development would be car free with the exception of a disabled car parking space. The application site is within easy walking distance of the City Centre and railway station and benefits from excellent access to other public transport connections (including the bus stops in Frideswide Square). As a result this is a highly sustainable location and the proposals to provide car free (except for disabled occupiers) would be acceptable in the context of Policy HP16 of the Sites and Housing Plan (2013). The highway authority have not objected to the proposals subject to conditions to exclude occupiers from residents permits, provide sufficient cycle parking and submit a Construction Traffic Management Plan; these conditions are included in the recommendation.
- 10.30. The proposed development would not impact on on-street parking for the local area because it would be car free. It is worth noting that the application site lies close to the station car park where visitors to the site could pay for public parking if required.
- 10.31. The proposals include bollards on the frontage in the location of the existing access. Officers recommend that a condition requiring the details and materials to be used for these bollards are submitted prior to commencement to ensure that their design is acceptable. The bollards would need to be removable to allow access by disabled vehicles.
- 10.32. A condition to ensure that the disabled car parking space is retained solely for the use of disabled occupiers is recommended as a condition.

Cycle Parking

- 10.33. The proposals include a covered cycle store adjacent to the entrance. This would be an ideal location as it would be partially overlooked by the adjacent flats as well as the building itself which would be beneficial in terms of security. The proposed cycle store would be shared by occupiers and there would be capacity to store six cycles in this store which would meet the requirements of Policy

vi. Sustainability and Energy

10.34. The proposed development would be built to maximise solar gain and whilst there are no proposals to provide solar panels (due to the built up surroundings and issues of shading) it is noted that the application details measures to ensure that the environmental performance of the building would be acceptable and meet the requirements of Policy HP11 of the Sites and Housing Plan (2013).

vii. Flooding

10.35. The application site does not lie in an area of high flood risk. A detailed drainage strategy has been provided with the application which would be acceptable in the context of Policy CS11 of the Core Strategy (2011). Details of drainage and measures to ensure that the development does not lead to an adverse impact on surface water drainage are included with the application. A condition is included with the recommendation to ensure that the development would be built in accordance with these details. Subject to the condition being included the development would meet the requirements of Policy CS11 of the Core Strategy (2011).

viii. Other

Biodiversity

10.36. The application site lies within an urbanised setting and it is considered that the existing building would not lend itself to occupation by bats. However, if planning permission is granted for the development then a condition would be required to ensure that biodiversity enhancements measures are provided in order that the development complies with the requirements of Policy CS12 of the Core Strategy (2011).

Archaeology

10.37. The site lies in an area where there is archaeological interest. If planning permission is granted then a condition could be required to ensure that a written scheme of investigation is provided and the stone wall at the frontage is retained.

Land Quality

10.38. Officers recommend that if planning permission is granted then a condition would be required to ensure that adequate survey work is carried out of the site and any subsequent mitigation is carried out prior to occupation.

11. CONCLUSION

- 11.1. The proposed development would be acceptable in terms of its design, impact on the setting of listed buildings and the quality of accommodation provided. The proposed development would not give rise to an adverse impact on neighbouring amenity, highway safety or car parking. A legal agreement to re-provide the nursery would be required in order that the development does not lead to the loss of a community facility. Any negative impacts that would arise from the development could be adequately dealt with by conditions as recommended below.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) 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.

- 3 Samples of exterior materials proposed to be used shall be made available for inspection on site and approved in writing by the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: To enable the Local Planning Authority to give further consideration to the external appearance of the approved works/building, in the interest of visual amenity, in accordance with policies CP1, CP8, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 4 Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted in writing and approved by the 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 a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a 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.

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

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

- 6 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.

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

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

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

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

- 9 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved

measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

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

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

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

- 11 The drainage for the development should be carried out in accordance with Infrastruct CS Ltd Drainage Strategy, Drawing No. ICS02368 01 Rev P01, and subsequently maintained in line with the accompanying SuDs Maintenance Guide and Owners Manual, Document Ref. 2368.07.002, also prepared by Infrastruct CS Ltd.

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

- 12 No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- The programme and methodology for demolition of the existing structure and archaeological trial trenching and subsequent site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.
 - And
 - No development shall take place until a method statement for the protection of the existing stone boundary wall at No 40 St Thomas Street during development works has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 medieval and post-medieval remains (Local Plan Policy HE2).

- 13 The development hereby permitted shall not be occupied until the Order governing

parking at Central Area (B) has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

- 14 Prior to the commencement of the approved development, details relating to the retention and repair of the stone boundary wall at the front of the application site adjacent to St Thomas Street shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include information relating to the specific materials to be used in any repairs and reconstruction. Any repairs shall be completed prior to the first occupation of the approved development following its substantial completion.

Reason: To ensure that the development retains the existing boundary wall that is an important feature of the streetscene as required by Policies CP1 and HE3 of the Oxford Local Plan 2001-2016.

