

Agenda

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West Area Planning Committee

Date: **Tuesday 12 March 2019**

Time: **6.00 pm**

Place: **The Old Library - Oxford 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 Colin Cook	Jericho and Osney;
Vice-Chair	Councillor Michael Gotch	Summertown;
	Councillor Lubna Arshad	Cowley Marsh;
	Councillor Nadine Bely-Summers	Holywell;
	Councillor Tiago Corais	Littlemore;
	Councillor Paul Harris	St. Margaret's;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Dan Iley-Williamson	Holywell;
	Councillor Louise Upton	North;

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

Copies of this agenda

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

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AGENDA

Pages

Planning applications - background papers and additional information

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

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

1 Apologies for absence and substitutions

2 Declarations of interest

3 18/03384/FUL - 15-17 Elsfield Hall, Elsfield Way Oxford OX2 8EP

11 - 46

Site address: 15-17 Elsfield Hall, Elsfield Way, Oxford, OX2 8EP

Proposal: Demolition and relocation of the existing Cadet Hut (D2 Use Class) and the redevelopment of the Site to include erection of a 3 storey apartment block providing 26no. residential flats (C3 Use Class) comprising 9no. 1-bed and 17no. 2-bed apartments with associated access, parking and landscape arrangements.

Recommendation:

The West Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - a. decide the best means of controlling the provision of affordable housing across both this site and the site at Cumberlege Close whether through a planning condition or a legal agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers
 - b. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or

deletions as the Acting Head of Planning Services considers reasonably necessary and if necessary, the terms of any legal agreement referred to above.

4 18/03383/FUL: The Observatory, South Parks Road, Oxford, OX1 3RQ 47 - 62

Site address: The Observatory, South Parks Road, Oxford, OX1 3RQ

Proposal: Installation of a welfare compound and erection of modular buildings for a temporary period in connection with Biochemistry Phase 2 construction works.

Recommendation:

The West Area Planning Committee is recommended to:

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

5 19/00128/CT3: Government Building, Floyds Row, Oxford, OX1 1SS 63 - 78

Site address: Government Building, Floyds Row, Oxford, OX1 1SS

Proposal: Change of use from job centre (sui generis) to emergency hostel accommodation together with associated communal facilities and services and a daytime assessment hub (sui generis) for a temporary period of five years.

Recommendation:

The West Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **agree to delegate authority** to the Acting Head of Planning Services to:

- a. consider and deal with any new material planning considerations that may be raised through public consultation up to 13 March 2019 including deciding whether it is necessary to refer the application back to the committee prior to issuing the permission;
- b. finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
- c. issue the planning permission.

6 Minutes

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Recommendation: to approve the minutes of the meeting held on 20 February 2019 as a true and accurate record.

7 Forthcoming applications

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

18/02065/OUTFUL: Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road, Wolvercote, Oxford, OX2 8JR	Major application
18/02644/FUL: Site Of Millway Close, Oxford, OX2 8BJ	Call in
18/02742/FUL: 12 Fyfield Road, Oxford, OX2 6QE	Call in
18/02774/OUT: Land Forming The Site Of Former Cold Arbour Filling Station, 281 Abingdon Road, OX1 4US	Committee Level Decision
18/02809/POM: Millbank, Mill Street, Oxford	Committee level application
18/02974/VAR: Greyfriars Court, Paradise Square, Oxford, OX1 1BE	Committee Level Decision
18/02989/FUL: 269 Cowley Road, Oxford, OX4 2AJ	Committee Level Decision
18/03322/FUL: 16 Northmoor Road, Oxford, OX2 6UP	Call in
18/03369/FUL: Site Of Gibbs Crescent, Oxford, OX2 0NX	Committee Level Decision
18/03370/FUL: Simon House, 1 Paradise Street, Oxford, OX1 1LD	Committee Level Decision
18/03325/FUL: Old Toll House, Folly	Call in

Bridge, Oxford, OX1 4LB	
18/03326/LBC: Old Toll House, Folly Bridge, Oxford, OX1 4LB	Call in
19/00140/LBC: Covered Market, Market Street, Oxford	Committee decision
19/00249/FUL: 16 East St, Oxford OX2 0AU	Call in
18/03254/OUT: 263 Iffley Road, Oxford, OX4 1SJ	
19/00301/FUL: The Lion Brewery St Thomas Street Oxford Oxfordshire	Call in
19/00410/FUL: Falcon Rowing And Canoe Club, Meadow Lane, Oxford, OX4 4BJ	Committee level application
18/03133/FUL: Linton Lodge Hotel, 11-13 Linton Road, Oxford, OX2 6UJ	Committee level application

8 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on

2019	2020	
9 April	9 July	21 January
8 May – new date	6 August	11 February
11 June	10 September	10 March
	8 October	7 April
	12 November	
	10 December	

Councillors declaring interests

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Members' Code of Conduct and public perception

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

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

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

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

The following minimum standards of practice will be followed.

At the meeting

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

Preparation of Planning Policy documents – Public Meetings

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

Public requests to speak

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

Written statements from the public

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

Exhibiting model and displays at the meeting

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

Recording meetings

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

Meeting Etiquette

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

**Code updated to reflect Constitution changes agreed at Council in April 2017.
Unchanged in last Constitution update agreed at Council November 2018.**

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WEST AREA PLANNING COMMITTEE

12th February 2019

Application number:	18/03384/FUL		
Decision due by	25 th March 2019		
Extension of time	N/A		
Proposal	Demolition and relocation of the existing Cadet Hut (D2 Use Class) and the redevelopment of the Site to include erection of a 3 storey apartment block providing 26no. residential flats (C3 Use Class) comprising 9no. 1-bed and 17no. 2-bed apartments with associated access, parking and landscape arrangements.		
Site address	15-17 Elsfield Hall , Elsfield Way, Oxford, OX2 8EP – see Appendix 1 for site plan		
Ward	Wolvercote Ward		
Case officer	Michael Kemp		
Agent:	Mr James Cogan	Applicant:	Mr Stephen Clarke
Reason at Committee	The proposals are for major development and Oxford City Housing Limited is the applicant.		

1. RECOMMENDATION

1.1. **West Area Planning Committee** is recommended to:

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

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

- decide the best means of controlling the provision of affordable housing across both this site and the site at Cumberlege Close whether through a planning condition or a legal agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers
- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary and if necessary, the terms of any legal agreement referred to above.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposed development of a 3 storey apartment block providing 26no. residential flats (C3 Use Class) comprising 9no. 1-bed and 17no. 2-bed apartments with associated access, parking and landscape arrangements.
- 2.2. The proposed development would bring about the positive reuse of a brownfield site for the purposes of providing much needed affordable housing for the city. The housing would be delivered as part of funding towards additional affordable housing provided from the Oxfordshire Housing and Growth Deal. The development would deliver a total of 26 residential dwellings, 9 of which would be made available as affordable accommodation. Taken in conjunction with a related planning application at Cumberlege Close in Marston for 9 dwellings (18/03385/FUL) the joint schemes would deliver a total of 35 dwellings, 18 of which (51.4%) would be available as affordable accommodation, 83% of which would be socially rented. Provision of affordable housing would be secured by planning condition with the applicants who are Oxford City Housing Limited.
- 2.3. The proposals are considered to make best use of a currently vacant site and would bring about an attractive development, the design and scale of which is considered to relate appropriately to the character and appearance of the surrounding area. The scale and siting of the development is considered to safeguard the residential amenity of existing occupiers, whilst providing appropriate standards of amenity for future occupiers. It is considered that the development makes appropriate provision for means of access and provides an acceptable standard of parking which would comply with the Council's maximum parking standards. The site is considered to be within a reasonably sustainable location in terms of its access to public transport and good quality cycle links to the District Centre at Summertown.
- 2.4. As clarified in the report the development is considered acceptable in all other respects and would make a contribution towards local housing supply. In conjunction with the linked development at Cumberlege Close the development would make an important contribution to the much needed provision of affordable accommodation in the city. It is considered that the development complies with the local framework in particular the provisions of Policies CP1, CP6, CP8 and CP9 of the Oxford Local Plan; Policies CS2 and CS23 of the of the Core Strategy; Policies HP2 and HP3 of the Sites and Housing Plan and Policies DH1, H1 and H2 of the Emerging Local Plan; in addition to relevant provisions of the NPPF, namely Paragraphs 122, 124, 127, 130, 58, 64, 117, 80, 153, 154, 170, 175, 180, 181, 91, 92, 102, 103, 104, 109, 110 and 111.

3. LEGAL AGREEMENT

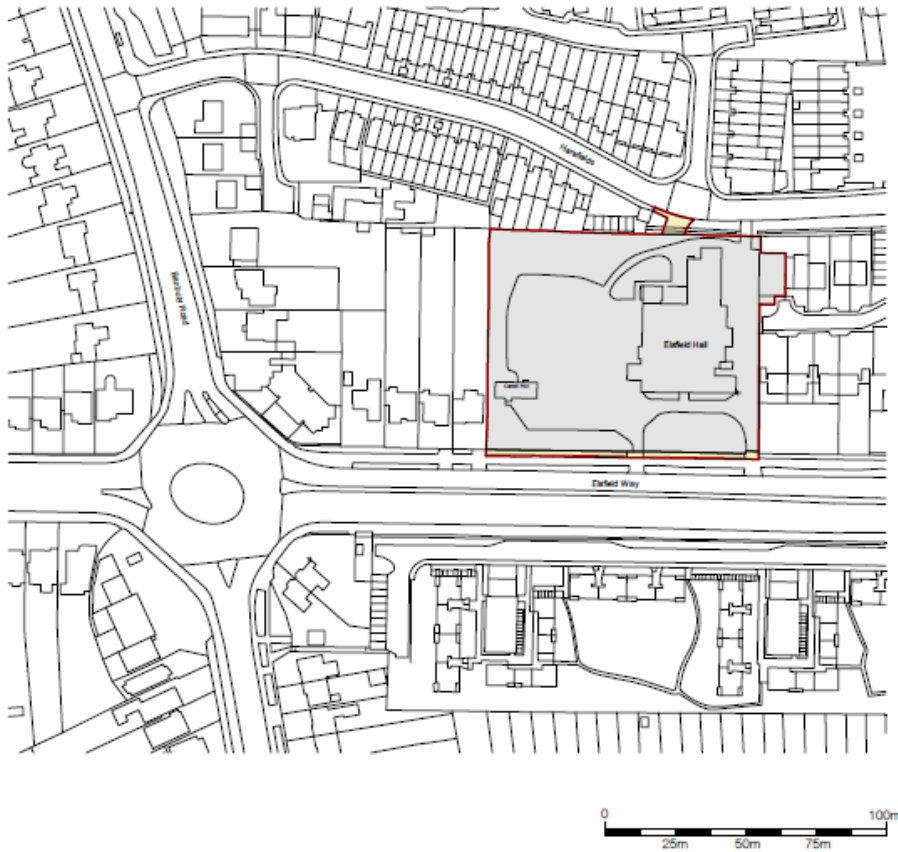
- 3.1. Oxford City Council owns the land where the development would be sited. Consideration is required as to the best means of securing affordable housing across both sites; this may be by way of condition or legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal would be liable for a CIL contribution of £207,255.59

5. SITE AND SURROUNDINGS

- 5.1. The site is a large rectangular plot located within Cutteslowe, North Oxford. The application site comprises principally of surfaced car parking and amenity grass space, the existing parking serves the adjacent two storey brick building (Elsfield Hall) which is used as Class B1 Office Space by a training company, a smaller section of the building is also used as Class D2 space as a private gym. The parking serves the adjacent office space and is well used at the present time, this is deemed to have a capacity of 72 spaces. A single storey prefabricated building is located on the site and functions as a community use by the Cadets. Vehicular access to the site is via Harefields to the north east. The site is flat and is generally devoid of natural features owing to its existing use, there are smaller trees to the south of the site and a more mature tree along this boundary which is proposed for retention. The site is bounded by hedgerows to the south and north, whilst a close boarded fence forms the boundary with the adjacent property No.9 Elsfield Way.
- 5.2. A dual carriageway section of the A40 is located to the south of the site. A pedestrian footpath and cycleway is located alongside the A40. There is no vehicular access to the site from the A40 and whilst there is an access gate between the site and footpath this is shut and there is no public pedestrian access from this point. There are a number of properties on the opposite side of the A40 consisting of three storey local authority built flats.
- 5.3. The surrounding area to the north consists of a range of dwelling types which includes three storey townhouses on Harefields and a varying range of two storey flats and two storey houses at David Walter Close to the east. The surrounding area is principally of a suburban residential character, the surrounding properties feature typically a palette of red or buff brick and are set back behind small gardens and front driveways which provide off street parking for the majority of properties in the area. A single storey row of garages is also located to the north of the site which are accessed via Harefields. The built form in the area is relatively dense, though there is a small strip of general amenity space along the southern boundary of Harefields. The properties to the west of the site are 1930's white rendered detached houses which have large rear gardens. The large gardens of the easternmost of these properties extend along the whole of the western boundary of the application site.
- 5.4. Cutteslowe Park is located approximately 400 metres to the east of the site, whilst there is a small row of local neighbourhood shops at Kendall Crescent around 300 metres from the site.
- 5.5. Please see site location plan below:

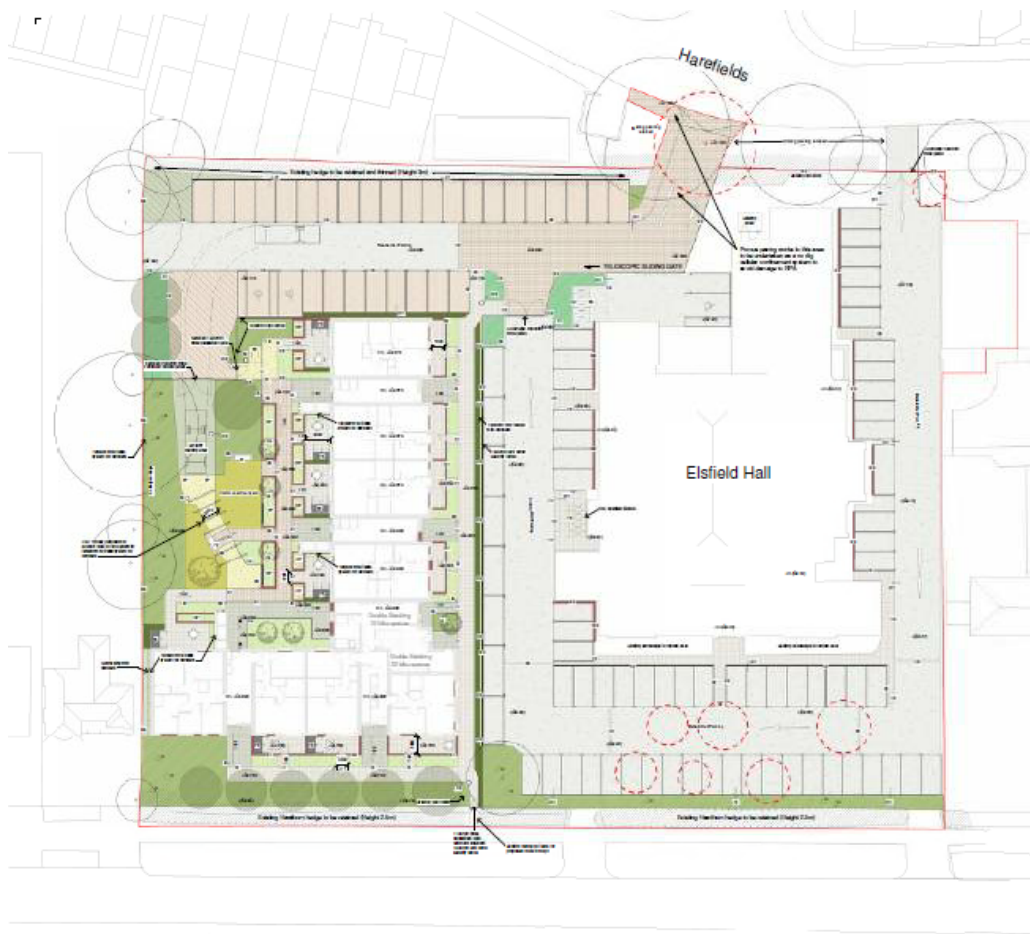


6. PROPOSAL

- 6.1. The application proposes a 3 storey apartment block providing 26no. residential flats (C3 Use Class) comprising 9no. 1-bed and 17no. 2-bed apartments with associated access, parking and landscape arrangements. The building would be constructed principally from brick and would feature a flat roof concealed by a parapet designed to limit views of the proposed Solar PV equipment. The height of the building would vary between 10.6 metres in the northernmost position closest to Harefields to 10 metres for the southern block fronting Elsfeld Way.
- 6.2. A new means of vehicular access would be provided from Harefields, this would be in a position adjacent to the existing garaging block to the north of the site. This would involve the removal of an Oak Tree, which is the central of the three mature trees fronting Harefields. The existing means of access serving the office block would be retained, though this would be solely for the

use of this building and the use of the cadet hall which would be re-provided in the single storey building adjacent to the site entrance.