- 15 Prior to the commencement of the approved development, details relating to the design, materials and external finish of the bollards to be installed on the St Thomas Street elevation as shown in the approved plan (Drawing No. P-05 REV B) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the design of the bollard is acceptable as required by Policy CP1 of the Oxford Local Plan 2001-2016.

- 16 The approved parking space shown on the approved plan (Drawing No. P-05 REV B) shall be reserved solely for disabled drivers unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that sufficient on-site disabled parking is provided as required by Policy CP13 of the Oxford Local Plan 2001-2016.

- 17 Prior to the commencement of the approved development, details relating to any external lighting to be installed at the application site shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include information relating to the specifications of any lighting and their proposed hours of use. Only the approved external lighting shall be installed and it shall be installed in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy CP19 of the Oxford Local Plan 2001-2016.

- 18 Prior to the commencement of the approved development, details relating to the provision of biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The approved biodiversity enhancements shall be installed prior to the first occupation of the approved development following its substantial completion.

Reason: To ensure that adequate biodiversity enhancement measures are provided as required by Policy CS12 of the Core Strategy (2011).

INFORMATIVES :-

- 1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
- 2 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
- 3 In order to meet the requirements of the condition to vary the order governing parking as set out above, you are advised to contact:

Environmental Services,
Oxfordshire County Council,
Speedwell House,
Speedwell Street,
Oxford,
OX1 1NE

01865 815857

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 refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

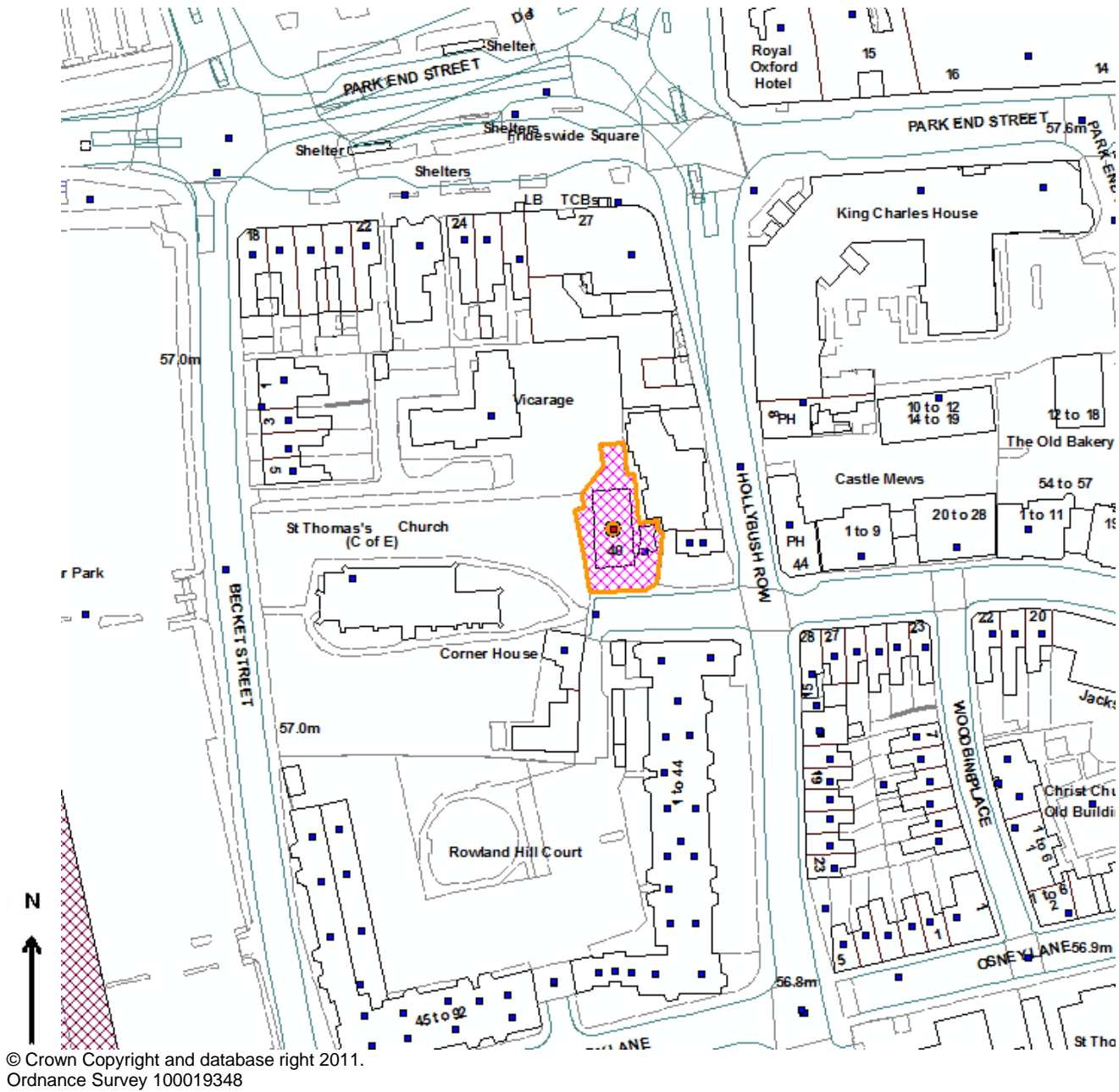
15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1

17/00931/FUL – Site Plan 40 St Thomas Street



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WEST AREA PLANNING COMMITTEE

14th November 2017

Application Number: 17/02280/VAR

Decision Due by: 24th October 2017

Extension of Time: 21st November 2017

Proposal: Variation of condition 2 (Develop in accordance with approved plans) of planning permission 16/00147/FUL (Erection of 1 x 3 bedroom dwellinghouse (Use Class C3). Erection of garage. Provision of car parking space, private amenity space, bin and cycle storage (amended plans)) to allow for an extension to the basement area. (Amended plans and description)

Site Address: Land To The Rear Of 200 Woodstock Road OX2 7NH

Ward: Summertown Ward

Case Officer Nadia Robinson

Agent: N/A

Applicant: Mrs Titilola Ajayi-Jones

Reason at Committee: The application has been called in by Cllrs Fooks, Wade, Wilkinson and Goddard due to concerns over the size of basement and consequent reduction of permeable area and outdoor amenity space, and the boundary treatment being out of character in the street scene.

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

- (a) **approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission;**
- (b) **agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.**

2. EXECUTIVE SUMMARY

2.1. This report considers an application to vary condition 2 (development to be in accordance with approved plans) of planning permission 16/00147/FUL. This

permission is for a three-bedroom dwelling over two storeys plus loft and basement accommodation that would continue the existing terrace on Beech Croft Road. The development has not commenced.

2.2. The application under consideration is for an extension to the permitted extent of the basement, extending westwards under the garden and proposed garage. Amended plans were received omitting the originally proposed 1.8 metre fence and external staircase to the basement.

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

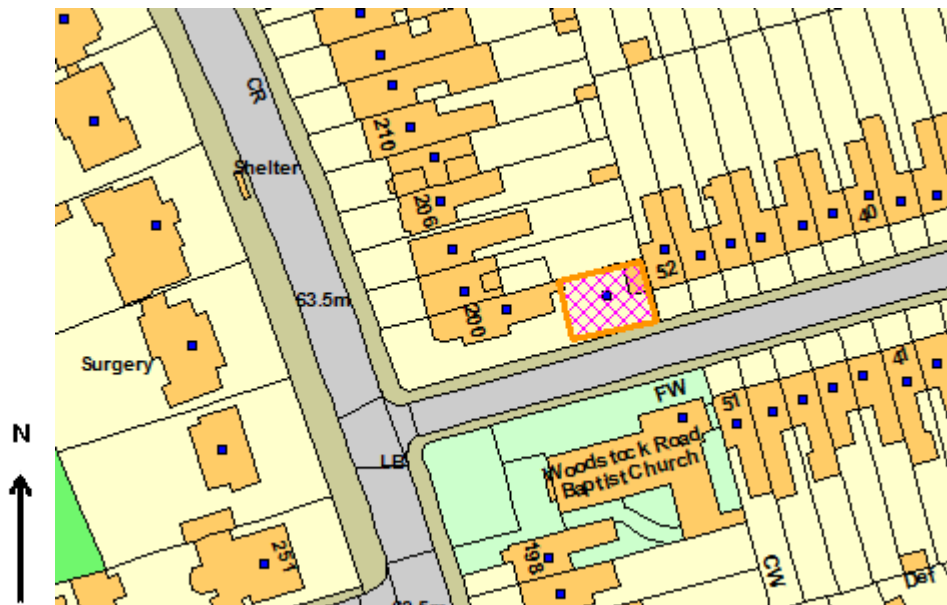
- design,
- residential amenity,
- flooding and drainage.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.1. The proposal is liable for CIL at a rate of £16,451.92.

4. SITE AND SURROUNDINGS

4.1. The site is a plot of land to the rear of 200 Woodstock Road, a property that stands on the corner with Beech Croft Road. The site is therefore located at the end of the terrace on the north side of Beech Croft Road with a boundary adjoining number 52 Beech Croft Road. The site is currently occupied by a disused garage and an area of hardstanding and is enclosed to the north by a brick wall, and partially enclosed to the west and south by close-board fencing.



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5. PROPOSAL

- 5.1. The application proposes an enlarged basement area to the approved basement. The approved basement is sited within the footprint of the approved new dwelling, while the scheme now proposed has a basement that extends westwards and under the approved garage. There is therefore an area of basement under the garden, incorporating a flat roof light.