- 6.3. Parking would be provided for the proposed apartments in a parking court to the north of the proposed apartment building and parking would be re-provided for the office space in the form of new parking bays. Private communal external amenity space would be provided for the occupiers and all of the properties would be served by external balcony space.
- 6.4. Please see proposed block plan below:



7. RELEVANT PLANNING HISTORY

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

00/00382/NF - Change of use from caretakers flat to B1 business use including external alterations. New roof and roof mounted air handling plant.. PER 10th June 2000.
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02/00328/FUL - -RESERVE FORCES AND CADETS HALL: Demolition of existing hall. Construction of 24 x 2 bedroom flats for the elderly on 3 floors, together with 20 parking spaces and shared gardens accessed off Harefields. Reorganisation of parking to serve Oxford Psychologists Press Ltd, to provide 76 spaces. (Amended plans). PER 4th April 2003.

63/13022/A_H - Change of use from T.A. centre and drill hall to offices for the Oxford and Cambridge joint examination board with alterations. PER 8th January 1963.

63/13637/A_H - Outline application to construct a building to be used as workshop for the University Theatre on the former parade ground and drill hall. PER 23rd July 1963.

73/01189/A_H - Alterations to existing offices, garages and rifle range to provide additional office accommodation in the drill hall. PER 27th November 1973.

78/01135/A_H - Conversion of garage to form workshop and store (The Annexe Elsfield Hall, 15-17 Elsfield Way). PER 7th February 1979.

96/01917/NF - Demolition of existing buildings on site. Construction of new 3 storey building plus basement, together with 85 parking spaces, cycle parking and upgraded access to Elsfield Way. (Amended plans). REF 14th April 1997.

97/01405/NF - 3 storey building for replacement offices for The University of Cambridge Local Examinations Syndicate. 85 car spaces & 75 cycle spaces. Barrier to service access from Harefields. Landscaping. (Amended plans).. WDN 8th March 2001.

06/01436/FUL - Alterations and extension to the existing car parking areas (no additional car parking spaces formed). Provision of 32 cycle parking spaces and low level lighting bollards.. PER 7th September 2006.

10/01917/FUL - Change of use of part of building from offices (use class B1) to fitness centre (use class D2).. PER 6th September 2010.

13/03454/CT3 - Demolition of existing Cadets building. Erection of 17 residential units (6 x 3-bed houses, 1 x-3 bed flat, 10 x 2-bed flats), together with revised access, 35 residential car parking spaces, cycle parking, bin stores, community garden/play area, landscaping and re-location and consolidation of office car parking. Change of use of existing office building to Cadets use. (Additional information) (Amended Description) (Amended Plans). PER 11th August 2014.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy	Local Plan	Core Strategy	Sites and Housing	Oxford Emerging
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	Framework (NPPF)			Plan	Local Plan 2016-2036
Design	122,124, 127, 130	CP1 CP6 CP8 CP9 CP10 CP11 CP13 HE7	CS18	HP9	DH1
Housing	58, 64, 117		CS23_ CS24_	HP2_ HP3_ HP9_ HP11_ HP12_ HP13_ HP14_	H1 H2 H3 H4 H14 H15 H16
Commercial	80	EC1	CS28		E1
Natural environment	153,154 170,175, 180, 181	CP11 CP22 NE15			RE1 RE2 RE3 RE4 RE6 RE7 RE9
Social and community	91, 92		CS20		V7
Transport	102,103, 104,109, 110, 111	TR1 TR2 TR3 TR4 TR5		H15 H16	M1 M3 M4 M5
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 11th January 2019 and an advertisement was published in the Oxford Times newspaper on 10th January 2019.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. The application relates to the development of 26 no. residential flats (17no. two - bedroom and 9no. one - bedroom apartments) on land that is currently used as an informal car park for Elsfield Hall.
- 9.3. *Vehicular Access* – The development proposes to provide a new vehicle access off Harefields, as well as retain the existing vehicle access that currently serves Elsfield Hall. Access to Elsfield Hall will be entry only via the current access whilst egress will be via the proposed new vehicle access.
- 9.4. *Pedestrian and Cycle Access* – The Design and Access Statement (section 4.4) states that pedestrians can access the site from the south which my assumption is utilising access onto the footpath abutting the A40. This needs to be made clear as to whether the application proposes this provision. The provision of this access for pedestrians and cyclists is welcomed as it would help to increase pedestrian accessibility and offer a more direct route south of the site rather than meandering along Harefields and Banbury Road.
- 9.5. A pedestrian and cycle access into the site is proposed via the new site access. This leads onto what is a shared surface which is acceptable. I am however left concerned by the lack of a safe walking facility into Elsfield Hall via the existing access. The applicant must use this opportunity to improve pedestrian accessibility into Elsfield Hall. It is also observed that between the proposed and existing site access along Harefields, the verge is void of a pedestrian footway hence those wishing to access Elsfield Hall shall be expected to walk on the carriageway between the two site accesses. Access arrangements as currently presented shall not be supported. The applicant must provide a safe walking facility here, to also consider extending this into the Elsfield Hall in line with the governments guidance publication.

Inclusive Mobility

- 9.6. On a wider scale, the site is in a sustainable location with good walking, cycling and public transport opportunities as well as all facilities of the City Centre. There is an existing strategic pedestrian and cycle way that runs along the A40, abutting the southern boundary of the site. This foot/cycle infrastructure is a functional and vital link to the surrounding wider area connecting Cutteslowe with Summertown across a footbridge over the A40 and running along the edge of the built environment.
- 9.7. *Public Transport* – The nearest bus stops are located along Banbury Road, circa 250 metres from the main site access. These stops facilitate a frequent bus service into Oxford and other local areas such as Headington; and also regional centres such as Kidlington, Woodstock, Bicester and Banbury. Therefore, the site is well located in terms of access to public transport.

Parking

- 9.8. *Car Parking* – The application proposes to formalise the existing Elsfield Hall car parking arrangements by providing 72 spaces as well as create 31 parking spaces for the proposed residential development. 31 spaces for the residential development is a small number (just over 1 space per dwelling) but Oxford

City's Draft Local Plan aims for more ambitious standards, regardless of development size. Given the site has generally good accessibility to bus services on Banbury Road and a range of facilities are within acceptable walking and cycling distances, the applicant ought to be seen trying to push for a lower level or even car free development here. With regard to Elsfield Hall, the provision of 72 parking spaces must be justified in accordance with parking standards which the applicant is expected to demonstrate through this application. 72 parking spaces seems too generous without evidence of necessity considering the site's location in a sustainable area. The development site sits just outside the existing Cutteslowe Controlled Parking Zone and it is my opinion that opportunity should now be taken to include this site within the scope of that subject to securing CIL receipts from this development. This might be necessary if we want to reduce car parking availability as required by the draft Local Plan. It is noted, in the 'Local Policy' section in the Transport Statement where reference is made to the Oxford Local Plan Proposed Submission Draft but none has been made to its car (and cycle) parking standards. The applicant needs to be aware of this albeit appreciate it is only a draft. Removal of car parking might enable more housing to be provided and more space for cycle parking.

- 9.9. Although the Transport Statement advocates that parking for Elsfield Hall shall be separated from the proposed residential units by implementing a fence/barrier, from the submitted plans there is no control that would prevent visitors of Elsfield Hall from parking in the residential provision.
- 9.10. *Cycle parking* – The level of cycle parking provision for residential units meet the current parking standards adopted in February 2007 as Supplementary Planning Document - each residential unit being allocated 2 cycle parking spaces. Additional bike storage details have been submitted (Drwg no. 3499E - LB - XX - 00 - DR - A – 250 Rev A) from which I confirm that the allocation is sufficient to accommodate the proposed design of a 2-tier racking system.
- 9.11. We should however, encourage more cycle parking that accords to standards set out in the emerging Oxford Local Plan Proposed Submission Draft (Appendix 7). This shall require 3 to 4 cycle parking spaces per dwelling.
- 9.12. **Vehicle Tracking** - Swept path analysis has been undertaken using a 9.2m long refuse vehicle to demonstrate that a refuse wagon can safely access the development and exit in a forward gear. This is acceptable utilising a turning head proposed within the site. Also, swept path analysis of an 8.68 metre fire appliance through the eastern access (to Elsfield Hall) has been provided which appears very tight as illustrated by Drwg no. SK002 Rev P01. Although it is an existing access and no suggestions are made to widen the access, it would be of immense benefit to improve access here which should include a footway. This would ensure that fire appliances are not burdened as it appears.
- 9.13. **Trip Generation** The number of trips generated under the previously approved planning permission (Ref: 13/03454/CT3) for 17 residential units was established obtained from TRICS database. In determining the likely number of trips generated for this application, a similar assessment has been undertaken. It is accepted that the current application proposals would be unlikely to generate a

significantly higher number of trips that would result in a detriment to highway safety and/or movement.

- 9.14. **Traffic Collision Data** Our analysis of the road collision data match that presented by the application. There are no reported accidents or personal injury collision data within the last five-year period along Harefields to suggest that the local highway design poses a safety risk.
- 9.15. **Construction Traffic Management Plan** Having regards to the residential nature of the immediate vicinity, yet within close proximity to the strategic A40, a Construction Traffic Management Plan (CTMP) will be essential. This will need to take account of all significant/large deliveries being catered for within a 0930-1630hrs 'window', that is outside of the Highway Network peak traffic periods. This should be secured by condition along with other condition.
- 9.16. **Drainage** - Oxfordshire County Council principally wishes not to object to the drainage proposal. However, it is felt that a condition should be applied retrospectively to this application to ensure a satisfactory drainage of the structure is provided, which I suggest should be a pre-commencement condition due to the lack of submitted detail with the application.

Environment Agency

- 9.17. No objection subject to condition that if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Natural England

- 9.18. No comments to make.

Wolvercote Neighbourhood Forum

- 9.19. Effect on Neighbouring properties - In this respect, compared with the previous planning application (13/03454/CT3), this application is an improvement in that the bulk of the development is now concentrated to the east and south of the site, however we still think that 26 Elsfield Way will be overwhelmed by the proposed adjacent block which is of a quite different scale.
- 9.20. *Air and noise pollution*: in this respect the proposed siting and design of the southern arm of the development parallel to the A40 road is unsatisfactory.
- 9.21. The Air Quality Assessment concludes with the unsurprising point that the concentration of pollutants will be at their highest on the boundary with the A40. Consequently balconies on elevations overlooking the A40 are inappropriate. The proposal that the roadside annual mean NO2 concentrations are best represented at the corner of South Parade and

Banbury Road is not convincing. The A40 is a major strategic highway carrying lorries and long distance traffic whereas the Banbury Road at the corner of South Parade is not. The measurements everywhere else on the A40 are much higher, especially at DT26. All figures are from 2016. Current readings (not modelled readings) from the site should be taken.

- 9.22. To conclude, residents will need to stay inside their homes with the windows closed and will be unable to use their gardens and balconies because of traffic fumes and noise levels. We do not support the siting of new housing anywhere where keeping windows shut is needed and ventilation fans are essential.
- 9.23. *Light pollution:* in respect of the 7 street lights planned around the car park area, careful attention to their design is needed to avoid light pollution of the gardens of the Harefield flats to the north.
- 9.24. *Accessibility.* The proposed multi-storey flats do not have lifts. Not having lifts disadvantages elderly and disabled people. We note that the developers claim there is no space in their designs for lifts, but accessibility to all floors for everyone should be made a higher priority.
- 9.25. *Affordable housing.* We do not support the reduction of affordable homes on this site. 50% of the new housing should be affordable in accordance with the Oxford Core Strategy. We note that the quota for this site has been shared with another development outside of our neighbourhood area in another part of the city, but we do not consider this approach to be acceptable, since it turns its back on local aspirations and need. It is disappointing to see that all the social rented and shared ownership flats front the A40.
- 9.26. *Public consultation.* We were disappointed that, despite having commented twice on the earlier applications and having attended the planning pole consultation in February 2014, we were not informed about the consultation event in August 2018. The Council should organise a planning pole demonstration of the newly-planned development.

Thames Valley Police

- 9.27. Do not wish to object but recommend the following:
- Automated gates should be added at the vehicle entrance to the residential area. These should be at least 1.8m in height, be visually permeable and on the same access control system as the flats. If the above is not possible, the proposed fencing and gates to the communal gardens should be moved forward to form a continual line with the northern elevation of the flat block. In addition, a pedestrian access controlled gate and adjacent fencing should be provided at the north east corner of the flat block.
 - I could see no specification for fencing on the north and south boundaries of the residential part of the proposals. Relying on existing hedging is not advised and a suitable treatment of at least 1.8m height should be provided.

- The pedestrian gate on the south boundary should also be on the flat's access control system.
- Bollard lighting is proposed along the pedestrian path to the east and south of the flat block. This can be problematic in crime prevention terms and increase fear of crime. I would prefer to see lighting provided by building mounted units or pedestrian scale columns so that the path and entrances are lit from above.
- I would like to see a window added to living room of the ground floor flat at the northern end of the block. This will supplement the oversight of the parking area already provided by the flats above.
- Although the physical security standards of the flat block are promised in the DAS I would also like to remind the applicants that Building Regulations Part Q requires them to install doors and windows that 'Resist unauthorised access to... new dwellings'. Advice on how to achieve this can be found in Building Regulations Approved Document Q and in Secured by Design's (SBD) New Homes Guide.