6. RELEVANT PLANNING HISTORY

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

88/00261/NF - Erection of 2 metre high fence to part Beechcroft Road boundary. Approved 7th April 1988.

03/00512/FUL - Demolition of garage. Erection of buildings on 3 floors plus basement to provide 1 bedroomed basement flat and 3 level 2 bedroomed maisonette above. Provision of 2 parking spaces and shared garden to side. Withdrawn 17th April 2003.

03/00763/FUL - Demolition of garage. Erection of 1 bedroom basement flat and 2 bedroom 3 storey maisonette above (Amended plans). Approved 12th June 2003.

15/00054/FUL - Erection of 1 x 5 bedroom dwellinghouse (Use Class C3). Provision of car parking space and private amenity space. Withdrawn 12th March 2015.

15/00954/FUL - Erection of 1 x 3 bedroom dwellinghouse (Use Class C3). Provision of car parking and private amenity space. (Amended plans). Refused 29th July 2015.

16/00147/FUL - Erection of 1 x 3 bedroom dwellinghouse (Use Class C3). Erection of garage. Provision of car parking space, private amenity space, bin and cycle storage. (amended plans). Approved 19th July 2016.

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7 [paragraphs 56, 57, 58, 60, 61]	CP1 CP8		HP9	
Housing	6	CP6 CP10		HP12 HP13 HP14	
Natural Environment	9, 11, 13	CP11	CS12		
Transport	4			HP15 HP16	
Environmental	10	CP22	CS2 CS11	HP11	
Misc	5			MP1	

8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on 12th September 2017.

Statutory and non-statutory consultees

Oxfordshire County Council

8.2. Oxfordshire County Council has no comments to make on this application.

Thames Water Utilities Limited

8.3. No comments received.

Public representations

8.4. Fourteen local people commented on this application from addresses in Beech Croft Road and Woodstock Road.

The Oxford Civic Society also commented.

In summary, the main points of objection (14 residents and Oxford Civic Society) were:

- Fence would be out of character
- Fence would restrict visibility for cars
- Omission of ground floor bay window weakens the design
- Loss of outdoor amenity space
- Disproportionate size of basement to the rest of the house/ overdevelopment, refusal of 2015 planning application 15/00954/FUL due to basement size
- Exacerbation of flooding problem, loss of permeable surface
- Loss of privacy to 52 Beech Croft Road and future occupiers of the property through mutual overlooking between the proposed basement rooflight and the second floor side window at number 52
- Preference for a more contemporary architectural style
- Comments on the extent to which materials will match neighbouring property
- Impacts of the current proposals are not sufficiently demonstrated in context
- Construction disturbance

Officer response

- 8.5. Amended plans were received reinstating the approved boundary treatment and omitting the originally proposed 1.8m fence. The ground floor bay window was also reinstated on the amended plans.
- 8.6. The architectural style and materials of the proposal have not been altered from the approved scheme and so these comments are not pertinent to the proposal under consideration.
- 8.7. Construction disturbance is covered by the Environmental Protection Act 1990 and is not considered reasonable grounds for refusal of a development of this scale. An informative regarding the Considerate Contractors Scheme is suggested if permission is granted.
- 8.8. The remaining points of objection are dealt with in the following section.

9. PLANNING MATERIAL CONSIDERATIONS

- 9.1. Officers consider the determining issues to be:
 - i. Design
 - ii. Residential amenity
 - iii. Flooding and drainage

i. Design

- 9.2. Officers do not consider the enlarged basement to cause any visual harm to the development or street scene. The externally visible changes from the approved proposal are an area of patio and a flat roof light.
- 9.3. The increased floor area of approximately 32 square metres that would result from the enlarged basement is not so significant as to materially alter the development; it remains a three-bedroom house but with an enlarged living space.
- 9.4. Part of one of the refusal reasons given for the previous application (15/00954/FUL) was that the basement courtyard element of the scheme was not characteristic of the locality. This courtyard element was a sunken semi-basement outdoor amenity space. The refusal reasons did not refer to the larger basement area that was proposed. Approval of the application currently under consideration would therefore not contradict the refusal of 15/00954/FUL.
- 9.5. Officers do not consider the enlarged basement of 32 square metres in a dwelling originally proposed at 100 square metres to constitute overdevelopment of the site, nor for it to have any harmful impacts in design terms.

ii. Residential amenity

- 9.6. The changes to the outdoor amenity space are negligible as a result of the patio area over the basement and would not result in a reduction in area, and are therefore not material nor of concern to officers.
- 9.7. There would be no overlooking between the proposed basement rooflight and the second floor side window at number 52 because these views would be blocked by the proposed new dwelling.
- 9.8. The proposed plan changes will therefore not harm residential amenity.

iii. Flooding and drainage

- 9.9. Due to the loss of a small area of permeable surface as a result of the increased basement size, officers recommend a condition to secure an appropriate drainage scheme. This is considered sufficient to ensure compliance with policy CS11 of the Core Strategy.

10. CONCLUSION

- 10.1. The development proposed, subject to conditions, is not considered to cause harm to the character and appearance of the area, nor to result in any harmful impacts on neighbouring properties or surface water flooding. Officers therefore recommend the West Area Planning Committee recommends approval 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 19 July 2016.

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

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

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

- 3 The exterior materials to be used shall be those approved under reference 16/00147/CND.

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

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

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

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) no additional windows shall be placed in the side and rear elevation(s) without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policies CP1, CP10 and HS19 of the Adopted Oxford Local Plan 2001-2016.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) the windows on the rear (north) elevation shall be glazed in obscure glass and be non-opening below 1.7 metres above finished floor levels in the rooms they serve and thereafter retained. The first floor window in the side (west) elevation shall include the glazed panes shown on approved drawing 008B and thereafter retained.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policies CP1, CP10 and HS19 of the Adopted Oxford Local Plan 2001-2016.

- 7 The bin storage and bike storage approved under reference 16/00147/CND shall be provided within the site prior to the first occupation of the property and thereafter the areas shall be retained solely for the purpose of bin storage and bike storage.

Reason: To promote recycling and the use of sustainable transport in accordance with policies CP1 and CP10 of the Adopted Oxford Local Plan 2001-2016.

- 8 All impermeable areas of the proposed development, including roofs, driveways and patio areas, should be drained using Sustainable Drainage measures (SuDS).

This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations.

The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

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

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

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

- 10 The biodiversity enhancements approved under reference 16/00147/CND shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

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

- 11 The landscaping proposals approved under reference 16/00147/CND shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

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

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 refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

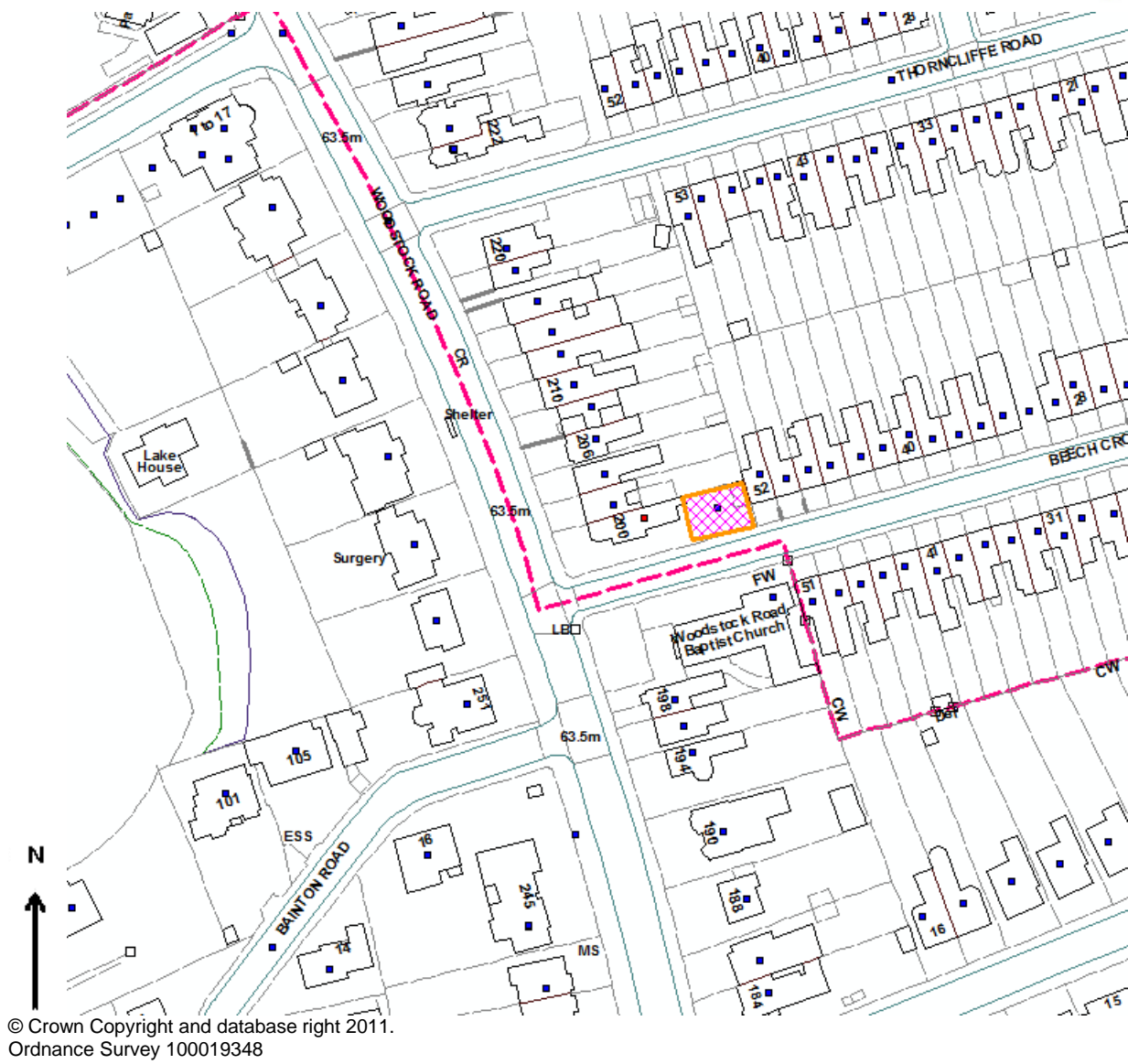
14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 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.