Public representations

9.28. Councillor Liz Wade has raised an objection to the development, the following issues have been raised as concerns:

- The development has increased in density, there is also no provision for family units.
- The scale of development will impact on the amenity of adjacent occupiers.
- The proposed lighting would have an invasive impact on the adjoining properties in Harefields.
- Thinning of the hedge would impact on privacy of the adjacent occupiers.
- The creation of an additional access will compound highway safety issues. Traffic calming measures are required as part of the development.
- The CTMP must take into account existing pressures on Harefields.
- Elsfield residents should be excluded from obtaining Cutteslowe CPZ permits.
- Eight of the proposed balconies would be on the south side of the development, these would be subject to noise and pollution. It is disappointing that all the socially rented and shared ownership flats front onto the A40.

9.29. A total of 9 public representations were received in relation to this application from addresses in Harefields (15, 23, 32, 36, 37, 75 and 141); Marriot Close (8); Templar Road (38) and Wharton Road (74).

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

- Concern about ongoing upkeep of north boundary hedge.
- Concern that the development would result in loss of natural light to neighbouring properties.
- Lighting adjacent to Harefields properties should be low level.
- Construction management should minimise disruption to residents, parking on Harefields should be prevented.
- The design looks austere; a lighter colour brick would be a preference.
- New residents should not be given access to CPZ residents parking.
- The proposed five way junction presents a highway safety risk.
- The proposed development would be overly dense.
- The development would have a detrimental effect on the adjoining properties in Harefields by reason of scale and overshadowing.
- The flats to the front will be impacted on by the noise from the A40.
- Public consultation carried out was inadequate.
- The impact on daylight and overshadowing has not been properly addressed.
- The trees along the northern boundary should not be removed.
- The increase in unit numbers has resulted in reduced living accommodation for residents. The development would not be served which would not be acceptable in accessibility terms.
- There should be a greater mix of tenancy and more affordable and socially rented accommodation provided on site.
- The hours of the CPZ should be extended until 10pm and Harefields residents should not be displaced.
- The existing access onto Harefields has restricted visibility.
- Opportunity should be made to provide public art within the development.
- The parapet should be broken up and a pitched roof would be more in keeping with the character of the buildings in the area.
- The internal layouts of the flats would not be of a high standard.
- There are just two disabled flats and access to these properties would not be convenient.
- The external garden should be gated to provide a safe play area for children.

- The footpath to the south of Harefields needs to be extended to improve pedestrian access.
- There are concerns about the reduction in the number of parking spaces compared with the previously approved plans which would mean additional parking along Harefields.
- More family housing is required in the development.
- Concern about access to the development adjacent to the in/out road from Harefields and the safety of crossing to the northern footpath.
- Traffic levels along Harefields will increase.
- During construction mud cleaning from the road will be required alongside speed enforcement. Control is required on working hours.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Affordable Housing
- iii. Balance of Dwellings
- iv. Design
- v. Neighbouring amenity
- vi. Transport and Highways
- vii. Sustainability

i. Principle of Development

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

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

10.4. Paragraph 117 of the NPPF requires that in making planning decisions local authorities should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

10.5. As the site is occupied by car parking and is also occupied by the existing prefabricated single storey cadets building, the site would fall under the

definition of previously developed land and the redevelopment of the site for a residential use would be considered to be in line with the provisions of Policy CS2 of the Core Strategy and Paragraph 118 of the NPPF.

- 10.6. The site and adjacent land is included as a site allocation within the Sites and Housing Plan under Policy SP16 (Elsfield Hall). The provisions of Policy SP16 states that planning permission will be granted for residential or employment development at Elsfield Hall. The Policy specifies that the existing level of employment should be retained on site.
- 10.7. Officers note that a similar application (13/03454/CT3) to redevelop the west section of the site for a residential use, comprising of 17 units was granted permission in 2014. That planning permission has since lapsed.
- 10.8. Elsfield Hall is listed as a protected employment site under the provisions of Policy CS28 of the Core Strategy, the wording of this policy specifies that development should not result in the loss of key protected employment sites. It is however noted that Policy E1 of the Emerging Local Plan does not include the site as either a category 1 or 2 employment site and therefore the level of protection afforded to the employment uses on the site is not considered to be protected to the same degree as the provisions of Policy CS28 of the Core Strategy and the site specific provisions of Policy SP16 of the Sites and Housing Plan.
- 10.9. The proposed development would be located on an area of the site used as parking for the office space and employment space within Elsfield Hall would not be lost as a result of the development. It is proposed that the Cadets Hut would be relocated into an ancillary building adjacent to the entrance to the site, this relatively small building is currently used as ancillary space associated with the office and officers consider that the loss of this relatively minor amount of floor space would not have a significant impact on employment provision on the site as the main employment space in the Elsfield Hall building would be retained and the space in the smaller building is of a lower quality given the extent of this space and its physical detachment from the main building.
- 10.10. The change of use of this space to a community use as a Cadets Hall was previously accepted under planning permission 13/03454/CT3, whereby there was a similar need to remove the existing Cadets building to facilitate residential redevelopment of the site. As there would be no significant loss of employment space on site, it is considered that the proposals would comply with the provisions of Policy SP16 of the Sites and Housing Plan as well as Policy CS28 of the Core Strategy which affords protection against the loss of key employment sites.
- 10.11. The existing Cadet Hut building would be classed as a community use. Policy CS22 of the Oxford Core Strategy states that planning permission will not be granted for development, which results in the loss of community facilities, unless equivalent or improved and accessible facilities can be provided. The use of the community space within the building which would be lost would be re-provided to at least an equivalent, if not an enhanced standard within an

existing building to the front of the site, therefore the proposals are considered to comply with the requirements of Policy CS22 of the Core Strategy.

ii. Affordable Housing

- 10.12. Policy HP3 of the Sites and Housing Plan specifies that Planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if generally a minimum 50% of dwellings on the site are provided as affordable homes, of this figure it is expected that 80% of the affordable dwellings should be made available as socially rented accommodation.
- 10.13. The application is being determined alongside a current application at Cumberlege Close in Marston for 9 dwellings (18/03385/FUL) 100% of which would be socially rented. Of the 26 units proposed at Elsfeld Hall, it is proposed that 17 of these would be privately rented (66%); whilst 9 of these (35%) would be affordable, of the affordable accommodation units 6 would be socially rented and 3 would be shared ownership units.
- 10.14. Assessing the combined tenure mix at Cumberlege Close and Elsfeld, the proposals would deliver 35 units, 18 (51.4%) of which would be of affordable tenure and 17 private (48.6%). Of the 18 affordable units, 83% of these would be socially rented and 17% would be shared ownership.
- 10.15. Across both of the sites the proposed tenure mix would comply with the provisions of Policy HP3 of the Sites and Housing Plan. The application at Cumberlege Close is due to be determined at the East Area Planning Committee on the 6th March 2019; a recommendation of approval has been made by officers. Officers are still considering the best way of securing the provision of affordable housing across both sites. A verbal update will be provided to members on this matter in addition to the outcome of any resolution reached by members of East Area Planning Committee with regards to the linked application at Cumberlege Close.

iii. Balance of Dwellings

- 10.16. Policy CS23 of the Core Strategy states that development should comply with the Balance of Dwellings Supplementary Planning Document (SPD). This document highlights that across Oxford, new development should include a certain percentage of dwellings of 3 or more bedrooms. The site falls within the Wolvercote Neighbourhood Area, which is identified as an 'Amber' where *'pressure is considerable, so the Council needs to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new development'*.
- 10.17. Policy H4 of the Emerging Oxford Local Plan specifies that proposals for 25 or more homes outside of the City Centre and District Centre, which would include the application site, should provide a specified mix of dwellings for the affordable element of the housing.

- 10.18. For the purposes of the mix of dwelling sizes the application is to be determined alongside the linked application at Cumberlege Close. The application at Elsfield Hall would consist of 9 one bedroom units (35%) and 17 two bedroom units (65%). The proposals for Cumberlege Close would consist of 2 two bedroom units; 4 three bedroom units; and 3 four bedroom units. Taken in conjunction the proposed mix of dwellings across both sites would comprise of 26% one bedroom; 54% two bedroom; 11% three bedroom; and 9% four bedroom units.
- 10.19. Table 6 of the Balance of Dwellings Supplementary Planning Document specifies that 25-65% of dwellings on sites of 25-74 dwellings should be three bedroom units. The total provision of three bedroom units (11%) across both sites falls short of this target.
- 10.20. Of the 18 affordable units across both sites; 33% of these would be one bedroom; 27% would be two bedroom units; 22% would be three bedroom units; and 17% would be 4 bedroom units. The provision across both sites closely aligns with Policy H4 of the Emerging Local Plan though there is a minor overprovision of one bedroom units and under provision of two bedroom units, whilst no five bedroom units are proposed. Whilst it is important to acknowledge that limited weight is attributed to the policies of the Emerging Local Plan at present given that the plan is yet to undergo examination the Policy is indicative of the direction of travel in terms of the affordable housing mix which would be typically sought on schemes of this scale.
- 10.21. It is also important to consider that in the context of affordable housing provision Policy HP3 of the Sites and Housing Plan specifies that the applicant must demonstrate that the mix of dwelling sizes meets the City Council's preferred strategic mix for affordable housing.
- 10.22. The Council's Affordable Housing Register identifies that there is limited need for additional 3 bedroom dwellings in the city and identifies high under occupancy of 3 bedroom affordable units in the city (41.6%). The City's Housing Register identifies that the principle requirement for affordable housing, including for families in need is for 1 and 2 bedroom dwellings. The provision of smaller affordable units also has the joint benefit of making available existing larger properties which are currently under occupied.
- 10.23. Additionally the lowest affordable housing demand is for larger 3+ bedroom flats and whilst delivery of 3+ bedroom houses on the site is possible as was proposed in the previously consented scheme on the site, this would result in a loss in the number of units on the site, including the amount of affordable accommodation, which officers consider would be counterproductive.
- 10.24. Whilst the site at Cumberlege Close lends itself more comfortably to a development comprising of family houses, accounting for the character of the surrounding development which is characterised by two storey houses and also accounting for the landscape and visual sensitivities of what is an edge of settlement site. The related site at Elsfield Hall on the other hand which is more contained, surrounded by built form including three storey townhouses and three storey flats to the south lends itself more naturally to development

comprising of flats. Both applications will be linked by condition in order to ensure that the proposed mix is provided, in order to ensure compliance with Policy CS23 of the Core Strategy and Policy H4 of the Emerging Local Plan.

iv. Design

- 10.25. In terms of design the NPPF requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character. This is also reflected within Policy DH1 of the Emerging Local Plan, which specifies that Planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.
- 10.26. The proposed development would comprise a three storey L shaped apartment block featuring a flat roof, which would be concealed by a parapet. The south facing frontage of the building would face the A40 and the west elevation of Elsfield Hall. The siting of the south wing of the block would align with the adjacent two storey dwelling to the west, which ensures that there is a consistency with the existing pattern of development, whilst the development retains an active frontage to the A40, which is consistent with the surrounding development in the area including the adjacent properties to the west and flats opposite. The alignment of the south facing apartment building bears similarities to that of the previously consented development and the general scale of development would be similar, albeit that the proposed building has a flat, rather than pitched roof.
- 10.27. Officers consider that the scale of the building, which would be three storeys would be appropriate accounting for the general scale of the built form in the surrounding area. Whilst the proposed building at three storeys in height would be notably larger than the adjacent detached dwellings to the west, the general height of the building would not be dissimilar to the neighbouring three storey townhouses in Harefields to the north of the Site. There are also a number of three storey blocks of flats to the south of the site on the opposite side of the A40 at Hawksmoor Road. Officers consider that the development would sit comfortably within the streetscene in Elsfield Way.
- 10.28. The building features a flat roof and would be greater in terms of mass compared with the previously consented development, however the scale of development is not considered to be overbearing and is considered to relate appropriately to the surrounding residential built form along Elsfield Way to the south and Harefields to the north, as well as the scale of Elsfield Hall itself. It is noted that the parapet height is driven by the desire to shield views of the solar PV which sits on the flat roof of the building, reducing the height of the parapet has been explored, however this is considered to be counterproductive in design terms as this would expose the Solar PV

equipment on the roof of the building, which would detract from the design of the building.

- 10.29. The building would be constructed from brick, which is consistent with the principle use of materials in the immediate area. Samples of the materials are recommended to be required by condition, however a lighter colour brick would be sought as this is considered to be softer in appearance compared to the darker brick used in the adjacent Elsfield Hall and would be more sympathetic in design terms.
- 10.30. The development includes the provision of new landscaping to the rear of the apartment building which serves as private amenity space for the flats, planting is proposed to the front of the flats which would be beneficial and would add to the character of the street scene in Elsfield Way.
- 10.31. In summary it is considered that the development is of an appropriate design standard and meets the requirements of Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy; Policy HP9 of the Sites and Housing Plan and Policy DH1 of the Emerging Local Plan.

v. Residential Amenity

- 10.32. Aligning the south wing of the flats with the side elevation of the adjacent property No.9 Elsfield Way ensures that the development would not have a significantly compromising impact on the amenity of this property. There are no east side facing windows in this elevation of the property serving habitable rooms and there are no rear facing windows in the nearest section of No.9 to the site boundary. The development in relation to this adjacent property would not therefore result in an undue loss of light to the windows of habitable rooms and the development complies with the 45 and 25 degree code in respect of natural light. There would also be no side facing windows in the east facing elevation of the south wing of the proposed block of flats which would otherwise overlook this property. Whilst there is a relatively close spatial relationship between the proposed block of flats and No.9 Elsfield Way of approximately 2.1 metres, it is considered that the impact of the development would not be overbearing and the overall impact would not be substantially greater than the previously consented scheme.
- 10.33. The west facing rear elevation of the north wing of the flats would face the private garden area of No.9 Elsfield Way, though there would be a significant separation distance of 23 metres between the rear windows of the west facing elevation of the flats and the rear amenity space of this property, which would be sufficient to ensure that this property would not be significantly overlooked. Typically a distance of 11 metres would be considered acceptable. It is also noted that there are two existing mature trees located in the rear garden of the property which provides screening of the rear garden of No.9 Elsfield Way, further planting is also proposed to the north of these trees within the application site. Overlooking would also be to a far lesser extent than the previously consented development, where the proposed two and a half storey dwellings were sited in a position much closer to the boundary of No.9 Elsfield

Way. Overall it is considered that the development would adequately safeguard the privacy of the occupiers of this property.

- 10.34. In relation to the neighbouring properties to the north of the site in Harefields, officers note that there would be a separation distance of 25 metres between the north facing side wall of the flats and the rear elevation of the nearest neighbouring property and a separation distance of 19 metres between this side elevation and the boundary of the rear amenity spaces of the neighbouring properties. It is noted that the previously consented scheme included the provision of two and a half storey dwellings in the element of the scheme closest to Harefields. The proposals would ensure that the privacy of these properties would be respected and the development would comply with the requirements of Policy HP14 of the Sites and Housing Plan (2013).
- 10.35. It is noted that the previously proposed dwellings would (at a height of 7.2 metres) be lower in height compared with the present proposals for a three storey building which extend to a total height of 10.6 metres. Notwithstanding the increase in the height of the building compared with the previously consented development, the previously approved development afforded a much lower separation distance to the boundary of the adjacent properties to the north of only 16 metres to the rear elevations and 6 metres to the rear boundary. In comparison officers consider that the present proposals would be less overbearing than the previously proposed scheme and would afford an acceptable standard of amenity for existing occupiers. The development would also comply with the Councils 25/45 degree rule in ensuring that the development would not result in significant overshadowing or loss of light to adjacent occupiers. It is noted that there are side facing windows proposed though accounting for the proposed separation distances it is considered that the position of these windows would not result in undue overlooking or loss of privacy to existing occupiers.
- 10.36. The concerns raised in respect of lighting on the site are noted and the applicants have revised the proposed lighting scheme for the site, as indicated within the design and access statement, which indicates the provision of low level bollard lighting in a position closest to the boundary of the properties to the north. The provision of low level lighting is considered preferable as this would avoid light glare to the rear windows of the neighbouring properties which may otherwise occur from higher level lighting. In order to secure an appropriate lighting scheme officers specify that an appropriate condition be attached to the permission. The revised lighting scheme is considered to comply with the provisions of Policy CP20 of the Oxford Local Plan and Policy Policy RE7 of the Emerging Local Plan.
- 10.37. The proposed flats would each comply with the minimum requirements for internal living accommodation as specified under the provisions of Policy HP12 of the Sites and Housing Plan and would comply with the Government's Nationally Described Space Standards for internal floor areas and storage. Each of the flats would be dual aspect and private living spaces would benefit from adequate standards of natural light. Internal space standards for typical flats would be as follows:

Size	Typical Proposed Floor Area	Nationally Described Minimum Space Standards
1 Bedroom – 2 Person	52.8sqm – 52.9sqm	50sqm
2 Bedroom – 3 Person	63.7sqm	61sqm
2 Bedroom – 4 Person	71.8 – 72.4sqm	70sqm

10.38. Policy HP13 of the Sites and Housing Plan specifies that planning permission will only be granted where new dwellings have direct and convenient access to an area of private open space. 1 and 2 bedroom flats are expected to have access to a private balcony or direct access to a private or shared garden.

10.39. The ground floor flats would each have direct access to ground floor gardens to both the front and rear, both in the case of the flats on the north wing of the building. Each of the first and second floor flats would have private balconies, in area these would be 5.7sqm in the case of the 1 bedroom flats, 6sqm in the case of the 2 bed 3 person flats and 7.1sqm in the case of the 2 bed 4 person flats. The external spaces would comply with the size requirements specified under Policy HP13 of the Oxford Local Plan. A mix of internal and external bin stores is proposed which would be adequate to serve the proposed development.

vi. Transport

10.40. The proposals include the addition of a new vehicular means of access; this would be located approximately 16 metres to the west of the existing means of access serving the office building. The existing access serving the office building would be retained. The access would be located in a position close to an existing row of single storey garages serving adjacent properties in Harefields. The proposed position of the new access would be similar to the previously proposed vehicular access which was deemed to be acceptable.

10.41. The concerns raised by neighbouring residents in relation to the proposed means of access are noted, however it is considered that visibility at the proposed means of access would be adequate and that the position of the proposed means of access would not be unsafe to road users or pedestrians. It is considered that accounting for the level of usage of the access and likely trip generation that the proposed development would not have a severe impact on highway safety or amenity contrary to Paragraph 109 of the NPPF. Oxfordshire County Council as the Local Highway Authority has not objected to the development on the grounds of highway safety.

10.42. Policy HP16 of the Sites and Housing Plan specifies maximum parking standards for residential development. The proposals make provision for a total of 31 residential parking spaces for the new development, 5 for these

would be visitor spaces. The proposals would provide 72 spaces for the existing office building within the parameters of this adjacent site.

- 10.43. Harefields and the majority of the surrounding roads to the north of the site fall within the Cutteslowe CPZ, though it is noted that the CPZ does not include David Walter Close to the east of the site. The surrounding area to the south of the A40 is within the North Summertown CPZ. The inclusion of the vast majority of the surrounding streets within the CPZ limits to the likelihood that the proposed development would result in an accumulation of vehicles on the surrounding roads, particularly as off street parking is being provided.
- 10.44. The site is in a relatively sustainable location in terms of access to public transport. There are bus stops within 250 metres of the site along the Banbury Road, which are served by regular busses to the city centre as well as Kidlington and Bicester. The site is also approximately 1 mile from Oxford Parkway Railway Station.
- 10.45. Policy M3 of the Emerging Local Plan specifies that development in any location within a CPZ, within 400 metres of a bus stop and within 800 metres of a supermarket should be car free. Policy HP16 of the Sites and Housing Plan allows for car free development in such locations though the wording of this policy does not specifically require that development should be car free. The site would be in a sustainable location with respect to access to regular public transport links, though the site is in a somewhat peripheral location on the edge of the city and is 1.1km from the nearest district centre in Summertown. There is a small row of neighbourhood shops including a convenience store within 400 metres though the nearest sizeable supermarkets are located 1.3km from the site in Summertown, which is beyond reasonable walking distance.
- 10.46. Officers consider that accounting for the site's peripheral location it would be expected that some level of parking would be provided for occupants, otherwise if there is a reasonable likelihood that occupants would own cars, this is likely to put pressure on the surrounding streets. The parking would be unallocated, 5 of the proposed spaces would be for visitors. Taking these factors into account, it is considered that the proposed parking would be acceptable in accordance with Policy HP16 of the Sites and Housing Plan.
- 10.47. The proposed provision of 72 car parking spaces for Elsfield Hall would be above maximum parking standards and would exceed the quantity of spaces which would be typically sought for a building of this size used for Class B1 use. It is however noted that the proposals are to re-provide spaces for the office building. Whilst it is difficult to precisely gauge existing parking provision as this is not marked in the form of bays, the existing provision for the office is greater than is proposed within this application and the proposals would therefore represent a net reduction in spaces, albeit that provision would exceed maximum standards. Furthermore it is understood that the applicants are contractually obliged under the terms of the lease to re-provide the spaces for the office building and therefore there would not be the flexibility to reduce the number of spaces, albeit that this would be desirable in sustainability terms. A condition is attached to the planning permission requiring the

submission of a Travel Plan it is envisaged that this will address means of reducing dependence on private means of transport for both residential occupiers and workers within the adjacent office space.

- 10.48. The proposals will provide 52 cycle parking spaces, which would be equivalent to 2 spaces per dwelling and is considered to be in line with the requirements of Policy HP15 of the Sites and Housing Plan. Separate additional cycle parking would be provided for the office space, the provision of 10 spaces is proposed however the provision of further cycle parking is currently being sought. The provision of cycle parking across the site would be sought by condition.
- 10.49. The development would include a new pedestrian access to the site from the footpath and cycle way adjacent to the A40; this would provide a link between the A40 and Harefields. The provision of a new pedestrian route would be of benefit to both existing and future residents and provides a more direct route from Harefields and the site to connect with the cycle path and existing pedestrian and cycle links between the site and routes through towards Summertown. The concerns raised by the Highways Authority in terms of the pedestrian access to Elsfield Hall from Harefields are noted though it is also considered that the proposals would be an enhancement on existing pedestrian and cycle access arrangements. It is noted that the intention is to move the main entrance of Elsfield Hall to the north, adjacent to the visitor parking spaces and this entrance would be served by the new pedestrian means of access, negating the need for pedestrians and cyclists to use the existing vehicle access to Elsfield Hall. The proposals are therefore considered to make acceptable provision of pedestrian access to Elsfield Hall.
- 10.50. The development is considered to improve pedestrian connections and permeability of access in the surrounding area, which would be in line with the provisions of Policy CS13 of the Core Strategy; Policy TR4 of the Oxford Local Plan; Policies M1, M3 and M5 of the Oxford Local Plan and Paragraphs 91 and 102 of the NPPF.

vi. Trees

- 10.51. The proposals include the removal of a number of trees on the site, the majority of which are low category trees which are located in the southern part of the site in the position of the proposed parking court which would serve Elsfield Hall. The removal of these smaller species is not considered to result in visual harm to the character of the area and would be mitigated by the provision of new planting to the front (south) elevation of the proposed flats. The proposals would result in the removal of an English Oak tree which fronts Harefields, this is a prominent tree, which forms part of a wider Tree Preservation Order (TPO) listing.
- 10.52. It is considered that it would be necessary to remove one of the three street facing trees in order to facilitate a safe means of access to serve the proposed development. Of the three trees the Oak would be the least prominent of the trees and though the Oak would be of individual value to visual amenity of the street scene, the Council's Tree Officer has advised that the retention of the

adjacent Ash trees as proposed would retain a significant canopy cover within the street scene.

10.53. Overall officers consider that the removal of the Oak tree is justified in order to facilitate a means of access to the site to secure development. The development makes provision for the retention of the existing frontage Ash trees and it is therefore considered that significant effort has been made to safeguard the visual amenities of the area, whilst the removal of the Oak tree is justified on balance accounting for the public benefits associated with the proposed delivery of 26 dwellings. The proposals are therefore considered to comply with the provisions of Policies NE15 and NE16 of the Oxford Local Plan.

vii. Sustainability

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

10.55. To meet the renewable requirement it is proposed that solar panels are installed across the roof surface of the flats with a south orientation, the position of the solar panels are identified in the architectural drawings accompanying the application.

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

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

10.57. Officers are satisfied that the measures outlined demonstrate that the proposed development would incorporate high standards of energy efficiency which comply with the requirements of Policy HP11 of the Sites and Housing Plan and Paragraphs 153 and 154 of the NPPF.

viii. Air Quality

10.58. The site is located on a very sensitive area for Air Quality due to the proximity with the A40 and Cutteslowe roundabout, a place that has been historically

breaching NO2 annual mean limit value. Special attention should be made to exposure of future residents to air pollutant levels, especially if the dwellings are expected to have windows directly facing the A40. The applicants have provided an Air Quality Assessment which the Council's Air Quality Officer has adjudged to be acceptable. It is considered that there would not be negative air quality impacts over current and future receptors as a result of the new development subject to appropriate conditions.

11. CONCLUSION

- 11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. In the context of all proposals Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 11.3. The proposals would bring forward the development of a brownfield site to provide a total of 26 dwellings. Taken in conjunction with the associated development at Cumberlege Close, the proposals would deliver 35 dwellings, 18 of which would be made available as affordable accommodation, this would comply with the requirements of Policy H3 of the Sites and Housing Plan. The proposals would therefore make a significant contribution towards local housing need in particular much needed affordable housing.
- 11.4. The proposals are considered to allow for acceptable parking provision, which would be in line with maximum parking standards outlined under Policy HP16 of the Sites and Housing Plan. The surrounding roads, with the exception of David Walter Close are subject of a CPZ; therefore it is considered that sufficient controls exist to ensure that the development would not result in an accumulation of on street parking in the surrounding roads. It is also considered that the site represents a sustainable location in terms of access to public transport. It is considered that the proposed new means of access would be acceptable in terms of its siting, visibility and adequacy to accommodate the level of traffic likely to be generated from a development of the scale proposed and the siting of the access would not severely compromise highway safety or amenity.

- 11.5. It is considered that the scheme is appropriately designed and the design responds appropriately and meaningfully to the character and appearance of the surrounding area. The development would afford an appropriate standard of amenity for future occupiers and would not unduly compromise the amenity of neighbouring occupiers.
- 11.6. In summary it is considered that the proposals represent sustainable development in accordance with Paragraph 11 of the NPPF as well as the relevant provisions of the local development framework, in particular the provisions of Policies CP1, CP6, CP8 and CP9 of the Oxford Local Plan; Policies CS2 and CS23 of the of the Core Strategy; Policies HP2 and HP3 of the Sites and Housing Plan and Policies DH1, H1 and H2 of the Emerging Local Plan. It is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

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

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

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

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

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

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

4. No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found in chapter 6 pages 32-34 of the Air Quality Assessment that was submitted with this application (PROJECT NO. 70037512-004), developed by WSP. The development shall be carried out in accordance with the agreed CEMP.

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

5. Prior to the occupation of the development, evidence that proves that all emission gas fired boilers that are going to be installed on-site are going to be ultra-low NOx (and meet a minimum standard of <40mg/kWh for NOx) shall be submitted to and approved in writing by the Local Planning Authority.

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

6. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:

-Provision of electric charging points for each residential unit with an allocated parking space

-The amount of electric car charging points to be installed should cover at least 25% of the amount of permitted non allocated parking of the development ;

-Appropriate cable provision should also be installed to ensure that remaining parking is prepared for increased EV demand in future years.

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

Reason - To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority. The recommended provision rate is 1 charging point per unit (house with dedicated parking) or 1 charging point per 10 spaces (unallocated parking, i.e. flat development).

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

8. A contoured survey of the site and a plan to a scale of not less than 1:500 showing the exact location, species and spread of all trees on the site and those proposed to be felled during building operations and all other natural features shall be submitted to, and approved in writing by, the Local

Planning Authority before any felling or other alteration of the existing condition of the site takes place.

Reason: To maintain as far as possible the appearance of the area in accordance with policy CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

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

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

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

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

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

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

12. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

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

13. Prior to the commencement of works a scheme outlining the improvements to be made to the footpath to the north of the site shall be submitted to, approved by, the Local Planning Authority. The proposed access must be of a sufficient standard for shared pedestrian and cycle use and must be appropriate for safe and convenient use year-round.

Reason: In the interest of highway safety and to promote the use of sustainable transport. Improvements to the footpath are required in order to create an appropriate pedestrian access into the site. The agreed details shall be implemented prior to first occupation of the development.

14. Prior to the first use or occupation of the development hereby permitted, details of covered and secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details agreed and the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development thereafter.

Reason: To encourage the use of sustainable modes of transport in accordance with Policy HP15

15. A full Travel Plan within 3 months of occupation shall be submitted to and approved in writing by the Local Planning Authority. This will be sent to the Travel Plan Team at Oxfordshire County Council for approval. The agreed details shall be implemented thereafter.

Reason: To encourage the use of sustainable modes as a means of transport.

16. Before the development permitted is commenced a swept path analysis shall be submitted to, and approved in writing by, the Local Planning Authority to demonstrate that a large fire tender can safely and easily enter, turn and exit the site in a forward gear.

Reason: In the interest of highway safety.

17. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The details agreed shall be implemented thereafter. The CTMP should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,

- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents and neighbours.

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

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

- Calculations of current and proposed runoff from the site.
 - Discharge point and evidence of agreement for discharge point and rate.
 - Detailed Drainage Scheme Plan showing the layout of the proposed drainage network, the location of the storage within the proposed development and how these relate to the submitted calculations, including any chamber, pipe numbers, direction of flow, invert and cover levels, gradients diameters and dimensions. The methods of flow control must be detailed as should non-conventional elements such as pond and permeable paving.
 - Soakaways tests and Infiltration estimation in accordance with BRE365; the depth of water strikes. To be undertaken at different part of the site.
 - Sizing of features - calculation of attenuation volume.
 - Maintenance and management of SUDS features.
 - SUDS proposal - Permeable Paving, Rainwater Harvesting, Green Roof, attenuation pond, etc.
 - Storage devices should be designed to empty sufficiently within 24 hours to be able to accommodate 80% of the 10% (1 in 10) storm runoff. The evidence showing the proposed storage meets this requirement should be demonstrated.
 - Network drainage calculations.
 - Minimum discharge limit of 5 l/s does not apply in Oxfordshire.
- Appropriate consideration of filtration features could remove suspended matters and suitable maintenance regime could minimise the risk of blockage.
- A qualitative assessment of flood flow routing in exceedance conditions.
 - An assessment of residual risk (what would happen if part of proposed SuDS fails).