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Appendix 1

Land to the rear 200 Woodstock Road – 17/02280/VAR



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WEST AREA PLANNING COMMITTEE

Application Number: 17/02065/FUL

Decision Due by: 13th November 2017

Extension of Time: 22nd November 2017 (Agreed)

Proposal: Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupancy (Use Class C4).

Site Address: 92 Kingston Road, Oxford, OX2 6RL,

Ward: St Margarets Ward

Case Officer Stacey Harris

Agent: Mr D Hansell **Applicant:** Mr J Walker

Reason at Committee: This application has been called in by Councillor's Elizabeth Wade, Tom Landell Mills and Steve Goddard on the grounds that:

- The HMO would not preserve or enhance the character of the area, largely consisting of family homes.
 - The properties prominent location near a busy junction at the hub of the local community would increase parking problems in an already congested area.
 - It would increase noise and decreased privacy at a corner where several town houses meet.
-

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the change of use from dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4).

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

- Proportion of HMOs
- Amenities & Facilities
- Bin Storage
- Car Parking
- Cycle Parking

2.3. The change of use to a five bedroom House in Multiple Occupation is considered acceptable in terms of policy and should therefore be approved.

3. LEGAL AGREEMENT

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

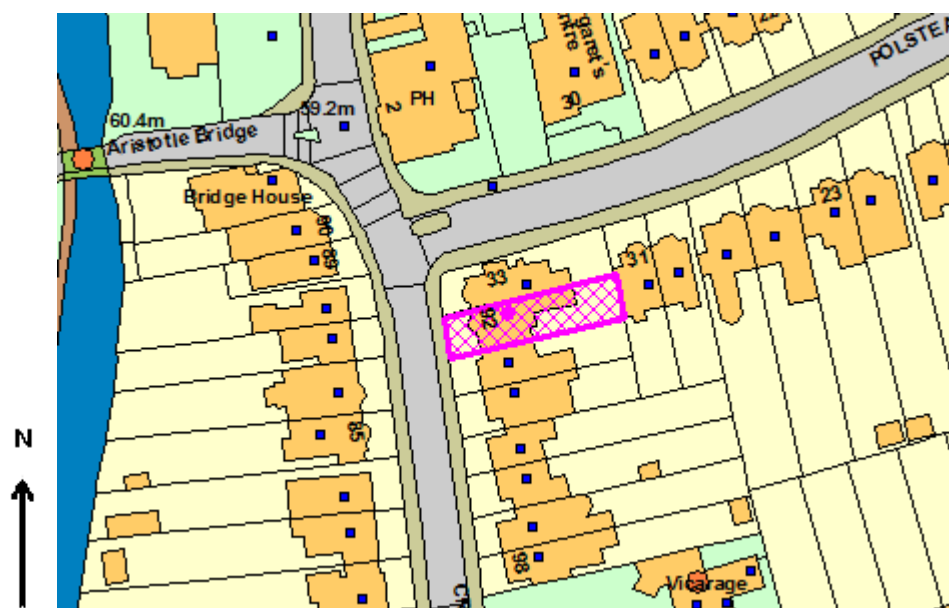
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. 92 Kingston Road is a mid-terraced property to the east of Kingston Road in North Oxford Victorian Suburb Conservation Area. The property is in a very accessible location to the city centre. The site is close to the junction of Kingston Road and Polstead Road and lies to the South-East of the junctions of Aristotle Bridge, Hayfield Road and Kingston Road. The property benefits from a small courtyard area to the front and modest garden to the rear. The application is seeking planning permission for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for up to 6 people.

5.2. Site location plan is set out below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the change of use from a family dwelling (Use Class C3) to a House in Multiple Occupation (Use Class C4), which based on the number and size of bedrooms provided, has a restricted use for up to the maximum 6 people.

7. RELEVANT PLANNING HISTORY

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

07/00067/PDC - PERMITTED DEVELOPMENT CHECK - Proposed alterations to form a conservatory. PRQ 23rd February 2007.