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

19. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing

shall be provided in accordance with the approved scheme and shall meet the definitions and requirements for affordable housing as set out within the Sites and Housing Plan 2011-2026 or any future guidance that amends or replaces it unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include:

- i) the numbers, type, and location on site of the affordable housing provision to be made.
- ii) details as to how the affordable tenure split for the affordable housing accords with the requirements of the policies of the Sites and Housing Plan 2001-2026 and the Affordable Housing and Planning Obligations Supplementary Planning Document 2013 unless otherwise agreed in writing by the Local Planning Authority.
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider, or for the management of the affordable housing (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of the occupiers of the
- vi) affordable housing and the means by which such occupancy criteria shall be enforced

Reason: In order to secure the affordable housing provision on site in accordance with Policy CS24 of the Oxford Core Strategy 2026, and Policy HP3 of the Sites and Housing Plan 2011

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

Reason: To ensure that the development is a safe and secure environment and to minimise the risks of crime, in accordance with Policies CP1 and CP9 of the Oxford Local Plan.

21. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken. THE PHASE 1 REPORT HAS BEEN COMPLETED AND APPROVED.

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

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

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

23. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure an overall measurable net gain in biodiversity will be achieved. The scheme will include details of native landscape planting of known benefit to wildlife, artificial roost features, including bird and bat boxes, and a minimum of three dedicated swift boxes. The details agreed shall be implemented prior to first occupation of the development.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy CS12 of the Oxford Core Strategy 2026.

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

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

25. Prior to the removal of the cadets building located on the site, the building identified on the approved plans to be available for use by the

cadets shall be made available for this purpose and shall be used solely for this use and no other purpose including any other use falling within Class D2 of the Town and Country Planning (Use Classes) Order 1987.

Reason: To ensure that the community use of the building by the cadets which is currently located on the site is re-provided to at least equivalent standard on the site in accordance with Policy CS22 of the Oxford Core Strategy.

26. Before the commencement of above ground works details of bin storage shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the refuse storage has been provided within the site in accordance with the approved details and retained solely for this purpose

Reason: To ensure the adequate provision of refuse storage in accordance with Policy HP1 3 of the Sites and Housing Plan.

27. The car parking; proposed in the development hereby permitted shall be provided before the development is occupied and shall be reserved exclusively for the occupants of the flats and shall not be used for any other purpose without the prior written consent of the Local Planning Authority.

Reason: To ensure that vehicle accommodation is always available for the occupants and thus avoids the parking of vehicles on the adjoining highways, in accordance with policies CP1, CP6, CP10 and TR3 of the Adopted Oxford Local Plan 2001-201

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

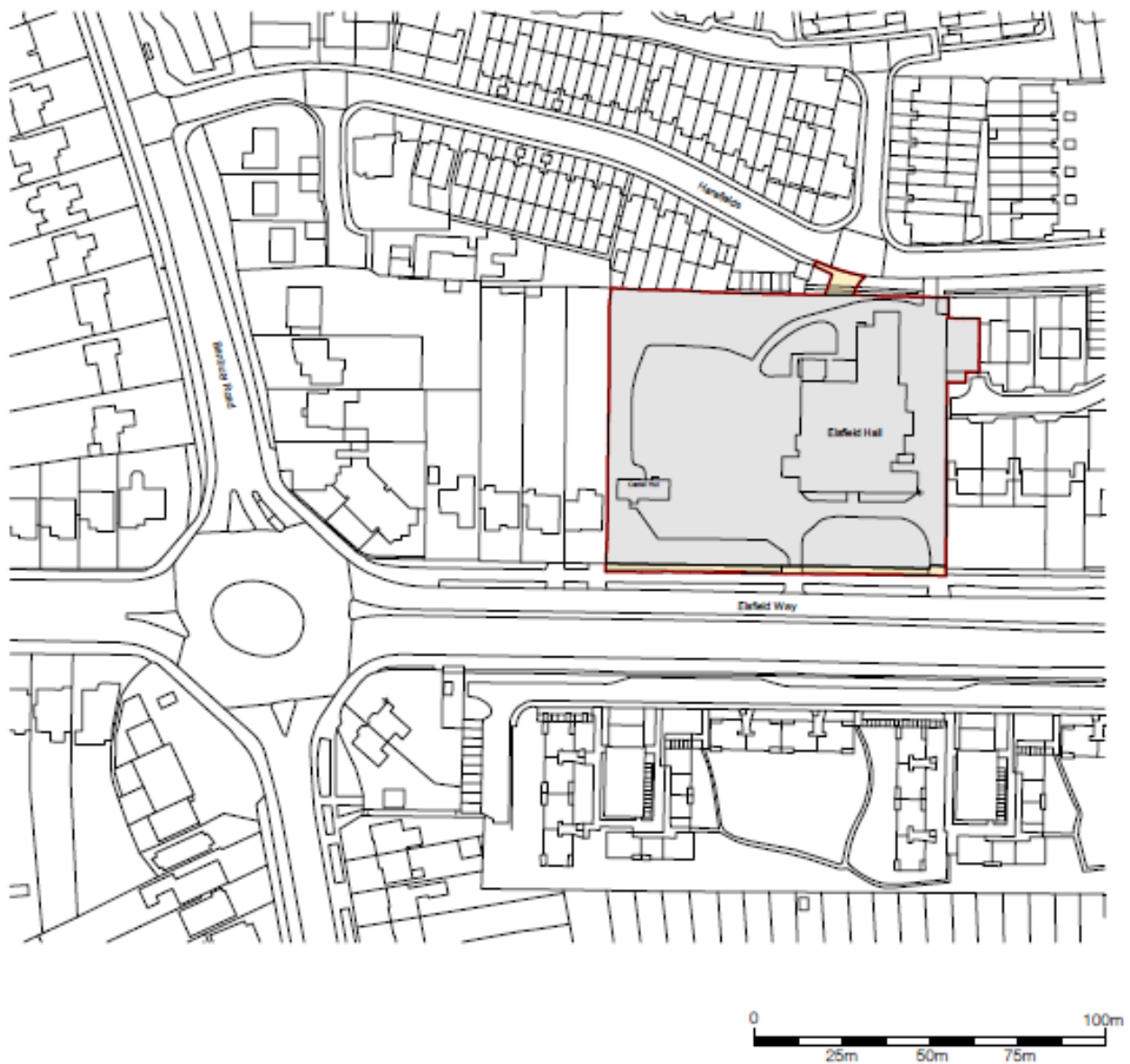
14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Site Location Plan



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WEST AREA PLANNING COMMITTEE

12 March 2019

Application number: 18/03383/FUL

Decision due by 12 March 2019

Extension of time 19 March 2019

Proposal Installation of a welfare compound and erection of modular buildings for a temporary period in connection with Biochemistry Phase 2 construction works.

Site address The Observatory , South Parks Road, Oxford, OX1 3RQ
– see paragraph 5.4 for location plan and **Appendix 1**

Ward Holywell Ward

Case officer Nadia Robinson

Agent: Mr Steven Roberts **Applicant:** The Chancellor, Masters and Scholars of The University of Oxford

Reason at Committee Over 500m² of new floor space

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers an application for 11 linked two-storey modular cabins to be used as a welfare compound by construction workers working on Phase 2 of the Biochemistry building. The site is an area enclosed by fencing and hedge located to the north of the Observatory building within the University Science Area, and lying within the University Parks, a Grade II Registered

Park and Garden and the Green Belt. The site lies within the Central (University and City) Conservation Area and is currently used as the University Parks plant nursery. Permission is sought for 30 months for the duration of the building work on the nearby Biochemistry building.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is for temporary buildings and is therefore not liable for CIL.

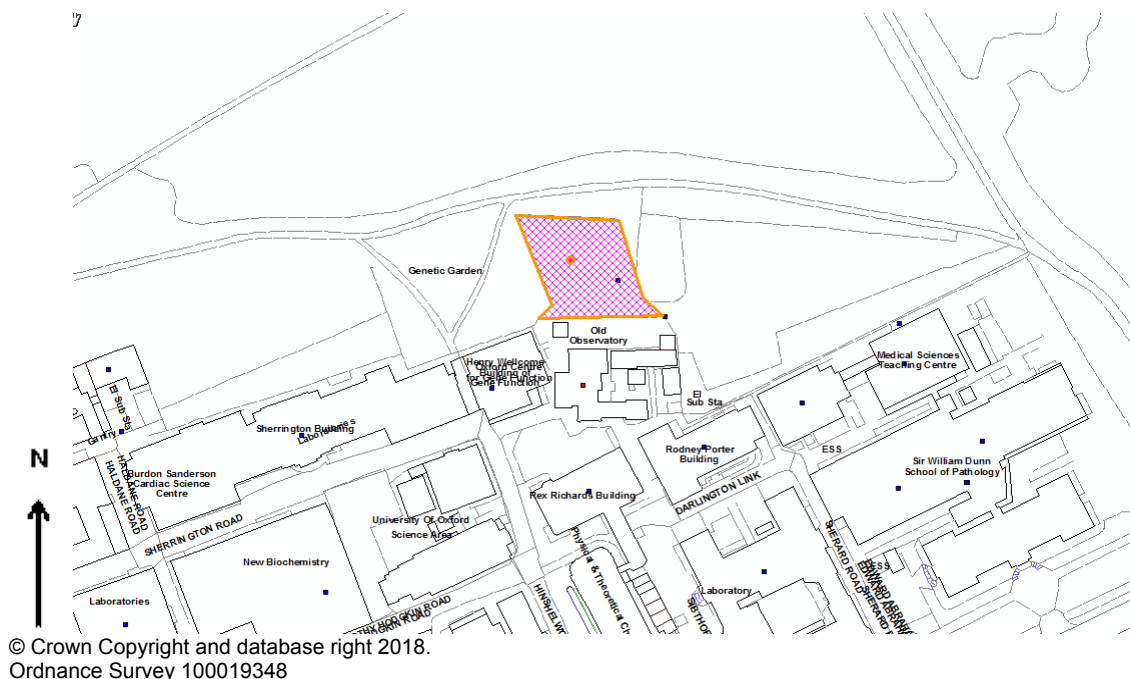
5. SITE AND SURROUNDINGS

5.1. The site is an area measuring just over 1,000 square metres located to the north of the Observatory and the University Science Area. It is enclosed by fence and hedging and is currently home to the University Parks plant nursery, and is therefore previously developed land. There are various polytunnels and a large greenhouse on the site. The greenhouse is the highest structure on site, measuring approximately 4.6 metres in height.

5.2. The site lies within the Central (University and City) Conservation Area, at the southern edge of the University Parks Grade II Registered Park and Garden. It also lies just on the edge of the Green Belt as part of the green wedge that is either side of the River Cherwell.

5.3. The site is accessed from the south of the site on foot from the University Science Area and is visible in views from the University Parks. There is no vehicle access.

5.4. See block plan below:



6. PROPOSAL

- 6.1. The application proposes 11 linked two-storey modular cabins to be used as a welfare compound by construction workers working on Phase 2 of the Biochemistry building. The Biochemistry building was granted consent in 2006 under reference 05/00643/FUL, divided into two build phases. Phase 1 of the building is complete and occupied, and Phase 2 has now commenced. Due to the constrained building site, there is no room for a welfare compound. It is therefore proposed to be located to the north-east of the construction site, as per this planning application.
- 6.2. Eleven modular two-storey units, linked together as one building, are proposed which would provide changing facilities, a canteen and meeting spaces for construction workers. There would be two external staircases to the upper floor. The overall building would be 5.84 metres tall. Fourteen cycle parking spaces are proposed for workers; no car parking is proposed. Operational access will be from the south-west of the compound, closest to the University Science Area and away from the Park.
- 6.3. Access for the vehicles delivering and removing the units that make up the compound would be via the Sir William Dunn School car park and through a small section of the park. The proposal includes the removal of the hedge along the northern boundary and one tree so that the units can be installed. A replacement tree would be planted after the end of the temporary period.
- 6.4. The development is proposed for 30 months.
- 6.5. See proposed site plan below:



7. RELEVANT PLANNING HISTORY

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

68/20524/A_H - Erection of a greenhouse. Approved 20 August 1968.

08/01592/FUL - Erection of replacement glasshouse. Approved 25 September 2008.

08/01593/CAC - Conservation area consent for demolition of glasshouse. Approved 25 September 2008.

Also relevant to this application is the following application on a nearby site for the Biochemistry building:

05/00643/FUL - Demolition of Walter Bodmer, Donald Woods, Rudolph Peters and Hans Krebs Buildings, plus associated outbuildings. Erection of new biochemistry building on four floors plus two basement levels, together with cycle parking and landscaping in new pedestrian areas. (Amended Plans). Approved 31 March 2006.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Emerging Local Plan 2036*
Design	124-132	CP1 CP8 CP10	CS18		DH1 DH3
Conservation/ Heritage	184-202	HE7 HE8			
Commercial	80-84		CS27		E2
Natural environment	170-183	CP11 NE15 NE16	CS2 CS12		G1 G2 G3 G8
Transport	102-111	TR3 TR4			RE7 M1 M3 M5
Environmental	117-121	CP20			
Miscellaneous	7-12	CP25		MP1	S1

** Only limited weight can be given to policies in the emerging Oxford Local Plan 2036 because the plan is only at Proposed Submission Draft stage.*

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 7 February 2019 and an advertisement was published in The Oxford Times newspaper on 7 February 2019.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objection subject to condition for a construction travel management plan.

Gardens Trust

- 9.3. We have considered the information provided in support of the application and on the basis of this confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

Public representations

- 9.4. No public representations were received.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Impact on designated heritage assets
- iii. Green Belt
- iv. Trees
- v. Transport
- vi. Biodiversity

i. Principle of development

Temporary buildings

- 10.2. Policy CP25 of the Oxford Local Plan 2001-2016 allows for temporary or portable buildings where short-term need has been clearly demonstrated, such as in connection with major site development work. This is subject to buildings not adversely affecting visual attractiveness, trees or parking provision; and the proposal adequately addressing landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; not prejudicing future developments; access points; and providing a suitable external appearance.
- 10.3. It has been clearly demonstrated that the facility is needed in connection with major site development work, and the site search set out in Appendix 1 of the

planning statement demonstrates that other site options have been explored. There is no other area within a reasonable and workable proximity to the site on which to site a working compound. The principle of the temporary buildings is therefore acceptable. The other requirements of Policy CP25 are discussed in later sections of this report.

- 10.4. Policy CP25 states that planning permissions for temporary buildings will be subject to a planning condition that requires the removal of the buildings within a specified time period. In this case, it may not be appropriate to reinstate the site to the current arrangement, and landscape improvements shall be sought. A condition for a reinstatement plan to be submitted and approved six months before the end of the temporary period is therefore recommended.

Green Belt

- 10.5. The site lies within the Green Belt. The new buildings proposed with this development do not fall into any of the exceptions listed in the NPPF and the proposal would therefore constitute inappropriate development. Paragraph 143 of the NPPF states that such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF continues in paragraph 144, "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."
- 10.6. Policy CS4 of the Oxford Core Strategy supports this position, stating that, in accordance with national policy, planning permission will not be granted for inappropriate development.
- 10.7. Therefore, the principle of this development can only be acceptable if very special circumstances exist whereby the harm it would cause to the Green Belt is outweighed by other considerations. This is considered in section iii of this report, below.

ii. Impact on designated heritage assets

- 10.8. The NPPF in section 16 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the positive contribution that conservation of heritage assets can make.
- 10.9. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 10.10. Oxford Local Plan Policy HE7 seeks to preserve or enhance the special character and appearance of conservation areas and their settings. Policy HE8 prevents development that will adversely affect the visual, historical or horticultural character of an historic park or garden or its setting but supports development that avoids the loss of key features, retains the essential character of the site and assists with the protection, management and restoration of important parks and gardens. Whilst the wording of these policies does not include the balancing exercise identified in paragraph 195 of the NPPF in relation to designated heritage assets and would therefore be deemed to be out-of-date with the framework, they would be consistent with the above-mentioned legal requirements of Section 72, and they must therefore carry considerable weight in the determination of this application.
- 10.11. The development proposed would affect two designated heritage assets. Firstly, University Parks, which is a late 19th century landscape laid out with walks, specimen trees and formal planting beds. There has been more recent development in terms of planting but essentially the park remains as originally intended. Footpaths are significant in that they were laid out to provide health-giving walks for academics and residents of North Oxford. The University Science Area provides the backdrop to views from within and across the Park looking southward. Secondly, the Central Conservation Area, which is dominated in this location by the development of the University Science Area.
- 10.12. The design of the buildings is functional and, due to their temporary nature, does not make a bespoke response to the context of the site. However, the choice of colour and ensuring there is no signage visible from views from the Park may provide some mitigation by reducing the level of visual intrusion. A condition is therefore recommended for the colour to be a grey-green with a specified standard colour, should permission be granted, with another condition to control the visual impact of signage.
- 10.13. The height of the building at almost six metres will be seen against the backdrop of the substantially larger science buildings to the south in views across and out of the historic park. This will be more visually intrusive than the existing greenhouses.
- 10.14. It is considered that there will be a level of harm to the character and appearance of the Grade II Registered Park due to the loss of a tree, albeit to be replaced, and the visual intrusion of the buildings. The harm is limited to views and visual impact in mid- and close-range views, with the majority of the Park being undisturbed. Therefore it must be concluded that the harm will be “less than substantial” by the definition set out in the NPPF. The development proposal will therefore fall to be determined under the provisions of the policy set out in paragraph 194 of that document.
- 10.15. Officers would assess the harm as a moderate to high level of less than substantial harm. Harm to heritage assets must be given a considerable weight in balancing it against any offered public benefits.
- 10.16. There are three public benefits of the proposal. Firstly, that the building is enabling the construction of a world-class Biochemistry facility and the

economic and social benefits that research and development will produce. This facility supports Policy CS27 of the Core Strategy (Sustainable economy), and great weight is given to this public benefit. Secondly, the existing gardener's compound makes a jarring and incongruous edge to this part of the Park. The installation of temporary buildings will require the area to be reinstated to the satisfaction of the local planning authority. This creates an opportunity for a thoughtful landscape scheme to improve this part of the edge of the Registered Park, and thereby brings a significant heritage benefit. Thirdly, there is provision of cycle storage to encourage and support sustainable transport. Little weight is apportioned to this benefit.

- 10.17. It is noted that emerging Policy E2 (Teaching and research), to which some weight can be given, supports development that contributes to the growth of the University of Oxford through the redevelopment and intensification of academic and administrative floorspace on existing University of Oxford and college sites.
- 10.18. On balance, the public benefits, coupled with the temporary nature of the installation, would outweigh the harm to the heritage asset. A condition is recommended for the appropriate restoration of this area of the park at the end of the temporary period.
- 10.19. It is noted that the proposal would comply with emerging Policy DH3, to which little weight can be given, in respect of designated heritage assets.

iii. Green Belt

- 10.20. The NPPF at paragraph 133 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. At paragraph 145 it states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt and should not be approved except in very special circumstances.
- 10.21. Paragraph 141 of the NPPF encourages local planning authorities to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
- 10.22. The site is already occupied by the various structures that form part of the gardener's compound and the development site is adjacent to the built form of the University Science Area and is viewed in this context. It constitutes previously developed land due to the structures on site. The level of harm to the openness and permanence is considered to be low due to the temporary nature of the development, the location of the development site very close to existing urban form and the existing structures on site.
- 10.23. In this case, the harm caused to the openness and permanence of the Green Belt and its purposes is limited to temporary, localised impacts and is low-level. Great weight is given to this low-level harm, but it is outweighed by two

material planning considerations. Firstly, the opportunity to improve the landscaping in this area at the end of the temporary period, which would make a positive contribution to the openness and permanence of the Green Belt. Secondly, the need for the facility in this location, as demonstrated by the site search detailed in the planning application and the wider Phase 2 Biochemistry development it would. As such, very special circumstances exist with this case and the harm to the Green Belt that would be caused by development is acceptable in compliance with local and national Green Belt policy.

10.24. It is noted that the proposal would comply with emerging Policy G3, to which little weight can be given, in respect of the Green Belt.

iv. Trees

10.25. Paragraph 127 of the NPPF requires new development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and to be sympathetic to the surrounding and landscape setting. Policies CP1, CP11, NE15 and NE16 of the Oxford Local Plan safeguard trees and landscape features of public amenity or ecological interest and require appropriate new landscape proposals for new development.

10.26. Provision of vehicle access to the site for the installation of the cabins is proposed via the Dunn School car park and into University Parks. This will require the removal of a single Whitebeam tree (*Sorbus aria* 'lutescens') marked as T11 within the Arboricultural Survey. This tree is a high quality category tree. It is proposed to be replanted with a tree of the same variety in the same location at the end of the temporary period for which permission is sought. Officers accept the principle of the development as being necessary and therefore the removal of the tree is necessary. The replacement planting, which must be secured by condition, will mitigate the impact of the tree loss.

10.27. There are indirect impacts and risks to root protection areas of other trees associated with heavy vehicles accessing the site along trackways to be laid out; however this can be adequately mitigated through appropriate site management and tree protection measures identified in the arboricultural report contained within the application. These measures are recommended to be secured by condition.

10.28. The proposal, subject to the recommended conditions, would comply with policies CP1, CP11, NE15 and NE16, and with the NPPF in respect of arboricultural considerations.

v. Transport and access

10.29. The only vehicle movements required to and from the site will be for the removal of the tree and for the delivery and later removal of the temporary cabins; no other vehicle movements are anticipated and no new highway access is proposed. The transport impact is therefore considered to be negligible. A construction travel plan for the delivery and removal of the

temporary units is required by the Highways Authority and this is recommended as a condition.

- 10.30. Fourteen cycle spaces are proposed. There are no specific standards for numbers of cycle spaces for this type of development in local policy. The quantum is considered acceptable and sufficiently secure within the welfare compound. Such provision would support sustainable travel to work in compliance with policy TR4 of the Oxford Local Plan 2001-2016. A condition is recommended to secure the provision for the lifetime of the development.
- 10.31. It is noted that the ground floor cabins will provide level access and so the proposal, being temporary, is acceptable in respect of accessibility and would accord with policy CP25 and CP13 of the Oxford Local Plan 2001-2016.

vi. Biodiversity

- 10.32. Officers are satisfied that the impacts of the development on biodiversity are likely to be low. In order to ensure there are no indirect impacts on wildlife, a condition is recommended in respect of external lighting so that illumination does not impact light-sensitive wildlife such as bats. Subject to this condition, the proposal would accord with policy CS12 of the Core Strategy and the NPPF.

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the NPPF. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

- 11.3. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.

- 11.4. The main policy where there could be considered a departure from development plan policy would be with regard to Core Strategy Policy CS4 which states that permission will not be granted for inappropriate development in the Green Belt, in accordance with national policy. The report sets out the balancing exercise which concludes that the proposal does give rise to very special circumstances that would allow development to be approved in the Green Belt, in accordance with national policy and therefore with policy CS4.
- 11.5. The application is consistent in all other respects, subject to conditions, with local and national planning policy. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.8. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.9. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Sites and Housing Plan 2011-2026, Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.10. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

12. CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of one year from the date of this permission and shall be for a limited period of thirty months from the implementation 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. A plan showing the reinstatement of the land within the application site shall be submitted to and approved in writing by the local planning authority at least six months before the expiration of the temporary development hereby approved. The structures hereby approved shall be removed from the site before the expiration of thirty months from the implementation of this permission and the land shall be reinstated in accordance with the approved plan within three months of the removal of the structures.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis, and in order to secure heritage improvements, in compliance with policies CP1, CP25, HE7 and HE8 of the Oxford Local Plan 2001-2016, policy CS4 of the Core Strategy and in accordance with NPPF paragraph 141.

4. The external walls and windows of the building hereby approved shall be finished in RAL6028 in a matt finish unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to minimise visual impact on the Registered Park, Green Belt and Conservation Area in accordance with policies CP1, CP25, HE7 and HE8 of the Oxford Local Plan 2001-2016 and policy CS4 of the Core Strategy.

5. No signage associated with the development shall be visible from within University Parks unless details are submitted to and approved in writing by the local planning authority prior to the installation of such signage. Any signage visible from within University Parks shall be installed in accordance with the approved details.

Reason: In the interests of visual amenity and to minimise visual impact on the Registered Park, Green Belt and Conservation Area in accordance with policies CP1, CP25, HE7 and HE8 of the Oxford Local Plan 2001-2016 and policy CS4 of the Core Strategy.

6. The development including demolition shall be carried out in strict accordance with the approved methods of working and tree protection

measures contained within the planning application details, unless as otherwise agreed in writing by the local planning authority.

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

7. Prior to the end of the temporary period of this consent, the location of a replacement tree for the Sorbus tree removed, its species, stock type and planting details shall be submitted to and agreed in writing by the local planning authority. The replacement tree shall be planted in accordance with the approved details within 12 months of removal of the temporary structures of the approved development.

Reason: In the interests of public visual amenity, and in maintaining and enhancing the character and appearance of the Conservation Area and Registered Park, in accordance with policies CP1, CP11, HE7, HE8 and NE16 of the Oxford Local Plan 2001-2016.

8. The cycle storage hereby approved shall be installed prior to first occupation of the development and thereafter retained for the purposes of cycle storage for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: in the interests of sustainable transport and in accordance with policy TR4 of the Oxford Local Plan 2001-2016.

9. No external lighting shall be directed towards any vegetation which bounds the site cabins to the west, north and east.

Reason: to ensure illumination does not impact any light-sensitive wildlife such as bats and to comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy CS12 of the Oxford Core Strategy 2026.

10. Prior to commencement of works, a Construction Traffic Management Plan shall be submitted to and agreed in writing by the local planning authority.

This should identify:

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

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

13. APPENDICES

- Appendix 1 – site location plan

14. HUMAN RIGHTS ACT 1998

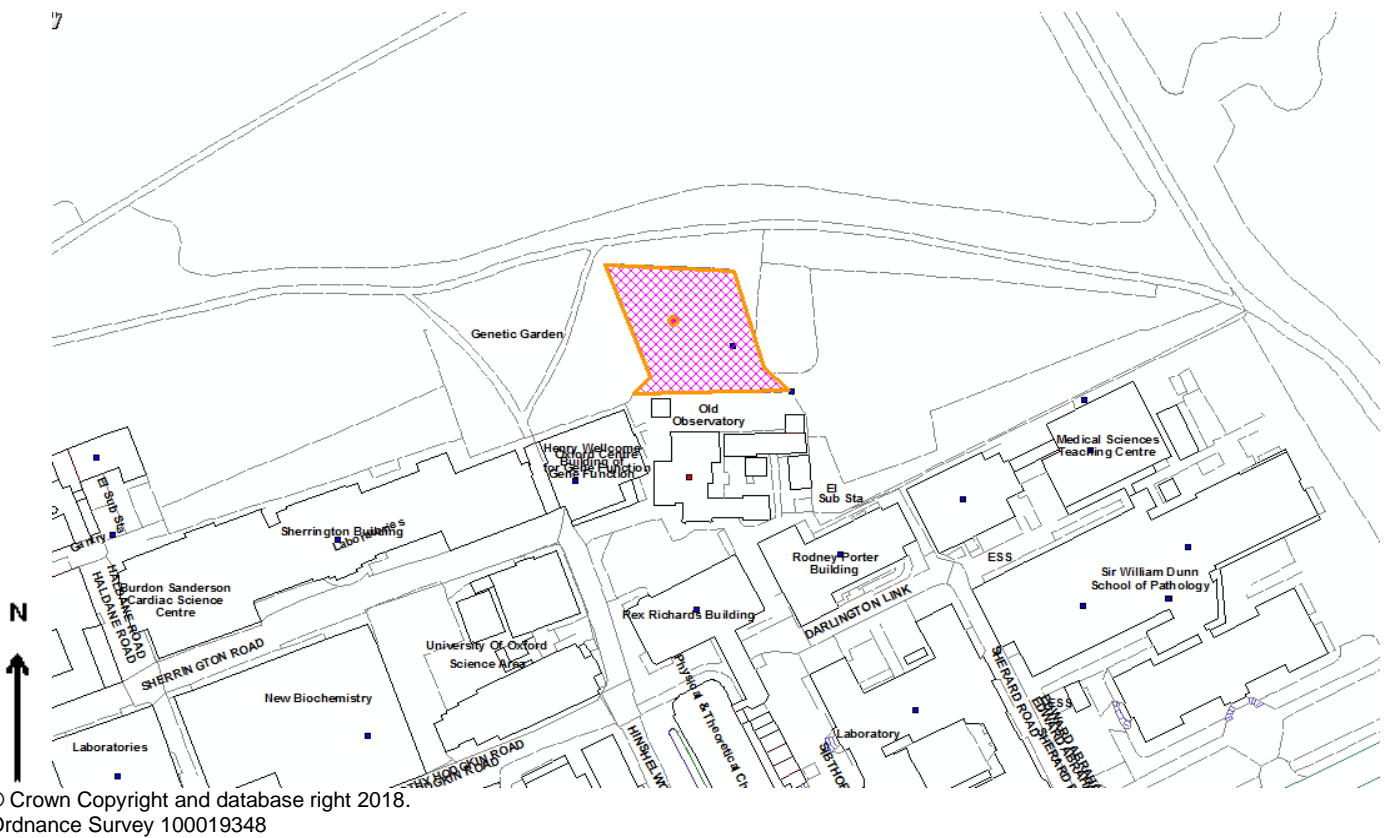
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1

18/03383/FUL - The Observatory



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Ordnance Survey 100019348

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WEST AREA PLANNING COMMITTEE

12 March 2019

Application number	19/00128/CT3		
Decision due by	27 March 2019		
Proposal	Change of use from job centre (sui generis) to emergency hostel accommodation together with associated communal facilities and services and a daytime assessment hub (sui generis) for a temporary period of five years.		
Site address	Government Building, Floyds Row, Oxford, Oxfordshire – see paragraph 5.2 for block plan and Appendix 1		
Ward	Holywell Ward		
Case officer	Nadia Robinson		
Agent:	n/a	Applicant:	Miss Polly McKinlay (Oxford City Council)
Reason at Committee	The application is before the committee because Oxford City Council is the applicant.		

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

- consider and deal with any new material planning considerations that may be raised through public consultation up to 13 March 2019 including deciding whether it is necessary to refer the application back to the committee prior to issuing the permission;
- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
- issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers an application for change of use from sui generis (job centre) to emergency hostel accommodation together with associated

communal facilities and services and a daytime assessment hub, for a temporary period of five years. The building is located within the Central Conservation Area and access to the site is via Floyds Row, which is just off St Aldates. No changes to the external appearance of the building are being proposed.