8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP1, CP6			
Conservation/Heritage	12	HE7			
Housing	6	CP10		HP7, HP12, HP13, HP15, HP16	
Misc	5			MP1	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 4th October 2017 and an advertisement was published in The Oxford Times newspaper on 28th September 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. *There are no off-street car parking spaces proposed. However, Kingston Road is currently within a Controlled Parking Zone and within that particular Controlled Parking Zone all properties whether C3 or C4 are restricted to 2 parking permits each. Therefore demand for on-street parking would be restricted to that which could currently be generated.*

The application proposes 2 cycle racks to the front of the property. This will provide 4 cycle parking spaces. Under Policy HP15 of the Sites and Housing Plan, a HMO requires 1 cycle space per occupant. The application form states that there will be up to 6 occupants and therefore 6 cycle parking spaces should be provided. In addition cycle parking should undercover, secure and enclosed.

Therefore the County Council does not object to the application subject to the following condition:

Cycle Parking:

Prior to use or occupation, covered and secure cycle parking for a minimum of 6 bicycles in accordance with Policy HP15 of the Sites and Housing Plan shall be provided within the curtilage of the dwelling.

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

We do not have any evidence to suggest that a HMO (C4) property requests more visitor parking permits than a C3 dwelling. Therefore it would be difficult to justify restricting the number of visitor parking permits. The property is already restricted to eligibility of 2 resident parking permits.

Public representations

- 9.3 Seven local people commented on this application from addresses in Kingston Road and Polstead Road.

The St Margaret's Area Society also commented.

In summary, the main points of objection were:

- Effect on Conservation Area
- Increase on noise pollution
- Increase in on-street car parking
- Effect on traffic- Location next to a school and pub already making the area busy.
- Effect on privacy
- Effect on adjoining properties
- May be rented as an address of convenience- school catchment area.
- Poor waste management
- Inappropriate increase in bin and cycle racks

- Against policy

Further comment was received from Councillor Howson:

- I have two concerns that I would be grateful if you would add as the local member. One is that there is no restriction on the issue of visitor permits to those living in HMOs. In this case potentially 5 residents can obtain 50 VP in the course of a year. It is doubtful whether the CPZ could handle such an increase in parking. Secondly, the house is situated close to an important road junction where Aristotle Lane meets Kingston Road and Polstead roads. Any increase in loading and unloading in this area would add to my concerns about traffic

Officer Response

9.4. Issues of noise, disturbance and increased waste from the proposed HMO would typically be addressed through the management of the property and through the HMO licensing and environmental health teams. Given the works are internal there are not considered to be any impacts on privacy to neighbouring properties. Officers have specifically addressed the concerns relating to access, parking and highway safety in the report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1 Officers consider the determining issues to be:

- i. Proportion of HMOs
- ii. Amenities & Facilities
- iii. Bin Store/Outdoor Space
- iv. Cycle Parking
- v. Car Parking
- vi. Conservation Area

i. Proportion of HMOs

10.2. Policy HP7 of the Sites and Housing Plan (2013) states that planning permission will only be granted for the change of use of a dwelling in Use Class C3 to a HMO where the proportion of buildings used in full or part as a HMO within 100 metres of the street length either side of the application site does not exceed 20%.

10.3. A calculation of the street length as set out in Appendix 5 of the Sites and Housing Plan has been undertaken and the percentage of HMOs within 100 metres of the application site is under 20%. The proposal would therefore not result in an over concentration of Houses in Multiple Occupation within the relevant 100m area, which would not have a detrimental impact upon the balance and mix of dwelling types within the surrounding area, and retains the objective of creating balanced and sustainable communities. The development is therefore considered to comply with Policy HP7 of the Sites and Housing Plan 2011-2026.

ii. Amenities and Facilities

- 10.4. Policy HP7 states that planning permission will only be granted for the changes of use of a dwelling house in Use Class C3 to a HMO where the applicant has demonstrated compliance with the City Council's good practice guide "Amenities and Facilities for Houses in Multiple Occupation", and that the development would not therefore have detrimental impact upon the living conditions for the future occupants.
- 10.5. The proposed floor plan shows 1 bedroom in the basement, 2 bedrooms at first floor and 2 bedrooms at second floor. The 5 bedrooms all comply with the minimum space standard of 6.5m² for HMOs, with all bedrooms measured at being approximately 15m² or more so the property could accommodate up to the maximum of six people. There is a separate kitchen, dining room and living room which all exceed the requirements for a HMO to be shared for up to 6 people. A shower room is provided at basement level and bathroom at second floor level. Bedroom 2 and 3 also benefit from their own en-suite bathroom all meeting the requirements.
- 10.6. The property is therefore considered to provide good living accommodation in line with the Council's good practice guide.

iii. Bin Store/Outdoor Space

- 10.7. Policy HP13 of the Sites and Housing Plan states that planning permission will only be granted for dwellings where adequate provision is made for appropriate storage for refuse and recycling and access to private open space. Also Policy CP10 of the Oxford Local Plan states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage.