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 because no additional floorspace is being created.

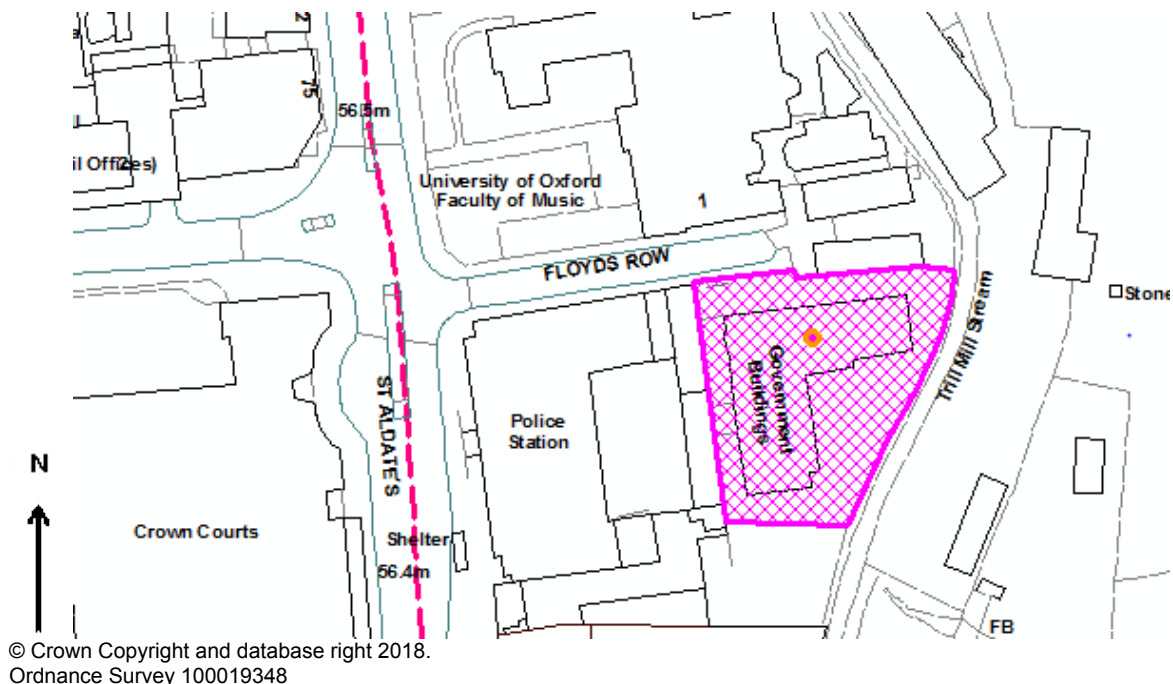
5. SITE AND SURROUNDINGS

5.1. The site is located within the Central Conservation Area. The building is a part two, part single storey detached L-shaped stone building, located off St Aldates at the end of the cul-de-sac, Floyds Row.

5.2. The site is adjacent to St Aldates Police Station and the University of Oxford Faculty of Music. It lies across a stream from Christ Church Meadow, which is a Grade I Registered Park and Garden.

5.3. The site has 20 off-street parking spaces surrounding the building, plus two disabled parking spaces. Vehicle access is via a barrier entrance system.

5.4. See location plan below:



6. PROPOSAL

- 6.1. The site's existing use is a job centre and ancillary offices, which is a sui generis use (falling outside a use class). The site was recently granted planning permission for a change of use to B1 offices under reference 18/01856/CT3; this has not been implemented. The existing sui generis job centre use is therefore still the most recent, established use, even though the job centre has now been relocated to Worcester Street. The site is understood to have been vacant since December 2017.
- 6.2. The application proposes a change of use to a dedicated assessment and support centre for single homeless people, with access to immediate, short term shelter for up to sixty people. Three services are proposed to be housed within the building:
- Temporary beds for up to 72-hour stays; assessment by support worker, access to kitchen, bathroom and laundry facilities
 - Dormitory accommodation for up to 21 days; follow-on from 72-hour stays, pending allocation to more permanent housing, access to kitchen, bathroom and laundry facilities
 - Daytime assessment hub; office space for assessment by housing and rehabilitation workers, space to be used for emergency accommodation space, e.g. in extreme cold weather.
- 6.3. The proposed plans submitted with the application show that only internal changes are proposed including alterations to partition walls to reorganise the layout to suit the requirements of the proposed use. The building has kitchen and WC facilities. The application proposes adding further kitchen and bathroom facilities in the same locations to support the proposed use which would include overnight stays.
- 6.4. No external changes to the building are proposed. A covered cycle store with five spaces for staff is proposed on the site with further uncovered spaces for visitors.

7. RELEVANT PLANNING HISTORY

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

75/00939/C_H - Re-arrangement of car parking to provide 25 parking spaces and extension of existing cycle shed to form paper store, new fence and exit gates. Approved 3 December 1975.

94/01206/CFH - Single storey extension to provide link corridor on south and east elevations (Amended Plan). Raise no objection 31 October 1994.

18/01856/CT3 - Change of use of job centre with ancillary offices (Use Class Sui Generis) to Offices (Use Class B1). (Additional information). Approved 18 September 2018.



8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan 2036*
Design	124-132	CP1 CP9 CP10	CS18			RE7 DH1
Conservation/ Heritage	184-202	HE7 HE8				DH3
Housing	59-76					
Commercial	80-84	EC1	CS27 CS28			E1
Social and community	91-101	CP13	CS19			
Transport	102-111	TR3 TR4 TR11 TR12			Parking Standards SPD	M1 M3 M5
Environmental	117-121	CP19 CP21	CS9 CS10 CS11 CS12			RE3 RE6
Miscellaneous	7-12			MP1		S1

* Only limited weight can be given to policies in the emerging Oxford Local Plan 2036 because the plan is only at Proposed Submission Draft stage.

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 20 February 2019 and an advertisement was published in The Oxford Times newspaper on 7 February 2019.

9.2. The closing date for consultation responses is 13 March 2019, which is after the publication of this committee report, and the day after the committee meeting. Officers will therefore provide a verbal update to committee of any consultation responses received after the publication of the report, and the officer recommendation set out in paragraph 1.1.2 makes allowance for any new material considerations being raised through the public consultation after a committee resolution. Members should be aware that in the event that

further comments are made which are considered to raise new material considerations then officers may need to bring this application back to committee to be re-considered.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.3. No objection. There is adequate car parking provision within the site to serve the development and the cycle parking provided is in line with the adopted supplementary planning document (SPD) and is acceptable.

Public representations

- 9.4. No public representations have been received at the point of publication of this report. It is noted that the public consultation finishes on 13 March 2019 and so the officer recommendation, as set out in paragraph 1.1.2, is for officers to consider any new material planning considerations should they arise and decide whether these necessitate the item being brought back to committee for a decision.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Transport
- iii. Impact on registered park and conservation area
- iv. Neighbouring amenity

i. Principle of development

Employment use

- 10.2. Although the premises have a sui generis use due to there being a mix of a customer contact centre at ground floor and offices above, officers would consider it an employment site for the purposes of Policy CS28 of the Core Strategy. It is not a key protected employment site, however, and Policy CS28 allows for the change of use or loss of other employment sites (i.e. those not key protected employment sites), subject to the following criteria:

- overriding evidence is produced to show the premises are presently causing and have consistently caused significant nuisance or environmental problems that could not have been mitigated;

or

- no other future occupiers can be found despite substantial evidence to show the premises or site has been marketed both for its present use and for potential modernisation or regeneration for alternative employment-generating uses; and
- the loss of jobs would not reduce the diversity and availability of job

opportunities; and it does not result in the loss of small and start-up business premises, unless alternative provision is made in Oxford.

- 10.3. There is no evidence that the current use is causing a nuisance or environmental problems. It is understood that the building has been vacant for over a year, since December 2017. Marketing of the premises has not been successful, and it has been marketed as a B1 use since planning permission was granted for such a change of use under reference 18/01856/CT3. The proposal would reduce the number of employees working at the premises from approximately 35 to 25, however the diversity of jobs is similar to those that would have been supported by the job centre use, being a mixture of office-based and customer-facing roles. It is noted that the job centre employment has not been lost, but rather relocated within the city. The change of use would not result in the loss of small or start-up business premises.
- 10.4. The proposal is therefore broadly in accordance with Policy CS28 and, given the short-term period for which the change of use is sought, officers consider this to be sufficient. Granting consent would not preclude the site from providing a level of employment closer to the job centre use levels, or higher, at the end of the temporary period.
- 10.5. The emerging Local Plan 2036 classifies this site as a Category 2 employment site, which are sites identified as performing well and having long-term potential for employment uses. Policy E1 of the emerging Local Plan states that planning permission will not be granted for development that results in the loss of employment floorspace on Category 2 sites, except where:
- d) the redevelopment creates new housing or community use; and
 - e) the number of employees in B class uses on the site when the site was at full capacity is retained; and
 - f) more efficient use of land can be demonstrated.
- 10.6. It is considered that the proposal would comply with part d) of Policy E1 in providing emergency housing and support services for homeless people. However, the proposal fails to comply with part e) and f) because the number of employees in the proposed development would be 25, whereas the existing use was estimated as employing 35 people.
- 10.7. Policy E1 is an emerging policy to which little weight can be given. The proposal does not accord with all the requirements of E1 for Category 2 sites, but the application is for temporary change of use for five years. Granting consent would therefore not affect the site's long-term potential as a B1 employment site, which is the intention of Policy E1.

Need

- 10.8. Paragraph 59 of the NPPF states:

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it

is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

10.9. The Homelessness Reduction Act 2017 places duties on councils to intervene at earlier stages to prevent homelessness in their areas and requires councils to provide homelessness services to all those affected, not just those who have priority need. One of those services is the provision of assistance in ensuring that sufficient accommodation and support are available.

10.10. The proposal is a response to a dramatic increase of an estimated 510 per cent in people sleeping rough in Oxford. The proposal is sought to be funded by central government funding and forms part of the City Council's response to rough sleeping in its wider housing strategy. It is considered that the proposal for an assessment and support centre for single homeless people seeks to address the needs of a group of people with specific housing requirements, as required by the NPPF.

Temporary period

10.11. Policy CP25 of the Oxford Local Plan 2001-2016 relates to temporary buildings, rather than temporary changes of use. However, it is relevant to note that temporary buildings are permitted for short-term projects via Policy CP25.

10.12. Overall, the proposal broadly aligns with current planning policy and there is a clear and pressing need for the facility. Officers consider that these factors weigh in favour of the change of use. The proposal does not fully align with current or emerging policy in relation to the type of jobs and the small reduction in number of jobs that would result from the change of use. However, given that the permission sought is temporary for five years, the long-term objectives of both current and emerging policies in safeguarding employment sites are not compromised by this short-term change of use. A condition is recommended for the development to be commenced within one year, rather than the standard three years, in order to ensure the development comes forward as soon as possible. The condition would also limit the permission to five years from first use. Officers therefore consider that, on balance, the principle of development is acceptable.

ii. Transport and access

10.13. Policy CS13 of the Core Strategy states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. The site is considered to be suitably located in the city centre for the use proposed.

Car parking

10.14. Policy TR11 of the Oxford Local Plan 2001-2016 states that the City Council will not allow any significant increase in the overall number of parking spaces in the Transport Central Area, and will maintain approximately the present number of public off-street parking spaces. Policy TR12 of the Oxford Local

Plan states that when determining planning applications, the City Council will seek to reduce the number of private non-residential parking spaces, particularly in the Transport Central Area and Transport District Areas, when they are not required for operational reasons.

10.15. The site is located within the Transport Central Area. The proposal is to retain the existing 20 car parking spaces plus 2 disabled car parking spaces at the front of the building. However, this is considered far in excess of what may be needed for operational reasons and the retention of the existing number of car parking spaces would not comply with Policy TR12. The site is located in a sustainable location, within close proximity to city centre and excellent public transport services. The planning statement indicates that a small number of car parking spaces are needed for operational reasons for staff working at unsociable hours and for outreach work. A condition is therefore recommended for a revised site plan showing a reduced number of car parking spaces supported by a statement justifying any car parking spaces sought to be retained. Subject to this condition, the proposed development complies with policy TR3, TR11 and TR12 of the Oxford Local Plan 2001-2016.

10.16. The emerging local plan Policy M3, to which limited weight can be given, states that planning permission for non-residential redevelopments will only be granted if it is demonstrated that there will be no increase in parking provision. The proposal would be compliant with those requirements.

Cycle parking

10.17. The most appropriate cycle parking standard for this development, as set out in the appendix to Policy TR4, is for B1 uses; this is 1 space per 5 staff (or other people). The application form states that there will be 25 employees and therefore to comply with the requirements of Policy TR4, five cycle spaces must be provided. The submitted plan shows the location of a new covered, secure bike store for five cycles. Details of the bike storage are recommended to be required by condition to ensure the provision complies with policy and to ensure the design is acceptable. Further visitor parking is also needed, given that travel to the site will predominantly be on foot or by bicycle. Details can be secured via the same recommended cycle parking condition. Separate shower facilities are to be provided for staff on the ground floor in the staff WC area. This will also be secured by condition in order to encourage the use of sustainable modes of transport to and from the site and to provide adequate cycle parking facilities in accordance with Policy TR4 of the Oxford Local Plan 2001-2016.

10.18. The emerging local plan Policy M5, to which limited weight can be given, has the same cycle parking standards as the adopted local plan. The proposal would therefore be compliant.

Accessibility

10.19. Policy CP13 of the Oxford Local Plan 2001-2016 requires development to make reasonable provision for access by all members of the community. The

building has ramped access at one of the building access points and a lift that can transport people from ground floor to the first floor. The proposal complies with Policy CP13.

iii. Impact on Registered Park and Conservation Area

- 10.20. The NPPF in section 16 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the positive contribution that conservation of heritage assets can make.
- 10.21. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 10.22. Oxford Local Plan Policy HE7 seeks to preserve or enhance the special character and appearance of conservation areas and their settings. Policy HE8 prevents development that will adversely affect the visual, historical or horticultural character of an historic park or garden or its setting but supports development that avoids the loss of key features, retains the essential character of the site and assists with the protection, management and restoration of important parks and gardens. Whilst the wording of these policies does not include the balancing exercise identified in paragraph 195 of the NPPF in relation to designated heritage assets and would therefore be deemed to be out-of-date with the framework, they would be consistent with the above-mentioned legal requirements of Section 72, and they must therefore carry considerable weight in the determination of this application.
- 10.23. Paragraph 193 of the NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). The application site lies within the Central Conservation Area and lies to the east of Christ Church Meadow, which is a Grade I registered park and garden. Policies HE7 and HE8 of the Oxford Local Plan safeguard the significance of Conservation Areas and important parks and gardens.
- 10.24. No external changes are proposed to the building. The cycle store is of small scale and the design can be controlled by condition; it is not considered to have any material impact on the significance of the conservation area or the registered park. The proposal will result in a reduction in car parking spaces on site and this would result in less visual harm in the conservation area and the setting of the registered park. It is suggested in the planning statement submitted that some low-level lighting may be installed; a condition is recommended to require details of any such lighting proposed to be installed so that the impact can be assessed and controlled. The proposal, subject to conditions, is therefore acceptable in respect of national and local policies

relating to the Registered Park and Conservation Area and would not give rise to substantial or less than substantial harm to designated heritage assets of the purposes of Paragraphs 192-196 of the NPPF and Policy HE7 of the Oxford Local Plan 2001-2016.

iv. Neighbouring amenity

10.25. Policies CP19 and CP21 of the Oxford Local Plan 2001-2016 safeguards against development that causes unacceptable nuisance and noise.

10.26. The change of use would mean that the site would be in use 24 hours a day and 7 days a week, which is a material change from the existing office-hours use. The adjacent uses are non-residential, although there is some residential accommodation to the south of the site, separated by a car park.

10.27. The application is accompanied by a site management plan (appendix 1 of the planning statement). This sets out various measures:

- Clients would be restricted from entering or leaving between 12am and 7am.
- Alcohol and illegal drugs will not be allowed on site, except in the case of alcohol where controlled by a support worker as part of a detox programme.
- Clients staying on site will have to sign an agreement on standards of behaviour.
- The site will be staffed by at least three members of specialist staff at all times.
- A stakeholder group with quarterly meetings is proposed to be set up, which is an approach that has been successfully implemented on another similar scheme.

10.28. These measures and their ongoing monitoring and management via staff and the stakeholder group are considered sufficient to ensure any noise or other nuisance can be satisfactorily controlled. The proposal is therefore acceptable in relation to policies CP19 and CP21 subject to a recommended condition that the development be operated in accordance with the site management plan.

11. CONCLUSION

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the

NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the NPPF. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

- 11.3. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.4. Although the requirements of policy CS28 of the Core Strategy are not, strictly speaking, fully complied with, the acute need for the emergency housing and support services for homeless people that would be provided through this change of use and the temporary period sought would outweigh this.
- 11.5. The application is consistent in all other respects, subject to conditions, with local and national planning policy. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.8. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.9. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Sites and Housing Plan 2011-2026, Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.

11.10. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

12. CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of one year from the date of this permission and shall cease before the expiration of five years from the implementation 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 the occupation of the approved development, a detailed scheme showing the design of a secure, covered cycle store for at least 3 "Sheffield" type cycle parking stands plus additional visitor cycle parking provision, shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be installed prior to first occupation and thereafter retained for the lifetime of the development. The staff WC area on the ground floor shall include shower facilities.

Reason: To encourage the use of sustainable modes of transport to and from the site and to provide adequate cycle parking facilities in accordance with Policy TR.4 of the Oxford Local Plan 2001-2016.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Part 3 no change of use from the approved use shall be permitted without the prior written consent of the local planning authority.

Reason: To ensure that the Local Planning Authority can properly consider any alternative use of the premises and to ensure that there is no long term loss of office space within the City in accordance with policy CS28 of the Oxford Core Strategy 2026.

5. Prior to the commencement of the approved use a parking plan showing a reduction in parking bays shall be submitted to and approved in writing by the local planning authority. The approved use shall not commence until the site has been laid out with marked bays in accordance with the approved parking plan. The parking bays as approved shall be retained for the purposes of car parking for the lifetime of the development unless otherwise agreed in writing

by the local planning authority. No on-site vehicle parking shall take place other than in the marked bays on the approved parking plan.

Reason: To ensure that there is a reduction in car parking on the site from the current number of car parking spaces as required by Policy TR11 of the Oxford Local Plan 2001-2016.

6. Details of any new external illumination for the development shall be submitted and approved in writing by the local planning authority prior to the installation of such lighting. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and the visual impact of the development in a wider context, in accordance with policy CP1, CP8, HE7 and HE8 of the Oxford Local Plan 2001-2016 and CS18 of the Oxford Core Strategy 2026.

7. The development shall be operated in accordance with the site management plan submitted in Appendix 1 of the planning statement at all times unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policies CP19 and CP21 of the Oxford Local Plan 2001-2016.

13. APPENDICES

- Appendix 1 – site plan

14. HUMAN RIGHTS ACT 1998

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

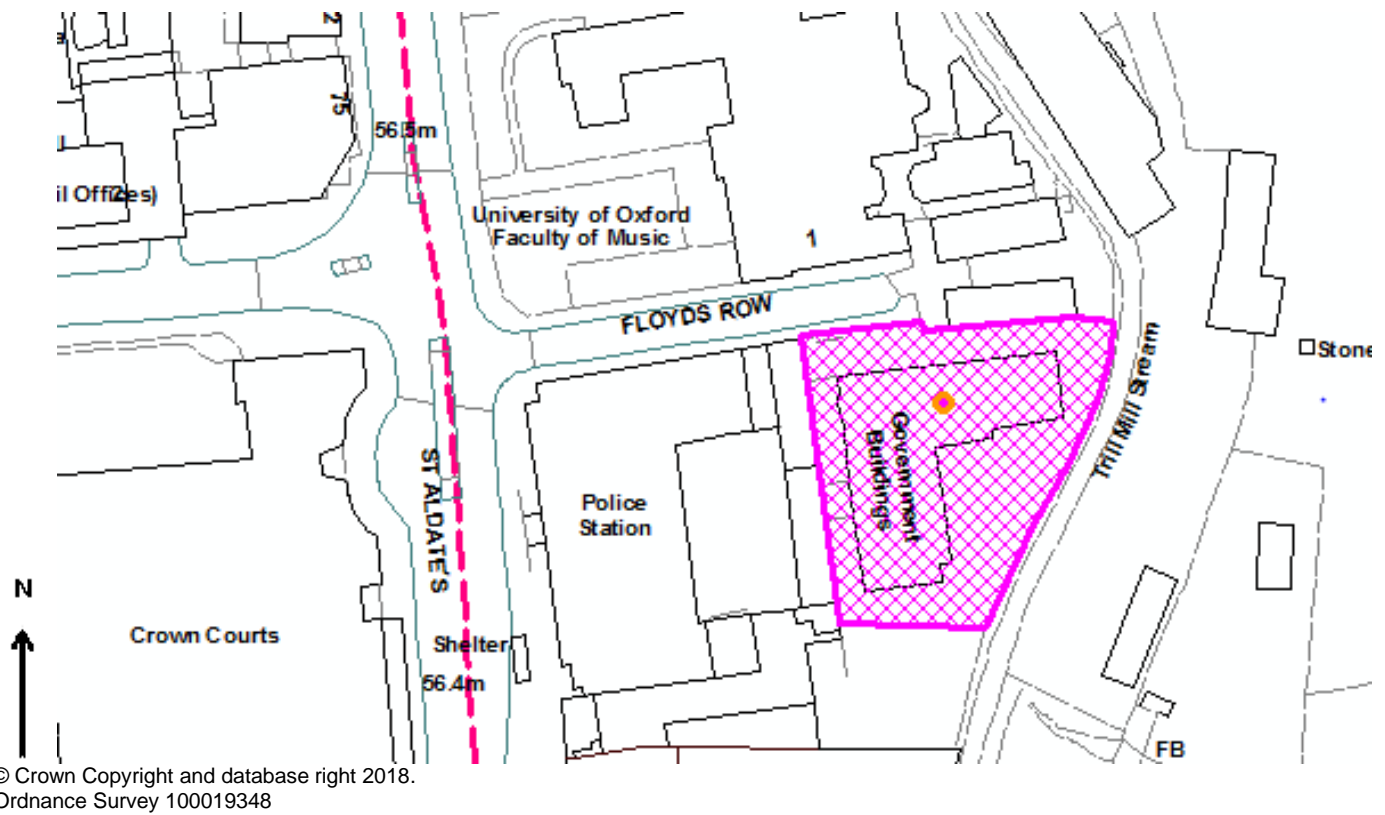
15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1

19/00128/CT3 - Government Building



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Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Wednesday 20 February 2019

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Committee members:

Councillor Cook (Chair)	Councillor Gotch (Vice-Chair)
Councillor Arshad	Councillor Bely-Summers
Councillor Corais	Councillor Harris
Councillor Hollingsworth	Councillor Iley-Williamson
Councillor Upton	

Officers:

Adrian Arnold, Acting Head of Planning Services
Robert Fowler, Planning Team Leader
Sally Fleming, Lawyer
Catherine Phythian, Committee Services Officer
Gill Butter, Conservation and Urban Design Officer
Julia Drzewicka, Planning Officer
Tobias Fett, Planning Officer
Nadia Robinson, Principal Planning Officer

Apologies:

No apologies were received

67. Declarations of interest

18/03113/FUL and 18/02645/FUL: Councillor Harris stated that although he was a signatory to these call-ins he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

18/02645/FUL: Councillor Gotch stated that although he was a signatory to the call-in he was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Cook stated that as a Council appointed trustee for Oxford Preservation Trust and a member of Oxford Civic Society he had taken no part in those organisations' discussions or decision making regarding any of the applications before the Committee and that he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that as a Council appointed trustee for Oxford Preservation Trust and a member of Oxford Civic Society she had taken no part in those organisations' discussions or decision making regarding any of the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

68. 18/03113/FUL: 122 Banbury Road, Oxford OX2 7BP

The Committee considered an application (18/03113/FUL) for planning permission for the erection of two dwelling houses (Use Class C3) within the grounds of 122 Banbury Road, including new access off Belbroughton Road, landscaped amenity space, car parking, bin and cycle storage.

The application had been called by Councillors Harris, Landell-Mills, Wade and Goddard due to local concerns about the impact on the Conservation Area.

The Planning Officer presented the report and referred the Committee to three updates:

- House 1: a bedroom and en-suite had been moved to the front of the property to reduce overlooking at the rear
- Paragraph 10.5: Emerging Local Plan 2036 policy RE2 was not quoted in this paragraph, however it had been considered by officers and was referenced in the conclusion of this section of the report in paragraph 10.7
- Paragraph 10.46: the distance of 30m between the nearest window of proposed House 2 and 1 Belbroughton Road had been replaced in the rest of the report with reference to a distance of 24m between the nearest corners of the two buildings as opposed to windows.

Mr Danby Bloch spoke against the application.

Mr Anthony Lewis (agent) spoke in favour of the application.

The Committee debated the impact on the North Oxford Victorian Suburb Conservation Area and neighbouring amenity, the proposed design and the compliance with Local Plan policies.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

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

69. 18/03313/FUL: Land east of Cherwell School South Site, Marston Ferry Road, Oxford

The Committee considered an application (18/03313/FUL) for planning permission for the erection of two, two-storey modular buildings for temporary school premises at 'Swan School', provision of external associated facilities together with car and cycle parking for a period of no more than two academic years.

The Planning Officer presented the report. She advised the Committee that a number of suggestions for changes to the proposals had been made by the Cherwell Travel Action Group and that these were addressed in the committee report.

Kay Wood (the Headteacher for The Swan School) spoke in favour of the application.

The Committee noted the following points:

- The location close to the permanent school, and ambitious targets in the travel plan, means sustainable travel habits can be promoted and established for both staff and students.
- Wardens would be present at the junction with Marston Ferry Road to oversee the operation of the junction and to check parking or drop-off permits.
- The travel plan coordinator would monitor the use of the 20 car parking spaces that would be marked for Swan School to check they are being used by staff with permits.

The Committee discussion centred on safety concerns for cyclists using the cycle lane as a result of the development proposals. They felt that it was incumbent on a local authority which actively promoted cycling and walking to take all reasonable steps to ensure those activities were undertaken safely.

Notwithstanding the officer advice that the Highways Authority did not require any additional measures to address concerns about the safety of cyclists using the cycle lane the Committee agreed to include the following informative:

“That the applicant should consult with the Highways Authority as to whether signage should be provided at the site entrance where vehicles cross the cycle route as an additional safety measure to protect cyclists”.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application with the addition of the informative detailed above.

The West Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to
 - a. the satisfactory completion of a legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report;
 - b. the required planning conditions set out in section 12 of the report;

- c. and the informative listed above; and
 - d. grant planning permission;
2. **delegate authority** to the Acting Head of Planning Services to:
- a. finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;
 - b. finalise the recommended legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
 - c. issue the planning permission.

70. 18/02645/FUL: 5 Chadlington Road Oxford OX2 6SY

The Committee considered an application (18/02645/FUL) for planning permission for the demolition of existing garage and conservatory; erection of a two storey side and rear extension and a single storey rear extension; enlargement of existing front porch; removal of chimneys; removal of one door to north west elevation and replace with one window; and alterations to vehicle access into the site and provision of bin and cycle.

The application had been called in by Councillors Harris, Gotch, Roz Smith, Gant and Garden on the ground that the proposed extensions involve overbuilding of the site and are of a scale and nature which affects the character of the neighbourhood which is in a conservation area

The Planning Officer presented the report.

Philip Allen, on behalf of Linton Road Neighbourhood Association, spoke against the application.

Patrick Trueman, applicant, spoke in favour of the application.

In debate the Committee focussed on the impact of the proposed development on the North Oxford Victorian Suburb Conservation Area and neighbouring amenity.

The Committee sought advice from the Urban Design and Conservation Officer regarding the relative merits of a side or rear extension. The officer explained that a key characteristic of the North Oxford Victorian Suburb Conservation Area was that *“from the street, building plots seem small for the size of the houses, there are however large spaces behind houses”*.

The Committee noted the officer advice that the sense of spaces between the buildings and glimpses of mature vegetation would not be lost due to the low built form at the Dragon School, and that significant view of rear gardens and the contribution that the

rear garden of 5 Chadlington Road makes to this collective character would still be glimpsed on the southern approach of Chadlington Road which is an important viewing point.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The West Area Planning Committee resolved to:

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

71. 17/02537/CND2: St Hilda's College, Cowley Place, Oxford, OX4 1DY

The Committee considered an application (17/02537/CND2) for approval of the details submitted in compliance with conditions 8 (Details of windows), 9 (Large scale details of the Tower) and 10 (Lighting strategy) of planning permission 17/02537/FUL.

The West Area Planning Committee approved application 17/02537/FUL on 13 March 2018 subject to conditions. It was agreed that approval of the details required by conditions 8, 9 and 10 should be brought back to Committee and not delegated to the Head of Planning Services to approve.

The Planning Officer presented the report and informed the Committee of a change to paragraph 7.3 of the report: *the correct reference was to section 66 not section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990*. The Planning Officer confirmed that consideration of the application had been based on section 66.

Adrian Gould (agent) spoke in favour of the application and Jay Gort (architect) responded to questions from the Committee.

The Committee was satisfied with the details submitted in compliance with conditions 8 (details of windows) and 10 (lighting strategy).

The Committee noted that work on the design of the Tower was progressing and that this was an iterative process such that the final details would be refined after the commencement of above ground building works. The Committee agreed that it would be appropriate to require that approval of the final details of the Tower should be delegated to the Acting Head of Planning Services, after consultation with the Chair of the West Area Planning Committee.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation (as amended by the Committee below) to approve the application.

The West Area Planning Committee resolved to:

1. **approve** the details submitted in compliance with condition 8 (Details of windows), condition 10 (Lighting Strategy) and partially approve details of condition 9 (Large scale details of the Tower);
2. **delegate authority** to the Acting Head of Planning Services, after consultation with the Chair of the West Area Planning Committee, to approve the final details of the Tower (part of condition 9); and
3. **delegate authority** to the Acting Head of Planning Services to determine any future minor amendments that may be submitted as part of conditions 8 and 10.

72. Minutes

The Committee resolved to approve the minutes of the meeting held on 15 January 2019 as a true and accurate record.

73. Forthcoming applications

The Committee noted the list of forthcoming applications.

74. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.00 pm

Chair

Date: Tuesday 12 March 2019