The bins are currently located and will remain to the front courtyard of the property with good access to the front of the property when required. A condition is recommended that prior to the commencement of the approved development, details of a screened refuse and recycling store shall be submitted to and approved in writing by the local planning authority, in the interests of the amenities of future occupiers.

- 10.8. The property has a private rear garden with direct and convenient access through the kitchen to the rear or down the side of the property, which would provide adequate outdoor amenity space for residents. It is therefore considered acceptable in terms of Policy HP13 of the Sites and Housing Plan (2013).

iv. Cycle Parking

- 10.9. Policy HP15 of the Sites and Housing Plan states planning permission will only be granted for residential development that complies with the following minimum cycle parking provision for HMOs of at least 1 space per occupant. It is also stated that all residential cycle storage must be secure, under cover preferable

enclosed, and provide level, unobstructed external access to the street.

- 10.11 The proposal indicates an existing 2No. cycle racks for 4No. bicycles to the front courtyard of the property. As the property will be able to accommodate up to 6 people it is required that at least six cycle storage spaces are required. In addition to this Oxfordshire County Council have stated that cycle parking should be undercover, secure and enclosed. A condition is included in the recommendation that prior to occupation details of covered, secure cycle parking should be provided for a minimum of 6 bicycles in accordance with Policy HP15 of the Sites and Housing Plan, and shall be provided within the curtilage of the dwelling.

v. Car Parking

- 10.12. In accordance with Policy HP16 of the Sites and Housing Plan planning permission will only be granted for residential development where the relevant maximum car parking standards set out in Appendix 8 are complied with. The maximum parking standards required by policy HP16 for this type of property is for 1 off-street car parking space per two habitable rooms.
- 10.13. There are no off-street car parking spaces serving the host property. However Kingston Road is located within Controlled Parking Zone, in which all properties in this area are restricted to two residents' parking permits per property, Oxfordshire County Council Highways Authority have noted therefore that any increase in on-street parking demand will be restricted. Highways have also noted that there is no evidence to suggest that a HMO (C4) property would request more visitor parking permits than a C3 dwellinghouse, therefore it would not be reasonable to restrict the number of visitor parking permits through condition for this property. Given the highly accessible location of the property (close to public facilities, public transport and the city centre), the current car parking provision would be considered adequate. As a result the development complies with Policy HP16 of the Sites and Housing Plan.
- 10.12. Specific comments and concerns have been received about the impact of the proposed development on highway safety, especially in the context of the junction of Polstead Road/Kingston Road/Hayfield Road and Aristotle Bridge. Whilst it is noted that this junction is heavily used by cyclists and pedestrians (including school children) the proposed development would not alter access arrangements and therefore would not impact upon highway safety. The number of cars associated with the site would not change as the number of car parking permits cannot increase as a result of the proposals (as set out above). The highway authority have not raised objections or concerns about the impact of the development on highway safety.

vi. Conservation Area

- 10.14. Policy HE7 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation areas or their setting. Planning permission will not be granted for proposals involving the substantial demolition

of a building or structure that contributes to the special interest of the conservation area.

- 10.15. The impact of the proposal on the North Oxford Victorian Conservation Area has been considered in the determination of this planning application. There are no external building works proposed in this submission, and the impact on traffic and parking provision has been noted as acceptable by Oxfordshire County Council. It is therefore considered that with only internal alterations proposed, this is not considered to have a detrimental on the special character, appearance and significance of the conservation area. The proposals would also not result in an over-concentration of HMOs and the development complies with the requirements of Policy HP7 of the Sites and Housing Plan (2013).

11. CONCLUSION

- 11.1. The development is considered acceptable having had regard to the concentration of HMOs, quality of accommodation, cycle and refuse storage and impact on highway safety.
- 11.2. It is recommended that the West Area Planning Committee resolve to grant planning permission for the development proposed subject to the below conditions.

12. CONDITIONS

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

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

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

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

3. Prior to use or occupation, covered and secure cycle parking for a minimum of 6 bicycles in accordance with Policy HP15 of the Sites and Housing Plan shall be provided within the curtilage of the dwelling.

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

4. Prior to the commencement of the approved development, details of a screened refuse and recycling store shall be submitted to and approved in writing by the local planning authority. The approved use shall not commence

until the facilities have been provided as approved and shall thereafter be retained as agreed.

Reason: In the interests of the amenities of future occupiers in accordance with the requirements of policy HP13 of the Sites and Housing Plan 2011-2026 and CP10 of the Oxford Local Plan

13. APPENDICES

Appendix 1 – Site Location Plan

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

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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APPENDIX 1

17/02065/FUL 92 Kingston Road

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